



# **Finding of No Significant Impact for a FHWA Project**

**Proposed Action:** I-35 Capital Express North

**Project Limits:** From SH 45N to US 290E

**City:** Austin & Round Rock **County:** Travis and Williamson

**State:** Texas

**TxDOT CSJ(s):** 001 -10-062 & 001 -13-389

In accordance with 23 CFR Section 771.119 and Section 771.121, the Texas Department of Transportation (TxDOT) and Federal Highway Administration (FHWA) has determined that the I-35 Capital Express North project from SH 45N to US 290E will not have a significant impact on the human or natural environment.

This Finding of No Significant Impact (FONSI) for the Preferred Alternative is based on the final Environmental Assessment (EA) dated December 2021 and the entire project record. This decision documents the selection of the Build Alternative, presented in the final EA as the Preferred Alternative, which is described as:

The I-35 Capital Express North project from SH 45N to US 290E would add one non-tolled managed lane in each direction, reconstruct intersections and bridges to accommodate the additional lane and increase east/west mobility, reconstruct the Wells Branch Parkway interchange to a diverging diamond intersection (DDI), change ramp configurations to accommodate proposed mainlane improvements and improve traffic operations, and improve bicycle and pedestrian accommodations along I-35 frontage roads and at east/west crossings. The project length is approximately 11.5 miles. The project would require approximately 17.0 acres of additional ROW, 0.2 acre of proposed permanent drainage easement, and 3.3 acres of proposed driveway license areas to implement. The purpose of the proposed project is to be consistent with local plans, reduce congestion, and improve mobility and safety on I-35 between SH 45N and US 290E.

A Notice of Availability of the draft EA was issued on April 19, 2021.

A virtual public hearing for this project was posted on May 10, 2021, with an in-person option on May 10, 2021.

No changes to the draft EA were made as a result of comments received on the draft EA during the posted comment period or from comments made at the public hearing.

Public Hearing Documentation has been prepared and is available for review on request.

The final EA and reports contained in the file of record have been independently evaluated by TxDOT and determined to adequately and accurately discuss the need, purpose, alternatives, environmental issues, impacts of the proposed project, and appropriate mitigation measures. These documents provide sufficient evidence and analysis for determining that preparation of an Environmental Impact Statement is not required. These documents are incorporated by reference into this decisional document.

Based upon TxDOT's review and consideration of the analysis and evaluation contained in the EA for this project, and after careful consideration of all social, economic, and environmental factors, including input from the public involvement process, TxDOT hereby issues this Finding of No Significant Impact for the I-35 Capital Express North project from SH 45N to US 290E.



**Finding of No Significant Impact for a FHWA Project**

TxDOT will ensure adherence and completion of all project commitments described in the final EA dated December 2021, Section 8. TxDOT will ensure that any and all local, state, or federal permit requirements and conditions are met and otherwise complied with.

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 the Memorandum of Understanding dated December 9, 2019, and executed by FHWA and TxDOT.

DocuSigned by:  
*Doug Booher*  
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12/17/2021

Environmental Affairs Division Director

Date



# **2021-2024 Statewide Transportation Improvement Program**

## **Highway Projects**

**From:** [Lori Morel](#)  
**To:** [Lillie Salas](#); [Daniel Dargevics](#)  
**Cc:** [Nick Page](#); [Michelle Meaux](#); [Tamelia Spillman](#); [Peggy Thurin](#); [Angela Erwin](#); [Sara Garza](#); [Heather Ashley-Nguyen](#); [Brandon Marshall](#); [Glendora Lopez](#); [Jackie Ploch](#); [Jamye Sawey](#); [Juan Valera-Lema](#); [Karie Brown](#); [Lindsey Kimmitt](#); [Sandra Chipley](#); [Scott Ford](#); [Sonya Hernandez](#); [Tim Wood](#); [Bonnie Sherman](#); [Hettie Thompson](#); [Karen Burkhard](#); [Katie DeLong](#); [Reane Gilder](#); [Sue Theiss](#)  
**Subject:** \*\*FEDERAL APPROVAL\*\* - Early Action Approval 12/6/2021  
**Date:** Monday, December 6, 2021 5:00:29 PM  
**Attachments:** [image001.png](#)  
**Importance:** High

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FHWA has lifted the exceptions on follow projects listed below. TxC is in the process of being updated. Approval date will be 12/6/2021

Approved. Early Action approval is effective 12/6/2021 for the following projects:

0196-07-034 – NCTCOG\_ MPO ID 14070 Warren Park Deck Plaza  
0015-10-062 – CAMPO\_ MPO ID 51-00351-00, IH 35  
0015-13-389 – CAMPO\_ MPO ID 51-00353-00, IH 35  
0015-13-077 – CAMPO\_ MPO ID 51-00352-00, IH 35  
0016-01-113 – CAMPO\_ MPO ID 51-00354-00, IH 35

Thanks,

Lori



Lori Morel  
Transportation Planner  
Transportation Planning & Programming Division – **STIP**  
**Work Phone: 512.486-5033 Cell Phone: 512.810.6663**  
[Lori.Morel@txdot.gov](mailto:Lori.Morel@txdot.gov)

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**From:** Bales, Genevieve (FHWA) <Genevieve.Bales@dot.gov>  
**Sent:** Monday, December 6, 2021 4:46 PM  
**To:** Lori Morel <Lori.Morel@txdot.gov>; Angela Erwin <Angela.Erwin@txdot.gov>  
**Cc:** Campos, Jose (FHWA) <Jose.Campos@dot.gov>; barbara.maley@dot.gov; Leary, Michael (FHWA) <Michael.Leary@dot.gov>  
**Subject:** Early Action Approval 12/6/2021

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Approved. Early Action approval is effective 12/6/2021 for the following projects:

0196-07-034 – NCTCOG\_ MPO ID 14070 Warren Park Deck Plaza

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0015-13-077 – CAMPO\_ MPO ID 51-00352-00, IH 35

0016-01-113 – CAMPO\_ MPO ID 51-00354-00, IH 35

**Genevieve E. Bales,**

Statewide Transportation Planner

U.S. Department of Transportation | Federal Highway Administration

300 E. 8<sup>th</sup> Street, Room 826 | Austin, TX 78701

Office: (512) 536-5941 | Fax: (512) 536-5990 | Email: [genevieve.bales@dot.gov](mailto:genevieve.bales@dot.gov)

Website: <https://www.fhwa.dot.gov/txdiv/>



Logged in as Tricia Bruck-Hoyt

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Project Management

Reports

Support

Project Management > Area List > STIPs (M-CAMPO) > Revisions (2021-2024) > TIP Instances (11/2021) > Highway Projects (11/2021) > Project Details

Color Key:  - Business rule violation  - Value changed in current session  - Different from DCIS or latest approved copy

Data

Statewide  STIP Revision  Phase  Construction  
 District  County   
 MPO  Highway   
 CSJ  -  -  TIP FY

Engineering  
 Environmental  
 Engineering  
 Right-of-Way  
 Acquisition  
 Utilities  
 Transfer

**Total Project Cost Information**

Prelim Engineering	\$5,453,913
ROW Purchase	\$5,000
Construction Cost	\$89,652,500
Const Engineering	\$4,786,087
Contingencies	\$200,348
Indirect Costs	\$0
Bond Financing	\$0
Potential Chg Ord	\$0

Revision Date  NOX (Kg /D):   
 Project Sponsor  VOC (Kg /D):   
 MPO Proj Number  PM10 (Kg /D):   
 MTP Reference  PM2.5 (Kg /D):   
 City  CO (Lbs /D):

**Total Project Cost**   
**YOE Cost**  
 Toll   
 TCM

Limits From

Limits To

**Project Description** Add one NB and one SB non-tolled managed lanes, add one additional NBFR lane from SH 45 to FM 1825, one additional SBFR lane from SH 45 to Grand Ave Pkwy, reconstruct ramps, and add FR & mainlane auxiliary lanes.

**P7 Remarks**

**Project History** Spring Amendment 2021  
 Administrative Amendment 2021  
 Fall Amendment 2021

Authorized Funding by Category/Share

Category	Federal	State	Regional	Local Match	Local Contributions	Total
2	\$60,075,600	\$15,018,900	\$0	\$0	\$0	\$75,094,500
4R	\$2,280,000	\$570,000	\$0	\$0	\$0	\$2,850,000
7	\$9,366,400	\$2,341,600	\$0	\$0	\$0	\$11,708,000
<b>Total</b>	<b>\$71,722,000</b>	<b>\$17,930,500</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$89,652,500</b>

2021-2024 STIP		11/2021 (Current) Revision: Pending Review						
DISTRICT	MPO	COUNTY	CSJ	TIP FY	HWY	PHASE	CITY	YOE COST
AUSTIN	CAMPO	TRAVIS	0015-10-062	2022	IH 35	C		\$ 89,652,500
LIMITS FROM: SH 45N		PROJECT SPONSOR: TxDOT						REVISION DATE: 11/2021
LIMITS TO: FM 1825		MPO PROJ NUM: 51-00351-00						FUNDING CAT(S): 2M,4,7
PROJECT Add one NB and one SB non-tolled managed lanes, add one additional NBFR lane from SH 45 to FM 1825, one additional SBFR lane from SH 45 to Grand Ave Pkwy, reconstruct ramps, and add FR & mainlane auxiliary lanes.								
DESCR: one additional SBFR lane from SH 45 to Grand Ave Pkwy, reconstruct ramps, and add FR & mainlane auxiliary lanes.								
REMARKS P7:								
PROJECT Spring Amendment 2021 Administrative Amendment 2021 Fall Amendment 2021								
TOTAL PROJECT COST INFORMATION				AUTHORIZED FUNDING BY CATEGORY/SHARE				
PRELIM ENG: \$	5,453,913	CATEGORY	FEDERAL	STATE	REGIONAL	LOCAL MATCH	LC	TOTAL
ROW PURCH: \$	5,000	2	\$ 60,075,600	\$ 15,018,900	\$ 0	\$ 0	\$ 0	\$ 75,094,500
CONST COST: \$	89,652,500	4R	\$ 2,280,000	\$ 570,000	\$ 0	\$ 0	\$ 0	\$ 2,850,000
CONST ENG: \$	4,786,087	7	\$ 9,366,400	\$ 2,341,600	\$ 0	\$ 0	\$ 0	\$ 11,708,000
CONTING: \$	200,348	<b>TOTAL</b>	<b>\$ 71,722,000</b>	<b>\$ 17,930,500</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 89,652,500</b>
INDIRECT: \$	0							
BOND FIN: \$	0							
POT CHG ORD: \$	0							
<b>TOTAL COST: \$</b>	<b>100,097,848</b>							

TIP History

2021-2024 STIP									
07/2020 Revision: Not Approved 07/22/2021									
DISTRICT	MPO	COUNTY	CSJ	TIP FY	HWY	PHASE	CITY	YOE COST	
AUSTIN	CAMPO	TRAVIS	0015-10-062	2022	IH 35	C	OTHER	\$ 111,300,000	
LIMITS FROM: SH 45N							PROJECT SPONSOR: TxDOT		
LIMITS TO: FM 1825							REVISION DATE: 07/2020		
PROJECT: Add northbound and southbound non-tolled managed lanes, reconstruct ramps, improve frontage road and							MPO PROJ NUM: 51-00351-00		
DESCR: freight movements, and add auxiliary lanes							FUNDING CAT(S): 2M,4,7		
REMARKS P7:					PROJECT HISTORY:				
TOTAL PROJECT COST INFORMATION					AUTHORIZED FUNDING BY CATEGORY/SHARE				
PRELIM ENG: \$	5,453,913	COST OF APPROVED PHASES	CATEGORY	FEDERAL	STATE	REGIONAL	LOCAL MATCH	LC	TOTAL
ROW PURCH: \$	5,000		2	\$ 60,078,000	\$ 15,019,500	\$ 0	\$ 0	\$ 0	\$ 75,097,500
CONST COST: \$	111,300,000		4R	\$ 18,280,000	\$ 4,570,000	\$ 0	\$ 0	\$ 0	\$ 22,850,000
CONST ENG: \$	4,786,087		7	\$ 10,682,000	\$ 2,670,500	\$ 0	\$ 0	\$ 0	\$ 13,352,500
CONTING: \$	200,348		TOTAL	\$ 89,040,000	\$ 22,260,000	\$ 0	\$ 0	\$ 0	\$ 111,300,000
INDIRECT: \$	0								
BOND FIN: \$	0								
POT CHG ORD: \$	0								
TOTAL COST: \$	121,745,348								

Comment History

Time	User	Comment	Related Approval
2021/07/22 19:31:36	Jose Campos	Not approved. Project description reflected in e-STIP and in the CAMPO FY 2021-2024 TIP and 2045 RTP, does not indicate the number of non-tolled managed lanes being added or the scope of the proposed frontage road and freight movement improvements. Approval is withheld pending clarification of project scope.	07/2020: Not Approved





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 District  County   
 MPO  Highway   
 CSJ  -  -  TIP FY

Engineering  
 Environmental  
 Engineering  
 Right-of-Way  
 Acquisition  
 Utilities  
 Transfer

**Total Project Cost Information**

Prelim Engineering	\$14,146,087
ROW Purchase	\$2,500,000
Construction Cost	\$260,347,500
Const Engineering	\$12,413,913
Contingencies	\$519,652
Indirect Costs	\$0
Bond Financing	\$0
Potential Chg Ord	\$0

Revision Date  NOX (Kg /D):   
 Project Sponsor  VOC (Kg /D):   
 MPO Proj Number  PM10 (Kg /D):   
 MTP Reference  PM2.5 (Kg /D):   
 City  CO (Lbs /D):

**Total Project Cost** \$289,927,152  
**YOE Cost**  
 Toll   
 TCM

Limits From

Limits To

**Project Description** Add one NB and one SB non-tolled managed lanes, add one additional NBFR lane from FM 1825 to Parmer & from Tech Ridge Blvd to Rundberg, add one additional SBFR lane from FM 1825 to US 183, reconstruct ramps, and add FR & mainlane auxiliary lanes.

**P7 Remarks**

**Project History** Spring Amendment 2021  
 Administrative Amendment 2021  
 Fall Amendment 2021

Authorized Funding by Category/Share

Category	Federal	State	Regional	Local Match	Local Contributions	Total
2	\$135,118,000	\$33,779,500	\$0	\$0	\$0	\$168,897,500
4U	\$6,280,000	\$1,570,000	\$0	\$0	\$0	\$7,850,000
12	\$66,880,000	\$16,720,000	\$0	\$0	\$0	\$83,600,000
<b>Total</b>	<b>\$208,278,000</b>	<b>\$52,069,500</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$260,347,500</b>

2021-2024 STIP		11/2021 (Current) Revision: Pending Review							
DISTRICT	MPO	COUNTY	CSJ	TIP FY	HWY	PHASE	CITY	YOE COST	
AUSTIN	CAMPO	TRAVIS	0015-13-389	2022	IH 35	C		\$260,347,500	
LIMITS FROM: FM 1825		PROJECT SPONSOR: TxDOT						REVISION DATE: 11/2021	
LIMITS TO: US 290E		MPO PROJ NUM: 51-00353-00						FUNDING CAT(S): 2,4R,12	
PROJECT DESCR: Add one NB and one SB non-tolled managed lanes, add one additional NBFR lane from FM 1825 to Parmer & from Tech Ridge Blvd to Rundberg, add one additional SBFR lane from FM 1825 to US 183, reconstruct ramps, and add FR & mainlane auxiliary lanes.		PROJECT HISTORY: Spring Amendment 2021 Administrative Amendment 2021 Fall Amendment 2021							
REMARKS P7:									
<b>TOTAL PROJECT COST INFORMATION</b>				<b>AUTHORIZED FUNDING BY CATEGORY/SHARE</b>					
PRELIM ENG:	\$ 14,146,087	COST OF APPROVED PHASES	CATEGORY	FEDERAL	STATE	REGIONAL	LOCAL MATCH	LC	TOTAL
ROW PURCH:	\$ 2,500,000		2	\$ 135,118,000	\$ 33,779,500	\$ 0	\$ 0	\$ 0	\$ 168,897,500
CONST COST:	\$ 260,347,500	\$ 260,347,500	4U	\$ 6,280,000	\$ 1,570,000	\$ 0	\$ 0	\$ 0	\$ 7,850,000
CONST ENG:	\$ 12,413,913		12	\$ 66,880,000	\$ 16,720,000	\$ 0	\$ 0	\$ 0	\$ 83,600,000
CONTING:	\$ 519,652		<b>TOTAL</b>	<b>\$ 208,278,000</b>	<b>\$ 52,069,500</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 260,347,500</b>
INDIRECT:	\$ 0								
BOND FIN:	\$ 0								
POT CHG ORD:	\$ 0								
<b>TOTAL COST:</b>	<b>\$ 289,927,152</b>								



TIP History

2021-2024 STIP									
07/2020 Revision: Not Approved 07/22/2021									
DISTRICT	MPO	COUNTY	CSJ	TIP FY	HWY	PHASE	CITY	YOE COST	
AUSTIN	CAMPO	TRAVIS	0015-13-389	2022	IH 35	C	OTHER	\$ 288,700,000	
LIMITS FROM: FM 1825							PROJECT SPONSOR: TxDOT		
LIMITS TO: US 290E							REVISION DATE: 07/2020		
PROJECT: Add northbound and southbound non-tolled managed lanes, reconstruct ramps, improve frontage road and							MPO PROJ NUM: 51-00353-00		
DESCR: freight movements, and add auxiliary lanes							FUNDING CAT(S): 2M,4,7,12		
REMARKS P7: Texas Clear Lanes							PROJECT HISTORY:		
TOTAL PROJECT COST INFORMATION				AUTHORIZED FUNDING BY CATEGORY/SHARE					
PRELIM ENG: \$	14,146,087	COST OF APPROVED PHASES \$ 288,700,000	CATEGORY	FEDERAL	STATE	REGIONAL	LOCAL MATCH	LC	TOTAL
ROW PURCH: \$	2,500,000		2	\$ 135,118,000	\$ 33,779,500	\$ 0	\$ 0	\$ 0	\$ 168,897,500
CONST COST: \$	288,700,000		4R	\$ 18,280,000	\$ 4,570,000	\$ 0	\$ 0	\$ 0	\$ 22,850,000
CONST ENG: \$	12,413,913		7	\$ 10,682,000	\$ 2,670,500	\$ 0	\$ 0	\$ 0	\$ 13,352,500
CONTING: \$	519,652		12	\$ 66,880,000	\$ 16,720,000	\$ 0	\$ 0	\$ 0	\$ 83,600,000
INDIRECT: \$	0		<b>TOTAL</b>	<b>\$ 230,960,000</b>	<b>\$ 57,740,000</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 288,700,000</b>
BOND FIN: \$	0								
POT CHG ORD: \$	0								
TOTAL COST: \$	318,279,652								

Comment History

Time	User	Comment	Related Approval
2021/07/22 19:34:25	Jose Campos	Not approved. Project description reflected in e-STIP and in the CAMPO FY 2021-2024 TIP and 2045 RTP, does not indicate the number of non-tolled managed lanes being added or the scope of the proposed frontage road and freight movement improvements. Approval is withheld pending clarification of project scope.	07/2020: Not Approved