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Final Individual Section 4(f) Evaluation

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I-35 Capital Express Central Project From US 290E to US 290W/SH 71

7 Texas Department of Transportation, Austin District

8
9 **CSJ Number(s): 0015-13-388**

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1. Introduction with a Description of the Proposed Action

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

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

TxDOT is proposing improvements to I-35 from US 290E to US 290W/SH 71 in Travis County for a length of approximately 8 miles. The proposed project would use six parks and recreational areas and five historic sites for Modified Alternative 3 or seven historic sites for Build Alternative 2, and thus, TxDOT is performing this Individual Section 4(f) Evaluation to satisfy the requirements of Section 4(f). In addition, this evaluation includes review of Chapter 26 and Section 6(f) resources. Chapter 26 of the Texas Parks and Wildlife Code was established to protect public parks, recreational and scientific areas, wildlife refuges, and historic sites from being used or taken by the state or local public agencies for public projects. Chapter 26 is similar to Section 4(f) of the USDOT Act of 1966 in its requirements, except that (1) a public hearing is required for any use or taking of protected land and (2) the governing body or officer for the property shall consider clearly enunciated local preferences, and the provisions of this evaluation do not constitute a mandatory prohibition against the use of the area if that authority's findings are made that justify the approval of a program or project. Section 6(f) of the Land and Water Conservation Fund (LWCF) Act of 1965, as amended, (16 USC 4601-4 et seq.) protects recreational lands purchased or improved with LWCF program funds. The public hearing for Chapter 26 requirements was held concurrently with the I-35 Capital Express Central Project Draft Environmental Impact Statement (DEIS) public hearing on February 9, 2023.

The proposed improvements include adding two non-tolled High Occupancy Vehicle (HOV) managed lanes in each direction, removing the existing I-35 decks from Airport Boulevard to MLK Jr. Boulevard, and lowering I-35 through downtown between MLK Jr. Boulevard and Holly Street. The project would also reconstruct east-west cross-street bridges, add shared-use paths (SUP), and make additional safety and mobility improvements within the project limits. Eight Section 4(f)-protected parks and recreational areas were evaluated for their potential use by the project. Six are impacted by the proposed project by either Modified Build Alternative 3 or Build Alternative 2, including: Ann and Roy Butler Hike and Bike Trail, International Shores at Town Lake Metro Park_3, Waller Beach at Town Lake Metro Park, Edward Rendon Sr. Metro Park at Festival Beach, Norwood Tract at Town Lake Metro Park, and Lady Bird Lake. A seventh park, the Roy G. Guerrero Colorado River Metro Park, was also evaluated for impacts but it was concluded there is no use of this park. An additional park, the Colorado River Wildlife Sanctuary, was also evaluated for constructive use impacts due to relocation of the outfall after the public hearing. Additionally, the project would use five historic sites for Modified Alternative 3 or seven historic

1 sites for Build Alternative 2, including the Haster House, the Elgin Butler Brick Company (EBBC) Main Office
2 (Austin Chronicle), Dura Tune Service Station, the Roberts House, and the Town Lake Park System—Waller Creek
3 to Fiesta Gardens section. Build Alternative 2 would impact an additional two sites including two contributing
4 resources in the Delwood II Historic District. The proposed project is listed in the 2045 Capital Area Metropolitan
5 Planning Organization (CAMPO) Regional Transportation Program (RTP), the CAMPO Transportation Improvement
6 Program (TIP) 2021-2024, and the 2022 Unified Transportation Program (UTP), and has been approved by the
7 TxDOT Commission for further development via a minute order 1155250 on August 29, 2019.

8 In accordance with 23 CFR 774, the following Section 4(f) evaluation provides an explanation stating that there
9 is no feasible and prudent alternative to the use of the Ann and Roy Butler Hike and Bike Trail, International
10 Shores at Town Lake Metro Park_3, Waller Beach at Town Lake Metro Park, Edward Rendon Sr. Metro Park at
11 Festival Beach, Norwood Tract at Town Lake Metro Park, Lady Bird Lake, the historic Town Lake Park System—
12 Waller Creek to Fiesta Gardens section, Dura Tune Service Station, EBBC Main Office, the Haster House, and the
13 Roberts House. The proposed action includes all possible planning to minimize harm to the parks, recreational
14 areas and historic sites listed above and described below resulting from such use. Coordination with the Officials
15 with Jurisdiction (OWJ) for the adverse impacts to Section 4(f) properties—the State Historic Preservation Office
16 (SHPO, also the Texas Historical Commission (THC)) for historic sites, and COA Parks and Recreation Department
17 (PARD) and The Trail Conservancy (TTC), previously known as the Trail Foundation, for parks and recreational
18 areas, is complete. Proposed mitigation for Section 4(f) park impacts has been drafted and coordinated with
19 COA PARD. A Section 106 Programmatic Agreement (PA) among TxDOT and SHPO/THC defines both specific
20 mitigation commitments and measures TxDOT will implement to protect historic properties during construction
21 to resolve adverse effects for historic resources.

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

- 25 • Direct Use - A direct use of a Section 4(f) resource takes place when the land is permanently incorporated
26 into a transportation facility.
- 27 • Temporary Occupancy - A temporary occupancy results in a use of a Section 4(f) property when there is a
28 temporary impact to the Section 4(f) property that is considered adverse in terms of the preservationist
29 purposes of the Section 4(f) statute. Temporary Occupancy refers to a use caused by a temporary
30 incorporation of land for the purpose of project construction-related activities. In compliance with 23 CFR
31 774.17 and according the TxDOT Environmental Guidance and Toolkit, temporary occupancy must meet the
32 following conditions:
 - 33 ○ The occupation must be for less time than that needed for construction of the project.
 - 34 ○ The ownership of the land must not change during the project.
 - 35 ○ The scope of the work must be minor.
 - 36 ○ There are no anticipated, permanent, physical, adverse impacts nor any temporary or permanent
37 interference with the protected activities, features, or attributes of the property.

- 1 ○ The Section 4(f) property being used must be fully restored [property must be returned to a condition at
2 least as good as that which existed prior to the project].
- 3 ○ There must be documented agreement among all OWJ over the Section 4(f) property regarding the
4 above conditions.
- 5 • Constructive Use - Constructive use occurs when the transportation project does not incorporate land from
6 a Section 4(f) property, but the project's proximity impacts are so severe that the protected activities,
7 features, or attributes that qualify a resource for protection under Section 4(f) are substantially impaired.
8 Substantial impairment occurs only when the protected activities, features, or attributes of the resource are
9 substantially diminished.
- 10 • *De Minimis* - A finding of *de minimis* impact may be made for historic sites when no historic property is
11 affected by the project or the project will have “no adverse effect” on the historic property in question. For
12 parks, recreation areas, and wildlife and waterfowl refuges, a finding of *de minimis* impact may be made
13 when impacts will not adversely affect the activities, features, and attributes that qualify the resource for
14 protection under Section 4(f). A *de minimis* impact finding may be made without the evaluation of avoidance
15 alternatives.

16 2. Description of the Proposed Action

17 2.1. Purpose and Need

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

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

27 2.2. Project Location and Logical Termini

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

33 Federal regulations require that federally funded transportation projects have logical termini [23 CFR
34 §771.111(f)(1)]. The proposed project would begin at US 290E on the north, and end at US 290W/SH 71 on the
35 south. The limits of the project meet the logical termini requirements per FHWA guidelines by demonstrating
36 major traffic generation to and from I-35. Both of these interchanges are points of major traffic generation. The
37 US 290E terminus represents a complex and critical hub for north Austin, as it is an east/west connecting

1 segment for I-35 users who want to divert eastbound to US 290 to access parallel north/south regional
2 alternative routes such as SH 130 and US 183. The US 290W/SH 71 terminus is a heavily travelled interchange
3 which provides I-35 users an opportunity to travel east/west. This interchange connects I-35 users east to Austin-
4 Bergstrom International Airport (ABIA) via SH 71. This eastbound route is a primary alternative route for
5 connecting to other parallel north/south regional routes including US 183 and SH 130 (around downtown Austin)
6 as well as connecting users further east to Bastrop County. Additionally, this interchange connects I-35 users to
7 US 290W and SH 71 westbound, which provides access for alternative routes connecting to other parallel
8 north/south regional routes including MoPac and Loop 360 (around downtown Austin). This westbound regional
9 route connects users to Burnet County, Hays County, Blanco County, and beyond. Transition zones for Build
10 Alternative 2 and Modified Build Alternative 3 would be from US 290E to Camino La Costa on the north end, and
11 from US 290W/SH 71 to Teri Road on the south end. These would be used for work within the right of way (ROW)
12 to connect to the I-35 Capital Express North and South projects.

13 *2.3. Proposed Action*

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

32 The proposed improvements include the removal of the existing I-35 decks from Airport Boulevard to MLK Jr.
33 Boulevard, lowering the roadway, and adding two HOV managed lanes in each direction. The project would also
34 reconstruct east-west cross-street bridges, add SUPs, and make additional safety and mobility improvements
35 within the project limits. TxDOT, in coordination with COA and the University of Texas (UT), is designing the project
36 to accommodate future potential deck cap locations that could be built by others and that could cover sections
37 of the main and HOV lanes of I-35 and provide community enhancement opportunities in those areas. COA is
38 currently evaluating potential deck caps between Cesar Chavez Street and 8th Street. UT is evaluating potential
39 deck cap areas between Dean Keeton Street and 15th Street. In addition, “stiches,” or enhancements and

1 amenities located along east-west bridges, are being evaluated at several locations. Deck plazas and stitches
2 would be designed, paid for, and constructed by others.

3 In addition, this project will make improvements to the drainage system including potential drainage tunnels and
4 outfall sites. These major drainage systems generally consist of large box culverts and pipes with segments
5 installed by a mixture of open cut, bore, and tunnel. The proposed roadway improvements for both build
6 alternatives will lower the roadway profile below existing grade for long segments north and south of Lady Bird
7 Lake (for approximately 6.3 miles), which will sever multiple drainage systems connected to Harpers Branch,
8 Lady Bird Lake, Colorado River, Waller Creek, and Boggy Creek. Thus, new storm drain systems are required to
9 drain both on-site and off-site runoff that will have been severed from its existing outfall. The new major drainage
10 systems can generally be described as: new storm drains along both frontage roads and mainlanes extending
11 roughly 5,000 feet from the existing Harper's Branch outfall near Lady Bird Lake to just north of Oltorf Street;
12 new storm drain tunnel system extending roughly 9,000 feet along east I-35 ROW from Lady Bird Lake to near
13 15th Street; new storm drain tunnel systems extending roughly 14,500 feet along west I-35 ROW from multiple
14 Waller Creek outfalls near 3rd, 9th, and 15th streets to near Hancock Center, north of 41st Street; new storm
15 drain tunnel system extending roughly 15,000 feet along Cesar Chavez Street from the Colorado River to the
16 southeast corner of the intersection with US 183 in order to reach a new outfall site; new storm drain/tunnel
17 system extending roughly 4,000 feet from the Clarkson Branch of Boggy Creek to I-35 via 38th ½ Street and
18 north to Hancock Center; and a new storm drain extending roughly 2,000 feet from Boggy Creek to the west side
19 of I-35 via a crossing located just north of Airport Boulevard. Currently, a tunnel is proposed beginning at the
20 Colorado River, at the southwest corner of US 183 and Cesar Chavez Street, that would run west beneath Cesar
21 Chavez Street to I-35. These drainage features, except for the Cesar Chavez tunnel outfall, would be bored,
22 beneath TxDOT and COA ROW rather than installed via cut-and-cover, to minimize surface impacts.

23 *2.4. Description of Build and No Build Alternatives*

24 *2.4.1 Build Alternative 2*

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

37 The typical section for Build Alternative 2 generally consists of four mainlanes, two managed, and three frontage
38 road lanes in each direction. Excluding ramps, lane widths are typically 11 feet. Vertically, the mainlanes and

1 HOV managed lanes are typically depressed while the frontage roads are held at grade. Ten-foot SUP are typically
2 provided along the outside of the frontage roads in both the NB and SB directions.

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

14 For Build Alternative 2, 8 to 10-foot-wide SUP would parallel the I-35 frontage roads on both the NB and SB sides
15 from US 290E to north of Woodward Street, with crossings provided at: US 290E, Airport Boulevard, 38th ½
16 Street, 32nd Street, Dean Keeton Street, Manor Road, MLK Jr. Boulevard, 15th Street, 12th Street, 11th Street,
17 8th Street, 7th Street, 6th Street, 5th Street, Cesar Chavez Street, Holly Street, Riverside Drive, Woodland Avenue
18 and SH 71. Four pedestrian/bike-only bridges would be located north of 51st Street, south of Airport Boulevard
19 (at the CapMetro Red Line crossing), 4th Street, and Lady Bird Lake.

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

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

30 Bypass lanes in the NB direction are:

- 31 • Under 51st Street
- 32 • Under Airport Boulevard
- 33 • Under MLK Jr. Boulevard
- 34 • Under 11th and 12th Streets

- 1 • Heading NB on the frontage roads, a driver could access the bypass lane just north of Lady Bird Lake and
2 travel continuously over Holly Street and under Cesar Chavez Street
- 3 • Under Riverside Drive and Woodland Avenue
- 4 Entrances to the HOV managed lanes are located:
- 5 • From WB US 290 East to I-35 (SB);
- 6 • From SB frontage road at 40th Street (SB);
- 7 • From SB bypass lane at Woodland Avenue (SB);
- 8 • From NB bypass lane at MLK Jr. Boulevard (NB); and
- 9 • From NB frontage road at 32nd Street (NB).

10 Exit ramps from the HOV managed lanes are located:

- 11 • Airport Boulevard (NB);
- 12 • Woodland Avenue (NB);
- 13 • MLK Jr. Boulevard (SB); and
- 14 • 32nd Street (SB).

15 At the time of the Public Hearing, Build Alternative 2 would have required approximately 45.2 acres of additional
16 ROW resulting in 291 potential displacements. Temporary and permanent easements would be required in the
17 amount of approximately 3 acres for construction staging, and approximately 25 acres of Lady Bird Lake open
18 water and shoreline, which would be restricted from recreation during construction to allow for movement of
19 equipment.

20 **2.4.2 Modified Build Alternative 3**

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

33 The typical section for Modified Build Alternative 3 generally consists of four mainlanes, two managed, and three
34 frontage road lanes in each direction. Excluding ramps, lane widths are typically 11 feet. Vertically, the mainlanes

1 and HOV managed lanes are typically depressed, while the frontage roads are held at grade. Frontage roads are
2 situated along the outside of the corridor except between Dean Keeton Street and Cesar Chavez Street where
3 they combine to form a boulevard section above the mainlanes. Ten-foot SUP are typically provided along the
4 outside of the frontage roads in both the NB and SB directions.

5 As the Preferred Alternative, Modified Build Alternative 3 was refined after publication of the DEIS and further
6 schematic development, and now requires approximately 54.1 acres of additional ROW and 111 potential
7 displacements. Temporary and permanent easements would be required in the amount of approximately 3 acres
8 for construction staging, and approximately 25 acres of Lady Bird Lake open water and shoreline (temporary
9 easement only), which would be restricted from recreation during construction to allow for movement of
10 equipment.

11 For Modified Build Alternative 3, COA is evaluating deck plazas between Cesar Chavez Street and 8th Street, and
12 UT is evaluating locations between Dean Keeton Street and MLK Jr. Boulevard on the west side of I-35 (no
13 additional ROW is required for this location). Stitches are being evaluated at the CapMetro Red Line crossing
14 south of Airport Boulevard, Wilshire Boulevard, 38th ½ Street, 32nd Street, 12th Street, 11th Street, Holly Street,
15 and Woodland Avenue. Deck plazas and stitches would all be built and funded by others.

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

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

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

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

34 Bypass lanes NB direction:

- 35 • Under Airport Boulevard;

- 1 • Under Wilshire/41st Street;
- 2 • Under 11th Street and 12th Street;
- 3 • Over Holly Street and under Cesar Chavez Street; and
- 4 • Under Riverside Drive.

5 The entrances for the HOV managed lanes would be:

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

11 The HOV managed lane exits would be:

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

17 After the public hearing on February 9, 2023, design refinements were made to Modified Build Alternative 3, the
18 Preferred Alternative, based on comments from the public hearing and stakeholder engagement, as well as
19 updated parcel information and survey data.

20 Design refinements include additional displacements to occur at 4706 N I-35 – Village at 47th (22 residential
21 units); one additional commercial displacement at 3311 N I-35; and one additional commercial displacement at
22 1009 E 40th Street, The following properties were reclassified from vacant displacements to vacant parcel
23 acquisitions: 1106 Flores Street, 1108 Flores Street, 1110 Flores Street, 902 E Cesar Chavez Street, 904 E
24 Chaves Street, 4916 N I-35, 4834 N I-35, 3810 N I-35, 3808 N I-35, 3800 N I-35, 3707 N I-35, and 3501 N I-
25 35. The Roberts House (3509 N I-35) was reclassified from one vacant displacement to one residential
26 displacement and 1103 Clermont Avenue was reclassified from one vacant displacement to two residential
27 affordable housing units. The following 11 properties will no longer be displaced: 1948 S I-35, 30 N I-35, 1920
28 S I-35, 1946 S I-35, 718 E 11th Street, 4021 N I-35, 5740 N I-35, 5817 N I-35, 5821 N I-35, 5801 N I-35, and
29 3507 N I-35.

30 Also, an extension of the Cesar Chavez drainage tunnel to the southeast corner of US 183 in order to reach a
31 new outfall site that would no longer be located north of the Roy G. Guerrero Park (see **Attachment A**). The new
32 outfall would be on the northern shore of the Colorado River to minimize residential ROW impacts and to utilize
33 existing TxDOT ROW and more optimal site topography.

1 2.4.3 *No Build Alternative*

2 The No Build Alternative is still an option on the table for approval and is being carried forward as a baseline for
3 comparison. By 2045, I-35 traffic within the project limits is expected to reach 303,700 vehicles per day (vpd),
4 an increase of approximately 47 percent since 2019—according to traffic projections based on TxDOT-approved
5 2030 and 2050 Annual Average Daily Traffic (AADT) forecasts—and safety and mobility would continue to decline
6 as population increases. In addition, the proposed bicycle/pedestrian facilities would not be constructed. While
7 it is assumed other transportation improvement projects in the UTP, RTP, and TIP would be implemented with
8 the No Build Alternative, none of these would address the purpose and need for this project; the need for the
9 project would still exist with the No Build Alternative. Although it does not meet the need and purpose of the
10 project, the No Build Alternative was carried through the environmental impact analysis to assess the impacts
11 of no action as a comparison to the Build Alternatives, as required by NEPA and Section 4(f).

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

13 3.1. *Parks/Recreation Areas*

14 This section provides a description of the eight Section 4(f) parks and recreational area properties including two
15 Section 6(f) properties also being covered under this evaluation: the Ann and Roy Butler Hike and Bike Trail,
16 International Shores at Town Lake Metro Park_3, Waller Beach at Town Lake Metro Park, Edward Rendon Sr.
17 Metro Park at Festival Beach, Roy G. Guerrero Colorado River Metro Park, Norwood Tract at Town Lake Metro
18 Park, Lady Bird Lake, and Colorado River Wildlife Sanctuary.

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

25 3.1.1 *Ann and Roy Butler Hike and Bike Trail (10.2 miles)*

26 The Ann and Roy Butler Hike and Bike Trail is a 10.2-mile trail system that circles Lady Bird Lake. According to
27 COA PARD Interactive Map, the trail extends as far west as the MoPac Expressway and as far east as South
28 Pleasant Valley Road. The trail is owned by COA and managed by both COA and TTC . The trail is used both
29 recreationally and as an alternative transportation route for the urban core. The trail sees 4.9 million visitors per
30 year and is Austin’s most popular recreational area. Users of the trail pass by neighborhoods, skyscrapers,
31 cultural attractions, and parks all while being surrounded by beautiful scenery and a natural habitat. The trail
32 has many access points throughout COA and can be accessed by foot, bike, car, and transit.

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

- 35 • International Shores at Town Lake Metro Park_3
- 36 • Waller Beach at Town Lake Metro Park

- 1 • Edward Rendon Sr. Metro Park at Festival Beach
- 2 • Roy G. Guerrero Colorado River Metro Park
- 3 • Norwood Park at Town Lake Metro Park

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

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

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

21 COA and TxDOT have a Municipal Use Agreement(s) (MUA) from 1977, which allows COA to use the area under
22 the I-35 bridges over the northern side of Lady Bird Lake. Currently, this area is being used primarily for parking
23 and for access to East Avenue. TxDOT also has an MUA from 2013 that allows COA to use the area under the I-
24 35 bridges over the southern bank of Lady Bird Lake. This south bank area of Lady Bird Lake within TxDOT ROW
25 is currently used as a public hike and bike trail (Boardwalk Trail). The Ann and Roy Butler Hike and Bike Trail
26 passes through the MUA area under the I-35 bridge.

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

1 already doing this individual Section 4(f) for other properties, TxDOT has elected to include these sidewalks in
2 this Section 4(f) evaluation as if they were subject to Section 4(f).

3 **3.1.2 International Shores at Town Lake Metropolitan Park_3** 4 **(approximately one acre)**

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

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

17 **3.1.3 Waller Beach at Town Lake Metro Park (approximately 28 acres)**

18 Located at 30 East Avenue, Austin, Texas, Waller Beach at Town Lake Metro Park (Waller Beach Park) is an
19 approximately 28-acre park situated on the northwest side of the I-35 bridge over Lady Bird Lake, south of
20 downtown Austin. Owned by COA, Waller Beach Park follows along the north side of Lady Bird Lake and extends
21 as far west as South Congress Avenue and as far east as I-35 ROW. The TCAD IDs for the park parcels are:
22 192810, 190751, 190772, 190791, 190772, 190788, 190753, 190764, 190763, 190762, 190761,
23 190760, 190759, 499203, 499201, and 188025. Waller Beach Park received LWCF funds and is a Section
24 6(f) resource. The park is well used by joggers, kayakers, cyclists, and wildlife watchers. The park is connected
25 to several others through the Ann and Roy Butler Hike and Bike Trail. While the park boundaries end at the I-35
26 ROW, conveyance of the trail from one park to the other is permitted within the ROW beneath the I-35 bridge
27 over Lady Bird Lake by a 1977 MUA between COA and TxDOT.

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

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

- 37 1. Waller Creek Boathouse (74 Trinity St, Austin, TX 78701)

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

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

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

14 **3.1.4 Edward Rendon Sr. Metro Park at Festival Beach (approximately 73** 15 **acres)**

16 Edward Rendon Sr. Metro Park at Festival Beach (Edward Rendon Park) is an approximately 73-acre park located
17 at 2101 Jesse E. Segovia Street, Austin, Texas on the northeast side of the I-35 bridge over Lady Bird Lake.
18 According to COA’s PARD Interactive Map, Edward Rendon Park follows along the north side of Lady Bird Lake
19 from I-35 to the Holly Street Power Plant at 2401 Holly Street. TCAD IDs for park parcels are: 187333, 187327,
20 282816, 282817, 282818, 187453, 187454, 187455, 187460, 187459, 187451, 187452, 187485,
21 187488, 187487, 187486, 187497, and 283139. The park is owned by COA and is used for events, picnics,
22 fishing, gardening, and for its trails and is a Section 6(f) resource. The park is connected to several other parks
23 along Lady Bird Lake through the Ann and Roy Butler Hike and Bike Trail. While the park boundaries end at the
24 I-35 ROW, conveyance of the trail from one park to the other is permitted within the ROW beneath the I-35 bridge
25 over Lady Bird Lake by a 1977 MUA between COA and TxDOT.

26 Edward Rendon Park is accessible via several transportation modes. Vehicle transportation to the park is
27 possible via I-35 and East Avenue, Nash Hernandez Senior Road, Comal Street, Chicon Street, Jesse E. Segovia
28 Street, Robert T. Martinez Street, and Riverview Street. Pedestrians and bicyclists are able to access the park
29 via the Ann and Roy Butler Hike and Bike Trail, Waller Street, Comal Street, Chicon Street, Jesse E. Segovia
30 Street, Anthony Street, Robert T. Martinez Street, and Riverview Street. The park is accessible via three CapMetro
31 bus routes: 322, 490, and 493.

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

- 35 1. East Avenue
- 36 2. Nash Hernandez Building (1621 Nash Hernandez Senior Rd, Austin, TX 78702)
- 37 3. Martin Neighborhood Pool

- 1 4. A playground directly adjacent to the Martin Neighborhood Pool
- 2 5. Picnic shelter area (10 Chicon St, Austin, TX 78702)
- 3 6. Fiesta Gardens Pavilion
- 4 7. Fiesta Gardens Building (2101 Jesse E. Segovia St, Austin, TX 78702)
- 5 8. The Expedition School, a COA-contracted facility that provides kayaking, paddling, canoeing, and other
- 6 programs (Boat Ramp, Nash Hernandez Senior Rd, Austin, TX 78702)
- 7 9. Lorraine “Grandma” Camacho Activity Center (35 Robert T, Robert T Martinez Jr St, Austin, TX 78702)
- 8 10. Central Austin Youth League (2201 Riverview St, Austin, TX 78702)
- 9 11. Five baseball fields
- 10 12. Festival Beach Community Garden (35 Waller St, Austin, TX 78702)
- 11 13. Festival Beach Food Forest (25-1/2 Waller St, Austin, TX 78702)

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

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

20 The Festival Beach Community Garden and Festival Beach Food Forest are located within the northwest portion
 21 of TCAD Parcel ID 18733 (see **Attachment A**). The Festival Beach Community Garden is a fenced 2.5-acre area
 22 along Waller Street in between Flores Street and Clermont Avenue. This garden serves the community, especially
 23 the residents of the East Cesar Chavez and Holly neighborhoods, by providing affordable plots, communal tools,
 24 irrigation, and community outreach and events. Abutting the Festival Beach Community Garden southern
 25 boundary, the Festival Beach Food Forest is a public open area on approximately 0.66 acres. The Festival Beach
 26 Food Forest is a communal forested garden where the public can consume and collect food grown. This forested
 27 garden also serves as a common ground place for growth, connection, and celebration.

28 **3.1.5 Roy G. Guerrero Colorado River Metro Park (approximately 400 acres)**

29 Located at 400 Grove Boulevard, Austin, Texas, Roy G. Guerrero Colorado River Metro Park (Roy G. Guerrero
 30 Park) is an approximately 400-acre park located on the southern shores of the Colorado River and to the east of
 31 South Pleasant Valley Road. According to COA’s PARD interactive map, the park extends as far west as South
 32 Pleasant Valley Road and as far east as US 183. The TCAD IDs for this park are: 187625, 283146, 283145,
 33 287813, 283147, 283148, 287931, 287927, 283889, 283887, 283902, 285053, 363711, 285512, and
 34 363711. The park is owned by COA and is used for softball and baseball, volleyball, field sports, disc golf, and

1 picnicking. Additionally, several playgrounds and trails are located in the park. The park is connected to several
2 other parks along Lady Bird Lake through the Ann and Roy Butler Hike and Bike Trail.

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

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

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

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

23 **3.1.6** *Norwood Tract at Town Lake Metro Park (approximately 10 acres)*

24 Located at 1012 Edgecliff Terrace, Austin, TX 78704, the Norwood Tract at Town Lake Metro Park (Norwood
25 Park) is an approximately 10-acre park located on the southwest side of the I-35 bridge over Lady Bird Lake. The
26 TCAD IDs for the park parcels are: 283007, 283008, 188021, 188020, 188019, 188018, 188017, 283016,
27 283015, 283014, 283025, 283024, 283023, 283022, 283019, 283021, 283020, and 283009. The park is
28 owned by COA and offers an off-leash dog park and is home to the Norwood House. The park has unique views
29 over the Colorado River and of Austin's cityscape. See the maps in **Attachment A** for the locations of the two
30 facilities and Photo 9 in **Attachment B** for a picture of the park.

31 The Norwood House is a COA Historic Landmark, but it is not listed in the National Register of Historic Places
32 (NRHP). The Norwood house is planned to undergo renovations (pending additional funding) and will serve as a
33 space for community gatherings and events. It is estimated that the event space will be booked up for a year in
34 advance. The dog park is the primary use of the park currently; however, it is anticipated that the park's usage

1 will increase once renovations to the Norwood House are complete. The property will be treated as a Section 4(f)
2 resource and will be included the PA with THC with a stipulation for buildings that are rehabbed/renovated and
3 need to be reevaluated under Section 106 based on the changes.

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

8 **3.1.7 Lady Bird Lake (approximately 485 acres)**

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

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

28 **3.1.8 Colorado River Wildlife Sanctuary (43 acres)**

29 The Colorado River Wildlife Sanctuary is located at 5827 Levander Loop on the approximately 43-acre TAD parcel
30 ID 283892 (see Attachment A). This sanctuary is a COA PARD property that serves as a public preserve to view
31 wildlife within a heavily forested riparian area and contains the Colorado River Wildlife Sanctuary Trail for hiking
32 with scenic overlooks. According to the TPWD, the sanctuary provides habitat for migrating songbirds in the
33 spring and the wetlands form several bays along the trail which provide habitat for wintering waterfowl including
34 gadwall, lesser scaup, and bufflehead. Yellow-rumped warbler, titmice, and ruby-crowned kinglet inhabit the
35 woods year-round, and raptors like the red-shouldered hawk have been spotted ([https://tpwd.texas.gov/
36 huntwild/wildlife/wildlife-trails/hote/east-austin-loop](https://tpwd.texas.gov/huntwild/wildlife/wildlife-trails/hote/east-austin-loop)). The sanctuary can be accessed by the 183 Tollway SUP.

1 3.2. Historic

2 3.2.1 Town Lake Park System – Waller Creek to Fiesta Gardens Section

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

4 This property is a one-mile section of Austin’s Town Lake Park System along Lady Bird Lake between Waller
5 Creek and Fiesta Gardens, which was evaluated for its NRHP eligibility. See the location maps in **Attachment A**.
6 The Town Lake Park System includes a series of interconnected COA-owned parks surrounding Lady Bird Lake
7 in central Austin, roughly between the MoPac Expressway in the west and the Longhorn Dam in the east. Early
8 concepts for the park system were developed in the mid-1960s. The parks are unified by the Town Lake Hike
9 and Bike Trail (later renamed the Ann and Roy Butler Hike and Bike Trail). The trail passes through multiple
10 lakefront landscapes called “beaches” and “shores,” which sometimes contain smaller parks and other
11 recreation-related buildings, structures, or features. The 10.2-mile-long Butler Hike and Bike Trail is the primary
12 unifying linear feature traversing the parks encircling the lake.

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

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

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

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

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

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

36 The Town Lake Park System provided an important recreational and community resource for Austin residents
37 and tourists. The park system’s hike and bike trail and linear greenbelts linked natural, urban, and suburban
38 environments, and connected many of Austin’s disparate neighborhoods. As an extensive and accessible public
39 recreational resource, the parks and hike and bike trail functioned as a social and cultural hub shared by Austin’s
40 diverse populations. The park system included large and small event spaces, performance venues, lake access,
41 sports facilities, and many other recreation- and entertainment-related facilities. The natural beauty and

1 activities it offered were enjoyed by Austin residents, but were also a significant draw for tourists, which made
2 the park system an important asset for the local economy. For these reasons, the Town Lake Park System is
3 significant under Criterion A in the area of Entertainment/Recreation at the local level of significance.

4 Formed in 1965, COA PARD carried out Town Lake Development as one of its first large-scale projects. Town
5 Lake Hike and Bike Trail was Austin's first major trail system, but it represented a growing nationwide trend
6 toward integrating recreational greenspaces and trail systems in urban areas. The Town Lake Park System
7 represents mid-century urban planning principles and a heightened emphasis on environmental values in city
8 development. Therefore, it is also significant under Criterion A for Community Planning and Development at the
9 local level of significance for its association with "a historic trend that made a significant contribution to the
10 development of a community."

11 The Town Lake Park System is also significant under NRHP Criterion A in the area of Social History at the local
12 level of significance. Throughout the 1970s, Festival Beach was primarily used as a neighborhood park by nearby
13 residents and it was widely considered the Mexican-American section of the park system. However, during Aqua
14 Fest COA installed restricted access to Festival Beach and charged admission fees to a park that was otherwise
15 free and open for public use. By the late 1960s residents and community activists began protesting against Aqua
16 Fest. These complaints came during the rise of Austin's Latino civil rights movement, when numerous community
17 organizations formed to protect their neighborhoods from outside development, including the East Town Lake
18 Citizens Neighborhood Association, the East Austin Chicano Economic Development Corporation, and the Austin
19 Branch of the Brown Berets. By the 1970s the Aqua Fest issue became a rallying point for the Chicano movement
20 in Austin. Following a particularly high-profile protest at Festival Beach, community advocates finally succeeded
21 in forcing the cancellation of the boat races in 1978. As a contested space and site of a critical victory for Austin's
22 emerging Latino activist organizations, the evaluated section of the Town Lake Park System represents an
23 important civil rights development in the history of Austin.

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

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

1 3.2.2 *Dura Tune Service Station*

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

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

20 The *Field Guide to Gas Stations in Texas* identifies two primary considerations for eligibility under Criterion C for
21 Architecture. The first is that the building represents a recognizable example of the design adopted by a particular
22 oil company. This property retains most of its original distinctive features, making it recognizable as a 1950-
23 1970 Conoco station. The second requirement for eligibility is that the design includes stylistic features that set
24 it apart from the simple “oblong box” typified by gas stations of the postwar period. While the Conoco design
25 conforms with the typical postwar oblong box form, it displays several distinctive stylistic elements that set it
26 apart from simpler gas stations of the period. These include the raised canopy, glazed garage doors, multi-level
27 roof, projecting wall at the service bay, and metal banding around the eave line. For these reasons, the former
28 Dura Tune Service Station possesses significance under Criterion C in the area of Architecture as an excellent
29 example of a 1960s Conoco station.

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

34 3.2.3 *Elgin Butler Brick Company (EBBC) Main Office (Austin Chronicle)*

35 The EBBC Main Office at 4000 North I-35, constructed in 1957, is a one-story, rectangular plan, Contemporary-
36 style building with a flat roof and overhanging eaves. See the location maps in **Attachment A**. It has a concrete
37 foundation and brick walls of varying colors and patterns. Windows are fixed and sliding metal tucked below the
38 eaves. Entries on the I-35 frontage road and East 40th Street have wood doors and glazed English tile stoops. A
39 partial shed-roof addition on the rear has corrugated metal and acrylic cladding and a corrugated metal roof. The

1 building has an interior courtyard constructed around a sycamore tree. Photos 31–34 in **Attachment B** show the
2 EBBC Main Office building and its relationship to I-35.

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

8 Identifying features of the Contemporary architectural style found on the EBBC Main Office include widely
9 overhanging eaves, windows found just below the roofline, use of natural materials like wood and brick, a broad
10 expanse of uninterrupted wall surface, integration of indoor/outdoor space, a lack of symmetry, the recessed
11 front entrance, and the almost hidden side entrance.

12 The EBBC Main Office is eligible for the NRHP under Criterion A in the area of Commerce at the local level of
13 significance as the main and only extant Austin office of the EBBC, a significant company in the history of Austin's
14 development. It is also eligible under NRHP Criterion C in the area of Architecture at the local level of significance
15 as a locally rare example of a small office possessing the distinctive characteristics of the Contemporary style as
16 applied and displaying the wide range of the EBBC's distinctive brick and tile products of the 1950s.

17 **3.2.4 Haster House**

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

36 Based on historic contexts, the Haster House possesses significance under Criterion A in the area of Community
37 Planning and Development for its role as one of the only remaining residential properties along the former East
38 Avenue corridor. The house was built as part of a wave of early construction of one-story, frame dwellings along
39 the major thoroughfare of East Avenue in the 1920s, which heralded the beginning of residential development

1 in this area of the East Austin Outlots, including what would become the Cherrywood neighborhood. Among the
2 dozens of houses that represented this early development pattern, the Haster House is one of only three that
3 remain; the vast majority of these properties were lost to I-35 and increasing commercial and multi-family
4 development along the corridor. As previously discussed, of the three, the Haster House is the best example of
5 early one-story frame dwellings along East Avenue with the highest degree of integrity. The period of significance
6 dates to 1923, when the house was constructed.

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

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

20 3.2.5 *Delwood II Historic District*

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

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

37 Delwood II is significant at the local level under NRHP Criterion A in the area of Community Planning and
38 Development as representative of early post-World War II residential development patterns in Austin. Similar to
39 the adjacent Giles-developed Delwood I subdivision, Delwood II played an important role in providing affordable

1 housing for returning GIs and Austin's working-class citizens during the postwar era. With its curvilinear street
2 pattern, uniform lots, and modest residences, it continues to represent the city's early postwar residential
3 development trends. It is also significant under NRHP Criterion C in the area of Architecture as an intact collection
4 of midcentury residential architecture designed for affordability in the early postwar era. While Delwood II
5 contains both Ranch and Minimal Traditional-style houses, the Ranch-style, stucco-clad, concrete block homes
6 with metal-frame casement windows represent a unique building type in Austin and help define the distinctive
7 architectural character of the neighborhood.

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

16 *3.2.6 Residence at 4505 North I-35*

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

23 *3.2.7 Residence at 4503 North I-35*

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

31 *3.2.8 Roberts House*

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

1 The Roberts House and associated garage are eligible for NRHP listing under Criterion A in the area of Community
2 Planning and Development at the local level of significance. The property is significant as one of the only
3 remaining residential properties representing interwar-period development patterns along the former East
4 Avenue corridor. It is one of only three extant pre-World War II houses facing former East Avenue in this area; the
5 other two houses are the 1923 Haster House (eligible for NRHP listing) at 3009 North I-35 and a c.1925 house
6 with considerable alterations (not eligible for NRHP listing) at 3007 North I-35. The Roberts House represents
7 the early development pattern of one-story frame houses constructed along East Avenue in the 1920s and early
8 1930s, which heralded the beginning of residential development in this area of the East Austin Outlots. The
9 Roberts House and associated garage have minor alterations but retain all aspects of integrity sufficient to
10 convey the property's significance. The property's period of significance dates to c.1930, when the Roberts
11 House was constructed. The NRHP-eligible boundaries are those of Travis Central Appraisal District (TCAD)
12 property parcel 209089, which contains both the house and garage.

13 4. Impacts to Section 4(f) Properties

14 This section describes whether and how Build Alternative 2 and Modified Build Alternative 3 will result in a direct
15 or constructive use of the Section 4(f) resources. For the park/recreation resources, coordination with COA is
16 complete. Coordination with THC on effects to historic resources has also been completed. COA coordination
17 documentation, THC concurrence, and the Section 106 PA are in **Attachment C**.

18 4.1. Parks/Recreation Areas

19 4.1.1 *Ann and Roy Butler Hike and Bike Trail*

20 *Build Alternative 2*

21 Build Alternative 2 would impact the Ann and Roy Butler Hike and Bike Trail as a result of permanent
22 incorporation and temporary occupancy of the trail. Approximately 1,255 total feet of the trail (or 2.3% of the
23 trail's total length) would be temporarily impacted in Edward Rendon Park, Waller Beach Park, International
24 Shores_3, and the boardwalk adjacent to Norwood Park. Also, approximately 603 total feet of the trail would be
25 permanently impacted in Waller Beach Park and International Shores_3. The duration of impacts varies by
26 location, as discussed in the proceeding paragraphs. See the maps in **Attachment A** for sections of trail that
27 would be impacted by Build Alternative 2. **Table 1** summarizes the temporary and permanent park impacts
28 described below.

29 A temporary occupancy would occur to approximately 65 feet of the Ann and Roy Butler Hike and Bike Trail within
30 the limits of the proposed construction staging area in Edward Rendon Park (TCAD ID: 187327). The trail would
31 be redirected to run along the south side of East Avenue throughout the duration of construction in Edward
32 Rendon Park, estimated to last less than six months. Additionally, the trail would periodically close for up to
33 approximately three to seven days at a time throughout the duration of construction (up to three times per year,
34 for three to seven days per closure) to ensure safety of the trail users, traveling public, and construction workers
35 when performing overhead construction activities. The trail may need to be closed for a few hours at a time on
36 a nightly basis. All closures will be coordinated in advance. The trail within Edward Rendon Park would be
37 restored to pre-construction condition following construction.

1 A permanent incorporation would occur to approximately 580 feet of the Ann and Roy Butler Hike and Bike Trail
2 within the limits of the proposed construction staging area in Waller Beach Park (TCAD ID: 188025). The trail
3 would be redirected to run along the south side of East Avenue throughout the duration of construction in Waller
4 Beach Park, estimated to last the entire duration of construction (see **Attachment A**). Additionally, the trail would
5 periodically close for approximately up to three to seven days at a time (up to three times per year) throughout
6 the duration of construction. The trail may need to be closed for a few hours at a time on a nightly basis. All
7 closures will be coordinated in advance. Impacts to the trail would be temporary; however, the duration of
8 construction in the park would require the conversion of the property, including the section of trail that runs
9 through it, under Section 6(f) regulations. TXDOT will own the 1.30-acre maintenance area where the trail is
10 located. Although TxDOT will own the area and use it for maintenance when needed, the trail will continue to be
11 available to the community. Upon construction completion, the 1.30-acre property acquired by TxDOT would be
12 restored and revegetated. TxDOT would enter into an agreement with COA or TTC so that the property and trail
13 would be maintained to the standard of the surrounding parkland (subject to future use of a portion of the Waller
14 Beach Park for maintenance of the I-35 bridge).

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

25 A temporary occupancy of approximately 585 feet of the Ann and Roy Butler Hike and Bike Trail would occur
26 along the boardwalk section between the limits of the trail in International Shores_3 to the west adjacent to
27 Norwood Park. Impacts to the trail boardwalk would consist of temporary closures of approximately three to
28 seven days at a time (up to three times per year) for the duration of construction to provide for safety during
29 construction activities along the lake. The trail boardwalk may need to be closed for a few hours at a time on a
30 nightly basis. All closures will be coordinated in advance. No modifications to the boardwalk would occur that
31 would require restoring it to pre-construction conditions.

32 Although the sidewalk along either side of the I-35 frontage road bridges over Lady Bird Lake is not a Section
33 4(f) resource, it does provide connectivity to the Ann and Roy Butler Hike and Bike Trail on both sides of the lake.
34 The requirements of Section 4(f) do not apply to the sidewalks on either side of the I-35 frontage road bridges
35 as they are not recreational areas; however, for the various reasons stated earlier, TxDOT has elected to include
36 them in this evaluation as if they were subject to Section 4(f). During construction, the sidewalk on the
37 northbound side of the bridge would not be usable (approximately 758 feet); however, pedestrians would be
38 rerouted to pedestrian walkways on the northbound frontage road bridge while a new pedestrian bridge is
39 constructed. Two lanes on the northbound frontage road would be closed off and a barrier will be put up to create
40 the temporary pedestrian walkway. Pedestrians would use this configuration. Pedestrian traffic on the

1 northbound side of I-35 would transfer to the new pedestrian bridge upon its completion. The sidewalk on the
2 southbound side of I-35 would be closed off (approximately 695 feet) later in the project's development. No
3 temporary pedestrian walkway would be provided on the southbound side; however, pedestrian traffic would be
4 diverted to other parts of COA trail network and to the newly constructed pedestrian bridge on the northbound
5 side of the I-35 frontage road. Trail detours include 1,141 feet in Waller Beach, 390 feet within TxDOT ROW
6 (north of the Colorado River), 248 feet in Edward Rendon Park, 3,777 feet along East Riverside Drive. Following
7 the estimated construction duration, pedestrians would be rerouted and would use the new COA pedestrian
8 bridge instead of the existing I-35 bridge sidewalk while a new pedestrian crossing over Lady Bird Lake is
9 constructed. Pedestrian traffic on the southbound side of I-35 would return to the pedestrian crossing upon its
10 completion.

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

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

29 In summary, the proposed construction staging areas and construction activities in the lake would result in
30 approximately 1,255 feet (or 1.6% of the trails total 10.2-mile length) of temporary occupancy. During
31 construction, the northbound I-35 sidewalk, approximately 758 feet, and southbound I-35 sidewalk,
32 approximately 695 feet, would be temporarily impacted. It is important to note that after the first year of
33 construction a new pedestrian bridge separated from the roadway bridges would be opened with access to the
34 trail and boardwalk, creating a permanent enhanced connection over Lady Bird Lake for multi-modal use.

35 An additional approximately 603 feet (or 1.1% of the trail's total length) would require permanent incorporation
36 as a result of proposed ROW in International Shores_3 and a Section 6(f) conversion in Waller Beach Park.
37 Impacted trail sections would be restored to their original condition following construction. The project would not
38 otherwise substantially impair the qualities or functions that qualify the Ann and Roy Butler Hike and Bike Trail
39 for Section 4(f) protection. The main functionality of the overall trail would not be impaired, nor would the trail
40 be completely unusable as a result of temporary closures and reroutes. Large deviations from the typical trail

1 route would also not be experienced by trail users. Based on the impacts noted above, Build Alternative 2 would
2 involve a use of this Section 4(f) resource.

3 *Modified Build Alternative 3*

4 The impacts to the Ann and Roy Butler Hike and Bike Trail under Modified Build Alternative 3 would be mostly
5 identical to those under Build Alternative 2, except for the differences in International Shores_3. Under Modified
6 Build Alternative 3, approximately 0.1 acre of ROW would be required adjacent to the I-35 northbound frontage
7 road in order to accommodate 1) the proposed SUP that would be built along I-35, 2) an extension of the SUP
8 into park property, and 3) the addition of a U-turn on the north side of East Riverside Drive. This would result in
9 a permanent incorporation of approximately 117.9 feet of the trail (or 0.2% of the trail's total length). Additionally,
10 approximately 532.9 feet of the trail (or 0.9% of the trail's total length) would require temporary occupancy within
11 the proposed construction staging area, which is 0.61 acre in Modified Build Alternative 3. Therefore, in total
12 Modified Build Alternative 3 would result in approximately 1,182.9 feet (or 2.1% of the trails total 10.2-mile
13 length) of temporary occupancy and approximately 679.90 feet (or 1.2% of the trail's total length) of permanent
14 incorporation. Noise levels were assessed for Edward Rendon Park, and it would experience a minor increase in
15 in noise levels (2-dB increase) at the Festival Beach Community Garden and Festival Beach Food Forest under
16 Modified Build Alternative 3 when compared to Build Alternative 2. A noise barrier at this location would be
17 feasible and reasonable at abating noise levels for the park under this alternative and has been proposed for
18 incorporation into the project. All other impacts under Modified Build Alternative 3 are identical to those
19 described for Build Alternative 2. Based on the impacts noted above, Modified Build Alternative 3 would involve
20 a use of this Section 4(f) resource. **Table 1** summarizes the temporary and permanent park impacts.

21 *4.1.2 International Shores_3*

22 *Build Alternative 2*

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

33 Build Alternative 2 would result in permanent and temporary impacts to International Shores_3. Permanent
34 impacts would include a 0.01-acre reduction of total easement acreage as a result of additional ROW, as well as
35 impacts to trees as a result of the additional ROW and construction staging area. The number of trees that would
36 be impacted is currently unknown. During PS&E, a tree survey would be completed and impacted trees would
37 be identified and documented. The contractor will be advised to avoid or minimize permanent impacts (i.e.,
38 removal) to woody vegetation. In addition, all trees to be avoided within the work area will be trimmed by certified

1 arborists to reduce impacts during construction prior to the beginning of construction. Permanent impacts to the
2 portion of the Ann and Roy Butler Hike and Bike Trail within the park would also occur (refer to the **Section 4.1.1**
3 on the Ann and Roy Butler Hike and Bike Trail for more information). No permanent impacts to other easement
4 facilities or amenities would occur as a result of the additional ROW or construction staging area.

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

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

25 In summary, the proposed ROW required under Build Alternative 2 would result in permanent incorporation of
26 0.01 acre of International Shores_3 (or 0.75% of the park's total 1.33-acre size), and the construction staging
27 area would result in a temporary occupancy of 0.7 acre (or 53% of the park). While the principal purpose of the
28 easement of providing an access point to the Ann and Roy Butler Hike and Bike Trail boardwalk would not be
29 maintained for the duration of construction at Lady Bird Lake, these impacts would be temporary and would be
30 restored to pre-construction conditions following construction. The permanent incorporation of land would not
31 permanently restrict access or modify any easement facilities or amenities. The project would not otherwise
32 substantially impair the qualities or functions that qualify International Shores_3 for Section 4(f) protection.
33 Based on the impacts noted above, Build Alternative 2 would involve a use of this Section 4(f) resource.

34 *Modified Build Alternative 3*

35 Impacts under Modified Build Alternative 3 would be similar as those under Build Alternative 2, with minor
36 differences. The first difference is that Modified Build Alternative 3 would require permanent incorporation of
37 approximately 0.1 acre of ROW from International Shores_3, which constitutes 7.5 percent of the easement's
38 total 1.33-acre size. The additional ROW would be required adjacent to the I-35 northbound frontage road in
39 order to accommodate 1) the proposed SUP that would be built along I-35, 2) an extension of the SUP into park

1 property, and 3) the addition of a U-turn on the north side of East Riverside Drive. Additionally, Modified Build
2 Alternative 3 would require temporary occupancy of 0.61 acre of International Shores_3, or 45 percent of the
3 easement's total 1.33-acre size, for use of a proposed construction staging area. **Table 1** summarizes the
4 temporary and permanent easement impacts.

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

11 **4.1.3 Edward Rendon Park**

12 *Build Alternative 2*

13 A proposed construction staging area required under Build Alternative 2 would result in temporary occupancy
14 impacts to Edward Rendon Park. The proposed construction staging area would be 0.70 acre in size, or 1 percent
15 of the park's total 73-acre size. The duration of the proposed staging area is estimated to last less than six
16 months. No additional ROW would be required from Edward Rendon Park as a result of the proposed project, so
17 no permanent incorporation of park property would occur under Build Alternative 2. **Table 1** summarizes the
18 temporary and permanent park impacts described below.

19 The proposed construction staging area under Build Alternative 2 would result in permanent and temporary
20 impacts to Edward Rendon Park, specifically TCAD parcel 187327. Permanent impacts would occur to six pecan
21 trees over 23 to 32 inches in diameter that are anticipated to be removed. The contractor will be advised to
22 avoid or minimize permanent impacts (i.e., removal) to woody vegetation. In addition, all trees to be avoided
23 within the work area will be trimmed by certified arborists to reduce impacts during construction prior to the
24 beginning of construction. No permanent impacts to facilities or amenities would occur as a result of the staging
25 area.

26 Temporary impacts would occur to the picnic tables, benches, parking, and East Avenue during the estimated 6-
27 month construction duration. Eight picnic tables located in this area are permanent fixtures and cannot be moved
28 to another location outside the staging area; therefore, those picnic tables would need to be dismantled. East
29 Avenue will remain open but the on-street parking will be temporarily closed. Additionally, Americans with
30 Disabilities Act (ADA) parking located within the construction staging area will be temporarily relocated. The
31 portion of the Ann and Roy Butler Hike and Bike Trail (90.3 linear feet entirely within the easement) that crosses
32 through the proposed construction staging area within the park would be detoured. All the temporarily impacted
33 facilities and amenities would be restored to their pre-construction condition following the estimated 6-month
34 construction duration. See the maps in **Attachment A** for the location of the facilities and amenities that would
35 be temporarily impacted.

36 The area underneath the I-35 bridge (within TxDOT ROW) adjacent to Edward Rendon Park currently provides
37 parking for users of the park; this parking lot also serves Waller Beach Park. The parking area would be removed
38 during the construction of the proposed project.

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

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

20 Festival Beach Community Garden and Festival Beach Food Forest

21 The project would also result in the temporary use of nearby TCAD parcel IDs 188242 and 188243 to support
22 construction staging and provide material laydown areas. These two parcels, located at 1110 and 1108 Flores
23 Street, are on the west side of Waller Street across from the Festival Beach Food Forest and the Festival Beach
24 Community Garden, and are part of Edward Rendon Park. From this staging location, a haul route will be
25 established and have set hours of operation. A constructive use analysis was conducted due to the proximity of
26 this proposed staging area to the Festival Beach Community Garden and Festival Beach Food Forest; and it was
27 determined the staging area would not constitute a constructive use of either of these properties.

28 *Modified Build Alternative 3*

29 Festival Beach Community Garden and Festival Beach Food Forest within Edward Rendon Park would experience
30 a minor increase in noise levels (2 dB increase) under Modified Build Alternative 3 when compared to Build
31 Alternative 2. A noise barrier would be feasible and reasonable at abating noise levels for the park at this location
32 under Modified Build Alternative 3 and has been proposed for incorporation into the project. Apart from this
33 change, the impacts to Edward Rendon Park under Modified Build Alternative 3 would be identical to those under
34 Build Alternative 2. **Table 1** summarizes the temporary and permanent park impacts.

1 4.1.4 Waller Beach Park

2 *Build Alternative 2*

3 A proposed construction staging area required under Build Alternative 2 would result in the use of 1.30 acres
4 from Waller Beach Park, which constitutes 4.3 percent of the park's total 28-acre size. The staging area would
5 be in place for the entire duration of construction at Lady Bird Lake and therefore would constitute conversion
6 of the property under Section 6(f) regulations. Additionally, it is necessary to permanently acquire the 1.30-acre
7 section of Waller Beach Park for future TxDOT maintenance operations on the I-35 bridge. **Table 1** summarizes
8 the temporary and permanent park impacts described below.

9 The proposed construction staging area under Build Alternative 2 would result in impacts to Waller Beach Park.
10 Permanent impacts would occur to one tree over 29 inches in diameter at breast height (DBH) that is anticipated
11 to be removed. One boat ramp located under the I-35 bridge would be permanently closed; however, this boat
12 ramp is within TxDOT ROW and is not a park feature so closure of this ramp would not result in Section 4(f)
13 impacts to the park. Temporary impacts would occur to other trees that would be trimmed to avoid removal. In
14 addition, all trees to be avoided within the work area will be trimmed by certified arborists to reduce impacts
15 during construction prior to the beginning of construction.

16 Other temporary impacts within the park would occur to one boat ramp (a ramp within Waller Beach Park), a
17 picnic table, one parking area along East Avenue within the park boundary, the parking area within TxDOT ROW
18 under the I-35 bridge (this parking lot also serves Edward Rendon Park), and a portion of the Ann and Roy Butler
19 Trail (0.2 acre) in the park. Trail traffic will utilize detours established throughout the construction phase to route
20 trail users safely around the construction zone. The East Avenue parking would be replaced following the
21 construction phase.

22 The existing boat ramp located in Waller Beach Park to the west of the I-35 bridge over Lady Bird Lake would be
23 used as an access point for equipment and materials between land and water during construction at the
24 discretion of the contractor. Improvements could be required to the boat ramp as part of the proposed
25 construction and would also remain in place for future public recreational use. One picnic table located in the
26 construction staging area is a permanent fixture and cannot be moved to another location outside the staging
27 area; therefore, the picnic table would need to be dismantled. East Avenue would remain open but the on-street
28 parking would be removed within the park. Temporarily impacted amenities include one trail sign, one wayfinding
29 sign that identifies wheelchair-accessible locations, three recycle/trash bins, and a rain garden. All these
30 impacted facilities and amenities would be relocated and replaced to their pre-construction condition following
31 the duration of construction (subject to future use of the property by TxDOT for maintenance of the I-35 bridge)
32 and TxDOT would permanently retain ownership of the land within the 1.30-acre construction staging area, which
33 would be used for maintenance for the I-35 bridge. Details regarding the future use of the land would be dictated
34 in a revised MUA between TxDOT and COA, which would also cover future use of the area adjacent to Waller
35 Beach Park under the I-35 bridge that is within TxDOT ROW. See the maps in **Attachment A** for the location of
36 the facilities and amenities that would be temporarily impacted.

37 Waller Beach Park is categorized as a Section 6(f) property because it was purchased through Land and Water
38 Conservation Fund Program Assistance. Because construction activities will last longer than six months at Waller
39 Beach Park, and because this 1.30-acre portion of the Waller Beach Park property will be used for maintenance

1 of the I-35 bridge in the future, conversion of the 6(f) property is required. Following TxDOT's payment to COA for
2 conversion of the 1.30 acres of Waller Beach, COA would purchase a replacement property(ies) that is of at least
3 fair-market value and equivalent usefulness and location. The replacement property(ies) would be owned by
4 COA.

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

14 In summary, there would be permanent impacts in the form of fee simple acquisition of 1.30 acres (or 4.3% of
15 the park's total 28-acre size) of permanent incorporation due to the Section 6(f) impact, resulting in an adverse
16 use of Waller Beach Park. The project would not otherwise substantially impair the qualities or functions that
17 qualify Waller Beach Park for Section 4(f) protection. The main functionality of the overall park property would
18 not be impaired, nor would the park be completely unusable as a result of the temporary loss of space. Waller
19 Beach would be restored to pre-construction conditions following the project's construction duration in the park
20 (subject to future use of the property by TxDOT for maintenance of the I-35 bridge). The permanent incorporation
21 of the 1.30 acres would result in a use. Based on the impacts noted above, Build Alternative 2 would involve a
22 use of this Section 4(f) resource.

23 *Modified Build Alternative 3*

24 The proposed construction staging area for Modified Build Alternative 3 is identical to the area in Build Alternative
25 2. The impacts to Waller Beach Park under Modified Build Alternative 3 would be identical to those under Build
26 Alternative 2. Based on the impacts noted above, Modified Build Alternative 3 would involve a use of this Section
27 4(f) resource. **Table 1** summarizes the temporary and permanent park impacts described below.

28 **4.1.5 Roy G. Guerrero Park**

29 *Build Alternative 2*

30 Roy G. Guerrero Park was analyzed for constructive use impacts for Build Alternative 2, because the project
31 originally proposed an outfall on the northern shores of the Colorado River, across the river from this park (see
32 **Attachment A**). This outfall was not within the park's boundaries, so no direct impacts would occur to Roy G.
33 Guerrero Park; however, the proposed outfall would be visible by people using the park along the shores of the
34 Colorado River. **Table 1** summarizes the temporary and permanent park impacts described below. The proposed
35 outfall was relocated from this location across from Roy G. Guerrero Park to the intersection of US 183 and Cesar
36 Chavez Street after the public hearing.

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

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

19 *Modified Build Alternative 3*

20 There would be no impacts to Roy G. Guerrero Park under Modified Build Alternative 3, because the outfall
21 location was relocated after the public hearing to a location that is approximately 1.2 miles farther east, at the
22 intersection of US 183 and Cesar Chavez Street.

23 **4.1.6 Norwood Park**

24 *Build Alternative 2*

25 A proposed construction staging area required under Build Alternative 2 would result in temporary occupancy
26 impacts to Norwood Park. The proposed construction staging area would be 0.57 acre in size, or 5.7% of the
27 park's total 10-acre size. The duration of the proposed staging area is estimated to last for the duration of
28 construction and users would not have access to this portion of the park during that time. No additional ROW
29 would be required from Norwood Park as a result of the proposed project, so no permanent incorporation of park
30 property would occur under Build Alternative 2. See **Attachment A** for the location of the proposed construction
31 staging area in the park. **Table 1** summarizes the temporary and permanent park impacts described below.

32 The proposed construction staging area under Build Alternative 2 would result in permanent and temporary
33 impacts to Norwood Park, specifically to parcel 283008. Permanent impacts would occur to trees and other
34 vegetation in the area. Four pecan trees over 18 inches in diameter would be removed. The contractor will be
35 advised to avoid or minimize permanent impacts (i.e., removal) to woody vegetation. In addition, all trees to be
36 avoided within the work area will be trimmed by certified arborists to reduce impacts during construction prior
37 to the beginning of construction. No permanent impacts to facilities or amenities would occur as a result of the
38 staging area. A portion of the dog park, including two Mutt Mitt stations and several moveable picnic tables,

1 would not be usable during the construction duration as a result of the proposed staging area. All the temporarily
2 impacted facilities and amenities would be restored to their pre-construction condition following construction.

3 Land use in the vicinity includes park space and ROW. To the north of this proposed construction staging area is
4 Lady Bird Lake. To the east and south are I-35 and East Riverside Drive, respectively. To the west of the staging
5 area is park land. The proposed project would not induce development or change land use in the park's vicinity.
6 Under Build Alternative 2, the park would be impacted by roadway traffic noise. A noise barrier would be feasible
7 and reasonable at abating noise levels for the park and has been proposed for incorporation into the project.
8 With regard to water quality during construction, the project would implement stormwater pollution prevention
9 structural controls and best management practices in compliance with the Clean Water Act and other applicable
10 federal, state, and city stormwater regulations. As such, there would be no temporary or permanent impacts to
11 water quality in the park under Build Alternative 2.

12 In summary, the temporary construction staging area would result in 0.57 acre (or 5.7% of the park's total 10-
13 acre size) of temporary occupancy, resulting in an adverse use of Norwood Park. Permanent impacts would occur
14 to four pecan trees over 18 inches in diameter and other vegetation in the area. The project would not otherwise
15 substantially impair the qualities or functions that qualify Norwood Park for Section 4(f) protection. The main
16 functionality of the overall park property would not be impaired, nor would the park be completely unusable as
17 a result of the temporary loss of space. All impacts from the staging area would be temporary and would be
18 restored to pre-construction conditions following the project's duration of construction at Lady Bird Lake. Based
19 on the impacts noted above, Build Alternative 2 would involve a use of this Section 4(f) resource.

20 *Modified Build Alternative 3*

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

24 *4.1.7 Lady Bird Lake*

25 *Build Alternative 2*

26 The construction staging areas that are proposed in Waller Beach Park and Edward Rendon Park under Build
27 Alternative 2 would result in temporary occupancy impacts to Lady Bird Lake for the full duration of construction.
28 Construction of the proposed bridge structure's drill shafts and columns over the lake would result in a
29 permanent incorporation of 0.29 acre the lake.

30 The construction of the bridge over Lady Bird Lake has been coordinated with COA to minimize disruption to
31 traffic, water, and community activities, such as the Austin Marathon and Capital Texas Triathlon.
32 Communication with the TTC, COA, and traveling public will continue with efforts to inform the public and to
33 minimize impacts to park activities.

34 All four corners of the Lady Bird Lake shoreline would be needed for access to the I-35 bridge during construction.
35 Upon construction completion, the shoreline areas would be restored in accordance with TxDOT standard
36 specification and will comply with federal EO 13112 on Invasive Species. TxDOT would enter into an agreement
37 with COA or the TTC so that the property would be maintained in the standard of the surrounding parkland.

1 No TCAD ID is available for the locations where impacts would occur. **Table 1** summarizes the temporary and
2 permanent park impacts described below.

3 The portion of the northern shoreline that would be closed extends as far west as the temporary boat dock that
4 would be constructed west of the I-35 bridge and as far east as TxDOT's ROW at the I-35 bridge. This portion of
5 the shoreline would be closed to the general public, including the boat ramps within the TxDOT ROW and Waller
6 Beach Park, as a result of the construction staging areas. Impacts to the southern shoreline would occur within
7 TxDOT ROW, as well as the limits of the proposed construction easements along the shoreline. With the exception
8 of the boardwalk, which would experience periodic, temporary closures during construction (see **Section 4.1.1**
9 for Ann and Roy Butler Hike and Bike Trail discussion), no shore access exists along the southern shores of Lady
10 Bird Lake in the project area; therefore, no loss of recreational function of those areas would occur. In total,
11 approximately 25 acres of water and shoreline would be temporarily impacted by the project. See **Attachment A**
12 for the location of the proposed temporary impacts along the shores of Lady Bird Lake.

13 Other temporary impacts to the lake include limiting the recreational use of sections of the open lake in the
14 vicinity of construction activities. See **Attachment A** for the location of the proposed temporary impacts. East-
15 west water traffic would be maintained, but limited, through use of detours around construction zones. Although
16 motorized boats are not allowed on the lake, the construction of the project would require the use of motorized
17 tugboats to transport equipment, material, and personnel. Temporary boat docks would be built on either side
18 of Lady Bird Lake at Waller Beach Park and at International Shores_3. It is anticipated that motorized watercraft
19 will move in a north-south and east-west direction across the lake.

20 Permanent impacts would include a 0.29-acre easement for placement of drill shafts and columns required for
21 the proposed bridge structure. Locations and number of drill shafts and columns will be determined upon further
22 design.

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

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

36 In summary, construction activities required for Build Alternative 2 would result in approximately 25 acres of
37 temporary occupancy of Lady Bird Lake water and shoreline, as well as restricted recreational access to a portion
38 of the open water adjacent to the construction area, resulting in an adverse use of Lake Bird Lake. Permanent
39 incorporation of a portion (0.29 acre) of Lady Bird Lake would result from drill shafts and columns required for

1 the proposed I-35 bridge structure. The project would not otherwise substantially impair the qualities or functions
2 that qualify Lady Bird Lake for Section 4(f) protection. The main stormwater management, flood control, and
3 recreational functions of the overall lake would not be impaired, nor would the lake be completely unusable as
4 a result of the temporary use of space. With the exception of the drill shafts and columns, all impacts would be
5 temporary and would be restored to pre-construction conditions following the project's construction duration.
6 Based on the impacts noted above, Build Alternative 2 would involve a use of this Section 4(f) resource.

7 *Modified Build Alternative 3*

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

10 **4.1.8** *Colorado River Wildlife Sanctuary*

11 *Modified Build Alternative 3*

12 Impacts from Build Alternative 2 were not analyzed for the Colorado River Wildlife Sanctuary due to the outfall
13 location change occurring after the public hearing occurred and Modified Build Alternative 3 was selected as the
14 Preferred Alternative. The outfall was relocated to approximately 1.2 miles farther east, at the intersection of US
15 183 and Cesar Chavez Street. The proposed outfall and pump station would be located to the east of the
16 Colorado River Wildlife Sanctuary, across US 183 and near existing industrial businesses including Contractors
17 Asphalt, Wastewater Transport Services, and Texas Materials (the South/Bolm Road Plant). The proposed outfall
18 and pump station are not within the boundaries of the Colorado River Wildlife Sanctuary; as such, the proposed
19 drainage outfall and pump station would not cause direct impacts to the wildlife sanctuary. Although the
20 proposed outfall and pump station would be partially visible to people using the park along the shores of the
21 Colorado River and within the Colorado River Wildlife Sanctuary, this area is heavily wooded and the temporary
22 construction activities would be separated by the existing US 183 roadway. The sanctuary abuts US 183 and
23 Levander Loop to the east. The majority of the land use to the west is greenspace and commercial/industrial
24 land uses. The proposed project would not induce development or change land use in the park's vicinity. With
25 regard to water quality during construction, the project would implement stormwater pollution prevention
26 structural controls and best management practices in compliance with the Clean Water Act and other applicable
27 federal, state, and city stormwater regulations. As such, there would be no temporary or permanent impacts to
28 water quality within the park under Modified Build Alternative 3.

29 Modified Build Alternative 3 would not require ROW or temporary construction areas from Colorado River Wildlife
30 Sanctuary; therefore, there would be no permanent incorporation or temporary occupancy impacts to the
31 sanctuary. A constructive use analysis was conducted, and it was determined the proposed outfall and pump
32 station would not restrict access to the Colorado River Wildlife Sanctuary. Although proposed drainage outfall
33 and pump station would be in close proximity to be wildlife sanctuary, the outfall and pump station would not
34 substantially impair its aesthetic features, function, intended use, or attributes such that the protected activities
35 of the sanctuary would be substantially diminished. The projected noise level, vibration, and ecological intrusion
36 would be minimal due to the location of the outfall and pump station. Therefore, the proposed drainage outfall
37 and pump station would not constitute constructive use of the Colorado River Wildlife Sanctuary. As a result,

1 Modified Build Alternative 3 would not result in substantial impairment to the activities, features, or attributes
 2 that qualify Colorado River Wildlife Sanctuary for protection under Section 4(f).

3 4.1.9 Summary of Impacts to Section 4(f) Park/Recreation Area Properties

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

Table 1. Park Impacts Summary

Park (total acreage)	Park Impacts		Impacts Description
	Build Alternative 2	Modified Build Alternative 3	
Ann and Roy Butler Hike and Bike Trail (10.2 miles)	<u>Permanent Incorporation</u> 603 feet <u>Temporary Occupancy</u> 1,255 feet Northbound I-35 (758 feet) and southbound I-35 (695 feet) sidewalks	<u>Permanent Incorporation</u> 679.90 feet <u>Temporary Occupancy</u> 1,182.90 feet Northbound I-35 (758 feet) and southbound I-35 (695 feet) sidewalks	<u>Permanent</u> <ul style="list-style-type: none"> Proposed ROW in International Shores_3 (23 linear feet for Build Alternative 2 and 117.9 linear feet for Modified Build Alternative 3) Section 6(f) conversion in Waller Beach (580 linear feet for both alternatives) <u>Temporary (varies)</u> <ul style="list-style-type: none"> Construction staging areas in Edward Rendon Park would be 65 linear feet for both alternatives Construction staging areas in International Shores_3 would be 603 linear feet for Build Alternative 2 and 532.9 linear feet for Modified Build Alternative 3 Closures of trail boardwalk on south shoreline of Lady Bird Lake (585 linear feet for both alternatives) Closures of northbound and southbound sidewalks (varies). Trail detours include

Table 1. Park Impacts Summary

Park (total acreage)	Park Impacts		Impacts Description
	Build Alternative 2	Modified Build Alternative 3	
			<p>1,141 feet in Waller Beach, 390 feet within TxDOT ROW (north of the Colorado River), 248 feet in Edward Rendon Park, 3,777 feet along East Riverside Drive</p> <ul style="list-style-type: none"> Northbound and southbound I-35 sidewalks
International Shores_3 (1.33 acres)	<p><u>Temporary Occupancy</u> 0.70 acre</p> <p><u>Permanent Incorporation</u> 0.01 acre</p>	<p><u>Temporary Occupancy</u> 0.61 acre</p> <p><u>Permanent Incorporation</u> 0.10 acre</p>	<p><u>Permanent</u></p> <ul style="list-style-type: none"> Proposed ROW for I-35 improvements. Trees will be removed; exact count of impacted trees is not known at this time <p><u>Temporary (duration of construction)</u></p> <ul style="list-style-type: none"> Construction staging area – trail impacts
Edward Rendon Park (73 acres)	<p><u>Temporary Occupancy</u> 0.70 acre</p>	<p><u>Temporary Occupancy</u> 0.70 acre</p>	<p><u>Permanent</u></p> <ul style="list-style-type: none"> Six pecan trees (23 to 32 inches DBH) would be removed <p><u>Temporary (Section 6f) (6 months)</u></p> <ul style="list-style-type: none"> Trail detour (248 linear feet entirely within the 0.70-acre easement) Construction staging area 8 picnic tables and 1 bench in park would be removed ADA parking spot would be relocated East Avenue and parking would be temporarily closed Trail impacts Parking located within TxDOT ROW under the I-35 bridge would be temporarily closed <p><u>Constructive Use Analysis</u></p> <p>Proposed staging area in proximity to the Festival Beach Community Garden and Festival Beach Food Forest. No permanent,</p>

Table 1. Park Impacts Summary

Park (total acreage)	Park Impacts		Impacts Description
	Build Alternative 2	Modified Build Alternative 3	
			temporary, or constructive use impacts to either resource.
Waller Beach Park (28 acres)	<u>Permanent Incorporation</u> 1.30 acres <u>Temporary Occupancy</u> 0.20 acre	<u>Permanent Incorporation</u> 1.30 acres <u>Temporary Occupancy</u> 0.20 acre	<u>Permanent (through 6(f) conversion and Section 4(f) use)</u> <ul style="list-style-type: none"> Construction staging area and for permanent acquisition for future maintenance operations on the I-35 bridge (1.30 acres in size) <ul style="list-style-type: none"> 1 picnic table would be removed Trail impacts (580 feet of the Ann and Roy Butler Hike and Bike Trail) One tree would be removed: Bald cypress with a DBH of 29 inches <u>Temporary (duration of construction)</u> <ul style="list-style-type: none"> The following park amenities would be relocated and replaced: one trail sign, one wayfinding sign that identifies wheelchair-accessible locations, three recycle/trash bins, and a rain garden Trail detour (1,141 linear feet) East Avenue and two on-street parking areas along East Avenue within the park boundary would be periodically closed during construction. Waller Beach boat ramp Parking located within TxDOT ROW under the I-35 bridge would be temporarily closed during construction.
Roy G. Guerrero Park (400 Acres)	None	None	<ul style="list-style-type: none"> For Build Alternative 2, proposed permanent outfall on northern shores of the Colorado River across from park. No permanent, temporary, or constructive use impacts to park. This was originally

Table 1. Park Impacts Summary

Park (total acreage)	Park Impacts		Impacts Description
	Build Alternative 2	Modified Build Alternative 3	
			evaluated under the DEIS because of the proposed outfall location adjacent to this park. The new proposed outfall location has been extended to the intersection of US 183 and Cesar Chavez Street. on the northern shore of the Colorado River.
Norwood Park (10 acres)	<u>Temporary Occupancy</u> 0.57 acre	<u>Temporary Occupancy</u> 0.57 acre	<p><u>Permanent</u></p> <ul style="list-style-type: none"> Four pecan trees (over 18 inches DBH) would be removed <p><u>Temporary (duration of construction)</u></p> <ul style="list-style-type: none"> Construction staging area <ul style="list-style-type: none"> Access to portion of the dog park located within the area would be closed during construction (1 year) Two Mutt Mitt stations would be relocated
Lady Bird Lake (485 acres)	<p><u>Permanent Incorporation</u> 0.29 acre</p> <p><u>Temporary Occupancy</u> 25 acres</p>	<p><u>Permanent Incorporation</u> 0.29 acre</p> <p><u>Temporary Occupancy</u> 25 acres</p>	<p><u>Permanent</u></p> <ul style="list-style-type: none"> Bridge pilings – unknown number until design progresses <p><u>Temporary (duration of construction)</u></p> <ul style="list-style-type: none"> Access to lake shoreline restricted by construction staging areas Sections of open lake restricted to recreation to allow for movement of construction equipment Motorized watercraft would be used on the lake
Colorado River Wildlife Sanctuary (43 acres)	<u>None</u>	<u>None</u>	<ul style="list-style-type: none"> Proposed permanent outfall on northern shores of the Colorado River at the intersection of US 183 and Cesar Chavez Street. No permanent, temporary, or constructive use impacts to park.

1 As presented in **Table 1**, Build Alternative 2 and Modified Build Alternative 3 have similar impacts to Edward
2 Rendon Park, Waller Beach Park, Norwood Park, and Lady Bird Lake. Both build alternatives avoid any use or
3 impacts to the Roy G. Guerrero Park and the Colorado River Wildlife Sanctuary. Under Modified Build Alternative
4 3, the Ann and Roy Butler Hike and Bike Trail would incur approximately 76.9 more feet of permanent
5 incorporation compared to Build Alternative 2. For temporary impacts, Build Alternative 2 would incur 72.1 more
6 feet of temporary occupancy compared to Modified Build Alternative 3. In comparison to Build Alternative 2,
7 Modified Build Alternative 3 would result in 0.09 more acre of permanent incorporation for International
8 Shores_3. Build Alternative 2 would incur 0.09 more acre of temporary use compared to Modified Build
9 Alternative 3.

10 **4.2. Historic**

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

19 **4.2.1 Town Lake Park System – Waller Creek to Fiesta Gardens Section**

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

21 **Build Alternative 2**

22 A 1.30-acre portion of Waller Beach at Town Lake Metro Park, on the west side of I-35, would be acquired as
23 ROW by TxDOT. This area would be used for staging equipment during construction and would remain as TxDOT
24 ROW after construction to be used for I-35 bridge maintenance. Trail traffic will utilize detours established
25 throughout the construction phase to route trail users safely around the construction zone. However, TxDOT
26 would allow the area to be used by COA for the park and trail following the completion of the project under the
27 revised MUA. A total of 0.57 acre of the proposed ROW acquisition at Waller Beach Park is within the NRHP-
28 eligible boundary.

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

1 Approximately 1,139 feet of the trail would be temporarily impacted along the northern banks of Lady Bird Lake
2 within the limits of the proposed construction staging areas in Waller Beach Park and Edward Rendon Park.
3 Refer to the maps in **Attachment A** to see the extent of the impacted trail along the northern banks of Lady Bird
4 Lake. Throughout the construction duration in those parks, the trail would be redirected to run along East Avenue.
5 The detour is displayed in **Attachment A** along the south side of East Avenue. As coordination continues between
6 TxDOT, COA PARD, and TTC to determine the appropriate southside detour, an update will occur prior to initiation
7 of construction activities. Additionally, the trail would periodically close for up to approximately three to seven
8 days at a time throughout the duration of construction (up to three times per year) to ensure safety of the trail
9 users, traveling public, and construction workers when performing overhead construction activities. The trail may
10 need to be closed for a few hours at a time on a nightly basis. All closures will be coordinated in advance. The
11 trail would be restored to pre-construction conditions following construction.

12 Impacts would occur to the two boat ramps, one within TxDOT ROW and one within Waller Beach Park (**Resources**
13 **D and E**). The boat ramp located to the west of the I-35 bridge over Lady Bird Lake (**Resource D**) will be used as
14 a transition point between land and water during construction at the discretion of the contractor. Improvements
15 could be required to the boat ramp as part of the proposed construction and would also remain in place for
16 future public recreational use. The boat ramp under the I-35 bridge (**Resource E**) would be closed permanently.
17 Other direct impacts to the NRHP-eligible property include permanent impacts to one tree in Waller Beach Park
18 and impacts to 8 picnic tables and 1 bench in Edward Rendon Park, some of which are of historic age. See the
19 maps in **Attachment A** for the locations of these impacts.

20 Land uses in the vicinity of the NRHP-eligible property include park space, commercial, multi-family residential,
21 civic buildings, and ROW for I-35 and COA streets. A hotel and multifamily residential towers are north of Waller
22 Beach Park. The Festival Beach Community Garden, the RBJ senior living center and public health center, and
23 multifamily apartments are north of Edward Rendon Park. Lady Bird Lake is to the south and the Town Lake Park
24 System continues immediately east and west of the NRHP-eligible property. Large-scale development, along with
25 increased traffic on I-35 and city streets, are existing developmental trends already present in the immediate
26 vicinity of this portion of the Town Lake Park System; these trends are not likely to be substantially changed by
27 this project. The project is not anticipated to induce additional development in the vicinity of this section of the
28 Town Lake Park System.

29 Noise levels were not specifically documented for the Ann and Roy Butler Hike and Bike Trail; however, they were
30 assessed for the parks adjacent to the I-35 bridge over Lady Bird Lake (Waller Beach Park, Edward Rendon Park,
31 Norwood Park, and International Shores_3). The noise analysis results show that noise barriers would be feasible
32 and reasonable for the adjacent parks and therefore they have been proposed for incorporation into the project.
33 The noise barriers are proposed along the I-35 frontage road and along park edges and would serve as noise
34 abatement for the parks and the trail. Noise barriers are not proposed along Waller Beach or Edward Rendon
35 Park.

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

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

11 *Modified Build Alternative 3*

12 The impacts to the NRHP-eligible evaluated section of the Town Lake Park System or its component resources
13 under Modified Build Alternative 3 would be mostly identical to those under Build Alternative 2. Noise levels were
14 assessed for Edward Rendon Park, and it would experience a minor increase in noise levels (2 dB increase)
15 under Modified Build Alternative 3 when compared to Build Alternative 2. A noise barrier would be feasible and
16 reasonable at abating noise levels for the park under this alternative and has been proposed for incorporation
17 into the project. Apart from this difference, all other impacts under Modified Build Alternative 3 are identical to
18 those described for Build Alternative 2.

19 **4.2.2 Dura Tune Service Station**

20 *Build Alternative 2*

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

27 Build Alternative 2 would displace and remove the former Dura Tune Service Station building and would require
28 acquisition of about 0.19 acres, or approximately 64 percent, of the property parcel. Build Alternative 2 would
29 have an adverse effect to the former Dura Tune Service Station property and therefore would result in a Section
30 4(f) use of the property.

31 *Modified Build Alternative 3*

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

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

5 **4.2.3 EBBC Main Office**

6 *Build Alternative 2*

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

15 Build Alternative 2 would displace and remove the EBBC Main Office building and would require acquisition of
16 0.26 acres, or approximately 85 percent, of the property parcel. Build Alternative 2 would have an adverse effect
17 to the EBBC Main Office property and therefore would result in a Section 4(f) use of the property.

18 *Modified Build Alternative 3*

19 Modified Build Alternative 3 would also displace and remove the EBBC Main Office building. A small strip of land
20 at the west edge of the property would remain beyond the proposed roadway and SUP construction. However,
21 TxDOT would acquire the entire 0.33-acre EBBC Main Office property parcel. Modified Build Alternative 3 would
22 have an adverse effect to the EBBC Main Office property and therefore would result in a Section 4(f) use of the
23 property. The acquisition of the EBBC Main Office property was needed in order to avoid impacts to the Fiesta
24 supermarket and additional buildings and businesses located in Delwood Shopping Center (both are
25 Environmental Justice community resources).

26 **4.2.4 Haster House**

27 *Build Alternative 2*

28 At this location, the I-35 ROW would be expanded, with the SUP, northbound frontage road, and depressed
29 northbound mainlanes constructed at the current Haster House location. Build Alternative 2 would displace the
30 Haster House and a small shed to the east of the house. The east portion of the property, now occupied by a
31 small, paved parking area and a fenced area, would remain beyond the proposed roadway and SUP. However,
32 TxDOT would acquire the full 0.18-acre Haster House property parcel to provide a buffer for residential properties
33 to the east of the Haster House. In addition, the remaining portion of the Haster House property would likely be
34 considered an uneconomic remainder, meaning it could not be adequately accessed and/or redeveloped. Build
35 Alternative 2 would result in an adverse effect to the Haster House property at 3009 North I-35 and would result
36 in a use of the Section 4(f) property.

1 *Modified Build Alternative 3*

2 Impacts to the Haster House under Modified Build Alternative 3 would be identical to those under Build
3 Alternative 2. The I-35 ROW would be expanded, with the SUP, northbound frontage road, and depressed
4 northbound mainlanes constructed at the current Haster House location. Modified Build Alternative 3 would
5 displace the Haster House and a small shed to the east of the house. The east portion of the property, now
6 occupied by a small, paved parking area and a fenced area, would remain beyond the proposed roadway and
7 SUP. However, TxDOT would acquire the full 0.18-acre Haster House property parcel to provide a buffer for
8 residential properties to the east of the Haster House. In addition, the remaining portion of the Haster House
9 property would likely be considered an uneconomic remainder, meaning it could not be adequately accessed
10 and/or redeveloped. Build Alternative 2 would result in an adverse effect to the Haster House property at 3009
11 North I-35 and would result in a use of the Section 4(f) property.

12 *4.2.5 Delwood II Historic District*

13 *Build Alternative 2*

14 The Delwood II Historic District is located just north of the I-35/Airport Boulevard intersection. At this location, I-
15 35 mainlanes, HOV managed lanes, and bypass lanes would slope downward to pass under at-grade Airport
16 Boulevard. Frontage roads and SUP would be constructed at grade. Build Alternative 2 would require about 0.13
17 acre of additional ROW, or about 0.29 percent of the total area of the historic district. Build Alternative 2 would
18 remove two contributing resources and one noncontributing resource from the Delwood II Historic District.
19 Information regarding impacts to contributing resources is described below. Build Alternative 2 would have an
20 adverse effect to the Delwood II Historic District and therefore would result in a Section 4(f) use of the property.

21 *4.2.6 Residence at 4505 North I-35*

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

27 *4.2.7 Residence at 4503 North I-35*

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

1 *Modified Build Alternative 3*

2 Modified Build Alternative 3 would not acquire additional ROW from the Delwood II Historic District. In an effort
3 to avoid impacts to historic resources, the Modified Build Alternative 3 design was revised to avoid impact to the
4 Delwood II Historic District.

5 **4.2.8 Roberts House**

6 *Build Alternative 2*

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

12 *Modified Build Alternative 3*

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

20 **4.2.9 Summary of Impacts to Section 4(f) Historic Properties**

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

Table 2. Historic Properties Impacts Summary

Historic Property (total acreage)	Historic Impacts	
	Build Alternative 2	Modified Build Alternative 3
Town Lake Park System	Town Lake Park System includes portions of Ann and Roy Butler Hike and Bike Trail, Waller Beach Park, and Edward Rendon Park. There will be a temporary use of this historic site. There is no adverse impact to the Town Lake Park System, See Sections 4.1.8 and 4.2.1 on impacts for this property.	Town Lake Park System includes portions of Ann and Roy Butler Hike and Bike Trail, Waller Beach Park, and Edward Rendon Park. There will be a temporary use of this historic site. There is no adverse impact to the Town Lake Park System, See Section 4.1.8 and 4.2.1 on impacts for this property.

Table 2. Historic Properties Impacts Summary

Historic Property (total acreage)	Historic Impacts	
	Build Alternative 2	Modified Build Alternative 3
Dura Tune Service Station (0.29 acre)	The former Dura Tune Service Station building would be displaced. Require acquisition of about 0.19 acre (approximately 64% of the property parcel).	The former Dura Tune Service Station building would be displaced. Require acquisition of about 0.20 acre (approximately 65% of the property parcel).
EBBC Main Office (0.33 acre)	The EBBC Main Office would be displaced and require acquisition of 0.26 acres (approximately 85 percent of the property parcel).	The EBBC Main Office would be displaced. TxDOT would acquire the entire 0.33-acre EBBC property parcel.
Haster House (0.18 acre)	The Haster House and a small shed to the east of the house would be displaced. The east portion of the property, now occupied by a small, paved parking area and a fenced area, would remain beyond the proposed roadway and SUP. TxDOT would acquire the full 0.18-acre Haster House property parcel to provide a buffer for residential properties to the east of the Haster House.	The Haster House and a small shed to the east of the house would be displaced. The east portion of the property, now occupied by a small, paved parking area and a fenced area, would remain beyond the proposed roadway and SUP. TxDOT would acquire the full 0.18-acre Haster House property parcel to provide a buffer for residential properties to the east of the Haster House.
Delwood II Historic District (44.29 acres)	Two contributing resources (4505 and 4503 North I-35) and one noncontributing resource (1101 Bentwood Road) from the Delwood II Historic District would be displaced, which is 0.29 percent of the total area of the historic district. <ul style="list-style-type: none"> Residence at 4505 North I-35: A strip of additional ROW, approximately 25 feet wide, would be acquired from the property. The former residence would be displaced and would require acquisition of about 0.04 acre, or approximately 20 percent of the property parcel. Residence at 4503 North I-35: A strip of additional ROW, approximately 25 feet wide, would be acquired from the property. The former residence would 	No impacts would occur to the Delwood II Historic district.

Table 2. Historic Properties Impacts Summary

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

1 **4.3. Summary of Impacts**

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

4 For impacts to parks, under Modified Build Alternative 3, the Ann and Roy Butler Hike and Bike Trail would incur
 5 approximately 76.90 more feet of permanent incorporation when compared to Build Alternative 2. For temporary
 6 impacts, Build Alternative 2 would incur 72.1 more feet of temporary occupancy when compared to Modified
 7 Build Alternative 3. In comparison to Build Alternative 2, Modified Build Alternative 3 would result in 0.09 more
 8 acre of permanent incorporation for International Shores_3. Build Alternative 2 would incur 0.09 more acre of
 9 temporary use compared to Modified Build Alternative 3.

10 Impacts to Section 4(f) historic properties are similar under both alternatives except for two resources. Two
 11 resources in the Delwood II Historic District would be displaced by Build Alternative 2. Modified Build Alternative
 12 3 would not acquire additional ROW from the Delwood II Historic District. There is a minor difference affecting
 13 the Dura Tune Service Station: 0.19 acre of ROW would be acquired from the Dura Tune Service Station property
 14 parcel under Build Alternative 2, whereas 0.20 acre would be required under Modified Build Alternative 3, which
 15 is a difference of approximately 0.01 acre between the two alternatives. All other impacts to parks and historic
 16 properties are similar between the two build alternatives.

17 **5. Avoidance Alternatives**

18 TxDOT used a comprehensive, multi-phase process to develop and evaluate a full range of project alternatives
 19 for highway improvements in the project corridor. Detailed information regarding the alternative analysis process
 20 is in **Section 2** of the FEIS. TxDOT also employed a phased approach to identify and evaluate potential historic
 21 properties and the effect of the CapEx I-35 Project on historic properties and cultural resources. TxDOT examined
 22 alternatives that would avoid use of any Section 4(f) property. These alternatives were removed from further
 23 consideration following the secondary screening process due to a combination of constructability issues, lack of
 24 functionality, and/or undesirable operations and maintenance requirements. None of the avoidance alternatives
 25 were determined to be feasible and prudent. TxDOT examined alternatives and design concepts that would avoid
 26 use of some or all Section 4(f) properties. These alternatives, except for the No Build Alternative, are no longer

1 being considered for further study but are included to provide an indication of the range of alternatives examined
2 in earlier stages of project development and their potential impacts to properties subject to Section 4(f)
3 evaluation. Detailed information regarding the alternative analysis process is in **Chapter 2** of the FEIS.

4 **5.1. No Build Alternative**

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

14 **5.2. Alternative 1**

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

33 **5.3. Redesignation of SH 130**

34 Public input in earlier studies identified redesignation of SH 130 as I-35 as a potential option. SH 130 is a limited-
35 access tollway that runs north-south in eastern Williamson, eastern Travis, and Caldwell Counties. SH 45N and
36 SH 45SE, also limited-access tollways, provide connectors between existing I-35 and SH 130 to bypass the most
37 heavily urbanized areas of the Austin metropolitan area. TxDOT commissioned a study in 2019 to better
38 understand passenger and freight activity through the I-35 corridor, including the interaction of SH 130 and I-35

1 redesignations on truck traffic. The 2019 study found that redesignation of SH 130 or other incentives, such as
2 removing tolls on SH 130, would have little impact on truck traffic as only 7 percent of freight truck traffic on I-
3 35 in central Austin is through traffic without local stops, and most of the light-duty trucks are also making short-
4 haul local trips along I-35. In addition, TxDOT is prohibited by law from banning trucks from using a transportation
5 facility or requiring trucks to use an alternate facility (Texas Transportation Code, Chapter 201, Subchapter K,
6 [Section 201.901](#), “Prohibiting Use of Highway Road”). Removal of tolls would also cost \$3 billion in lost toll
7 funding for debt payment and maintenance of the Central Texas Turnpike System. As a general concept, the SH
8 130 redesignation alternative would remove or substantially reduce the need for additional travel lanes or other
9 major improvements to I-35, and therefore would be expected to avoid use of Section 4(f) properties. While the
10 SH 130 redesignation was never fully developed as a project alternative, the information presented indicates
11 that it would not meet the project purpose and need. The alternative is not a “prudent avoidance alternative”
12 under 23 CFR 774.17 because it results in additional construction, maintenance, and operational costs of an
13 extraordinary magnitude.

14 **5.4. Transit-Only**

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

23 **5.5. Transportation Demand Management/Intelligent Transportation Systems**

24 TxDOT is evaluating transportation demand management and intelligent transportation systems (TDM/ITS) as
25 part of project development. One of the purposes of the project is to address demand by prioritizing the
26 movement of people, goods, and services through and across the corridor. Managed lanes efficiently use the
27 available roadway to improve reliable operations for transit, carpools, and vanpools, and serves as a
28 transportation demand management strategy that increases the traffic-carrying capability of the I-35 corridor.
29 These lanes also provide the potential opportunity for future connected and automated vehicle use. However,
30 because this TDM/ITS alternative would still require construction of one or more managed lanes in each
31 direction, the impacts would likely be relatively similar to Build Alternative 2 and Modified Build Alternative 3 and
32 other construction alternatives. The TDM/ITS alternative is not a “prudent avoidance alternative” under 23 CFR
33 774.17 because it results in unacceptable safety or operational problems and it compromises the project to a
34 degree that it is unreasonable to proceed with the project in light of its stated purpose and need.

35 **5.6. Alignment Shifts/Design Changes**

36 As explained in **Table 3**, use/adverse effects cannot be avoided for any of the 11 properties (Modified Build
37 Alternative 3)/13 properties (Build Alternative 2) as a result of alignment shifts, design changes, or other project
38 modifications. Design changes allowed the avoidance of Mt. Cavalry Cemetery and Palm Park.

Table 3. Alignment Shifts/Design Changes Summary

Section 4(f) Properties	Alignment Shifts/Design Changes	
	Build Alternative 2	Modified Build Alternative 3
Ann and Roy Butler Hike and Bike Trail	<ul style="list-style-type: none"> The construction easements would be needed along the trail for large equipment storage and staging along I-35. This provides adequate room for construction activities. The location of the easements would be along each side of the Lady Bird Lake for bridge construction. Due to the proximity of I-35, a shift of the alignment (either east or west) would incur impacts to the trail. 	<ul style="list-style-type: none"> The construction easements would be needed along the trail for large equipment storage and staging along I-35. This provides adequate room for construction activities. The location of the easements would be along each side of the Lady Bird Lake for bridge construction. Due to the proximity of I-35, a shift of the alignment (either east or west) would incur impacts to the trail.
International Shores_3	<ul style="list-style-type: none"> The alignment is situated west to the Modified Build Alternative 3. Proposed ROW would be needed for a frontage road. The construction easements would be needed within the park for large equipment storage and staging along I-35. This provides adequate room for construction activities. The location of the proposed ROW and easements would be for Lady Bird Lake bridge construction. Due to the proximity of I-35, a different shift of the alignment (either east or west) would incur impacts to the park. 	<ul style="list-style-type: none"> The alignment is situated east to the Build Alternative 2. More proposed ROW would be needed for a frontage road. The construction easements would be needed within the park for large equipment storage and staging along I-35. This provides adequate room for construction activities. The location of the proposed ROW and easements would be for Lady Bird Lake bridge construction. Due to the proximity of I-35, a different shift of the alignment (either east or west) would incur impacts to the park.
Edward Rendon Park	<ul style="list-style-type: none"> The construction easement would be needed within the park for large equipment storage and staging along I-35. This provides adequate room for construction activities. The location of the proposed easement would be for Lady Bird Lake bridge construction. 	<ul style="list-style-type: none"> The construction easement would be needed along within the park for large equipment to be stored along I-35. This provides adequate room for construction activities. The location of the proposed easement would be for Lady Bird Lake bridge construction.

Table 3. Alignment Shifts/Design Changes Summary

Section 4(f) Properties	Alignment Shifts/Design Changes	
	Build Alternative 2	Modified Build Alternative 3
	<ul style="list-style-type: none"> Due to the proximity of I-35, a shift of the alignment to the west would result in greater impacts to Waller Beach Park. 	<ul style="list-style-type: none"> Due to the proximity of I-35, a shift of the alignment to the west would result in greater impacts to Waller Beach Park.
Waller Beach Park	<ul style="list-style-type: none"> The construction easement would be needed within the park for large equipment storage and staging along I-35. This provides adequate room for construction activities. The location of the proposed easement would be for Lady Bird Lake bridge construction. Due to the proximity of I-35, a shift of the alignment to the east would incur impacts to Edward Rendon Park. 	<ul style="list-style-type: none"> The construction easement would be needed along the trail for large equipment to be stored along I-35. This provides adequate room for construction activities. The location of the proposed easement would be for Lady Bird Lake bridge construction. Due to the proximity of I-35, a shift of the alignment to the east would incur impacts to Edward Rendon Park.
Norwood Park	<ul style="list-style-type: none"> The construction easement would be needed within the park for large equipment storage and staging along I-35. A shift of this construction easement to the south within current ROW (vacant area north of E Riverside Drive) would not create adequate space for the equipment and staging. The location of the proposed easement would be for Lady Bird Lake bridge construction. Due to the proximity of I-35 and the designated location of the construction easement, a shift of the alignment to the east would not avoid impacts to the park because construction of the bridge across Lady Bird Lake would still require the 	<ul style="list-style-type: none"> The construction easement would be needed within the park for large equipment storage and staging along I-35. A shift of this construction easement to the south within current ROW (vacant area north of E Riverside Drive) would not create adequate space for the equipment and staging. The location of the proposed easement would be for Lady Bird Lake bridge construction. Due to the proximity of I-35 and the designated location of the construction easement, a shift of the alignment to the east would not avoid impacts to the park because construction of the bridge across Lady Bird Lake would still require the

Table 3. Alignment Shifts/Design Changes Summary

Section 4(f) Properties	Alignment Shifts/Design Changes	
	Build Alternative 2	Modified Build Alternative 3
	temporary occupancy of the park for construction staging and access.	temporary occupancy of the park for construction staging and access
Lady Bird Lake	<ul style="list-style-type: none"> I-35 crosses Lady Bird Lake. Avoiding the lake entirely is not an option since the project requires crossing the resource. Shifting the alignment would cause impacts of greater severity (i.e., to Downtown Austin). 	<ul style="list-style-type: none"> I-35 crosses Lady Bird Lake. Avoiding the lake entirely is not an option since the project requires crossing the resource. Shifting the alignment east or west would cause greater severity (i.e., to Downtown Austin).
Town Lake Park System	<ul style="list-style-type: none"> Due to the proximity of I-35, a shift of the alignment would incur impacts to the Town Lake Park System. 	<ul style="list-style-type: none"> Due to the proximity of I-35, a shift of the alignment would incur impacts to the Town Lake Park System.
Dura Tune Service Station	<ul style="list-style-type: none"> ROW would be acquired for the Build Alternative 2 alignment. Shifting the I-35 ROW farther to the east to minimize or avoid ROW acquisition from the former Dura Tune Service Station property would result in direct impacts to Fiesta Mart and Delwood Shopping Center, and possible displacements of numerous residences on the east side of Robinson Avenue. 	<ul style="list-style-type: none"> ROW would be acquired for the Modified Build Alternative 3 alignment. Shifting the I-35 ROW farther to the east to minimize or avoid ROW acquisition from the former Dura Tune Service Station property would result in direct impacts to Fiesta Mart and Delwood Shopping Center, and possible displacements of numerous residences on the east side of Robinson Avenue.
EBBC Main Office	<ul style="list-style-type: none"> ROW would be acquired for the Build Alternative 2 alignment. Shifting the I-35 ROW to the east to minimize or avoid ROW acquisition from the EBBC Main Office property would result in direct impacts to the Fiesta supermarket and Delwood Shopping Center, as well as other businesses on the east side of I-35. Additional narrowing of the I-35 ROW in this location is not feasible due to the need for ramps between the 	<ul style="list-style-type: none"> ROW would be acquired for the Modified Build Alternative 3 alignment. Shifting the I-35 ROW to the east to minimize or avoid ROW acquisition from the EBBC Main Office property would result in direct impacts to the Fiesta supermarket and Delwood Shopping Center, as well as other businesses on the east side of I-35. Additional narrowing of the I-35 ROW in this location is not feasible due to the need for ramps between the

Table 3. Alignment Shifts/Design Changes Summary

Section 4(f) Properties	Alignment Shifts/Design Changes	
	Build Alternative 2	Modified Build Alternative 3
	frontage roads and managed lanes just north of the EBBC Main Office location.	frontage roads and managed lanes just north of the EBBC Main Office location.
Haster House	<ul style="list-style-type: none"> Due to the proximity of I-35, a shift of the alignment to the west would incur impacts to St. David's Medical Center, an apartment complex, and other businesses on the west side of I-35. 	<ul style="list-style-type: none"> Due to the proximity of I-35, a shift of the alignment to the west would incur impacts to St. David's Medical Center, an apartment complex, and other businesses on the west side of I-35.
Delwood II Historic district <ul style="list-style-type: none"> Residence at 4505 North I-35 Residence at 4503 North I-35 	<ul style="list-style-type: none"> ROW would be acquired for the Build Alternative 2 alignment. The SPUI proposed at Airport Boulevard requires a wider footprint which would make avoiding these residences impractical. In addition, it would impact the 45th Street intersection and the CapMetro rail line. 	<ul style="list-style-type: none"> No ROW acquisition required By placing the managed lane wishbone ramps north of Airport Boulevard, the number of bypass lanes is reduced to a single lane in each direction, thereby avoiding ROW acquisition from these properties.
Roberts House	<ul style="list-style-type: none"> Due to the proximity of I-35, a shift of the alignment to the east would incur impacts to the Roberts House property. Shifting to the west could avoid Roberts House but would result impacts to several apartment buildings and businesses on the west side of I-35. 	<ul style="list-style-type: none"> Due to the proximity of I-35, a shift of the alignment east would incur impacts to Roberts House property. Shifting to the west could avoid Roberts House but would result impacts to several apartment buildings and businesses on the west side of I-35.

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

4 6. Least Overall Harm Analysis

5 As discussed in **Section 5** (Avoidance Alternatives), there are no feasible and prudent avoidance alternatives.
 6 Because both Build Alternative 2 and Modified Build Alternative 3 incur a use of Section 4(f) properties, a least
 7 overall harm analysis is required to determine which alternative causes the least overall harm in light of the
 8 statute's preservation purpose. FHWA's rules at 23 CFR 774.3(c) provide that if there is no feasible and prudent

1 avoidance alternative for the 11 Section 4(f) properties (two properties would be avoided by Modified Build
 2 Alternative 3), the agency may approve, from among the remaining alternatives that use Section 4(f) property,
 3 only the alternative that causes the least overall harm. According to the regulations (23 CFR § 774.3), the “least
 4 overall harm” is determined by balancing the following factors:

- 5 1) The ability to mitigate adverse impacts to the Section 4(f) property, including any measures resulting in
 6 benefits to the property;
- 7 2) The relative severity of the remaining harm, after mitigation, to the protected activities, attributes, or
 8 features qualifying the Section 4(f) property for protection;
- 9 3) The relative significance of the Section 4(f) property;
- 10 4) The views of the official(s) with jurisdiction over the Section 4(f) property;
- 11 5) The degree to which each alternative meets the purpose and need of the project;
- 12 6) After reasonable mitigation, the magnitude of any adverse impacts to resources not protected by Section
 13 4(f); and
- 14 7) Substantial differences in costs among the alternatives.

15 FHWA’s Section 4(f) Policy Paper explains that the first four factors relate to the net harm that each alternative
 16 would cause to Section 4(f) property, and that the remaining three factors enable the lead federal agency to take
 17 into account any substantial problem with any of the alternatives remaining under consideration on issues
 18 beyond Section 4(f). The seven criteria should be balanced to allow for consideration of all relevant concerns in
 19 order to determine which alternative would cause the least overall harm in light of the statute’s preservation
 20 purpose. In balancing the factors, it may be determined that a serious problem identified in these factors might
 21 outweigh relatively minor net harm to a Section 4(f) resource. An evaluation of the potential “least harm”
 22 alternatives outlined in this section was conducted with respect to the seven factors, as summarized in **Table 4.**

Table 4. Least Overall Harm (LOH) 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	<ul style="list-style-type: none"> • Ann and Roy Butler Hike and Bike Trail (Park) • International Shores_3 • Waller Beach Park 	<ul style="list-style-type: none"> • Ann and Roy Butler Hike and Bike Trail (Park) • International Shores_3 • Waller Beach Park

Table 4. Least Overall Harm (LOH) Evaluation Factors

Evaluation Factors	Build Alternative 2	Modified Build Alternative 3
subject to a “use”	<ul style="list-style-type: none"> • Edward Rendon Park • Norwood Park • Lady Bird Lake • Town Lake Park System (Historic) • Dura Tune Service • EBBC Main Office • Haster House • Delwood II Historic District Residence at 4505 North I-35 • Delwood II Historic District Residence at 4503 North I-35 • Roberts House 	<ul style="list-style-type: none"> • Edward Rendon Park • Norwood Park • Lady Bird Lake • Town Lake Park System (Historic) • Dura Tune Service • EBBC Main Office • Haster House • Roberts House
Section 6(f) properties that would be subject to a “use”	<ul style="list-style-type: none"> • Waller Beach Park • Edward Rendon Park 	<ul style="list-style-type: none"> • Waller Beach Park • Edward Rendon Park
1) Ability to mitigate adverse impacts	<p style="text-align: center;">Equal LOH</p> <ul style="list-style-type: none"> • Due to minimization during design, the main functionality of the Ann and Roy Butler Hike and Bike (Park), Waller Beach Park, Edward Rendon Park, Norwood Park, and Lady Bird Lake properties would not be impaired, nor would the parks be entirely unusable because of the temporary loss of space. Examples of the minimization during design include the Lady Bird Lake Bridge construction sequencing and the use of construction easements rather than acquiring ROW. • For International Shores_3, a temporary construction easement will 	<p style="text-align: center;">Equal LOH</p> <ul style="list-style-type: none"> • Due to minimization during design, the main functionality of the Ann and Roy Butler Hike and Bike (Park), Waller Beach Park, Edward Rendon Park, Norwood Park, and Lady Bird Lake properties would not be impaired, nor would the parks be entirely unusable because of the temporary loss of space. Examples of the minimization during design include the Lady Bird Lake Bridge construction sequencing and the use of construction easements rather than acquiring ROW. • For International Shores_3, a temporary construction easement will

Table 4. Least Overall Harm (LOH) Evaluation Factors

Evaluation Factors	Build Alternative 2	Modified Build Alternative 3
	<p>be utilized to minimize the amount of proposed ROW (0.01 acre).</p> <ul style="list-style-type: none"> 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. 	<p>be utilized to minimize the amount of proposed ROW (0.10 acre).</p> <ul style="list-style-type: none"> The project has been designed to minimize harm to historic properties (design changes allowed the avoidance of Mt. Cavalry Cemetery and Palm Park). TxDOT has incorporated numerous design modifications to narrow the ROW section and reduce ROW acquisition.
2) Relative severity of harm, after mitigation	<p style="text-align: center;">Lower LOH</p> <ul style="list-style-type: none"> Ann and Roy Butler Hike and Bike Trail (Park), Waller Beach Park, Edward Rendon Park, Norwood Park, and Lady Bird Lake would be temporarily used for construction staging areas. Waller Beach Park (1.30 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. The Ann and Roy Butler Hike and Bike Trail would have 603 feet of permanent incorporation. The NB I-35 sidewalk is 758 feet and the SB I-35 sidewalk is 695 feet. They will be temporarily impacted during construction. International Shores_3 would contain a construction area (0.70 acre) within the property. Also, additional ROW (0.01 acre) would be acquired. Six historic resources would be displaced: Dura Tune Service (0.19 acre), EBBC Building (0.26 acre), the 	<p style="text-align: center;">Greater LOH</p> <ul style="list-style-type: none"> Ann and Roy Butler Hike and Bike Trail (Park), Waller Beach Park, Edward Rendon Park, Norwood Park, and Lady Bird Lake would be temporarily used for construction staging areas. Waller Beach Park (1.30 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. The Ann and Roy Butler Hike and Bike Trail would have 679.90 feet of permanent incorporation. The NB I-35 sidewalk is 758 feet and the SB I-35 sidewalk is 695 feet. They will be temporarily impacted during construction. International Shores_3 would contain a construction area (0.61 acre) within the property. Also, additional ROW (0.10 acre) would be acquired. Four historic resources would be displaced: Dura Tune Service (0.20 acre), EBBC Building (the entire 0.33

Table 4. Least Overall Harm (LOH) Evaluation Factors

Evaluation Factors	Build Alternative 2	Modified Build Alternative 3
	<p>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.</p> <ul style="list-style-type: none"> Analysis of Section 4(f) resources is complete; coordination with COA, TTC, THC, and USDOT has been completed. 	<p>acre), the Haster House (the full 0.18-acre parcel) and the Roberts House (the full 0.25-acre parcel) would require acquisition.</p> <ul style="list-style-type: none"> Analysis of Section 4(f) resources is complete; coordination with COA, TTC, THC, and USDOT has occurred and mitigation has been determined. Specific defined mitigation commitments are documented in the Section 106 PA between TxDOT and THC . Mitigation includes: <ul style="list-style-type: none"> Historic resources documentation of all four buildings proposed for demolition, including a written history, photographs, and appropriate additional digital documentation. All documentation will be provided to THC and the Austin History Center and will be available digitally on the My35CapEx website. Salvage bricks from the Elgin Butler Brick Company Main Office and reuse the bricks along I-35 as part of the aesthetics and interpretation plan. Write a Mexican-American historic context for use in listing historic properties in the National Register of Historic Places and as local city landmarks. Create an interpretive framework, with community engagement and involvement, to guide all

Table 4. Least Overall Harm (LOH) Evaluation Factors

Evaluation Factors	Build Alternative 2	Modified Build Alternative 3
		interpretive projects along the I-35 CapEx Central corridor.
3) Relative significance of each Section 4(f) property	<p style="text-align: center;">Equal LOH</p> <p>All historic properties and parks have equal significance. Coordination with the OWJ and THC provided additional minimization for both historic and park properties (see Attachment C for coordination with OWJ and THC).</p>	<p style="text-align: center;">Equal LOH</p> <p>All historic properties and parks have equal significance. Specific mitigation commitments are documented in the Section 106 PA between TxDOT and THC and summarized in Table 5 (see Attachment C for coordination with OWJ and THC).</p>
4) Views of officials with jurisdiction	<p style="text-align: center;">Equal LOH</p> <p>TxDOT coordinated with THC for historic properties and with COA PARD and the TTC for park properties. TxDOT and COA PARD have started the coordination process for parks and with TPWD for the two Section 6(f) resources. TxDOT conducted Section 106 consultation with THC regarding NRHP eligibility and project effects to historic properties. THC has concurred with TxDOT's NRHP eligibility determinations and findings of direct effects to historic properties. THC is the signatory to the Section 106 PA.</p>	<p style="text-align: center;">Equal LOH</p> <p>TxDOT coordinated with SHPO for historic properties and with COA PARD and the TTC for park properties. TxDOT and COA PARD have started the coordination process for parks and with TPWD for the two Section 6(f) resources. TxDOT conducted Section 106 consultation with THC regarding NRHP eligibility and project effects to historic properties. THC has concurred with TxDOT's NRHP eligibility determinations and findings of direct effects to historic properties. THC is the signatory to the Section 106 PA.</p>
5) Degree to which each Alternative meets the purpose and need for the project	<p style="text-align: center;">Equal LOH</p> <p>Build Alternative 2 meets the purpose and need of the project by proposing to provide a highway that meets current design standards, relieves congestion during peak period times, enhances safety, improving operational efficiency, and creates a more dependable and consistent route for the traveling public, including people who walk and bicycle, emergency responders, and transit.</p>	<p style="text-align: center;">Equal LOH</p> <p>Modified Build Alternative 3 meets the project purpose and need by proposing to provide a highway that meets current design standards, relieves congestion during peak period times, enhances safety, improves operational efficiency, and creates a more dependable and consistent route for the traveling public, including people who walk and bicycle, emergency responders, and transit. Modified Build</p>

Table 4. Least Overall Harm (LOH) Evaluation Factors

Evaluation Factors	Build Alternative 2	Modified Build Alternative 3
		<p>Alternative 3 was refined to reflect elements of the community concepts but was derived from Build Alternative 3 and also meets the purpose and need of the project while performing well under several evaluation criteria. Modified Build Alternative 3 better improves east-west connectivity by providing more vehicular, bicycle and pedestrian crossings (not including local enhancements) with 26 total over 23 for Build Alternative 2. Modified Build Alternative 3 would accommodate the proposed CapMetro Light Rail Line at Riverside Drive.</p>
<p>6) Magnitude of adverse impacts to non-Section 4(f) properties after mitigation</p>	<p style="text-align: center;">Lower LOH</p> <ul style="list-style-type: none"> Community Facilities/Services: Displaced community facilities would include: two federally-qualified health care centers, CommUnityCare – David Powell Health Center and CommUnityCare – Hancock Walk-In Care; The Austin Veteran Affairs (VA) Center; Pathways Youth and Family Services, Special Kids Care, Texas State Independent Living Council, Green Doors, Escuelita del Alma, Copernicus STEM Academy Delwood Campus, and Extend-A-Care. Several basic needs 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 	<p style="text-align: center;">Greater LOH</p> <ul style="list-style-type: none"> Community Facilities/Services: Displaced community facilities would include: two federally-qualified health care centers, CommUnityCare – David Powell Health Center and CommUnityCare – Hancock Walk-In Care, one early childhood center - Escuelita de Alma, and one cultural gathering location – West China Tea Room. Several basic needs 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. Displacements: It would be expected to displace 59 commercial properties and

Table 4. Least Overall Harm (LOH) Evaluation Factors

Evaluation Factors	Build Alternative 2	Modified Build Alternative 3
	<p>facilities that would not be expected to change the function of the facilities.</p> <ul style="list-style-type: none"> Displacements: It would be expected to displace 131 commercial properties and 145 residences (including multi-family units), and 15 vacant buildings at the time of the Public Hearing. Environmental Justice: Of the 291 total displacements, 172 would be in Environmental Justice Census geographies at the time of the Public Hearing. Noise Impacts: Of the 95 receivers modeled for Build Alternative 2, 53 would be impacted, and eight noise barriers would be feasible and reasonable. 	<p>51 residences (including multi-family units), and 1 vacant building.</p> <ul style="list-style-type: none"> Environmental Justice: Of the 111 total displacements, 97 would be in Environmental Justice Census geographies. Noise Impacts: Of the 90 receivers modeled for Modified Build Alternative 3, 49 would be impacted, and 10 noise barriers would be feasible and reasonable.
7) Substantial differences in costs	<p>Greater LOH \$4.45 Billion</p>	<p>Lower LOH \$4.50 Billion</p>

Note: "Greater" = Least Overall Harm

- 1 All seven factors for identifying the alternative with the least overall harm have been considered:
- 2 1. Both alternatives have similar abilities to mitigate adverse impacts to the Section 4(f) properties.
- 3 2. With regard to relative severity of harm after mitigation, Modified Build Alternative 3 would avoid two
- 4 historic resources in the Delwood II Historic District and therefore would have fewer permanent impacts
- 5 to the Section 4(f) resources than Build Alternative 2.
- 6 3. Significance: All of the historic properties and parks evaluated in this report are significant and are equal
- 7 in their degree of significance.
- 8 4. Views of officials with jurisdiction: For both build alternatives, coordination with COA PARD began in
- 9 December 2020. Twenty-six (26) meetings have been conducted to date to inform and coordinate with
- 10 COA PARD. Discussions have included information on parks and trails impacts, potential staging areas,
- 11 construction duration, and mitigation measures that have been determined thus far. Through the
- 12 Section 106 process, TxDOT has consulted with THC and with other Section 106 consulting parties.
- 13 TxDOT held a virtual Section 106 consulting parties meeting on October 6, 2021, and a second Section

1 106-focused public involvement meeting for consulting parties and interested stakeholders on June 10,
2 2022, to provide an update on project activities related to historic resources, present findings from
3 historic resources surveys, and solicit input and discussion on the findings. A third Section 106
4 consulting party meeting was held with Section 106 consulting parties on October 13, 2022, to discuss
5 effects of the project to historic properties and potential mitigation activities. TxDOT received Section
6 106 concurrence from THC on November 30, 2022. An additional Section 106 consulting party meeting
7 took place on December 13, 2022. This meeting focused on discussion of potential mitigation activities.
8 In March 2023, TxDOT provided proposed mitigation activities to Section 106 consulting parties for
9 review and input prior to preparation of a draft Section 106 PA. On November 10, 2022, TxDOT formally
10 transmitted the final reconnaissance and intensive HRSRs to the SHPO requesting concurrence with
11 TxDOT's determinations of NRHP eligibility and preliminary findings of project effects to historic
12 properties. The SHPO responded on November 30, 2022, providing concurrence on NRHP eligibility
13 determinations of individual properties and districts in the project's APE. THC also concurred with
14 TxDOT's evaluation of contributing/non-contributing resources to historic districts. THC agreed with
15 TxDOT's findings of direct effects summarized in the November 10, 2022, TxDOT letter.

- 16 5. Both build alternatives meet the purpose and need.
- 17 6. Both build alternatives would have adverse effects to non-Section 4(f) properties that TxDOT would not
18 be able to fully offset or mitigate. Build Alternative 2 has a greater number of displacements, including
19 more displacements within Environmental Justice Census geographies, and more noise impacts.
20 Mitigation measures for the impacts of the displacement of facilities and services and impacts to other
21 non-Section 4(f) properties are included in **Table 3.25-3** of the FEIS.

22 Note that since Modified Build Alternative 3 is the Preferred Alternative, it was further developed and
23 refined after the Public Hearing, thus resulting in additional displacements. While that level of design
24 was not completed for Build Alternative 2, it is expected that similar design considerations which exist
25 between the two alternatives would have resulted in additional displacements had TxDOT further
26 developed Build Alternative 2. In particular, drainage, constructability, value engineering, and utilities
27 have been further refined and resulted in additional displacements for Modified Build Alternative 3.

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

29 Build Alternative 2 would use 13 Section 4(f) properties while Modified Build Alternative 3 would use 11 Section
30 4(f) properties. For Build Alternative 2, there would be temporary occupancy of five Section 4(f) properties and
31 permanent impacts to eight Section 4 (f) properties. Under Build Alternative 2, the eight Section 4(f) properties
32 that would be used due to ROW acquisition are (1) Dura Tune Service Station building, (2) EBBC Main Office, (3)
33 Haster House and a small shed, (4) 4505 North I-35 in the Delwood II Historic District, (5) 4503 North I-35 in
34 the Delwood II Historic District, (6) the Roberts House, (7) Waller Beach Park, and (8) International Shores_3. In
35 contrast, Modified Build Alternative 3 would have temporary occupancy of five Section 4(f) properties and
36 permanent impacts to only six Section 4 (f) properties. Under Modified Build Alternative 3, the six Section 4(f)
37 properties that would be used due to ROW acquisition are (1) Dura Tune Service Station building, (2) EBBC Main
38 Office, (3) Haster House and a small shed, (4) the Roberts House, (5) Waller Beach Park, and (6) International
39 Shores_3.

1 Because Modified Alternative 3 would use two fewer historic properties than Build Alternative 2 and because it
 2 is preferable under Evaluation Factor 6 (magnitude of adverse impacts to non-Section 4(f) properties after
 3 mitigation) above, Modified Build Alternative 3 is identified as the least overall harm alternative.

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

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

Table 5. Minimizing Harm/Mitigation of Adverse Impacts

Section 4(f) Properties	Minimizing Harm/Mitigation of Adverse Impacts	
	Build Alternative 2	Modified Build Alternative 3
Ann and Roy Butler Hike and Bike Trail	If Build Alternative 2 was determined to be the preferred alternative, TxDOT would coordinate with COA PARD and TTC to minimize harm for this property, including mitigation commitments similar to Modified Build Alternative 3.	<p><u>Vegetation:</u></p> <p>Ground disturbance: The disturbed area will be regraded and revegetated in accordance with TxDOT standard specification and will comply with federal Executive Order (EO) 13112 on Invasive Species.</p> <p><u>Trails:</u></p> <p>Detours will be provided for portions of the trail located within the construction access areas where closures would be required for more than a few hours at a time. List of locations and anticipated durations is provided below; detours are shown in Attachment A, and coordination continues between TxDOT, COA PARD, and TTC to determine the appropriate detours:</p> <ul style="list-style-type: none"> • Waller Beach at Town Lake Metro Park: duration of construction • Edward Rendon Sr. Park at Festival Beach: 6 months • International Shores_3: duration of construction • Trail along I-35 at Lady Bird Lake: duration of construction

Table 5. Minimizing Harm/Mitigation of Adverse Impacts

Section 4(f) Properties	Minimizing Harm/Mitigation of Adverse Impacts	
	Build Alternative 2	Modified Build Alternative 3
		<ul style="list-style-type: none"> Northbound and southbound I-35 sidewalks: duration of construction <p>Portable Changeable Message Signs (PCMS) and temporary wayfinding signs will be placed in appropriate locations to warn trail users of the detours during construction.</p> <p>Any damage caused by construction equipment during construction to the existing trails will be repaired and all trails will be returned to their original conditions after the full duration of construction. All detour routes will be removed and grounds will be returned to their original conditions unless COA requests that the detour trail routes remain in place.</p> <p>TxDOT will construct an open trail boardwalk on the east side of the I-35 bridge after construction is completed. The design of this structure has been and will continue to be coordinated with COA PARD.</p> <p>In addition, TxDOT is modifying designs for SUPs and SUP connections to enhance access between the I-35 Capital Express Central Project and COA park system along Lady Bird Lake. At the request of COA PARD, a raised twisted loop SUP with connections would be constructed at Waller Beach between East Avenue and the I-35 bridge over Lady Bird Lake. This SUP portion will connect into the Ann and Roy Butler Hike and Bike Trail and the SB I-35 pedestrian bridge over Lady Bird Lake.</p> <p>TxDOT would fund construction of a boardwalk segment adjacent to the Hyatt Regency Hotel to connect to the Ann and Roy Butler Hike and Bike Trail, as is recommended in the “Butler Hike-and-Bike Trail Safety and Mobility Study” (TTC, 2021). The existing trail at this location is narrow, has a sharp turn and steep elevation change, and conflicts with uses</p>

Table 5. Minimizing Harm/Mitigation of Adverse Impacts

Section 4(f) Properties	Minimizing Harm/Mitigation of Adverse Impacts	
	Build Alternative 2	Modified Build Alternative 3
		associated with three boat docks resulting in a pinch point and unsafe condition. The proposed boardwalk would remove the pinch point and provide users of the Ann and Roy Butler Hike and Bike Trail a safer experience. The existing trail at this location would be removed and the area restored to a native riparian forest.. Following the construction of the boardwalk, the maintenance and oversight of the trail will be overseen by TTC.

International
Shores_3

If Build Alternative 2 was determined to be the preferred alternative, TxDOT would coordinate with COA PARD and TTC to minimize harm for this property, including mitigation commitments similar to Modified Build Alternative 3.

Temporary Easement:

Financial compensation for the temporary use of the 0.6 acre will be paid to COA PARD. Compensation will be based on appraisal.

Vegetation:

Trees: Tree mitigation will be paid in fee to COA rather than new tree plantings. Prior to construction, a tree survey consistent with COA [Section 3 of the COA Environmental Criteria Manual](#) for tree and natural area protection will be performed to gauge the health and quality of the trees proposed to be impacted. This will inform discussions on the total monies paid in fee to PARD for tree mitigation.

Ground disturbance: The disturbed area will be regraded and revegetated in accordance with TxDOT standard specification and will comply with federal EO 13112 on Invasive Species.

The contractor will be required to create a Tree Protection program consistent with [Section 3 of the COA Environmental Criteria Manual](#) for tree and natural area protection. Additionally, the contractor will be required to provide additional restoration if they impact more trees than designated for removal as a part of this temporary use agreement.

Trails:

Table 5. Minimizing Harm/Mitigation of Adverse Impacts

Section 4(f) Properties	Minimizing Harm/Mitigation of Adverse Impacts	
	Build Alternative 2	Modified Build Alternative 3
		<p>See anticipated mitigation for Ann and Roy Butler Hike and Bike Trail for more information on detours proposed for temporary trail impacts. Proposed detours will provide access to Riverside Drive, thus maintaining connectivity and access for the hike and bike trail visitors.</p>
Edward Rendon Park	<p>If Build Alternative 2 was determined to be the preferred alternative, TxDOT would coordinate with COA PARD and TTC to minimize harm for this property, including mitigation commitments similar to Modified Build Alternative 3.</p>	<p><u>Temporary Easement:</u> Financial compensation for the 6-month temporary use of the 0.7 acre will be paid to COA PARD. Compensation will be based on appraisal.</p> <p>TxDOT is not proposing mitigation in the form of waterfront improvements.</p> <p><u>Vegetation:</u> Trees: Tree mitigation will be paid in fee to COA rather than new tree plantings. Prior to construction, a tree survey consistent with COA Section 3 of the COA Environmental Criteria Manual for tree and natural area protection will be performed to gauge the health and quality of the trees proposed to be impacted. This will inform discussions on the total monies paid in fee to PARD for tree mitigation.</p> <p>Ground disturbance: The disturbed area will be regraded and revegetated in accordance with TxDOT standard specification and will comply with federal EO 13112 on Invasive Species.</p> <p>The contractor will be required to create a Tree Protection program consistent with Section 3 of the COA Environmental Criteria Manual for tree and natural area protection. Additionally, the contractor will be required to provide additional restoration if they impact more trees (over 18 inches DBH) than what TxDOT has designated for removal as a part of this temporary use agreement.</p> <p><u>Trails:</u></p>

Table 5. Minimizing Harm/Mitigation of Adverse Impacts

Section 4(f) Properties	Minimizing Harm/Mitigation of Adverse Impacts	
	Build Alternative 2	Modified Build Alternative 3
		<p>See anticipated mitigation for Ann and Roy Butler Hike and Bike Trail for more information on detours proposed for temporary trail impacts.</p> <p><u>Parking:</u> Notice will be given to the public in coordination with COA prior to the closing of parking. Any damage caused by construction equipment to East Avenue or parking along East Avenue will be repaired and returned to its original condition.</p> <p>As part of mitigation, parking and amenities within TxDOT ROW under the I-35 bridge will be restored.</p> <p>The ADA parking spot at Ann and Roy Butler Hike and Bike Trail at East Avenue (COA Access Trail 22) located within Edward Rendon Sr. Metro Park at Festival Beach will be returned to its original location and any damage caused by construction equipment during construction will be repaired. The temporary ADA parking spot location on Nash Hernandez Sr. Road will be returned to its original condition (i.e., a traditional parking spot) unless COA requests that it remain as an ADA I-35 parking spot. Temporary signage will be provided to direct the public to the relocated ADA parking.</p> <p><u>Other Amenities:</u> Mitigation will be paid in fee to COA for the following items:</p> <ul style="list-style-type: none"> • Eight picnic tables will be replaced in-kind or returned to their original locations. • Two recycle/trash bins will be replaced or returned to their original locations.

Waller Beach
Park

If Build Alternative 2 was determined to be the preferred alternative, TxDOT

Vegetation:

Trees: Tree mitigation will be paid in fee to COA rather than new tree plantings. Prior to construction, a tree

Table 5. Minimizing Harm/Mitigation of Adverse Impacts

Section 4(f) Properties	Minimizing Harm/Mitigation of Adverse Impacts	
	Build Alternative 2	Modified Build Alternative 3
would coordinate with COA PARD and TTC to minimize harm for this property, including mitigation commitments similar to Modified Build Alternative 3.	<p>survey consistent with COA Section 3 of the COA Environmental Criteria Manual for tree and natural area protection will be performed to gauge the health and quality of the trees proposed to be impacted. This will inform discussions on the total monies paid in fee to PARD for tree mitigation.</p> <p>Ground disturbance: The disturbed area will be regraded and revegetated in accordance with TxDOT standard specification and will comply with federal EO 13112 on Invasive Species.</p> <p>The contractor will be required to create a Tree Protection program consistent with Section 3 of the COA Environmental Criteria Manual for tree and natural area protection. Additionally, the contractor will be required to provide additional restoration if they impact more trees (over 18 inches DBH) than designated for removal as a part of this temporary use agreement.</p> <p><u>Trails:</u> See Impacts to Ann and Roy Butler Hike and Bike Trail for more information on detours proposed for temporary trail impacts.</p> <p><u>Parking:</u> Notice will be given to the public in coordination with COA prior to the periodic closing of parking. Any damage caused by construction equipment to East Avenue or parking along East Avenue will be repaired and returned to its original condition.</p> <p>As mitigation, parking and amenities within TxDOT ROW under the I-35 bridge will be restored.</p> <p><u>Other Amenities:</u> Mitigation will be paid in fee to COA for the following items.</p>	

Table 5. Minimizing Harm/Mitigation of Adverse Impacts

Section 4(f) Properties	Minimizing Harm/Mitigation of Adverse Impacts	
	Build Alternative 2	Modified Build Alternative 3
		<ul style="list-style-type: none"> • One picnic table will be replaced in-kind or returned to its original location. • Three recycle/trash bins will be replaced or returned to their original locations. <p>Impacted signage will be temporarily relocated outside of construction access area during construction and returned to original location once construction is complete.</p> <p><u>Rain Garden:</u> As mitigation, TxDOT will restore the existing water quality pond between East Avenue and Lady Bird Lake, after construction.</p>
Norwood Park	If Build Alternative 2 was determined to be the preferred alternative, TxDOT would coordinate with COA PARD to minimize harm for this property, including mitigation commitments similar to Modified Build Alternative 3.	<p><u>Temporary Easement:</u> Financial compensation for the temporary use of the 0.57 acre will be paid to COA PARD. Compensation will be based on appraisal.</p> <p>The area required for construction access must be located near the bridge as proposed for construction of the new bridge. Therefore, TxDOT does not propose to utilize the area that COA has identified for future parking.</p> <p><u>Vegetation:</u> Trees: Tree mitigation will be paid in fee to COA rather than new tree plantings. Prior to construction, a tree survey consistent with COA Section 3 of the COA Environmental Criteria Manual for tree and natural area protection will be performed to gauge the health and quality of the trees proposed to be impacted. This will inform discussions on the total monies paid in fee to PARD for tree mitigation.</p> <p>Ground disturbance: The disturbed area will be regraded and revegetated in accordance with TxDOT</p>

Table 5. Minimizing Harm/Mitigation of Adverse Impacts

Section 4(f) Properties	Minimizing Harm/Mitigation of Adverse Impacts	
	Build Alternative 2	Modified Build Alternative 3
		<p>standard specification and will comply with federal EO 13112 on Invasive Species.</p> <p>The contractor will be required to create a Tree Protection program consistent with Section 3 of the COA Environmental Criteria Manual for tree and natural area protection. Additionally, the contractor will be required to provide additional restoration if they impact more trees (over 18 inches DBH) than what TxDOT has designated for removal as a part of this temporary use agreement.</p> <p><u>Dog Park:</u> Temporary high chain-link fencing will be installed at the at the dog park to ensure separation from construction equipment and park patrons and their pets. The temporary fence will be removed once construction is completed and the park will be returned to its original size and shape.</p> <p><u>Other Amenities:</u> Mitigation will be paid in fee to COA for the following items.</p> <ul style="list-style-type: none"> • One picnic table will be replaced in-kind or returned to its original location. • Two Mutt Mitt stations will be replaced or returned to their original locations.

Lady Bird Lake

If Build Alternative 2 was determined to be the preferred alternative, TxDOT would coordinate with COA PARD and TTC to minimize harm for this property, including mitigation commitments similar to Modified Build Alternative 3.

Lake Access:

Notice will be given to the public in coordination with COA prior to the need to restrict access to open water or east/west access under the existing bridge. Full access will be restored when construction is complete.

TxDOT will continue to work to identify options to maintain east/west access during construction, there may be times when access must be restricted for the safety of both the public and the contractors working

Table 5. Minimizing Harm/Mitigation of Adverse Impacts

Section 4(f) Properties	Minimizing Harm/Mitigation of Adverse Impacts	
	Build Alternative 2	Modified Build Alternative 3
		<p>in the area. In these cases, COA will provide advance notice and the lake will be appropriately signed up and down stream of the proposed work area, as well as areas of ingress/egress for the lake (i.e., open boat ramps).</p> <p>TxDOT is not proposing mitigation in the form of waterfront improvements or the creation of a plaza under the I-35 bridge.</p> <p>Mitigation for wetland impacts is not required as Section 404 regulated wetlands were not identified within the impact area. Any ground/vegetation disturbance will be regraded and revegetated in accordance with TxDOT standard specification and will comply with federal EO 13112 on Invasive Species.</p> <p><u>Bat boxes on Bridge over Lady Bird Lake</u></p> <p>TxDOT will install 24 bat boxes on COA pedestrian bridge over Lady Bird Lake as mitigation at the request of COA PARD. These bat boxes would provide shelter for approximately 156,000 bats and be owned and maintained by COA.</p>
Town Lake Park System	If Build Alternative 2 was determined to be the preferred alternative, TxDOT would coordinate with THC to minimize harm for this property, including mitigation commitments similar to Modified Build Alternative 3.	TxDOT coordinated with SHPO, COA PARD, and TTC on strategies for minimizing harm.
Dura Tune Service Station	If Build Alternative 2 was determined to be the preferred alternative, TxDOT would coordinate with THC to minimize harm for this property, including mitigation	TxDOT coordinated with THC to minimize harm. Specific defined mitigation commitments are documented in the Section 106 PA between TxDOT and THC. Mitigation includes archival documentation of the building, including a written history, photographs, and appropriate additional digital

Table 5. Minimizing Harm/Mitigation of Adverse Impacts

Section 4(f) Properties	Minimizing Harm/Mitigation of Adverse Impacts	
	Build Alternative 2	Modified Build Alternative 3
	commitments similar to Modified Build Alternative 3.	documentation. All documentation will be provided to THC and the Austin History Center and will be available digitally on the My35CapEx website.
EBBC Main Office	If Build Alternative 2 was determined to be the preferred alternative, TxDOT would coordinate with THC to minimize harm for this property, including mitigation commitments similar to Modified Build Alternative 3.	TxDOT coordinated with THC to minimize harm. Specific defined mitigation commitments are documented in the Section 106 PA between TxDOT and THC. Mitigation includes: <ul style="list-style-type: none"> • Archival documentation of the building with written history, sketch site plans, interior floor plans, and exterior and interior photographs. • Salvaging bricks from the EBBC Main Office and reusing the bricks along I-35 as part of the aesthetics and interpretation plan.
Haster House	If Build Alternative 2 was determined to be the preferred alternative, TxDOT would coordinate with THC to minimize harm for this property, including mitigation commitments similar to Modified Build Alternative 3.	TxDOT coordinated with THC to minimize harm. Specific defined mitigation commitments are documented in the Section 106 PA between TxDOT and THC. Mitigation includes archival documentation of the building, including a written history, exterior and interior photographs, interior floor plan, and appropriate additional digital documentation. All documentation will be provided to THC and the Austin History Center and will be available digitally on the My35CapEx website.
Delwood II Historic District <ul style="list-style-type: none"> • Residence at 4505 North I-35 • Residence at 4503 North I-35 	If Build Alternative 2 was determined to be the preferred alternative, TxDOT would coordinate with THC to minimize harm for this property, including mitigation commitments.	No Adverse Impacts
Roberts House	If Build Alternative 2 was determined to be the preferred alternative, TxDOT would coordinate with THC to	TxDOT coordinated with THC to minimize harm. Specific defined mitigation commitments are documented in the Section 106 PA between TxDOT and THC. Mitigation includes archival documentation

Table 5. Minimizing Harm/Mitigation of Adverse Impacts

Section 4(f) Properties	Minimizing Harm/Mitigation of Adverse Impacts	
	Build Alternative 2	Modified Build Alternative 3
	minimize harm for this property, including mitigation commitments similar to Modified Build Alternative 3.	the building, including a written history, exterior and interior photographs, exterior sketch plan, interior floor plan, and appropriate additional digital documentation. All documentation will be provided to THC and the Austin History Center and will be available digitally on the My35CapEx website.

1 This analysis is conducted to determine which of the potential alternatives that use a Section 4(f) property has
 2 the net impact that results in the “least overall harm” in accordance with the factors listed in 23 CFR 774.3(c)(1)
 3 and “includes all possible planning to minimize harm to Section 4(f) property” (23 CFR 774.3(c)(2)). Not all uses
 4 of Section 4(f) property have the same magnitude of impact, and not all Section 4(f) properties have the same
 5 quality; therefore, the least overall harm analysis is a qualitative analysis. TxDOT is responsible for selecting the
 6 alternative that does the least overall harm in consideration of all 7 factors. Because Modified Alternative 3
 7 would use two fewer historic properties than Build Alternative 2 and because it is preferable under Evaluation
 8 Factor 6 (magnitude of adverse impacts to non-Section 4(f) properties after mitigation) above, Modified Build
 9 Alternative 3 is identified as the least overall harm alternative.

10 **8. Coordination**

11 On December 29, 2022, TxDOT formally transmitted the draft individual Section 4(f) evaluation to COA PARD,
 12 THC, and USDOL for review and comment.

13 TxDOT initiated coordination with COA PARD for park and trail impacts. Over 25 meetings have been held since
 14 December 2020. TxDOT and COA PARD have coordinated and reviewed the proposed mitigation measures and
 15 will continue to coordinate throughout the project construction completion.

16 As part of the proposed mitigation measures, TxDOT modified designs for SUPs and SUP connections to enhance
 17 access between I-35 Capital Express Central Project and COA park system along Lady Bird Lake. At the request
 18 of COA PARD, a raised twisted loop SUP with connections would be constructed at Waller Beach between East
 19 Avenue and the I-35 bridge. This SUP portion will connect into the Ann and Roy Butler Hike and Bike Trail and
 20 the COA pedestrian bridge over Lady Bird Lake. Within Waller Beach, the contractor will be directed to keep this
 21 area free from construction activities or staging that is not related to the SUP connections. The pedestrian bridge
 22 along NB I-35 within the Edward Rendon Park construction easement discussed in **Section 7.3** is also at the
 23 request of COA PARD. As such, the SUPs at Waller Beach and Edward Rendon would represent an enhancement
 24 to the parks’ purpose and would not constitute a significant change of use or non-conforming use. TxDOT
 25 considers this to be part of the mitigation plan to minimize the Section 4(f) impacts since COA PARD requested
 26 to create better connections from the SUP down to their trail system as activities that conform to the intended
 27 use of the park. Additionally, TxDOT will ensure the Ann and Roy Butler Hike and Bike Trail closures avoid holidays
 28 and events. TxDOT will provide timely and accurate information through digital message boards to allow for

1 advance notice on trail detours and closures. TxDOT will also develop a communication system to provide
2 information at the beginning of park and trail entry points.

3 On May 4, 2023, TxDOT checked in with TTC on its opportunity to comment. TTC provided a response on May
4 15, 2023. Comments included concerns regarding the timing of trail closures, specifically the boardwalk portion
5 of the Ann and Roy Butler Hike and Bike Trail; trail detours for the boardwalk south of Lady Bird Lake and for the
6 detour of the north shore of the Lake at Waller Beach; mitigation of trees through avoidance and relocation
7 instead of removal; a request that all parkland restoration and temporary easement financial compensation be
8 coordinated with TTC and PARD; the trail's contiguous alignment to remain within the current location, including
9 the ROW underneath I-35; and any needed restoration or repair work to the trail within the ROW underneath I-
10 35 present the opportunity for the facility it to be upgraded. On July 26, 2023, TxDOT sent correspondence
11 acknowledging the review of comments and provided the following responses:

- 12 • TxDOT will update the trail and boardwalk closure information regarding frequency and duration in the FEIS.
- 13 • TxDOT would like to continue to work with TTC to find the best pedestrian detour. In response to TTC's
14 feedback, TxDOT relocated the trail detour to parallel to the south side of East Avenue.
- 15 • The proposed new permanent park amenities were laid out in collaboration with COA PARD. TxDOT consulted
16 with arborists, including COA PARD arborists, in the past regarding the relocation of trees. The arborists
17 suggest using funds to plant more trees to offset impacts of removing a small number of mature trees.
- 18 • The trail between Waller Beach and Edward Rendon at Festival Beach would be restored under I-35 following
19 completion of the construction phase.

20 TxDOT coordinated with USDOT and NPS. On December 29, 2022, TxDOT sent a combined notice of availability
21 and public hearing for the project DEIS, which included the Draft Individual Section 4(f) Evaluation. The
22 comments from USDOT and NPS highlighted that the I-35 Capital Express Central project would impact Section
23 6(f) properties (Edward Rendon Park and Waller Beach Park). USDOT and NPS noted that TxDOT should include
24 an analysis of impacts, Section 106 tribal outreach and coordination, Endangered Species Act (ESA) Section 7
25 consultation, and alternatives considered for proposed replacement and mitigation of impacts. On March 17,
26 2023, NPS determined the temporary use of Edward Rendon Park and proposed timeline adequately meets the
27 requirements for a temporary non-conforming Section 6(f) use. At Waller Beach, TxDOT is proposing a Section
28 6(f) conversion of approximately 1.30 acres of land which are needed for construction staging and water access
29 for approximately 6.5 years, and for maintenance of the future I-35 bridge in perpetuity. Coordination is ongoing
30 with TPWD for this process.

31 On May 3, 2023, TxDOT sent additional correspondence to USDOT to verify the agency had no comments on the
32 Section 4(f) evaluation. USDOT confirmed it had no comments.

33 Through the Section 106 process, TxDOT consulted with THC in its role as Texas SHPO and with other Section
34 106 consulting parties. TxDOT held a virtual Section 106 consulting parties meeting on October 6, 2021, to
35 provide an overview of the project, cultural resources management as part of TxDOT's project development
36 process, consulting party opportunities and roles in the Section 106 process, and historic resources survey tasks
37 and schedule. TxDOT provided reconnaissance-level and intensive-level HRSRs to consulting parties and other
38 stakeholders for review and comment. The HRSRs were posted to the project website for public review. TxDOT
39 held a second Section 106-focused public involvement meeting for consulting parties and interested

1 stakeholders on June 10, 2022, to provide an update on project activities related to historic resources, present
2 findings from historic resources surveys, and solicit input and discussion on the findings. A third Section 106
3 consulting party meeting was held with Section 106 consulting parties on October 13, 2022, to discuss effects
4 of the project to historic properties and potential mitigation activities. An additional Section 106 consulting party
5 meeting took place on December 13, 2022. This meeting focused on discussion of potential mitigation activities.
6 In March 2023, TxDOT provided proposed mitigation activities to Section 106 consulting parties for review and
7 input prior to preparation of a draft Section 106 PA.

8 On November 10, 2022, TxDOT formally transmitted the final reconnaissance and intensive HRSRs to the SHPO
9 requesting concurrence with TxDOT's determinations of NRHP eligibility and preliminary findings of project
10 effects to historic properties. The SHPO responded on November 30, 2022, providing concurrence on NRHP
11 eligibility determinations of individual properties and districts in the project's Area of Potential Effects (APE). The
12 SHPO also concurred with TxDOT's evaluation of contributing/non-contributing resources to historic districts. The
13 SHPO agreed with TxDOT's findings of direct effects summarized in the November 10, 2022, TxDOT letter.

14 On November 18, 2022, TxDOT notified ACHP of the project's potential to adversely affect historic properties
15 and invited the ACHP to participate in the Section 106 consultation. The ACHP responded on November 28,
16 2022, declining to participate in Section 106 consultation for the project.

17 TxDOT has entered into a PA with THC and other consulting parties. Specific defined mitigation commitments are
18 documented in the Section 106 PA between TxDOT and THC. Mitigation includes:

- 19 • Historic resources documentation of all four buildings proposed for demolition, including a written history,
20 photographs, and appropriate additional digital documentation. All documentation will be provided to THC
21 and the Austin History Center and will be available digitally on the My35CapEx website.
- 22 • Salvage bricks from the Elgin Butler Brick Company Main Office and reuse the bricks along I-35 as part of
23 the aesthetics and interpretation plan.
- 24 • Write a Mexican-American historic context for use in listing historic properties in the National Register of
25 Historic Places and as local city landmarks.
- 26 • Create an interpretive framework, with community engagement and involvement, to guide all interpretive
27 projects along the I-35 CapEx Central corridor.

28 The Section 106 PA also documents TxDOT will implement to protect historic properties during construction. The
29 final execution of the PA occurred on August 7, 2023. See **Attachment C** for COA, TTC, DOI/NPS coordination
30 documentation and the Section 106 PA.

31 TxDOT held an in-person public hearing (with a virtual option) on February 9, 2023, to gather public input
32 regarding the I-35 CapEx Central Project DEIS and associated technical reports, including the Section 4(f)
33 Individual Evaluation. The official public comment period occurred from January 5 to March 7, 2023. A total of
34 3,421 comments were received during the official public comment period with 45 comments specifically related
35 to the proposed COA park/recreation area impacts. The public hearing comments highlighted the need and
36 strong desire to preserve and protect greenspaces, including the Lady Bird Lake; Edward Rendon Park, and its
37 facilities the Festival Beach Community Garden and the Festival Beach Food Forest; Waller Beach Park; and the
38 trails that provide access to these shared community spaces. Additionally, the comments included major themes

1 related to the importance of parks to the community members: support for the safety enhancements to walk and
2 bike trails, requests for a smaller project footprint, concerns about temporary and permanent impacts parks,
3 concerns regarding safe connectivity from neighborhoods to parks, concerns about noise and air quality due to
4 construction and post-construction traffic, and concerns related to stormwater quality during the construction of
5 the bridge support piers, as well as stormwater quality at the outfall entering the Colorado River. Other Section
6 4(f) and 6(f)-related comments involved concerns about the impact to local historically significant neighborhoods
7 and small businesses, impacts due to flooding, as well as the temporary use of Waller Beach Park during the 6-
8 year construction period. Lastly, the comments highlighted support for bicycle and pedestrian accommodations
9 and safety improvements and requested information on project design changes and impacts, as well as safe
10 unimpeded access to these parks. The public comment period summary and comment responses are included
11 in the FEIS as well as in **Appendix F** and **Appendix G** of the FEIS. Comments directly related to parks and historic
12 resources have been separated out.

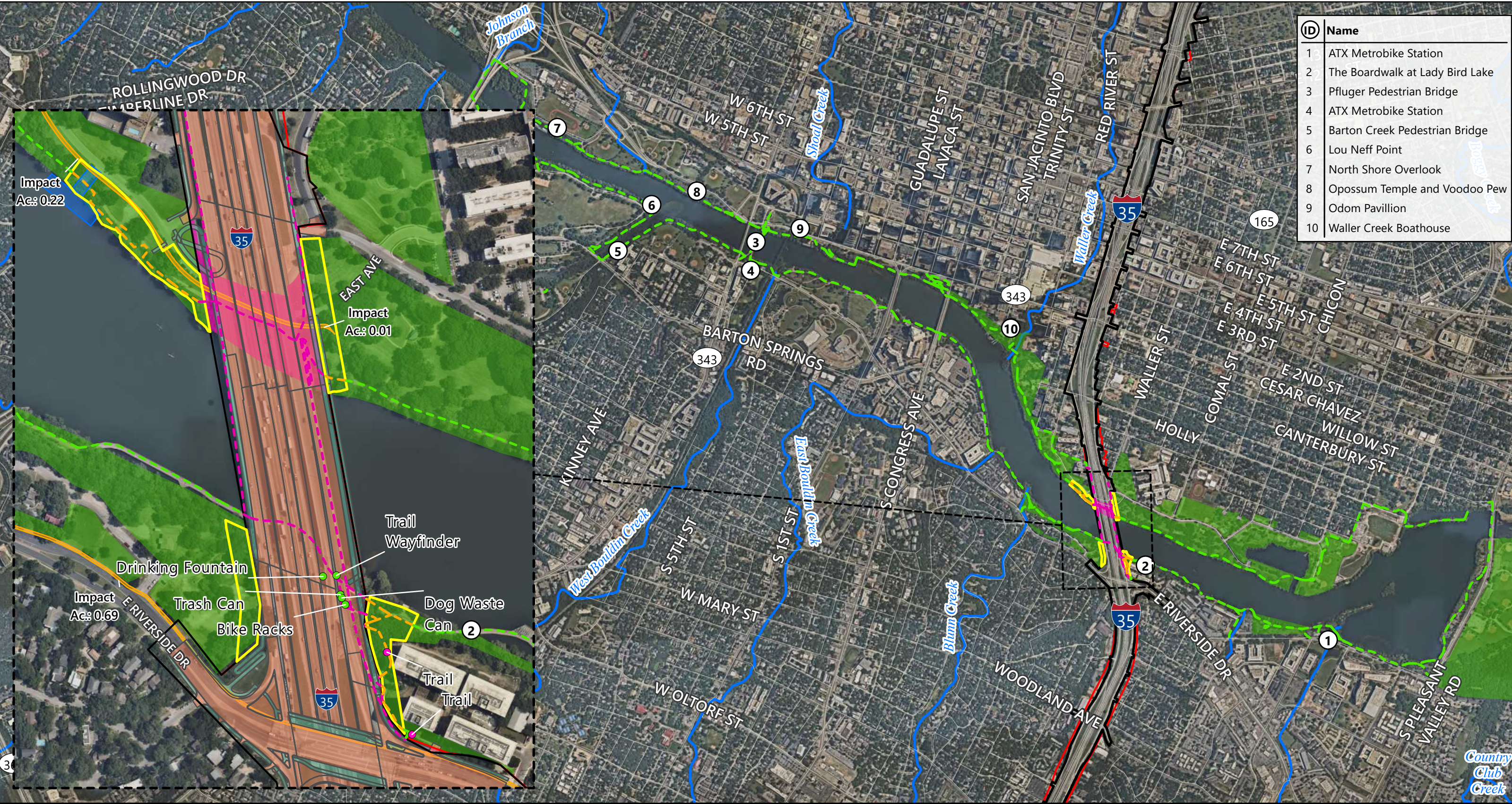
13 9. Conclusion

14 Based upon the above considerations, there is no feasible and prudent avoidance alternative to the use of the
15 land from Ann and Roy Butler Hike and Bike Trail, International Shores_3, Edward Rendon Park, Waller Beach
16 Park, Norwood Park, Lady Bird Lake, Town Lake Park System, Dura Tune Service Station, EBBC Main Office,
17 Haster House, and Roberts House. The proposed action includes all possible planning to minimize harm to Ann
18 and Roy Butler Hike and Bike Trail, International Shores_3, Edward Rendon Park, Waller Beach Park, Norwood
19 Park, Lady Bird Lake, Town Lake Park System, Dura Tune Service Station, EBBC Main Office, Haster House, and
20 Roberts House.

21

1 Attachment A – Maps of Impacts

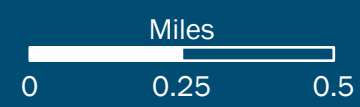
ID	Name
1	ATX Metrobike Station
2	The Boardwalk at Lady Bird Lake
3	Pfluger Pedestrian Bridge
4	ATX Metrobike Station
5	Barton Creek Pedestrian Bridge
6	Lou Neff Point
7	North Shore Overlook
8	Opossum Temple and Voodoo Pew
9	Odom Pavilion
10	Waller Creek Boathouse



Ann and Roy Butler Hike and Bike Trail - Alternative 2

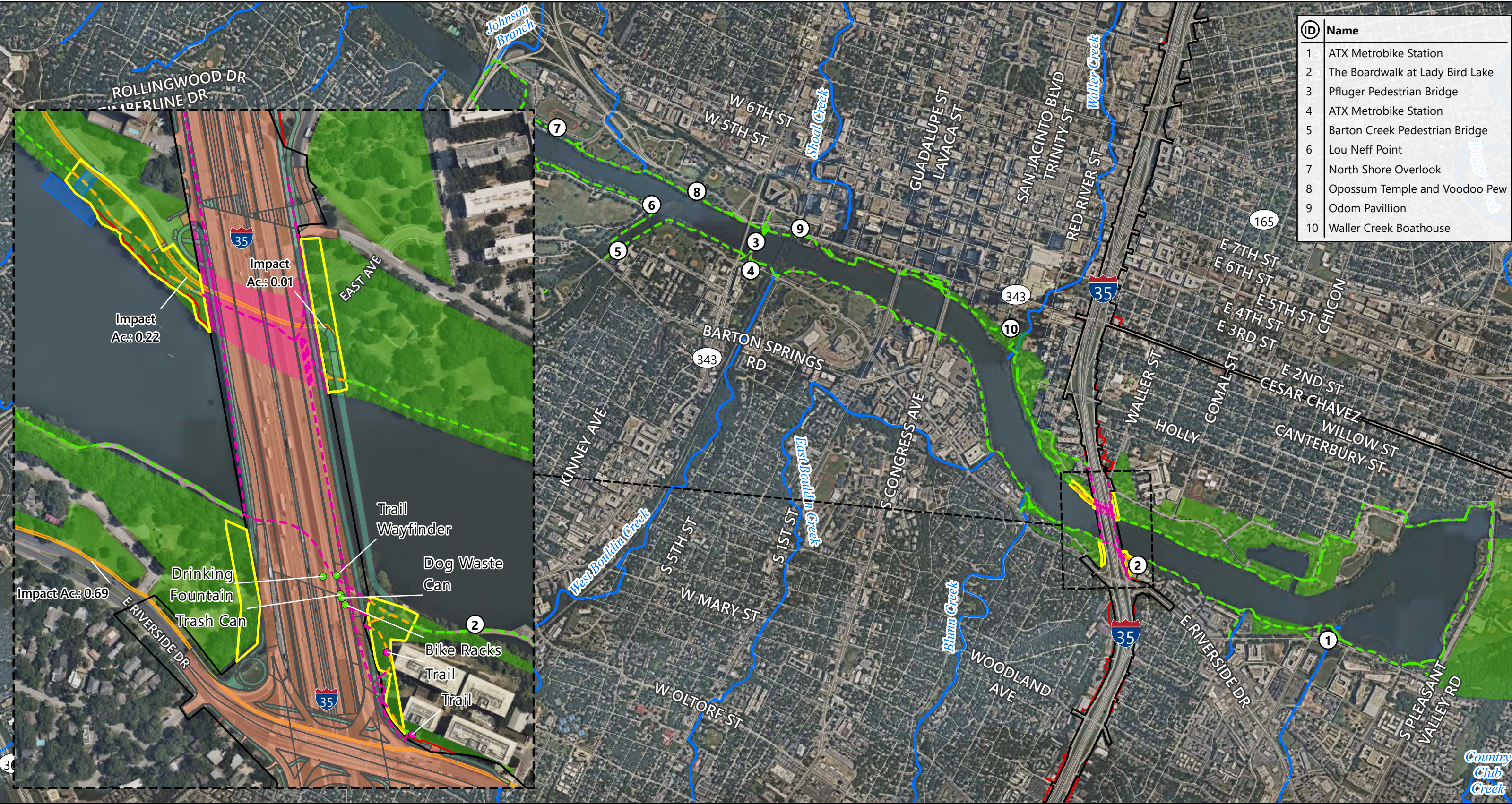
I-35 Capital Express Central
 From US 290 East to US 290 West/SH 71
 Travis County, TX
 CSJ: 0015-13-388

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



Sources: Nearmap, City of Austin, 2020

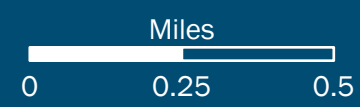
ID	Name
1	ATX Metrobike Station
2	The Boardwalk at Lady Bird Lake
3	Pfluger Pedestrian Bridge
4	ATX Metrobike Station
5	Barton Creek Pedestrian Bridge
6	Lou Neff Point
7	North Shore Overlook
8	Opossum Temple and Voodoo Pew
9	Odom Pavillion
10	Waller Creek Boathouse



Ann and Roy Butler Hike and Bike Trail - Modified Alternative 3

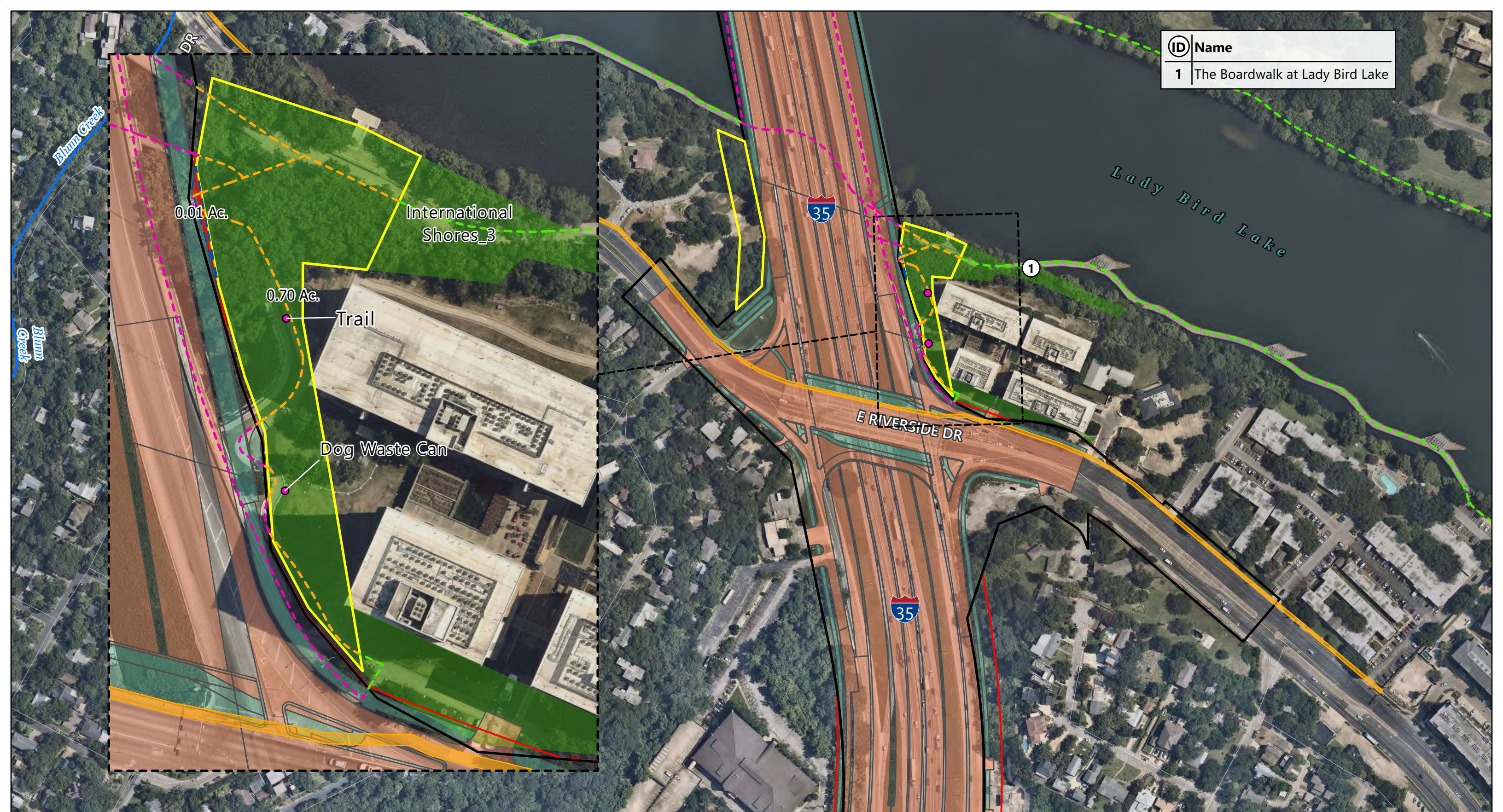
I-35 Capital Express Central
 From US 290 East to US 290 West/SH 71
 Travis County, TX
 CSJ: 0015-13-388

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



Sources: Nearmap, City of Austin, 2020

ID	Name
1	The Boardwalk at Lady Bird Lake

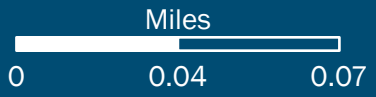


International Shores at Town Lake Metropolitan Park 3 - Alternative 2

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

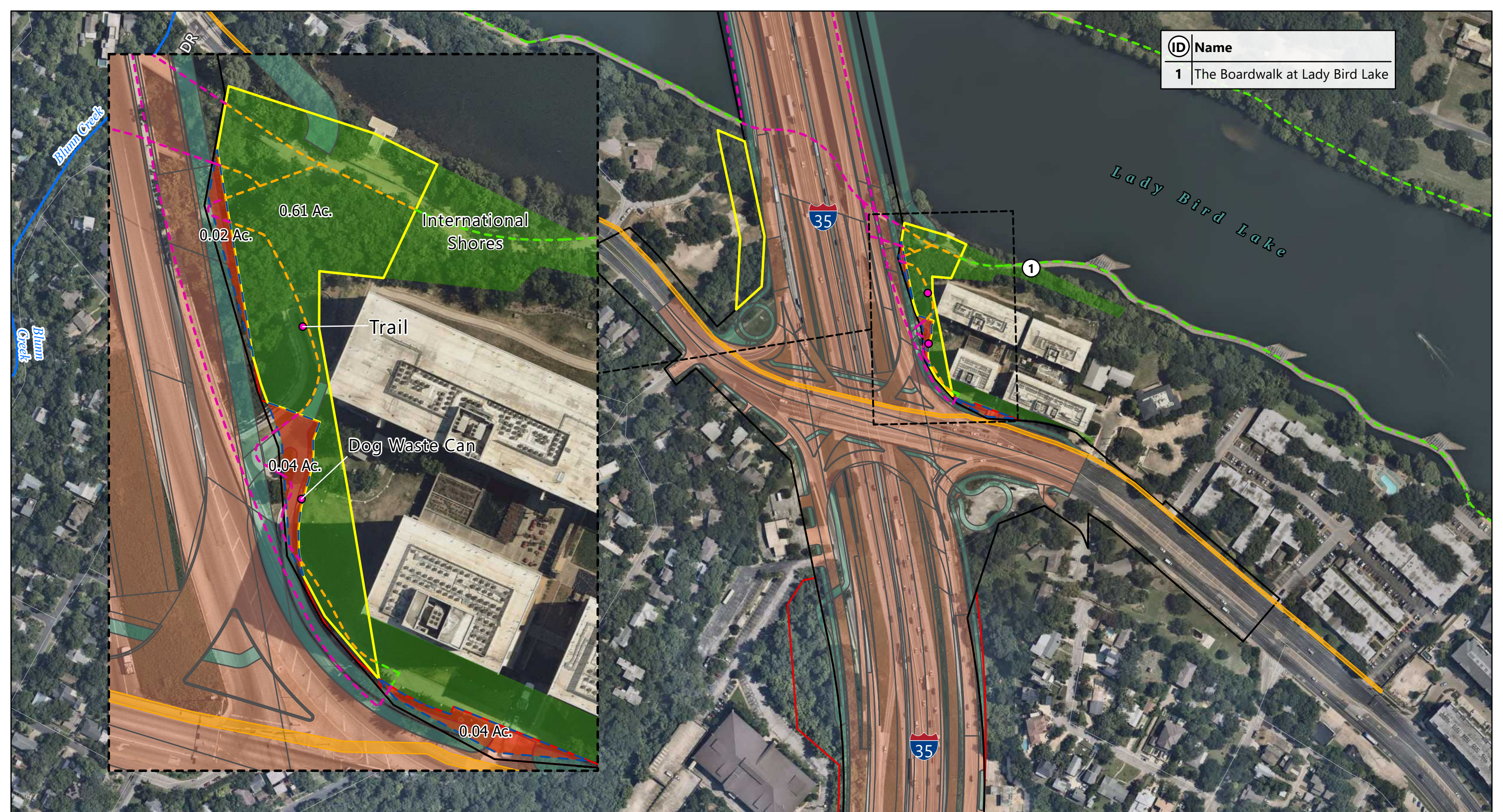
- Existing ROW
- Proposed ROW
- Proposed ROW in Park
- Construction Easement in Park
- Detour Trail
- Proposed Pavement
- Proposed Shared-Use Path
- Park Facility
- Impacted Park Amenity/Facility
- Park/Open Space

- Ann and Roy Butler Hike and Bike Trail
- Bicycle/Pedestrian Facility in TxDOT ROW
- Impacted Portion of Ann and Roy Butler Hike and Bike Trail
- ~ Creek/Stream



Sources: Nearmap, City of Austin, 2020

ID	Name
1	The Boardwalk at Lady Bird Lake

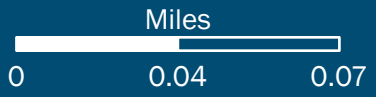


International Shores at Town Lake Metropolitan Park 3 - Modified Alternative 3

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

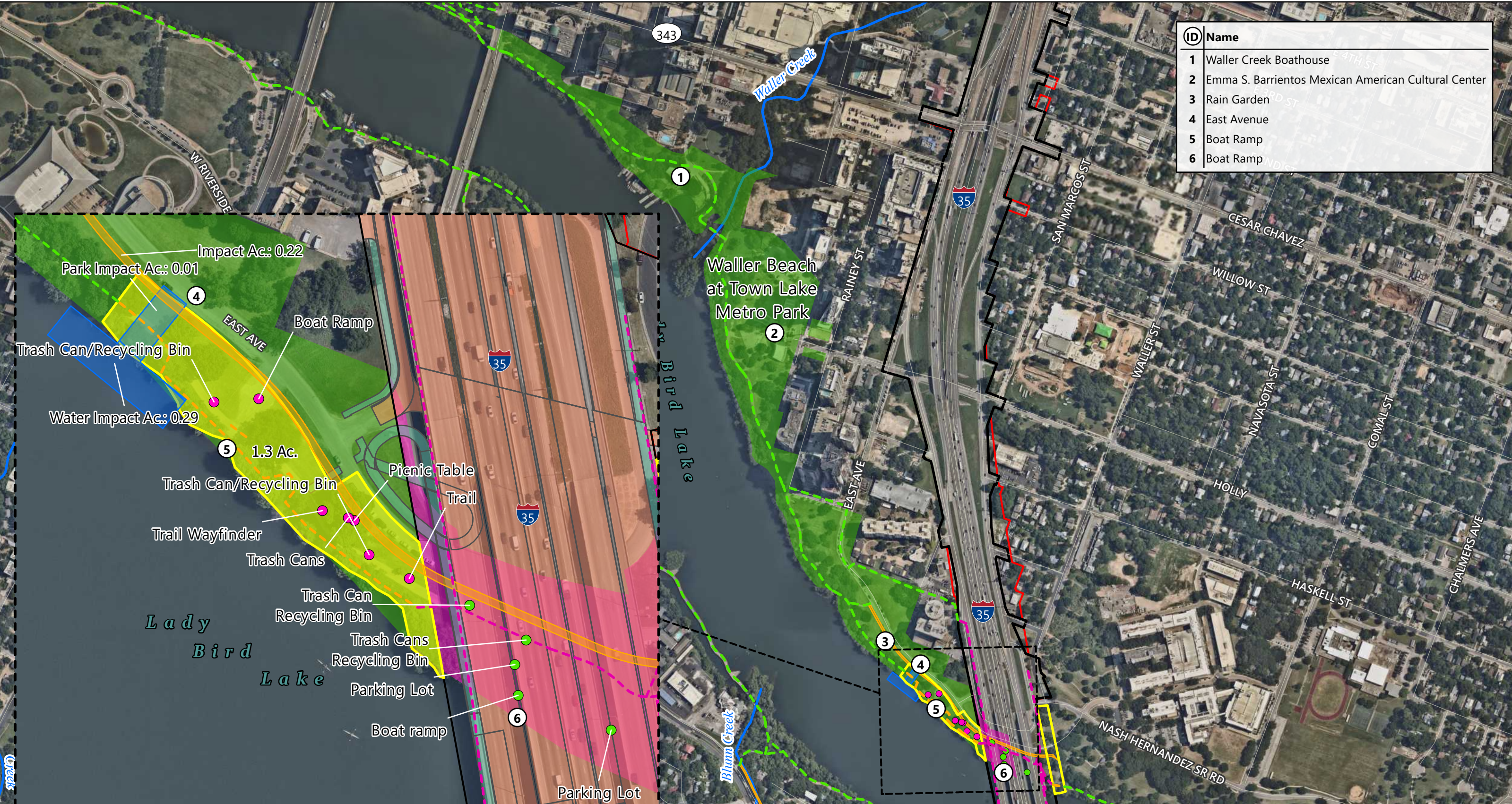
- Existing ROW
- Proposed ROW
- Proposed ROW in Park
- Construction Easement in Park
- Detour Trail
- Proposed Pavement
- Proposed Shared-Use Path
- Park Facility
- Impacted Park Amenity/Facility
- Park/Open Space

- Ann and Roy Butler Hike and Bike Trail
- Bicycle/Pedestrian Facility in TxDOT ROW
- Impacted Portion of Ann and Roy Butler Hike and Bike Trail
- ~ Creek/Stream



Sources: Nearmap, City of Austin, 2020

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



Waller Beach at Town Lake Metro Park Impacts - Alternative 2

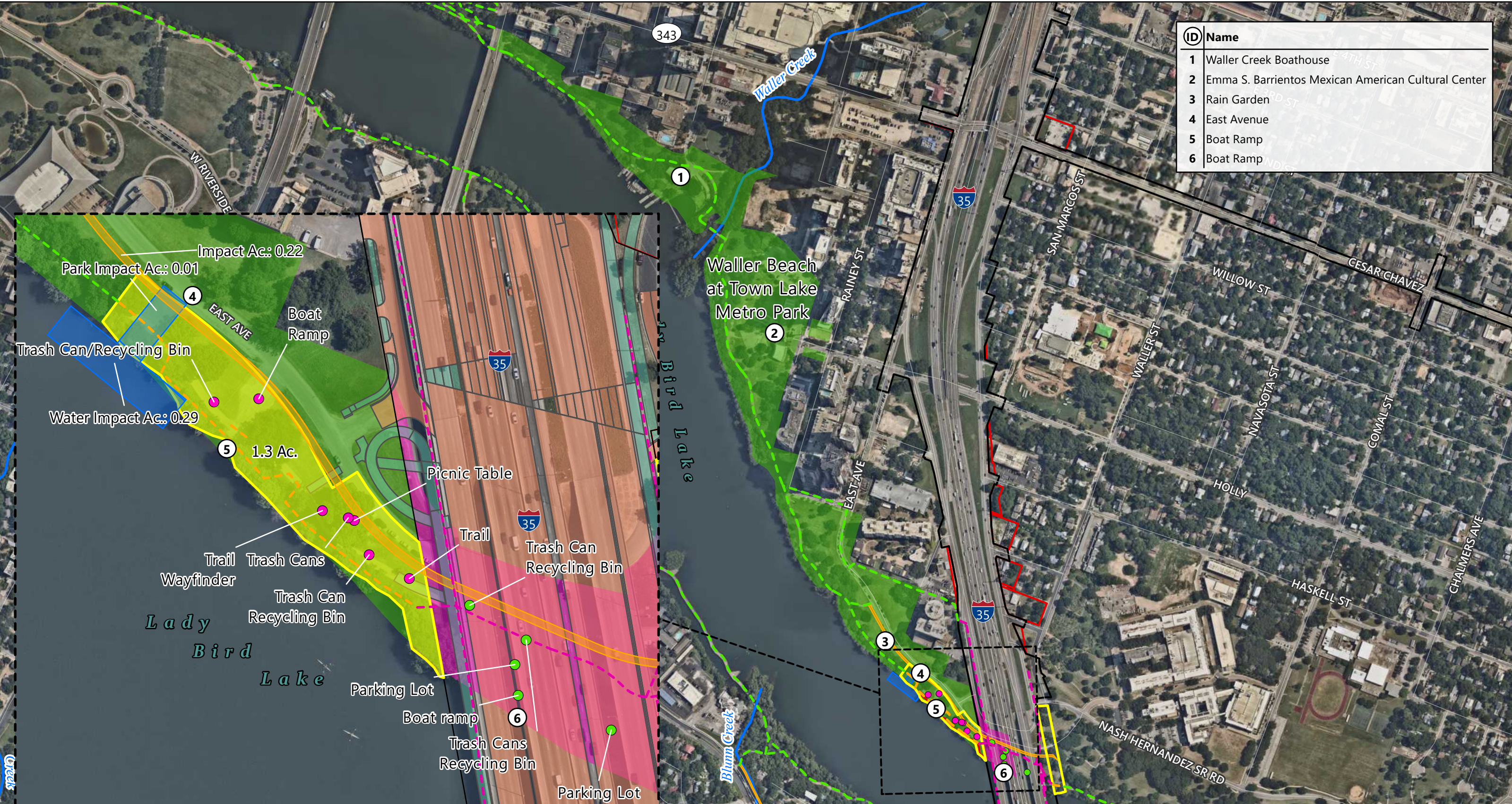
I-35 Capital Express Central
 From US 290 East to US 290 West/SH 71
 Travis County, TX
 CSJ: 0015-13-388

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



Sources: Nearmap 2020

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



Waller Beach at Town Lake Metro Park Impacts - Modified Alternative 3

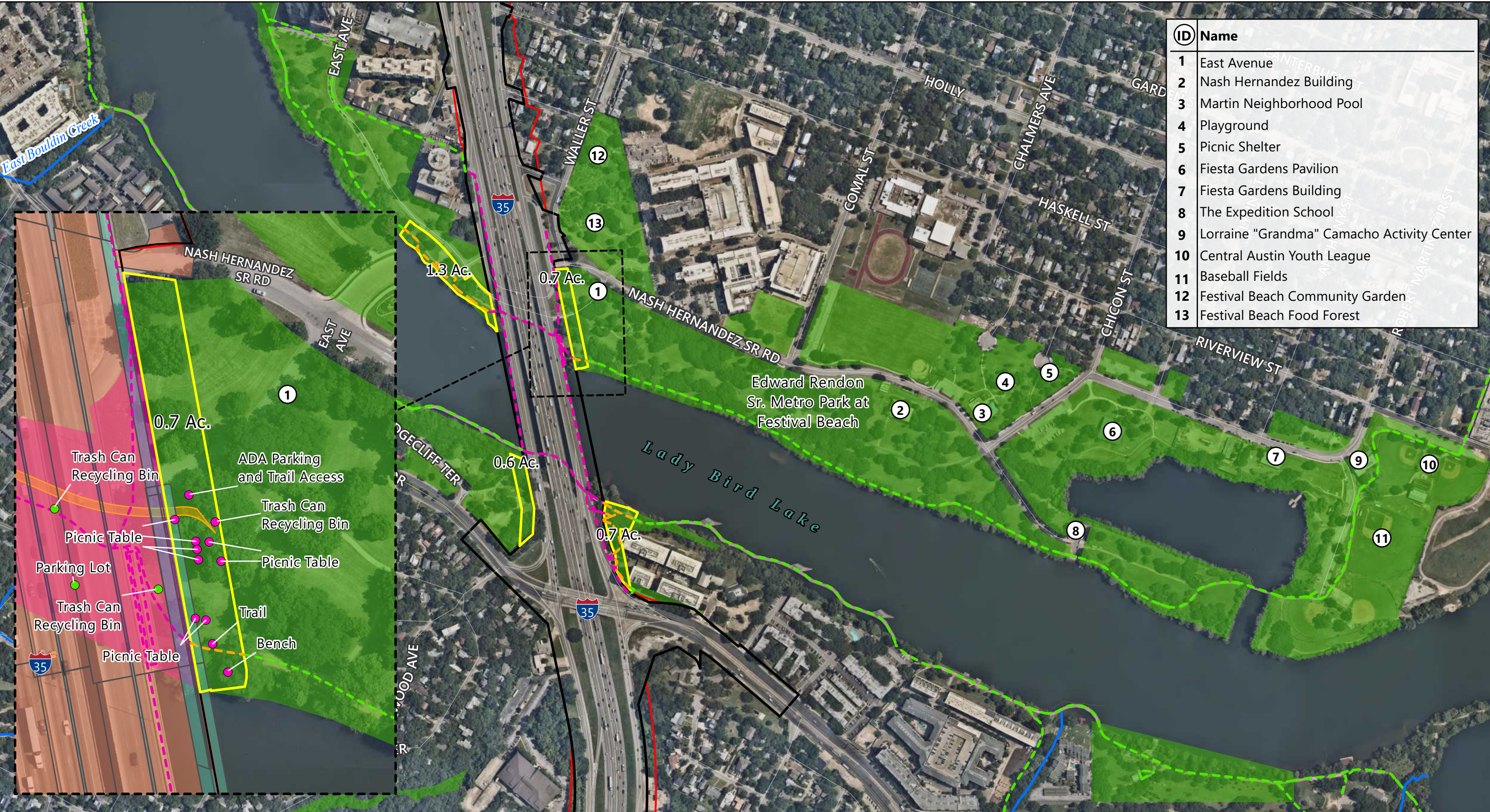
I-35 Capital Express Central
 From US 290 East to US 290 West/SH 71
 Travis County, TX
 CSJ: 0015-13-388

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



Sources: Nearmap 2020

ID	Name
1	East Avenue
2	Nash Hernandez Building
3	Martin Neighborhood Pool
4	Playground
5	Picnic Shelter
6	Fiesta Gardens Pavilion
7	Fiesta Gardens Building
8	The Expedition School
9	Lorraine "Grandma" Camacho Activity Center
10	Central Austin Youth League
11	Baseball Fields
12	Festival Beach Community Garden
13	Festival Beach Food Forest

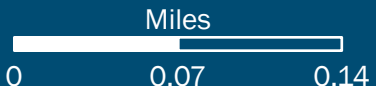


Edward Rendon Sr. Metro Park at Festival Beach Impacts - Alternative 2

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

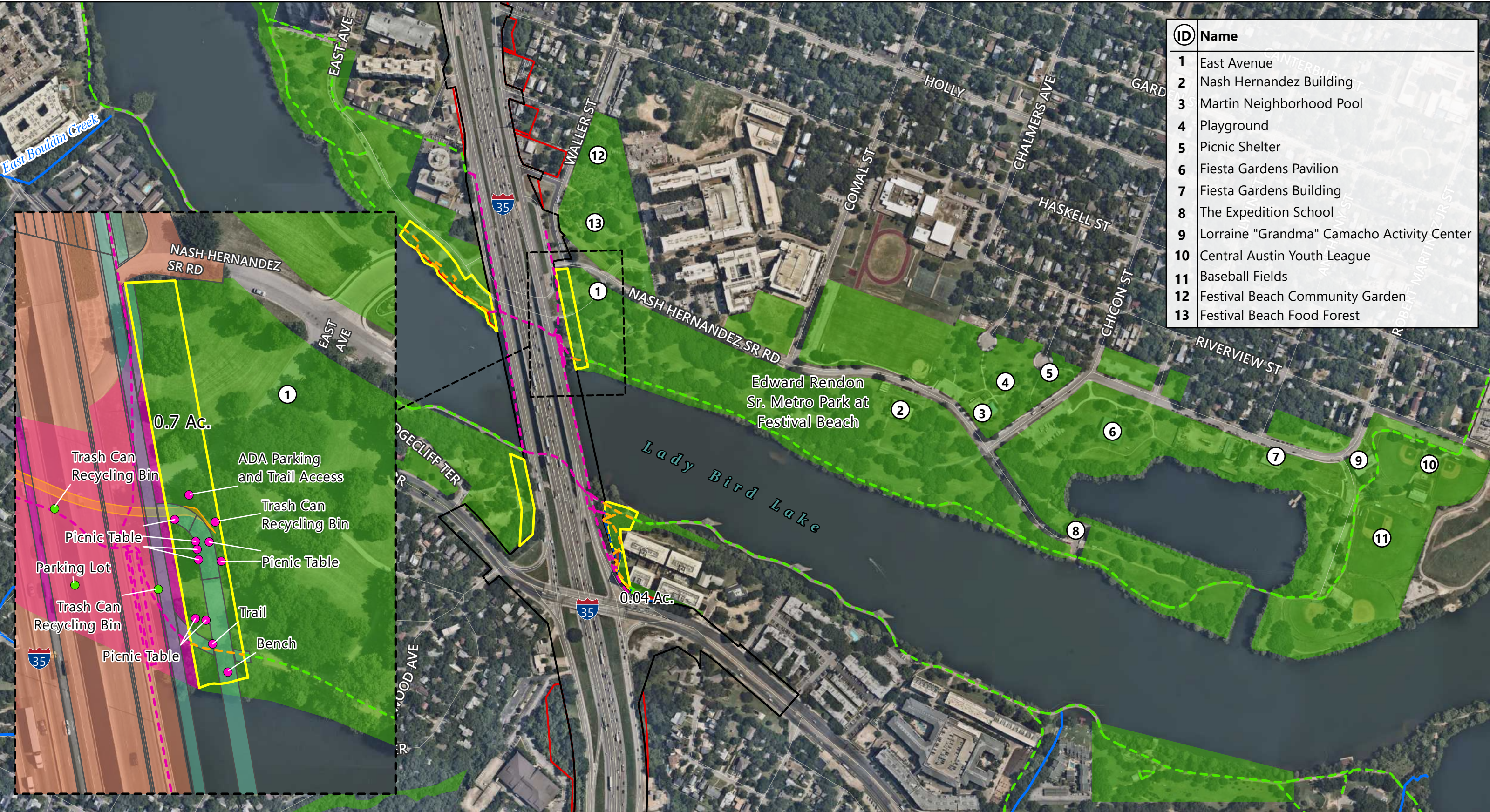
- Existing ROW
- Proposed ROW
- Construction Easement in Park
- Detour Trail
- Proposed Pavement
- Proposed Shared-Use Path
- Park/Open Space
- Area Under MUA
- # Park Facility
- Impacted Park Amenity/Facility

- Amenities and Facilities within TxDOT ROW
- Ann and Roy Butler Hike and Bike Trail
- Bicycle/Pedestrian Facility in TxDOT ROW
- Impacted Portion of Ann and Roy Butler Hike and Bike Trail
- Creek/Stream



Sources: Nearmap 2020

ID	Name
1	East Avenue
2	Nash Hernandez Building
3	Martin Neighborhood Pool
4	Playground
5	Picnic Shelter
6	Fiesta Gardens Pavilion
7	Fiesta Gardens Building
8	The Expedition School
9	Lorraine "Grandma" Camacho Activity Center
10	Central Austin Youth League
11	Baseball Fields
12	Festival Beach Community Garden
13	Festival Beach Food Forest



Edward Rendon Sr. Metro Park at Festival Beach Impacts - Modified Alternative 3

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

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



Sources: Nearmap 2020



ID	Name
1	Norwood House
2	Norwood Estate Dog Park

Norwood Tract at Town Lake Metro Park Impacts - Alternative 2

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

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

Miles

Sources: Nearmap 2020



ID	Name
1	Norwood House
2	Norwood Estate Dog Park

Norwood Tract at Town Lake Metro Park Impacts - Modified Alternative 3

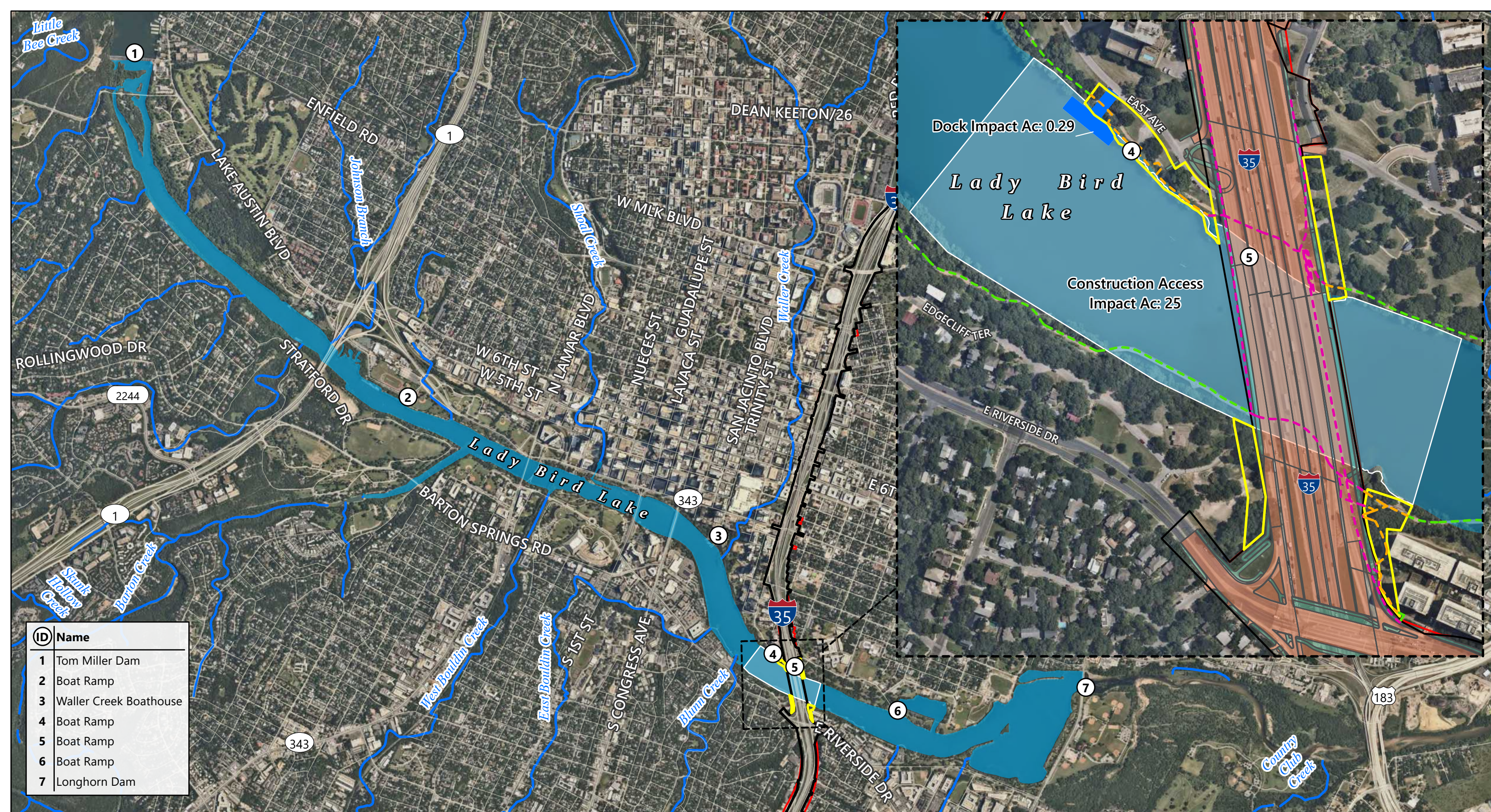
I-35 Capital Express Central
 From US 290 East to US 290 West/SH 71
 Travis County, TX
 CSJ: 0015-13-388

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

Miles

0 0.03 0.06

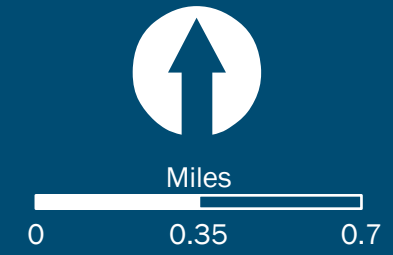
Sources: Nearmap 2020



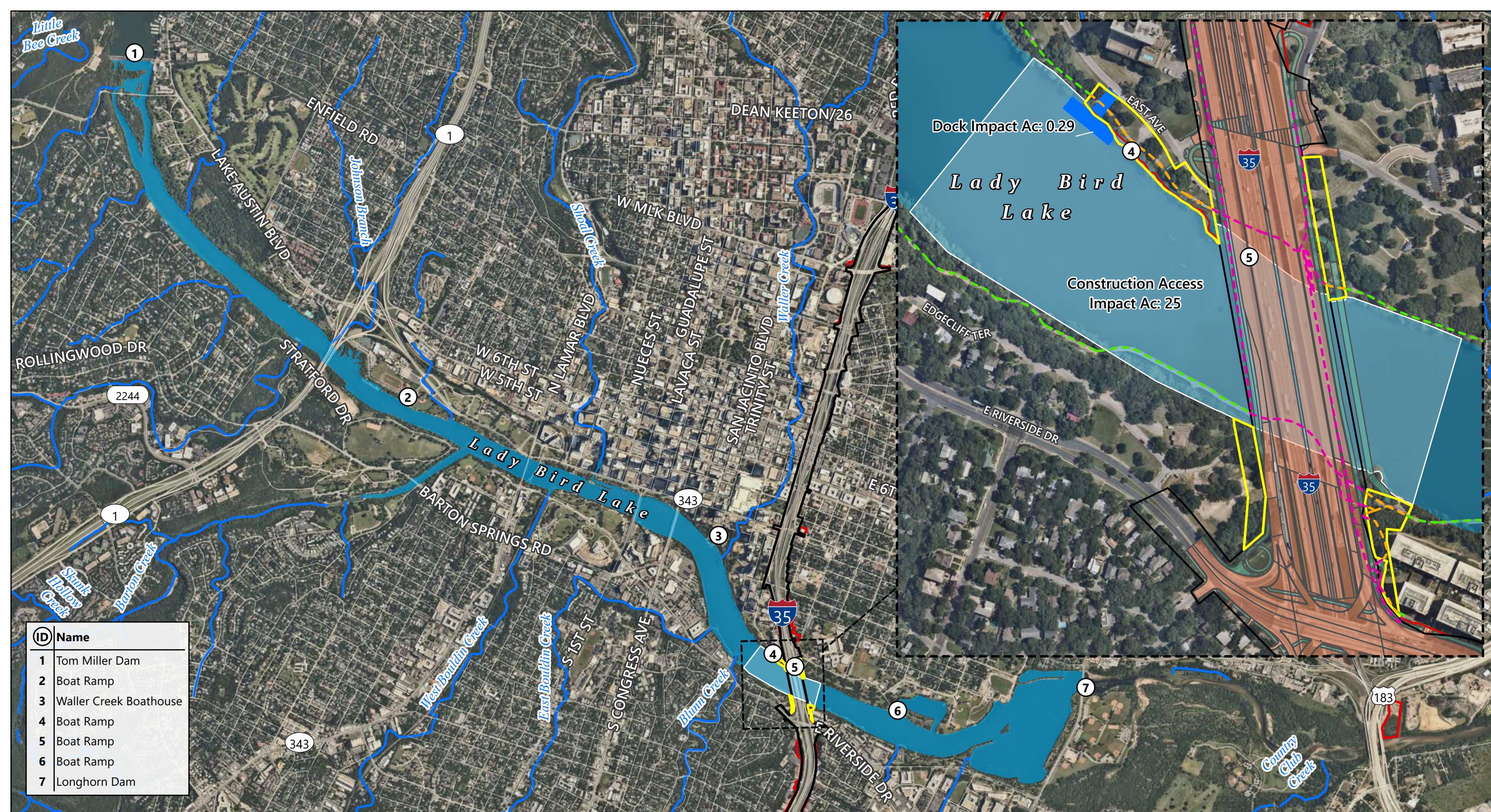
Lady Bird Lake - Alternative 2

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

- Existing ROW
- Proposed ROW
- Construction Access Impact Area
- Proposed Pavement
- Lady Bird Lake
- Creek/Stream
- Temporary Construction Easement
- Proposed Shared-Use Path
- Ann and Roy Butler Hike and Bike Trail
- Bicycle/Pedestrian Facility in TxDOT ROW
- Proposed Dock
- Park Facility
- Impacted Portion of Ann and Roy Butler Hike and Bike Trail



Sources: Nearmap, City of Austin, 2020



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

Lady Bird Lake - Modified Alternative 3

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

Existing ROW	Construction Access Impact Area	Lady Bird Lake
Proposed ROW	Proposed Pavement	Creek/Stream
Temporary Construction Easement	Proposed Shared-Use Path	Ann and Roy Butler Hike and Bike Trail
Proposed Dock	Park Facility	Bicycle/Pedestrian Facility in TxDOT ROW
		Impacted Portion of Ann and Roy Butler Hike and Bike Trail

Miles

0 0.35 0.7

Sources: Nearmap, City of Austin, 2020

ID	Name	
1	Krieg Fields Softball Complex	6 Roy G. Guerrero Disc Golf Course
2	Austin Public Safety Wellness Center	7 Batting Cage
3	Mixed Use Field	8 Montopolis Youth Sports Complex
4	Krieg Field Volleyball Courts	9 Secret Beach
5	Top Secret Beach	10 Roy Guerrero Metropolitan Park Plaza
		11 Playground
		12 Eastside Trails BMX Track
		13 Montopolis Community Forest Reserve



Roy G. Guerrero Colorado River Metro Park - Alternative 2

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

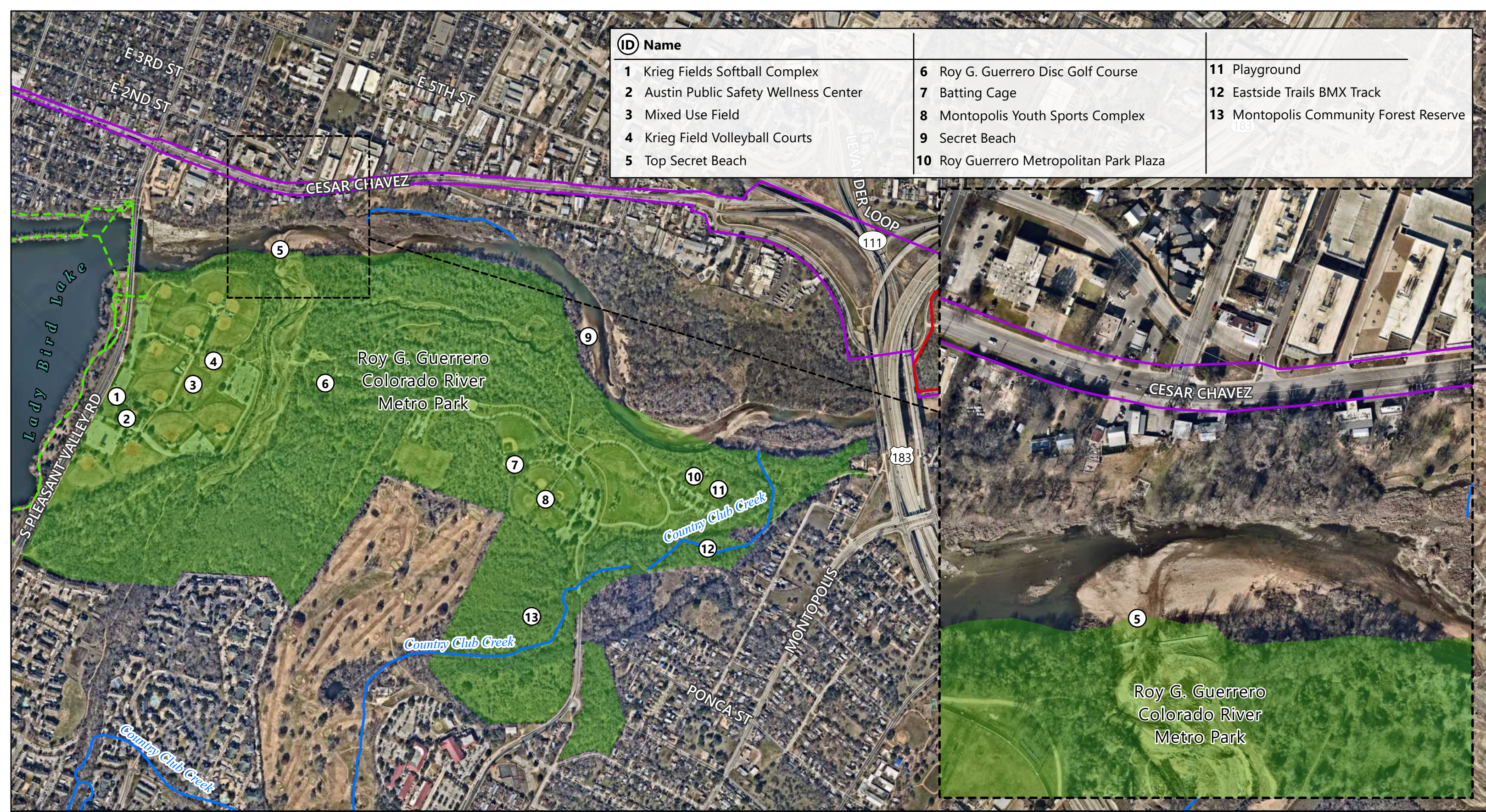
- Proposed Easement
- Parks/Open Spaces
- Ann and Roy Butler Hike and Bike Trail
- Park Facility
- ~ Creek/Stream

Miles

0 0.1 0.2

Sources: Nearmap, City of Austin, 2020

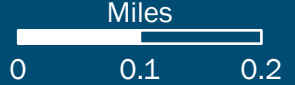
ID	Name		
1	Krieg Fields Softball Complex	6	Roy G. Guerrero Disc Golf Course
2	Austin Public Safety Wellness Center	7	Batting Cage
3	Mixed Use Field	8	Montopolis Youth Sports Complex
4	Krieg Field Volleyball Courts	9	Secret Beach
5	Top Secret Beach	10	Roy Guerrero Metropolitan Park Plaza
		11	Playground
		12	Eastside Trails BMX Track
		13	Montopolis Community Forest Reserve



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

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

- Proposed ROW
- Proposed Easement
- # Park Facility
- Parks/Open Spaces
- Ann and Roy Butler Hike and Bike Trail
- ~ Creek/Stream



Sources: Nearmap, City of Austin, 2020



Colorado River
Park Wildlife
Sanctuary

Roy G. Guerrero
Colorado River
Metro Park


Colorado River

LEVANDER LOOP


Colorado River Wildlife Sanctuary - Modified Alternative 3

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

- Proposed ROW
- Proposed Easement
- PARD Hiking Trail
- Parks/Open Spaces
- ~ Creek/Stream



Miles



0 0.04 0.07

Sources: Nearmap, City of Austin, 2020



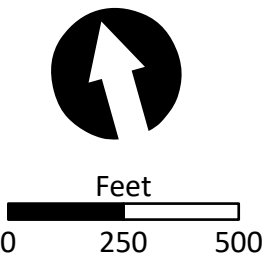
Town Lake Park System, Waller Creek to Fiesta Gardens - Alternative 2

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

- Existing ROW
- Proposed ROW (Alt 2)
- Construction Easement in Park
- Parks/Open Spaces
- Ann and Roy Butler Hike and Bike Trail
- Proposed Pavement
- Proposed Shared-Use Path

Town Lake Park System, Waller Creek to Fiesta Gardens

- NRHP-Eligible Boundary
- Contributing
- Noncontributing



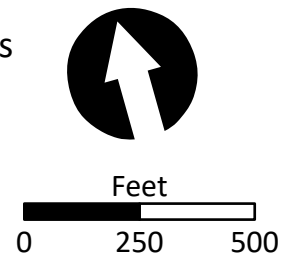


Town Lake Park System, Waller Creek to Fiesta Gardens - Modified Alternative 3

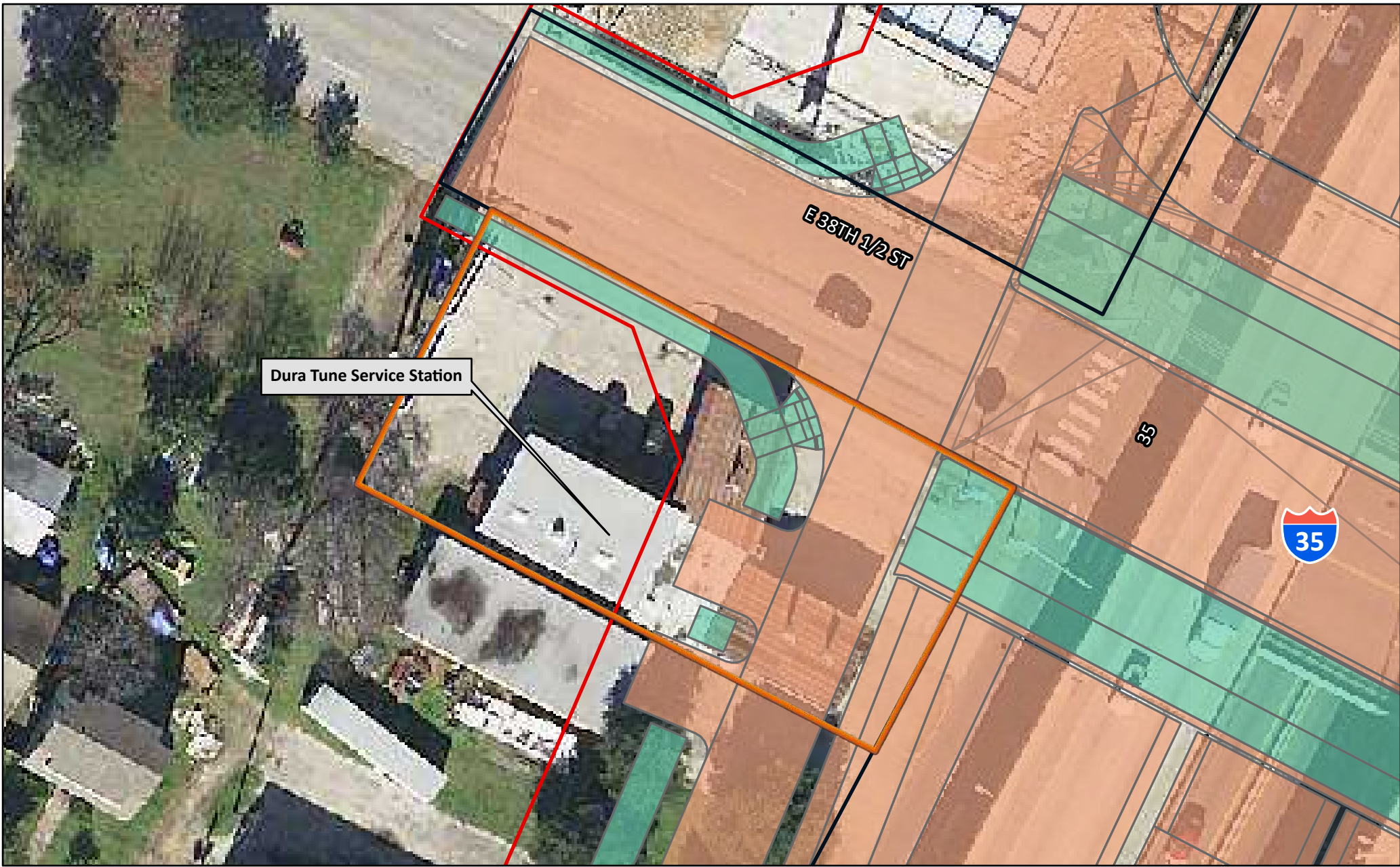
Historic Resources Impacts
I-35 Capital Express Central
CSJ: 0015-13-388

- Existing ROW
- Proposed ROW (Modified Alt 3)
- Construction Easement in Park
- Parks/Open Spaces
- Ann and Roy Butler Hike and Bike Trail
- Proposed Pavement
- Proposed Shared-Use Path

- Town Lake Park System, Waller Creek to Fiesta Gardens
- NRHP-Eligible Boundary
 - Contributing
 - Noncontributing








Aerial Imagery: Strategic Mapping Program (StratMap), CapArea Imagery, 2019-01-29, Web.

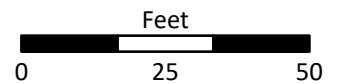
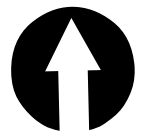


Dura Tune Service Station - Alternative 2

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

-  Existing ROW
-  Proposed ROW (Alt 2)
-  Proposed I-35 Roadway (Alt 2)




-  Proposed Shared-Use Path (Alt 2)
-  NRHP-Eligible Boundary





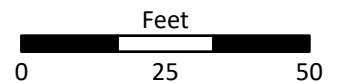
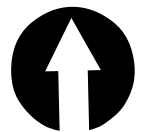


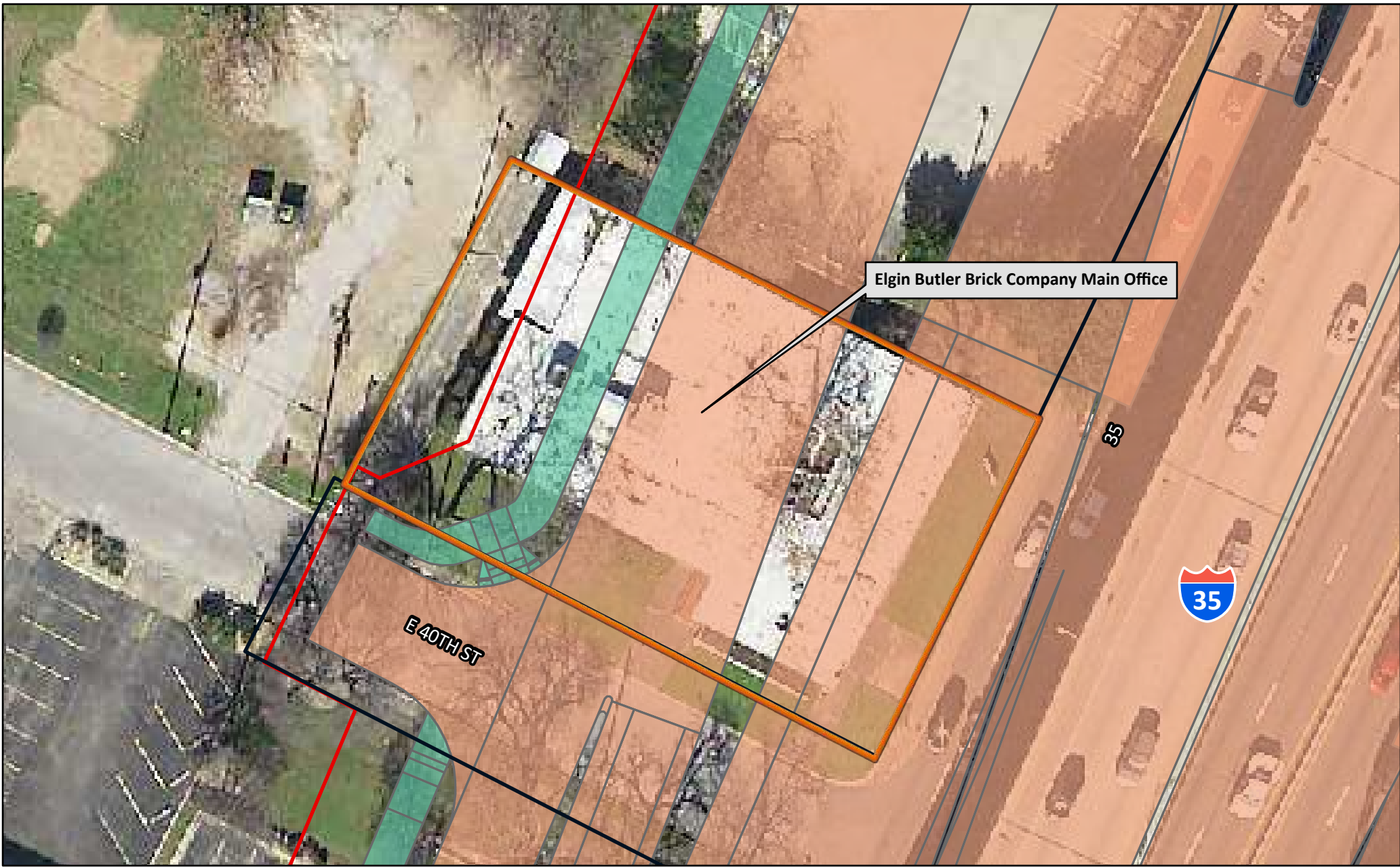
Dura Tune Service Station - Modified Alternative 3

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

-  Existing ROW
-  Proposed ROW (Modified Alt 3)
-  Proposed I-35 Roadway (Modified Alt 3)




-  Proposed Shared-Use Path (Modified Alt 3)
-  NRHP-Eligible Boundary





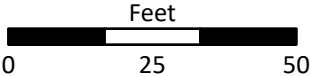


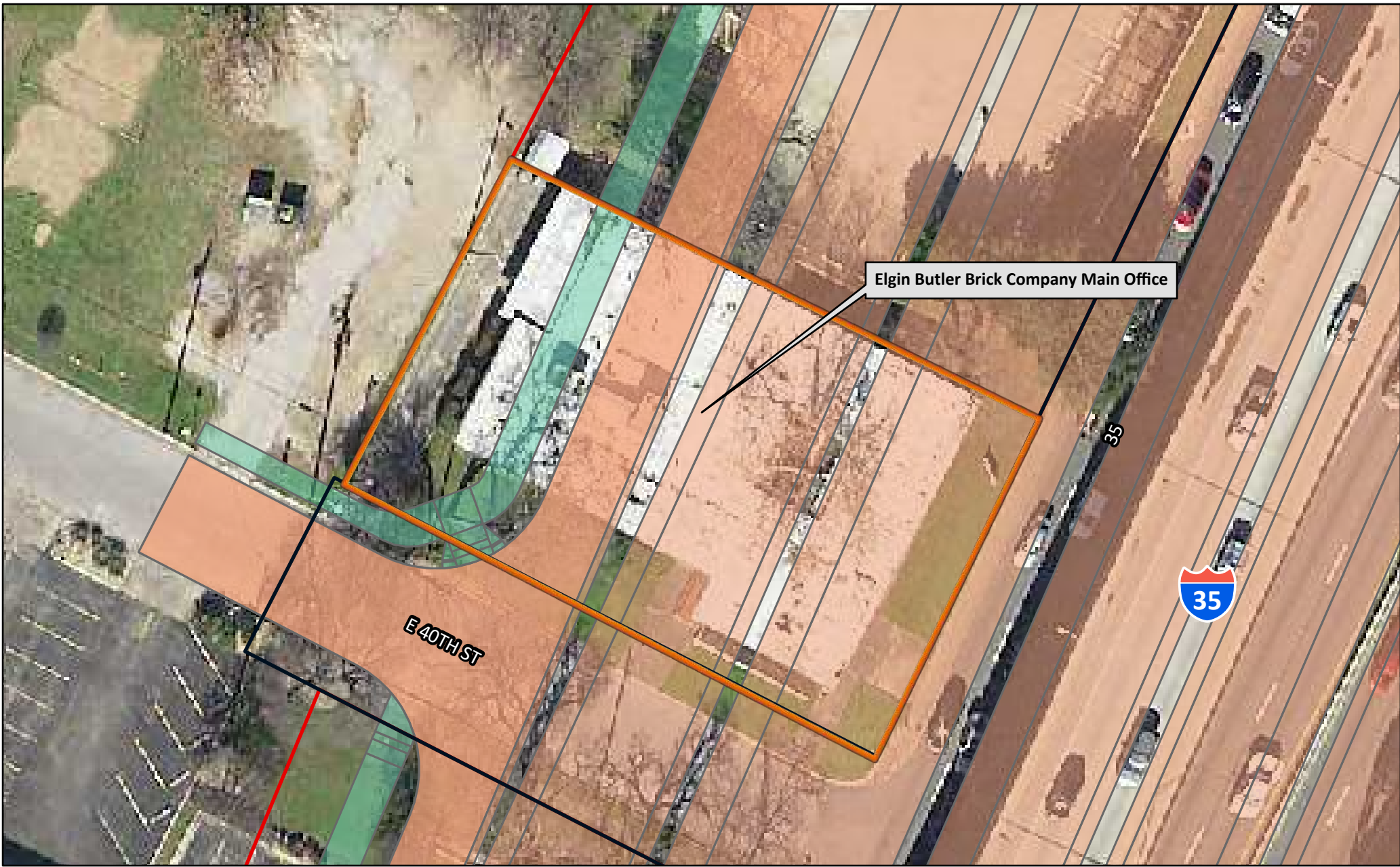
Elgin Butler Brick Company Main Office - Alternative 2

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

-  Existing ROW
-  Proposed ROW (Alt 2)
-  Proposed I-35 Roadway (Alt 2)

-  Proposed Shared-Use Path (Alt 2)
-  NRHP-Eligible Boundary

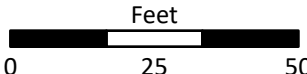




Elgin Butler Brick Company Main Office - Modified Alternative 3

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

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








Aerial imagery: Strategic Mapping Program (StratMap), CapArea Imagery, 2019-01-29, Web.

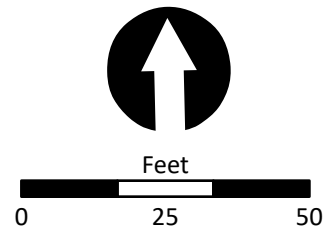


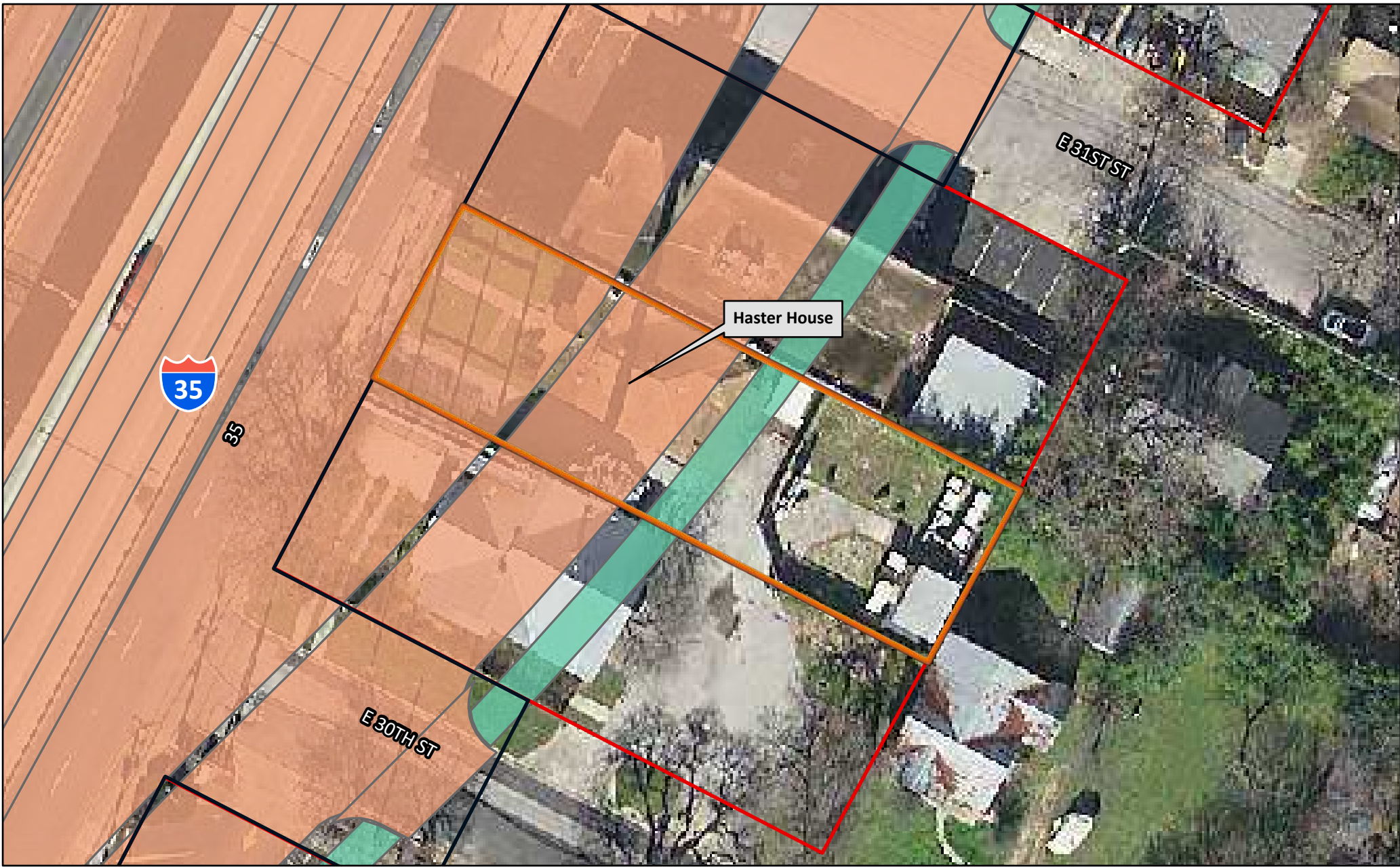
Haster House - Alternative 2

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

-  Existing ROW
-  Proposed ROW (Alt 2)
-  Proposed I-35 Roadway (Alt 2)




-  Proposed Shared-Use Path (Alt 2)
-  NRHP-Eligible Boundary





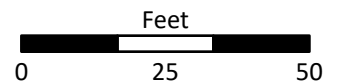
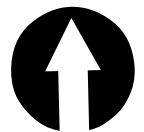


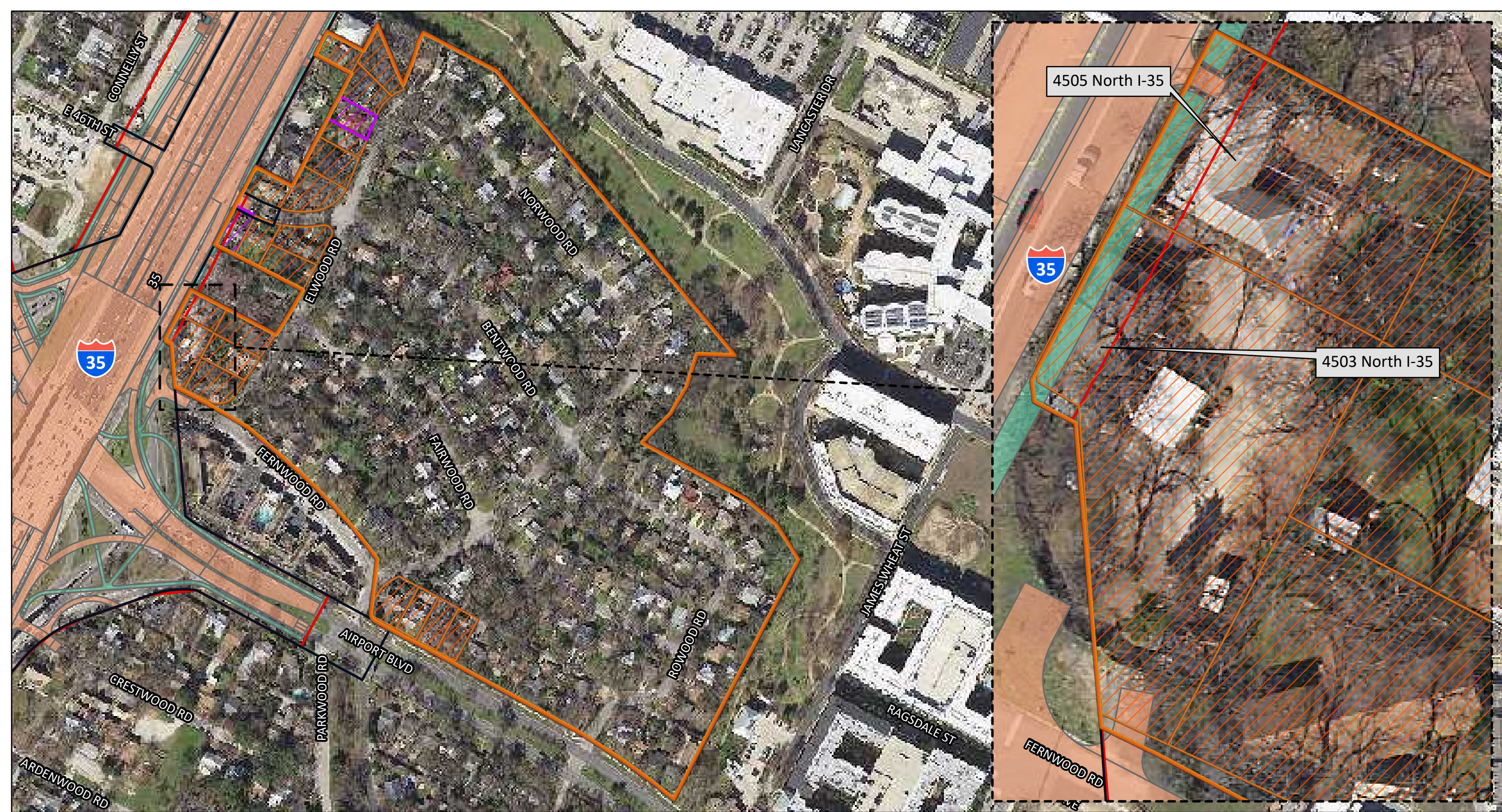
Haster House - Modified Alternative 3

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

-  Existing ROW
-  Proposed ROW (Modified Alt 3)
-  Proposed I-35 Roadway (Modified Alt 3)





-  Proposed Shared-Use Path (Modified Alt 3)
-  NRHP-Eligible Boundary






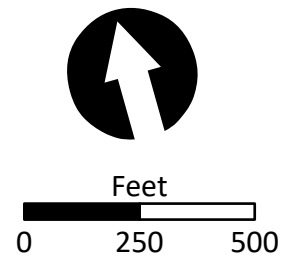


Delwood II Historic District - Alternative 2

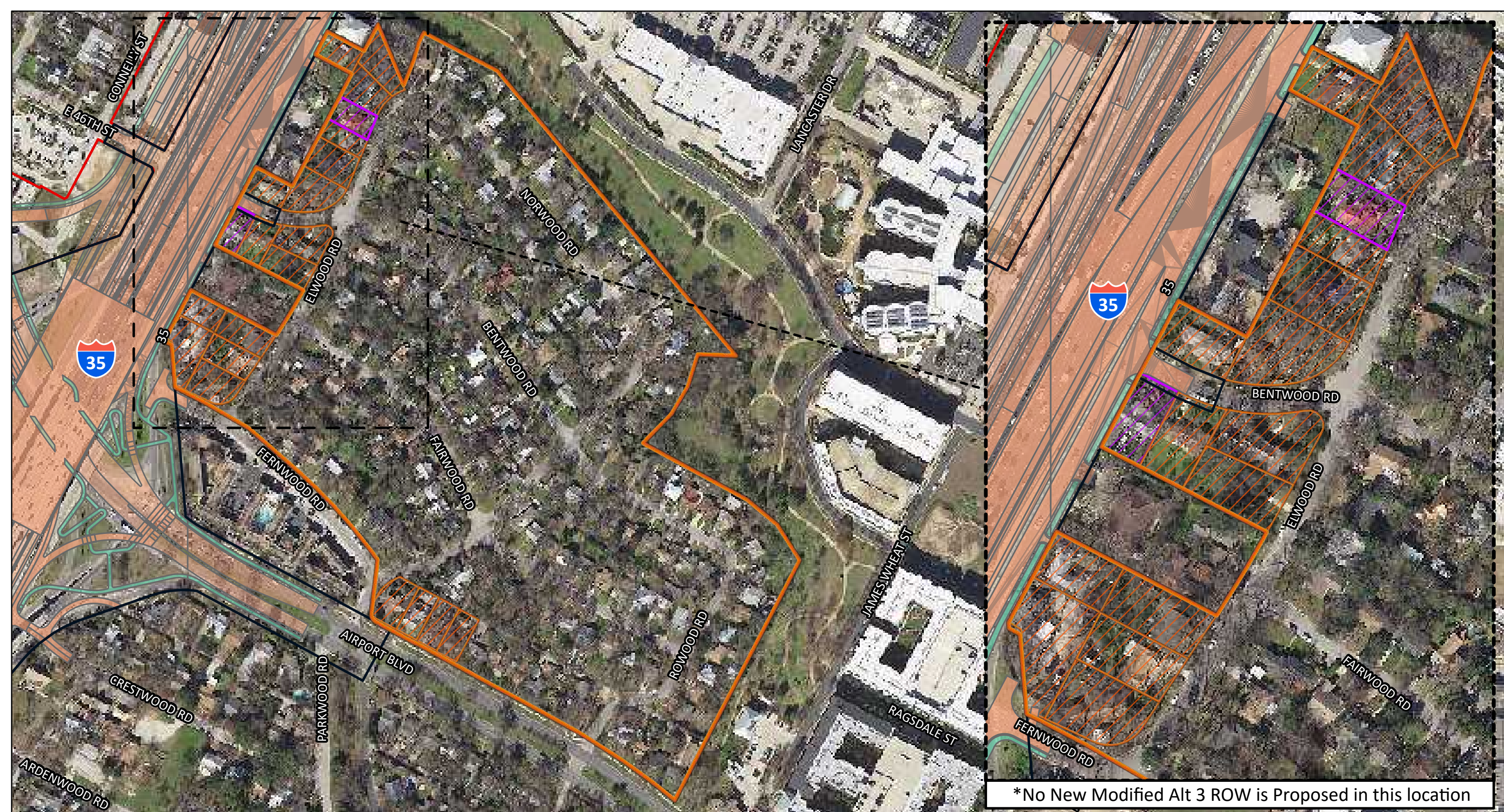
**Historic Resources Impacts
I-35 Capital Express Central
CSJ: 0015-13-388**

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

- Delwood II Historic District**
-  NRHP-Eligible Boundary
 -  Contributing
 -  Noncontributing







Aerial Imagery: Strategic Mapping Program (StratMap), CapArea Imagery, 2019-01-29, Web.






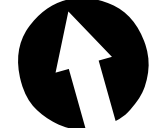
*No New Modified Alt 3 ROW is Proposed in this location

Delwood II Historic District - Modified Alternative 3

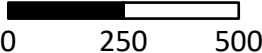
**Historic Resources Impacts
I-35 Capital Express Central
CSJ: 0015-13-388**

-  Existing ROW
-  Proposed ROW (Modified Alt 3)
-  Proposed I-35 Roadway (Modified Alt 3)
-  Proposed Shared-Use Path (Modified Alt 3)

-  NRHP-Eligible Boundary
-  Contributing
-  Noncontributing






Feet





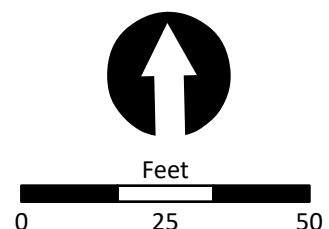


Roberts House - Alternative 2

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

-  Existing ROW
-  Proposed ROW (Alt 2)
-  Proposed I-35 Roadway (Alt 2)

-  Proposed Shared-Use Path (Alt 2)
-  NRHP-Eligible Boundary








Aerial imagery: Strategic Mapping Program (StratMap), CapArea Imagery, 2019-01-29, Web.

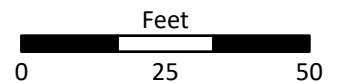
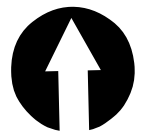


Roberts House - Modified Alternative 3

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

-  Existing ROW
-  Proposed ROW (Modified Alt 3)
-  Proposed I-35 Roadway (Modified Alt 3)

-  Proposed Shared-Use Path (Modified Alt 3)
-  NRHP-Eligible Boundary



1 Attachment B – Property Photographs



Photo 1: A view of the Ann and Roy Butler Hike and Bike Trail adjacent to the northbound I-35 frontage road bridge over Lady Bird Lake. International Shores Park and the Ann and Roy Butler Hike and Bike Trail in the park are seen on the right. This photo faces north. Photo by Google Street View 2021.

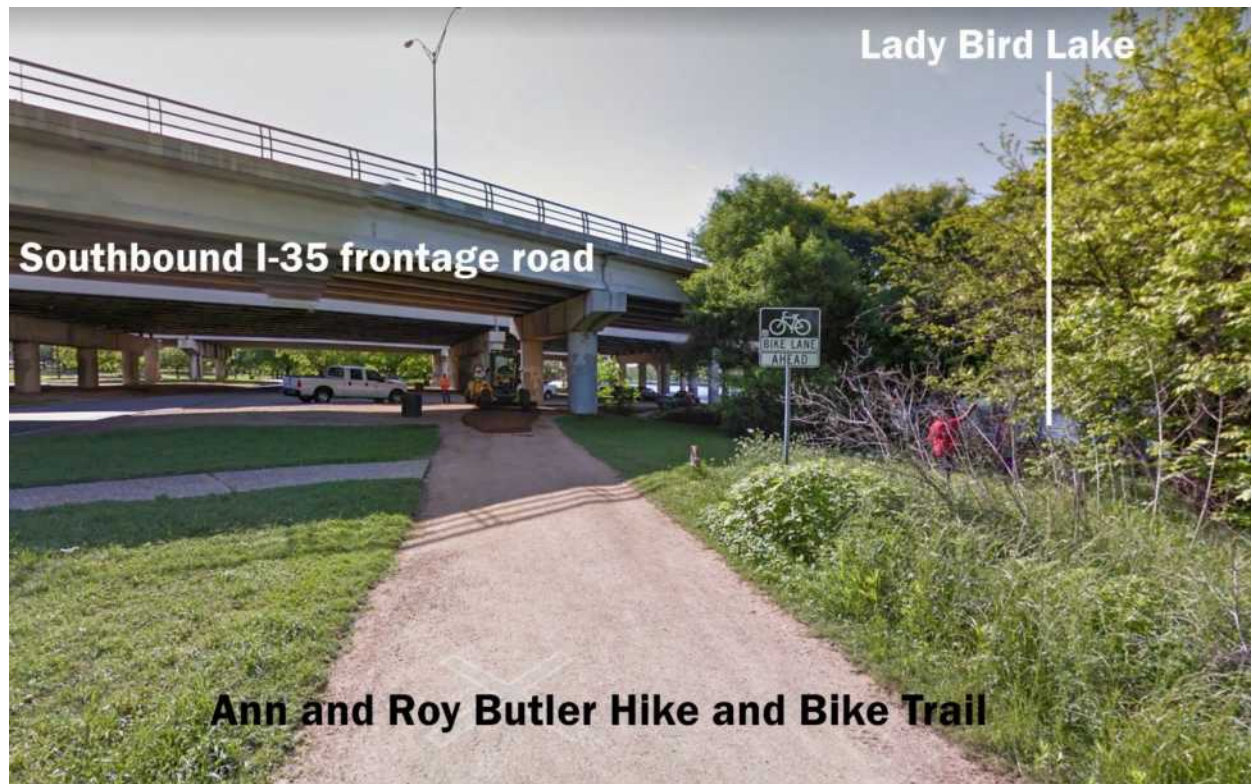


Photo 2: A view of the Ann and Roy Butler Hike and Bike Trail looking east towards I-35 from Waller Beach Park. Photo by Google Street View 2021.



Photo 3: A view of the Ann and Roy Butler Hike and Bike Trail facing west in Waller Beach Park.



Photo 4: The Ann and Roy Butler Hike and Bike Trail crosses over Lady Bird Lake from this ramp located in Edward Rendon Park. The opposite end of this section of trail over the lake is seen in Photo 1 and Photo 8. This picture faces southeast.

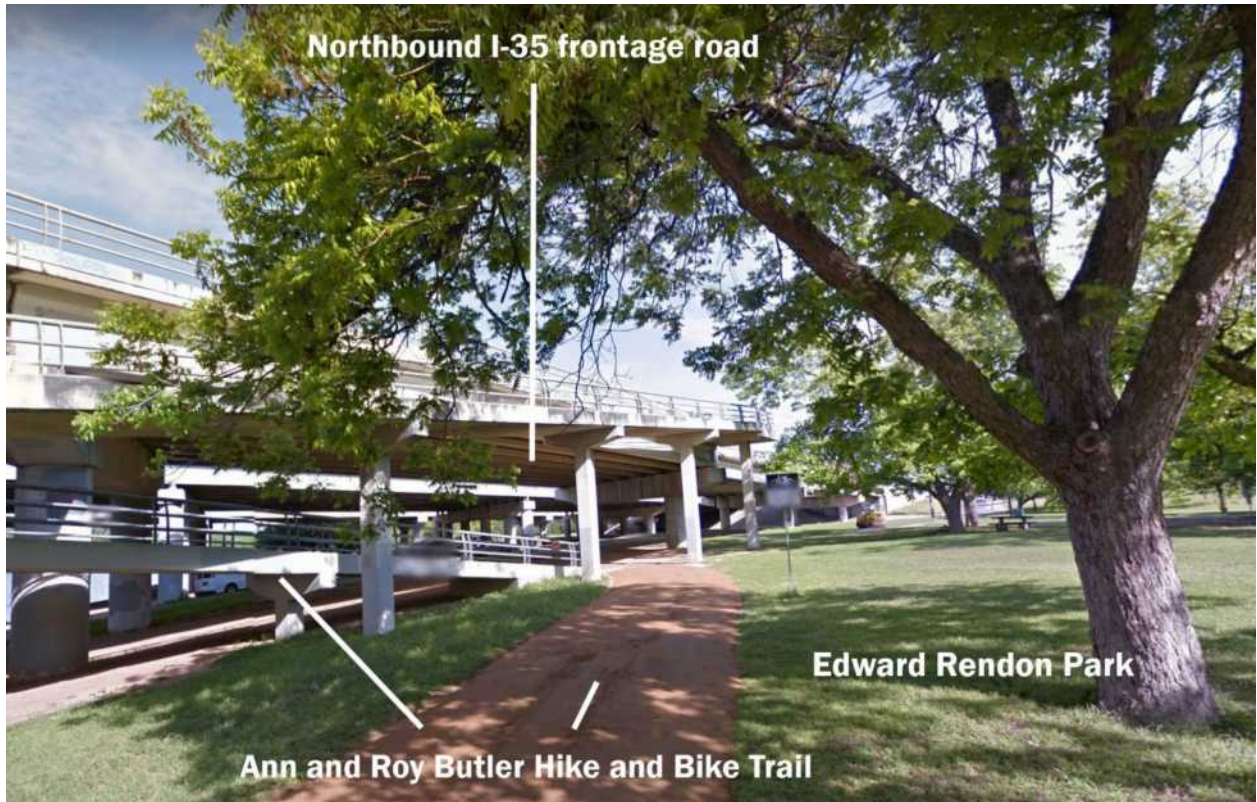


Photo 5: A view of the Ann and Roy Butler Hike and Bike Trail looking west from Edward Rendon Park. The trail ramps up and adjacent to the northbound I-35 frontage road. The ramp can also be seen in Photo 4.

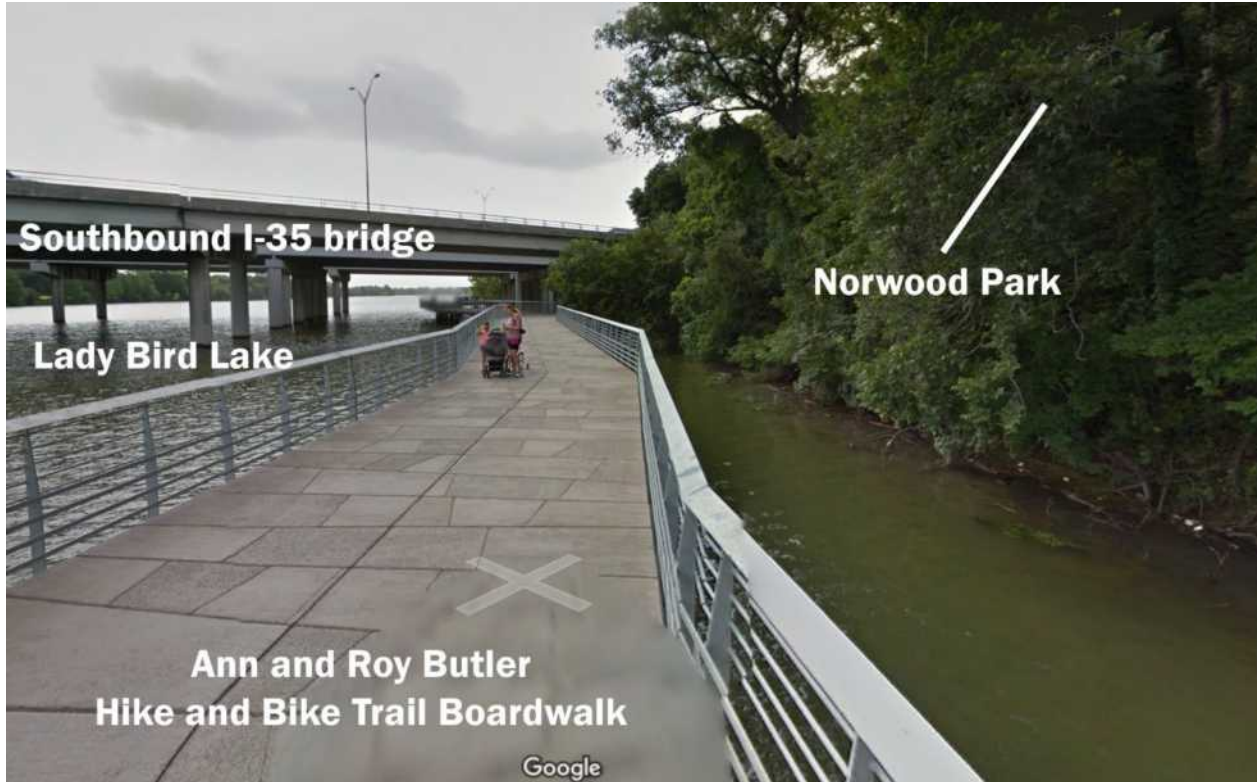


Photo 6: A view of the Ann and Roy Butler Hike and Bike Trail Boardwalk located to the north of Norwood Park. The boardwalk extends into International Shores Park, as seen in Photo 7 and Photo 9. This photo faces east towards I-35. Photo by Google Street View 2015.

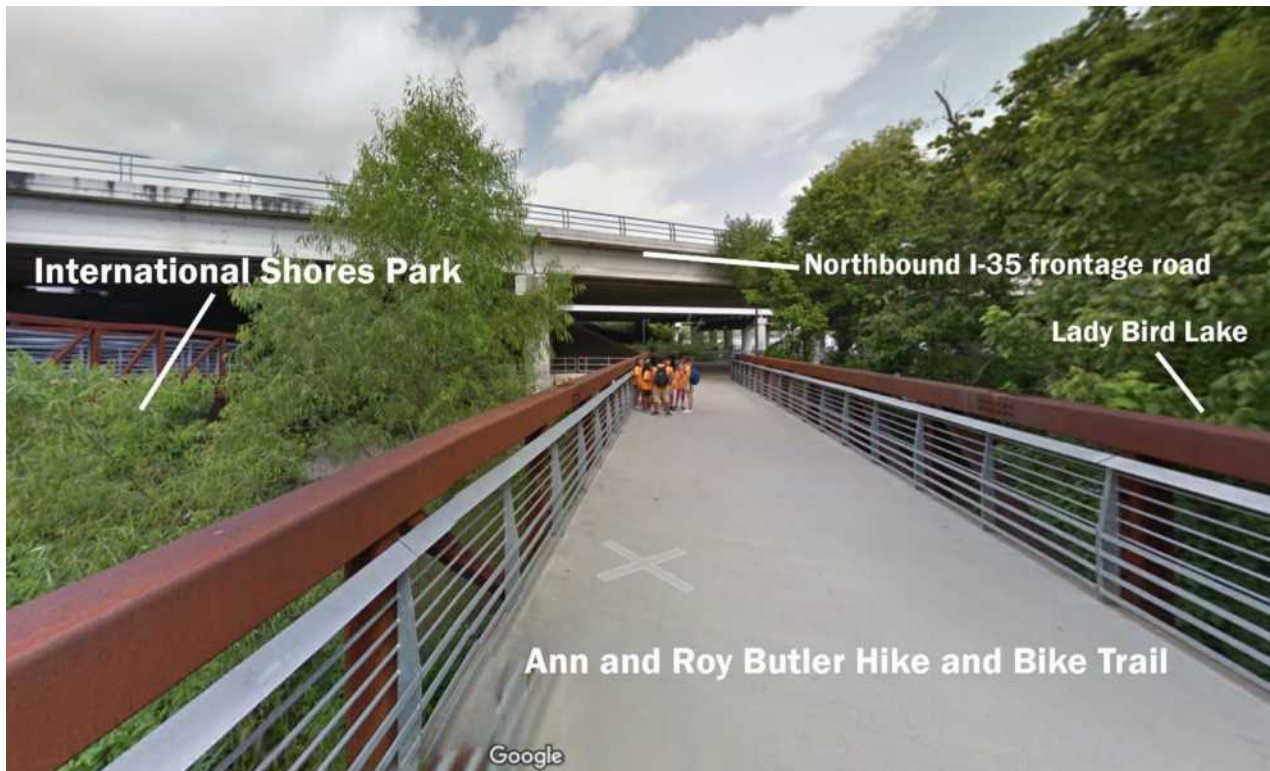


Photo 7: A view of the Ann and Roy Butler Hike and Bike Trail Boardwalk in International Shores Park. This photo faces west towards I-35. Seen to the left is the portion of trail from East Riverside Drive leading to the boardwalk. Photo by Google Street View 2015.

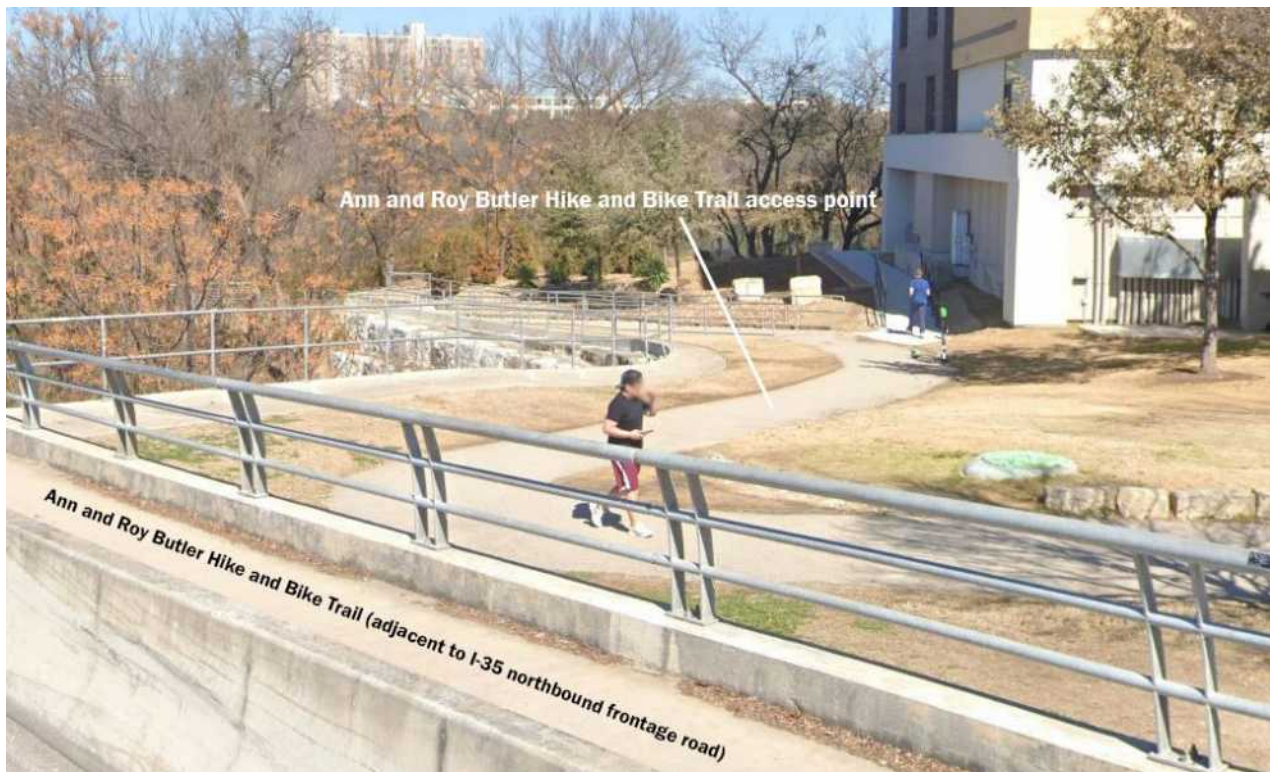


Photo 8: A view of International Shores Park as observed from the I-35 northbound frontage road (facing northeast). The trail crossing over Lady Bird Lake at I-35 is observed in the forefront. The weaving trail leads to the main Ann and Roy Butler Hike and Bike Trail which is a boardwalk throughout this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

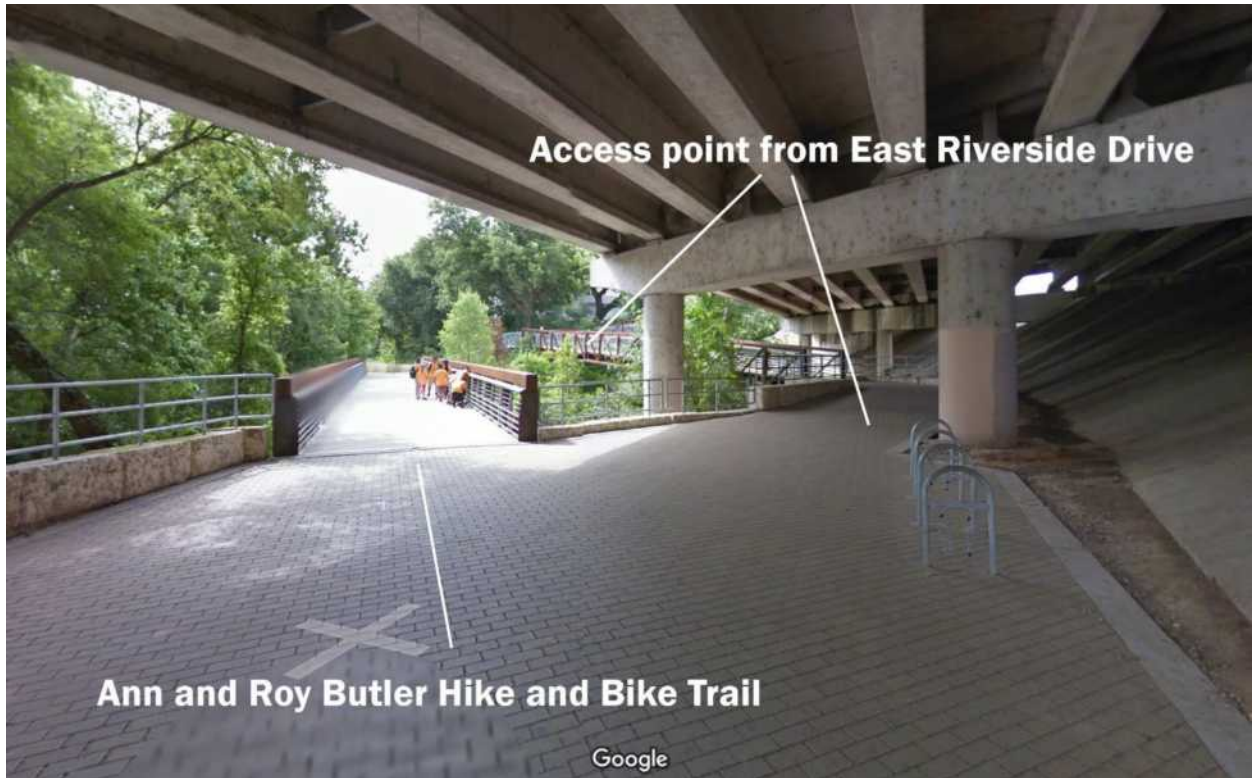


Photo 9: The access point from Photo 8 connects with the Ann and Roy Butler Hike and Bike Trail. The Ann and Roy Butler Hike and Bike Trail is on a boardwalk in this area. Photo by Google Street View 2015.



Photo 10: A picnic table in Waller Beach Park that would be impacted by both alternatives. This picture was taken facing north.



Photo 11: Facing east onto East Avenue from Waller Beach Park.



Photo 12: A view of Waller Beach Park from the I-35 southbound frontage road facing west. The Ann and Roy Butler Hike and Bike Trail will be redirected onto East Avenue in Waller Beach Park during construction. Photo by Google Street View 2022.

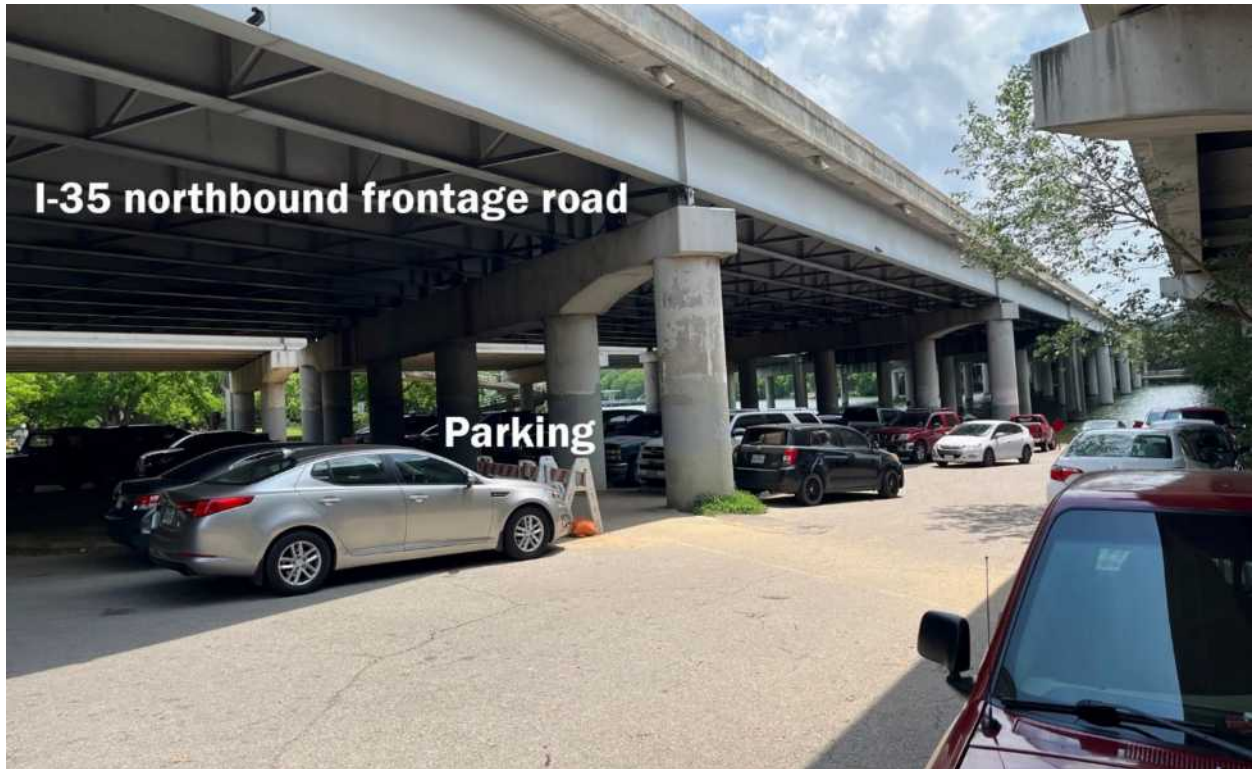


Photo 13: Parking under the I-35 bridges on the north side of Lady Bird Lake. This photo faces south. This area is covered under the 1977 Multiple Use Agreement between the City of Austin and TxDOT.

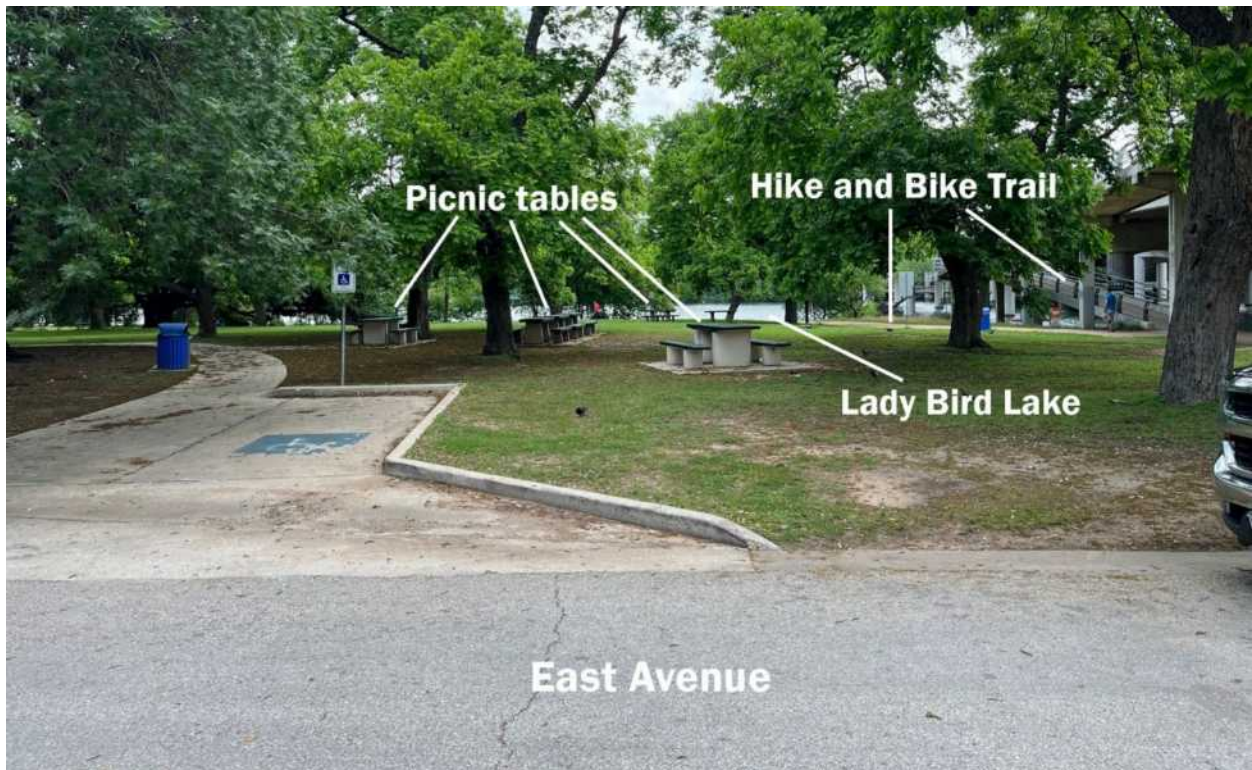


Photo 14: A view of Edward Rendon Park looking south from East Avenue. All picnic tables would be removed under both alternatives.



Photo 15: A view from the easternmost side of Top Secret Beach in Roy G. Guerrero Park looking north towards the northern shores of the Colorado River. The approximate general area of the proposed outfall location is shown. Photo by Google Street View 2022.



Photo 16: A view of the Norwood Dog Park. This photo faces south.



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



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

1 Attachment C – Consultation Correspondence



November 28, 2022

Ms. Rebekah Dobrasko
Historic Preservation Specialist
Texas Department of Transportation
125 East 11th Street
Austin, TX 78701

Ref: *I-35 Capital Express Central Project from US 290 East to US 290 West/State Highway 71
Austin, Travis County, Texas
CSJ: 0015-13-388
ACHP Project Number: 018966*

Dear Ms. Dobrasko:

On November 18, 2022, the Advisory Council on Historic Preservation (ACHP) received your notification and supporting documentation regarding the potential adverse effects of the referenced undertaking on a property or properties listed or eligible for listing in the National Register of Historic Places. Based upon the information you provided, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations, "Protection of Historic Properties" (36 CFR Part 800), does not apply to this undertaking. Accordingly, we do not believe our participation in the consultation to resolve adverse effects is needed.

However, if we receive a request for participation from the Texas State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer, affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Should the undertaking's circumstances change, consulting parties cannot come to consensus, or you need further advisory assistance to conclude the consultation process, please contact us.

Pursuant to 36 CFR § 800.6(b)(1)(iv), you will need to file the final Section 106 agreement document (Agreement), developed in consultation with the Texas SHPO and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the Agreement and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the NHPA.

Thank you for providing us with your notification of adverse effect. If you have any questions or require our further assistance, please contact Ms. Emily Choi at (202) 517- 0207 or by e-mail at echoi@achp.gov and reference the ACHP Project Number above.

Sincerely,

LaShavio Johnson
Historic Preservation Technician
Office of Federal Agency Programs



P.O. Box 12276
Austin, Texas 78711-2276
512-463-6100
thc.texas.gov

November 30, 2022

Rebekah Dobrasko
Texas Department of Transportation
125 East 11th Street
Austin, Texas 78701-2483

Re: *Project Review Under Section 106 of the National Historic Preservation Act, Interstate 35 Capital Express Central, Non-Archeological Determinations of Eligibility, Austin, Travis County (TxDOT/106, CSJ 0015-13-388, THC #202302236)*

Ms. Dobrasko:

Thank you for your correspondence of November 10, 2022, regarding the above-referenced project and transmitting the Historic Resources Survey Report (HRSR, including the Reconnaissance-Level Survey, East Cesar Chavez Street Reconnaissance-Level Addendum, and eight property-specific Intensive-Level Surveys) prepared by Mead & Hunt, Inc., on behalf of the Texas Department of Transportation (TxDOT). This letter serves as comment on the proposed undertaking regarding non-archeological historic resources from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission (THC). All consultation regarding archeological resources will be coordinated separately.

For the purposes of compliance with Section 106 of the National Historic Preservation Act, THC *concur*s that the individual properties and districts summarized in your letter are listed in, or eligible for listing in, the National Register of Historic Places. THC also concurs with the evaluation of contributing/non-contributing resources to historic districts contained in the Tabular Inventories of the HRSR. Finally, based on all available information, THC also concurs that the remaining properties within the project's Area of Potential Effect (APE) are *not* eligible for listing in the National Register at this time.

Unless an unanticipated discovery of additional historic-age properties is made, or the project's APE changes, no further identification and evaluation of non-archeological historic properties is expected. For clarity, we offer the following minor comments on the summary of historic properties in your letter and the HRSR:

- The Wilshire Wood Historic District includes resources #165–178, excluding #168 and #174;
- The East 2nd and 3rd Streets Historic District includes resources #406–413, excluding #408–409;
- The address of resource #399A should be 606 East 3rd Street; and,
- On page 180 of the Reconnaissance-Level Survey, to account for all of the contributing resources to Palm Park, the section heading should be “Resources 404A–E: 200 North I-35 (Palm Park);” the list of contributing resources is correct in your letter and elsewhere in the HRSR.

While THC agrees with the preliminary findings of effect summarized in your letter, we look forward to further consultation regarding the final findings as design plans are refined, technical studies are prepared,

and the project programmatic agreement is developed. We also look forward to reviewing the Section 4(f) evaluations, when available.

Thank you for your cooperation in this federal review process, and for your efforts to preserve the irreplaceable heritage of Texas. If you have any questions concerning our review, or if we can be of further assistance, please contact Justin Kockritz at 512-936-7403 or justin.kockritz@thc.texas.gov.

Sincerely,

A handwritten signature in black ink, appearing to be 'JK' with a stylized flourish.

Justin Kockritz, Lead Project Reviewer, Federal Programs
For: Mark Wolfe, State Historic Preservation Officer

From: [Sonya Hernandez](#)
To: Ricardo.Soliz@austintexas.gov
Cc: [Shirley Nichols](#); [Tricia Bruck-Hoyt-C](#); [Angela McMurray-C](#); [Lindsey Kimmitt](#); [Valentine, Shane](#); [Tommy Abrego](#); [Frances Jordan-C](#); [Nicholas Barbera-C](#); Justin.Stewart@austintexas.gov; [Montes, Gregory](#); [Kallivoka, Liana](#) [PARD]
Subject: I-35 Capital Express Central Project - Draft EIS Notice of Availability and Virtual Public Hearing with In-Person Option – Ch. 26 Owner with Jurisdiction
Date: Thursday, December 29, 2022 11:43:47 AM
Attachments: [Display Ad \(English\) APPROVED 2022-12-28.pdf](#)
[APPROVED M35 CapEx-C 0015-13-388 Public Hearing Formal Notice 2022-12-28.pdf](#)

Ricardo,

As the owner with jurisdiction for parkland properties that would be potentially impacted by the I-35 Capital Express Central project, the City of Austin is invited to attend a public hearing on Thursday, Feb. 9, 2023, from 5-7 p.m. The hearing will be virtual with an in-person option and will provide an opportunity for review and comment on the draft EIS for the project, including the identification of the Preferred Alternative. We are using this hearing as an opportunity to get public input on the project's potential impacts to parkland and will factor that into the Section 4(f) and Chapter 26 evaluations. The newspaper advertisement and the Draft EIS Notice of Availability and Virtual Public Hearing with In-Person Option are attached to this email.

The I-35 Capital Express Central project is approximately 8 miles in length and would include removing the existing I-35 upper decks, lowering the roadway and adding two high-occupancy vehicle managed lanes in each direction along I-35. The project will also reconstruct east-west cross-street bridges, add pedestrian and bicycle paths, improve transit accommodations and make additional safety and mobility improvements within the project limits.

The hearing will be held at the Millennium Youth Entertainment Complex, 1156 Hargrave Street, Austin, TX 78702. Parking is available on the property. In-person attendees will be able to view the same presentation delivered in the virtual public hearing, review the draft EIS, ask questions of TxDOT staff and leave written comments.

A virtual option will also be held on Thursday, Feb. 9, 2023, at 5 p.m. To access the virtual public hearing, go to My35CapEx.com. The virtual hearing will consist of a pre-recorded video presentation and will include both audio and visual components. The virtual hearing will remain available for viewing online until Tuesday, March 7, 2023, at 11:59 p.m.

The draft EIS is available online and at the following locations for review:

- My35CapEx.com and TxDOT.gov
- TxDOT Austin District Office, 7901 N I-35, Austin, TX 78753
- Carver Library, 1161 Angelina St., Austin, TX 78702
- Ruiz Library, 1600 Grove Blvd., Austin, TX 78741
- Southeast Library, 5803 Nuckols Crossing Rd., Austin, TX 78744
- Montopolis Recreation and Community Center, 1200 Montopolis Dr., Austin, TX 78741

Public and agency comments may be submitted at the public hearing or via any of the following methods:

- EMAIL: capexcentral@txdot.gov

- VERBAL COMMENT BY VOICEMAIL: (512) 651-2948
- MAIL: I-35 Capital Express Central Project Team, 1608 W. 6th Street, Austin, TX 78703
- ONLINE: My35CapEx.com or TxDOT.gov

Comments received between 9 a.m. on Thursday, Jan. 5, 2023, and 11:59 p.m. on Tuesday, March 7, 2023, will be included in the official hearing record.

If you need additional information on the project or the hearing, please contact me or the Mobility35 Program Manager, Tommy Abrego, P.E. at (512) 832-7280.

Thanks,
Sonya

Sonya Y. Hernandez, P.G.
Environmental Program Manager
Austin District
Texas Department of Transportation

Sonya.Hernandez@txdot.gov

Mobile Phone: 512-649-6478

Office Phone: 512-832-7096



I-35 CAPITAL EXPRESS CENTRAL PROJECT

Draft Environmental Impact Statement and Public Hearing

The Texas Department of Transportation will host a virtual public hearing with an in-person option to gather input on proposed improvements on I-35 from US 290 East to US 290 West/State Highway 71. The purpose of the public hearing is to request public comment on the draft Environmental Impact Statement (EIS) and to present the Preferred Alternative.

Thursday, Feb. 9, 2023, 5 - 7 p.m.

Millennium Youth Entertainment Complex
1156 Hargrave Street
Austin, Texas 78702

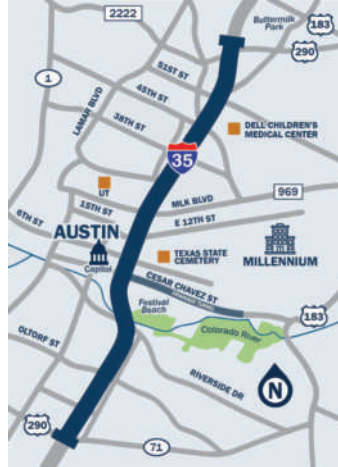
Parking available on the property.

The draft EIS is available:

- **On-line:** TxDOT.gov and My35CapEx.com.
- **Hard copies:** TxDOT Austin District Office, Carver Library, Ruiz Library, Southeast Library, and Montopolis Recreation and Community Center. (See website for more information)

A virtual option to view the public hearing materials will also be held on My35CapEx.com from Thursday, Feb. 9, 2023, through March 7, 2023, at 11:59 p.m.

Comments on the draft EIS received between 9 a.m. on Thursday, Jan. 5, 2023, and 11:59 p.m. on Tuesday, March 7, 2023, will be included in the official public hearing record.



The I-35 Capital Express Central project is approximately 8 miles in length and would include removing the existing I-35 decks, lowering the roadway, and adding two non-tolled high-occupancy vehicle managed lanes in each direction along I-35 from US 290 East to US 290 West/State Highway 71. The project will also reconstruct east-west cross-street bridges, add pedestrian and bicycle paths, improve transit accommodations and make additional safety and mobility improvements within the project limits.

The Preferred Alternative, subject to final design considerations, would require approximately 41.7 acres of additional right of way resulting in 107 displacements (69 commercial properties, 2 single-family homes, 1 multi-family complex (24 apartments), 12 vacant properties). This project would also require approximately 28 acres of easement. Relocation assistance is available for displaced persons and businesses. Information about the TxDOT Relocation Assistance Program and services and benefits for those displaced and other affected property owners, as well as information about the tentative schedule for right-of-way acquisition and construction, can be obtained from the TxDOT district office by calling (512) 832-7280.

The Preferred Alternative is anticipated to partially impact the following 11 properties protected under Section 4(f) of the Department of Transportation Act of 1966: Ann and Roy Butler Hike and Bike Trail, International Shores at Town Lake Metropolitan Park_3, Waller Beach at Town Lake Metropolitan Park, Edward Rendon Sr. Metro Park at Festival Beach, Norwood Park at Town Lake Metro Park, Lady Bird Lake, Town Lake Park System, Dura Tune Service Station, Elgin Butler Brick Company Building, the Haster House and the Roberts House.

The following parks and one publicly-owned historic property are also subject to Chapter 26 of the Parks and Wildlife Code (Protection of Public Parks and Recreational Lands): Ann and Roy Butler Hike and Bike Trail, International Shores at Town Lake Metropolitan Park_3, Waller Beach at Town Lake Metro Park, Edward Rendon Sr. Metro Park at Festival Beach, Norwood Park, Lady Bird Lake and the historic Town Lake Park System. If you need additional information on the project or the hearing, please contact Tommy Abrego, P.E., Mobility35 Program Manager at (512) 832-7280.

Public comments may be submitted at the public hearing or via:

Email: capexcentral@txdot.gov
Verbal Comment by Voicemail: (512) 651-2948
Mail: I-35 Capital Express Central Project Team
1608 W. 6th Street, Austin, TX 78703
Online: My35CapEx.com



Comments received between Thursday, Jan. 5, 2023, at 9 a.m. and Tuesday, March 7, 2023, at 11:59 p.m. will be included in the official hearing record.

The public hearing will be conducted in English. If you need an interpreter or document translator because English is not your primary language or you have difficulty communicating effectively in English, one will be provided to you. If you have a disability and need assistance, special arrangements can be made to accommodate most needs. If you need interpretation or translation services or you are a person with a disability who requires an accommodation to attend and participate in the public hearing, please contact Frances Jordan, at (512) 953-7876, no later than Feb. 3, 2023 at 4 p.m. CT. Please be aware that advance notice is required as some services and accommodations may require time for the Texas Department of Transportation to arrange.

The environmental review, consultation and other actions required by applicable federal environmental laws for this project are being, or have been carried-out by TxDOT pursuant to 23 U.S.C. 327 and a memorandum of understanding dated Dec. 9, 2019, and executed by FHWA and TxDOT.



I-35 CAPITAL EXPRESS CENTRAL PROJECT

Draft Environmental Impact Statement and Public Hearing



Notice
Draft Environmental Impact Statement and Virtual Public Hearing with In-Person Option

I-35 Capital Express Central Project
From US 290 East to US 290 West/State Highway 71
CSJs: 0015-13-388
Travis County, Texas

The Texas Department of Transportation is proposing to improve I-35 from US 290 East to US 290 West/State Highway 71 in Travis County, Texas. This notice advises the public that a draft environmental impact statement (EIS) is available for public review and that TxDOT will be conducting an online virtual public hearing on the proposed project with an in-person option. **The virtual hearing will consist of a pre-recorded video presentation and will include both audio and visual components. The presentation will be posted online by Thursday, Feb. 9, 2023, at 5 p.m.** To access the virtual public hearing, go to the following web address at the date and time indicated above: my35capex.com. Following the virtual public hearing, the presentation will remain available for viewing until Tuesday, March 7, 2023, at 11:59 p.m. If you do not have internet access, you may call (512) 953-7876 between the hours of 9 a.m. and 5 p.m. Monday through Friday, to ask questions and access project materials during the project development process.

Additionally, TxDOT is providing an in-person option for individuals who would like to participate in person instead of online. In-person attendees will be able to view the same presentation delivered in the online public hearing which will be playing on a screen, review hard copies of project materials, ask questions of TxDOT staff and leave written comments. **The in-person option will be held on Thursday, Feb. 9, 2023, from 5-7 p.m. at the Millennium Youth Entertainment Complex, 1156 Hargrave Street, Austin, TX 78702.**

For both the virtual public hearing and in-person option, members of the public may call (512) 651-2948 to provide verbal testimony. Formal written comments may also be provided by mail or email as explained below. All verbally provided testimony and timely written comments will be considered by TxDOT and included as part of the official record. Responses to verbally provided testimony and comments will be prepared by TxDOT, included as part of the hearing and project record, and made available online at my35capex.com.

The I-35 Capital Express Central project is approximately 8 miles in length and would include removing the existing I-35 upper decks, lowering the roadway and adding two non-tolled high-occupancy vehicle managed lanes in each direction along I-35. The project will also reconstruct east-west cross-street bridges, add pedestrian and bicycle paths, improve transit accommodations and make additional safety and mobility improvements within the project limits. The typical proposed section for the project generally consists of four mainlanes, two managed lanes, and three frontage road lanes in each direction. Excluding ramps, lane widths are proposed to be typically 11 feet. Existing right-of-way (ROW) width ranges from 200 to 350 feet, and proposed ROW ranges typically from 266 to 771 feet.

The Preferred Alternative (Modified Build Alternative 3) would, subject to final design considerations, require approximately 41.7 acres of additional ROW and potentially displace 107 properties (69



Notice Draft Environmental Impact Statement and Virtual Public Hearing with In-Person Option

commercial properties, 2 single-family homes, 1 multi-family complex (24 apartments) and 12 vacant properties. This project would also require approximately 28 acres of easement. Relocation assistance is available for displaced persons and businesses. Information about the TxDOT Relocation Assistance Program and services and benefits for those displaced and other affected property owners, as well as information about the tentative schedule for ROW acquisition and construction, can be obtained from the TxDOT district office by calling (512) 832-7280.

The proposed project is anticipated to impact the following eleven properties (only portions of each parkland and portions of the hike and bike trail) protected under Section 4(f) of the Department of Transportation Act of 1966: Ann and Roy Butler Hike and Bike Trail, International Shores at Town Lake Metropolitan Park_3, Waller Beach at Town Lake Metropolitan Park, Edward Rendon Sr. Metropolitan Park at Festival Beach, Norwood Tract at Town Lake Metropolitan Park, Lady Bird Lake, the historic Town Lake Park System, Dura Tune Service Station, EBBC Building, the Haster House, and the Roberts House, described as follows: The Ann and Roy Butler Hike and Bike Trail is a 15-mile trail system that circles Lady Bird Lake. Approximately 652 feet of permanent impacts and 1,207 feet of temporary impacts would occur at this trail near the I-35 bridge over Lady Bird Lake. International Shores at Town Lake Metropolitan Park_3 is a 1.33-acre park, located at 1300 East Riverside Drive, on the southeast side of the I-35 bridge over Lady Bird Lake. Approximately 0.6 acres of construction staging area and an additional 0.1 acre of permanent ROW would be required. Waller Beach at Town Lake Metropolitan Park is an approximately 28-acre park located at 30 East Ave, on the northwest side of the I-35 bridge over Lady Bird Lake, south of downtown Austin. Permanent ROW in the amount of approximately 1.2 acres would be required. Edward Rendon Sr. Metropolitan Park at Festival Beach is an approximately 73-acre park located at 2101 Jesse E. Segovia Street, on the northeast side of the I-35 bridge over Lady Bird Lake. A temporary construction staging area totaling approximately 0.7 acres would be required. Norwood Tract at Town Lake Metropolitan Park, located at 1012 Edgecliff Terrace, is an approximately 10-acre park located on the southwest side of the I-35 bridge over Lady Bird Lake. A temporary construction staging area totaling approximately 0.57 acres would be required. Lady Bird Lake is an artificial lake on the Colorado River that stretches through the south side of downtown Austin. Approximately 25 acres of temporary construction staging areas would be required. Additionally, approximately 0.29 acres of permanent incorporation of Lady Bird Lake would result from the construction of a boat dock. The historic Town Lake Park System extends from Waller Creek to Fiesta Gardens (including portions of the Ann and Roy Butler Hike and Bike Trail, Waller Beach at Town Lake Metropolitan Park, and Edward Rendon Sr. Metropolitan Park at Festival Beach). This property is a one-mile section of Austin's Town Lake Park System. Dura Tune Service Station at 3810 North I-35 is recommended eligible for listing in the NRHP under Criteria A and C. The proposed project would displace and remove the former Dura Tune Service Station building and would require acquisition of about 0.20 acre, or approximately 65 percent, of the property parcel. The Elgin Butler Brick Company Building, located at 4001 North I-35, is recommended eligible under Criteria A and C. The proposed project would displace and remove the EBBC Main Office (*Austin Chronicle*) building and would potentially acquire the entire 0.33-acre property parcel. The Haster House, located at 3009 North I-35, is recommended eligible under Criteria A and C. The proposed project would displace the Haster House and a small shed to the east of the house and would acquire the entire 0.18-acre Haster House property parcel. The Roberts House, located at 3509 North I-35, is recommended eligible under Criterion A. The proposed project would displace and remove the Roberts House and an associated garage. TxDOT would acquire the entire 0.25-acre Roberts House property parcel.

The proposed project would impact the same six parks and recreational areas listed above and one publicly-owned historic property subject to Chapter 26 of the Parks and Wildlife Code. These parks include: the Ann



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and Roy Butler Hike and Bike Trail, International Shores at Town Lake Metropolitan Park_3, Waller Beach at Town Lake Metropolitan Park, Edward Rendon Sr. Metropolitan Park at Festival Beach, Norwood Tract at Town Lake Metropolitan Park, Lady Bird Lake, and the publicly-owned historic Town Lake Park System. See paragraph above for a description of takes/uses.

The proposed project would involve an action in a floodplain.

The draft EIS, any maps and drawings showing the project location and design, tentative construction schedules and other information regarding the proposed project are on file and available for inspection Monday through Friday between the hours of 8 a.m. and 5 p.m. at the following locations:

- TxDOT Austin District Office, 7901 N I-35, Austin, TX 78753
- Carver Library, 1161 Angelina St., Austin, TX 78702
- Ruiz Library, 1600 Grove Blvd., Austin, TX 78741
- Southeast Library, 5803 Nuckols Crossing Rd., Austin, TX 78744
- Montopolis Recreation and Community Center, 1200 Montopolis Dr., Austin, TX 78741

Project materials (including the Draft EIS) are also available online at my35capex.com and TxDOT.gov. These materials will also be available in hard copy form for review at the in-person public hearing option.

The virtual public hearing and the in-person option will be conducted in English along with a video in English and Spanish walking through the Public Hearing information. Additionally, the virtual public hearing will include a Spanish version of the presentation, materials and video. If you need an interpreter or document translator because English is not your primary language or you have difficulty communicating effectively in English, one will be provided to you. If you have a disability and need assistance, special arrangements can be made to accommodate most needs. If you need interpretation or translation services or you are a person with a disability who requires an accommodation to attend and participate in the virtual public hearing or in-person option, please contact Frances Jordan at (512) 953-7876 no later than 4 p.m. CT, Feb. 3, 2023. Please be aware that advance notice is required as some services and accommodations may require time for the Texas Department of Transportation to arrange.

Written comments from the public regarding the proposed project are requested and may be submitted by mail to I-35 Capital Express Central Project Team, 1608 W. 6th Street, Austin, TX 78703 from Jan. 5, 2023, to March 7, 2023. Written comments may also be submitted by email to capexcentral@txdot.gov.

All written comments must be received on or before Tuesday, March 7, 2023. Additionally, as stated above, members of the public may call (512) 651-2948 and verbally provide testimony from 9 a.m. on Thursday, Jan. 5, 2023, until 11:59 pm on Tuesday, March 7, 2023. Comments are specifically invited on the submitted alternatives, information, and analyses, and the summary thereof in the draft EIS. Responses to written comments received and public testimony provided will be available online at my35capex.com once they have been prepared.

If you have any general questions or concerns regarding the proposed project, please contact Tommy Abrego, P.E., Mobility35 Program Manager, at (512) 832-7280 or tommy.abrego@txdot.gov.

If you have questions about the virtual hearing or in-person option, please contact Frances Jordan, at (512) 953-7876, or fjordo-c@txdot.gov.

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried-out by TxDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 9, 2019, and executed by FHWA and TxDOT.

From: [Sonya Hernandez](#)
To: Darvin.Messer@usace.army.mil; Houston.robert@epa.gov; kristy.oates@usda.gov; terence.plaskon@dot.gov; brandon_pace@nps.gov; Celestine.bryant@actribe.org; Terri.Parton@wichitatribe.com; bgonzalez@mycaddonation.com; holly@mathpo.org; epa4apachetribeok@gmail.com; mallen@tonkawatribe.com; curator@kiowatribe.org; Yahola.b@sno-nsn.gov; Justin.Kockritz; ashby.johnson@campotexas.org; sharmila.mukherjee@capmetro.org; jbass@ctrma.org; judge.becerra@co.hays.tx.us; bill.gravell@wilco.org; cynthia.mcdonald@traviscountytx.gov; toby.baker@tceq.texas.gov; suzanne.walsh@tpwd.texas.gov; Eric.Bollich@austintexas.gov; mike.trimble@austintexas.gov; jimmy.johnson@austin.utexas.edu; bobby.wilkinson@tdhca.state.tx.us
Cc: [Shirley Nichols](#); [Tricia Bruck-Hoyt-C](#); [Angela McMurray-C](#); [Lindsey Kimmitt](#); [Valentine, Shane](#); [Tommy Abrego](#); [Rebekah Dobrasko](#); rick.mitchell@meadhunt.com; [Eric Oksanen](#); [Frances Jordan-C](#); [Nicholas Barbera-C](#); dana.lagarde@tpwd.texas.gov; amy.grossman@tpwd.texas.gov; andrea_messam@nps.gov; gary.mcadams@wichitatribe.com; mary.botone@wichitatribe.com; jrohler@mycaddonation.com; lbrown@tonkawatribe.com; theodorev@comanchenation.com; tiger.jake@sno-nsn.gov; ryan.collins@campotexas.org; doise.miers@campotexas.org; osolis@ctrma.org; Jon.White@traviscountytx.gov; Morgan.Cotten@traviscountytx.gov; scheleen.walker@traviscountytx.gov; David.Greear@traviscountytx.gov; Cathy.Stephens@traviscountytx.gov; Charlie.Watts@traviscountytx.gov
Subject: I-35 Capital Express Central Project - Draft EIS Notice of Availability and Virtual Public Hearing with In-Person Option – Cooperating and Participating Agencies
Date: Thursday, December 29, 2022 11:43:47 AM
Attachments: [APPROVED M35 CapEx-C 0015-13-388 Public Hearing Formal Notice 2022-12-28.pdf](#)
[Display Ad \(English\) APPROVED 2022-12-28.pdf](#)

Good afternoon,

As a cooperating or participating agency for the development of an Environmental Impact Statement (EIS) for the I-35 Capital Express Central project in Travis County, you are invited to attend a public hearing on Thursday, Feb. 9, 2023, from 5-7 p.m. The hearing will be virtual with an in-person option and will provide an opportunity for review and comment on the draft EIS for the project, including the identification of the Preferred Alternative. The newspaper advertisement and the Draft EIS Notice of Availability and Virtual Public Hearing with In-Person Option are attached to this email.

The I-35 Capital Express Central project is approximately 8 miles in length and would include removing the existing I-35 upper decks, lowering the roadway and adding two high-occupancy vehicle managed lanes in each direction along I-35. The project will also reconstruct east-west cross-street bridges, add pedestrian and bicycle paths, improve transit accommodations and make additional safety and mobility improvements within the project limits.

The hearing will be held at the Millennium Youth Entertainment Complex, 1156 Hargrave Street, Austin, TX 78702. Parking is available on the property. In-person attendees will be able to view the same presentation delivered in the virtual public hearing, review the draft EIS, ask questions of TxDOT staff and leave written comments.

A virtual option will also be held on Thursday, Feb. 9, 2023, at 5 p.m. To access the virtual public hearing, go to My35CapEx.com. The virtual hearing will consist of a pre-recorded video presentation and will include both audio and visual components. The virtual hearing will remain available for viewing online until Tuesday, March 7, 2023, at 11:59 p.m.

The draft EIS is available online and at the following locations for review:

- My35CapEx.com and TxDOT.gov
- TxDOT Austin District Office, 7901 N I-35, Austin, TX 78753
- Carver Library, 1161 Angelina St., Austin, TX 78702
- Ruiz Library, 1600 Grove Blvd., Austin, TX 78741
- Southeast Library, 5803 Nuckols Crossing Rd., Austin, TX 78744

- Montopolis Recreation and Community Center, 1200 Montopolis Dr., Austin, TX 78741

Public and agency comments may be submitted at the public hearing or via any of the following methods:

- EMAIL: capexcentral@txdot.gov
- VERBAL COMMENT BY VOICEMAIL: (512) 651-2948
- MAIL: I-35 Capital Express Central Project Team, 1608 W. 6th Street, Austin, TX 78703
- ONLINE: My35CapEx.com or TxDOT.gov

Comments received between 9 a.m. on Thursday, Jan. 5, 2023, and 11:59 p.m. on Tuesday, March 7, 2023, will be included in the official hearing record.

If you need additional information on the project or the hearing, please contact me or the Mobility35 Program Manager, Tommy Abrego, P.E. at (512) 832-7280.

Thanks,
Sonya

Sonya Y. Hernandez, P.G.
Environmental Program Manager
Austin District
Texas Department of Transportation

Sonya.Hernandez@txdot.gov
Mobile Phone: 512-649-6478
Office Phone: 512-832-7096



March 7, 2023

Tucker Ferguson, P.E.
Austin District Engineer
Texas Department of Transportation
7901 N. IH 35
Austin, Texas 78753

Heather Ashley-Nguyen, P.E.
Mobility35 Project Manager
Texas Department of Transportation
7901 N. IH 35
Austin, Texas 78753

**RE: I-35 Capital Express Central Project CSJ# 0015-13-388
City of Austin Response to Draft Environmental Impact Statement**

Dear Mr. Tucker and Ms. Ashley-Nguyen,

Please accept this letter, with its attachments, as the City of Austin's staff response to the I-35 Capital Express Central Project Draft Environmental Impact Statement (DEIS).

The City of Austin will convey technical project level comments on the DEIS and an additional list of related issues that we will continue to work on with TxDOT. We look forward to working with TxDOT as a mobility partner and participating agency during and after the DEIS process to work through outstanding safety, design, and operational issues, as well as to collect and share data. The attached comments generally focus on Safety, Mobility, Community Impacts, Environmental Impacts, and Transportation Demand Management.

Should you have any specific questions, please direct them to myself and Richard Mendoza, Interim Director Austin Transportation.

Thank you,

Robert Goode, P.E.
Interim Assistant City Manager, Mobility
City of Austin

Cc: Interim City Manager Jesus Garza
Richard Mendoza, P.E., Interim Transportation Director

Topic	Department	Comment #	Comment
Models and Forecasts	ATD/CPO	1	The report acknowledges that traffic counts annually have grown from between 0.0 and 0.4 percent over the previous 10 to 20 years, but uses CAMPO projections which factor in the Build scenario to apply a 1.5 percent growth rate moving forward. Separate demand forecasts should be applied to the build and no build scenarios. The traffic methodology memo should calibrate and validate the existing conditions model and acknowledge constrained volumes as a result of separate Build and No Build alternatives. The City recommends that traffic projections be run following these comments, or TxDOT can clarify assumptions made at a high level, on how these comments would inform and possibly impact the proposed alternatives designs.
	ATD/CPO	2	TxDOT has stated detailed traffic modeling will be available in March 2023. The City has collaborated with TxDOT about ramp placement, number of facility lanes, lane assignments, intersection operations, and multimodal design without the benefit of this analysis informing designs. The City requests a timeline to receive these models, a better understanding of how they influence the comparison of reasonable alternatives, and the extent of the proposed project designs changing based on the City's review.
	ATD/CPO	3	One of the stated purposes of the project in the Purpose and Need documents is "creating a more dependable and consistent route for the traveling public including bicyclists and pedestrians, emergency responders, and transit." DEIS Page S-6, line 27 notes that "Modified Build Alternative 3 also meets the need to lower peak period travel times for all users." Section 1.2.3.2 Travel Time has projections for motor vehicles but not for other modes. Because east-west bicycle and pedestrian travel time across the corridor is not measured or quantified, impacts to travel time are not fully substantiated until they are measured and compared across the three scenarios. Does TxDOT have a method to measure travel time impacts to all modes? The City requests these metrics be considered comparison of reasonable alternatives to the No Build Alternative to determine their impacts per the Purpose and Need.
	ATD/CPO	4	Table 2.2.1 "Access to Potential Deck Plazas" is listed as "High" for Modified Alternative 3, although this alternative would require cyclists and pedestrians to cross greater distances and be exposed to more conflicts across the southbound frontage road than Alternative 2, apart from the connection near Palm Park. The City requests this metric be reevaluated with this consideration to indicate access be the same as or no greater than Alternative 2.
	ATD/CPO	5	The DEIS has been submitted prior to the Interstate Access Justification Report (IAJR), which is expected to include detailed operational and safety analysis. Operational and safety analysis should drive proposed changes, with an iterative process to address expected operational and safety issues. The City requests a timeline for the IAJR and more information on how its findings influenced the proposed project and whether its findings could modify the proposed project.
Safety	ATD/CPO	6	The City believes appropriate illumination is critical to provide safety to cyclists and pedestrians, particularly in downtown where the volume of these users is expected to be high. Page 68 of the DEIS states "urban design features such as pedestrian-scale lighting...would be considered during the design process." TxDOT's Roadway Design Manual (Section 7.3.9 Lighting) states "the presence of pedestrian-generating land uses and existing or anticipated pedestrian crossing activity should be considered when determining the appropriate level of illumination" and "pedestrian lighting can be used alone or in combination with roadway scale lighting in high activity areas to accommodate pedestrian activity at night." TxDOT's Pedestrian Safety Action Plan identifies low light conditions contributing to 51% of pedestrian crashes in the Austin District and I-35 as a focus facility. Nationally, 76 percent of pedestrian fatalities in 2019 occurred in dark conditions (NHTSA, 2021). Illuminating sidewalks and crossings makes it easier for people to see when walking at night and also increases their visibility to drivers. A 2022 FHWA Pedestrian Lighting Primer (https://safety.fhwa.dot.gov/roadway_dept/night_visib/docs/Pedestrian_Lighting_Primer_Final.pdf) showed Crash Modification Factors that quantify reductions in the number of vehicle/pedestrian crashes due to lighting. The City requests the following: - clarification on whether pedestrian-scale lighting will be considered during the design process - include pedestrian-scale lighting similar to the SH 71 and Oak Hill Parkway - if available, analysis of illumination levels for shared use paths and intersections that determined roadway scale lighting is appropriate for this project - consideration of data the City has compiled on increased crash rates and fatalities/injuries for pedestrians and cyclists along frontage roads when an SUP or sidewalk is not illuminated at a smaller scale - explanation on how the project's Purpose and Need statement and the City's adopted Vision Zero goals of improved multimodal safety will be met without this pedestrian-scale lighting - explanation on how best practice in pedestrian lighting as stated in TxDOT's Roadway Design Manual will be met without this pedestrian-scale lighting
	ATD/CPO	7	Overall, Modified Alternative 3 frontage road intersections are projected to have 12.7 more fatal/injury crashes than No Build, compared to what is stated in the summary table of 9.7 more fatal/injury crashes (Appendix H p.445). The City requests continued commitment to collaborate on best-practice safety design on elements, such as intersection crossings and frontage road operations, where available model outputs might be limited.
	ATD/CPO	8	The City has found inconsistent information in the data provided in Appendix H: Traffic Data. The City requests clarification on whether the I-35 and 11th Street intersection was included in calculations for Modified Alternative 3 frontage road summary statistics presented on pgs. 444 and 445, and whether more documentation on summary tables is available.
	ATD/CPO	9	It is difficult to discern location markers for mainlanes and managed lanes and directly compare Modified Alternative 3 to the No Build. The City requests collaboration with TxDOT to review fatal crash rates and locations to improved safety design.

Topic	Department	Comment #	Comment
	ATD/CPO	10	<p>The Texas Transportation Commission established a goal of zero traffic-related deaths on Texas roads by 2050 and cutting that number in half by 2035. Improving the safety of the IH-35 corridor through Austin is critical towards reaching that goal based on current conditions and crash trends. DEIS Appendix H, pdf page 445, states a 29% reduction of fatal/injury crashes in 2030 for Alternative 3 versus the No Build option. Because fatal crashes are not presented separately, it is difficult to know what the percentage reduction is for fatalities specifically. It appears based on the data that this project is unlikely to meet their stated policy goal of cutting fatalities in half by 2035 and reaching zero deaths by 2050 with this project's implementation.</p> <p>The City requests the following:</p> <ul style="list-style-type: none"> - clarification on how the proposed project will move toward TxDOT established goals - impact criteria and measurement tool related to bicycle and pedestrian safety as noted on DEIS page S-2 of the March 2001 Agency/Public Scoping meeting - analysis of high-crash locations (the City can provide our identification and analysis of this), - summary of predicted crash results for each segment and interchange - expected safety impacts for known design exceptions - greater focus mitigation of serious injuries and fatalities rather than inclusion of rate reduction of other types of crash types
SPIUs	ATD/CPO	11	<p>SPIUs present challenges of sweeping right-turn lanes, multiple and indirect crossings for cyclists and pedestrians, etc. TxDOT's Roadway Design Manual provides design guidance on how to improve safety when cyclists and pedestrians are present.</p> <p>The City requests further collaboration with TxDOT on the following:</p> <ul style="list-style-type: none"> - ADA accommodations for effective bicycle and pedestrian connectivity - designs of at-grade crossings - SUP alignments and desired routes by cyclists and pedestrians - tunnel aesthetics and measures to discourage loitering - incorporation of the City's Airport Boulevard Corridor Project and CapMetro's Project Connect Blue Line - intersection operations and train accommodation (Riverside Drive) - evaluation of other intersection treatments if safety and mobility goals cannot be met - clarification on why the SPIU is not included at Riverside Drive in Alternative 2
Frontage Roads	ATD/CPO	12	<p>The City has identified design changes that can be applied to several locations, or accounted for prior to start of the design phase, under continued collaboration with TxDOT. A 2022 FHWA report (https://www.fhwa.dot.gov/publications/research/safety/21105/21105.pdf) found a statistical relationship between pedestrian crashes and corner radii (i.e. the larger the corner radii the more right-turn, pedestrian crashes can be expected. The study also found strong evidence that right-turn speeds are a function of corner radius (i.e. the larger the radius, the higher the turning speeds).</p> <p>The City requests the following:</p> <ul style="list-style-type: none"> - use smaller corner radii at intersections and driveways for improved safety - reduce skew of frontage road intersections for improved safety - consider smaller control vehicles at certain intersections where larger vehicles are unlikely to be making frequent turns - designate clearer intersection control on the schematics (signals vs. stop signs) - add crosswalks on bridge intersection approaches if signal operations allow - add signals or coordinated PHBs east of the highway under Modified Alternative 3 for improved safety across these busy intersections
	ATD/CPO	13	<p>Multiple turn lanes and very large radii lead vehicles to turn without yielding. For example, at locations with dual rights (such as US 183/Montopolis Drive), we see failure to yield to pedestrians, even when the right turns are signalized and signed No Right Turn on Red. We could expect a triple right to be even worse than these dual rights for yielding compliance.</p> <p>The City requests to review the traffic operations model, design vehicle, and turning template used at 15h Street to determine if a safer design is possible.</p>
	ATD/CPO	14	<p>This project provides the opportunity to provide an interconnected traffic signal system for improved operations and future planning.</p> <p>The City requests additional conduit be installed with this project throughout its extents and collaboration with TxDOT during the design stage to determine locations for conduit and general signal infrastructure needs.</p>
	ATD/CPO	15	<p>Changes to the bike ramps at Dean Keeton Street are noted. This intersection remains critical to preserving future enhanced transit in the ROW per the Austin Strategic Mobility Plan and Project Connect.</p> <p>The City requests to review and provide design input to this interchange with TxDOT to ensure that adequate space is provided.</p>
	ATD/CPO	16	<p>The City has noted several locations where the number of frontage road lanes and lane assignment could be adjusted based on the traffic data available.</p> <p>The City requests the following:</p> <ul style="list-style-type: none"> - confirm with TxDOT whether the number of lanes and lane assignments are open to review and modification if the Vissim traffic model analysis supports it - review the detailed traffic modeling to better understand how the frontage roads (north and south of Holly/River Street, others) and signalized intersections (Cesar Chavez, 5th, 8th, 14th, and 15th Streets, and others) will operate
	ATD/CPO	17	<p>Changes to proposed elevations with the project could impact safety, operations, and visuals.</p> <p>The City requests the following:</p> <ul style="list-style-type: none"> - confirmation on whether the SUP can be placed at the same level as the 4th Street pedestrian bridge - whether the northbound frontage road could be placed under Holly Street to reduce the visual impact - confirmation whether 11 of 30 state-identified Capitol View Corridors stated in the DEIS would require legislative modifications

Topic	Department	Comment #	Comment
	ATD/CPO	18	At the location where the Red Line SUP bridge meets the west side of ROW, roughly mainline STA 3145+00, there were recommendations from the community at the ped/bike VOICE meeting to connect the SUP bridge either to Clarkson Avenue or 43rd Street. As discussed on the TxDOT/City call on 2/9/23, the City requests an SUP curb cut at the new corner of Clarkson Avenue/43rd Street.
	ATD/CPO	19	At 32nd Street crossing, schematic seems to be showing SUP on one side and sidewalk on the other side of bridge. The City requests the schematic show SUP both sides of each bridge as they are connecting SUPs along each frontage road. The City would expect multiuse traffic to be directional as detailed in TxDOT's Roadway Design Manual.
	ATD/CPO	20	Clyde Littlefield Drive and Manor Road have existing protected bike lanes. The City requests SUPs on this bridge show ramp tie-ins to those bike lanes and the sharp bends be corrected in the path along the west side of the bridge.
	ATD/CPO	21	The City understands that some side streets cut off from frontage roads (like Ardenwood Road) cannot have the SUP connected to them due to elevation difference and retaining wall. The City requests the following disconnected side streets have SUP connect to the end of the street if feasible. This might lead to a stub-out of SUP or sidewalk for the city to connect to later: - 15th/Olander, 13th, and 2nd, Willow, Spence, and Clermont - Willow, Spence, and Clermont have existing sidewalk to connect to
	ATD/CPO	22	7th, 11th, and 12th Streets have existing bike lanes complete east of I-35, and incomplete but planned west of I-35. The City requests SUPs on this bridge should show ramp tie-ins to those bike lanes and correct the sharp bends in the path at the corners of the bridges. Note that some of the bend/misalignment issues could be taken care of by bending the path on the widened bridges. Much of this can be worked out at 30% design, but we request that schematics show SUPs at each approach to show the intent.
	ATD/CPO	23	While the term "boulevard" is not defined in the DEIS, it implies a design and function unlike typical frontage roads. Additionally, the general term "crossing" is used for downtown bridges, and we believe this could not capture the nuance of enhanced bike/pedestrian crossing and frontage road intersection design that is needed. The City requests a thorough collaboration with TxDOT to analyze these elements to better fit the urban context in downtown and improve safety: - frontage road and crossing designs - design speeds and progression speeds from signal timing - tree placement to narrow drivers' field of vision to reduce speeds and provide adequate shade along the SUPs - clear zones and tree placement appropriate for the context of the boulevard setting - pedestrian-scale lighting to appropriately make pedestrians and cyclists visible at all crossings - consideration of boulevards in Austin (15th Street, Mueller Boulevard, Barbara Jordan Boulevard, etc.) and others outside Austin that could serve as examples of urban boulevards - evaluation of access points, service vehicle parking, and cross sections on the widened bridges to facilitate the possible caps and transit stops
	ATD/CPO	24	DEIS (1.2.3.3 Bicycle and Pedestrian Plans) states "The existing bicycle paths for most cross-streets is either a shared lane or a wide curb lane. There is a need to provide safer and more continuous accommodations for people who walk and bicycle." Because most bicycle and pedestrian crashes occur at intersections, it is critical both intersections and SUP along the frontage roads are designed with best practice for safety for all modes to determine if schematics can be improved. The City requests we continue to collaborate with TxDOT on best practice urban design to meet our collective safety goals.
	ATD/CPO	25	DEIS page 23 states "shifted frontage roads from Dean Keeton to Holly to create a boulevard section were found to be feasible." The City requests clarification in the DEIS on whether Modified Alternative 3 requires this shifting frontage road configuration, or if the same benefits regarding reduced property impacts are attainable without the shifted frontage road configuration. Would this perspective changes the comparison of reasonable alternatives?
	ATD/CPO	26	TxDOT provided the City schematics and other design files in December 2022 which are slightly different from the ones provided to the public with the DEIS documents in January 2023. The City requests clarity on which design files are the latest under consideration, which could change some of the other comments made in this submittal. The following are the differences shown in the December 2022 schematics, though more could be present: - SUP along Cameron between 53rd and 51 Streets - At-grade SUP between 14th and 15th Streets, triple-right at 15th Street - Fewer frontage road lanes and different lane assignments at some locations downtown - More direct connection to the property on the northeast corner of 11th Street/NBFR - No "pretzel" SUP ramp going under the SBFR just north of Lady Bird Lake - More switchbacks on the northeast and northwest corners of Riverside Drive - Wider deck plaza at Woodland Avenue
Ramps and Mainlanes	ATD/CPO	27	The last two cross sections of Appendix C: Cross Sections on pages 34 and 35, which represent the segment of Modified Alternative 3 south of Woodward Street, do not reflect what is shown in the schematic. Typical Section at STA 3449+00 shows sidewalk and Typical Section at STA 3477+00 shows no shared use bike/ped path (SUP). The City requests cross sections on both documents match to show SUP.
	ATD/CPO	28	Volume data provided indicates that northbound and southbound weave sections between frontage roads and managed lanes north of 51st Street are overloaded with traffic demand in Modified Alternative 3. As currently shown, high-speed managed lane traffic would be introduced to short frontage road weave sections in an area that has existing high crash rates. The City recommends direct managed lane connections between I-35 and US 290 as proposed in Alternative 2 and clarification on why different designs are proposed between the two alternatives.
	ATD/CPO	29	Daily traffic volumes on ramps between 51st Street and Airport Boulevard appear to be missing. The City requests these be included in the DEIS.

Topic	Department	Comment #	Comment
Traffic Management	ATD/CPO	30	The City looks forward to its ongoing collaboration on the Construction Mobility Plan and working to ensure the following: - require the contractor not to simultaneously close Cesar Chavez Street, 7th Street, and Martin Luther King Boulevard to maintain minimum access and mobility across I-35 - require closure and routing information to emergency services (EMS, APD, AFD), hospitals (St. David's Hospital, Dell Seton, APD headquarter), and other critical public needs - address bike and pedestrian detours across I-35
	ATD/CPO	31	The DEIS states "Construction phase impacts and other potential impacts to human environment are continually being analyzed as part of the NEPA process." The City's experience with other EIS processes is to have more detailed construction impacts and associated mitigations included in the DEIS. The City requests clarification on what is required in the DEIS versus what is allowed to be addressed in a separate traffic management plan.
	ATD/CPO	32	The City of Austin has adopted clear priorities for mobility in our adopted Austin Strategic Mobility Plan (ASMP) with a primary strategy to meet the City's mobility goals by addressing congestion by managing demand. The City of Austin is very interested to learn how the two additional High Occupancy Vehicle lanes that will be built to support transit and carpooling/vanpooling will be managed and operated in a non-tolled environment.
	ACCD	33	ACCD has used 3rd Street as its primary service ACCD access point for over 30 years, from its opening in 1992. Fifty percent of the event activity at the ACCD involves moving products onto and off the exhibit hall floor from the east side of the facility; freight is delivered primarily by semi tractor trailers. Daily operation of the complex uses a variety of commercial vehicle that also ACCD access the building from its service yard on Red River. The ACCD's master planning effort to expand the Center, begun in 2015, revised in 2019, and updated in May 2021, continues to rely upon ACCD access from 3rd Street to service the facility. Currently, the ACCD's "proof of concept" details redevelopment possibilities for the expansion project under the goals and direction of Council, Palm District Plan, and Waterloo Greenway initiative. In these concepts, the loading docks are moved below grade, allowing for street-level activation and green space where the current loading docks are positioned. This configuration supports the Waterloo Greenway's intention to create a pedestrian-friendly corridor along Red River by minimizing the commercial traffic that uses that street. The City will continue to work internally on a possible solution and requests collaboration with TxDOT should the solution impact the proposed design at 3rd Street and the southbound frontage road.
	APD	34	DEIS page 66 (Section 3.5.1.2 Modified Build Alternative 3) covers environmental consequences but not design elements that address prevention of items being throw from or hung from the overpasses. The City requests clarity on which design elements will be put in place to prevent or restrict people from throwing objects or hanging banners from the overpasses including SUP and pedestrian/bicycle only bridges.
	APD	35	DEIS pages 75 and 81 address homelessness but not design elements that would be utilized to prevent camping on the main lanes, access roads, and overpasses, including possible future decks or caps intended to connect east and west sides of the highway. DEIS page 83 states: "With the lowering of main lanes there would be less covered space to serve as campsites for those experiencing homelessness." The City requests clarity on whether this lowering prevents use at overpass supports where the main lanes meet the frontages from being used for camping, or is TxDOT designing other ways to address this issue?
	Austin Energy	36	The City (Austin Energy Transmission) has been meeting with TXDOT. There is a need to identify and resolve real estate acquisition needs to relocate Transmission Assets. Land use considerations for easements outside the Capital Express footprint will need to be considered by TXDOT. To date known potential Transmission conflicts exists near the below locations. However, TxDOT/Cobb Fendley is still in preliminary design such that the extent of the impact is unknown. <ul style="list-style-type: none"> • CKT 834/835 at Dean Keaton/I-35 • CKT 823 west of Fiesta Substation • CKT 1015 near Rainey Substation • CKT 834/833 at Brackenridge Substation The City requests continued meetings to resolve these issues.
	Austin Energy	37	The City (Austin Energy Distribution) has been meeting with TXDOT. There is a need to identify and resolve real estate acquisition needs to relocate Distribution Assets. Land use considerations for easements outside the Capital Express footprint will need to be considered by TXDOT and acquired by TXDOT for the purpose of satisfying the NEPA requirements addressed in the EIS. The City requests continued meetings to resolve these issues.
	Austin Fire	38	TxDOT and their consultants have met with City emergency services departments during the environmental review process to discuss tunnel design and access to incidents. Limited information makes it difficult for the Austin Fire Department to provide a complete response, but they support the items that were mentioned by other public safety sections organizations. The City has these requirements and suggested actions to make this project safe for responders and the greater public: - If tunnels are used they need to meet NFPA 502. That is the standard that was used for the Mopac tunnels. The Mopac tunnels were very short, the proposed tunnels would be much longer - The requirements depend on the tunnel length. They could include fire resistance, fire protection, fire detection, adequate radio coverage, emergency egress, drainage, smoke removal and an emergency response plan. - Use a fire protection Engineer in your design that is familiar with all the systems, ratings and codes that keep everyone safe. - Access during construction will be a continual concern, not only in the construction areas but also for east / west access as units constantly cross IH35 - Turning radius, heights, lengths, widths and ground clearance of apparatus were recently provided to TxDOT design team for consideration and ensuring proper clearance

Topic	Department	Comment #	Comment
	Aviation	39	While the City does not know the details of the construction phasing, section 3.17.1 of the DEIS discusses the need to communicate traffic pattern changes. The City requests that all necessary way-finding for the airport be maintained during all phases of construction.
	Development Services	40	The City requests coordination on these items during the design and construction phases of this project: <ul style="list-style-type: none"> - identification and notification of any necessary City permitting - interdepartmental communication on any binding regulations that will require review and inspection by DSD - tree preservation, tree planting, and landscape considerations - erosion / sedimentation control and water quality considerations
	Economic Development	41	Project construction should minimize disruption to the Red River Cultural District (RRCDD). <ul style="list-style-type: none"> - Most significant concentration of live music venues in Austin, one of most significant in Texas - Designated city cultural district in 2013 (Council Reso. 20131017-036); Texas Commission on the Arts state Cultural District designation in 2020 (https://gov.texas.gov/travel-texas/post/texas-commission-on-the-arts-designates-five-new-cultural-districts) - Major stakeholder priority to retain access to RRCDD during prolonged construction - City Adopted Comprehensive Plan Imagine Austin prioritizes mitigation from construction impacts for major infrastructure, especially public infrastructure development – this requires significant wayfinding and proactive promotion and, potentially, construction mitigation grants to help businesses respond to loss of access - Austin Strategic Mobility Plan Affordability Policy #2: Work with communities to mitigate displacement impacts [to housing and commercial affordability] of transportation projects (pg. 224) – strategy cites Twin Cities Central Corridor which offered businesses impacted by major construction “forgivable loans, tax help, and marketing support” <p>The City recommends additional efforts necessary for construction noise and traffic disruption mitigation for arts and live music venues within a proximate radius from construction areas. For example, the Red River Cultural District from 6th to 12th Streets along Red River and east-west connecting streets, is 1-2 blocks from I-35. Accordingly, the businesses and live music venues located in the Red River Cultural District will be substantially impacted by construction noise, ingress/egress, and traffic disruption. This area must be a priority area for construction mitigation efforts including traffic plan, vehicular and pedestrian signage, ingress/egress, and noise mitigation.</p> <p>The City requests the following Council-adopted ordinances and resolutions supporting placemaking in key business districts adjacent to I-35 be followed:</p> <ol style="list-style-type: none"> 1. Complete Streets Plan, Ordinance NO. 20140612-119 2. Imagine Austin Policies EP2, EP5, EP6, CP9, Priority Program 8 - Ordinance NO. 20120614-058 3. Cultural Master Plan, Recommendation C7, C10, C11, E2, E3, E5 - Resolution NO 20100624-085 4. Creative Ecosystem Omnibus - Resolution NO 20160303-019 5. Council Strategic Direction EOA B6, EOA C6, CLL B4, CCL C2 6. Sidewalk Master Plan Ordinance NO. 20160616-072 7. Bicycle Master Plan Ordinance NO. 20141106-118 8. Austin Strategic Mobility Plan; and Vision Zero Plan Resolution NO 20160519-049 9. (Red River District Specifically) Red River Cultural District Resolutions 20170608-033 and 20131017-036, and cultural tourism funding guidance in resolution 20170831-060 10. Additional districts: Council Resolution 20141211-224 to explore walkability improvements in East Austin between Manor Road, Ladybird Lake, I-35, and Chestnut/Pleasant Valley"
	Housing and Planning	42	It is difficult to understand from the sections provided what is being proposed at/above or below Lady Bird Lake. In each Alternative it is stated that reconstruction/revisions will be made to the bridge over the lake but it is not clear what those are. In this and other provided documents there is little mention of studies/concern for the riparian areas and the natural and social systems that will be affected at the edges of the lake. <p>The City requests sections that will show the water level and illustrate the transition conditions where the land and water meet.</p>
	Housing and Planning	43	Of the 2020 Point-in-Time Count Results conducted by Travis County and ECHO, roughly 100 of the 1574 unhoused individuals were located along the I-35 corridor between US 290 East to SH 71/Ben White Boulevard. <p>The City requests the DEIS analyze impacts to the unhoused populations that seek temporary shelter along I-35.</p>
	Housing and Planning	44	The DEIS includes the need "assess public involvement compared to overall demographics for the city and county." <p>The City agrees that complete public involvement from all constituents is critical for this project and request that TxDOT stay committed to this need moving forward.</p>
	Housing and Planning	45	Acknowledging the limitations of the current public health circumstances, TxDOT should establish and/or expand non-online outreach options.
	Housing and Planning	46	The City requests “environmental justice communities” and “aesthetic and visual resources” be defined in the DEIS.
	Housing and Planning	47	The City requests construction staging plans and maps be identified as the activity of vehicles, equipment and materials could adversely affect environmental, social and market conditions throughout the study areas. Public or private land along the study that may be used for construction staging should be identified, evaluated and brought to the attention of the public for input.
	Housing and Planning	48	Two additional historic resources surveys should be referenced in determining known historic properties along the Interstate-35 corridor. The East Austin Historic Survey (HHM & Associates, 2016) covers the area east of I-35 from Lady Bird Lake to Manor Road. The Historic Resources Survey of North Loop, Hancock, and Upper Boggy Creek (Cox McLain Environmental Consulting, 2020/2021) includes both sides of the interstate from E. Dean Keeton St. to the Mueller development, then continues on the west side to 2222. The results of the East Austin survey are available at https://www.austintexas.gov/page/east-austin-historic-survey . The results of the North Loop, Hancock, and Upper Boggy Creek survey remain in draft form; the City of Austin Historic Preservation Office will provide draft results upon request, or once finalized, the results will be posted to https://www.austintexas.gov/page/current-projects .

Topic	Department	Comment #	Comment
	Housing and Planning	49	In addition to City of Austin Landmarks, please also look to and provide public reference to locally designated historic districts. The Robertson/Stuart & Mair Historic District is within the area included on the Environmental Constraints Map. Please reference the Historic Property Viewer at https://austin.maps.arcgis.com/apps/webappviewer/index.html?id=5251cd8ad3534754ad9a3d6a222c68ec .
	Housing and Planning	50	Many businesses and community services abut or have direct access from the frontage roads. The City requests assessments of the cumulative impacts of reducing the offset from building to frontage roads. - is this evaluation included in the number of properties being displaced? - which alternatives will require acquiring and clearing additional property? - for each alternative, consider impacts of acquiring and clearing additional property as part of the DEIS analysis
	Housing and Planning	51	The City requests consideration of the land use visions developed in these adopted neighborhood plans adjacent to the interstate and within the project boundary: East Cesar Chavez, Central East Austin, Upper Boggy Creek, Hancock, North Loop, Windsor Park, Riverside, South River City, Parker Lane, and St. Edwards.
	Housing and Planning	52	Continue coordination with the Housing and Planning department with on-going development of the Palm District Planning initiative.
	Housing and Planning	53	Climate change is not referenced as anywhere in the scoping open house even though carbon emissions that result from ever increasing use of motor vehicles is a major driver of negative climate impacts. The City of Austin has a goal of reaching net-zero community wide greenhouse gases by 2050 per the Climate Program. The City requests design alternatives be measured based on their potential to decrease carbon emissions and further reduce the impact on harmful climate conditions on environmental extremities and human health.
	Housing and Planning	54	The City requests coordination with TxDOT on the definition of "fair compensation" for buyout with the City of Austin. Additionally, TxDOT should provide established fair compensation for renters and business owners to impacted displaced building sites. At minimum, we request "fair compensation" include real estate services, relocation services, or retail / office space firms to help renters and business owners find new location.
	Housing and Planning	55	TxDOT should fund the "right to return" for businesses and residents displaced by the project so that they may have the option and financial ability to be in the same neighborhood if they so choose.
	Housing and Planning	56	While the DEIS has a Community Assessment Section, it does not have a Community Benefits Agreement. A Community Benefits Agreement is a contract between a developer (in this case TxDOT) and community-based organizations representing residents' interests, especially EJ populations. The agreement spells out the benefits the community will receive in return for supporting the developer's project in their neighborhood. The City recommends a Community Benefits Agreement, similar to the one conducted in Houston for the I-45 expansion, to ensure funding is made available for affordable housing, jobs are created, the community is actively engaged, and safety is prioritized on our roads. (https://www.txdot.gov/nhhip/public-engagement/community-benefits.html)
	Housing and Planning	57	The City requests that TxDOT continue to implement mitigation strategies (e.g., sustain and enhance Mobility35 IAH) for impacts on the unhoused population currently sheltering in the area, such as around Cesar Chavez Street through the conclusion of the construction.
	Housing and Planning	58	The City requests TxDOT conduct a Health Impact Assessment (HIA), similar to one conducted related to the I-45 expansion in Houston, to accurately capture potential air quality, mobility, and gentrification impacts to communities along the I-35 corridor. Without an HIA, it is difficult to recommend the appropriate mitigation measures. However, based on the findings in the I-45 expansion HIA, we recommend TxDOT provide funding for air quality monitors at parks, schools, and playgrounds during and after project completion, as well as funding for HEPA filters to improve indoor air quality for residents within 500 ft. of the highway. (Research identified: https://trid.trb.org/view/1437757 , https://www.healtheffects.org/system/files/SR17TrafficReview_Exec_Summary.pdf , https://pubmed.ncbi.nlm.nih.gov/28063597/ , https://pubmed.ncbi.nlm.nih.gov/26104392/ , and https://cbsaustin.com/news/local/i-35-named-5-on-list-of-most-dangerous-roads-in-us-accident-austin-dallas-san-antonio-deadly-interstate-highway)
	Housing and Planning	59	Regarding air quality, the City has the following requests and comments: - collaboration with the City (APH and HPD) to provide additional information on direct and cumulative impacts on air quality and air quality mitigation - the DEIS indicates that increases in air quality impacts would be mitigated by expected increase in electric vehicles. What air quality modeling is being done as part of the EIS analysis, and are assumptions about future vehicle fleet composition based on modeling? - quantify not only include impact to minority communities but also people suffering from chronic conditions, like asthma, COPD, and emphysema (sensitive communities) who could be more impacted by increased pollutants coming from the increased traffic when this project is completed (which will impact people both outside and inside their homes) - air filtration systems paid for by the project in homes that are affected by the increase in particulate matter from the construction and increase in cars and trucks utilizing the added lanes
	Office of Resiliency	60	Based on Appendix K, the City requests the following: - conduct a qualitative assessment of health indicators, improve walkability scores and active transportation areas - revisit Appendix K Task 4 review of demographic information, affordable housing, and community facilities along the length of the project - provide more detail of the edge condition on the east side of the project between Cesar Chavez Street and MLK Blvd
	Office of Sustainability	61	Austin's top priority and near "non-attainment" NAAQS compliance concerns are for Ozone and Particulate Matter, but these priority pollutants are not modelled. The City requests the additional of impact analysis for criteria pollutants with a focus on PM and ozone to ensure we remain in attainment for all scenarios.
	PARD	62	PARD would like to continue the coordination with the TxDOT Project Team to ensure all parkland that needs to go through the condemnation process for permanent or temporary use follows the mitigation processes set by the City of Austin's Financial Services Department, the Parks and Recreation Department, and Texas Parks and Wildlife Department.
	PARD	63	PARD requests continued coordination from TxDOT with Waller Creek District Program staff (PARD/WPD) for any potential impacts to City streets that cross the creek through downtown, particularly @ 4th St (CapMetro Redline, LAB, Waterloo Greenway trailhead, Sabine St crossing) and 5th St where changes in elevation could impact trail clearances.
	PARD	64	PARD would like continue to influence the design and materials of stand-alone bridge over Lady Bird Lake to match other aspects of existing trail.
	PARD	65	PARD would like reiterate the need for on street parking under I-35. This is a valued water access point for canoes and SUPs.
	PARD	66	PARD would like to see renderings of how the separated SUP bridge tucks under and lands under the north side I-35 underpass.

Topic	Department	Comment #	Comment
	PARD	67	PARD wants to see how trail work under I-35 address trail connectivity, ADA amenities, and current rain garden efforts
	PARD	68	PARD would like to stay in the discussion on eastside bat box placement on SUP bridge.
	PARD	69	The current 4(f) parkland hatch shows both existing and future parkland as well as private properties within its bounds and is also missing areas of parkland. The City requests the following: - confirm accuracy and source of 4(f) parkland hatch - the remaining area east of Waller Creek to the TxDOT ROW from 3rd-4th is Palm Park and should be included in the hatch showing 4(f) parkland - private properties should be excluded from the hatched 4(f) area.
	PWD	70	The City has experience tunneling through the material that is proposed with this project. The City has the following observations and suggestions on the proposed tunneling elements of the project: - tunneling might occur through silty sand/limestone seam, which the City has had difficult experience with and can provide information on potential issues of that material - tunneling might occur through existing tiebacks along the proposed route; the City can research how many other soil retention projects have installed tiebacks along E. Cesar Chavez Street
	PWD	71	Installation of the ground monitoring monuments along the centerline of the proposed tunnel route is very desirable and would be a great safety guarantee and a disaster preventative measure. The City requests this installation and that TxDOT include periodic monitoring (yearly, bi-annually, etc.), into their inspection schedule.
	PWD	72	The proposed tunnel boring machine will encounter tiebacks along the proposed route associated with the soil retention system license agreement at 1515 E. Cesar Chavez Street. The City notes that adequate anchoring in limestone must be assured to guarantee the tunnel structural integrity.
	PWD	73	Bridges over I-35, particularly those in downtown, experience heavy existing bicycle and pedestrian traffic and would be expected to carry heavier live loads should they be used to access possible adjacent caps and amenities. For example, the Manor Road bridge has heavy pedestrian use during UT home football games and light to moderate pedestrian use during home basketball and baseball games. The bridge can also be an emergency response route on football game days, and it is our understanding that UT is building more student housing on the east side of the interstate, which could also generate more active mode traffic. Therefore, the City recommends all bridges be designed to accommodate these future bicycle and pedestrian demands.
	PWD	74	The City has experienced issues with existing tunnel discharge designs at Roy Guerrero Park and downstream of the Longhorn Dam. The City recommends the following: - provide a skewed (not perpendicular) tunnel discharge headwall at Lady Bird Lake - provide a flap gate at the tunnel discharge to discourage camping and/or unregulated access - if regulated access is not provided, consider an alarm system to warn of those in the tunnel of coming upstream flows, perhaps activated by a float or pressure transducer somewhere at the upper section of the tunnel - the existing Williamson Creek and Johnson Creek tunnels discharge near the source of the runoff; however, this proposed discharge will be about two miles away from the runoff source (I-35)
	PWD	75	The City requests a maintenance plan and budget forecast for any non-standard amenities for which the City will be perpetually responsible, along with all the appropriate manuals and specifications for the facilities which become the City's responsibility.
	Watershed Protection	76	The City requests the following regarding water conveyance: - provide more detail regarding TxDOT stormwater discharge locations other than Lady Bird Lake or the Colorado River - any proposed connectivity to Waller Creek or other Austin creeks needs to be identified - show stormdrain infrastructure vertical locations on the profiles; water and wastewater crossings are shown but stormdrain infrastructure is not
	Watershed Protection	77	The City, through its Watershed Protection Department, requests the following regarding water quality: - partner with TxDOT to add water quality treatment per City criteria where possible - TxDOT develop and implement a debris management plan to keep debris out of Lady Bird Lake
	Watershed Protection	78	Access to the lake during project construction will be impacted as the boat ramp near 20 N Interstate Hwy 35, Austin, TX 78701 (the Holiday Inn) is proposed to be closed. The only remaining boat ramp is located near 13 Chicon St, Austin, TX 78702 (Chicon/Fiesta Gardens). This will create hardships for Lady Bird Lake cleanup crews and the City's Watershed Protection Department monitoring staff who need frequent and ready access to the lake. Additionally, boat traffic under I-35 will be restricted, thus complicating access for Lady Bird Lake cleanup crew and monitoring by City staff. Proposed staging areas include City parkland or shoreline access areas along Lady Bird Lake adjacent to I-35 which are partially located within a Critical Water Quality Zone (CWQZ) and 100-year floodplain. The City requests TxDOT explore staging areas further away from the CWQZ and floodplain and consider how City staff can better access Lady Bird Lake and boat launches to conduct needed water monitoring and cleaning.
	Watershed Protection	79	The City would like to explore cost sharing opportunities to enhance environmental and watershed benefits.



March 1, 2023

Tucker Ferguson, P.E.
Austin District Engineer
Texas Department of Transportation
7901 N. IH 35
Austin, Texas 78753

Heather Ashley-Nguyen, P.E.
Mobility35 Project Manager
Texas Department of Transportation
7901 N. IH 35
Austin, Texas 78753

**RE: I-35 Capital Express Central Project CSJ# 0015-13-388
City Council of Austin Response to Draft Environmental Impact Statement**

Dear Mr. Tucker and Ms. Ashley-Nguyen,

On behalf of the Austin City Council, please accept this letter, with its attached resolution dated Feb. 23, 2023, as the official comment from the Austin City Council on the **I-35 Capital Express Central Project**.

Thank you,

Robert Goode, P.E.
Interim Assistant City Manager, Mobility

**Cc: Mayor and City Council
Interim City Manager Jesús Garza
Richard Mendoza, P.E., Interim Transportation Director**

RESOLUTION NO. 20230223-044

WHEREAS, the I-35 Capital Express North, I-35 Capital Express Central, and I-35 Capital Express South Projects are a complete rebuild of the United States Interstate Highway 35 throughout all of Austin; and

WHEREAS, the rebuild of United States Interstate Highway 35 through all of Austin is a once in a generation opportunity to make transformative changes to United States Interstate Highway 35; and

WHEREAS, United States Interstate Highway 35 originally opened in 1962, 60 years ago and whatever is built today is unlikely to be completely rebuilt for at least 50 years, and design choices made today could preclude future connections and improvements to the highway; and

WHEREAS, Austin will experience significant growth over the next 50 years, and many neighborhoods outside of downtown next to the highway will become more urban in character and see increased rates of bicycle and pedestrian activity, along with a need for connectivity across the highway; and

WHEREAS, the construction of the Interstate Highway System did immeasurable damage to many communities across the United States, especially communities of color, and many cities throughout the United States are now trying to undo that damage; and

WHEREAS, the average distance between east-west streets crossing United States Interstate Highway 35 in the Capital Express North Project is 1.16 miles, the average distance between east-west street crossings in the Capital Express South Project is 1.33 miles, the same as they are today, and the average distance between east-west street crossings in the Capital Express Central Project is 0.36 miles; and

WHEREAS, the I-35 Capital Express North and I-35 Capital Express South Projects do not add any new street crossings, and the I-35 Capital Express Central Project will either have the same number of east-west street crossings or reduce the number of east-west street crossings; and

WHEREAS, such long distances between east-west street crossings disconnects communities, encourages speeding, increases pollution, and increases congestion at the remaining intersections, pushing more cars into fewer intersections forces drivers to take more turns than they would have taken if they could drive straight through, creating more conflict with pedestrians, bikes, and other vehicles; and

WHEREAS, although some new bike and pedestrian bridges and trails are proposed, in most cases the additional bridges and trail crossings will require people to go up long ramps and offer a much more difficult connection than a normal street crossing; and

WHEREAS, the existing distance between east-west crossings is almost two miles in some places, including between William Cannon Drive and Slaughter Lane, forcing many residents living on or near the frontage road to take up to a four mile loop to go to destinations less than half a mile away; and

WHEREAS, the removal of Woodland Avenue as a full crossing in the Capital Express Central Project creates a division in the city of more than a mile between the Riverside Drive and Oltorf Street crossings; and

WHEREAS, the portions of the I-35 Capital Express Projects that are not being capped do very little to improve connectivity or mitigate the pollution, noise, and other negative impacts of United States Interstate Highway 35 on surrounding neighborhoods, and by adding more lanes, including new elevated lanes in South

Austin, the United States Interstate Highway 35 expansion threatens to worsen those impacts; and

WHEREAS, lowering and capping highways provides significant environmental benefits, including reduced noise, air pollution, and heat island impact; and

WHEREAS, many other Texas and United States cities have chosen to lower and cover their highways; and

WHEREAS, the Texas Department of Transportation (TxDOT) capped a quarter mile section of the Woodall Rodgers Freeway in downtown Dallas and created a successful urban park that has become an extremely popular destination, and the project was so successful that construction has already started on another cap in Dallas - the Southern Gateway on United States Interstate Highway 35E in the Oak Cliff neighborhood close to the Dallas Zoo; and

WHEREAS, the City's Corridor Program Office has been working with TxDOT to identify opportunities to create caps over the United States Interstate Highway 35 as well as widened bridges that accommodate improved safety and multimodal connectivity; and

WHEREAS, United States Interstate Highway 35 is an international roadway that carries traffic all the way from Mexico to Canada, including a large volume of 18-wheel trucks, and a single 18-wheel truck produces a much greater amount of pollution, noise, and traffic than a single passenger vehicle, and is considerably more deadly in a crash; and

WHEREAS, design choices including speed limits, lane widths, and other factors can have a significant impact on the safety of the United States Interstate

Highway 35 frontage road, and the Austin Transportation Department staff have made many useful suggestions and comments on how the I-35 Capital Express Projects can be improved; and

WHEREAS, heavily residential areas in central Austin bear a disproportionate burden of land acquisition and right-of-way expansion in the currently proposed I-35 Capital Express Project that presents harms to community health;

WHEREAS, the preferred alternative would require acquiring approximately 41.7 acres of additional right-of-way, resulting in 107 displacements to 69 commercial properties, 26 residential properties, 12 vacant properties, and 90 displacements located in EJ census geographies. The preferred alternative would displace 3 community facilities: the CommUnityCare David Powell Health Center, CommUnityCare Hancock Walk-In Care, and Escuelita del Alma; and

WHEREAS, the Austin Strategic Mobility Plan prioritizes the preservation of human life in the transportation system, the primary goal states: “Prioritize the protection of human life over all else in planning, design, and operation of Austin’s transportation network.” Yet the I-35 corridor currently accounts for 25% of all traffic fatalities within the City of Austin. Safety for all road users, including people who are walking, biking, and rolling in assistive devices must be prioritized for the safety and well-being of all Austinites; and

WHEREAS, transportation is responsible for 30% of Austin’s air pollution and Austin has a robust Climate Equity Plan, which acknowledges that low-income communities and communities of color are disproportionately impacted by pollution exposure; and

WHEREAS, the Capital Express North, Central, and South Projects will undermine the specific climate goals laid out by the Climate Equity Plan with the additional traffic generated as a result of added roadway capacity; and

WHEREAS, expanding the highway will generate additional trash, rubber, and chemical pollution beyond existing conditions. The I-35 Capital Express Project proposes to build a new tunnel that flows downstream of the Longhorn Dam, directly across from Roy G. Guerrero Park; and

WHEREAS, Lady Bird Lake between I-35 and the Longhorn Dam, and the Colorado River around Roy G. Guerrero Park are used by thousands of Austinites for recreational activities including boating, swimming, and fishing; and

WHEREAS, there has been a substantial amount of community concerns regarding the proposed expansion, including in the form of student-led rallies, community group input, and public comments submitted directly to TxDOT;

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

Austin City Council offers the following comments on the Draft Environmental Impact Statement (DEIS) for the I-35 Capital Express Central Project:

1. The I-35 Capital Express Central Project should add more full east-west crossings for all users including cars, bikes, and pedestrians. As it is currently proposed, the preferred alternative would have one less full east-west crossing than currently exists. The I-35 Capital Express Project should aim to have a full east-west crossing that works for all users around every 1/4th of a mile and should not have any span between full east-west crossings greater than 1/2 mile.

2. The I-35 Capital Express Central Project should create new opportunities and amenities for residents by lowering and covering as much of United States Interstate Highway 35 as possible. The locations of caps should be prioritized to maximize value to the public, including making new land available for development that could fund caps through Tax Increment Reinvestment Zone (TIRZ), Tax Increment Financing, and similar funding mechanisms.

3. The I-35 Capital Express Central Project should ensure that I-35 is designed and built in a way that does not preclude adding additional caps and connections in the future. In particular, Council urges TxDOT to evaluate the removal, reconfiguration, or relocation of ramps, including managed lane ramps, to expand the potential for capping and provide additional east-west crossings.

4. Encourage TxDOT, the Austin Transportation Department, and other City departments to continue to collaborate and prioritize reducing the environmental, traffic, and safety impacts of United States Interstate Highway 35, especially the frontage roads. Frontage roads and east-west crossings should prioritize service to the local street network and should have speed limits and design speeds no higher than the adjacent local street network.

5. Minimize the number of properties impacted by eminent domain and ensure displaced businesses and residents are effectively compensated to relocate within 1 mile of their current location if they so choose.

6. In order to reduce the substantial impact of 18-wheelers on congestion, air quality, and road safety, incentives should be provided to reroute 18-wheeler traffic that is passing through Austin to Texas State Highway 130.

7. The I-35 Capital Express Central Project should include water quality controls to treat and filter runoff from I-35.

BE IT FURTHER RESOLVED:

While the North Capital Express Central and South Capital Express Projects have already been through Environmental Review, the Austin City Council believes short term and long term improvements should be made to I-35 in the sections covered by these projects.

1. The North and South sections of I-35 need more full east-west crossings that work for all users including cars, bikes, and pedestrians. As they are currently planned, the North Capital Express Central and South Capital Express Project contain no new street crossings. The average distance between crossings is more than 1 mile. In the long term, in these areas TxDOT should aim to have a full east-west street crossing an average of every 1/2 mile, and should not have any span between street crossings greater than 1 mile.

2. As the I-35 Capital Express South and I-35 Capital Express North Projects are being designed and built, TxDOT should consider the possibility of future projects adding additional street crossings, and not preclude new crossings in their designs.

3. To the furthest extent possible, safety improvements added to the Capital Express Central Project should be incorporated into the Capital Express North and Capital Express South Projects.

BE IT FURTHER RESOLVED:

1. The Austin City Council calls for substantive revisions to TxDOT's Draft Environmental Impact Statement to reduce the burdens of the project placed on residential communities in central Austin, including but not limited to revisions to satisfactorily address the above provided comments, prior to the release of a Record of Decision.

2. The Austin City Council calls on TxDOT to suspend its procurement process for projects related to the I-35 Capital Express Central project pending satisfactory responses to the above provided comments and revisions to the Draft Environmental Impact Statement.

BE IT FURTHER RESOLVED:

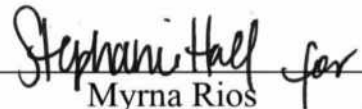
1. The City Manager is directed to submit this resolution as an official comment from the Austin City Council as public comment on the Draft Environmental Impact Statement (DEIS) for the I-35 Capital Express Project. The City Manager is directed to submit the comment by Friday, March 3rd, 2023.

2. The City Manager is directed to conduct a valuation of the potential right-of-way that could be developed by fully capping and tunneling the I-35 Capital Express Central Project as envisioned by the Reconnect Austin plan, and what financing options exist for development and maintenance, including TIRZ.

3. The City Manager is directed to report these findings back to City Council no later than April 19, 2023.

ADOPTED: February 23, 2023

ATTEST:


Myrna Rios
City Clerk



United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
1001 Indian School Road NW, Suite 348
Albuquerque, New Mexico 87104

Electronic Submittal Only
ER 23/0006

March 7, 2023

Doug Booher
Director of Environmental Affairs
Texas Department of Transportation
125 East 11th Street
Austin, TX 78701

Subject: Comments on the I-35 Capital Express Central Project, Travis County, Texas,
Draft Environmental Impact Statement

Dear Mr. Booher:

The Department of the Interior (Department) has reviewed the I-35 Capital Express Central Project Draft Environmental Impact Statement (DEIS). We understand the purpose and need of this project is to adequately accommodate the current and future travel demand between the US 290 East and the US 290 West/State Highway 71 corridor and meet the current federal and state design standards. This project would improve the corridor by enhancing safety, addressing demand by prioritizing the movement of people, goods, and services, 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. The alternatives analyzed in the DEIS consist of the No Build Alternative, the Build Alternative 2, and the Modified Build Alternative 3. The Modified Build Alternative 3 has been identified as the Preferred Alternative.

We welcome this opportunity to cooperate with the Federal Highway Administration (FHWA) and the Texas Department of Transportation (TxDOT) and offer the following comments for your consideration.

National Park Service (NPS) comments

The proposed road project will impact Land and Water Conservation Fund (LWCF) assisted sites the Edward Rendon Sr. Park and the Waller Beach Park area located between I-35 and the Lady

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INTERIOR REGION 6 • ARKANSAS-RIO GRANDE-TEXAS-GULF
INTERIOR REGION 7 • UPPER COLORADO-BASIN*

Bird Lake, referred to as 6(f) properties. The EIS should include alternatives considered for proposed replacement, mitigation site and an analysis of the impacts. The EIS should also include Section 106 of the National Historic Preservation Act (NHPA) tribal outreach and consultation and Section 7 of the Endangered Species Act (ESA) impacts, if any for the affected 6(f) areas.

The Department has a continuing interest in working with the FHWA and TxDOT to ensure that impacts to resources of concern to the Department are adequately addressed. For matters related to NPS comments, please contact Karen Skaar at karen_skaar@nps.gov.

If you have any questions for the Department or need assistance, please contact me at 720-814-6167, or rebecca_collins@ios.doi.gov.

Sincerely,

Rebecca Collins
Regional Environmental Officer
Office of Environmental Policy and Compliance

Cc: Karen Skaar, National Park Service, karen_skaar@nps.gov
Roxanne Runkell, National Park Service, roxanne_runkel@nps.gov



United States Department of the Interior

NATIONAL PARK SERVICE

Interior Regions 3, 4, 5
601 Riverfront Drive
Omaha, NE 68102

48-000450 and 48-001149 (MWR-LWCF)

March 17, 2023

Mr. Dan Reece
ASLO, Program Manager
Local Park Grants Program
Texas Parks & Wildlife
4200 Smith School Road
Austin, TX 78744

Dear Mr. Reece:

This is in response to your proposed temporary non-conforming use letter for Edward Rendon Park. The Texas Department of Transportation (TXDOT) proposes to construct new bridges for I-35 over Lady Bird Lake. Additionally, a separate pedestrian bridge will be constructed to connect the existing trail on the northern bank of Lady Bird Lake to the trail on the southern bank of Lady Bird Lake. Edward Rendon Park has received Land and Water Conservation Fund assistance and subsequently encumbered under project numbers 48-000450 and 48-001149.

The overall temporary non-conforming use area is estimated to be approximately 0.7-acres. The area is needed for construction access for large equipment such as cranes, drilling equipment, manlifts, and excavators. Equipment will use the space to access Lady Bird Lake and would also be parked in the allotted area. The project is tentatively planned to start in October 2024 and be completed within six months, by April 2025. These are preliminary dates, but the involved parties acknowledge the project will not exceed the six-month time frame. Restoration activities of the parkland will follow the six-month period of temporary non-conforming use.

After a thorough review and consideration, we have determined that the temporary use of the area for the I-35 bridge construction and the proposed timeline adequately meets the requirements of the Temporary Non-Conforming Uses policy and guidance, and therefore, we agree with your recommendation. Please notify this office the date construction or staging begins and consult with our office if the project exceeds the maximum allowed six (6) months or 180 days period.

Please contact either me at 303-969-2753 or via email brandon_pace@nps.gov if you become aware of any concerns with this project before it is completed. A conversion will result if the temporary use has not ceased after the maximum 6-month period.

Sincerely,

BRANDON PACE Digitally signed by BRANDON PACE
Date: 2023.03.17 08:59:43 -06'00'

Brandon Pace
Acting Regional Compliance Officer Team Leader
Land and Water Conservation Fund Program

Coordination between COA and TxDOT on protected lands (as of 4/25/23)

Number	Date	Organizations Represented	Agenda Topics for the I-35 Capital Express Central Project
1	12/17/2020	City of Austin, TxDOT	Half-day workshop focused on parkland adjacent to I-35; Section 4(f), Section 6(f) and Chapter 26 process and requirements; current project schedule; potential existing and future parkland impacts (physical and recreation experience disruptions); mitigation considerations
2	3/8/2021	City of Austin, TxDOT	Update of Section 6(f)/Texas Parks & Wildlife Department Coordination at Lady Bird Lake; Introduction to overall project to be covered at next meeting
3	3/22/2021	City of Austin, TxDOT	Project overview & schedule; Public Scoping Meeting #2; Walk-through of adjacent existing parkland; Section 6(f) Introduction; Update on Section 6(f)/Texas Parks & Wildlife Department Coordination at Lady Bird Lake
4	4/5/2021	City of Austin, TxDOT	Continued Section 6(f) Discussion; Initial Section 6(f) email and information package sent to COA; Texas Parks & Wildlife Department Coordination at Lady Bird Lake
5	4/19/22	City of Austin, TxDOT	Continued Section 6(f) Discussion; Initial Section 6(f) email and information package sent on 4/15/21 to TPWD; Texas Parks & Wildlife Department Coordination at Lady Bird Lake
6	5/3/2021	City of Austin, TxDOT	Section 6(f) update on TPWD coordination
7	6/2/2021	City of Austin, TxDOT	New Vietnam Veterans Monument; Norwood Park; Project Connect (Blue Line)
8	7/12/2021	City of Austin, TxDOT	Parkland at Lady Bird Lake and SUP connections; The Trail Foundation – timing of transition to take over maintenance and operations of Lady Bird Lake trail system
9	7/26/2021	City of Austin, TxDOT	Parkland at Lady Bird Lake, SUP connections and temporary construction impacts; Palm Park; The Trail Foundation – timing of transition to take over maintenance and operations of Lady Bird Lake trail system;
10	8/23/2021	City of Austin, TxDOT	Highway Redesign Aesthetics and Community Involvement; TxDOT's responsibilities for SUP/trail connections; parkland at I-35/Lady Bird Lake, shared-use path connections, and temporary construction impacts; proposed design and possible ROW needs at Palm Park; The Trail Foundation Coordination update
11	9/20/2021	City of Austin, TxDOT	Update on I-35 Redesign Aesthetics Process; Continue to discuss parkland at I-35/Lady Bird Lake; Continue to discuss the proposed design/potential frontage road shift and possible ROW needs at Palm Park; The Trail Foundation Coordination update; Status of Parkland Dedications
12	10/18/2021	City of Austin, TxDOT	SUP connections update; Construction staging/access
13	11/1/2021	City of Austin, TxDOT	U-turn under I-35 at Lady Bird Lake; The Trail Foundation – Possible Management Transition of the Ann and Roy Butler Hike and Bike Trail; Maintenance Agreement with COA; SUP connections update; Continue to explore construction staging/access options; Parks Dedication – Northwest Greenway and Southwest Greenway

Number	Date	Organizations Represented	Agenda Topics for the I-35 Capital Express Central Project
14	11/15/2021	City of Austin, TxDOT	Upcoming surveys and coordination of dates; U-turn at I-35/Lady Bird Lake; The Trail Foundation – Management Transition of the Ann and Roy Butler Hike and Bike Trail
15	12/13/2021	City of Austin, TxDOT	I-35 at Riverside – Capital Express Central and Blue Line; COA-TxDOT Agreement for the area under I-35 at Lady Bird Lake; Future plans for agreements with COA Departments; U-turn at I-35/Lady Bird Lake – parking spaces; Confirm the boundaries of Norwood Park; Confirm the boundaries of the International Shores at Town Lake Metropolitan Park near I-35/Riverside
16	1/10/2022	City of Austin, TxDOT	I-35 at Riverside – Capital Express Central and Blue Line; Section 6(f) Coordination with TPWD; Underpass areas that could be used for recreational amenities
17	2/7/2022	City of Austin, TxDOT	Norwood Park; Update from CapMetro Blue Line Team Coordination Meeting; Gain a better understanding of the COA's mitigation requests; Update on construction staging options; Possible mitigation opportunity – leave new channel at Fiesta Gardens Lagoon
18	3/7/2022	City of Austin, TxDOT	Design update and needs for construction staging/access near I-35/Lady Bird Lake; Norwood Park; Construction phasing approach; Section 4(f) and Section 6(f) process; ROW acquisition vs. temporary use; Possible construction staging/access areas and anticipated durations Multiple Use Agreement related to parking; The Pillars Project status
19	4/18/2022	City of Austin, TxDOT	Discuss possible 1977 MUA update; I-35 at Lady Bird Lake bridge runoff
20	6/13/2022	City of Austin, TxDOT	Discuss East Avenue and the park boundaries; Use of Section 6(f) protected parkland for construction staging and access; Priorities for a replacement property for the conversion within Waller Beach at Town Lake Metro Park
21	7/11/2022	City of Austin, TxDOT	Update on coordination on MOU/MMA for the SUP connection at I-35/Lady Bird Lake; Use of Section 6(f) protected parkland for construction staging and access; Joint Real Estate Meeting with COA, TxDOT and CapMetro focused on a replacement property
22	8/8/2022	City of Austin, TxDOT	Use of Section 6(f) protected parkland for construction staging and access; Edward Rendon Sr. Metro Park - Temporary Non-Conforming Use Request; Walk-through need for area adjacent to I-35 and how it would be used during construction; Review Impacts to Trees; Discuss comments on temporary non-conforming use request; Waller Beach at Town Lake Metro Park – Conversion Request; Replacement Property Options; Appraisals on Section 6(f) protected parkland (I-35/Lady Bird Lake – NW and NE) underway
23	8/22/2022	City of Austin, TxDOT	Overview of Section 4(f) Process and Agency Coordination Steps; Parkland being addressed in the Individual Section 4(f) Evaluation supporting the CapEx-Central EIS
24	10/3/2022	City of Austin, TxDOT	Review current understanding of potential impacts to Section 4(f) Protected Areas

Number	Date	Organizations Represented	Agenda Topics for the I-35 Capital Express Central Project
25	10/31/22	City of Austin, TxDOT	Continue to review current understanding of potential impacts to Section 4(f) Protected Areas
26	12/12/22	City of Austin, TxDOT	Discuss mitigation requested by the City of Austin and the commitments that TxDOT plans to make in the Draft EIS
27	4/3/23	City of Austin, TxDOT	Discussed comments received on Draft EIS related to parkland and possible bat boxes on the I-35 pedestrian bridge over Lady Bird Lake
28	6/12/23	City of Austin, TxDOT	Discussed changes in 4(f) mitigation and design elements of the bike/ped trail overlook and staircases.

From: [Sonya Hernandez](#)
To: rebecca_collins@ios.doi.gov; environmental_review@ios.doi.gov
Cc: [Tricia Bruck-Hoyt-C](#); [Angela McMurray-C](#); [Scott Ford](#); [Patrick Lee](#); [Valentine, Shane](#); [Lindsey Kimmitt](#); [Tommy Abrego](#)
Subject: I-35 Capital Express Central Project - Draft EIS and Individual Section 4(f)
Date: Wednesday, May 3, 2023 2:56:00 PM
Attachments: [DeptofInterior_Rebecca_Email_20230307_ER-23-006_I35_Capital_Express_Central_Project_DOI_Comment_Ltr.pdf](#)

Good afternoon,

On December 29, 2022, TxDOT circulated a combined notice of availability and public hearing for the I-35 Capital Express Central Draft EIS, which included an Individual Section 4(f) analysis. The official agency and public review and comment period began on January 5, 2023 and concluded on March 7, 2023.

By letter dated March 7, 2023 (attached) the Department of Interior (DOI) indicated that DOI reviewed the DEIS. DOI's March 7, 2023 letter did not indicate any comments on the individual 4(f) evaluation.

We just wanted to circle back to confirm that DOI does not have any comments on the individual Section 4(f). Please let us know if DOI had any comments on the Individual Section 4(f) evaluation.

Please feel free to reach out if you have any questions.

Thank you,

Sonya Hernandez

Sonya Y. Hernandez, P.G.
Environmental Program Manager
Austin District
Texas Department of Transportation

Sonya.Hernandez@txdot.gov

Mobile Phone: 512-649-6478

Office Phone: 512-832-7096



United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
1001 Indian School Road NW, Suite 348
Albuquerque, New Mexico 87104

Electronic Submittal Only
ER 23/0006

March 7, 2023

Doug Booher
Director of Environmental Affairs
Texas Department of Transportation
125 East 11th Street
Austin, TX 78701

Subject: Comments on the I-35 Capital Express Central Project, Travis County, Texas,
Draft Environmental Impact Statement

Dear Mr. Booher:

The Department of the Interior (Department) has reviewed the I-35 Capital Express Central Project Draft Environmental Impact Statement (DEIS). We understand the purpose and need of this project is to adequately accommodate the current and future travel demand between the US 290 East and the US 290 West/State Highway 71 corridor and meet the current federal and state design standards. This project would improve the corridor by enhancing safety, addressing demand by prioritizing the movement of people, goods, and services, 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. The alternatives analyzed in the DEIS consist of the No Build Alternative, the Build Alternative 2, and the Modified Build Alternative 3. The Modified Build Alternative 3 has been identified as the Preferred Alternative.

We welcome this opportunity to cooperate with the Federal Highway Administration (FHWA) and the Texas Department of Transportation (TxDOT) and offer the following comments for your consideration.

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The proposed road project will impact Land and Water Conservation Fund (LWCF) assisted sites the Edward Rendon Sr. Park and the Waller Beach Park area located between I-35 and the Lady

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INTERIOR REGION 6 • ARKANSAS-RIO GRANDE-TEXAS-GULF
INTERIOR REGION 7 • UPPER COLORADO-BASIN*

Bird Lake, referred to as 6(f) properties. The EIS should include alternatives considered for proposed replacement, mitigation site and an analysis of the impacts. The EIS should also include Section 106 of the National Historic Preservation Act (NHPA) tribal outreach and consultation and Section 7 of the Endangered Species Act (ESA) impacts, if any for the affected 6(f) areas.

The Department has a continuing interest in working with the FHWA and TxDOT to ensure that impacts to resources of concern to the Department are adequately addressed. For matters related to NPS comments, please contact Karen Skaar at karen_skaar@nps.gov.

If you have any questions for the Department or need assistance, please contact me at 720-814-6167, or rebecca_collins@ios.doi.gov.

Sincerely,

Rebecca Collins
Regional Environmental Officer
Office of Environmental Policy and Compliance

Cc: Karen Skaar, National Park Service, karen_skaar@nps.gov
Roxanne Runkell, National Park Service, roxanne_runkel@nps.gov

Tricia Bruck-Hoyt-C

From: Sonya Hernandez
Sent: Thursday, May 4, 2023 2:20 PM
To: rebecca_collins@ios.doi.gov; environmental_review@ios.doi.gov
Cc: Tricia Bruck-Hoyt-C; Angela McMurray-C; Scott Ford; Patrick Lee; Valentine, Shane; Lindsey Kimmitt; Tommy Abrego
Subject: RE: I-35 Capital Express Central Project - Draft EIS and Individual Section 4(f)
Attachments: DeptofInterior_Rebecca_Email_20230307_ER-23-006_I35 Capital Express Central Project_DOI Comment Ltr.pdf

Good afternoon,

I thought I'd follow up on the email I sent yesterday to provide you with a link to the document, in case you need to look it over for reference.

The summary of the Individual Section 4(f) analysis is in DEIS Section 3.9.1 and the full Individual Section 4(f) analysis report can be found in Appendix M.

[I-35 Capital Express Central Project – Draft Environmental Impact Statement and Public Hearing Materials – Capital Express \(my35capex.com\)](#)

Thank you,

Sonya Hernandez

Sonya Y. Hernandez, P.G.
Environmental Program Manager
Austin District
Texas Department of Transportation

Sonya.Hernandez@txdot.gov

Mobile Phone: 512-649-6478

Office Phone: 512-832-7096

From: Sonya Hernandez
Sent: Wednesday, May 3, 2023 2:56 PM
To: rebecca_collins@ios.doi.gov; environmental_review@ios.doi.gov
Cc: Tricia Bruck-Hoyt-C <TBRUCK-C@txdot.gov>; Angela McMurray-C <AMCMUR-C@txdot.gov>; Scott Ford <Scott.Ford@txdot.gov>; Patrick Lee <Patrick.Lee@txdot.gov>; (Shane.Valentine@hdrinc.com) <shane.valentine@hdrinc.com>; Lindsey Kimmitt <Lindsey.Kimmitt@txdot.gov>; Tommy Abrego <Tommy.Abrego@txdot.gov>
Subject: I-35 Capital Express Central Project - Draft EIS and Individual Section 4(f)

Good afternoon,

On December 29, 2022, TxDOT circulated a combined notice of availability and public hearing for the I-35 Capital Express Central Draft EIS, which included an Individual Section 4(f) analysis. The official agency and public review and comment period began on January 5, 2023 and concluded on March 7, 2023.

By letter dated March 7, 2023 (attached) the Department of Interior (DOI) indicated that DOI reviewed the DEIS. DOI's March 7, 2023 letter did not indicate any comments on the individual 4(f) evaluation.

We just wanted to circle back to confirm that DOI does not have any comments on the individual Section 4(f). Please let us know if DOI had any comments on the Individual Section 4(f) evaluation.

Please feel free to reach out if you have any questions.

Thank you,

Sonya Hernandez

Sonya Y. Hernandez, P.G.
Environmental Program Manager
Austin District
Texas Department of Transportation

Sonya.Hernandez@txdot.gov

Mobile Phone: 512-649-6478

Office Phone: 512-832-7096

From: [Sonya Hernandez](#)
To: [Justin Kockritz](#)
Cc: [Tricia Bruck-Hoyt-C](#); [Angela McMurray-C](#); [Patrick Lee](#); [Lindsey Kimmitt](#); [Scott Ford](#); [Rebekah Dobrasko](#); [Valentine, Shane](#)
Subject: I-35 Capital Express Central Project - Draft EIS and Individual Section 4(f)
Date: Thursday, May 4, 2023 3:23:03 PM

Good afternoon,

On December 29, 2022, TxDOT circulated a combined notice of availability and public hearing for the I-35 Capital Express Central Draft EIS, which included an Individual Section 4(f) analysis. The official agency and public review and comment period began on January 5, 2023 and concluded on March 7, 2023.

We would like to thank the Texas Historical Commission (THC) for the agency's coordination with TxDOT under the Section 106 process during the development of the Draft EIS and acknowledge our coordination with your agency, as Officials with Jurisdiction, of the Individual Section 4(f) analysis. We did not receive formal comments from the THC on the Section 4(f) analysis during the review and comment period but we did received the THC's request to review an updated analysis after the public hearing, which would include more information on proposed mitigation for historical resources.

We wanted to take this opportunity to document your request and to provide you with the link of the current location of the Draft Individual Section 4(f) document on our project website, for your reference, until we can follow up on your request. The summary of the analysis is in DEIS Section 3.9.1 and the full Individual Section 4(f) analysis report can be found in Appendix M.

[I-35 Capital Express Central Project – Draft Environmental Impact Statement and Public Hearing Materials – Capital Express \(my35capex.com\)](#)

Please feel free to reach out if you have any questions.

Thank you,

Sonya Hernandez

Sonya Y. Hernandez, P.G.
Environmental Program Manager
Austin District
Texas Department of Transportation

Sonya.Hernandez@txdot.gov

Mobile Phone: 512-649-6478

Office Phone: 512-832-7096

From: [Sonya Hernandez](#)
To: Heidi@thetrailconservancy.org
Cc: [Tricia Bruck-Hoyt-C](#); [Angela McMurray-C](#); [Lindsey Kimmitt](#); [Patrick Lee](#); [Scott Ford](#); [Valentine, Shane](#)
Subject: I-35 Capital Express Central Project - Draft EIS and Individual Section 4(f)
Date: Thursday, May 4, 2023 2:17:50 PM

Good afternoon,

On December 29, 2022, TxDOT circulated a combined notice of availability and public hearing for the I-35 Capital Express Central Draft EIS, which included an Individual Section 4(f) analysis. The official agency and public review and comment period began on January 5, 2023 and concluded on March 7, 2023.

TxDOT circulated the notice to the Officials with Jurisdiction over the City of Austin parks (City of Austin Parks and Recreation Department or COA PARD). We understand that the Trail Conservancy has an agreement with COA regarding the maintenance of some of the City's trails, including sections of the Ann and Roy Butler Hike and Bike Trail, and that the City has been coordinating directly with the Trail Conservancy on Capital Express Central's potential impacts to the park and trail system. We also understand that the Trail Conservancy has been coordinating with the TxDOT project team regarding agreements for detours to the trail during construction and restoration of the trail after construction.

During the DEIS review and comment period, we did not receive any comments from the Trail Conservancy on the Individual Section 4(f) analysis, which includes an analysis of potential impacts to park and recreation areas. We just wanted to circle back to confirm that the Trail Conservancy does not have any comments on the individual Section 4(f) aside from the input the Trail Conservancy has provided directly to the TxDOT Project Team during coordination meetings.

For reference, the summary of the analysis is in DEIS Section 3.9.1 and the full Individual Section 4(f) analysis report can be found in Appendix M.

[I-35 Capital Express Central Project – Draft Environmental Impact Statement and Public Hearing Materials – Capital Express \(my35capex.com\)](#)

Please feel free to reach out if you have any questions.

Thank you,
Sonya Hernandez

Sonya Y. Hernandez, P.G.
Environmental Program Manager
Austin District
Texas Department of Transportation

Sonya.Hernandez@txdot.gov

Mobile Phone: 512-649-6478

Office Phone: 512-832-7096



The Trail Conservancy

BOARD OF DIRECTORS

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SECRETARY

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DESIGN WORKSHOP
CHAIR ELECT

Zach Hunter
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PAST CHAIR

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CARA CAULKINS
COMMUNICATIONS

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TBG PARTNERS

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TEXAS EDUCATION AGENCY

Lisa Fritsch
DELL TECHNOLOGIES

Sandra Gonzalez
HID GLOBAL

Matt Harriss
BUTLER FAMILY INTERESTS

Ashley Jones
AQUILA COMMERCIAL

Kevin Lanza
UTHEALTH SCHOOL OF
PUBLIC HEALTH

Mike Marin
BOULETTE GOLDEN
& MARIN LLP

Jim Matoushek

Muna Mitchell
FREESE AND NICHOLS

Chris Ragland
RAGLAND HOLDINGS LLC

Brad Stein
INTRACORP

Scott Thomas
CIRRUS LOGIC, INC

Chris Whitaker
HORIZON BANK

MEMO

May 15, 2023

TO: Sonya Y. Hernandez, P.G., Environmental Program Manager, Austin District,
Texas Department of Transportation

FROM: The Trail Conservancy Board of Directors

RE: TTC Comments on TxDOT's Draft Environmental Impact Statement on the I-35
Capital Express Central Project From US 290 East to US 290 West/SH 71

General Comments

The Trail Conservancy (TTC) is a 501(c)(3) non-profit organization whose mission is to protect, enhance, and connect the Ann and Roy Butler Hike-and-Bike Trail for the benefit of all. TTC was established in 2003 as the Town Lake Trail Foundation, which in turn was created to further the historic efforts set forth by the Citizens Committee in 1971.

Through a June 2022 Park Operations and Maintenance Agreement, the Austin Parks and Recreation Department (PARD) transferred to TTC the primary day-to-day stewardship of Town Lake Metropolitan Park and the Butler Trail. Thus, it falls primarily to TTC to respond to the impacts the I-35 project—as well as the construction of the project—will have on the Trail. **We therefore request that TxDOT include TTC in all its future coordination and communication efforts regarding the Butler Trail and Town Lake Metropolitan Park related to this project.**

Further, in many places throughout the DEIS (particularly in Appendix M), TxDOT refers to the Trail being “15 miles” in length (see e.g., Appendix M § 3.1.1, at p. 10). This is inaccurate. The Butler Trail is 10.2 miles.

Comments Specific to Section 4(f) – Mitigation of Adverse Impacts / Minimizing Harm

Trail Closures

The DEIS and Appendix M state that there will be periods where the Trail may need to be closed for a few hours at a time. The documents, and slide presentations made to TTC staff, also state that up to 3 times per year throughout the 6-year duration of the project TxDOT would need to close the Trail for as long as 3 to 7 days at a time.



The Trail Conservancy

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- TTC has concerns regarding both brief (hours-long) and longer closures. Currently, over 5 million people use the Trail annually, and that number is constantly growing. Because it is a city park, the Trail is closed from 10 PM to 5 AM every day. During the open hours of 5 AM to 10 PM, even a short closure has a major impact on park visitors' ability to use the Trail. TTC therefore requests that TxDOT take all possible steps to avoid **any** closure during the Trail's normal operating hours. Where that is not possible, TTC urges TxDOT to take all reasonable steps to confine any closures to the hours at the "edges" of the open times (e.g., 9-10 PM or 5-6 AM).

- TTC's understanding is that one of the locations that might be closed for either hours or days at a time is the Boardwalk portion of the Trail on the south side of Lady Bird Lake. **A closure here is of great concern.** This section of the Trail was added in 2012—at a cost of \$28 million—to remedy the fact that there was no property on adjacent land suitable for a trail, so for years there was a gap in the Trail over this stretch. As a result, joggers and cyclists had to divert to the narrow sidewalk on Riverside Drive between the former site of the Austin American Statesman all the way to International Shores—a distance of over a mile—on a busy street with numerous street crossings (including the frontage roads of I-35). As mentioned in the next section (Trail Detours), if this portion of the Boardwalk were to be closed TTC does not believe that—using existing infrastructure—there is a viable, safe detour available. The lack of a suitable detour would mean that a closure of the south Boardwalk would amount to a de facto closure of over a mile of the Trail. Accordingly, TTC requests that TxDOT take all possible steps to avoid complete closures of this portion of the Trail during construction.

Trail Detours

- As just mentioned, the detour shown on the south side of Lady Bird Lake in Exhibit A to Appendix M is problematic. First, as depicted on the map, the detour is incomplete, as it shows that users would be diverted off the trail at Blinn Creek to Riverside Drive, across the intersection of the I-35 feeder lanes, to an undetermined point east of I-35. (There is no depiction of how users would be directed back and forth between Riverside Drive east of the highway and the Trail at International Shores.)

- Regardless, even with a completed connection back to the Trail, any such detour is extremely problematic, as mentioned in the previous section. The sidewalk on Riverside Drive is simply too narrow to safely accommodate the volume of Trail traffic, and there are far too many intersections (some controlled, some not) to safely move trail users across.



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- The detour on the north shore of the Lake at Waller Beach that is shown in Exhibit A to Appendix M has the Trail traffic crossing East Avenue. TTC requests that TxDOT relocate this detour to the south side of East Avenue so that the detoured traffic does not have to cross East Avenue. (TTC has raised this issue in recent conversations with TxDOT representatives, and believes this change has already been made. TTC raises it here simply to ensure it is recorded.)

Trees

In a number of places, the DEIS indicates (under the heading of “Permanent” impacts) that numerous trees would be removed from impacted parkland. Specifically, in Appendix M at Table 1 (“Park Impacts Summary”) the following removals are noted:

Location	Number of Trees
International Shores	“Exact count of impacted trees is not known at this time.”
Edward Rendon Park	“Six pecan trees (23 to 32 inches DBH) would be removed.”
Waller Beach Park	“One tree would be removed: Bald cypress with a DBH of 29 inches.”

- TTC requests that TxDOT consider all options that would allow trees to remain in their current locations throughout construction.
- If protecting a tree during construction is not possible and removal is the only option, then TTC requests that, rather than cutting the trees down, TxDOT relocate the trees to other Trail locations in coordination with TTC/PARD.

Relatedly, with regard to trees, the DEIS proposes (in Table 5 of Appendix M) as a mitigation measure the following:

“Tree mitigation will be paid in fee to COA rather than new tree plantings. Prior to construction, a tree survey consistent with the COA Section 3 of the COA Environmental Criteria Manual for tree and natural area protection will be performed to gauge the health and quality of the trees proposed to be impacted. This will inform discussions on the total monies paid in fee to PARD for tree mitigation.”



The Trail Conservancy

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- To the extent this path is taken, TTC requests that it be included in any such discussions, given that it likely will fall to TTC to replant or otherwise mitigate tree impacts in the affected parkland.

Parkland Restoration

The DEIS notes in several places that after construction is completed in the impacted portions of Town Lake Metropolitan Park, TxDOT will restore the parkland. As just one example, in Appendix M Table 5 (“Minimizing Harm/Mitigation of Adverse Impacts”), it states with regard to

Butler Trail as a whole:

“Any damage caused by construction equipment during construction to the existing trails will be repaired and all trails will be returned to their original conditions after the full duration of construction. All detour routes will be removed and grounds will be returned to their original conditions unless COA requests that the detour trail routes remain in place.”

The same theme is repeated throughout the DEIS. On the issue of restoration of parkland, TTC offers the following comment.

- TTC requests that all details of the post-construction restoration of parkland in Town Lake Metropolitan Park be coordinated with TTC (as well as PARD in the event PARD so desires).

Temporary Easements

In two of the impacted areas (specifically International Shores and Edward Rendon Park) the DEIS (at Table 5 of Appendix M) states, respectively:

Temporary Easement:

Financial compensation for the 1.5-year temporary use of the 0.6 acre will be paid to COA PARD. Compensation will be based on appraisal.

Temporary Easement:

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



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- With regard to both of these easements, TTC requests that, along with PARD, it be included in any discussions or negotiations regarding compensation for the temporary easements, as TTC will likely be the entity incurring the costs of these disruptions.

Related Issues with regard to Section 6(f) Parkland at Waller Beach

On the portion of Waller Beach that will be condemned under Section 6(f), TxDOT representatives have assured TTC that after construction is complete, TxDOT will restore this land to its original condition, and will allow the Trail to continue to cross this area as it currently does.^[1]

- TTC requests that in the FEIS TxDOT explicitly confirm this, and addresses the legal mechanism (easement, license, MUA) that will allow for this.

On a related issue, the DEIS (at Appendix M, p. 23) states the following:

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

Because the space under I-35 on the north side of Lady Bird Lake is contiguous to the Waller Beach parkland that will be taken under Section 6(f), and because the Trail currently crosses the ROW under I-35 just as it crosses the Waller Beach property, the very same issues regarding the Trail being able to remain on Waller Beach after construction are also presented in the ROW under I-35.

- TTC requests that TTC be included in all conversations regarding any revised MUA between TxDOT and the City of Austin regarding this ROW. TTC further requests that any such discussions be combined with conversations on how TxDOT’s agreement that the Trail may continue to cross the condemned portion of Waller Beach should be documented.



The Trail Conservancy

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space to be significantly upgraded from its existing condition. Given that this space is effectively (though not legally) “part of the Trail” it makes sense for the space to better approximate the aesthetics of the surrounding parkland and TTC would like to work with TxDOT to accomplish this.

^[1] TxDOT, the City of Austin and TTC are in discussions on the separate issue of identifying land to replace the portion of Waller Beach that will be condemned. These comments and do not address that issue.



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July 26, 2023

The Trail Conservancy (TTC) Board of Directors
P.O. Box 6332
Austin TX 78762

Re: Response to The Trail Conservancy Comments on the I-35 Capital Express Central (I-35 from US 290 East to US 290 West/SH 71) Draft Environmental Impact Statement and individual Section 4(f) evaluation

Dear The Trail Conservancy Board of Directors:

The Texas Department of Transportation (TxDOT) has reviewed the comments submitted on May 15, 2023 by The Trail Conservancy (TTC) on the I-35 Capital Express Central Draft Environmental Impact Statement (EIS) and individual Section 4(f) evaluation. Thank you so much for your time, questions, and thoughtful comments. The following memo is an explanation of when (and why) certain elements of the proposed mitigation can or cannot be included in the proposed project. The Trail Conservancy's comments and TxDOT responses are included in Attachment A. TxDOT will continue to communicate with TTC and with the City of Austin Parks and Recreation Department (COA-PARD) as project development continues.

General Comments

Thank you for this clarification on the length of the Butler Trail, TxDOT will represent the length as approximately 10 miles in the Final EIS.

Comments Specific to Section 4(f) – Mitigation of Adverse Impacts/Minimizing Harm

Trail Closures

Thank you for this clarification, TxDOT will update the trail closure information regarding frequency and duration in the Final EIS.

TxDOT will, as practicable, utilize nighttime hours for trail closures needed during construction when the park is not accessible to the public. To the extent practicable, short trail closures will be limited to the edges of the Boardwalk and Trail night closures based on the need of construction activity. All closures will be communicated in advance.

Trail Detours

TxDOT would like to work with TTC to find the best pedestrian detour. Please provide input on a suitable detour starting point, ending point, and possible accessibility and safety improvements that will minimize impacts during construction.

The new western Lady Bird Lake pedestrian bridge and new Riverside bridge are in the first phases of the Project and will eliminate the existing narrow sidewalks for majority of the project's detours.

In response to TTC's feedback, TxDOT will relocate the trail detour to parallel to the south side of East Ave.

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Trees

The proposed new permanent park amenities were laid out in collaboration with COA-PARD. Temporary facilities were located to in an effort to minimize impacts to the largest trees.

TxDOT has consulted with arborists, including arborists with COA-PARD, in the past regarding the relocation of trees. In their opinion, relocation of fully mature trees is not the best use of resources because the trees have largely reached the end of their functional life and the success of relocation is very costly and not guaranteed. Rather, the arborists suggest using funds to plant more trees, to off-set the impacts of removing a small number of mature trees.

Comments related to Section 6(f) Parkland at Waller Beach

The trail between Waller Beach at Town Lake Metro Park and Edward Rendon Sr. Metro Park at Festival Beach, would be restored under I-35 following completion of the construction phase.

Thank you for your comments and ongoing partnership though this process. We look forward to ongoing discussion with TTC throughout this project.

Sincerely,



Brandon Hobbs
Environmental Specialist
TxDOT Austin District

Attachment A

I-35 Capital Express Central Project (I-35 from US 290E to SH71): The Trail Conservancy Comments and TxDOT Responses

Number	Comment Subject	Comment	Response
1	General Comment	The Trail Conservancy (TTC) is a 501(c)(3) non-profit organization whose mission is to protect, enhance, and connect the Ann and Roy Butler Hike-and-Bike Trail for the benefit of all. TTC was established in 2003 as the Town Lake Trail Foundation, which in turn was created to further the historic efforts set forth by the Citizens Committee in 1971.	n/a
2	General Comment	<p>Through a June 2022 Park Operations and Maintenance Agreement, the Austin Parks and Recreation Department (PAR) transferred to TTC the primary day-to-day stewardship of Town Lake Metropolitan Park and the Butler Trail. Thus, it falls primarily to TTC to respond to the impacts the I-35 project—as well as the construction of the project—will have on the Trail.</p> <p>We therefore request that TxDOT include TTC in all its future coordination and communication efforts regarding the Butler Trail and Town Lake Metropolitan Park related to this project.</p>	TxDOT will continue to communicate with the COA-PARD and The Trail Conservancy as this project moves forward.
3	General Comment	Further, in many places throughout the DEIS (particularly in Appendix M), TxDOT refers to the Trail being “15 miles” in length (see e.g., Appendix M § 3.1.1, at p. 10). This is inaccurate. The Butler Trail is 10.2 miles.	The length of the Trail will be revised to approximately 10 miles.
4	Trail Closures	The DEIS and Appendix M state that there will be periods where the Trail may need to be closed for a few hours at a time. The documents, and slide presentations made to TTC staff, also state that up to 3 times per year throughout the 6-year duration of the project TxDOT would need to close the Trail for as long as 3 to 7 days at a time.	The EIS and Appendix M will be updated to accurately reflect the trail closures needs during construction.
5	Trail Closures	TTC has concerns regarding both brief (hours-long) and longer closures. Currently, over 5 million people use the Trail annually, and that number is constantly growing. Because it is a city park, the Trail is closed from 10 PM to 5 AM every day. During the open hours of 5 AM to 10 PM, even a short closure has a major impact on park visitors’ ability to use the Trail. TTC therefore requests that TxDOT take all possible steps to avoid any closure during the Trail’s normal operating hours. Where that is not possible, TTC urges TxDOT to take all reasonable steps to confine any closures to the hours at the “edges” of the open times (e.g., 9-10 PM or 5-6 AM).	Concur. TxDOT will, as practicable, utilize the nighttime hours when the park is not accessible to the public. To the extent practicable, short closures will be limited to the edges of the Boardwalk and Trail night closures based on the need of construction activity. All closures will be communicated to the COA-PARD and The Trail Conservancy in advance.
6	Trail Closures	TTC’s understanding is that one of the locations that might be closed for either hours or days at a time is the Boardwalk portion of the Trail on the south side of Lady Bird Lake. A closure here is of great concern. This section of the Trail was added in 2012—at a cost of \$28 million—to remedy the fact that there was no property on adjacent land suitable for a trail, so for years there was a gap in the Trail over this stretch. As a result, joggers and cyclists had to divert to the narrow sidewalk on Riverside Drive between the former site of the Austin American Statesman all the way to International Shores—a distance of over a mile—on a busy street with numerous street crossings (including the frontage roads of I-35). As mentioned in the next section (Trail Detours), if this portion of the Boardwalk were to be closed TTC does not believe that—using existing infrastructure—there is a viable, safe detour available. The lack of a suitable detour would mean that a closure of the south Boardwalk would amount to a de facto closure of over a mile of the Trail. Accordingly, TTC requests that TxDOT take all possible steps to avoid complete closures of this portion of the Trail during construction.	Concur. TxDOT will, as practicable, utilize the nighttime hours when the park is not accessible to the public, but closing public spaces like the Boardwalk and Ann & Roy Butler Trail is sometimes necessary to ensure the safety of its users. All closures will be communicated to the COA-PARD and The Trail Conservancy in advance.
7	Trail Detours	As just mentioned, the detour shown on the south side of Lady Bird Lake in Exhibit A to Appendix M is problematic. First, as depicted on the map, the detour is incomplete, as it shows that users would be diverted off the trail at Blinn Creek to Riverside Drive, across the intersection of the I-35 feeder lanes, to an undetermined point east of I-35. (There is no depiction of how users would be directed back and forth between Riverside Drive east of the highway and the Trail at International Shores.)	We would like to work with The Trail Conservancy to find the best pedestrian detour. Please provide input on a suitable detour starting point, ending point, and possible accessibility and safety improvements that will minimize impacts during construction.

Number	Comment Subject	Comment	Response
8	Trail Detours	Regardless, even with a completed connection back to the Trail, any such detour is extremely problematic, as mentioned in the previous section. The sidewalk on Riverside Drive is simply too narrow to safely accommodate the volume of Trail traffic, and there are far too many intersections (some controlled, some not) to safely move trail users across.	The new western Lady Bird Lake pedestrian bridge and new Riverside bridge are in the first phases of the Project and will eliminate the existing narrow sidewalks for majority of the project's detours. We would like to work with The Trail Conservancy to find the best pedestrian detour. Please provide input on a suitable detour starting point, ending point, and possible accessibility and safety improvements that will minimize impacts during construction.
9	Trail Detours	The detour on the north shore of the Lake at Waller Beach that is shown in Exhibit A to Appendix M has the Trail traffic crossing East Avenue. TTC requests that TxDOT relocate this detour to the south side of East Avenue so that the detoured traffic does not have to cross East Avenue. (TTC has raised this issue in recent conversations with TxDOT representatives, and believes this change has already been made. TTC raises it here simply to ensure it is recorded.)	Concur. TxDOT will relocate the detour to parallel to the south side of East Ave.
10	Trees	TTC requests that TxDOT consider all options that would allow trees to remain in their current locations throughout construction.	The new permanent park amenities were laid out with COA-PARD. Temporary facilities were located to minimize impacts to the largest trees.
11	Trees	If protecting a tree during construction is not possible and removal is the only option, then TTC requests that, rather than cutting the trees down, TxDOT relocate the trees to other Trail locations in coordination with TTC/PARD.	TxDOT has consulted with arborists, including arborists with COA-PARD, in the past regarding the relocation of trees. In their opinion, relocation of fully mature trees is not the best use of resources because the trees have largely reached the end of their functional life and the success of relocation is very costly and not guaranteed. Rather, the arborists suggest using funds to plant more trees, to off-set the impacts of removing a small number of mature trees.
12	Trees	<p>Relatedly, with regard to trees, the DEIS proposes (in Table 5 of Appendix M) as a mitigation measure the following:</p> <p>"Tree mitigation will be paid in fee to COA rather than new tree plantings. Prior to construction, a tree survey consistent with the COA Section 3 of the COA Environmental Criteria Manual for tree and natural area protection will be performed to gauge the health and quality of the trees proposed to be impacted. This will inform discussions on the total monies paid in fee to PARD for tree mitigation."</p> <p>To the extent this path is taken, TTC requests that it be included in any such discussions, given that it likely will fall to TTC to replant or otherwise mitigate tree impacts in the affected parkland.</p>	TxDOT will continue to communicate with the COA-PARD and The Trail Conservancy as this project moves forward.
13	Parkland Restoration	<p>The DEIS notes in several places that after construction is completed in the impacted portions of Town Lake Metropolitan Park, TxDOT will restore the parkland. As just one example, in Appendix M Table 5 ("Minimizing Harm/Mitigation of Adverse Impacts"), it states with regard to Butler Trail as a whole:</p> <p>"Any damage caused by construction equipment during construction to the existing trails will be repaired and all trails will be returned to their original conditions after the full duration of construction. All detour routes will be removed and grounds will be returned to their original conditions unless COA requests that the detour trail routes remain in place."</p> <p>The same theme is repeated throughout the DEIS. On the issue of restoration of parkland, TTC offers the following comment.</p>	n/a

Number	Comment Subject	Comment	Response
14	Parkland Restoration	TTC requests that all details of the post-construction restoration of parkland in Town Lake Metropolitan Park be coordinated with TTC (as well as PARD in the event PARD so desires) .	TxDOT will continue to communicate with the COA-PARD and The Trail Conservancy as this project moves forward.
15	Temporary Easements	In two of the impacted areas (specifically International Shores and Edward Rendon Park) the DEIS (at Table 5 of Appendix M) states, respectively:	n/a
16	Temporary Easements	Financial compensation for the 1.5-year temporary use of the 0.6 acre will be paid to COA PARD. Compensation will be based on appraisal.	n/a
17	Temporary Easements	Financial compensation for the 6-month temporary use of the 0.7 acre will be paid to COA PARD. Compensation will be based on appraisal.	n/a
18	Temporary Easements	TxDOT is not proposing mitigation in the form of waterfront improvements.	TxDOT will continue to communicate with the COA-PARD and The Trail Conservancy as this project moves forward regarding waterfront improvements.
19	Temporary Easements	With regard to both of these easements, TTC requests that, along with PARD, it be included in any discussions or negotiations regarding compensation for the temporary easements, as TTC will likely be the entity incurring the costs of these disruptions.	TxDOT will continue to communicate with the COA-PARD and The Trail Conservancy as this project moves forward.

Number	Comment Subject	Comment	Response
20	Related Issues with regard to Section 6(f) Parkland at Waller Beach	<p>On the portion of Waller Beach that will be condemned under Section 6(f), TxDOT representatives have assured TTC that after construction is complete, TxDOT will restore this land to its original condition, and will allow the Trail to continue to cross this area as it currently does.[Footnote 1]</p> <p>[Footnote 1] TxDOT, the City of Austin and TTC are in discussions on the separate issue of identifying land to replace the portion of Waller Beach that will be condemned. These comments and do not address that issue.</p>	n/a
21	Related Issues with regard to Section 6(f) Parkland at Waller Beach	<p>TTC requests that in the FEIS TxDOT explicitly confirm this, and addresses the legal mechanism (easement, license, MUA) that will allow for this.</p> <p>On a related issue, the DEIS (at Appendix M, p. 23) states the following:</p> <p>“The area underneath the I-35 bridge (within TxDOT ROW) adjacent to Edward Rendon Park currently provides parking for users of the park. The parking area would be removed during the construction of the proposed project and would remain permanently removed following the completion of the project. Although the parking lot is currently being used by park users, because it exists within TxDOT ROW it would not be considered parkland that is provided protection under Section 4(f). Details regarding the future use of the land under the I-35 bridge would be provided in a revised MUA between TxDOT and COA.”</p> <p>Because the space under I-35 on the north side of Lady Bird Lake is contiguous to the Waller Beach parkland that will be taken under Section 6(f), and because the Trail currently crosses the ROW under I-35 just as it crosses the Waller Beach property, the very same issues regarding the Trail being able to remain on Waller Beach after construction are also presented in the ROW under I-35.</p>	The trail between Waller Beach at Town Lake Metro Park and Edward Rendon Sr. Metro Park at Festival Beach, would be restored under I-35 following completion of the construction phase.
22	General Comment	TTC requests that TTC be included in all conversations regarding any revised MUA between TxDOT and the City of Austin regarding this ROW. TTC further requests that any such discussions be combined with conversations on how TxDOT’s agreement that the Trail may continue to cross the condemned portion of Waller Beach should be documented.	TxDOT will continue to communicate with the COA-PARD and The Trail Conservancy as this project moves forward.
23	General Comment	TTC further requests that TxDOT coordinate with TTC any restoration or repair work that is done to the ROW under I-35, as any such work will present the opportunity for that space to be significantly upgraded from its existing condition. Given that this space is effectively (though not legally) “part of the Trail” it makes sense for the space to better approximate the aesthetics of the surrounding parkland and TTC would like to work with TxDOT to accomplish this.	TxDOT will continue to communicate with the COA-PARD and The Trail Conservancy as this project moves forward.

**PROGRAMMATIC AGREEMENT
AMONG
THE TEXAS DEPARTMENT OF TRANSPORTATION AND
THE TEXAS STATE HISTORIC PRESERVATION OFFICER
REGARDING CAPITAL EXPRESS CENTRAL PROJECT, INTERSTATE HIGHWAY
35 FROM U.S. HIGHWAY 290 EAST TO U.S. HIGHWAY 290 WEST/STATE
HIGHWAY 71, TRAVIS COUNTY, TEXAS
(Main CSJ: 0015-13-388)**

WHEREAS, the Texas Department of Transportation (TxDOT) proposes to construct the Capital Express Central project in Travis County, Texas (Project) which includes the reconstruction of the Interstate 35 (I-35) main lanes and frontage roads, removal of elevated main lane structures, and addition of four managed lanes; and

WHEREAS, the proposed project is needed because I-35, between U.S. Highway (US) 290 East and US 290 West/State Highway (SH) 71, does not adequately accommodate current and future travel demand and does not meet current federal and state design standards, which has resulted in safety and operational deficiencies and can impact crash rates and peak period travel times for all users, including emergency response vehicles and transit; and

WHEREAS, the purpose of the project is to improve this critical local, regional, national, and international thoroughfare by enhancing safety within the corridor; addressing demand by prioritizing the movement of people, goods, and services through and across the corridor; improving operational efficiency; and creating a more dependable and consistent route for the traveling public, including people who walk and bicycle, emergency responders, and transit; and

WHEREAS, TxDOT is preparing a final Environmental Impact Statement (FEIS) for the Project pursuant to the National Environmental Policy Act (42 U.S.C. §4321 et seq.) (NEPA) and has coordinated the NEPA process with consultation pursuant to Section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. §306108) (NHPA), as amended, and its implementing regulations at 36 C.F.R. §800 (collectively referred to as “Section 106”) and is serving as the Lead Agency responsible for compliance with NEPA and Section 106; and

WHEREAS, the terms used in this PA are defined in accordance with 36 C.F.R. §800.16, unless otherwise indicated; and

WHEREAS, a full description of the Project, including the Preferred Alternative, is in the FEIS; and

WHEREAS, the Federal Highway Administration (FHWA) provides and administers funds to the State of Texas through TxDOT under the Federal-Aid Program as authorized by 23 U.S.C. §104(b); and

WHEREAS, FHWA assigned to TxDOT responsibilities for compliance with the NEPA and related regulations pursuant to the “Memorandum of Understanding between the Federal Highway Administration and the Texas Department of Transportation Concerning State of Texas’ Participation in the Project Delivery Program Pursuant to 23 U.S.C. §327 (December 9, 2019)” (NEPA Assignment MOU); among other legal requirements, TxDOT assumed responsibility for compliance with Section 106; and

WHEREAS, the use of FHWA federal funds for this project would constitute an undertaking requiring compliance with Section 106 of the NHPA; and

WHEREAS, the “Programmatic Agreement Among the Federal Highway Administration, the Texas Department of Transportation, the Texas State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding the Implementation of Transportation Undertakings” (2015 Statewide Section 106 PA) established protocols for expediting Section 106 project review in Texas, including defining the Areas of Potential Effects (APE), identifying and evaluating historic properties that are listed and/or potentially eligible for listing in the National Register of Historic Places (NRHP), assessing an undertaking’s effect on historic properties, and resolving adverse effects on historic properties; and

WHEREAS, the Project’s APE was defined as: 1) the footprint of the project in three dimensions including the existing and proposed right-of-way (ROW) and temporary and permanent easements; 2) any parcel within or partially within 150 feet of the Environmental Study Area (ESA) boundaries along the I-35 corridor with the ESA representing the maximum anticipated ROW acquisition for both build alternatives under consideration in the Draft Environmental Impact Statement (DEIS) and additional areas for study and analysis, and 3) parcels adjoining the existing East Cesar Chavez Street ROW between I-35 and the proposed drainage outfall at the interchange with US 183 South; and

WHEREAS, TxDOT, in consultation with the Texas Historical Commission (THC), referred to herein as the State Historic Preservation Officer (SHPO), has determined that it is appropriate to enter into this Programmatic Agreement (PA) pursuant to 36 C.F.R. §800.14(b)(1)(ii) to clarify TxDOT and SHPO’s roles and responsibilities regarding the Project’s effects on historic properties as the Project moves into the final design and construction phases; and

WHEREAS, TxDOT identified interested parties, including federal, state, regional or local agencies and local organizations with a demonstrated interest in the Project pursuant to 36 C.F.R. §800.2(c) (see Appendix H), and invited them to participate in the consultation for this Project; and

WHEREAS, the following agencies, organizations, and individuals requested and were granted consulting party status: SHPO, Travis County Historical Commission, Preservation Austin, Preservation Texas, City of Austin (COA) Historic Landmark Commission/Historic Preservation Office, COA Parks and Recreation Department, Wilshire Wood/Delwood I Neighborhood Association, Six Square Cultural District, Willow-Spence Historic District/East Cesar Chavez Neighborhood Contact Team Section 3, Cherrywood Neighborhood Association; and

WHEREAS, TxDOT contacted the Alabama-Coushatta Tribe of Texas, Apache Tribe of Oklahoma, Caddo Nation of Oklahoma, Comanche Nation of Oklahoma, Kiowa Tribe of Oklahoma, Mescalero Apache Tribe, Seminole Nation of Oklahoma, Shawnee Tribe, Tonkawa Tribe of Indians of Oklahoma, and Wichita and Affiliated Tribes as Federally recognized Tribes, inviting them to participate as consulting parties. The contacted Tribes either declined to participate as consulting parties or found that the proposed undertaking would have no effect on historic properties of significance to them; and

WHEREAS, TxDOT held several in-person and/or virtual meetings with the consulting parties, and TxDOT continued to treat all interested parties as if they were consulting parties for purposes of the Project and will afford them an opportunity to review and comment on documents as TxDOT continues this consultation process; and

WHEREAS, TxDOT consulted with the public through public meetings, open houses, pop-up meetings, community-based working group meetings and workshops, cross-agency working groups, updates to agencies and organizations, elected official and community leader briefings, stakeholder meetings, and media coverage; and

WHEREAS, the consulting parties and the public had an opportunity to review and comment on TxDOT's Historic Resources Survey Reports (HRSRs) and the DEIS, and TxDOT took into account the comments from the consulting parties and the public on these documents, made revisions to the project's preferred alternative to avoid or minimize adverse effects to historic properties where prudent and feasible, made revisions to the documents as necessary, and provided responses to the comments; and

WHEREAS, the consulting parties had an opportunity to review and comment on a draft of this PA; and

WHEREAS, in accordance with 36 C.F.R. §800.14(b)(1)(ii), TxDOT notified the Advisory Council on Historic Preservation (ACHP) of its intention to enter into a PA and the ACHP, in a response letter dated November 28, 2022, declined to participate in the consultation pursuant to 36 C.F.R. §800.6(a)(1)(iii); and

WHEREAS, possible future actions by others, such as construction of deck caps over the depressed highway facility are not subject to the provisions of this PA; and such actions, if any, will be coordinated under Section 106 and/or the Antiquities Code of Texas (ACT) depending on funding by the responsible federal agency or implementing entity; and

WHEREAS, design refinements to the Project and results of noise barrier workshops may take place following approval of the FEIS; and accordingly as specified in this PA, the design-bid-build procurement will include best practices designed to protect historic properties; and

WHEREAS, TxDOT will construct the Project under the design-bid-build process, with final design and construction to be completed under multiple contracts separate from the current contracts for schematic design and environmental studies; and

WHEREAS, TxDOT proposes to divide the project into a minimum of six plan, specification, and estimate packages (PS&E), as generally described in Appendix A ; and

WHEREAS, because the final design and construction contractors (Contractors) have not yet been selected, TxDOT shall ensure that the terms of this PA are incorporated in their entirety on all contracts, licenses, or other approvals for this undertaking, with the intent to bind the Contractors to compliance with this PA; and

WHEREAS, TxDOT acknowledges that the Project work (see Appendix A maps) could result in direct and indirect adverse effects on certain historic properties (Appendices B-G); and

WHEREAS, TxDOT, in consultation with the SHPO and consulting parties, identified and evaluated historic properties (Appendices B-G) in the APE for the Project; and

WHEREAS, TxDOT complied with the provisions of the 2015 Statewide Section 106 PA regarding review and consultation for potential effects to archeological historic properties. TxDOT has found that the proposed undertaking would not affect archeological historic properties, as no such properties exist within the project's APE; and

WHEREAS, TxDOT, in consultation with the SHPO and consulting parties, identified 245 non-archeological historic properties that are individually listed or eligible for listing in the NRHP, or are contributing resources to historic districts that are listed or eligible for listing in the NRHP, and historic districts in the APE for the Project (Appendices B-G); and

WHEREAS, TxDOT, in consultation with the SHPO, determined that the Project would have an adverse effect to the Elgin-Butler Brick Company (EBBC) Main Office (Austin Chronicle) building at 4000 North I-35, which is eligible for listing in the NRHP under Criteria A and C, due to the proposed demolition of the building; and

WHEREAS, TxDOT, in consultation with the SHPO, determined that the Project would have an adverse effect to the former Dura Tune Service Station building at 3810 North I-35, which is eligible for listing in the NRHP under Criteria A and C, due to the proposed demolition of the building; and

WHEREAS, TxDOT, in consultation with the SHPO, determined that the Project would have an adverse effect to the Robert and Rose Roberts (Roberts) House and its associated garage at 3509 North I-35, which is eligible for listing in the NRHP under Criterion A, due to the proposed demolition of the buildings; and

WHEREAS, TxDOT, in consultation with the SHPO, determined that the Project would have an adverse effect to the Alfred and Jacqueline Haster (Haster) House at 3009 North I-35, which is eligible for listing in the NRHP under Criteria A and C, due to the proposed demolition of the building.

NOW, THEREFORE, TxDOT and the SHPO agree that the Project will be implemented in accordance with the following Stipulations in order to take into account the effects of the Project on historic properties.

STIPULATIONS

TxDOT, with the assistance of its I-35 Capital Express Central General Engineering Consultant (GEC), will ensure that the following measures are implemented:

I. PROJECT SCOPE

- A. The Capital Express Central Project is the subject of the PA. Except as provided below, TxDOT shall ensure that the Contractors shall construct the Capital Express Central Project as shown in the FEIS.

- B. TxDOT shall ensure that the terms of this PA are incorporated in their entirety in all contracts, licenses, or other approvals for this undertaking, with the intent to bind the Contractors to compliance with this PA.

II. ROLES AND RESPONSIBILITIES

- A. TxDOT shall be responsible for the items below, which are set forth in greater detail elsewhere in this PA. TxDOT may, at its discretion, rely on the GEC for assistance with its responsibilities as set forth in this PA:

1. TxDOT shall ensure all commitments and best practices related to historic properties, as described in this PA, are in appropriate plans, specifications, estimates, and contracts
2. TxDOT shall discuss all commitments and best practices regarding treatment of historic properties, as described in this PA, at pre-construction meetings.
3. TxDOT shall update new TxDOT personnel working on the project about the existence of commitments and best practices in this PA, as appropriate.
4. TxDOT shall serve as point of contact for its GEC and Contractors with questions and concerns about project scope changes and historic properties.
5. TxDOT shall serve as historic properties subject matter expert to review design changes, APE investigations, consultations, and mitigation.
6. TxDOT shall write and distribute annual reports for this PA per Stipulation VIII of this agreement.
7. TxDOT shall conduct technical studies as needed, particularly studies related to vibration and ground movement.
8. TxDOT shall require Contractors to comply with no work zones in the vicinity of historic properties (Appendices B-G), as specified in this PA.
9. TxDOT shall require Contractors to follow all historic property commitments and best practices for appropriate portions of the project.
10. TxDOT shall require Contractors to notify the GEC and TxDOT immediately upon any damage of historic properties (Appendices B-G).

- B. SHPO shall be responsible for the items below:

1. SHPO shall review changes to project plans, APE delineation, and evaluations within 20 days of transmittal by TxDOT and provide any comments or concurrence.
2. SHPO shall provide technical assistance for building preservation standards, best practices, and mitigation as requested by TxDOT, its GEC, and its Contractors.

3. SHPO shall participate in TxDOT meetings regarding historic properties as required.

III. CONSULTING PARTIES/PUBLIC INVOLVEMENT

- A. Within six (6) months of the execution of this PA, TxDOT shall submit a draft consulting party plan for further outreach and consultation on the stipulations of this PA to the consulting parties. TxDOT shall contact each consulting party as part of writing the plan. The consulting parties shall have thirty (30) calendar days to provide comments on the draft plan. TxDOT shall take all comments into consideration when revising the consulting party plan. Within two (2) months of the conclusion of the draft review period, TxDOT shall submit the final consulting party plan to the consulting parties. The consulting party plan shall:
 1. Identify all consulting parties and contact information, including email addresses
 2. List consulting party preferences for consultation around project components. Preferences could be for certain areas of the project, for certain historic properties, or only for certain effects of the project (i.e. around construction vibration monitoring).
 3. Determine appropriate review timeframes for certain consultation activities.
 4. Provide procedures for adding additional consulting parties to the project.
 5. Provide electronic copies of the consulting party plan to the SHPO and all consulting parties.

Consulting parties shall be able to change their level of participation throughout the process by notifying TxDOT.

- B. TxDOT shall develop a community advisory committee (CAC) for the project as it moves into construction phases. CAC meetings will communicate to the public, stakeholders, and community leaders the progress of the implementation of mitigation measures including Section 106-related mitigation for adverse effects to historic properties; communicate construction updates; and provide a venue to receive public feedback on these actions. .

IV. HISTORIC PROPERTY PROTECTIONS FOR ENTIRE PROJECT

- A. Changes in project scope
 1. Contractor-proposed changes
 - a) If a Contractor proposes changes to the design beyond the APE (whether horizontally or vertically (both archeologically and above ground)), then TxDOT shall require the Contractor to arrange for investigation of the additional APE and send any resulting technical report to TxDOT for review,

approval, and coordination with SHPO and other appropriate consulting parties pursuant to the approved consulting party plan.

- b) For any Contractor-proposed changes described in this Stipulation IV.A.1, TxDOT will consult with and seek comment and concurrence from SHPO and consulting parties pursuant to the consulting party plan and take their comments into consideration before finalizing the plans or proposals. TxDOT will provide final plans or proposals to SHPO and consulting parties upon request. If any disputes occur, then TxDOT will consult further and, if necessary, follow the dispute resolution process in this PA (Stipulation XII).

2. TxDOT-proposed changes

- a) If TxDOT proposes changes within 150 feet of a historic property listed in Appendices B-G not developed in the FEIS, TxDOT staff that meet the Secretary of the Interior's professional qualification standards (48 Federal Regulation [FR] 44738-9) will review the changes.
 - i. If TxDOT determines that the change does not require an expansion of the APE and that there are no historic properties (Appendices B-G) affected by the proposed change, TxDOT will document the finding, add the documentation to the project file, and include a brief summary of the finding in the annual progress report (see Stipulation VIII).
 - ii. If TxDOT determines that the change does not require an expansion of the APE, but may adversely affect a historic property, TxDOT will notify the SHPO of the change, determine the effect of the change on historic properties, and seek the SHPO's concurrence with the proposed effects determination and any consulting parties according to the consulting party plan. The notification shall include a description of the change and a map showing the location.
- b) If TxDOT proposes changes to the design beyond the APE (whether horizontally or vertically (both archeologically and above ground)), TxDOT will:
 - i. Expand the APE, following the existing guidelines as defined by the 2015 Statewide Section 106 PA or its successors for the APE previously established.
 - ii. Identify any historic properties within the expanded APE, assess the effects on any identified historic properties, and resolve any adverse effects on historic properties, in accordance with the 2015 Statewide Section 106 PA or its successors.

- 3. Regardless of whether a change is proposed by a Contractor or by TxDOT, if the change could impact an historic property (Appendices B-G), then TxDOT will require the Contractors to refrain from working in the immediate vicinity of the property. Upon TxDOT completing the Section 106 consultation (if required) and issuing a written approval to the Contractors, TxDOT may allow the Contractors to resume work in the immediate vicinity of the historic property consistent with the

approval. TxDOT may require the Contractors to redesign the proposed change to avoid, minimize, or mitigate adverse effects to the historic property to resolve adverse effects.

B. Protection of Historic Properties

1. Best Practices

- a) TxDOT shall ensure that these best practices are included in any plans, specifications, and estimates prepared for the project.
- b) TxDOT will require the Contractors to carry out best practices to protect historic properties as set forth in this PA when working directly adjacent to historic properties (Appendices B-G).
- c) To minimize potential damage to historic structures and materials, TxDOT will require the Contractors to do the following when working directly adjacent to a historic property (Appendices B-G):
 - i. Saw cut any existing sidewalk 12 inches away from the historic resource prior to removal.
 - ii. Construct new sidewalk next to the saw cut edge with installation of expansion joint in between. If existing sidewalk is to be removed entirely, the remaining 12 inch section next to the historic structure, canopy supports, material, fence, or retaining wall shall be removed by hand. Expansion joints must be placed between historic structure, material, fence, or retaining wall and new sidewalk.
 - iii. Prevent damage to historic structure, materials, fences, retaining walls, including garden elements (planting beds, plantings) during the entire construction project, especially during removal of existing pavement, curb, or sidewalk. During the saw cut and hand removal process, contractor shall exercise utmost caution and shall physically protect historic structure foundation, materials, elevations, entryways with decorative flooring, fences, retaining walls, and landscape elements. When pouring concrete for repair or new install, contractor shall prevent splashback of concrete onto historic resource.
 - iv. Repair or replace in kind any historic materials damaged in the course of executing the work. TxDOT shall require the Contractors to locate replacement sources for historic materials damaged in the course of the work. TxDOT shall require the Contractors to notify TxDOT Environmental Affairs Division of proposed repairs for SHPO consultation prior to execution of repair work. TxDOT shall follow and shall require the Contractors to follow the construction damage protocol in Stipulation IV.B.5.

2. Noise Abatement

- a) The project shall be designed to avoid or minimize potential adverse noise effects on historic properties (listed in Appendices B-G) in accordance with state and federal noise regulations, policies, and guidance (see 23 CFR Part 772 and TxDOT Noise Policy [December 2019]). Noise abatement measures shall be designed and implemented utilizing current industry standard methods and systems to avoid or minimize adverse noise effects on historic properties.
- b) Final determinations regarding placement of noise abatement barriers will be made only after noise workshops.
- c) If TxDOT proposes noise mitigation features (e.g. noise walls) not shown in the FEIS within 150 feet of a historic property listed in Appendices B-G, the provisions concerning changes to the project scope (Stipulation IV.A.2. of this PA) will apply.

3. No-Work Zones

TxDOT shall require the GEC and Contractors to designate a “no-work zone” at the location of each historic property listed in Appendices B-G, in which potentially damaging activities such as storage yards, waste disposal, borrow pits, staging areas, or other related activities shall not be permitted. The no-work zones will be designated in the design plans and contract documents. The location of the no-work zones will be identified and described during pre-construction meetings.

4. Historic Property Protection Plan

- a) TxDOT will require the Contractors to prepare a Historic Property Protection Plan to identify and avoid physical damage to historic properties caused by demolition and construction work, whether caused by direct contact, vibration, or other factors. The plan shall:
 - i. Apply to work within 150 feet of a historic property identified in Appendices B-G.
 - ii. Include best practices for protection of historic properties adjacent to construction as described in Stipulation IV.B.1.
 - iii. Identify anticipated locations for construction fencing, barricades, or other methods for avoiding direct contact with historic buildings, structures, or landscape features.
 - iv. Identify “no-work-zone” locations in accordance with Stipulation IV.B.3.
- b) TxDOT will require the Contractors to ensure that the project work shall not cause damage to the building. If there is damage, the provisions in Stipulation IV.B.5 shall apply.

- c) TxDOT will require the Contractors to submit the Historic Property Protection Plan at least six months prior to commencing construction within 150 feet of a historic property to TxDOT for review and approval. TxDOT will consult with the SHPO and the consulting parties regarding the plan according to the consulting party plan.

5. Damages

This paragraph applies if construction causes damage to a historic property (Appendices B-G), whether caused by direct contact, vibration, or other matter related to the Project. TxDOT will require the Contractors to report any such damage to TxDOT. Repair must be consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties (2017). TxDOT will consult with SHPO and the consulting parties regarding the repair or mitigation measure, with a 30-calendar-day review process for the repair plan and/or mitigation proposal. TxDOT may require the Contractor to pay monetary damages. TxDOT will adhere to and will require the Contractors to adhere to the consultation requirements in the Post-Review Discoveries Stipulation (Stipulation X).

V. PROVISIONS RELATING TO DRAINAGE TUNNEL AND OPEN CUT (I-35: FROM AIRPORT BOULEVARD TO EAST 9TH STREET, CSJ 0015-13-433); DRAINAGE TUNNEL (I-35: FROM EAST 11TH STREET TO HOLLY STREET, CSJ 0015-13-440 AND EAST CESAR CHAVEZ STREET: FROM I-35 TO OUTFALL, CSJ 0914-04-341); UNIVERSITY (FROM US 290E TO EAST MARTIN LUTHER KING BOULEVARD CSJs: 0015-13-441 and 0015-13-423); AND DOWNTOWN (FROM EAST MARTIN LUTHER KING JR. BOULEVARD TO HOLLY STREET, CSJ 0015-13-422) PS&E PROJECTS:

In addition to the provisions in Stipulation IV, the following provisions apply to the portions of the project consisting of drainage tunnel stormwater outfalls and open cuts for drainage and for main lane construction.

A. Ground Settlement and Vibration

- a) TxDOT will require the Contractors to set acceptable construction subgrade settlement limits during final design and will include those limits in construction documents. TxDOT will require the Contractors to design surface and tunnel excavations in a manner to avoid adverse effects to historic properties. TxDOT will require the Contractors to perform a detailed analysis of potential settlements induced by anticipated construction activities once geotechnical investigations are substantially completed. TxDOT will require the Contractors to submit the settlement analysis, acceptable settlement limits, proposed excavation methods, and proposed temporary support of excavation to TxDOT for review and approval. TxDOT will consult with the SHPO and consulting parties regarding settlement analysis and excavation methods with a 30-calendar-day review and comment period.
- b) TxDOT will require the Contractors to develop a ground movement and vibration monitoring plan, including a geotechnical instrumentation plan, to

monitor the levels of deformation and vibration throughout construction. Execution of the monitoring and instrumentation plan can detect potential issues early in the construction process to allow for modification of construction means and methods prior to damage to historic buildings. TxDOT will require the plan to provide appropriate threshold and limiting values to protect the historic buildings, based on a detailed review of the historic buildings and the proposed construction methods. TxDOT will require the plan to include contingency procedures that identify mitigation measures to be implemented if threshold values are exceeded. TxDOT will require the plan to include a communication process to allow for rapid communication of instrumentation results to TxDOT and the property owner in case of emergency. TxDOT will require the Contractors to submit the monitoring plan to TxDOT for review and approval. TxDOT will consult with the SHPO and consulting parties regarding the monitoring plan according to the consulting party plan.

- c) TxDOT will require the Contractors to conduct a pre-construction condition survey for all historic buildings within the zone of influence of ground settlement and vibration. TxDOT will require the pre-construction condition survey to include notes, photographs, and videos sufficient to accurately and appropriately document the pre-construction condition of each historic building. TxDOT will require the Contractors to also conduct a similar post-construction condition survey at the completion of construction activities. TxDOT will require the post-construction condition survey to include notes, photographs, and videos to document the final condition of each historic building.
- d) TxDOT will require the Contractors to install monitoring systems on historic buildings and structures as identified in the monitoring and instrumentation plan. Instrumentation may include, but is not limited to: tiltmeters, crackmeters (for existing cracks identified in the pre-construction condition survey), deformation monitoring points, structural monitoring points, and velocity and acceleration transducers. TxDOT will require the Contractors to take baseline readings of the instrumentation at least 7 days prior to start of excavation and shall take regularly scheduled readings based on the locations of the historic buildings relative to construction activities. At each historic building where vibration monitoring is determined necessary in the monitoring and instrumentation plan, TxDOT will require the Contractors to install at least two transducers near the building corners that are closest to the vibration sources. TxDOT will require the transducer to be firmly mounted on the surface slab of concrete or asphalt, or firmly set in undisturbed soil at a horizontal distance about 3 to 6 feet away from the building facades. TxDOT will require the Contractors to take baseline readings of transducers at least 7 days prior to the start of excavation to establish ambient vibration levels. Monitoring during excavations shall consist of a continuous recording of the maximum single-component peak particle velocities for one-minute intervals or less. TxDOT will require the Contractors to maintain records of all vibration-producing activities for which vibration monitoring is required and shall make the records available to TxDOT.

If threshold values are exceeded during construction, TxDOT will require the Contractors to implement mitigation measures as identified in the monitoring and implementation plan. If the limiting values identified in the monitoring and implementation plan are exceeded, TxDOT will require the Contractors to suspend construction activities and notify TxDOT that a violation has occurred. TxDOT will require the Contractors to submit a written report explaining conditions of the violation and the steps to be taken to reduce vibrations below limits. TxDOT will require the Contractors to not resume vibration-producing activity until give written permission to do so by TxDOT.

VI. PROVISIONS RELATING SOLELY TO UNIVERSITY (FROM US 290 E TO EAST MARTIN LUTHER KING BOULEVARD, CSJs: 0015-13-441 and 0015-13-423) PS&E

A. Mitigation Commitments for Specific Historic Properties

1. Elgin-Butler Brick Company Main Office (4000 North I-35)

a) Historic Documentation of Building

- i. After acquisition of the building but prior to demolition, TxDOT will document this building using modified Historic American Building Survey (HABS)-like guidelines. The documentation package will consist of: the intensive survey already completed by TxDOT, sketch site plans, interior floor plans, at least one photograph of each exterior elevation and each major interior space, full-page color photographic prints on archival paper for all photographs, a photo key, and copies of the building's construction plans if available.
- ii. TxDOT will provide paper and digital copies of the documentation package to SHPO and will offer paper and digital copies of the documentation package to the Austin History Center and the COA Historic Preservation Office. TxDOT will offer digital copies of the documentation package to other consulting parties.

b) Salvage Building Components

- i. TxDOT will work with the Contractor to prepare a salvage plan that will identify what components of the building to salvage and how TxDOT will deconstruct, clean, label, and store the brick associated with the building. TxDOT will provide the plan to SHPO and consulting parties for their feedback and comments.
- ii. TxDOT will require the Contractor to salvage components of the building according to the approved TxDOT plan.
- iii. After salvage, TxDOT will make the bricks available for reuse along the corridor. The bricks may be used by artists in murals or rebuilt on portions of TxDOT ROW to tell the story of the Elgin-Butler Brick Company Main Office. TxDOT will develop interpretive panels or signage to tell the history of the bricks and the Elgin-Butler Brick Company and its main office and place the signage at the location(s) of the brick reuse. If TxDOT

does not use all the salvaged brick, TxDOT will consult with the consulting parties to determine appropriate disposition of the brick.

- c) TxDOT will require the Contractor to not demolish the building until TxDOT completes all documentation and salvage.

2. Dura-Tune Service Station (3810 North I-35)

a) Historic Documentation of Building

- i. After acquisition of the building but prior to demolition, TxDOT will document this building using modified HABS-like guidelines. The documentation package will consist of: the enhanced reconnaissance survey already completed by TxDOT, sketch site plans, interior floor plans, at least one photograph of each exterior elevation and each major interior space, full-page color photographic prints on archival paper for all photographs from the reconnaissance survey, a photo key, and copies of the building's construction plans if available.
- ii. TxDOT will provide paper and digital copies of the documentation package to SHPO and will offer paper and digital copies of the documentation package to the Austin History Center and the COA Historic Preservation Office. TxDOT will offer digital copies of the documentation package to other consulting parties.

- b) TxDOT will require the Contractors to not demolish the building until TxDOT completes all documentation.

3. Robert and Rose Roberts House (3509 North I-35)

a) Historic Documentation of Building

- i. After acquisition of the building but prior to demolition, TxDOT will document this building using modified HABS-like guidelines. The documentation package will consist of: the reconnaissance survey already completed by TxDOT, photographs of each exterior elevation and additional interior photographs, a sketch site plan, interior floor plan, full-page color photographic prints on archival paper for all photographs, and a photo key.
- ii. TxDOT will provide paper and digital copies of the documentation package to SHPO and will offer paper and digital copies of the documentation package to the Austin History Center and the COA Historic Preservation Office. TxDOT will offer digital copies of the documentation package to other consulting parties.

- b) TxDOT will require the Contractors to not demolish the building until TxDOT completes all documentation.

4. Alfred and Jacqueline Haster House (3009 North I-35)
 - a) Historic Documentation of Building
 - i. After acquisition of the building but prior to demolition, TxDOT will document this building using modified HABS-like guidelines. The documentation package will consist of: the intensive survey already completed by TxDOT, photographs of each exterior elevation and additional interior photographs, a sketch site plan, interior floor plan, full-page color photographic prints on archival paper for all photographs, and a photo key.
 - ii. TxDOT will provide paper and digital copies of the documentation package to SHPO and will offer paper and digital copies of the documentation package to the Austin History Center and the COA Historic Preservation Office. TxDOT will offer digital copies of the documentation package to other consulting parties.
 - b) TxDOT will require the Contractors to not demolish the building until TxDOT completes all documentation.

VII. PROGRAMMATIC MITIGATION COMMITMENTS

1. TxDOT will prepare certain products, as noted below, as programmatic mitigation for the Project's adverse effects to historic properties. The programmatic mitigation commitments are not tied to resolving adverse effects for a specific historic property.
 - a) TxDOT will prepare a historic context on Mexican and Mexican-Americans in Austin, with a focus on the built environment and cultural landscape. The goal of the context is to provide a framework for evaluating and listing properties associated with Mexican-American history either as local landmarks or as NRHP properties. The context will not include any survey work beyond what has already been done for the Project. This context shall include:
 - i. A literature review and an analysis of settlement patterns of Mexicans and Mexican-Americans in Austin.
 - ii. Use of the literature and developmental analysis to appropriately define the focus, including geographic focus, for the historic context.
 - iii. Consultation with SHPO and other consulting parties for input on the literature review, developmental analysis, and historic context scope development.
 - iv. Community engagement with groups and organizations identified by the consulting parties for invited participation.
 - b) TxDOT will prepare an interpretive framework for the I-35 corridor from Lady Bird Lake to Airport Boulevard. The interpretive framework will be a resource

for organizations and agencies to use to shape their own interpretation projects along the I-35 corridor to best for their respective organizations. The interpretive framework document will include:

- i. A vision or unifying statement of interpretation along the I-35 corridor.
 - ii. An overview of past and current studies, interpretation, and organizational interest along the I-35 corridor.
 - iii. A discussion of the potential audience(s) for interpretation.
 - iv. Interpretive themes based on consultation and participation from community organizations and government agencies in the development of the framework.
- c) After the development of the framework, TxDOT will propose three interpretation projects for the I-35 corridor that fits with the audiences, themes, and vision of interpretation. TxDOT will choose the interpretation projects with its consulting parties and will consider the cost, any proposed maintenance, and the timeframe for interpretation along the corridor. Interpretation projects may include digital projects, signage on the landscape, or partner projects with other organizations.

VIII. MONITORING AND REPORTING

- A. Each January following the execution of this PA until it expires or is terminated, TxDOT will require its GEC to submit an annual progress report to TxDOT that will describe the work completed that year pursuant to this PA. The annual progress report must describe each matter processed using the review, approval, and consultation procedures set forth in this PA. The report must describe any disputes concerning the work.
- B. TxDOT will review the report and distribute it by email to the Signatories and consulting parties by the end of March of each year.
- C. TxDOT, the Signatories, and the consulting parties may meet upon request to discuss the report and progress of the work.

IX. AMENDMENT

- A. This PA may be amended when such amendment is agreed to in writing by all Signatories. If a Signatory to the PA requests that the PA be amended, TxDOT will consult with all Signatories.
- B. TxDOT must consult with the Signatories concerning the possible need for an amendment in the event of, but not limited to, the following:
 1. The Contractor or TxDOT proposes changes to the project scope compared to that shown in the FEIS that may result in adverse effects not previously considered to historic properties.

2. The terms of the PA cannot be or are not being carried out.
 3. The owner of a previously identified historic property takes action, unrelated to the Project, that changes the NRHP eligibility of the property.
- C. The amendment to the PA will be effective on the date a copy is signed by all of the Signatories. An amendment of the PA may necessitate changes to the construction contracts.

X. POST-REVIEW DISCOVERIES

Post-review discoveries are when potential historic properties are identified during implementation of an undertaking, such as discoveries of archeological materials, or when TxDOT identifies previously unanticipated effects on historic properties. TxDOT shall provide its Emergency Discovery Guidelines to all Contractors on this project.

For post-review discoveries, TxDOT will follow the Post-Review Discovery Stipulation (Stipulation XIII) in the 2015 Statewide Section 106 PA or its successors. For any post-review discovery within the APE, TxDOT will be responsible for the conduct of any required investigations and resolution of any adverse effects, including coordination with the Contractors to arrange for the cessation of construction and protection of the discovered properties. For any post-review discovery within areas of additional APE requested by the Contractors, TxDOT will require the Contractor to conduct any required investigations and arrange for the resolution of adverse effects as determined by TxDOT in consultation with the SHPO and other appropriate consulting parties.

XI. OTHER FEDERAL AGENCIES

In the event that another federal agency not initially a party to or subject to this PA receives an application for funding/license/permit for the Project as described in this PA, that agency may fulfill its Section 106 responsibilities by stating in writing it concurs with the terms of this PA and notifying TxDOT, SHPO, and the ACHP that it intends to do so. Any necessary amendments will be considered in accordance with the Amendment Stipulation (Stipulation IX) of this PA.

XII. DISPUTE RESOLUTION

Should any signatory or consulting party to this PA object at any time to any actions proposed or the manner in which the terms of this PA are implemented, TxDOT shall consult with such signatory or consulting party to resolve the objection. If TxDOT determines that such objection cannot be resolved, TxDOT will:

- A. Forward all documentation relevant to the dispute, including TxDOT's proposed resolution, to the ACHP. The ACHP shall provide TxDOT with its advice on the resolution of the objection within 30 calendar days of receiving adequate documentation. Prior to reaching a final decision on the dispute, TxDOT shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories, and consulting parties and shall provide them with a copy of this written response. TxDOT will then proceed according to its final decision.

- B. If the ACHP does not provide its advice regarding the dispute within the 30-calendar-day time period, TxDOT may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, TxDOT shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and consulting parties to the PA, and provide them and the ACHP with a copy of such written response.
- C. TxDOT's responsibility to carry out all other actions subject to the terms of this PA that are not the subject of the dispute remain unchanged.

XIII. COMMUNICATION AMONG THE PARTIES TO THIS PA

Electronic mail (Email) will serve as the official correspondence method for all communications regarding this PA and its provisions. It is the responsibility of each signatory or concurring party to immediately inform TxDOT of a change in name, address, email address, or phone number of any point-of-contact.

XIV. EMERGENCY UNDERTAKINGS

TxDOT will follow Stipulation XII of the 2015 Statewide Section 106 PA or its successors for emergency situations resulting from hazardous materials incidents; tree, wind, water, earthquake, or landslide damage; sudden failure of water, sewer, storm drainage, internet, electrical or telephone lines; or the failure of an existing or under-construction roadway or bridge structure.

XV. DURATION

This PA will expire when its terms are carried out or within ten (10) years from the date of its execution. If its terms are not carried out within 10 years, TxDOT shall consult with the other signatories to reconsider or extend the terms of the PA and amend it in accordance with Stipulation IX (Amendment Stipulation) of this PA.

XVI. EXECUTION

The PA may be executed in one or more counterparts, each of which shall be considered an original for all purposes. Copies of the fully executed PA will be circulated to all signatories and consulting parties. TxDOT and the SHPO are the signatories to the PA and as such have the sole authority to execute, amend, or terminate it.

XVII. TERMINATION

If any signatory to this PA determines that its terms will not or cannot be carried out, the signatory shall immediately consult with the other signatories to attempt to develop an amendment per Stipulation IX (Amendment Stipulation) of this PA. If within thirty (30) calendar days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate the PA upon written notification to the other signatories.

Once the PA is terminated, and prior to work continuing on the undertaking, TxDOT must either (a) execute a PA pursuant to 36 CFR § 800.6 or (b) request, take into account, and

respond to the comments of the ACHP under 36 CFR § 800.7. TxDOT shall notify the signatories as to the course of action it will pursue.

Execution of this PA by TxDOT and the SHPO and the implementation of its terms is evidence that TxDOT has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.

SIGNATORIES include the Texas Department of Transportation and the Texas State Historic Preservation Officer (Texas Historical Commission). Separate signature pages for each agency follow.

TEXAS DEPARTMENT OF TRANSPORTATION

DocuSigned by:

Doug Booker

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Doug Booker

**Environmental Affairs Division Director
Texas Department of Transportation**

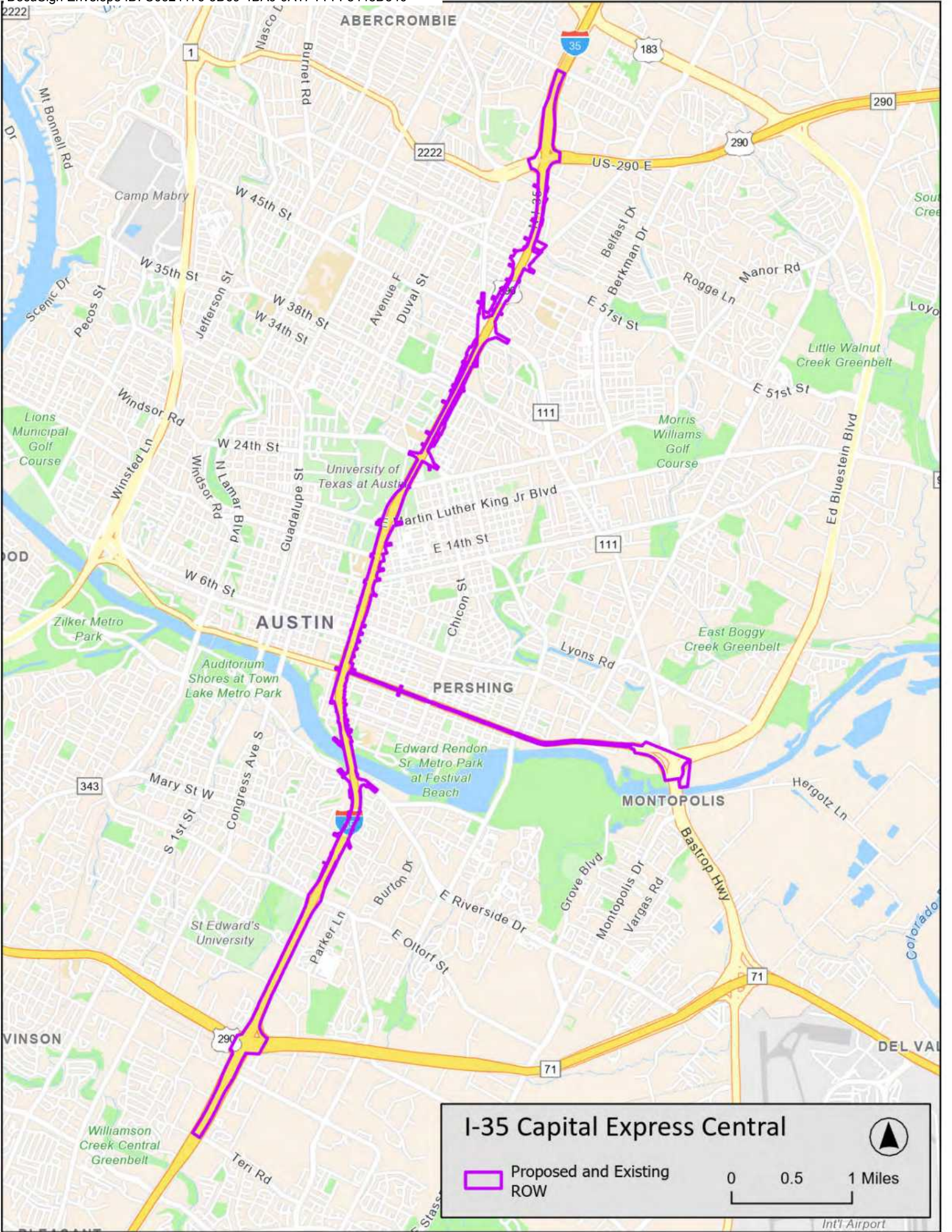
Date: 8/7/2023

TEXAS STATE HISTORIC PRESERVATION OFFICER

DocuSigned by:
By Mark Wolfe _____ Date: 8/7/2023
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Executive Director
Texas Historical Commission

APPENDIX A

Description of PS&E packages, short scopes of work, and estimated schedules/timeframes
Overall Project Maps



I-35 Capital Express Central

Proposed and Existing ROW

0 0.5 1 Miles



PS&E Package Descriptions:

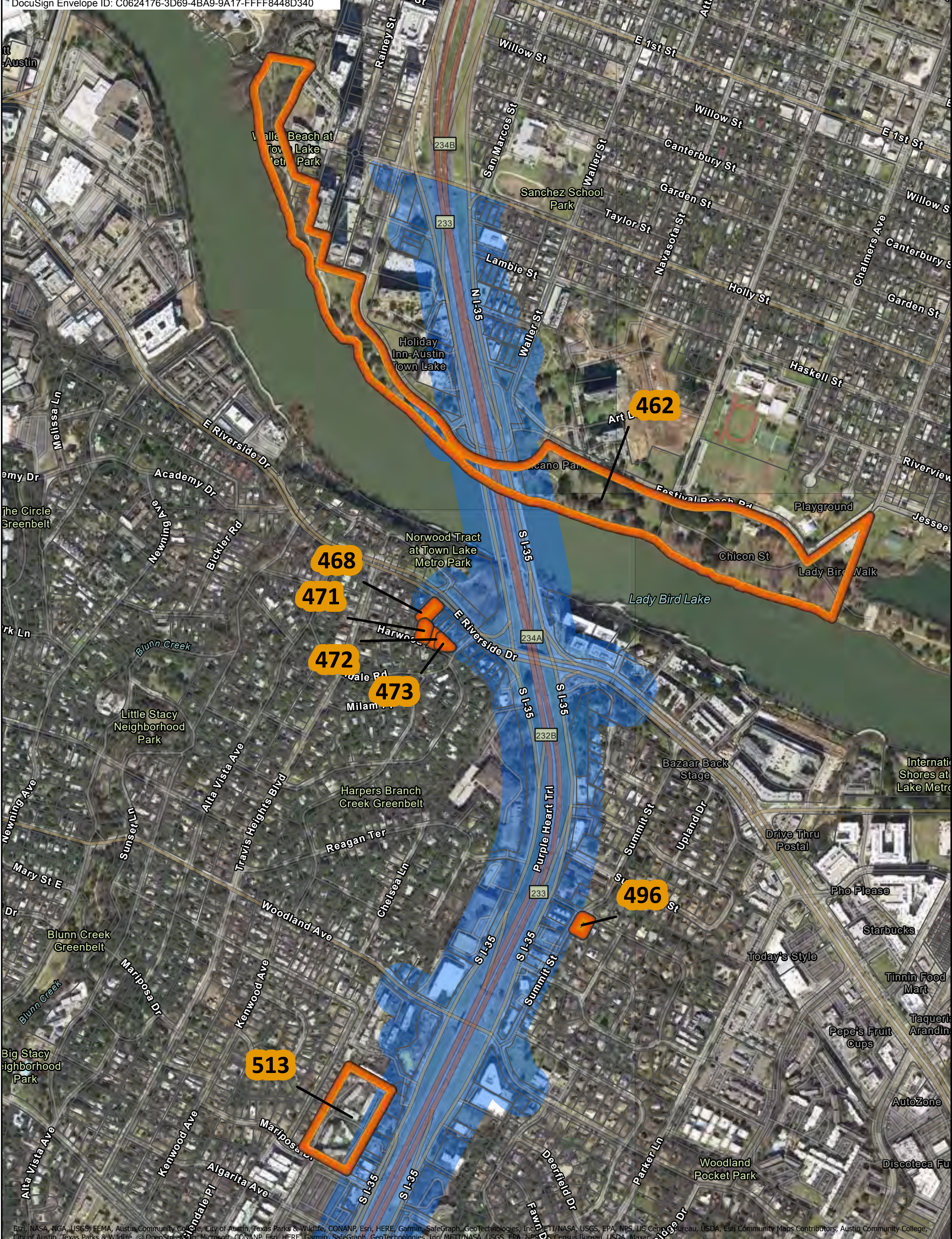
Package	CSJ	Limits	Description	Anticipated Letting Month/Year
1	0015-13-428	I-35 from Holly Street to US 290W/SH 71	New bridge at Holly St. over I-35, replacement of bridges across Lady Bird Lake, new pedestrian bridges across Lady Bird Lake, along with proposed I-35 operational improvements and drainage connections.	03/2024
2	0015-13-438	MLK Jr. Boulevard at I-35	Bridge replacement, crossing improvements, and potentially a pedestrian bridge	04/2024
3	0015-13-433 0015-13-440	I-35 from MLK Jr. Boulevard to Holly Street	Drainage connections. Initially the project will need new drainage connections for the proposed I-35 improvements from Airport Boulevard to 9th Street. Separate drainage tunnel from I-35 East along Cesar Chavez Street with an outfall into the Colorado River and another drainage tunnel along I-35 from south of Holly Street to north of MLK Jr. Boulevard	07/2024
	0914-04-341	I-35 to Colorado River, just east of US 183		
4	0015-13-432 0015-13-437	I-35 from Airport Boulevard to MLK Boulevard and CapMetro/I-35 Crossings at Airport Boulevard and 4 th Street	Railroad (CapMetro Red Line) at 4th Street with pedestrian bridge, and railroad (Airport Boulevard Red Line and shoofly), are new bridge crossings to allow railroad operation while construction on I-35 is	09/2024

Package	CSJ	Limits	Description	Anticipated Letting Month/Year
			underway. Included with this phase is the I-35 from MLK Jr. Boulevard to Airport Boulevard south-bound deck retrofits as well as the north-bound deck demolition project.	
5	0015-13-423 0015-13-441	I-35 from US 290E to MLK Boulevard	I-35 improvements, including adding two non-tolled high-occupancy vehicle (HOV) managed lanes and intersection improvements not included in previous phases. Also includes below-grade cuts and shared-use paths.	05/2026
6	0015-13-442	I-35 from MLK Boulevard to Holly Street	I-35 improvements, including adding two non-tolled HOV managed lanes and intersection improvements not included in previous phases. Also includes below-grade cuts and shared-use paths.	07/2026

Appendix B: Historic properties – Capital Express Central, 0015-13-428**PS&E Package 1****I-35: From Holly Street to US 290/SH 71**




HRSR Resource No.¹	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
462 A-E	Town Lake Park System – Edward Rendon Park and Waller Beach Park	Multiple parcels	
468	1019 East Riverside Drive	759568	Contributing to the Travis Heights – Fairview Park Historic District
469	1021 East Riverside Drive	283053	Contributing to the Travis Heights – Fairview Park Historic District
470	1027 East Riverside Drive	283055	Contributing to the Travis Heights – Fairview Park Historic District
471	1016 Harwood Place	283058	Contributing to the Travis Heights – Fairview Park Historic District
472	1020 Harwood Place	283057	Contributing to the Travis Heights – Fairview Park Historic District
473	1022 Harwood Place	283056	Contributing to the Travis Heights – Fairview Park Historic District
496	1601 Elmhurst Drive	284986	
513	1304 Mariposa Drive	284603	

¹ HRSR = Historic Resources Survey Report for I-35 Capital Express Central, copy available from TxDOT.



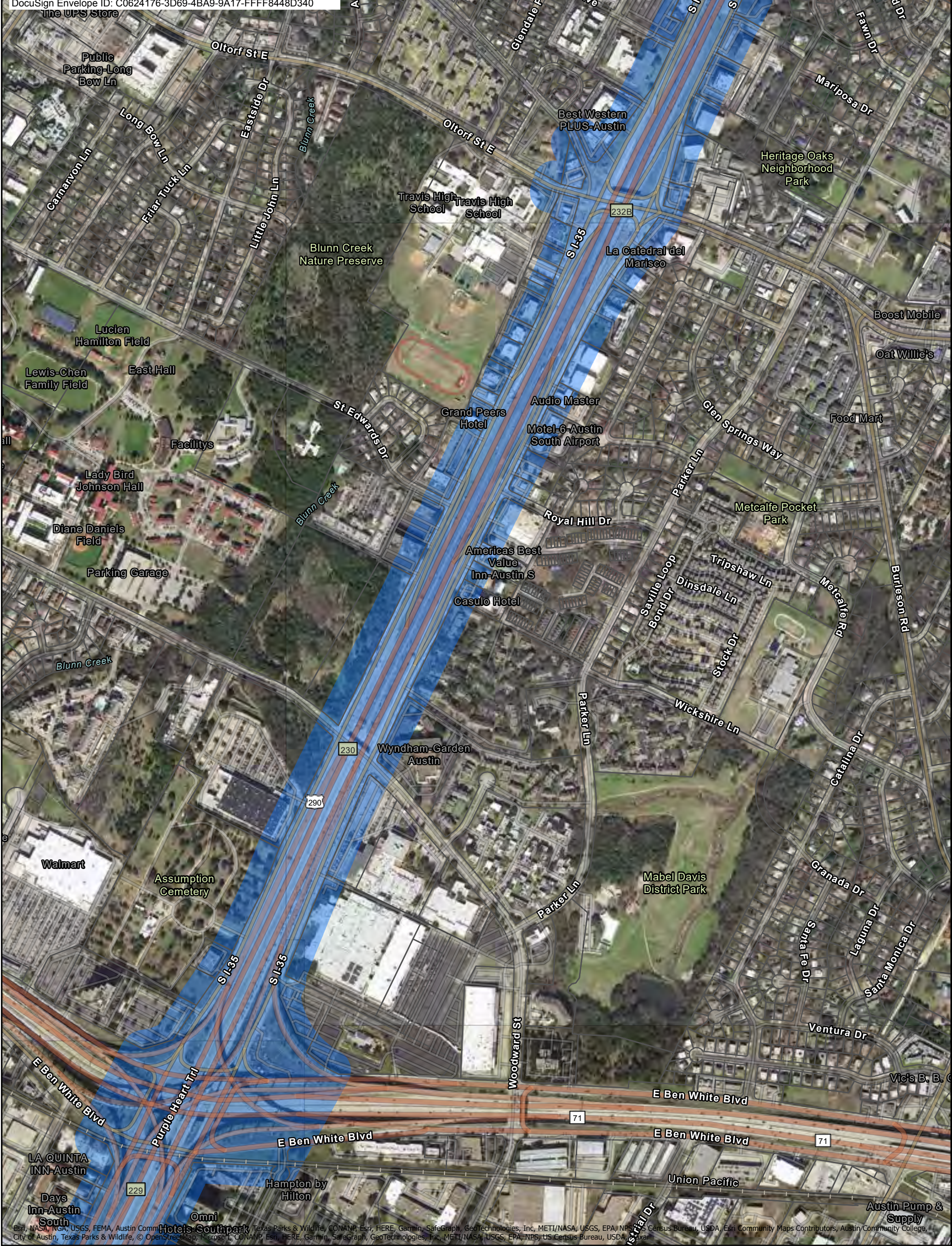
Historic Properties I-35 Capital Express Central

PS&E Package 1
I-35 from Holly Street to US 290W/SH 71
CSJ: 0015-13-428

-  Historic Property
-  Parcel Boundary (Travis CAD)
-  Area of Potential Effects



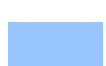


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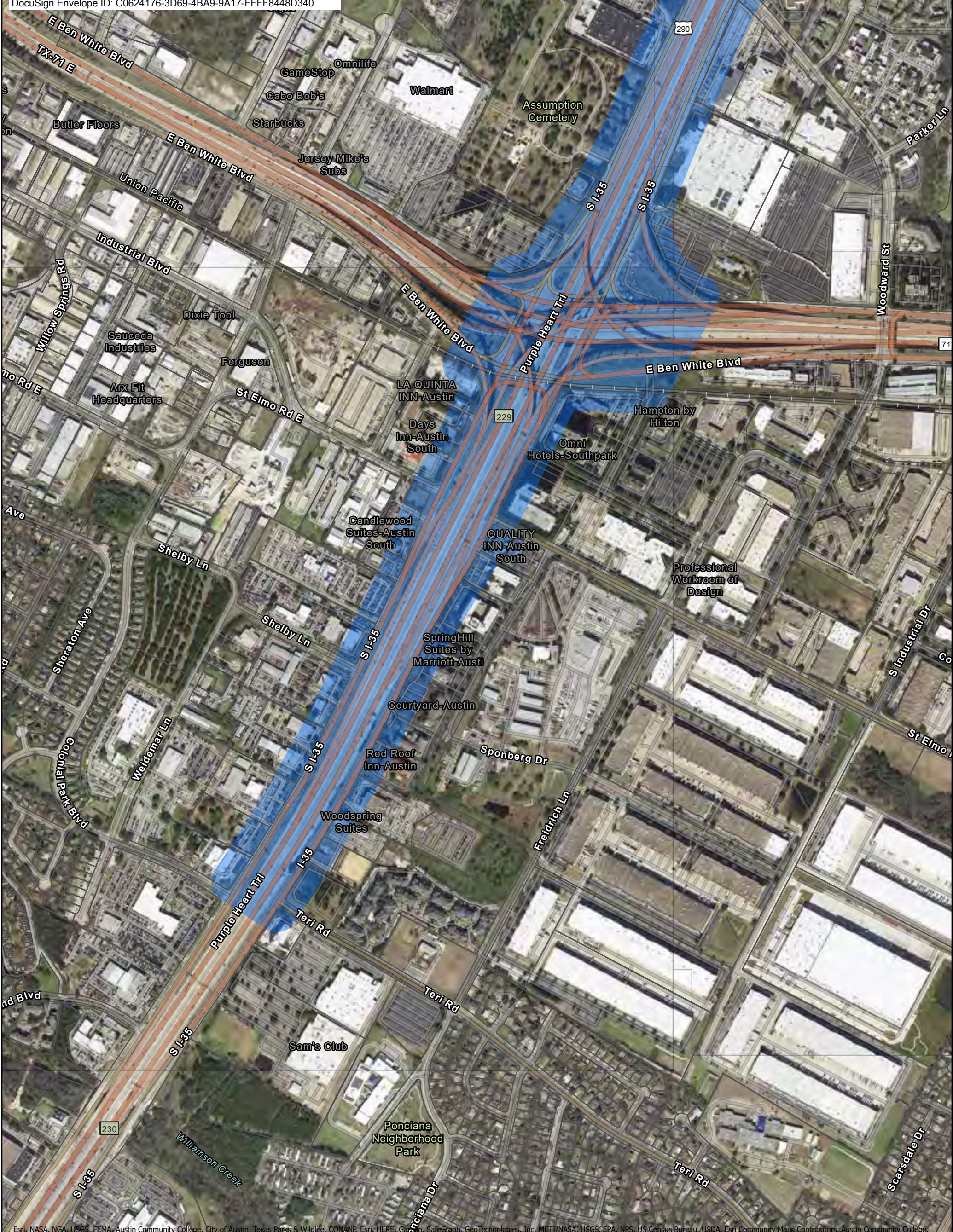
Historic Properties I-35 Capital Express Central

PS&E Package 1
I-35 from Holly Street to US 290W/SH 71
CSJ: 0015-13-428

-  Historic Property
-  Parcel Boundary (Travis CAD)
-  Area of Potential Effects






Esri, NASA, NGA, USGS, FEMA, Austin Community College, Texas Parks & Wildlife, CONANP, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, Esri Community Maps Contributors, Austin Community College, City of Austin, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, CONANP, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, Esri, Texas



Esri, NASA, NGA, USGS, FEMA, Austin Community College, City of Austin, Texas Parks & Wildlife, CONANP, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, Esri Community Maps Contributors, Austin Community College, City of Austin, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, CONANP, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, Maxar

Historic Properties I-35 Capital Express Central

PS&E Package 1
I-35 from Holly Street to US 290W/SH 71
CSJ: 0015-13-428

-  Historic Property
-  Parcel Boundary (Travis CAD)
-  Area of Potential Effects



Appendix C: Historic properties – Capital Express Central, 0015-13-438**PS&E Package 2****I-35: E. Martin Luther King Jr. Blvd. Bridge/Intersection**



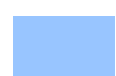
HRSR Resource No.²	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
320A	709 E. MLK Blvd.	198294	Contributing to Little Campus Historic District; also addressed as 1701 Red River Street
320B	1823 Red River Street	198294	Contributing to Little Campus Historic District; also addressed as 1701 Red River Street
321 A-C	1601 Navasota Street	198413	Oakwood Cemetery

² HRSR = Historic Resources Survey Report for I-35 Capital Express Central, copy available from TxDOT.



Historic Properties I-35 Capital Express Central

PS&E Package 2
MLK Jr. Boulevard at I-35
CSJ: 0015-13-438

-  Historic Property
-  Parcel Boundary (Travis CAD)
-  Area of Potential Effects



Appendix D: Historic properties – Capital Express Central, 0015-13-433; 0015-13-440; 0914-04-341

PS&E Package 3

I-35: From Airport Boulevard to East 9th Street Drainage Tunnel/Open Cut

I-35: From East 11th Street to Lady Bird Lake Drainage Tunnel/Open Cut

East Cesar Chavez Street: From I-35 to outfall at US 183 Drainage Tunnel

HRSR Resource No.³	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
144	4408 Airport Boulevard	213408	Contributing to Delwood I Historic District
145	4406 Airport Boulevard	213409	Contributing to Delwood I Historic District
146	4404 Airport Boulevard	213410	Contributing to Delwood I Historic District
147	4402 Airport Boulevard	213411	Contributing to Delwood I Historic District
148	4330 Parkwood Road	213412	Contributing to Delwood I Historic District
149	4330 Airport Boulevard	213470	Contributing to Delwood I Historic District
150	1202 Crestwood Road	213421	Contributing to Delwood I Historic District
151	1204 Crestwood Road	213420	Contributing to Delwood I Historic District
152	1206 Crestwood Road	213419	Contributing to Delwood I Historic District
153	1300 Crestwood Road	213418	Contributing to Delwood I Historic District
154	1302 Crestwood Road	213417	Contributing to Delwood I Historic District
155	1304 Crestwood Road	213416	Contributing to Delwood I Historic District
156	1306 Crestwood Road	213415	Contributing to Delwood I Historic District
163A-G	4301 North I-35	213494	St, George's Episcopal Church/School

³ HRSR = Historic Resources Survey Report for I-35 Capital Express Central, copy available from TxDOT.

Appendix D: Historic properties – Capital Express Central, 0015-13-433; 0015-13-440; 0914-04-341

PS&E Package 3

I-35: From Airport Boulevard to East 9th Street Drainage Tunnel/Open Cut

I-35: From East 11th Street to Lady Bird Lake Drainage Tunnel/Open Cut

East Cesar Chavez Street: From I-35 to outfall at US 183 Drainage Tunnel

HRSR Resource No.³	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
166	4204 Bradwood Road	213508	Contributing to Wilshire Historic District
167	4202 Bradwood Road	213509	Contributing to Wilshire Historic District
169	4200 Bradwood Road	213510	Contributing to Wilshire Historic District
171	4104 Bradwood Road	213512	Contributing to Wilshire Historic District
172	4102 Bradwood Road	213513	Contributing to Wilshire Historic District
173	4100 Bradwood Road	213514	Contributing to Wilshire Historic District
175	4006 Bradwood Road	210724	Contributing to Wilshire Historic District
176	4004 Bradwood Road	210725	Contributing to Wilshire Historic District
177	4002 Bradwood Road	210726	Contributing to Wilshire Historic District
178	4000 Bradwood Road	210727	Contributing to Wilshire Historic District
179	4000 North I-35	211825	
180	1300 Kirkwood Road	210735	Contributing to Delwood Duplex Historic District
181	1301 Kirkwood Road	210737	Contributing to Delwood Duplex Historic District
200	3810 North I-35	211860	
235A-B	3509 North I-35	209089	
295	3009 North I-35	206956	

Appendix D: Historic properties – Capital Express Central, 0015-13-433; 0015-13-440; 0914-04-341

PS&E Package 3

I-35: From Airport Boulevard to East 9th Street Drainage Tunnel/Open Cut

I-35: From East 11th Street to Lady Bird Lake Drainage Tunnel/Open Cut

East Cesar Chavez Street: From I-35 to outfall at US 183 Drainage Tunnel

HRSR Resource No.³	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
316A-B	2300-2313 Red River Street	205216	UT Austin - Sid Richardson Hall and Thompson Conf Center
316C	2405 Robert Dedman Drive	205216	UT Austin - LBJ Library
317	East side 2600-2700 blocks I-35	203930	Mt. Calvary Cemetery
320A	709 E. MLK Blvd.	198294	Little Campus Historic District; also addressed as 1701 Red River Street
320B	1823 Red River Street	198294	Little Campus Historic District; also addressed as 1701 Red River Street
321 A-C	1601 Navasota Street	198413	Oakwood Cemetery
327	903 East 15 th Street	198313	Contributing to Swedish Hill Historic District
328	905 East 15 th Street	198314	Contributing to Swedish Hill Historic District
329	907 East 15 th Street	198315	Contributing to Swedish Hill Historic District
330	902 East 14 th Street	198321	Contributing to Swedish Hill Historic District
331	904 East 14 th Street	198320	Contributing to Swedish Hill Historic District
332	906 East 14 th Street	909823	Contributing to Swedish Hill Historic District
333	908 East 14 th Street	198318	Contributing to Swedish Hill Historic District
334	910 East 14 th Street	198317	Contributing to Swedish Hill Historic District
335	903 East 14 th Street	198303	Contributing to Swedish Hill Historic District

Appendix D: Historic properties – Capital Express Central, 0015-13-433; 0015-13-440; 0914-04-341

PS&E Package 3

I-35: From Airport Boulevard to East 9th Street Drainage Tunnel/Open Cut

I-35: From East 11th Street to Lady Bird Lake Drainage Tunnel/Open Cut

East Cesar Chavez Street: From I-35 to outfall at US 183 Drainage Tunnel

HRSR Resource No.³	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
336	905 East 14 th Street	198311	Swede Hill Park; contributing to Swedish Hill Extension Historic District
339	810 East 13 th Street	198296	
344	East 12 th Street WB at Waller Creek Bridge	Not applicable	
349	East 12 th Street EB at Waller Creek Bridge	Not applicable	
350	901 East 12 th Street	197097	
356	912 East 11 th Street	197218	
358A-C	801 Red River Street	194649	
360	809 East 9 th Street	194712	
361A	802 San Marcos Street	194697	Also addressed as 801 and 822 Embassy Drive
367	902 East 7 th Street	194706	
372	East 7 th Street at Waller Creek Bridge	Not applicable	Individually NRHP-eligible
376	700 East 6 th Street	194684	Contributing to Sixth Street Historic District
377	East 6 th Street at Waller Creek Bridge	Not applicable	Individually NRHP -eligible and contributing to Sixth Street Historic District
378	706-708 East 6 th Street	194683	Contributing to Sixth Street Historic District
382	701 East 6 th Street	194661	Contributing to Sixth Street Historic District
383	709 East 6 th Street	194664	Contributing to Sixth Street Historic District

Appendix D: Historic properties – Capital Express Central, 0015-13-433; 0015-13-440; 0914-04-341

PS&E Package 3

I-35: From Airport Boulevard to East 9th Street Drainage Tunnel/Open Cut

I-35: From East 11th Street to Lady Bird Lake Drainage Tunnel/Open Cut

East Cesar Chavez Street: From I-35 to outfall at US 183 Drainage Tunnel

HRSR Resource No.³	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
384	711 East 6 th Street	194665	Contributing to Sixth Street Historic District
385	713 East 6 th Street	194666	Contributing to Sixth Street Historic District
386	719 East 6 th Street	194667	Contributing to Sixth Street Historic District
387	721 East 6 th Street	194668	Contributing to Sixth Street Historic District
388	723 East 6 th Street	194670	Contributing to Sixth Street Historic District
389	725 East 6 th Street	194669	Contributing to Sixth Street Historic District
392	501 North I-35	191646	
397A-B	1300-1302 East 4 th Street	917048	
398	604 East 3 rd Street	191615	
399A	606 East 3 rd Street	191614	
399B	608 East 3 rd Street	191614	
400	807 East 4 th Street	191640	
402	900 East 3 rd Street	191685	
403A-C	300 Medina Street	191714	
404A-E	200 North I-35	191622; west part of 191609	Palm Park
405A-C	200 Brushy Street	191639	Emmanuel United Methodist Church
406	903 East 3 rd Street	191660	Contributing to East 2 nd and 3 rd Streets Historic District
407A	906 East 2 nd Street	191666	Contributing to East 2 nd and 3 rd Streets Historic District

Appendix D: Historic properties – Capital Express Central, 0015-13-433; 0015-13-440; 0914-04-341

PS&E Package 3

I-35: From Airport Boulevard to East 9th Street Drainage Tunnel/Open Cut

I-35: From East 11th Street to Lady Bird Lake Drainage Tunnel/Open Cut

East Cesar Chavez Street: From I-35 to outfall at US 183 Drainage Tunnel

HRSR Resource No.³	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
408	100 North I-35/ 109 Sabine Street/ 700 East Cesar Chavez Street	191621	Palm School
410	901 East 2 nd Street	191648	Contributing to East 2 nd and 3 rd Streets Historic District
411	903 East 2 nd Street	191649	Contributing to East 2 nd and 3 rd Streets Historic District
412	905 East 2 nd Street	191650	Contributing to East 2 nd and 3 rd Streets Historic District
413	907 East 2 nd Street	191651	Contributing to East 2 nd and 3 rd Streets Historic District
417	902 Willow Street	190953	Contributing to Willow-Spence Streets Historic District
418	904 Willow Street	190952	Contributing to Willow-Spence Streets Historic District
420	901 Willow Street	190932	Contributing to Willow-Spence Streets Historic District
422	808 Spence Street	190943	Contributing to Willow-Spence Streets Historic District
423	900 Spence Street	190942	Contributing to Willow-Spence Streets Historic District
424	902 Spence Street	190941	Contributing to Willow-Spence Streets Historic District
425	904 Spence Street	190940	Contributing to Willow-Spence Streets Historic District
427	85 Rainey Street	190893	Contributing to Rainey Street Historic District
428	83 Rainey Street	190852	Contributing to Rainey Street Historic District

Appendix D: Historic properties – Capital Express Central, 0015-13-433; 0015-13-440; 0914-04-341

PS&E Package 3

I-35: From Airport Boulevard to East 9th Street Drainage Tunnel/Open Cut

I-35: From East 11th Street to Lady Bird Lake Drainage Tunnel/Open Cut

East Cesar Chavez Street: From I-35 to outfall at US 183 Drainage Tunnel

HRSR Resource No.³	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
429	81 Rainey Street	190890	Contributing to Rainey Street Historic District
431A	77 Rainey Street	190888	Contributing to Rainey Street Historic District
432	75½ Rainey Street	190887	Contributing to Rainey Street Historic District
433	901 Spence Street	921924	Contributing to Willow-Spence Streets Historic District
434	903 Spence Street	190924	Contributing to Willow-Spence Streets Historic District
435A	905 Spence Street	190925	Contributing to Willow-Spence Streets Historic District
437A-	78 San Marcos Street	190527	Contributing to Willow-Spence Streets Historic District
439A	902 Taylor Street	190931	Contributing to Willow-Spence Streets Historic District Extension
440	904 Taylor Street	190930	Contributing to Willow-Spence Streets Historic District Extension
441A	908 Taylor Street	190928	Contributing to Willow-Spence Streets Historic District Extension
441B	74 San Marcos Street	190928	Contributing to Willow-Spence Streets Historic District Extension
442	907 Taylor Street	190920	Contributing to Willow-Spence Streets Historic District Extension
443	909 Taylor Street	895097	Contributing to Willow-Spence Streets Historic District Extension
462A-E	Town Lake Park System – Edward Rendon Park and Waller Beach Park	Multiple parcels	
1001	1000 East Cesar Chavez Street	191702	Contributing to East 1 st Street Historic District

Appendix D: Historic properties – Capital Express Central, 0015-13-433; 0015-13-440; 0914-04-341

PS&E Package 3

I-35: From Airport Boulevard to East 9th Street Drainage Tunnel/Open Cut

I-35: From East 11th Street to Lady Bird Lake Drainage Tunnel/Open Cut

East Cesar Chavez Street: From I-35 to outfall at US 183 Drainage Tunnel

HRSR Resource No.³	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
1002A-B	1004 East Cesar Chavez Street	191700	Contributing to East 1 st Street Historic District
1003	1006 East Cesar Chavez Street	191699	Contributing to East 1 st Street Historic District
1004A-B	1010 East Cesar Chavez Street	191697	Contributing to East 1 st Street Historic District
1005	1100 East Cesar Chavez Street	191735	Contributing to East 1 st Street Historic District
1006	1102 East Cesar Chavez Street	191734	Contributing to East 1 st Street Historic District
1007	1108 East Cesar Chavez Street	191732	Contributing to East 1 st Street Historic District
1009	1114 East Cesar Chavez Street	191730	Contributing to East 1 st Street Historic District
1013	1204 East Cesar Chavez Street	191779	Contributing to East 1 st Street Historic District
1015	1201 East Cesar Chavez Street	188757	Contributing to East 1 st Street Historic District
1016	1205 East Cesar Chavez Street	188758	Contributing to East 1 st Street Historic District
1017	1207 East Cesar Chavez Street	188759	Contributing to East 1 st Street Historic District
1019	1211 East Cesar Chavez Street	188761	Contributing to East 1 st Street Historic District
1020	1300 East Cesar Chavez Street	191828	Contributing to East 1 st Street Historic District
1021	1302 East Cesar Chavez Street	191827	Contributing to East 1 st Street Historic District
1022	1304 East Cesar Chavez Street	191826	Contributing to East 1 st Street Historic District

Appendix D: Historic properties – Capital Express Central, 0015-13-433; 0015-13-440; 0914-04-341

PS&E Package 3

I-35: From Airport Boulevard to East 9th Street Drainage Tunnel/Open Cut

I-35: From East 11th Street to Lady Bird Lake Drainage Tunnel/Open Cut

East Cesar Chavez Street: From I-35 to outfall at US 183 Drainage Tunnel

HRSR Resource No.³	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
1023	1306 East Cesar Chavez Street	191825	Contributing to East 1 st Street Historic District
1024	1308 East Cesar Chavez Street	191824	Contributing to East 1 st Street Historic District
1025	1312 East Cesar Chavez Street	191823	Contributing to East 1 st Street Historic District
1026	1301 East Cesar Chavez Street	188762	Contributing to East 1 st Street Historic District
1027	1303 East Cesar Chavez Street	188763	Contributing to East 1 st Street Historic District
1028A-C	1305 East Cesar Chavez Street	188764	Contributing to East 1 st Street Historic District
1030A-B	1311 East Cesar Chavez Street/ 94 Navasota Street	188766	Contributing to East 1 st Street Historic District
1031	1400 East Cesar Chavez Street	191879	Contributing to East 1 st Street Historic District
1032	1402 East Cesar Chavez Street	191878	Contributing to East 1 st Street Historic District
1033	1408 East Cesar Chavez Street	191877	Contributing to East 1 st Street Historic District
1034	1410 East Cesar Chavez Street	191876	Contributing to East 1 st Street Historic District
1036	1401 East Cesar Chavez Street	188880	Contributing to East 1 st Street Historic District
1037	1403 East Cesar Chavez Street	188881	Contributing to East 1 st Street Historic District
1038	1405 East Cesar Chavez Street	188882	Contributing to East 1 st Street Historic District
1040	1409 East Cesar Chavez Street	188885	Contributing to East 1 st Street Historic District

Appendix D: Historic properties – Capital Express Central, 0015-13-433; 0015-13-440; 0914-04-341

PS&E Package 3

I-35: From Airport Boulevard to East 9th Street Drainage Tunnel/Open Cut

I-35: From East 11th Street to Lady Bird Lake Drainage Tunnel/Open Cut

East Cesar Chavez Street: From I-35 to outfall at US 183 Drainage Tunnel

HRSR Resource No.³	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
1041A, C, D, E	1602 East Cesar Chavez Street	188998	Contributing to East 1 st Street Historic District
1042	1634 East Cesar Chavez Street	189001	Contributing to East 1 st Street Historic District
1043	1607 East Cesar Chavez Street	188977	Contributing to East 1 st Street Historic District
1044	1609 East Cesar Chavez Street	188978	Contributing to East 1 st Street Historic District
1045	1611 East Cesar Chavez Street	188979	Contributing to East 1 st Street Historic District
1046	1615 East Cesar Chavez Street	188992	Contributing to East 1 st Street Historic District
1047A-B	1621 East Cesar Chavez Street	188980	Contributing to East 1 st Street Historic District
1049A	1808 East Cesar Chavez Street	189103	Contributing to East 1 st Street Historic District
1051	1703 East Cesar Chavez Street	189076	Contributing to East 1 st Street Historic District
1053A-B	1717 East Cesar Chavez Street	189077	Contributing to East 1 st Street Historic District
1055A-B	1803 East Cesar Chavez Street	189079	Contributing to East 1 st Street Historic District
1056	1805 East Cesar Chavez Street	189080	Contributing to East 1 st Street Historic District
1057	1807 East Cesar Chavez Street	189093	Contributing to East 1 st Street Historic District
1058A-B	98 Chicon Street	189094	Contributing to East 1 st Street Historic District

Appendix D: Historic properties – Capital Express Central, 0015-13-433; 0015-13-440; 0914-04-341

PS&E Package 3

I-35: From Airport Boulevard to East 9th Street Drainage Tunnel/Open Cut

I-35: From East 11th Street to Lady Bird Lake Drainage Tunnel/Open Cut

East Cesar Chavez Street: From I-35 to outfall at US 183 Drainage Tunnel

HRSR Resource No.³	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
1058C	1811 East Cesar Chavez Street	189094	Contributing to East 1 st Street Historic District; also addressed as 98 Chicon Street
1059	1900 East Cesar Chavez Street	189190	Contributing to East 1 st Street Historic District
1060	1910 East Cesar Chavez Street	189186	Contributing to East 1 st Street Historic District
1061	1901 East Cesar Chavez Street	725823	Contributing to East 1 st Street Historic District
1062	1911 East Cesar Chavez Street	189168	Contributing to East 1 st Street Historic District
1063A-B	1913 East Cesar Chavez Street	189169	Contributing to East 1 st Street Historic District
1064	2000 East Cesar Chavez Street	189268	Contributing to East 1 st Street Historic District
1066	2008 East Cesar Chavez Street	189266	Contributing to East 1 st Street Historic District
1067	2012 East Cesar Chavez Street	189265	Contributing to East 1 st Street Historic District
1068	2016 East Cesar Chavez Street	189264	Contributing to East 1 st Street Historic District
1069	2020 East Cesar Chavez Street	189263	Contributing to East 1 st Street Historic District
1070	2001 East Cesar Chavez Street	189241	Contributing to East 1 st Street Historic District
1071	2005 East Cesar Chavez Street	189242	Contributing to East 1 st Street Historic District
1072	2009 East Cesar Chavez Street	189243	Contributing to East 1 st Street Historic District

Appendix D: Historic properties – Capital Express Central, 0015-13-433; 0015-13-440; 0914-04-341

PS&E Package 3

I-35: From Airport Boulevard to East 9th Street Drainage Tunnel/Open Cut

I-35: From East 11th Street to Lady Bird Lake Drainage Tunnel/Open Cut

East Cesar Chavez Street: From I-35 to outfall at US 183 Drainage Tunnel

HRSR Resource No.³	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
1074	2023 East Cesar Chavez Street	189246	Contributing to East 1 st Street Historic District
1076	2028 East Cesar Chavez Street	189327	Contributing to East 1 st Street Historic District
1077	2032 East Cesar Chavez Street	189326	Contributing to East 1 st Street Historic District
1078A-B	2036 East Cesar Chavez Street	189325	Contributing to East 1 st Street Historic District
1079	2044 East Cesar Chavez Street	189323	Contributing to East 1 st Street Historic District
1080B	96 Anthony Street	935505	Contributing to East 1 st Street Historic District (building at 2101 E. Cesar Chavez on this parcel is not contributing)
1081A-B	2109 East Cesar Chavez Street	189302	Contributing to East 1 st Street Historic District
1083	2117 East Cesar Chavez Street	189304	Contributing to East 1 st Street Historic District
1084	2121 East Cesar Chavez Street	189305	Contributing to East 1 st Street Historic District
1085	2125 East Cesar Chavez Street	189306	Contributing to East 1 st Street Historic District
1086A	2131 East Cesar Chavez Street	189307	Contributing to East 1 st Street Historic District
1086B	96 Robert T. Martinez, Jr. Street	189307	Contributing to East 1 st Street Historic District
1087A-B	2100 East Cesar Chavez Street	189338	Contributing to East 1 st Street Historic District
1088A-B	2104 East Cesar Chavez Street	189337	Contributing to East 1 st Street Historic District

Appendix D: Historic properties – Capital Express Central, 0015-13-433; 0015-13-440; 0914-04-341

PS&E Package 3

I-35: From Airport Boulevard to East 9th Street Drainage Tunnel/Open Cut

I-35: From East 11th Street to Lady Bird Lake Drainage Tunnel/Open Cut

East Cesar Chavez Street: From I-35 to outfall at US 183 Drainage Tunnel

HRSR Resource No.³	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
1089	2108 East Cesar Chavez Street	189336	Contributing to East 1 st Street Historic District
1090	2112 East Cesar Chavez Street	189335	Contributing to East 1 st Street Historic District
1091	2116 East Cesar Chavez Street	189334	Contributing to East 1 st Street Historic District
1092	101 Robert T. Martinez Jr. Street	974021	Contributing to East 1 st Street Historic District
1093A-B	2204 East Cesar Chavez Street	189350	Contributing to East 1 st Street Historic District
1094A-C	2214 East Cesar Chavez Street	189347	Contributing to East 1 st Street Historic District
1095	2220 East Cesar Chavez Street	189346	Contributing to East 1 st Street Historic District
1096	2226 East Cesar Chavez Street	189345	Contributing to East 1 st Street Historic District
1098A-B	2201 East Cesar Chavez Street	188441	Contributing to East 1 st Street Historic District
1099	2203 East Cesar Chavez Street	188442	Contributing to East 1 st Street Historic District
1100	2205 East Cesar Chavez Street	188443	Contributing to East 1 st Street Historic District
1101	2211 East Cesar Chavez Street	188446	Contributing to East 1 st Street Historic District
1102	2213 East Cesar Chavez Street	188447	Contributing to East 1 st Street Historic District
1103A	2215 East Cesar Chavez Street	188448	Contributing to East 1 st Street Historic District
1103B	96 Mildred Street	188448	Contributing to East 1 st Street Historic District

Appendix D: Historic properties – Capital Express Central, 0015-13-433; 0015-13-440; 0914-04-341

PS&E Package 3

I-35: From Airport Boulevard to East 9th Street Drainage Tunnel/Open Cut

I-35: From East 11th Street to Lady Bird Lake Drainage Tunnel/Open Cut

East Cesar Chavez Street: From I-35 to outfall at US 183 Drainage Tunnel

HRSR Resource No.³	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
1104	2300 East Cesar Chavez Street	189458	Contributing to East 1 st Street Historic District
1106	2304 East Cesar Chavez Street	189456	Contributing to East 1 st Street Historic District
1108	2324 East Cesar Chavez Street	719867	Contributing to East 1 st Street Historic District
1110	2301 East Cesar Chavez Street	188487	Contributing to East 1 st Street Historic District
1111	2303 East Cesar Chavez Street	188488	Contributing to East 1 st Street Historic District
1113	2329 East Cesar Chavez Street	188505	Contributing to East 1 st Street Historic District
1114	2331 East Cesar Chavez Street	188506	Contributing to East 1 st Street Historic District
1115A-B	2335 East Cesar Chavez Street	188495	Contributing to East 1 st Street Historic District
1118	2407 East Cesar Chavez Street	188528	Contributing to East 1 st Street Historic District
1119	2409 East Cesar Chavez Street	188529	Contributing to East 1 st Street Historic District
1121	2502 East Cesar Chavez Street	189595	Contributing to East 1 st Street Historic District
1122A-B	2504 East Cesar Chavez Street	189594	Contributing to East 1 st Street Historic District
1123A-B	2506 East Cesar Chavez Street	189593	Contributing to East 1 st Street Historic District
1124	2508 East Cesar Chavez Street	189592	Contributing to East 1 st Street Historic District
1125	2510 East Cesar Chavez Street	189591	Contributing to East 1 st Street Historic District

Appendix D: Historic properties – Capital Express Central, 0015-13-433; 0015-13-440; 0914-04-341

PS&E Package 3

I-35: From Airport Boulevard to East 9th Street Drainage Tunnel/Open Cut

I-35: From East 11th Street to Lady Bird Lake Drainage Tunnel/Open Cut

East Cesar Chavez Street: From I-35 to outfall at US 183 Drainage Tunnel

HRSR Resource No.³	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
1126	2512 East Cesar Chavez Street	189590	Contributing to East 1 st Street Historic District
1127A	2514 East Cesar Chavez Street	864896	Contributing to East 1 st Street Historic District
1127B	104 San Saba Street	864896	Contributing to East 1 st Street Historic District
1129	2503 East Cesar Chavez Street	187534	Contributing to East 1 st Street Historic District
1130	2505 East Cesar Chavez Street	187535	Contributing to East 1 st Street Historic District
1131A-B	2507 East Cesar Chavez Street	187536	Contributing to East 1 st Street Historic District
1132	2509 East Cesar Chavez Street	187537	Contributing to East 1 st Street Historic District
1133	2511 East Cesar Chavez Street	187538	Contributing to East 1 st Street Historic District
1134	2513 East Cesar Chavez Street	187539	Contributing to East 1 st Street Historic District
1135	2600 East Cesar Chavez Street	189692	Contributing to East 1 st Street Historic District
1137	2604 East Cesar Chavez Street	189690	Contributing to East 1 st Street Historic District
1139B	97 San Saba Street	187583	Contributing to East 1 st Street Historic District (building at 2601 E. Cesar Chavez on this parcel is not contributing)
1142A, C	2609 East Cesar Chavez Street	187587	Contributing to East 1 st Street Historic District
1144	2614 East Cesar Chavez Street	189685	Contributing to East 1 st Street Historic District

Appendix D: Historic properties – Capital Express Central, 0015-13-433; 0015-13-440; 0914-04-341

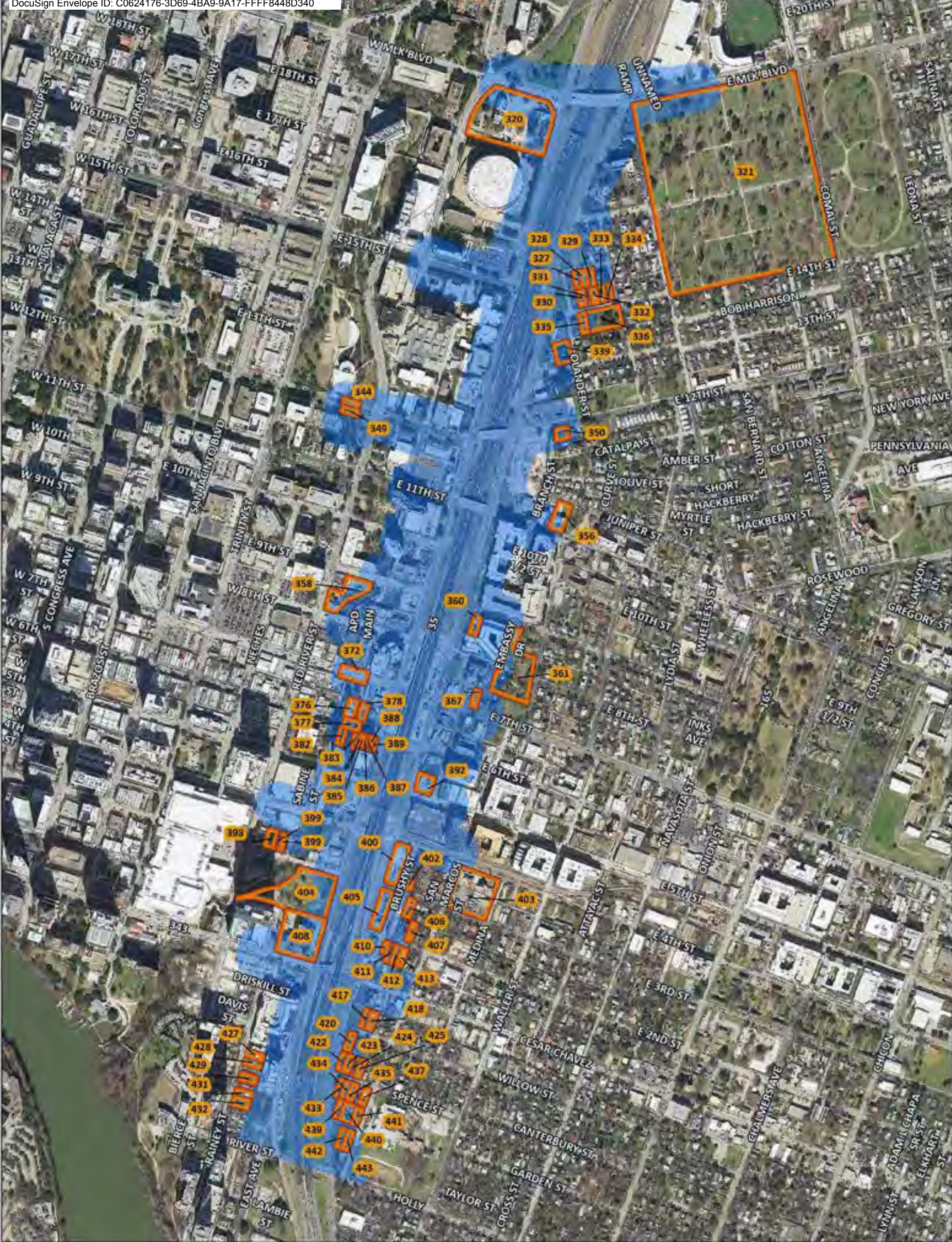
PS&E Package 3

I-35: From Airport Boulevard to East 9th Street Drainage Tunnel/Open Cut

I-35: From East 11th Street to Lady Bird Lake Drainage Tunnel/Open Cut




East Cesar Chavez Street: From I-35 to outfall at US 183 Drainage Tunnel

HRSR Resource No.³	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
1145A-B	2700 East Cesar Chavez Street	189684	Contributing to East 1 st Street Historic District
1147	2701 East Cesar Chavez Street	187612	Contributing to East 1 st Street Historic District
1148	2703 East Cesar Chavez Street	187613	Contributing to East 1 st Street Historic District
1172	4704 East Cesar Chavez Street	188561	
1173	4822 East Cesar Chavez Street	188560	
1174	4824 East Cesar Chavez Street	188567	

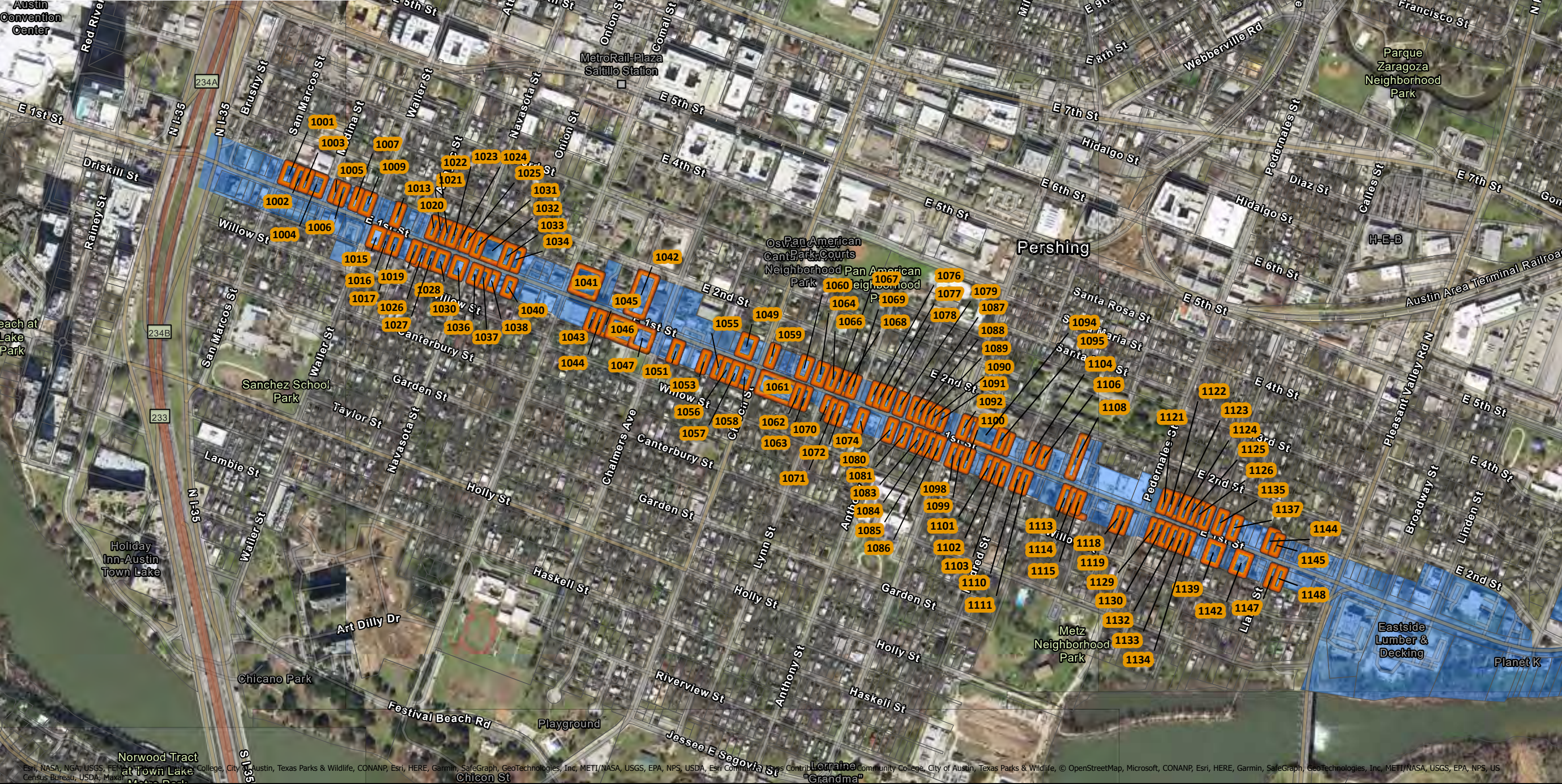


Historic Properties I-35 Capital Express Central

PS&E Package 3
I-35: East Martin Luther King Jr. Blvd to Holly St
CSJ: 0015-13-433, 0015-13-440

-  Historic Property
-  Parcel Boundary (Travis CAD)
-  Area of Potential Effects

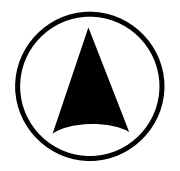
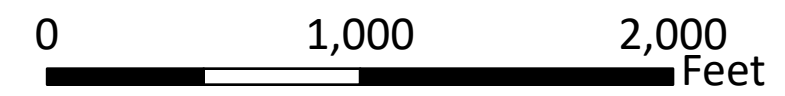




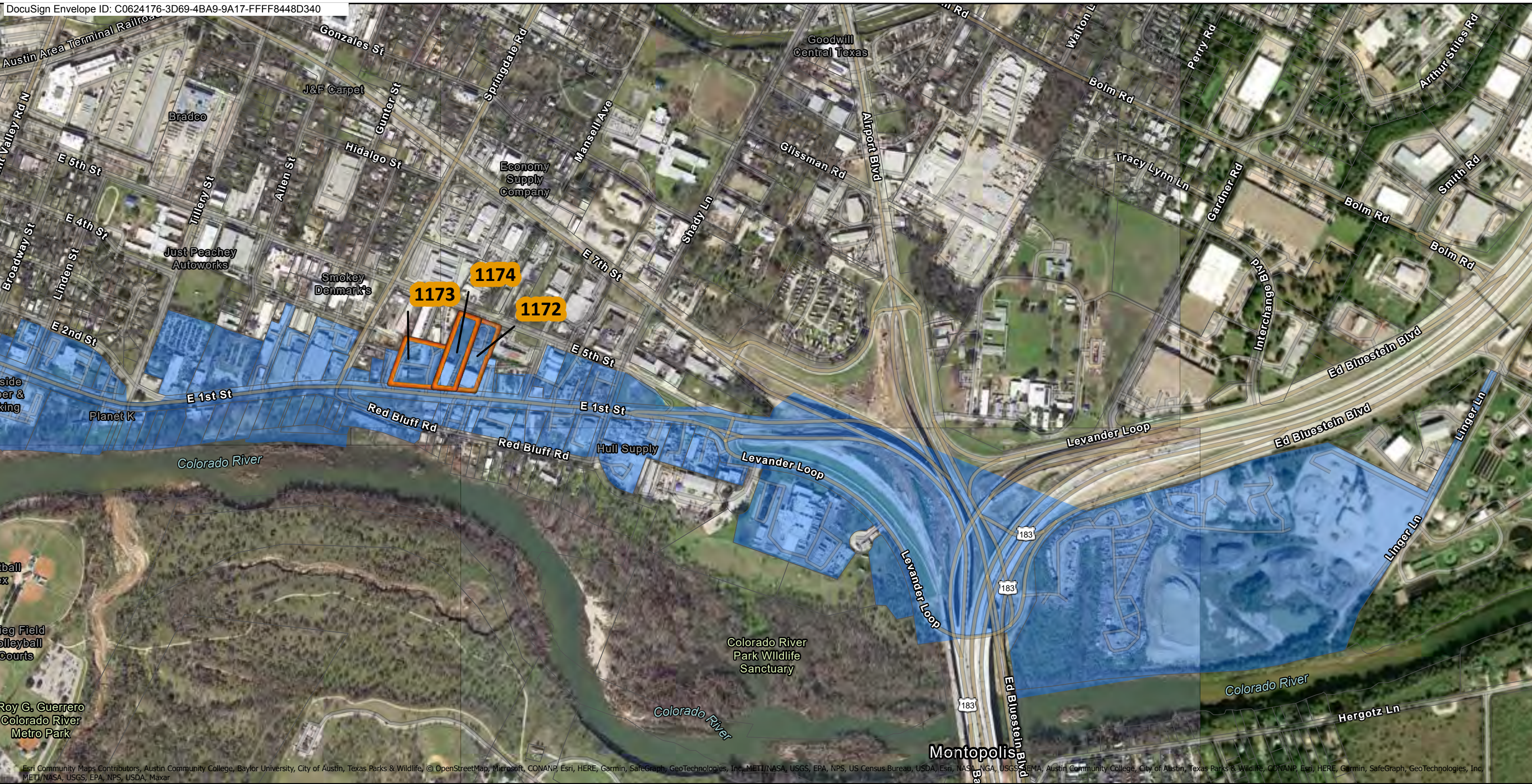
Historic Properties I-35 Capital Express Central

PS&E Package 3
I-35 to Colorado River, just east of US 183
CSJ: 0914-04-341

- Historic Property
- Parcel Boundary (Travis CAD)
- Area of Potential Effects



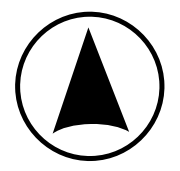
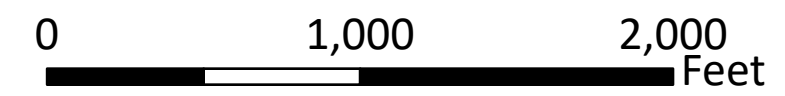
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Historic Properties I-35 Capital Express Central

PS&E Package 3
I-35 to Colorado River, just east of US 183
CSJ: 0914-04-341

- Historic Property
- Parcel Boundary (Travis CAD)
- Area of Potential Effects



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Appendix E: Historic properties – Capital Express Central, CSJs: 0015-13-437 and 0015-13-432

PS&E Package 4

I-35: Capital Metro Red Line Bridges near Airport Boulevard and East 4th Street; Northbound Upper Deck demolition

HRSR Resource No.⁴	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
119	4505 North Interstate Highway 35	215022	Contributing to Delwood II Historic District
120	4504 Elwood Road	215028	Contributing to Delwood II Historic District
121	4503 North Interstate Highway 35	215021	Contributing to Delwood II Historic District
122	4502 Elwood Road	215029	Contributing to Delwood II Historic District
123	4500 Elwood Road	215030	Contributing to Delwood II Historic District
134	4401 Parkwood Road	213401	Contributing to Delwood II Historic District
135	4333 Airport Boulevard	213400	Contributing to Delwood II Historic District
136	4331 Airport Boulevard	213399	Contributing to Delwood II Historic District
137	4329 Airport Boulevard	213398	Contributing to Delwood II Historic District
144	4408 Airport Boulevard	213408	Contributing to Delwood I Historic District
145	4406 Airport Boulevard	213409	Contributing to Delwood I Historic District
146	4404 Airport Boulevard	213410	Contributing to Delwood I Historic District
147	4402 Airport Boulevard	213411	Contributing to Delwood I Historic District
148	4330 Parkwood Road	213412	Contributing to Delwood I Historic District

⁴ HRSR = Historic Resources Survey Report for I-35 Capital Express Central, copy available from TxDOT.

Appendix E: Historic properties – Capital Express Central, CSJs: 0015-13-437 and 0015-13-432

PS&E Package 4

I-35: Capital Metro Red Line Bridges near Airport Boulevard and East 4th Street; Northbound Upper Deck demolition

HRSR Resource No.⁴	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
149	4330 Airport Boulevard	213470	Contributing to Delwood I Historic District
150	1202 Crestwood Road	213421	Contributing to Delwood I Historic District
151	1204 Crestwood Road	213420	Contributing to Delwood I Historic District
152	1206 Crestwood Road	213419	Contributing to Delwood I Historic District
153	1300 Crestwood Road	213418	Contributing to Delwood I Historic District
154	1302 Crestwood Road	213417	Contributing to Delwood I Historic District
155	1304 Crestwood Road	213416	Contributing to Delwood I Historic District
156	1306 Crestwood Road	213415	Contributing to Delwood I Historic District
163A-G	4301 North I-35	213494	St. George's Episcopal Church/School
166	4204 Bradwood Road	213508	Contributing to Wilshire Historic District
167	4202 Bradwood Road	213509	Contributing to Wilshire Historic District
169	4200 Bradwood Road	213510	Contributing to Wilshire Historic District
171	4104 Bradwood Road	213512	Contributing to Wilshire Historic District
172	4102 Bradwood Road	213513	Contributing to Wilshire Historic District
173	4100 Bradwood Road	213514	Contributing to Wilshire Historic District

Appendix E: Historic properties – Capital Express Central, CSJs: 0015-13-437 and 0015-13-432

PS&E Package 4

I-35: Capital Metro Red Line Bridges near Airport Boulevard and East 4th Street; Northbound Upper Deck demolition

HRSR Resource No.⁴	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
175	4006 Bradwood Road	210724	Contributing to Wilshire Historic District
176	4004 Bradwood Road	210725	Contributing to Wilshire Historic District
177	4002 Bradwood Road	210726	Contributing to Wilshire Historic District
178	4000 Bradwood Road	210727	Contributing to Wilshire Historic District
179	4000 North Interstate Highway 35	211825	
180	1300 Kirkwood Road	210735	Contributing to Delwood Duplex Historic District
181	1301 Kirkwood Road	210737	Contributing to Delwood Duplex Historic District
200	3810 North Interstate Highway 35	211860	
235	3509 North Interstate Highway 35	209089	
295	3009 North Interstate Highway 35	206956	
316	2313 Red River Street	205216	
317	East side, 2600-2700 block North Interstate Highway 35	203930	
320	Resources 320A-B; 709 East Martin Luther King, Jr. Boulevard	198294	
321	1601 Navasota Street	198413	
397A-B	1300-1302 East 4 th Street	917048	
398	604 East 3rd Street	191615	
399 A-B	604 East 3rd Street	191614	
400	807 East 4 th Street	191640	
403A-C	300 Medina Street	191714	



Historic Properties I-35 Capital Express Central

PS&E Package 4

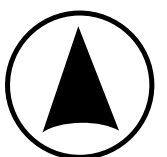
I-35 from Airport Boulevard to MLK Boulevard
and CapMetro/I-35 Crossings at Airport Boulevard

CSJ: 0015-13-432, 0015-13-437

 Historic Property

 Parcel Boundary (Travis CAD)




 Area of Potential Effects

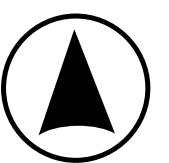


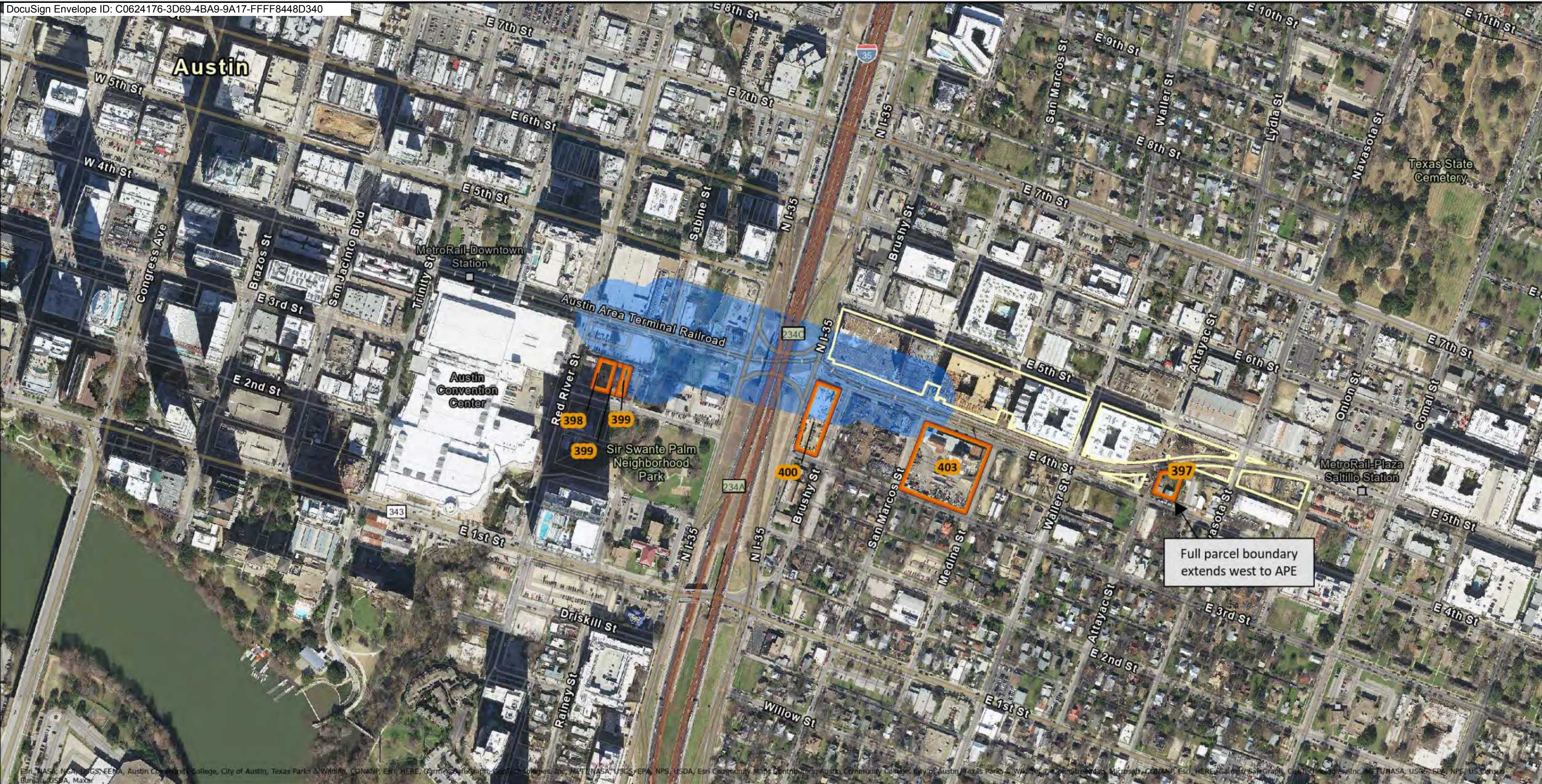


Historic Properties I-35 Capital Express Central

PS&E Package 4
I-35 from Airport Boulevard to MLK Boulevard
and CapMetro/I-35 Crossings at Airport Boulevard
CSJ: 0015-13-432, 0015-13-437

-  Historic Property
-  Parcel Boundary (Travis CAD)
-  Area of Potential Effects





Historic Properties I-35 Capital Express Central

PS&E Package 4
CapMetro/I-35 Crossings 4th Street
CSJs: 0015-13-432, 0015-13-437

- Historic Property
- Parcel Boundary (Travis CAD)
- Area of Potential Effects



Esri, NASA, NOAA, USGS, FEMA, Austin Community College, City of Austin, Texas Parks & Wildlife, CONANP, Esri, HERE, Garmin, Airphoto, IGN, Intergraph, Inc., MITI, NASA, USGS, EPA, NPS, USDA, Esri Community Maps Contributors, Austin Community College, City of Austin, Texas Parks & Wildlife, OpenStreetMap, Microsoft, CONANP, Esri, HERE, Garmin, SafeGraph, GeoTechnology, Inc., METU, NASA, USGS, EPA, NPS, US Census Bureau, USDA, Maxar

Appendix F: Historic properties – Capital Express Central, CSJs: 0015-13-441 and 0015-13-423

PS&E Package 5

I-35: From US 290 to East Martin Luther King Jr. Boulevard

HRSR Resource No.⁵	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
103	4612 North I-35	215039	Contributing to Delwood II Historic District
104A-B	4610 Elwood Road	215068	Contributing to Delwood II Historic District
105	4608 Elwood Road	215069	Contributing to Delwood II Historic District
107	4604 Elwood Road	215071	Contributing to Delwood II Historic District
108	4602 Elwood Road	215072	Contributing to Delwood II Historic District
109	1100 Bentwood Road	215033	Contributing to Delwood II Historic District
110A	4600 Elwood Road	215073	Contributing to Delwood II Historic District
116	1101 Bentwood Road	215024	Contributing to Delwood II Historic District
117A-B	1103 Bentwood Road	215025	Contributing to Delwood II Historic District
118	4510 Elwood Road	215027	Contributing to Delwood II Historic District
119	4505 North I-35	215022	Contributing to Delwood II Historic District
120	4504 Elwood Road	215028	Contributing to Delwood II Historic District
121	4503 North I-35	215021	Contributing to Delwood II Historic District

⁵ HRSR = Historic Resources Survey Report for I-35 Capital Express Central, copy available from TxDOT.

Appendix F: Historic properties – Capital Express Central, CSJs: 0015-13-441 and 0015-13-423

PS&E Package 5

I-35: From US 290 to East Martin Luther King Jr. Boulevard

HRSR Resource No.⁵	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
122	4502 Elwood Road	215029	Contributing to Delwood II Historic District
123	4500 Elwood Road	215030	Contributing to Delwood II Historic District
134	4401 Parkwood Road	213401	Contributing to Delwood II Historic District
135	4333 Airport Boulevard	213400	Contributing to Delwood II Historic District
136	4331 Airport Boulevard	213399	Contributing to Delwood II Historic District
137A-B	4329 Airport Boulevard	213398	Contributing to Delwood II Historic District
144	4408 Airport Boulevard	213408	Contributing to Delwood I Historic District
145	4406 Airport Boulevard	213409	Contributing to Delwood I Historic District
146	4404 Airport Boulevard	213410	Contributing to Delwood I Historic District
147	4402 Airport Boulevard	213411	Contributing to Delwood I Historic District
148	4330 Parkwood Road	213412	Contributing to Delwood I Historic District
149	4330 Airport Boulevard	213470	Contributing to Delwood I Historic District
150	1202 Crestwood Road	213421	Contributing to Delwood I Historic District
151	1204 Crestwood Road	213420	Contributing to Delwood I Historic District

Appendix F: Historic properties – Capital Express Central, CSJs: 0015-13-441 and 0015-13-423

PS&E Package 5

I-35: From US 290 to East Martin Luther King Jr. Boulevard

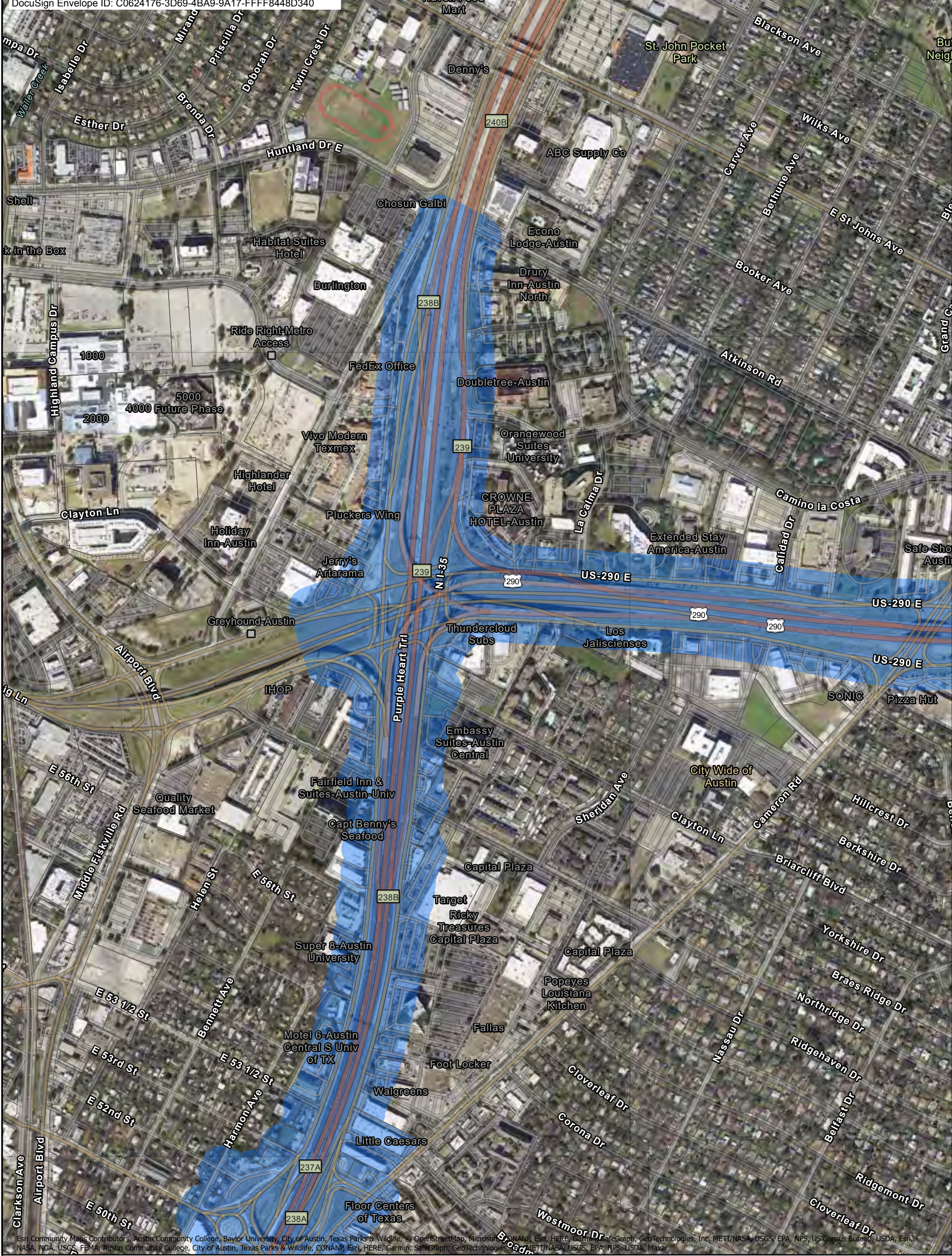
HRSR Resource No.⁵	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
152	1206 Crestwood Road	213419	Contributing to Delwood I Historic District
153	1300 Crestwood Road	213418	Contributing to Delwood I Historic District
154	1302 Crestwood Road	213417	Contributing to Delwood I Historic District
155	1304 Crestwood Road	213416	Contributing to Delwood I Historic District
156	1306 Crestwood Road	213415	Contributing to Delwood I Historic District
163A-G	4301 North I-35	213494	St. George's Episcopal Church/School
166	4204 Bradwood Road	213508	Contributing to Wilshire Historic District
167	4202 Bradwood Road	213509	Contributing to Wilshire Historic District
169	4200 Bradwood Road	213510	Contributing to Wilshire Historic District
171	4104 Bradwood Road	213512	Contributing to Wilshire Historic District
172	4102 Bradwood Road	213513	Contributing to Wilshire Historic District
173	4100 Bradwood Road	213514	Contributing to Wilshire Historic District
175	4006 Bradwood Road	210724	Contributing to Wilshire Historic District
176	4004 Bradwood Road	210725	Contributing to Wilshire Historic District

Appendix F: Historic properties – Capital Express Central, CSJs: 0015-13-441 and 0015-13-423

PS&E Package 5




I-35: From US 290 to East Martin Luther King Jr. Boulevard

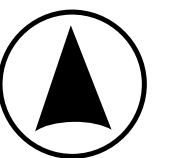
HRSR Resource No.⁵	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
177	4002 Bradwood Road	210726	Contributing to Wilshire Historic District
178	4000 Bradwood Road	210727	Contributing to Wilshire Historic District
179	4000 North I-35	211825	
180	1300 Kirkwood Road	210735	Contributing to Delwood Duplex Historic District
181	1301 Kirkwood Road	210737	Contributing to Delwood Duplex Historic District
200	3810 North I-35	211860	
235A-B	3509 North I-35	209089	
295	3009 North I-35	206956	
316A-B	2300-2313 Red River Street	205216	UT Austin - Sid Richardson Hall and Thompson Conf Center
316C	2405 Robert Dedman Drive	205216	UT Austin - LBJ Library
317	East side 2600-2700 blocks I-35	203930	Mt. Calvary Cemetery
320A	709 E. MLK Blvd.	198294	Little Campus Historic District; also addressed as 1701 Red River Street
320B	1823 Red River Street	198294	Little Campus Historic District; also addressed as 1701 Red River Street
321 A-C	1601 Navasota Street	198413	Oakwood Cemetery



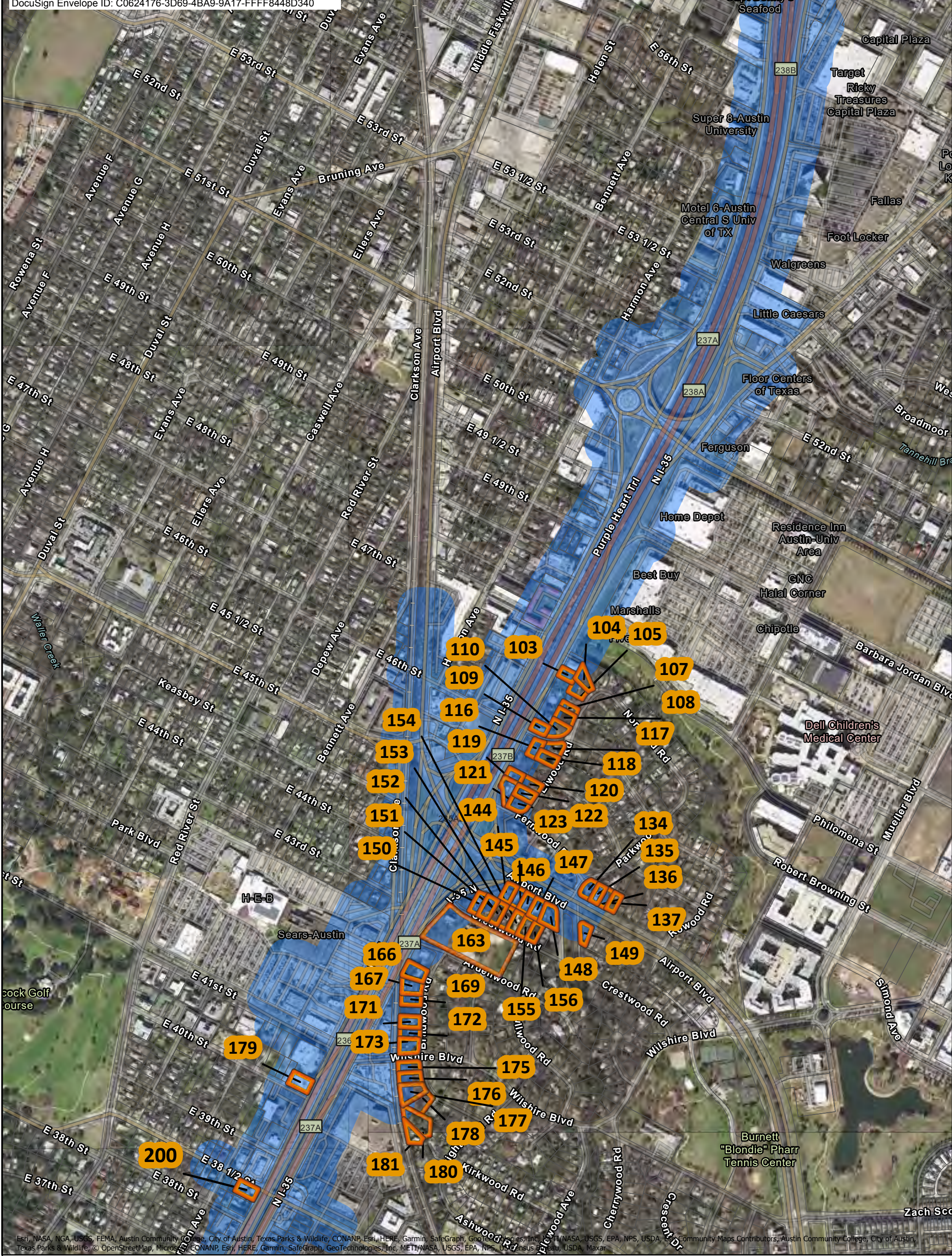
Historic Properties I-35 Capital Express Central

PS&E Package 5
I-35 from US 290E to MLK Boulevard
CSJ: 0015-13-423, 0015-13-441

-  Historic Property
-  Parcel Boundary (Travis CAD)
-  Area of Potential Effects






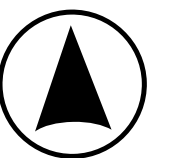
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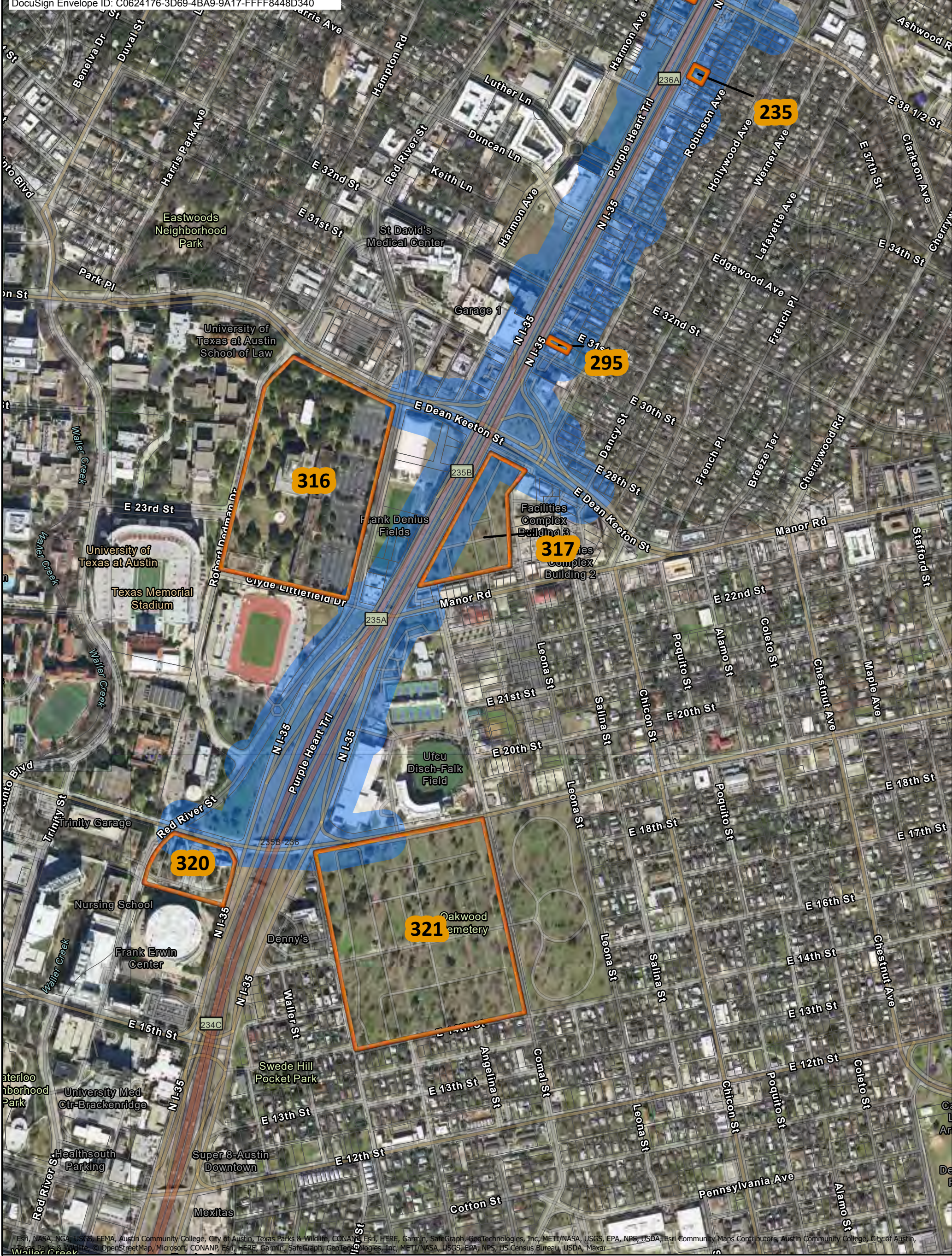
Historic Properties I-35 Capital Express Central

PS&E Package 5
I-35 from US 290E to MLK Boulevard
CSJ: 0015-13-423, 0015-13-441

-  Historic Property
-  Parcel Boundary (Travis CAD)
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Esri, NASA, NGA, USGS, FEMA, Austin Community College, City of Austin, Texas Parks & Wildlife, CONANP, Esri, HERE, Garmin, SafeGraph, GeoTechnology, Inc., METI/NASA, USGS, EPA, NPS, USDA, Esri, Community Maps Contributors, Austin Community College, City of Austin, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, CONANP, Esri, HERE, Garmin, SafeGraph, GeoTechnology, Inc., METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, Maxar



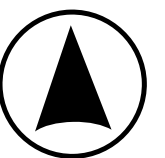
Historic Properties I-35 Capital Express Central

PS&E Package 5
I-35 from US 290E to MLK Boulevard
CSJ: 0015-13-423, 0015-13-441

 Historic Property

 Parcel Boundary (Travis CAD)

 Area of Potential Effects



Esri, NASA, NGA, USGS, FEMA, Austin Community College, City of Austin, Texas Parks & Wildlife, CONANP, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, USDA, Esri Community Maps Contributors, Austin Community College, City of Austin, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, CONANP, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, Maxar

Appendix G: Historic properties – Capital Express Central, CSJ: 0015-13-442
PS&E Package 6
I-35: From East Martin Luther King Jr. Boulevard to Holly Street

HRSR Resource No.⁶	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
320A	709 E. MLK Blvd.	198294	Little Campus Historic District; also addressed as 1701 Red River Street
320B	1823 Red River Street	198294	Little Campus Historic District; also addressed as 1701 Red River Street
321 A-C	1601 Navasota Street	198413	Oakwood Cemetery
327	903 East 15 th Street	198313	Contributing to Swedish Hill Historic District
328	905 East 15 th Street	198314	Contributing to Swedish Hill Historic District
329	907 East 15 th Street	198315	Contributing to Swedish Hill Historic District
330	902 East 14 th Street	198321	Contributing to Swedish Hill Historic District
331	904 East 14 th Street	198320	Contributing to Swedish Hill Historic District
332	906 East 14 th Street	909823	Contributing to Swedish Hill Historic District
333	908 East 14 th Street	198318	Contributing to Swedish Hill Historic District
334	910 East 14 th Street	198317	Contributing to Swedish Hill Historic District
335	903 East 14 th Street	198303	Contributing to Swedish Hill Historic District

⁶ HRSR = Historic Resources Survey Report for I-35 Capital Express Central, copy available from TxDOT.

Appendix G: Historic properties – Capital Express Central, CSJ: 0015-13-442
PS&E Package 6
I-35: From East Martin Luther King Jr. Boulevard to Holly Street

HRSR Resource No.⁶	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
336	905 East 14 th Street	198311	Swede Hill Park; contributing to Swedish Hill Extension Historic District
339	810 East 13 th Street	198296	
344	East 12 th Street WB at Waller Creek Bridge	Not applicable	
349	East 12 th Street EB at Waller Creek Bridge	Not applicable	
350	901 East 12 th Street	197097	
356	912 East 11 th Street	197218	
358A-C	801 Red River Street	194649	
360	809 East 9 th Street	194712	
361A	802 San Marcos Street	194697	Also addressed as 801 and 822 Embassy Drive
367	902 East 7 th Street	194706	
372	East 7 th Street at Waller Creek Bridge	Not applicable	Individually NRHP-eligible
376	700 East 6 th Street	194684	Contributing to Sixth Street Historic District
377	East 6 th Street at Waller Creek Bridge	Not applicable	Individually NRHP -eligible and contributing to Sixth Street Historic District
378	706-708 East 6 th Street	194683	Contributing to Sixth Street Historic District
382	701 East 6 th Street	194661	Contributing to Sixth Street Historic District
383	709 East 6 th Street	194664	Contributing to Sixth Street Historic District

Appendix G: Historic properties – Capital Express Central, CSJ: 0015-13-442
PS&E Package 6
I-35: From East Martin Luther King Jr. Boulevard to Holly Street

HRSR Resource No.⁶	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
384	711 East 6 th Street	194665	Contributing to Sixth Street Historic District
385	713 East 6 th Street	194666	Contributing to Sixth Street Historic District
386	719 East 6 th Street	194667	Contributing to Sixth Street Historic District
387	721 East 6 th Street	194668	Contributing to Sixth Street Historic District
388	723 East 6 th Street	194670	Contributing to Sixth Street Historic District
389	725 East 6 th Street	194669	Contributing to Sixth Street Historic District
392	501 North I-35	191646	
397A-B	1300-1302 East 4 th Street	917048	
398	604 East 3 rd Street	191615	
399A	606 East 3 rd Street	191614	
399B	608 East 3 rd Street	191614	
400	807 East 4 th Street	191640	
402	900 East 3 rd Street	191685	
403A-C	300 Medina Street	191714	
404A-E	200 North I-35	191622; west part of 191609	Palm Park
405A-C	200 Brushy Street	191639	Emmanuel United Methodist Church
406	903 East 3 rd Street	191660	Contributing to East 2 nd and 3 rd Streets Historic District

Appendix G: Historic properties – Capital Express Central, CSJ: 0015-13-442
PS&E Package 6
I-35: From East Martin Luther King Jr. Boulevard to Holly Street

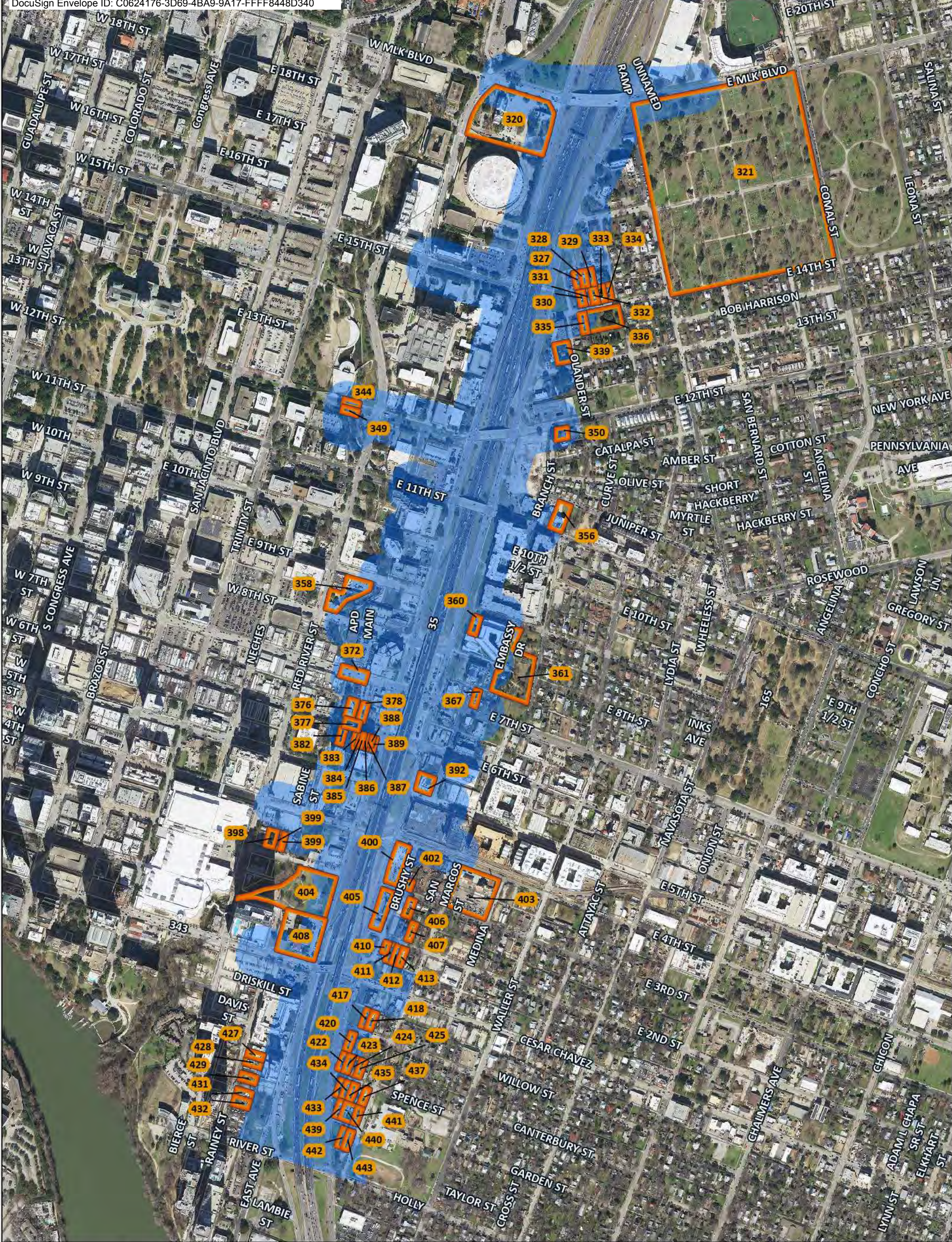
HRSR Resource No.⁶	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
407A	906 East 2 nd Street	191666	Contributing to East 2 nd and 3 rd Streets Historic District
408	100 North I-35/ 109 Sabine Street/ 700 East Cesar Chavez Street	191621	Palm School
410	901 East 2 nd Street	191648	Contributing to East 2 nd and 3 rd Streets Historic District
411	903 East 2 nd Street	191649	Contributing to East 2 nd and 3 rd Streets Historic District
412	905 East 2 nd Street	191650	Contributing to East 2 nd and 3 rd Streets Historic District
413	907 East 2 nd Street	191651	Contributing to East 2 nd and 3 rd Streets Historic District
417	902 Willow Street	190953	Contributing to Willow-Spence Streets Historic District
418	904 Willow Street	190952	Contributing to Willow-Spence Streets Historic District
420	901 Willow Street	190932	Contributing to Willow-Spence Streets Historic District
422	808 Spence Street	190943	Contributing to Willow-Spence Streets Historic District
423	900 Spence Street	190942	Contributing to Willow-Spence Streets Historic District
424	902 Spence Street	190941	Contributing to Willow-Spence Streets Historic District
425	904 Spence Street	190940	Contributing to Willow-Spence Streets Historic District

Appendix G: Historic properties – Capital Express Central, CSJ: 0015-13-442
PS&E Package 6
I-35: From East Martin Luther King Jr. Boulevard to Holly Street

HRSR Resource No.⁶	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
427	85 Rainey Street	190893	Contributing to Rainey Street Historic District
428	83 Rainey Street	190852	Contributing to Rainey Street Historic District
429	81 Rainey Street	190890	Contributing to Rainey Street Historic District
431A	77 Rainey Street	190888	Contributing to Rainey Street Historic District
432	75½ Rainey Street	190887	Contributing to Rainey Street Historic District
433	901 Spence Street	921924	Contributing to Willow-Spence Streets Historic District
434	903 Spence Street	190924	Contributing to Willow-Spence Streets Historic District
435A	905 Spence Street	190925	Contributing to Willow-Spence Streets Historic District
437A-	78 San Marcos Street	190527	Contributing to Willow-Spence Streets Historic District
439A	902 Taylor Street	190931	Contributing to Willow-Spence Streets Historic District Extension
440	904 Taylor Street	190930	Contributing to Willow-Spence Streets Historic District Extension
441A	908 Taylor Street	190928	Contributing to Willow-Spence Streets Historic District Extension
441B	74 San Marcos Street	190928	Contributing to Willow-Spence Streets Historic District Extension
442	907 Taylor Street	190920	Contributing to Willow-Spence Streets Historic District Extension




Appendix G: Historic properties – Capital Express Central, CSJ: 0015-13-442
PS&E Package 6
I-35: From East Martin Luther King Jr. Boulevard to Holly Street

HRSR Resource No.⁶	Address	Travis Central Appraisal District (TCAD) Parcel ID	Notes
443	909 Taylor Street	895097	Contributing to Willow-Spence Streets Historic District Extension



Historic Properties I-35 Capital Express Central

PS&E Package 6
I-35: East Martin Luther King Jr. Blvd to Holly St
CSJ: 0015-13-442

-  Historic Property
-  Parcel Boundary (Travis CAD)
-  Area of Potential Effects



Appendix H: Non-Tribal Consulting Parties and Interested Parties

Consulting Parties:

Cherrywood Neighborhood Association
City of Austin Historic Preservation Office
City of Austin Parks and Recreations Department, Historic Preservation and Heritage Tourism
Preservation Austin
Preservation Texas
Six Square Cultural District
Texas Historical Commission
Travis County Historical Commission
Willow-Spence Historic District
Wilshire Wood/Delwood 1 Neighborhood Association

Interested Parties:

Austin Chronicle Properties, Inc
Catholic Archives of Texas
Catholic Diocese of Austin
Emmanuel United Methodist Church
Mt. Calvary Cemetery, St. Edwards University
Norwood Park Foundation
St. George's Episcopal Church
St. Mary's Cathedral
Swede Hill Neighborhood Association
Travis County Economic & Strategic Development
Waterloo Greenway