



# FORM Reevaluation

## I. Project Information

Project Name: **Loop 9, Segment B**

Project Limits From: **Interstate Highway 35 East (IH 35E)**

Project Limits To: **IH 45**

Main CSJ of previously cleared project: **2964-10-005**

Associate CSJ(s) of previously cleared project: **2964-10-008; 2964-10-009; 2964-10-010; 2964-10-011; 2964-12-001; 2964-12-002; 2964-12-003; 2964-12-004**

Is reevaluation being done for work that will be done under a new CSJ that will need to be added to the previously cleared main CSJ?

☐ Yes

☒ No

If so, indicate the new CSJ(s): **N/A**

District: **Dallas**

County(ies): **Dallas, Ellis**

Original Approved Environmental Classification (if "CE," also include the type and criterion):  
**Environmental Assessment**

Original Environmental Clearance Date: **November 16, 2017**

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.

## II. Reevaluation Number

Reevaluation number: **2**

## III. Reason for Reevaluation

If there is more than one reason for the reevaluation, just check the box for the primary reason.

☒ Design change

☐ Passage of time



- ☐ Change in affected environment
- ☐ Omission/new information

Summary of reason for reevaluation: **The TxDOT-Dallas District proposes the construction of Loop 9 as a new location frontage road system between IH 35E to IH 45 through Dallas and Ellis Counties, Texas. The length of the project is an approximate ten-mile new location frontage road system. The proposed project would also include the preservation of right-of-way (ROW) for an ultimate access-controlled main lane facility. Construction of the future main lanes would be based on projected traffic and funding and would require additional environmental analysis prior to construction.**

**This project is going through the planning, specifications, and estimates (PS&E) process. It was determined during the PS&E process that additional ROW must be acquired for construction of the IH 35E Interchange.**

**The proposed grade separation/interchange will now require an additional 27.7 acres of proposed ROW for use of staging area(s) along IH 35E for construction of the interchange at the proposed Loop 9, as well as the preservation of additional ROW for future construction of the ultimate interchange facility (final phase). The proposed ROW located along the west side of IH 35E from north of Travis Street to south of Parakeet Drive would also be needed to accommodate the proposed interchange improvements of ramps, bridge structures, and frontage roads within the project area. Total project length of the IH 35E interchange at Loop 9 is approximately 0.5 mile in length.**

For a design change on a project with multiple CSJs for different sections of the project, indicate which CSJs are affected by the above-described design change: **2964-10-003; 2964-10-010.**

Indicate any changes in right-of-way or easements required: **The proposed grade interchange will now require an additional 27.7 acres of proposed ROW, for use of staging area(s) and the preservation of additional ROW (at CSJ: 2964-10-003 Parcels: 207, 208, 209, 210/211; CSJ: 2964-10-010 Parcels: 212 & 213). The proposed ROW located along the west side of IH 35E from north of Travis Street to south of Parakeet Drive would also be needed to accommodate the proposed interchange improvements of ramps, bridge structures, and frontage roads within the project area.**

Indicate any changes in the project limits: **N/A**

Identify any new potential relocations: **One mobile home park (Village Square Mobile Home and RV Park), one RV Park (Cowboy Acres RV Park), and one veterinary clinic (Countryside Veterinary Clinic), would be displaced as a result of the 2020 reevaluation changes.**

**Village Square Mobile Home and RV Park has 11 mobile homes and one single-family residence. The single-family residence was identified as a displacement in the 2018 reevaluation for this project (reevaluation #1). The 11 mobile homes would be considered additional residential displacements as a result of the 2020 reevaluation changes.**

**The number of RVs located within Cowboy Acres RV Park varies from month to month because this is an RV Park and the location of the RVs and owners of the RVs are constantly changing. A portion of the RVs appear to be acting as permanent residences for some guests at the park. There is a permanent single-family residence (not an RV or a mobile home) located on the Cowboy Acres RV Park.**



Three businesses would be displaced by the proposed project, the Countryside Veterinary Clinic, the Cowboy Acres RV Park, and Village Square Mobile Home and RV Park.

#### IV. Public Involvement

Describe any public involvement conducted for this reevaluation, including a brief summary of the outcome: **A Notice and Opportunity to Comment (NOTC) was mailed out on June 5, 2020 for the 2020 reevaluation changes. Seven property owners would be impacted by the proposed reevaluation changes. The notice informs the property owners of the project and gives them the opportunity to comment on the proposed reevaluation changes. Copies of the notices were also mailed to elected and public officials representing the proposed project area. The comment period ended June 22, 2020 and no comments were received. Documentation of the NOTC can be found attached to this form and in the ECOS file of record.**

#### V. Coordination

Describe any coordination conducted for this reevaluation, including a brief summary of the outcome: **A coordination letter was sent to the Dallas County Historical Commission (CHC) on May 15, 2020 and the Ellis CHC on May 18, 2020 for an opportunity to review and comment on the proposed project. The comment period ended on June 14, 2020 and June 17, 2020 respectively and no comments were received. A Tier I Site Assessment was completed for the reevaluation changes and it was determined that Texas Parks and Wildlife (TPWD) Coordination would be required. TPWD coordination was initiated on July 8, 2020. Coordination (Bio-Clearance) was completed on 7-30-20.**

#### VI. Review of Resource Areas

For each of the resource areas listed below, indicate whether the reason for the reevaluation invalidates the original environmental decision by checking one of the two boxes provided, and explain how that determination was made, with references to any supporting materials.

- For CEs, the CE determination is invalidated only if the project no longer meets the CE criteria at 23 CFR 771.117(a) and (b), or no longer meets the specific (c)-list or (d)-list criteria used.
- For EAs, the FONSI is invalidated only if the project will now have significant environmental impacts requiring an EIS.
- For EISs, the FEIS/ROD is invalidated only if there are now new or different significant environmental impacts not evaluated in the original EIS such that a supplemental EIS is now required.

Also, for each of the resource areas listed below, indicate whether the reason for the reevaluation affects a previously issued permit or other environmental commitment, or triggers the need for any action under any other environmental law or regulation, and provide an explanation for that determination. If any new



Activities were created in connection with the reason for the reevaluation, explain the status of any such Activity(ies).

Air

- ☒ Original environmental decision valid
- ☐ Original environmental decision **no longer** valid

Explanation: **Under the original EA, the proposed action was consistent with the NCTCOG's financially constrained MTP Mobility 2040 and the 2017-2020 TIP, as amended, which were initially found to conform to the TCEQ State Implementation Plan by the FHWA and Federal Transit Administration on September 7, 2016, and December 19, 2016, respectively. The project received a federal conformity determination on August 28, 2017. Under the subsequent reevaluation (#1), an Air Quality Technical Report was completed and no changes to Air Quality occurred as a result of the 2018 re-evaluation.**

Indicate if the reason for the reevaluation affects a previously issued permit or other environmental commitment, or triggers the need for any action under any other environmental law or regulation:

- ☐ Yes
- ☒ No

Explanation: **No changes or commitments are affected as a result of the design modiciations. The original environmental decisions remains valid.**

Archeological Sites and Cemeteries

- ☒ Original environmental decision valid
- ☐ Original environmental decision **no longer** valid

Explanation: **In summary and based on the original EA and subsequent reevaluation (#1), four archeological sites were recorded within a kilometer of the project area, and three archeological surveys overlap less than 10 percent of the APE. These surveys did not record any new or existing sites within the project area. Based on the recommendations from the background study conducted in 2015 and the subsequent evaluation #1 for the proposed new ROW and easements, it was recommended that archeological survey be conducted at all proposed design change locations. Backhoe trenching would be considered adjacent to Ten Mile Creek in locations where shovel testing would uncover the potential for deeply buried cultural deposits.**

Indicate if the reason for the reevaluation affects a previously issued permit or other environmental commitment, or triggers the need for any action under any other environmental law or regulation:

- ☐ Yes
- ☒ No

Explanation: An Archeological Background Study was completed for this reevaluation in March 2020. The results of the Archeological Background Study recommended that an archeological survey be conducted at all proposed design change locations. The findings of the Archeological Background Study was coordinated with TxDOT Archeologists and approved on May 13, 2020. Additionally, an Interim Archeological Survey Report was completed for this reevaluation in May 2020. The survey was completed under TAC Permit No. 9195, which was prepared for a separate TxDOT project, Loop 9, Segment A but included this project area. Fieldwork was conducted on January 8, 2020. No archeological sites were recorded within the Area of Potential Effect. However, an Intensive Archeological Survey was recommended for several parcels within the reevaluation project area once right of entry is granted and prior to construction. The Archeological Background Study as well as the Interim Archeological Survey Report can be found in the ECOS file of record. The reevaluation design changes would not affect any previous antiquities permit or any environmental commitments related to archeology, however, an intensive archeological survey will be completed prior to construction of the proposed project.

#### Biology

- ☒ Original environmental decision valid
- ☐ Original environmental decision **no longer** valid

Explanation: Under the original EA, it was determined that impacts to vegetation would be avoided or minimized by limiting disturbance to only that which is necessary to construct the proposed project. The removal of native vegetation, particularly mature native trees and shrubs would be avoided to the greatest extent practicable. Conservation measures for Hall's prairie clover would be evaluated. The conservation measure(s) would be implemented prior to the start of construction. In accordance with the TxDOT-TPWD Memorandum of Agreement, BMPs would be implemented for the wood stork, Henslow's Sparrow, Sprague's Pipit, Western Burrowing Owl, western burrowing owl, plains spotted skunk, alligator snapping turtle, Texas garter snake, timber rattlesnake, Louisiana pigtoe, Texas Pigtoe, Texas horned lizard, Southern crawfish frog, and Texas heelsplitter. Coordination with TPWD found that the original EA environmental decision was valid. early coordination with TPWD was completed for the Loop 9 project in July 2017. Under the reevaluation (#1), potential impacts to Threatened and Endangered Species were analyzed in the Biological Evaluation Form. No additional coordination Texas Parks and Wildlife (TPWD) with as a result of the 2018 re-evaluation changes. In addition, it was determined that the 2018 re-evaluation changes would impact additional acreage for the following vegetation types: Agriculture, Disturbed Prairie, Edwards Plateau Savannah, Woodland, and Shrubland, Floodplain, and Riparian. Additionally, an area of Mixed Woodlands and Forest will be impacted by the re-evaluation changes. No previous impacts to Mixed Woodlands and Forest were listed, however; the new impact acreage (0.119 acre) was under the threshold for coordination with TPWD. The additional acreages of vegetation would be impacted by the 2018 re-evaluation design



**changes. However, no additional thresholds for the MOU vegetation types would be exceeded. The original environmental decisions remains valid.**

Indicate if the reason for the reevaluation affects a previously issued permit, voluntary conservation measures, or other environmental commitment; or triggers the need for any action under any other environmental law or regulation:

- ☐ Yes
- ☒ No

**Explanation: A Tier I and Species Analysis was completed for this reevaluation. Based on the results it was determined the proposed reevaluation changes would not impact any Federal Listed species. The proposed reevaluation changes may impact five TPWD Species of Greatest Conservation Need (Cajun chorus frog, Woodhouse's toad, Western burrowing owl, Eastern spotted skunk, and Texas milk vetch). The Amphibian, Bird, Vegetation, and Plains Spotted Skunk Best Management Practices (BMP) would be implemented for the five species. Additional acreages of vegetation would be impacted by the reevaluation changes. However, no additional thresholds for the Memorandum of Understanding (MOU) vegetation types would be exceeded. The Tier 1 form indicated that coordination with TPWD will be required for the Cajun chorus frog and Woodhouse's toad. TPWD coordination was initiated on July 8, 2020 and Bio-Clearance was completed on 7-30-20. The reevaluation design changes would not affect any previous environmental communication related to biology and would not trigger the need for any action under any other environmental law or regulation.**

If there is a concern about the need to re-initiate coordination with TPWD, contact the ENV SME assigned to the respective district to discuss.

#### Community Impacts

- ☒ Original environmental decision valid
- ☐ Original environmental decision no longer valid

**Explanation: Under the original EA and subsequent reevaluation (#1), it was determined that the proposed project would not impact access and travel patterns within the study area. There may be short term, localized effects to air quality (i.e. dust) as well as noise levels generated by construction equipment during construction. These effects would be temporary and would not be selectively limited to minority or lowincome communities, but would potentially affect all residential and business communities located in the areas adjacent to the proposed project. Over the long term, the entire community, including minority and low-income populations would benefit from the proposed project as a result of improved mobility and reduced traffic congestion. While individual minority or low-income persons may be affected by the proposed project, there would be no disproportionately high and adverse human health or environmental effects**

**specific to any minority or low-income group or individuals as a result of the proposed project.**

Indicate if the reason for the reevaluation affects a previously issued permit or other environmental commitment, or triggers the need for any action under any other environmental law or regulation:

- ☐ Yes
- ☒ No

Explanation: **A Community Impact Assessment (CIA) was completed for this reevaluation. The proposed project may have impacts to community cohesion because the tenants of the RV and Mobile Home Park have limited replacement housing options in the community. The proposed project may have impacts to EJ populations. All of the proposed project displacements are located in blocks with a 50% or greater minority population. While individual minority and low-income persons may be affected by the proposed project, over the long term, the entire community, including minority and low-income populations would benefit from the proposed project. Therefore, it is not anticipated that there would be disproportionately high and adverse human health or environmental effects specific to any minority or low-income group or individuals as a result of the proposed project. The CIA form can be found in the ECOS file of record. The reevaluation design changes would not affect any environmental commitments related to community impacts and would not trigger the need for any action or any other environmental law or regulation.**

#### Chapter 26

- ☒ Original environmental decision valid
- ☐ Original environmental decision **no longer** valid

Explanation: **Under the original EA, no Section 6(f) or Chapter 26 properties were found present within the project area and none would be impacted by the proposed project. Original environmental decision is valid.**

Indicate if the reason for the reevaluation affects a previously issued permit or other environmental commitment, or triggers the need for any action under any other environmental law or regulation:

- ☐ Yes
- ☒ No

Explanation: **Chapter 26 is not not applicable to this project. The original EA remains valid.**

#### Cumulative Impacts

- ☒ Original environmental decision valid
- ☐ Original environmental decision **no longer** valid





Explanation: **Under the original EA it was determined that potential community impacts would include changes of access to and from Interstate 35 East and Interstate 45 and various local streets. Access to some existing businesses and residences could also be altered. A Community Impact Technical Report was completed during the 2018 reevaluation and determined no changes to environmental justice and socio-economics would occur as a result of the 2018 reevaluation design changes.**

Indicate if the reason for the reevaluation affects a previously issued permit or other environmental commitment, or triggers the need for any action under any other environmental law or regulation:

- ☐ Yes
- ☒ No

Explanation: **The reevaluation design changes would not alter or change the findings of the original and subsequent reevaluation (#1) cumulative impacts analyses. The original environmental decision remains valid.**

#### Induced Growth

- ☒ Original environmental decision valid
- ☐ Original environmental decision **no longer** valid

Explanation: **Under the original EA, it was determined that potential induced growth impacts included encroachment alteration impacts. Those changes could impact vegetation or habitat; disruption of natural process and ecosystem functioning; water quality; and socioeconomic impacts. Induced growth is anticipated in areas around the International Inland Port of Dallas facilities and the major intersections for Loop 9 which include Interstate 35 East, State Highway 342, Houston School Road, Ferris Road and Interstate 45. The reevaluation (#1) design changes would not alter or change the findings of the original induced growth analysis.**

Indicate if the reason for the reevaluation affects a previously issued permit or other environmental commitment, or triggers the need for any action under any other environmental law or regulation:

- ☐ Yes
- ☒ No

Explanation: **This reevaluation design changes would not alter or change the findings of the original induced growth analysis. The original environmental decision remains valid.**

#### Hazardous Materials

- ☒ Original environmental decision valid
- ☐ Original environmental decision **no longer** valid





Explanation: Under the original EA, hazardous materials investigations identified one closed and abandoned landfill within the proposed right-of-way. Additional investigations was conducted regarding this site. Sites that were identified in the Hazardous Materials Initial Site Assessment Report (TxDOT, 2017e) were assessed based upon their potential to encounter hazardous materials, and were categorized as sites requiring additional investigation to determine impact to the proposed project and sites not requiring additional investigation. Prior to construction, additional investigations, including regulatory file reviews and/or additional testing/environmental assessments would be conducted as appropriate for sites with identified concerns based on project design and ROW requirements. Each assessment would be site-specific based on the risk identified and the type of work occurring at the site, including the excavation depth. Based upon the results of each site assessment, clean up would occur including the proper handling and disposal of any regulated wastes, if necessary.

Indicate if the reason for the reevaluation affects a previously issued permit or other environmental commitment, or triggers the need for any action under any other environmental law or regulation:

- ☐ Yes
- ☒ No

Explanation: A Hazardous Materials Initial Site Assessment (ISA) was completed for this reevaluation. The ISA did not identify any unresolved hazardous materials concerns. Any unanticipated hazardous materials impacts encountered during the project construction phase shall be addressed in accordance with regulatory requirements and TxDOT standard specifications. The environmental decision remains valid. The HAZMAT ISA can be found in ECOS file of record for the project.

#### Historic Resources

- ☒ Original environmental decision valid
- ☐ Original environmental decision no longer valid

Explanation: Under the original EA and subsequent reevaluation (#1), it was determined that the project area included one property eligible for placement on the National Register of Historic Places. This is the Reindeer Road Bridge over Bear Creek. This bridge is adjacent to the proposed right-of-way and would not be impacted by the proposed project. No other properties eligible for National Register are affected. TxDOT historians have determined that project activities would have no potential for effects. Individual project coordination with State Historic Preservation Office was not required.

Indicate if the reason for the reevaluation affects a previously issued permit or other environmental commitment, or triggers the need for any action under any other environmental law or regulation:

- ☐ Yes



☒ No

Explanation: **A Historical Resources Survey Report was completed in May 2020 for this reevaluation. Pursuant to Stipulation IX, Appendix 6 “Undertakings with the Potential to Cause Effects per 36 CFR 800.16(i)” of the Section 106 PA and the MOU, TxDOT historians determined that there are no historic properties affected by this reevaluation design changes. The original finding of the overall project remains valid. In compliance with the Antiquities Code of Texas and the MOU, TxDOT historians determined project activities have no potential for adverse effects. Individual project coordination with SHPO is not required. The Survey Report can be found in ECOS file of record for the project.**

Noise

☒ Original environmental decision valid

☐ Original environmental decision **no longer** valid

Explanation: **Under the original EA, a Traffic Noise Analysis was accomplished in accordance with TxDOT’s Guidelines for Analysis and Abatement of Roadway Traffic Noise. Based on the analysis, noise impacts were identified. Abatement measures were determined to not be feasible and/or reasonable in the location of the impacted receivers. A Traffic Noise Technical Report was completed for the 2018 re-evaluation changes and it was determined that a noise barrier would be feasible and reasonable at one impacted receiver, R21. This receiver represents 22 receivers in a manufactured home park adjacent to the I-35E Southbound Frontage Road. Noise barriers are proposed for incorporation into the project.**

Indicate if the reason for the reevaluation affects a previously issued permit or other environmental commitment, or triggers the need for any action under any other environmental law or regulation:

☐ Yes

☒ No

Explanation: **The reevaluation design changes would not alter or change the findings of the original and subsequent reevaluation (#1) noise analyses. The original environmental decision remains valid.**

Section 4(f)

☒ Original environmental decision valid

☐ Original environmental decision **no longer** valid

Explanation: **Under the original EA, one potential Section 4(f) property, the Reindeer Road Bridge over Bear Creek, was found to be located approximately 60 ft from the proposed ROW for Loop 9. Based on February 2017 construction plans, the existing Reindeer Road bridge would remain in place and would not be removed or directly affected by the proposed Loop 9 construction. The proposed project would have no adverse effect to the NRHP-eligible Reindeer Road at Bear Creek bridge.**



Indicate if the reason for the reevaluation affects a previously issued permit or other environmental commitment, or triggers the need for any action under any other environmental law or regulation:

- ☐ Yes  
☒ No

Explanation: **No Section 4(f) resources would be impacted as a result of this reevaluation design changes. The original environmental decision remains valid.**

Water

- ☒ Original environmental decision valid  
☐ Original environmental decision **no longer** valid

Explanation: **Under the original EA, that the proposed project would impact wetlands and waters of the U.S. and a Clean Water Act Section 404 Permit would be required. Construction activities would also require compliance with the State of Texas Water Quality Certification Program. In addition, a Water Resources (#1) and no changes to Water Quality would occur as a result of the 2018 re-evaluation design changes. Impacts to waters of the U.S. (WOUS) and wetlands caused by the original proposed project would require permitting under Section 404 of the Clean Water Act. An additional 0.487 acres of wetlands, 0.53 acres of jurisdictional ponds and 3,282 linear feet of WOUS would likely be impacted as a result of the 2018 reevaluation and require USACE permitting. Coordination with the USACE would be completed and any permit would be issued prior to construction of the proposed project.**

Indicate if the reason for the reevaluation affects a previously issued permit or other environmental commitment, or triggers the need for any action under any other environmental law or regulation:

- ☐ Yes  
☒ No

Explanation: **A wetland delineation was completed for the 2020 reevaluation design changes. The wetland delineation identified 0.03 acres of open water features (one pond) within the project area. The wetland delineation report can be found in the ECOS file of record. The pond is included in a Nationwide Permit (NWP) Pre-Construction Notification (PCN) prepared for Loop 9, Segment B. The NWP would be submitted to the United States Army Corps of Engineers (USACE) Fort Worth District. However, the pond would not be impacted by the 2020 reevaluation design changes. Therefore, this reevaluation design changes would not affect any other environmental commitments and would not trigger the need for any action under any other environmental law or regulation.**

Other

- ☒ Original environmental decision valid



☐ Original environmental decision **no longer** valid

Explanation: **N/A**

Indicate if the reason for the reevaluation affects a previously issued permit or other environmental commitment, or triggers the need for any action under any other environmental law or regulation:

☐ Yes

☒ No

Explanation: **N/A**

## **VII. Reevaluation Conclusion**

Check one of the boxes below to indicate the overall conclusion of this reevaluation.

☒ Original environmental decision valid

☐ Original environmental decision **no longer** valid

## **VIII. Preparer**

Name: **Sally Clark**

Title: **Environmental Scientist**

Date: **August 7, 2020**

## **ATTACHMENTS:**

Introduction/Project Description/Background

Figures:

- Figure 1 - Project Location Map
- Figure 2 - Parcel Boundary Overview
- Figure 2 - Parcel Sheets1 thru 3

Documentation of Notice and Opportunity to  
Comment/Public Involvement Summary

Introduction/Project Description/Background

**Loop 9, Segment B Reevaluation #2**  
**From Interstate Highway 35 East (IH 35E) to IH 45**  
**CSJ: 2964-10-005 etc.**  
**Dallas and Ellis Counties, Texas**

**Introduction:**

The Texas Department of Transportation (TxDOT) proposes the construction of a proposed Loop 9 (Segment B) six-lane new location frontage road system between Interstate 35 East (I-35E) and Interstate 45 (I-45) through Dallas and Ellis counties, Texas, approximately ten miles in length. The proposed right-of-way (ROW) for this facility would include a median that would accommodate the future construction of an ultimate access-controlled mainline facility. Construction of the ultimate access-controlled mainline facility would be based on projected traffic and funding and would require additional environmental analysis prior to construction. An Environmental Assessment was completed for Loop 9, Segment B facility from IH 35E to IH 45 and environmentally cleared in accordance with the National Environmental Policy Act (NEPA) on November 16, 2017.

**Project Description/Action:**

This project is now going through TxDOT's planning, specifications, and estimates (PS&E) process and It has now been determined that additional ROW would be acquired for construction of the IH 35E Interchange. Due to design changes made during the PS&E process, the proposed interchange would now require an additional 27.7 acres of proposed right-of-way (ROW) for the use of staging area(s) along IH 35E for construction of the proposed Loop 9 at IH 35E interchange, as well as the preservation of the additional ROW for future construction of the ultimate interchange facility (final phase). The proposed ROW (Portions of seven parcels) located along the west side of IH 35E from north of Travis Street to south of Parakeet Drive would be needed to accommodate the proposed interchange improvements of ramps, bridge structures, and frontage roads within the project area. Total project length of the I-35 interchange at Loop 9 is approximately 0.5 miles in length

**Project History/Background:**

**Loop 9 Southeast Corridor/Feasibility Study approved in March 2014:** The proposed project was identified and evaluated as a part of the Loop 9 Southeast Corridor/Feasibility Study approved in March 2014. The primary purpose of this study was to develop a corridor vision and a program of projects for development as transportation funding allows. This study, which followed the Planning and Environmental Linkages process, recommended an ultimate access-controlled facility consisting of six-lane divided mainlanes with three-lane frontage roads in each direction, extending approximately 35 miles within the limits from US 67 to IH 20, through Dallas, Ellis, and Kaufman counties, Texas. The Loop 9 Southeast Corridor/Feasibility Study proposed developing the project in three major subcorridors for up to six separate and independent projects utilizing a phased construction approach.

**Loop 9/CSJ 2964-10-005; limits from IH 35 to IH 45 – Finding of No Significant Impact (FONSI) Approval November 16, 2017:** The Loop 9/CSJ 2964-10-005 (limits from IH 35 to IH 45) was the first of the three major subcorridors identified to advance first. The study identified the need to advance the construction of frontage roads and include the ultimate ROW needed for the section of Loop 9 from IH 35E to IH 45, based on projected growth in the region. The Loop 9/CSJ 2964-10-005 (limits from IH 35 to IH 45) was identified in the Loop 9 Corridor/Feasibility Study (completed March 2014) as the first section of Loop 9 to undergo engineering and environmental studies. This segment was environmentally cleared/FONSI approval on November 16, 2017. The corridor is approximately 10 miles in length. As currently proposed, the project would consist of two one-way frontage roads within the ultimate proposed right-of-way. The ultimate proposed right-of-way width will accommodate an ultimate mainline facility. It is expected that the ultimate mainline improvements would not occur until after 2045 and would ultimately be driven by timing and pace of future development and traffic growth in the area. As such, construction of the ultimate mainline facility would require additional environmental investigation and analyses when construction is determined necessary.

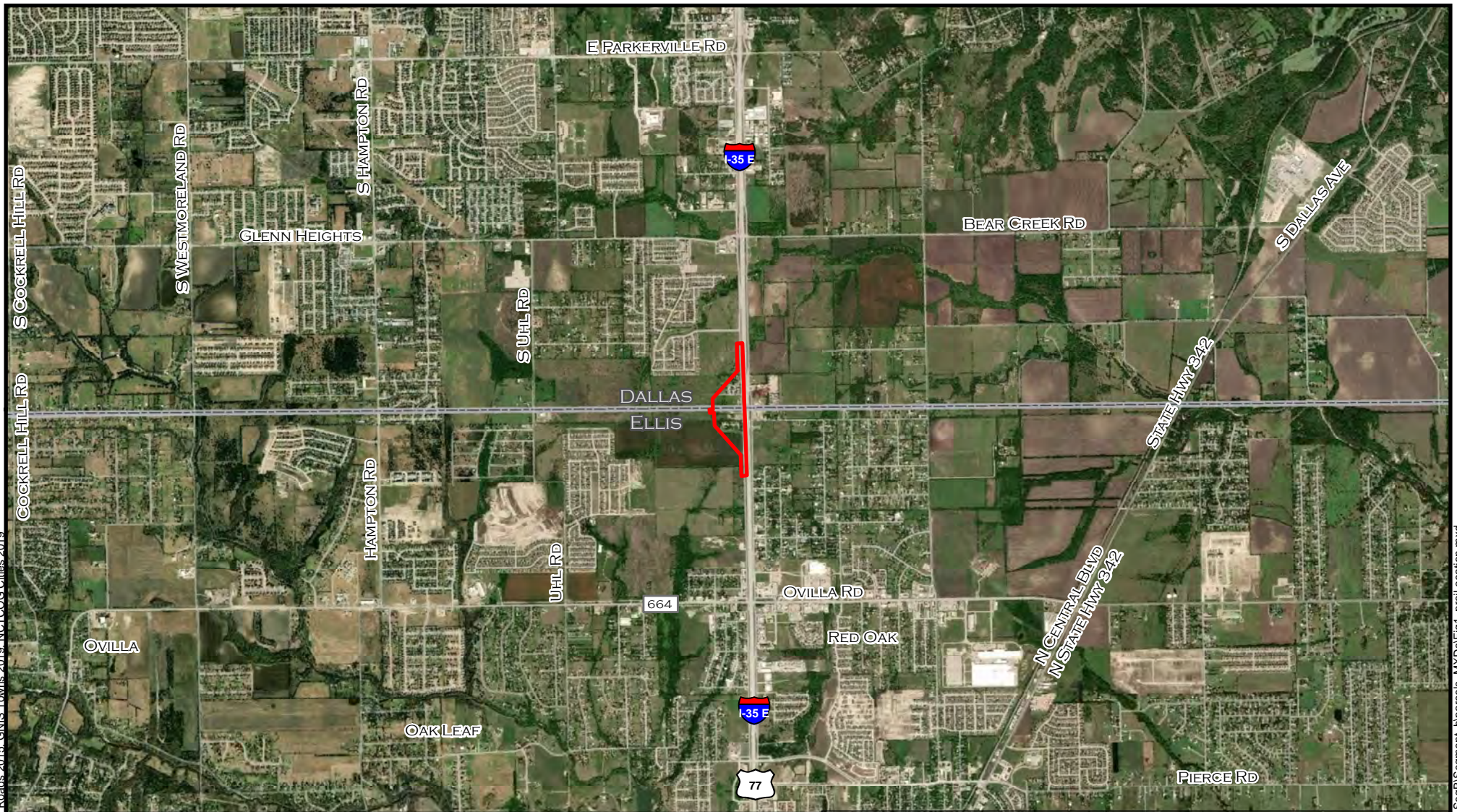


**Loop 9/ 2964-10-005 Reevaluation No.#1 Approval February 6, 2019:** This re-evaluation evaluated the potential impacts to the natural and socioeconomic resources associated with design modifications as follow: A bridge realignment over Tenmile Creek; realignment of the southbound IH35E frontage road; and eleven permanent drainage easements. The design modification for the bridge realignment would reduce impacts to streams and would require an additional 9.524 acre of new ROW. This design modification is an effort to avoid and minimize impacts to Ten Mile Creek. The realignment of the southbound I-35E frontage road would include reconstruction of the entrance ramp to the I-35E southbound mainlanes. The reconstructed ramp would maintain the same exit location from the I-35E mainlanes. The I-35E southbound frontage road realignment would require an additional 5.923 acres of new ROW and would utilize 2.77 acres of existing TxDOT ROW. The 11 changes to drainage easements include seven new permanent drainage easements and four additions to existing drainage easements throughout the project area. The new permanent drainage easements would require an additional 2.721 acres. The total new area needed for the proposed changes to the project (new proposed ROW, permanent easements, and existing TxDOT ROW) is 20.938 acres. This reevaluation was approved February 6, 2019.

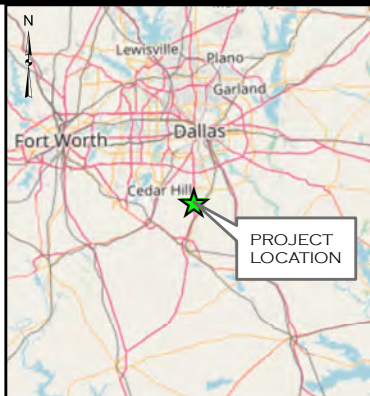
Figures:

- Figure 1 - Project Location Map
- Figure 2 - Parcel Boundary Overview
- Figure 2 - Parcel Sheets1 thru 3





 PROJECT AREA



LOOP 9, SEGMENT B REEVALUATION #2:  
IH 35E TO IH 45  
CSJ: 2964-10-005 ETC.  
PROJECT LOCATION MAP  
DALLAS & ELLIS COUNTIES, TEXAS

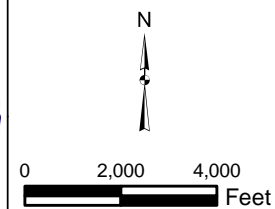
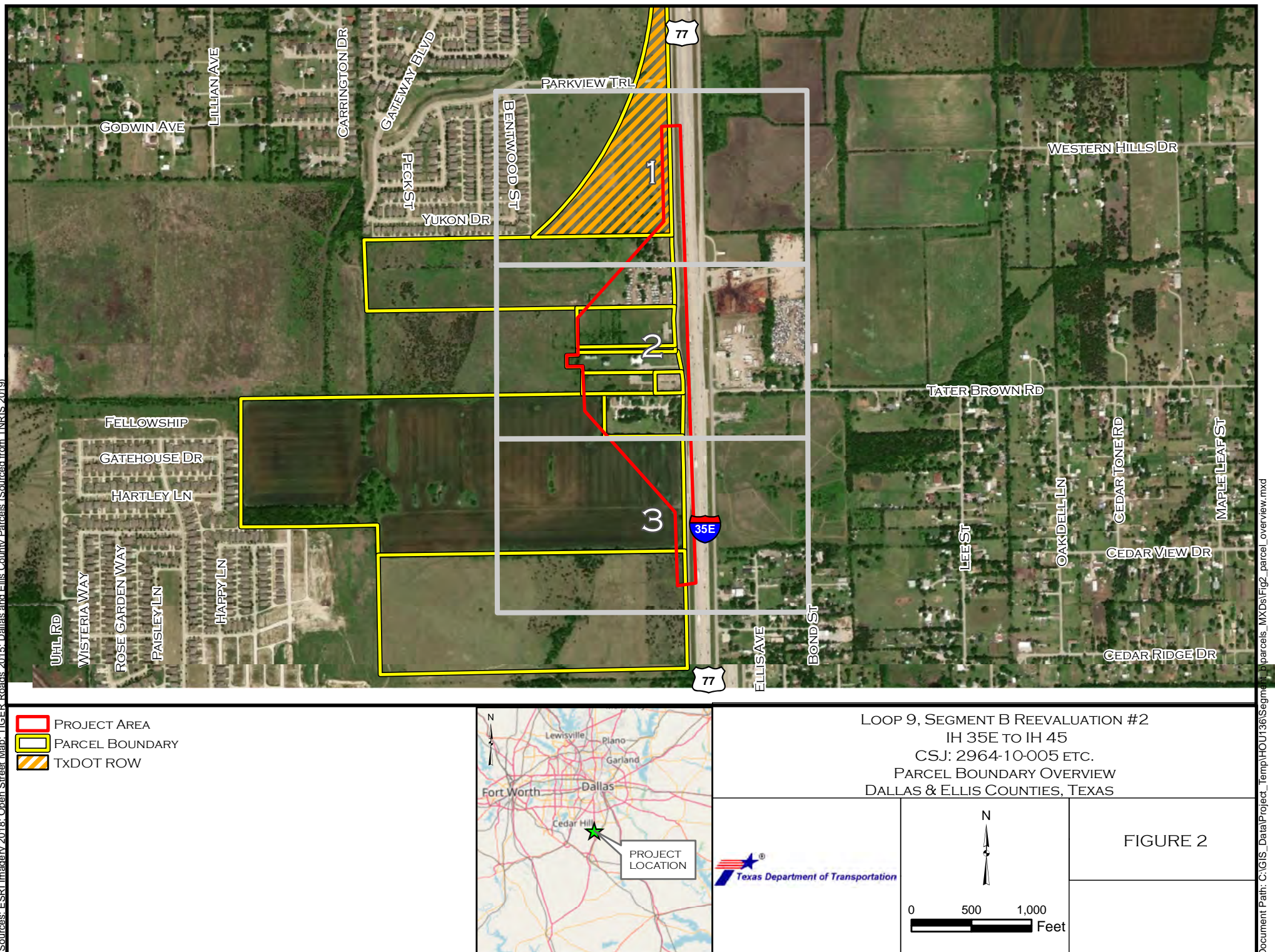
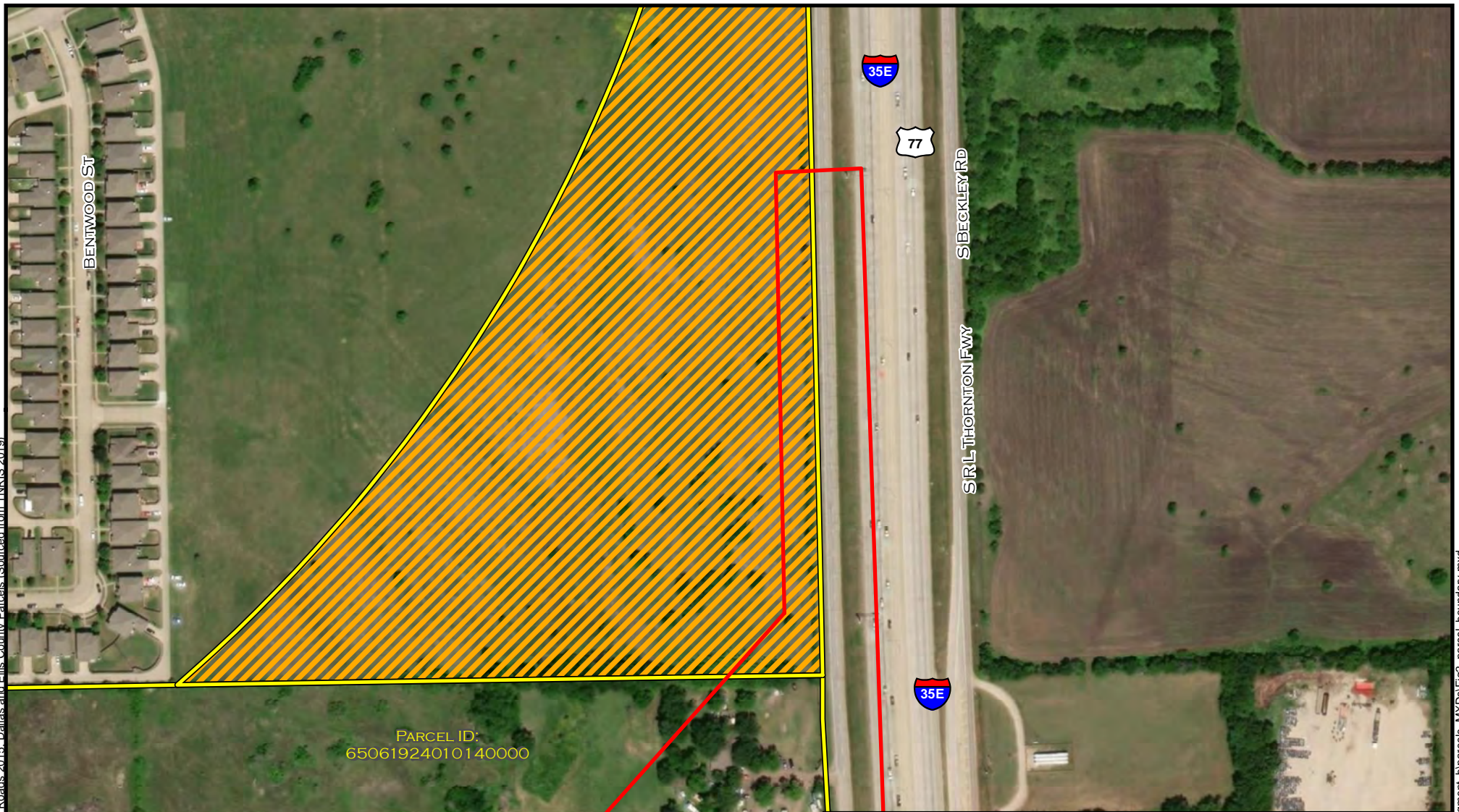


FIGURE 1

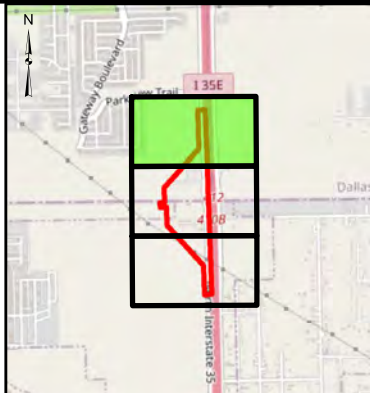








- PROJECT AREA
- PARCEL BOUNDARY
- TxDOT ROW



LOOP 9, SEGMENT B REEVALUATION #2  
IH 35E TO IH 45  
CSJ: 2964-10-005 ETC.  
PARCEL BOUNDARY MAP  
DALLAS & ELLIS COUNTIES, TEXAS

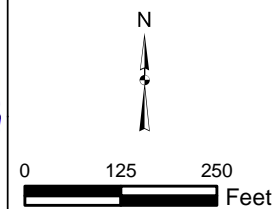
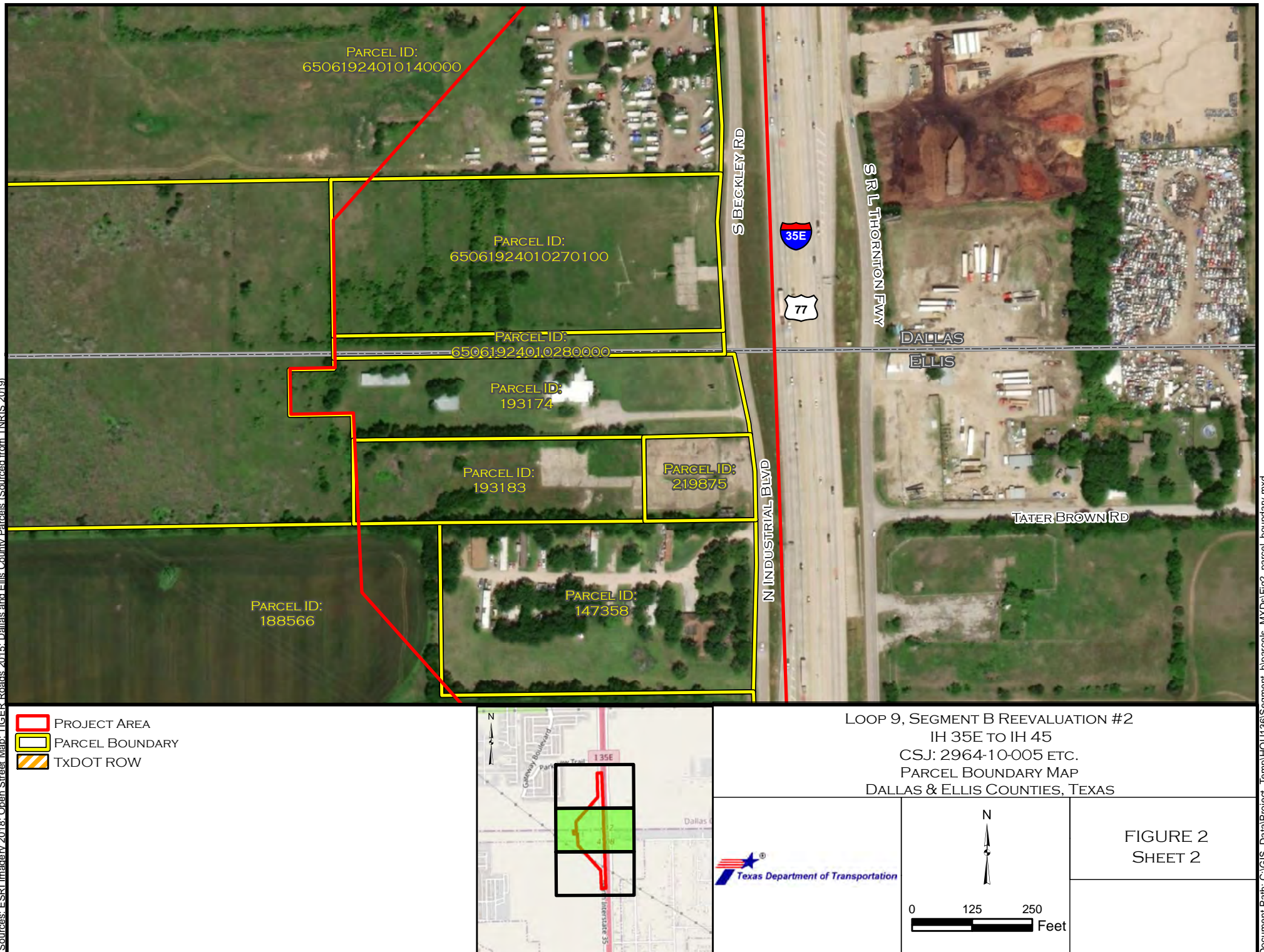
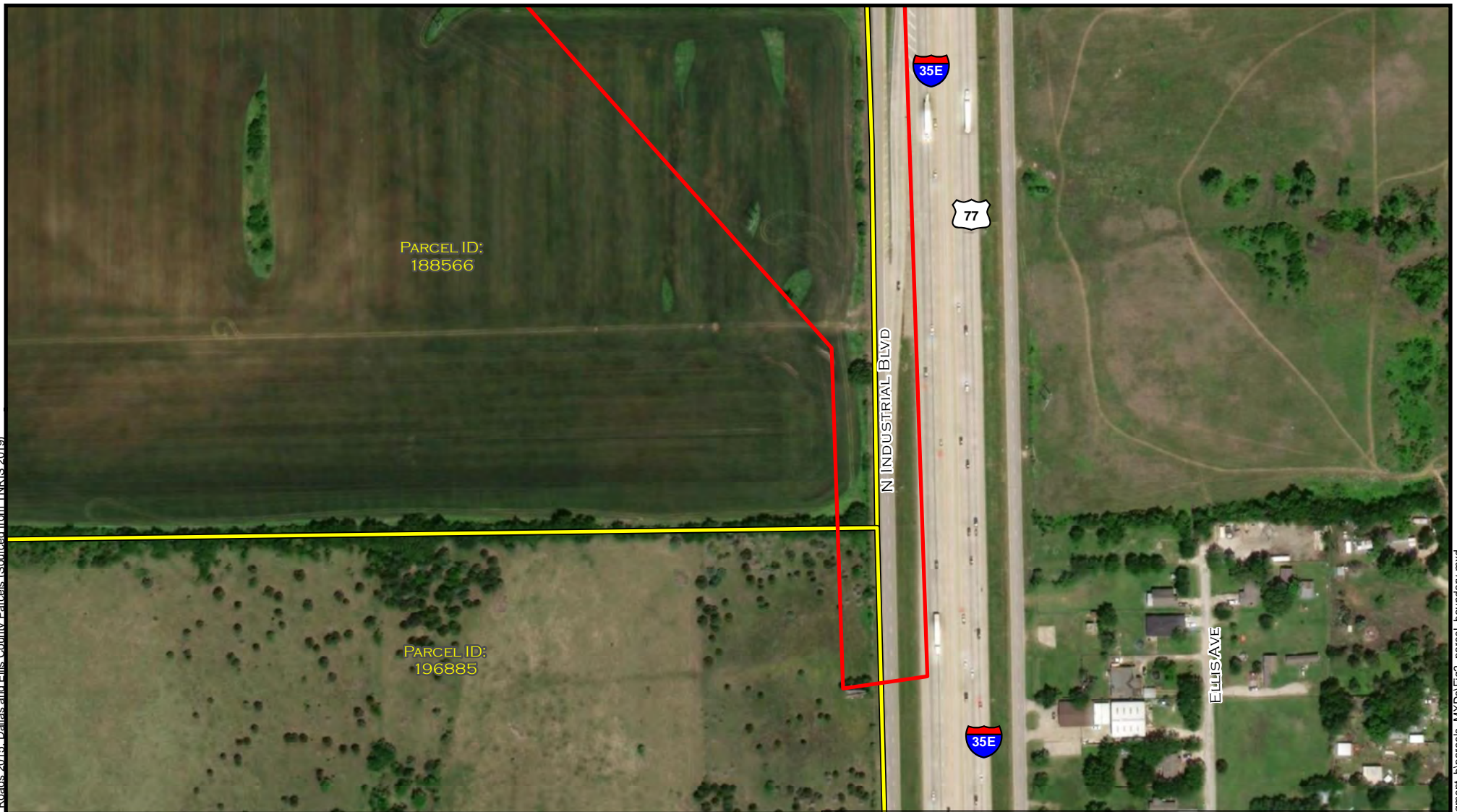





FIGURE 2  
SHEET 1

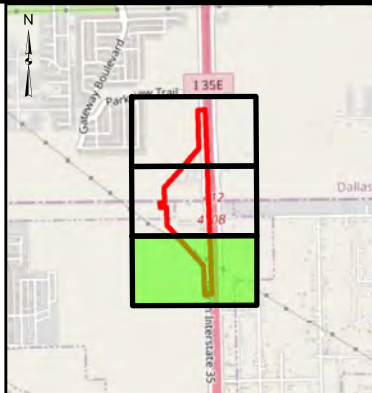








-  PROJECT AREA
-  PARCEL BOUNDARY
-  TxDOT ROW



LOOP 9, SEGMENT B REEVALUATION #2  
IH 35E TO IH 45  
CSJ: 2964-10-005 ET.  
PARCEL BOUNDARY MAP  
DALLAS & ELLIS COUNTIES, TEXAS

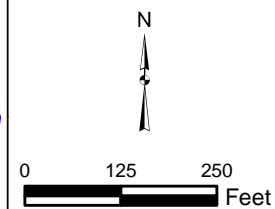


FIGURE 2  
SHEET 3



## Documentation of Notice and Opportunity to Comment/Public Involvement Summary



# **Documentation of Notice and Opportunity to Comment**

## **Project Location**

Dallas and Ellis Counties, Texas

Loop 9, Segment B, Reevaluation 2

CSJ: 2964-10-005

## **Project Limits**

From Interstate Highway 35 East (IH 35E) to IH 45

## **Reevaluation Limits**

Located along the west side of IH 35E from north of  
Travis Street to south of Parakeet Drive

## **Total Number of Notice Recipients**

25 Elected Officials

11 Adjacent Property Owners

## **Total Number of Commenters**

0

## **Contents**

- A. Comment/response matrix
- B. Notices provided (distribution lists with copy of notice sent)
- C. Comments received

## **Attachment A. Comment/Response Matrix**

Not applicable - No comments received

## **Attachment B. Notices Provided**

- Notice and Opportunity to Comment
- Elected Officials Mailing List
- Adjacent Property Owners Mailing List
- Parcel Boundary Map



4777 E. U.S. HIGHWAY 80, MESQUITE, TEXAS 75150-6643 | 214.320.6100 | WWW.TXDOT.GOV

**Notice and Opportunity to Comment  
(update on recent design changes)**

**Loop 9, Segment B Project  
From Interstate Highway 35 East (IH 35E) to IH 45  
CSJ: 2964-10-005  
Dallas and Ellis Counties, Texas**

The Texas Department of Transportation (TxDOT) proposes the construction of a proposed Loop 9 (Segment B) six-lane new location frontage road system between Interstate 35 East (I-35E) and Interstate 45 (I-45) through Dallas and Ellis counties, Texas, approximately ten miles in length. The proposed right-of-way (ROW) for this facility would include a median that would accommodate the future construction of an ultimate access-controlled mainline facility. Construction of the ultimate access-controlled mainline facility would be based on projected traffic and funding and would require additional environmental analysis prior to construction. An Environmental Assessment was completed for Loop 9, Segment B facility from IH 35E to IH 45 and environmentally cleared in accordance with the National Environmental Policy Act (NEPA) on November 16, 2017.

This project is now going through TxDOT's planning, specifications, and estimates (PS&E) process and it has now been determined that additional ROW would be acquired for construction of the IH 35E Interchange. TxDOT is providing you (as an adjacent property owner) this notice to update you on the most recent design changes made for the above referenced project and an opportunity to comment on these design changes.

Due to changes made during the PS&E process, the proposed grade separation/interchange would now require an additional 27.7 acres of proposed right-of-way (ROW) for the use of staging area(s) along IH 35E for construction of the interchange at the proposed Loop 9, as well as the preservation of the additional ROW for future construction of the ultimate interchange facility (final phase). The proposed ROW located along the west side of IH 35E from north of Travis Street to south of Parakeet Drive will be needed to accommodate the proposed interchange improvements of ramps, bridge structures, and frontage roads within the project area.

This notice is affording an opportunity to comment as part of the environmental review process for this project. If you are a property owner, you are receiving this notice because records indicate that you own property that (1) would be acquired (in part or in whole) for this project, or (2) is adjacent to the project. This notice and opportunity to comment is also being provided to affected local governments and public officials. A project location map has been included as Figure 1 and a parcel boundary map showing adjacent and potentially impacted parcels has been included as Figure 2.

The proposed project would, subject to final design considerations, require additional ROW and potentially displace 13 residences, one RV park, and one non-residential structure. Relocation assistance is available for displaced persons and businesses. Information about the TxDOT Relocation Assistance Program and services and benefits for displacements 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 (214) 320-6696. Right of Way Publications regarding Relocation Assistance and Purchase of

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OUR MISSION: *Through collaboration and leadership, we deliver a safe, reliable, and integrated transportation system that enables the movement of people and goods.*

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**Texas Department of Transportation**

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Right-of-Way are also available online at <https://www.txdot.gov/inside-txdot/forms-publications/consultants-contractors/publications/row.html>

Any environmental documentation or studies, maps and drawings showing the project location and design, tentative construction schedules, and other information regarding the proposed project are available online at <http://www.keepitmovingdallas.com/projects/other/loop-9-from-i-35e-to-i-45/public-involvement>. If you do not have internet access, you may call (214) 320-6696 to ask questions about the project and access project materials at any time during the project development process.

You may submit written comments on this project. Written comments may be submitted by mail to Mr. Dan Peden, P.E., TxDOT Project Manager, TxDOT Dallas District Office, Project Delivery, 4777 East US Highway 80, Mesquite, TX 75150-6643, or by email to [dan.peden@txdot.gov](mailto:dan.peden@txdot.gov). All comments must be received on or before Monday, June 22, 2020.

If you have any general questions or concerns regarding the proposed project, please contact **Dan Peden, P.E., TxDOT Project Manager at (214) 320-6696 or at [dan.peden@txdot.gov](mailto:dan.peden@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.

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**Loop 9, Segment B: from IH 45 to IH 35E**  
**Elected Official Mailing List 05/06/2020**  
**CSJ: 2964-10-005**

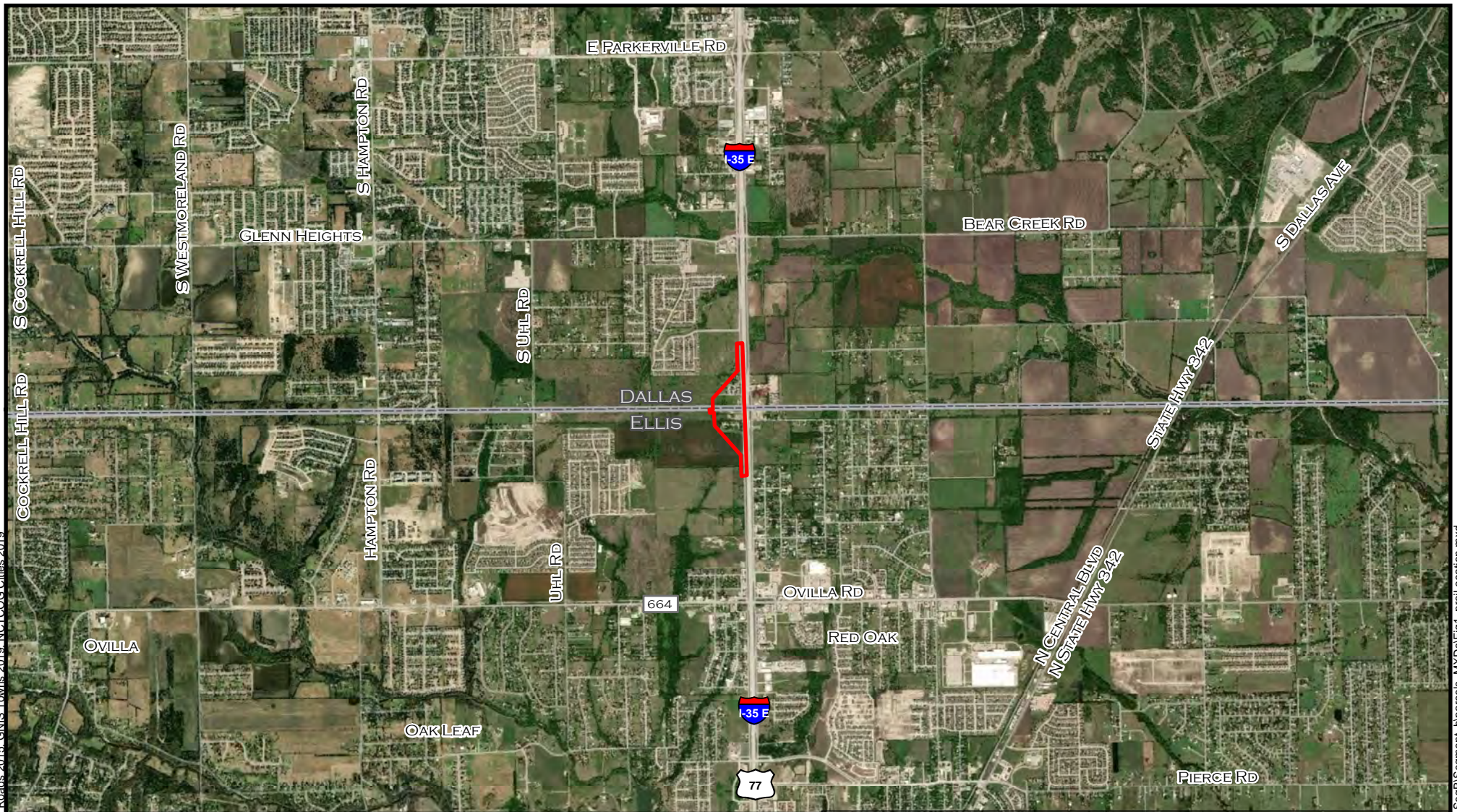
Type	First Name	Last Name	Position	Organization	Dist/Dept/Div	Mailing Address	City	ST	Zip	Email
Federal	Ron	Wright	Congressman	U.S. House of Representatives	District 06	6001 West I-20, Suite 200	Arlington	TX	76017	Andy.Nguyen@mail.house.gov
Federal	Eddie Bernice	Johnson	Congresswoman	U.S. House of Representatives	District 30	1825 Market Center Blvd., Suite 440	Dallas	TX	75207	Dominique.Brown@mail.house.gov
Federal	John	Cornyn	Senator	U.S. Senate		5001 Spring Valley Rd., Suite 1125 E	Dallas	TX	75244	Collin_McLochlin@cornyn.senate.gov
Federal	Ted	Cruz	Senator	U.S. Senate		Lee Park Tower II, 3626 N. Hall Suite 410	Dallas	TX	75219	Christine_Babcock@cruz.senate.gov
State	John	Wray	State Representative	Texas House of Representatives	District 010	2001 Bates Drive, Suite 120	Waxahachie	TX	75167	benjamin.williams@house.texas.gov
State	Carl	Sherman	State Representative	Texas House of Representatives	District 109	103 N. Dallas Avenue	Lancaster	TX	75146	tamara.sadler@house.texas.gov
State	Brian	Birdwell	State Senator	Texas Senate	District 22	1315 Waters Edge Drive, Suite 116	Granbury	TX	76048	anna.barnett@senate.texas.gov
State	Royce	West	State Senator	Texas Senate	District 23	5787 S. Hampton Rd., Suite 385	Dallas	TX	75232	lajuana_d.barton@senate.texas.gov
County	Clay	Jenkins	County Judge	Dallas County		411 Elm Street	Dallas	TX	75202	Clay.Jenkins@Dallascounty.org
County	John	Wiley Price	Commissioner	Dallas County	District 3	411 Elm Street	Dallas	TX	75202	L'wanna.Osborne@dallascounty.org
County	Todd	Little	County Judge	Ellis County		Ellis County Courthouse, 101 W. Main St.	Waxahachie	TX	75165	countyjudge@co.ellis.tx.us
County	Kyle	Butler	Commissioner	Ellis County	Precinct 4	1011 Eastgate	Midlothian	TX	76065	kyle.butler@co.ellis.tx.us
City	Harry	Garrett	Mayor	City of Glenn Heights		1938 S. Hampton Rd.	Glenn Heights	TX	75154	mayor@glennheightstx.gov
City	Ron	Adams	Mayor Pro Tem	City of Glenn Heights		1938 S. Hampton Rd.	Glenn Heights	TX	75154	ron.adams@glennheightstx.gov
City	Sonja A.	Brown	Council Member	City of Glenn Heights	Place 1	1938 S. Hampton Rd.	Glenn Heights	TX	75154	sonja.brown@glennheightstx.gov
City	Tony	Bradley	Council Member	City of Glenn Heights	Place 2	1938 S. Hampton Rd.	Glenn Heights	TX	75154	tony.bradley@glennheightstx.gov
City	Jeremy	Woods	Council Member	City of Glenn Heights	Place 3	1938 S. Hampton Rd.	Glenn Heights	TX	75154	jeremy.woods@glennheightstx.gov
City	Shaunte	Allen	Council Member	City of Glenn Heights	Place 5	1938 S. Hampton Rd.	Glenn Heights	TX	75154	shaunte.allen@glennheightstx.gov
City	Machanta	Newson	Council Member	City of Glenn Heights	Place 6	1938 S. Hampton Rd.	Glenn Heights	TX	75154	machanta.newson@glennheightstx.gov
City	Mark	Stanfill	Mayor	City of Red Oak		P.O. Box 393	Red Oak	TX	75154	mstanfill@redoaktx.org
City	Gordon	Toney	Mayor Pro Tem	City of Red Oak	Place 1	P.O. Box 393	Red Oak	TX	75154	gtoney@redoaktx.org
City	Ben	Goodwyn	Council Member	City of Red Oak	Place 2	P.O. Box 393	Red Oak	TX	75154	bgoodwyn@redoaktx.org
City	William	Drake	Council Member	City of Red Oak	Place 3	P.O. Box 393	Red Oak	TX	75154	wdrake@redoaktx.org
City	Ron	Wilson	Council Member	City of Red Oak	Place 4	P.O. Box 393	Red Oak	TX	75154	rwilson@redoaktx.org
City	Michael	Braly	Council Member	City of Red Oak	Place 5	P.O. Box 393	Red Oak	TX	75154	mbraly@redoaktx.org



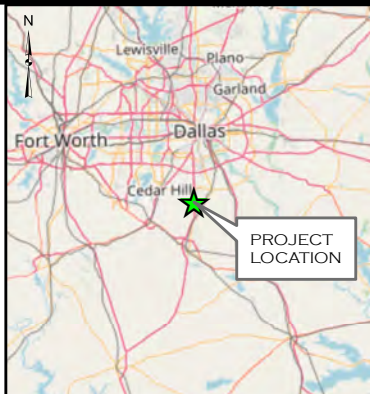
**Loop 9, Segment B: from IH 45 to IH 35E**  
**Adjacent Property Owners Mailing List: 05/14/2020**  
**CSJ: 2964-10-005**

APPRAISAL DISTRICT	OWNER NAME	MAIL_LINE1	MAIL_LINE2	MAIL_CITY	MAIL_STAT	MAIL_ZIP
65061924010140000	COLLARD WILLIAM D & SHERRY MARTIN					
147358	HOUSE OF PRAISE MINISTRIES INC					
219875	MANN PAUL					
65061924010270000	LEE MING ZE					
193182	LEE MING-ZE					
193183	MANN PAUL					
65061924010270100	REYES FAUSTINO					
193174	LEWIS GEORGE A JR & VALERIE LEWIS JAFFE					
65061924010280000	LEWIS GEORGE A JR & VALERIE LEWIS JAFFE					
188566	ELIKA LLC & RAYKA LLC					
196885	AP FT WAYNE LTD PARTNERSHIP					





 PROJECT AREA



LOOP 9, SEGMENT B: IH 35E TO IH 45  
CSJ: 2964-10-005  
PROJECT LOCATION MAP  
DALLAS & ELLIS COUNTIES, TEXAS

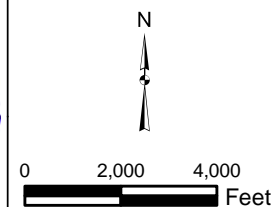
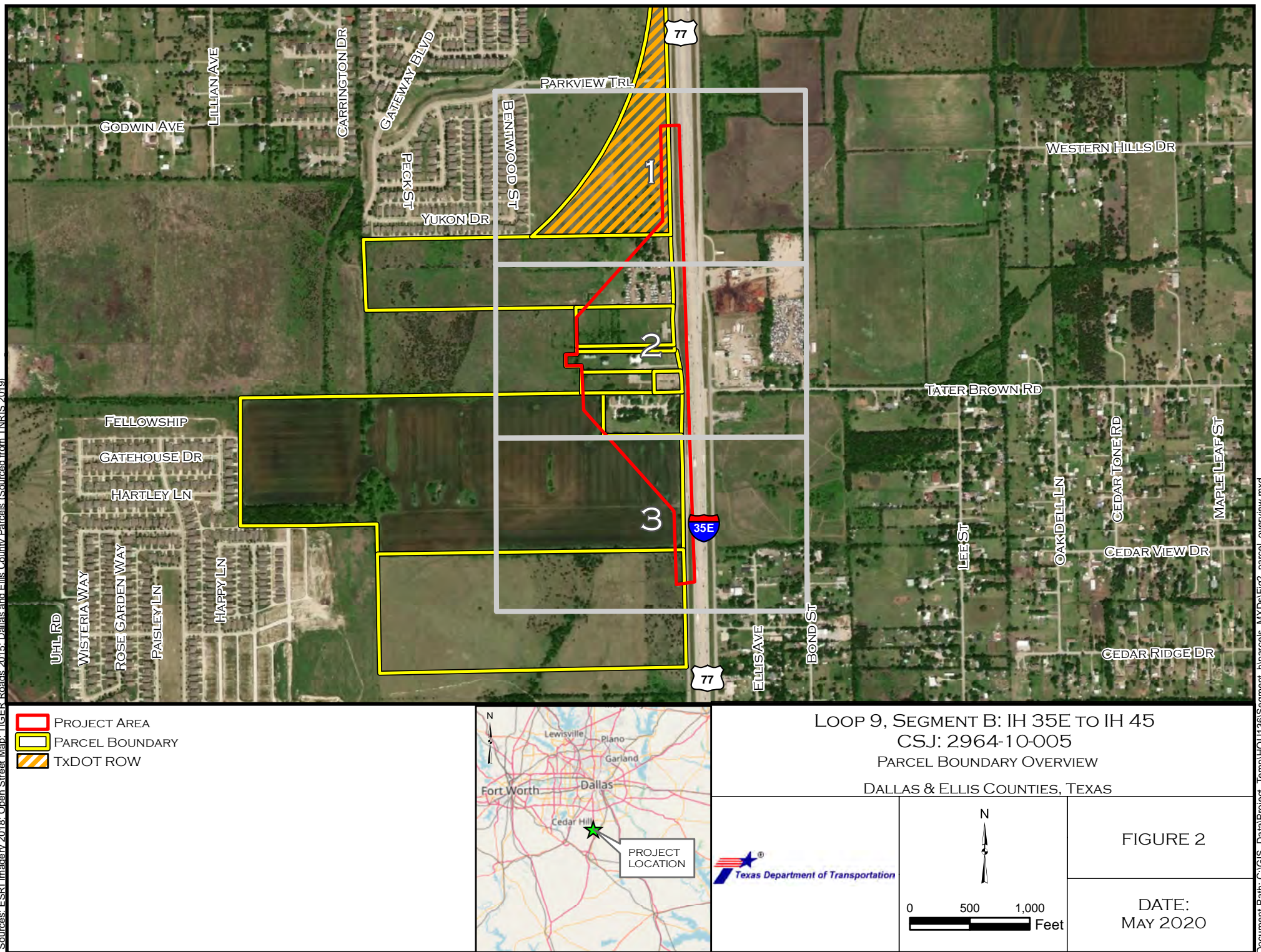


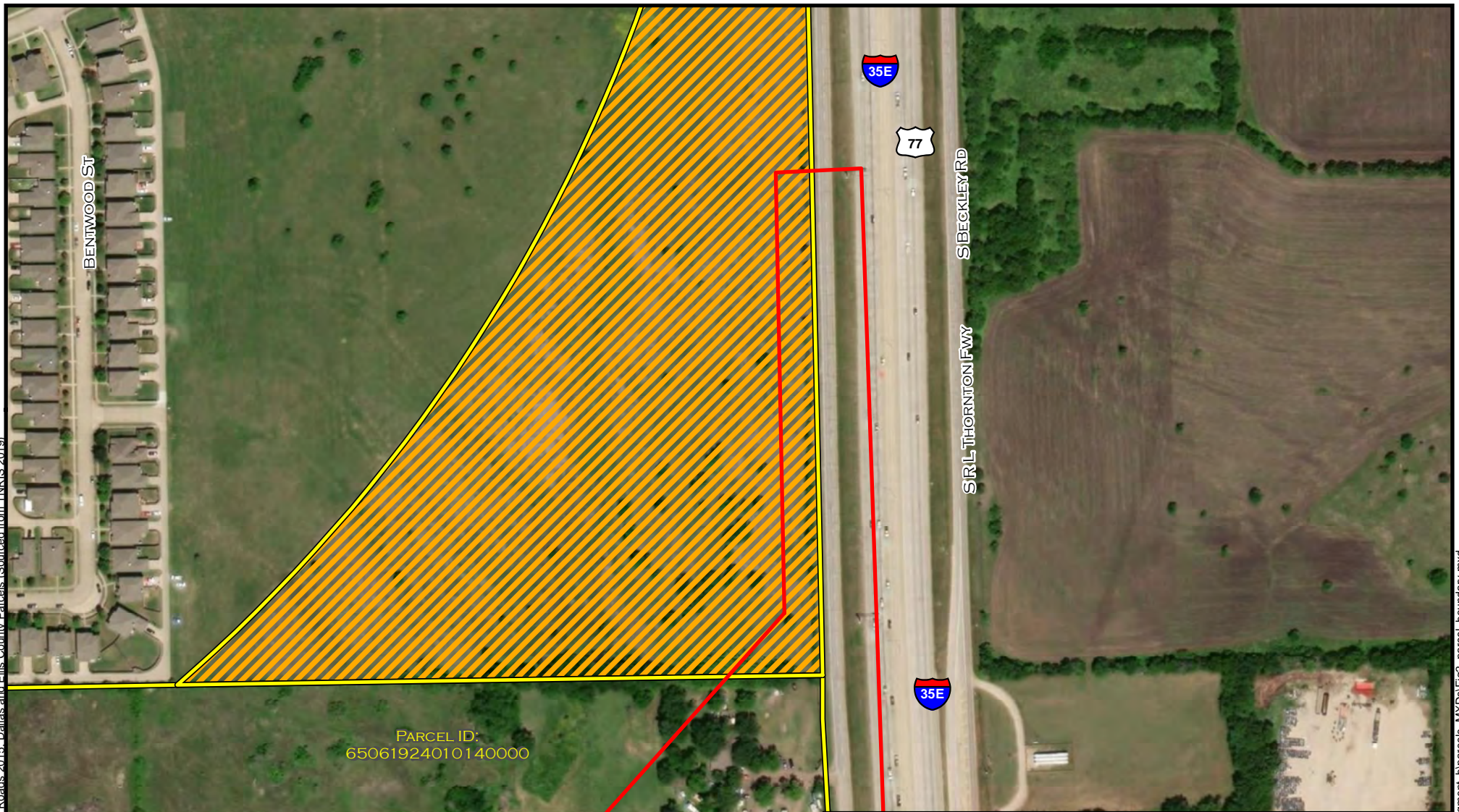
FIGURE 1

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APRIL 2020

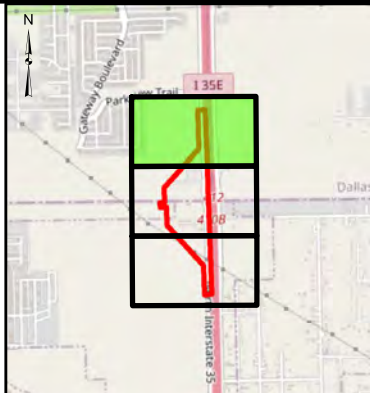








- PROJECT AREA
- PARCEL BOUNDARY
- TxDOT ROW



LOOP 9, SEGMENT B: IH 35E TO IH 45  
CSJ: 2964-10-005  
PARCEL BOUNDARY MAP

DALLAS & ELLIS COUNTIES, TEXAS

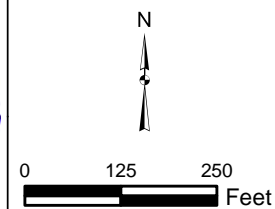
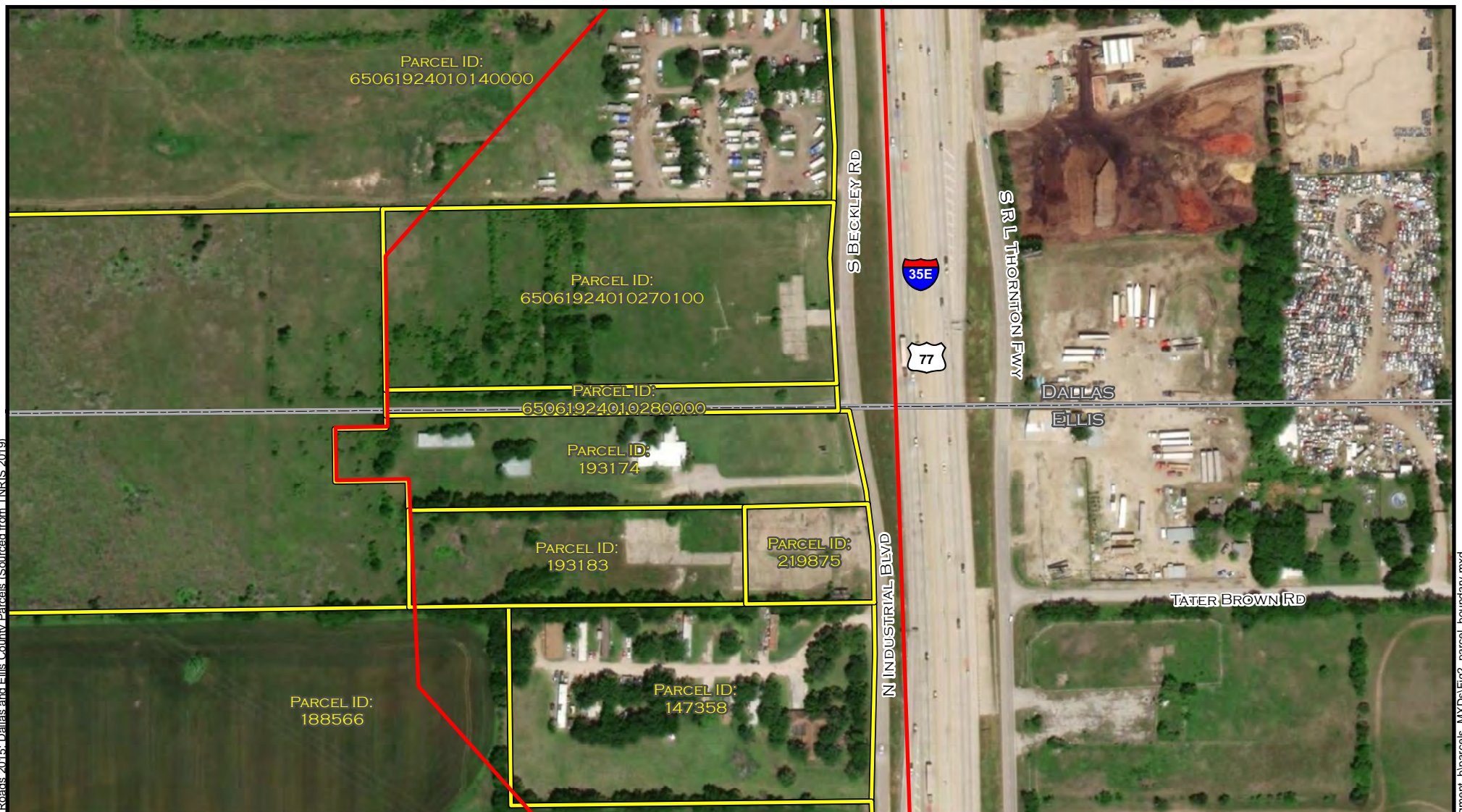


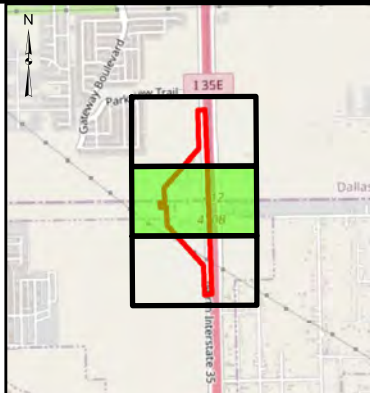
FIGURE 2  
SHEET 1

DATE:  
MAY 2020





- PROJECT AREA
- PARCEL BOUNDARY
- TxDOT ROW



LOOP 9, SEGMENT B: IH 35E TO IH 45  
CSJ: 2964-10-005  
PARCEL BOUNDARY MAP

DALLAS & ELLIS COUNTIES, TEXAS

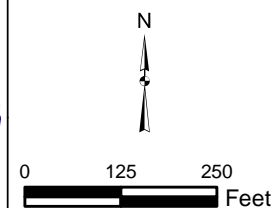


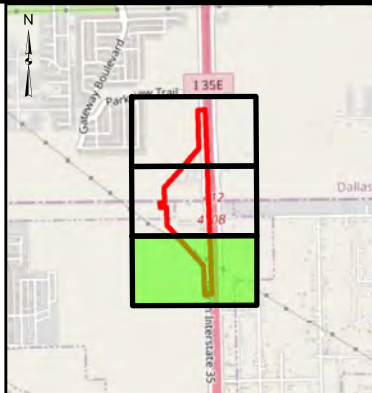
FIGURE 2  
SHEET 2

DATE:  
MAY 2020





- PROJECT AREA
- PARCEL BOUNDARY
- TxDOT ROW



LOOP 9, SEGMENT B: IH 35E TO IH 45  
CSJ: 2964-10-005  
PARCEL BOUNDARY MAP

DALLAS & ELLIS COUNTIES, TEXAS

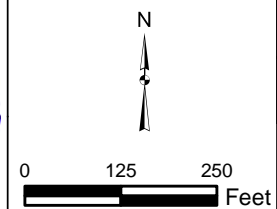


FIGURE 2  
SHEET 3

DATE:  
MAY 2020

## **Attachment C. Comments Received**

Not applicable - No comments received