

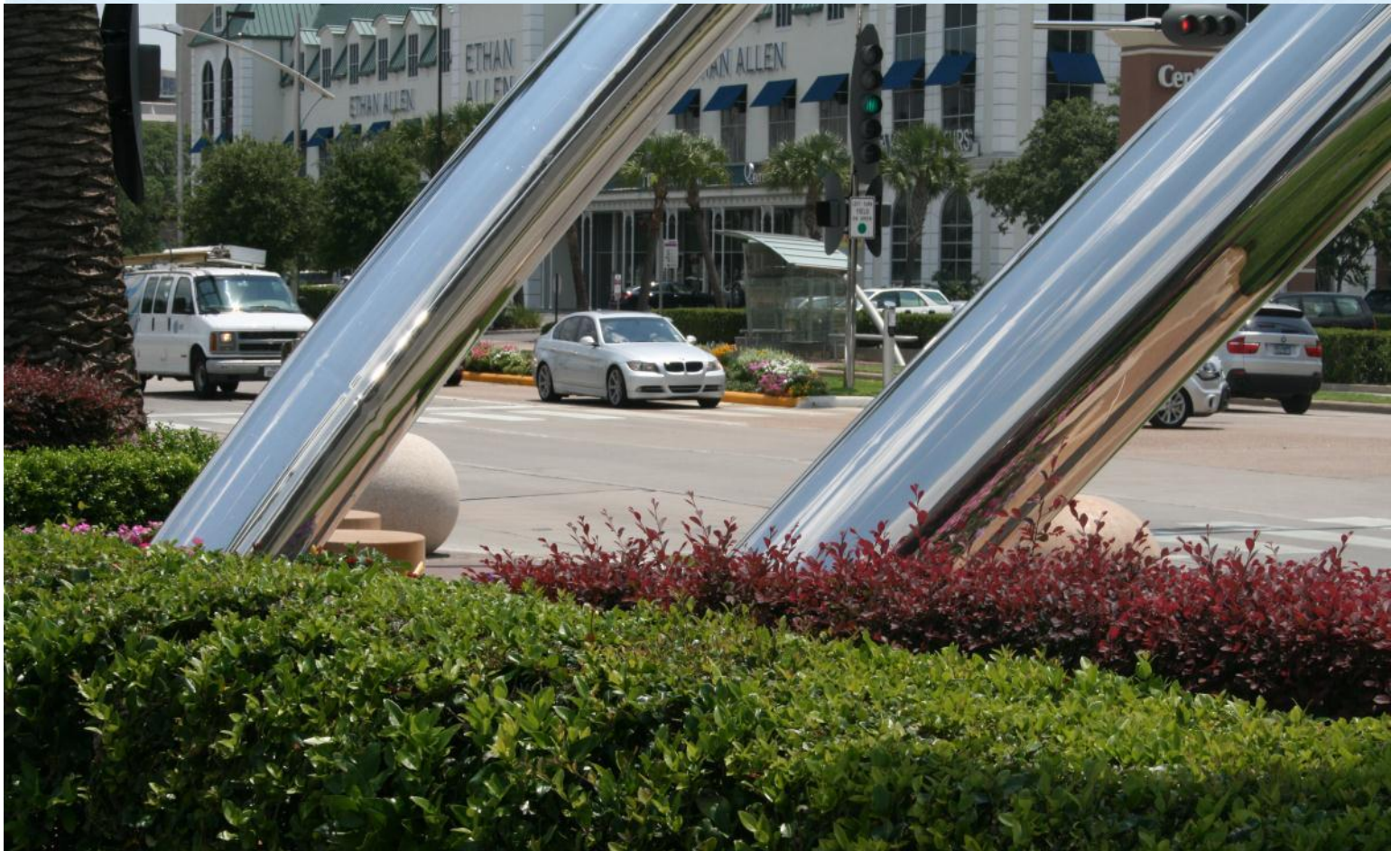
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# Environmental Workbook

## Fort Bend County Transit Facility

2/11/2015

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**Lockwood, Andrews  
& Newnam, Inc.**  
A LEO A DALY COMPANY



# Introduction

Pursuant to FTA, FHWA and TxDOT regulations and guidelines for categorical exclusion based projects the following data is presented to satisfy the additional environmental study requirements. This workbook is meant to be a supplement to the Advanced Planning Report and will provide the raw data and reports needed to allow the various regulatory agencies to approve the transit center project as a categorical exclusion.

Included in this workbook:

- ✚ TxDOT Project Scope for Categorical Exclusions
- ✚ FTA Region 6 Categorical Exclusion Worksheet
- ✚ USFWS County Species List and Natural Diversity Database (NDD) Summary
- ✚ TPWD County List
- ✚ USFWS Critical Habitat Map
- ✚ Aerial Photograph(s)
- ✚ Topographical Map
- ✚ Ecological Mapping System of Texas (EMST)
- ✚ Natural Diversity Database (NDD)
- ✚ EMST Project MOU Summary Table
- ✚ Species Impact Table with SGCN and NDD
- ✚ TxDOT Biological Evaluation Form
- ✚ TxDOT Hazardous Materials Initial Site Assessment (ISA) Report
- ✚ Guidance for Implementation of FTA's Categorical Exclusions (23 C.F.R. S771.118)





# Project Scope for Categorical Exclusions (CEs)

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**Restatement of Project Scope.**

*Check this box if this project scope replaces a prior project scope and amendments concerning the project.*

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## I. Project Definition

**Control Section Job Number(s) (CSJ):** N/A

**Facility Name:** Fort Bend County Transit Facility

**County Name:** Fort Bend

**Project Description:** Fort Bend County Transit plans to construct a new transit facility that will service and park transit vehicles to meet current and future transit needs.

**Project Limits:**

**From:** Stella Road

**To:** Stella Road

**Letting Date:** TBD

**Anticipated Funding Source(s):**

FHWA  State  Local  Other

Various (Federal Transit Administration, FHWA) approximately \$18M

**Region:** East

**District:** Houston

**Project Name:** Fort Bend County Transit Facility

**Acres of new ROW and/or easements:** None



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## II. Anticipated Project Classification

**CE (state transportation project)**

*See 43 T.A.C. §2.81(a)-(c)*

**CE (FHWA transportation project)**

*See 43 T.A.C. §2.81(a)-(d)*

**Federal Aid Project Number:** N/A

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## III. Identification of Proposed Project Sponsor and Department Delegate

*Refer to 43 T.A.C. §§ 2.7 & 2.8*

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**Proposed Project Sponsor:** Fort Bend County

**Contact Person:** Paulette Shelton

281-633-7433

paulette.shelton@fortbendcountytexas.gov

12550 Emily Court

Suite 400

Sugar Land, Texas 77478

**Department Delegate:**

**TxDOT DDOR:** Environmental Affairs Division

**Person with authority to approve an environmental review document on behalf of TxDOT:** Jenise Walton

**Contact Person:** Margaret Canty

512-416-2598

margaret/canty@txdot.gov

125 E. 11th Street

Austin, Texas 78701



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#### IV. Coordination with Participating Agencies, State, and Federal Approval Authorities and Required Permits

Refer to 43 T.A.C. §2.12

Check all that apply. If you have additional entries, please submit an attachment.

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**Texas Historical Commission (THC)**

Who is responsible for coordination?  Project Sponsor  Department delegate

When will coordination be completed? TBD

Will coordination be completed before or after submittal of CE documentation to department delegate?  Before  After

Is a permit or approval required?  Permit  Approval

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**Texas Parks and Wildlife Department (TPWD)**

Who is responsible for coordination?  Project Sponsor  Department delegate

When will coordination be completed? TBD

Will coordination be completed before or after submittal of CE documentation to department delegate?  Before  After

Is a permit or approval required?  Permit  Approval

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**Texas Commission on Environmental Quality (TCEQ)**

Who is responsible for coordination?  Project Sponsor  Department delegate

When will coordination be completed? <Enter Date>

Will coordination be completed before or after submittal of CE documentation to department delegate?  Before  After

Is a permit or approval required?  Permit  Approval

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**U.S. Army Corps of Engineers (USACE)**

Who is responsible for coordination?  Project Sponsor  Department delegate

When will coordination be completed? <Enter Date>

Will coordination be completed before or after submittal of CE documentation to department delegate?  Before  After

Is a permit or approval required?  Permit  Approval

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**U.S. Fish and Wildlife Service (USFWS)**

Who is responsible for coordination?  Project Sponsor  Department delegate

When will coordination be completed? <Enter Date>

Will coordination be completed before or after submittal of CE documentation to department delegate?  Before  After

Is a permit or approval required?  Permit  Approval

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**National Marine Fisheries Services (NMFS)**

Who is responsible for coordination?  Project Sponsor  Department delegate

When will coordination be completed? <Enter Date>

Will coordination be completed before or after submittal of CE documentation to department delegate?  Before  After

Is a permit or approval required?  Permit  Approval

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**Natural Resource Conservation Service (NRCS)**

Who is responsible for coordination?  Project Sponsor  Department delegate

When will coordination be completed? <Enter Date>

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## Project Scope for CE Projects

Will coordination be completed before or after submittal of CE documentation to department delegate?  Before  After

Is a permit or approval required?  Permit  Approval

**U.S. Coast Guard (USCG)**

Who is responsible for coordination?  Project Sponsor  Department delegate

When will coordination be completed? <Enter Date>

Will coordination be completed before or after submittal of CE documentation to department delegate?  Before  After

Is a permit or approval required?  Permit  Approval

**Additional participating agencies' information is described in an attachment.**

*Other participating agencies may be state or federal resource agencies, local governments or Native American tribes.*

## V. Public Involvement

<i>Check all that apply.</i>	<i>Enter planned dates in this column</i>	<i>Enter Notes in this column</i>
<input type="checkbox"/> <b>Meeting with affected property owners</b>	<Enter planned date>	<Enter Notes>
<input type="checkbox"/> <b>Public meeting</b>		
<input type="checkbox"/> <b>Opportunity for public hearing</b>		
<input type="checkbox"/> <b>Public hearing</b>		
<input type="checkbox"/> <b>Public hearing required by Texas Parks &amp; Wildlife Code Chapter 26</b>		



**Opportunity for comment  
required by Transportation  
Code § 203.022**

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**Additional Section 106  
Outreach**

**Consulting parties**

**CHC contacts  
(for bridge projects)**

**Tribal consultation**

**Certified Local  
Governments  
(with historic zoning  
regulations)**

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**Additional public involvement activities are described in an attachment.**



## VI. Surveys, Studies and Other Tasks: Project Schedule

Identify any surveys, studies or other tasks that will be completed by the department delegate prior to technical review of the CE documentation.

Identify tasks by entering the name of the Work Breakdown Structure (WBS) for the survey, study or other task indicated on TxDOT's P6 Environmental Issue Templates. Multiple WBSs may be identified for each subject, if appropriate. If a WBS has not yet been developed, describe the survey, study, or other task as succinctly as possible.

Indicate whether the project sponsor or the department delegate is responsible and enter the planned date by which the entity will submit a report or other documentation of the survey, study or other task.

Note that the project sponsor may submit surveys, studies, and other reports directly to an approving or participating agency when the project sponsor is responsible for coordinating with that agency.

Additional studies or tasks that may be necessary pending the results of a study should be identified to the fullest extent possible, with a note identifying them as contingent tasks.

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<b>Air</b>	<input type="checkbox"/> <b>Project Sponsor</b>	<input type="checkbox"/> <b>Department delegate</b>
<input type="checkbox"/> <b>Task list or WBS is attached to this form</b>	<Enter Date>	<Enter Date>
<Enter WBS or describe tasks>		

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<b>Archeology</b>	<input checked="" type="checkbox"/> <b>Project Sponsor</b>	<input type="checkbox"/> <b>Department delegate</b>
<input type="checkbox"/> <b>Task list or WBS is attached to this form</b>	TBD	<Enter Date>
Archeological scope to be determined during TxDOT/FTA scoping.		

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<b>Biology</b>	<input checked="" type="checkbox"/> <b>Project Sponsor</b>	<input type="checkbox"/> <b>Department delegate</b>
<input type="checkbox"/> <b>Task list or WBS is attached to this form</b>	TBD	<Enter Date>
Biological Evaluation Form to be submitted during TxDOT/FTA scoping.		

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<b>Community Impact Analysis</b>	<input type="checkbox"/> <b>Project Sponsor</b>	<input type="checkbox"/> <b>Department delegate</b>
<input type="checkbox"/> <b>Task list or WBS is attached to this form</b>	<Enter Date>	<Enter Date>
<Enter WBS or describe tasks>		

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<b>Hazardous Materials</b>	<input checked="" type="checkbox"/> <b>Project Sponsor</b>	<input type="checkbox"/> <b>Department delegate</b>
<input type="checkbox"/> <b>Task list or WBS is attached to this form</b>	TBD	<Enter Date>
Hazardous Materials Initial Site Assessment to be submitted during TxDOT/FTA scoping.		



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**History**

**Project Sponsor**     **Department delegate**

**Task list or WBS is attached to this form**    TBD    <Enter Date>

Historic scope to be determined during TxDOT/FTA scoping.

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**Indirect Impacts**

**Project Sponsor**     **Department delegate**

**Task list or WBS is attached to this form**    <Enter Date>    <Enter Date>

<Enter WBS or describe tasks>

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**Cumulative Impacts**

**Project Sponsor**     **Department delegate**

**Task list or WBS is attached to this form**    <Enter Date>    <Enter Date>

<Enter WBS or describe tasks>

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**Noise**

**Project Sponsor**     **Department delegate**

**Task list or WBS is attached to this form**    <Enter Date>    <Enter Date>

<Enter WBS or describe tasks>

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**Texas Parks and Wildlife Code Chapter 26**

**Project Sponsor**     **Department delegate**

**Task list or WBS is attached to this form**    <Enter Date>    <Enter Date>

<Enter WBS or describe tasks>

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**Water Resources (Section 401, 402, 404, etc.)**

**Project Sponsor**     **Department delegate**

**Task list or WBS is attached to this form**    <Enter Date>    <Enter Date>

<Enter WBS or describe tasks>

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**Section 4(f) of the US Department of Transportation Act**

**Project Sponsor**     **Department delegate**

**Task list or WBS is attached to this form**    <Enter Date>    <Enter Date>

<Enter WBS or describe tasks>

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**Section 6(f) of the Land and Water Conservation Fund Act**

**Project Sponsor**     **Department delegate**

**Task list or WBS is attached to this form**    <Enter Date>    <Enter Date>

<Enter WBS or describe tasks>

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- Task lists for additional are described in an attachment.**
- Submission of CE Documentation to Department Delegate**

<Enter date of submission>

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## **VII. Dispute Escalation Ladder**

*Refer to 43 T.A.C. §2.44(c)(12)*

*The following representatives of the project sponsor and department delegate will attempt to resolve any disputes regarding this project scope according to the deadlines indicated. If the Level 1 representatives are unsuccessful, they will refer the dispute to the Level 2 representatives.*

*A referral for dispute resolution must be submitted in writing to both named representatives.*

*The time allowed for negotiations will begin from the date of each submittal.*

*If informal dispute resolution fails then the dispute will be resolved under 43 T.A.C. §2.52(b) and (c) (concerning formal dispute resolution).*

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### **Level 1 – Deadline for completion: 20 days after submittal**

**Project Sponsor’s representative:** Paulette Shelton  
Fort Bend County Public Transportation Director

**Department Delegate’s representative:** TBD  
TBD

### **Level 2 – Deadline for completion: 60 days after submittal**

**Project Sponsor’s representative:** James Patterson  
Commissioner Precinct 4

**Department Delegate’s representative:** <Enter Name>  
<Enter Title>



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### **VIII. Optional Fee**

*Do not complete this section unless the project sponsor is a local government.*

- 
- The project sponsor requests calculation of a fee for this project.**
  - The project sponsor is not considering paying a fee for this project.**

**Department delegate's estimate of fee (if requested):** <Enter estimated amount>

- The project sponsor has paid a fee for this project.**
- The project sponsor will not pay a fee for this project.**

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### **IX. Comments**

*This section provides space for the project sponsor or department delegate to record comments related to information in the project scope.*

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**Project Sponsor comments:**

The precise location and layout of the transit facility has not been determined at this time; however, the study area has been refined to a an approximate 75-acre area bounded by Stella Rd., Klaycke Rd., and Cottonwood School Rd.

**Department Delegate comments:**

<Enter comments here>



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## **X. Signatures**

*The department delegate’s approval is based on information about the project provided by the project sponsor either on this form or by separate written correspondence to the department delegate.*

*The department delegate may not sign the project scope until payment is received.*

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By signing below, the project sponsor’s and department delegate’s authorized representatives each indicate approval of this document as fulfilling the requirements of 43 T.A.C. §2.44, relating to Project Scope.

**Project sponsor:** Paulette Shelton

\_\_\_\_\_

*Signature of Project Sponsor*

\_\_\_\_\_

*Date*

**Department delegate:** Jenise Walton

\_\_\_\_\_

*Signature of Department delegate*

\_\_\_\_\_

*Date*

**Note:** If the project sponsor elects to pay a fee, the fee must be paid before the department delegate signs.

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### **FHWA (to be completed at FHWA’s option for FHWA transportation project)**

*FHWA’s approval is based on information about the project provided by the project sponsor either on this form or by separate written correspondence to FHWA, and is subject to revocation if warranted by the results of surveys or studies or other new information.*

By signing below, FHWA’s authorized representative indicates approval of the anticipated project classification and planned coordination with participating agencies; state and federal approval authorities and permits; public involvement; and surveys, studies and other tasks described herein.

\_\_\_\_\_

*Signature of FHWA Authorized Representative*

\_\_\_\_\_

*Date*



## Federal Transit Administration-Region 6

Application# (Agency Use Only)

### Categorical Exclusion Worksheet

This Worksheet will assist grantees in complying with the National Environmental Policy Act. This worksheet will also help identify C or D list Categorical Exclusions and provide grantees with a template for documenting a D list Categorical Exclusion. Please contact Region 6 at 817-978-0550 or your FTA Planner if you need any assistance with filling out this form.

#### Section I:

Project Title:

***Fort Bend County Administration & Operations Facility Project***

Project Description (Include the following information in the description):

- Reason for the proposed project

FBCPT is currently at capacity and struggling to accommodate the current fleet. In order for the County to consider further growth, we must insure we have the needed infrastructure to house additional fleet and personnel. We are seeking funds for the construction of a Transit Facility to continue to provide appropriate operations space allowing more transportation choices to our ever growing community. This proposed project would allow us to consolidate all modes, equipment and staff into one location; providing a gain in efficiency and effectiveness. In addition, the facility will be designed to accommodate doubling of our fleet initially and room for future growth. At its formation in 2005, FBCPT staff was placed in an office within an existing County department. FBCPT has since moved 3 times to accommodate growth and is currently at capacity with no space for growth. The County's transit operations are currently carried out in four different locations: one for administration, reservations and scheduling, another for dispatch bus operators and fleet, a third for maintenance and a fourth for fueling. Transit operations from multiple locations present several factors which affect daily costs of operations and prevent efficient use of equipment for all staff.

- Project size or scale

*NEW FACILITY ~ 10-15 ACRES, ~ \$15-20M*

- Scope of Work

The project will include an Administrative, Operations and Traffic Management facility of approximately 19,000 square feet which includes accommodations for administrative activities, reservations, scheduling, customer service, dispatch, fare sales and collections, traffic management and driver work/ break area; approximately 250,000 square feet for employee and bus parking; a bus wash facility of approximately 4,000 square feet; a maintenance facility for bus and service vehicle repair of approximately 26,000 square feet; a fuel site to accommodate unleaded and diesel fuels with consideration for using alternative fuels in the future. The facility will

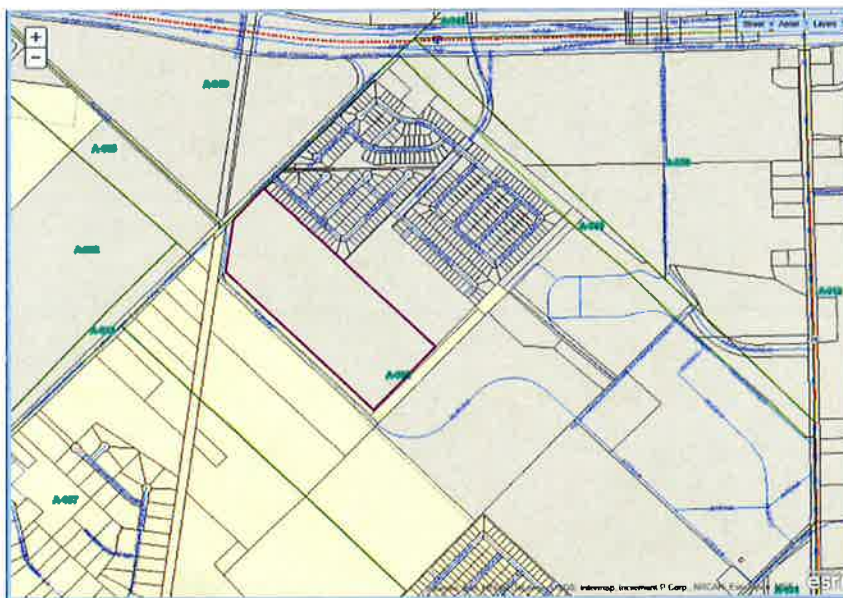
be located on a tract of land near the Fort Bend County Fairgrounds already owned by the County.

The new Transportation bus maintenance service site will be designed with the safety of the staff at the forefront of our considerations. The flow of vehicles in and out of the site will be carefully thought through to minimize pedestrian and vehicular interaction. The location of pumps and wash down bays will occur with the flow of vehicle traffic in mind so movement on and around the site is clear and well-defined, eliminating the need for pedestrian staff to cross driving lanes as much as possible. The occupied interior spaces will exceed building code standards for Life Safety Exiting requirements providing staff multiple options to evacuate the facility in the event of an emergency. All new facilities constructed by Fort Bend County are fully equipped with monitored smoke and fire alarm systems. The floor finishes in the service areas will utilize a high performance, non-slip coating for safe walking in wet conditions, and all entries into the building will have non-slip walk-off areas to improve floor conditions during rain events. The lighting in the service bay areas will generously exceed industry standards to provide lighting levels to not only improve working conditions, but to enhance safety through better visibility, as well.

The facility perimeter will be fenced, a video monitoring system will be installed around the facility, inside facility buildings, at key points of entry/exit, and key activity centers (fare collection center, ticket sales center, parts storage/counters, etc.). Entrance to the complex will include a gate controlled entrance and buildings/staff offices will require badged entry. An emergency generator system will be included to insure operations during power outages or other emergency events.

Attach an image of the project site. If the project involves construction include:

- Project location or map



- Basic construction site plan showing access points and construction site boundaries



**Section II:** Answer the following questions:

Will the project **significantly** impact the natural, physical, social, and/or economic environment?

- Yes, contact Region 6, this project may not qualify for categorical exclusion
- No, continue

Is the significance of the project's natural, physical, social, and/or economic impact unknown?

- Yes, contact Region 6, this project may not qualify for categorical exclusion
- No, continue

Is the project likely to generate intense public discussion, concern, or controversy, even though it may be limited to relatively small subset of the community?

- Yes, contact Region 6, this project may not qualify for categorical exclusion
- No, continue

Will the project have disproportionately high and adverse impacts on minority/low income populations?

- Yes, contact Region 6, this project may not qualify for categorical exclusion  
 No, continue to Section III

Will the project be located on historic property or within the vicinity of a historic district?

- Yes, contact Region 6, this project may require consultation with the SHPO.  
 No, continue to Section III

Will the project be located within a 100-year floodplain?

- Yes, contact Region 6, this project may require further evaluation under Executive Order 11988.  
 No, continue to Section III

### **Section III: Select the most appropriate C or D list Categorical Exclusion**

Note: More information on Categorical Exclusions can be found [here](#) (Adobe Page 20) and [here](#) (Adobe Page 13). These numbers are from the regulations, so some numbers are omitted (reserved).

#### **C-List Categorical Exclusion(s)**

- (1). Acquisition, installation, operation, evaluation, replacement, and improvement of discrete utilities and similar appurtenances (existing and new) within or adjacent to existing transportation right-of-way, such as: utility poles, underground wiring, cables, and information systems; and power substations and utility transfer stations.
- (2). Acquisition, construction, maintenance, rehabilitation, and improvement or limited expansion of stand-alone recreation, pedestrian, or bicycle facilities, such as: a multiuse pathway, lane, trail, or pedestrian bridge; and transit plaza amenities.
- (3). Activities designed to mitigate environmental harm that cause no harm themselves or to maintain and enhance environmental quality and site aesthetics, AND
- Employs construction best management practices, such as: noise mitigation activities; rehabilitation of public transportation buildings, structures, or facilities; retrofitting for energy or other resource conservation; and landscaping or re-vegetation.
- (4). Planning and administrative activities which do not involve or lead directly to construction, such as: training, technical assistance and research; promulgation of

rules, regulations, directives, or program guidance; approval of project concepts; engineering; and operating assistance to transit authorities to continue existing service or increase service to meet routine demand.

(5). Activities, including repairs, replacements, and rehabilitations, designed to promote transportation safety, security, accessibility and effective communication within or adjacent to existing right-of-way, such as: the deployment of Intelligent Transportation Systems and components; installation and improvement of safety and communications equipment, including hazard elimination and mitigation; installation of passenger amenities and traffic signals; and retrofitting existing transportation vehicles, facilities or structures, or upgrading to current standards.

(6). Acquisition or transfer of an interest in real property that is not within or adjacent to recognized environmentally sensitive areas (e.g., wetlands, non-urban parks, wildlife management areas) AND

Does not result in a substantial change in the functional use of the property or in substantial displacements, such as: acquisition for scenic easements or historic sites for the purpose of preserving the site. This CE extends only to acquisitions and transfers that will not limit the evaluation of alternatives for future FTA-assisted projects that make use of the acquired or transferred property.

(7). Acquisition, installation, rehabilitation, replacement, and maintenance of vehicles or equipment, within or accommodated by existing facilities, that does not result in a change in functional use of the facilities, such as: equipment to be located within existing facilities and with no substantial off-site impacts; and vehicles, including buses, rail cars, trolley cars, ferry boats and people movers that can be accommodated by existing facilities or by new facilities that qualify for a categorical exclusion.

(8). Maintenance, rehabilitation, and reconstruction of facilities that occupy substantially the same geographic footprint AND

Do not result in a change in functional use, such as: improvements to bridges, tunnels, storage yards, buildings, stations, and terminals; construction of platform extensions, passing track, and retaining walls; and improvements to tracks and railbeds.

(9). Assembly or construction of facilities that is consistent with existing land use and zoning requirements (including floodplain regulations) AND

Uses primarily land disturbed for transportation use, such as: buildings and associated structures; bus transfer stations or intermodal centers; busways and streetcar lines or other transit investments within areas of the right-of-way occupied by the physical footprint of the existing facility or otherwise maintained or used for transportation operations; and parking facilities.

(10). Development of facilities for transit and non-transit purposes, located on, above, or adjacent to existing transit facilities, that are not part of a larger transportation project AND

Do not substantially enlarge such facilities, such as: police facilities, daycare facilities, public service facilities, amenities, and commercial, retail, and residential development.

(11). The following actions are for transportation facilities damaged by an incident resulting in an emergency declared by the Governor of the State and concurred in by the Secretary, or a disaster or emergency declared by the President pursuant to the Robert T. Stafford Act (42 U.S.C. 5121):

(i) Emergency repairs under 49 U.S.C. 5324; and

(ii) The repair, reconstruction, restoration, retrofitting, or replacement of any road, highway, bridge, tunnel, or transit facility (such as a ferry dock or bus transfer station), including ancillary transportation facilities (such as pedestrian/bicycle paths and bike lanes), that is in operation or under construction when damaged and the action:

(A) Occurs within the existing right-of-way and in a manner that substantially conforms to the preexisting design, function, and location as the original (which may include upgrades to meet existing codes and standards as well as upgrades warranted to address conditions that have changed since the original construction); and

(B) Is commenced within a 2-year period beginning on the date of the declaration.

**Note: (c)(11) should be used for Emergency Actions only.**

(12). Projects, as defined in 23 U.S.C. 101, that would take place entirely within the existing operational right-of-way. Existing operational right-of-way refers to right-of-way that has been disturbed for an existing transportation facility or is maintained for a transportation purpose. This area includes the features associated with the physical footprint of the transportation facility (including the roadway, bridges, interchanges, culverts, drainage, fixed guideways, mitigation areas, etc.) and other areas maintained for transportation purposes such as clear zone, traffic control signage, landscaping, any rest areas with direct access to a controlled access highway, areas maintained for safety and security of a transportation facility, parking facilities with direct access to an existing transportation facility, transit power substations, transit venting structures, and transit maintenance facilities. Portions of the right-of-way that have not been disturbed or that are not maintained for transportation purposes are not in the existing operational right-of-way.

(13). Federally-funded projects:

- (i) That receive less than \$5,000,000 of Federal funds; or
- (ii) With a total estimated cost of not more than \$30,000,000 and Federal funds comprising less than 15 percent of the total estimated project cost.

**If your project falls within one of the above categories,  
you may stop and proceed to the signature block.**

**D-List Categorical Exclusion(s)**

**If your project falls within any of the categories listed below, please mark the appropriate category and proceed to Section IV.**

- (1) Modernization of a highway by resurfacing, restoring, rehabilitating, or reconstructing shoulders or auxiliary lanes (e.g., lanes for parking, weaving, turning, climbing).
- (2) Bridge replacement or the construction of grade separation to replace existing at-grade railroad crossings.
- (3) Acquisition of land for hardship or protective purposes. Hardship and protective buying will be permitted only for a particular parcel or a limited number of parcels. These types of land acquisition qualify for a CE only where the acquisition will not limit the evaluation of alternatives, including shifts in alignment for planned construction projects, which may be required in the NEPA process. No project development on such land may proceed until the NEPA process has been completed.
- (4) Acquisition of right-of-way. No project development on the acquired right-of-way may proceed until the NEPA process for such project development, including the consideration of alternatives, has been completed.
- (5) *Reserved for future use.*
- (6) Facility modernization through construction or replacement of existing components.
- (7) If your project does not fall within any of the above listed categories, but the project will not significantly impact the natural, physical, social, or economic environment and does not involve a substantial controversy, you may also proceed to Section IV.

**If your project does not meet the C- or D-list criteria listed above,  
it may not qualify for a Categorical Exclusion.  
Contact Region 6 for more information.**

**Section IV:** The purpose of this section is to check to make sure criteria for D-List Categorical Exclusions are satisfied and that **significant** environmental effects will not result.

**Land Use/Zoning:**

- Attach a land use map showing the project location and its surrounding parcel's land use classification.
- Attach a zoning map showing/describing the project's zoning classification.

**Traffic:**

- Describe potential parking/traffic impacts, if any?  
Click here to enter text.
- Indicate whether the existing roadways have adequate capacity to handle increased bus or other vehicular traffic.  
Click here to enter text.
- Describe connectivity to other transportation facilities and modes, and coordination with relevant agencies.  
Click here to enter text.
- If the project will modify an existing roadway configuration include a map/diagram.

**Noise:**

Note: Refer to [FTA's Noise and Vibration Manual](#)

Does the project have the potential to increase noise?

N/A

No, there are no receptors within the screening distance for this project. Screening distance criteria can be found in Table 4-1 of FTA's Noise and Vibration Manual.

Yes, please attach a general noise assessment.

Follow the procedures in Chapter 5 of FTA's Noise and Vibration Manual. Describe impacts, if any, proposed mitigation measures, and remaining impacts after mitigation.

**Vibration:**

Note: Refer to [FTA's Noise and Vibration Manual](#)

Does the project cross or have the potential for vibration impacts?

N/A

No, there are no receptors within the screening distance for this project. Screening distance criteria can be found in Table 9-2 of FTA's Noise and Vibration Manual.

Yes, please include a general vibration assessment.

Follow the procedures in Chapter 5 of FTA's Noise and Vibration Manual. Describe impacts, if any, proposed mitigation measures, and remaining impacts after mitigation.

**Environmental Justice:**

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Note: Refer to [FTA's Circular on Environmental Justice](#)

- Determine the presence of minority/low-income populations within the project area.  
Click here to enter text.
- Indicate whether the project will have disproportionately high and adverse impacts on minority/low-income populations.  
Click here to enter text..
- Describe any outreach efforts targeted specifically at minority/low-income populations  
Click here to enter text.

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### **Historic/Cultural Resources:**

Note: [Refer to Section 106 process and Section 4\(f\) Handbook](#)

- Describe any cultural, historic, or archaeological resource that is located in or around the immediate vicinity of the proposed project.  
Click here to enter text.
  - Describe the potential for the project to affect that resource. (Attach any relevant documentation and correspondence). If the project has the potential to affect historic resources the Section 106 process must be followed. Contact your FTA planner for further guidance.  
Click here to enter text.

---

### **Public Parks/Recreation:**

Note: Refer to [Section 4\(f\) Handbook](#)

Is the project located in or adjacent to a publicly-owned park, recreation area or wildlife or waterfowl refuge, or a publicly or privately owned historic district/property?

No

Yes, describe the potential impacts to the park/recreation area

Click here to enter text.

---

### **Biological Resources:**

Note: Refer to [U.S. Fish & Wildlife Service](#) and the [National Marine Fisheries Service](#)

Are there any species located within the project vicinity that are listed as threatened or endangered under the Endangered Species Act?

No

Yes, describe any critical habitat, essential fish habitat or other ecologically sensitive areas within or near the project area.

Click here to enter text.

**Property Acquisition/Relocations:**

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Will property be acquired for this project?

No

Yes, indicate whether acquisition will result in relocation of individuals/businesses.

Attach maps or graphs of affected parcel including relocations.

[Click here to enter text.](#)

**Wetlands:**

---

Note: Refer to [Wetlands Info Packet](#)

Will the project affect potential/on site/adjacent wetlands?

No

Yes, describe the impact and attach correspondence with the US Army Corps of Engineers

[Click here to enter text.](#)

**Water Quality:**

---

Does the project have the potential to impact water quality, including during construction?

No

Yes, describe potential impacts and best management practices which will be in place

[Click here to enter text.](#)

Will there be an increase in new impervious surface or restored pervious surface?

No

Yes, describe potential impacts and proposed treatment for storm water runoff

[Click here to enter text.](#)

Is the project located in the vicinity of an EPA-designated sole source aquifer?

No

Yes, provide the name of the aquifer which the project is located in and describe any potential impacts to the aquifer. Also, include the approximate amount of new impervious surface created by the project.

[Click here to enter text.](#)

**Air Quality:**

---

Is the project located in an Environmental Protection Agency designated non-attainment or maintenance area?

- No
- Yes, indicate the criteria pollutant below and contact FTA to determine if a hot spot analysis is necessary.
  - Carbon Monoxide (CO)
  - Ozone (O<sub>3</sub>)
  - Particulate Matter (PM<sub>2.5</sub>)
  - Particulate Matter (PM<sub>10</sub>)
  - Nitrogen Oxide (NO<sub>x</sub>)
  - Sulfur Dioxide (SO<sub>2</sub>)

Describe any impacts to air quality resulting from the project.

[Click here to enter text.](#)

Does the project require conformity analysis?

- No, it is exempt from conformity analysis under 40 CFR Part 51 § 93.126
- Yes, it is not exempt under §93.126 or §93.127

If the non-attainment area is also in a metropolitan area, was the project included in the MPO's Transportation Improvement Program (TIP) air quality conformity analysis?

- No
- Yes, Date of USDOT conformity finding: [Click here to enter a date.](#)

**Hazardous Materials:**

---

Is there any known/potential contamination at the project site?

Contamination may include lead/asbestos, above/underground storage tanks, or a history of industrial sites.

- No, describe the analysis used to determine whether hazardous materials were present  
[Click here to enter text.](#)
- Yes, describe mitigation and clean-up measures that will be taken to remove hazardous materials. If the project includes property acquisition, a Phase I Environmental Site Assessment may be required for the land to be acquired . Contact the FTA planner to discuss the Phase I Environment Site Assessment requirements.

Click here to enter text.

**Prime and Unique Farmlands:**

Note: Refer to Farmland Protection Policy Act

Does the proposal involve the use of any prime or unique farmlands?

No

Yes, describe potential impacts and any coordination with the Soil Conservation Service of the U.S. Department of Agriculture.

Click here to enter text.

**Safety/Security:**

Describe all measures that would need to be taken and that have been included for the safe and secure operation of the project after its construction.

Click here to enter text.

**Mitigation Measures:**

Describe all measures, if any, to be taken to mitigate project impacts.

Click here to enter text.

**Submitted by:**

Click here to enter text.

**Title:**

Click here to enter text.

**Date:**

Click here to enter a date.

## **Region 6 Contacts:**

Federal Transit Administration  
819 Taylor St. #8A36  
Fort Worth, Texas 76102  
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**ATTACHMENT 1**

**USFWS COUNTY SPECIES LIST AND NATURAL  
DIVERSITY DATABASE (NDD) SUMMARY**

Group	Name	Population	Status	Lead Office	Recovery Plan Name	Recovery Plan Stage
Birds	Whooping crane (Grus)	except where EXPN	Endangered	Assistant Regional Director-	Whooping Crane Recovery	Final Revision 3
Birds	Whooping crane (Grus)	U.S.A. (CO, ID, FL, NM, UT,	Experimental Population, Non-	Office Of The Regional Director		
Birds	Bald eagle (Haliaeetus)	lower 48 States	Recovery	Rock Island Ecological Services	Chesapeake Bay Bald Eagle	Final Revision 1
Birds	Bald eagle (Haliaeetus)	lower 48 States	Recovery	Rock Island Ecological Services	Northern States Bald Eagle	Final
Birds	Bald eagle (Haliaeetus)	lower 48 States	Recovery	Rock Island Ecological Services	Southwestern Bald Eagle	Final
Birds	Bald eagle (Haliaeetus)	lower 48 States	Recovery	Rock Island Ecological Services	Southeastern States Bald Eagle	Final Revision 1
Birds	Bald eagle (Haliaeetus)	lower 48 States	Recovery	Rock Island Ecological Services	Recovery Plan for the Pacific	Final
Clams	Texas fawnsfoot (Truncilla)		Candidate	Austin Ecological Services Field		
Clams	Smooth pimpleback (Quadrula)		Candidate	Austin Ecological Services Field		
Flowering Plants	Texas prairie dawn-flower		Endangered	Houston Ecological Services	Hymenoxys texana Recovery	Final

**ATTACHMENT 2**  
**TPWD COUNTY LIST**

## FORT BEND COUNTY

### AMPHIBIANS

Federal Status      State Status

**Houston toad**                      *Anaxyrus houstonensis*                      LE                      E  
endemic; sandy substrate, water in pools, ephemeral pools, stock tanks; breeds in spring especially after rains; burrows in soil of adjacent uplands when inactive; breeds February-June; associated with soils of the Sparta, Carrizo, Goliad, Queen City, Recklaw, Weches, and Willis geologic formations

### BIRDS

Federal Status      State Status

**American Peregrine Falcon**      *Falco peregrinus anatum*                      DL                      T  
year-round resident and local breeder in west Texas, nests in tall cliff eyries; also, migrant across state from more northern breeding areas in US and Canada, winters along coast and farther south; occupies wide range of habitats during migration, including urban, concentrations along coast and barrier islands; low-altitude migrant, stopovers at leading landscape edges such as lake shores, coastlines, and barrier islands.

**Arctic Peregrine Falcon**                      *Falco peregrinus tundrius*                      DL  
migrant throughout state from subspecies' far northern breeding range, winters along coast and farther south; occupies wide range of habitats during migration, including urban, concentrations along coast and barrier islands; low-altitude migrant, stopovers at leading landscape edges such as lake shores, coastlines, and barrier islands.

**Attwater's Greater Prairie-Chicken**      *Tympanuchus cupido attwateri*                      LE                      E

this county within historic range; endemic; open prairies of mostly thick grass one to three feet tall; from near sea level to 200 feet along coastal plain on upper two-thirds of Texas coast; males form communal display flocks during late winter-early spring; booming grounds important; breeding February-July

**Bald Eagle**                      *Haliaeetus leucocephalus*                      DL                      T  
found primarily near rivers and large lakes; nests in tall trees or on cliffs near water; communally roosts, especially in winter; hunts live prey, scavenges, and pirates food from other birds

**Henslow's Sparrow**                      *Ammodramus henslowii*  
wintering individuals (not flocks) found in weedy fields or cut-over areas where lots of bunch grasses occur along with vines and brambles; a key component is bare ground for running/walking

**Interior Least Tern**                      *Sterna antillarum athalassos*                      LE                      E  
subspecies is listed only when inland (more than 50 miles from a coastline); nests along sand and gravel bars within braided streams, rivers; also know to nest on man-made structures (inland beaches, wastewater treatment plants, gravel mines, etc); eats small fish and crustaceans, when breeding forages within a few hundred feet of colony

## FORT BEND COUNTY

### BIRDS

		Federal Status	State Status
<b>Peregrine Falcon</b>	<i>Falco peregrinus</i>	DL	T
<p>both subspecies migrate across the state from more northern breeding areas in US and Canada to winter along coast and farther south; subspecies (F. p. anatum) is also a resident breeder in west Texas; the two subspecies' listing statuses differ, F.p. tundrius is no longer listed in Texas; but because the subspecies are not easily distinguishable at a distance, reference is generally made only to the species level; see subspecies for habitat.</p>			
<b>Sprague's Pipit</b>	<i>Anthus spragueii</i>	C	
<p>only in Texas during migration and winter, mid September to early April; short to medium distance, diurnal migrant; strongly tied to native upland prairie, can be locally common in coastal grasslands, uncommon to rare further west; sensitive to patch size and avoids edges.</p>			
<b>Western Burrowing Owl</b>	<i>Athene cunicularia hypugaea</i>		
<p>open grasslands, especially prairie, plains, and savanna, sometimes in open areas such as vacant lots near human habitation or airports; nests and roosts in abandoned burrows</p>			
<b>White-faced Ibis</b>	<i>Plegadis chihi</i>		T
<p>prefers freshwater marshes, sloughs, and irrigated rice fields, but will attend brackish and saltwater habitats; nests in marshes, in low trees, on the ground in bulrushes or reeds, or on floating mats</p>			
<b>White-tailed Hawk</b>	<i>Buteo albicaudatus</i>		T
<p>near coast on prairies, cordgrass flats, and scrub-live oak; further inland on prairies, mesquite and oak savannas, and mixed savanna-chaparral; breeding March-May</p>			
<b>Whooping Crane</b>	<i>Grus americana</i>	LE	E
<p>potential migrant via plains throughout most of state to coast; winters in coastal marshes of Aransas, Calhoun, and Refugio counties</p>			
<b>Wood Stork</b>	<i>Mycteria americana</i>		T
<p>forages in prairie ponds, flooded pastures or fields, ditches, and other shallow standing water, including salt-water; usually roosts communally in tall snags, sometimes in association with other wading birds (i.e. active heronries); breeds in Mexico and birds move into Gulf States in search of mud flats and other wetlands, even those associated with forested areas; formerly nested in Texas, but no breeding records since 1960</p>			

### FISHES

		Federal Status	State Status
<b>American eel</b>	<i>Anguilla rostrata</i>		
<p>coastal waterways below reservoirs to gulf; spawns January to February in ocean, larva move to coastal waters, metamorphose, then females move into freshwater; most aquatic habitats with access to ocean, muddy bottoms, still waters, large streams, lakes; can travel overland in wet areas; males in brackish estuaries; diet varies widely, geographically, and seasonally</p>			
<b>Sharpnose shiner</b>	<i>Notropis oxyrhynchus</i>	PE	
<p>endemic to Brazos River drainage; also, apparently introduced into adjacent Colorado River drainage; large turbid river, with bottom a combination of sand, gravel, and clay-mud</p>			

## FORT BEND COUNTY

### MAMMALS

		Federal Status	State Status
<b>Louisiana black bear</b>	<i>Ursus americanus luteolus</i>	LT	T
possible as transient; bottomland hardwoods and large tracts of inaccessible forested areas			
<b>Plains spotted skunk</b>	<i>Spilogale putorius interrupta</i>		
catholic; open fields, prairies, croplands, fence rows, farmyards, forest edges, and woodlands; prefers wooded, brushy areas and tallgrass prairie			
<b>Red wolf</b>	<i>Canis rufus</i>	LE	E
extirpated; formerly known throughout eastern half of Texas in brushy and forested areas, as well as coastal prairies			

### MOLLUSKS

		Federal Status	State Status
<b>False spike mussel</b>	<i>Quadrula mitchelli</i>		T
possibly extirpated in Texas; probably medium to large rivers; substrates varying from mud through mixtures of sand, gravel and cobble; one study indicated water lilies were present at the site; Rio Grande, Brazos, Colorado, and Guadalupe (historic) river basins			
<b>Smooth pimpleback</b>	<i>Quadrula houstonensis</i>	C	T
small to moderate streams and rivers as well as moderate size reservoirs; mixed mud, sand, and fine gravel, tolerates very slow to moderate flow rates, appears not to tolerate dramatic water level fluctuations, scoured bedrock substrates, or shifting sand bottoms, lower Trinity (questionable), Brazos, and Colorado River basins			
<b>Texas fawnsfoot</b>	<i>Truncilla macrodon</i>	C	T
little known; possibly rivers and larger streams, and intolerant of impoundment; flowing rice irrigation canals, possibly sand, gravel, and perhaps sandy-mud bottoms in moderate flows; Brazos and Colorado River basins			

### REPTILES

		Federal Status	State Status
<b>Alligator snapping turtle</b>	<i>Macrochelys temminckii</i>		T
perennial water bodies; deep water of rivers, canals, lakes, and oxbows; also swamps, bayous, and ponds near deep running water; sometimes enters brackish coastal waters; usually in water with mud bottom and abundant aquatic vegetation; may migrate several miles along rivers; active March-October; breeds April-October			
<b>Texas horned lizard</b>	<i>Phrynosoma cornutum</i>		T
open, arid and semi-arid regions with sparse vegetation, including grass, cactus, scattered brush or scrubby trees; soil may vary in texture from sandy to rocky; burrows into soil, enters rodent burrows, or hides under rock when inactive; breeds March-September			
<b>Timber rattlesnake</b>	<i>Crotalus horridus</i>		T

## FORT BEND COUNTY

### REPTILES

Federal Status      State Status

swamps, floodplains, upland pine and deciduous woodlands, riparian zones, abandoned farmland; limestone bluffs, sandy soil or black clay; prefers dense ground cover, i.e. grapevines or palmetto

### PLANTS

Federal Status      State Status

#### Texas prairie dawn

*Hymenoxys texana*

LE

E

Texas endemic; in poorly drained, sparsely vegetated areas (slick spots) at the base of mima mounds in open grassland or almost barren areas on slightly saline soils that are sticky when wet and powdery when dry; flowering late February-early April


#### Threeflower broomweed

*Thurovia triflora*

Texas endemic; near coast in sparse, low vegetation on a veneer of light colored silt or fine sand over saline clay along drier upper margins of ecotone between between salty prairies and tidal flats; further inland associated with vegetated slick spots on prairie mima mounds; flowering September-November



**LEGEND**

 APPROXIMATE STUDY BOUNDARY

Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

**RABA KISTNER ENVIRONMENTAL**  
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 12821 West Golden Lane  
 San Antonio, Texas 78249  
 www.rkci.com  
 P 210 :: 699 :: 9090  
 F 210 :: 699 :: 6426  
 TBPE Firm F-3257

SOURCE: Critical Habitat Data Obtained from United States Fish & Wildlife Service (USFWS) Critical Habitat Mapper Portal - August 2014.

**USFWS CRITICAL HABITAT MAPPER**

**PROPOSED TRANSIT FACILITY**  
**FORT BEND COUNTY, TEXAS**

REVISIONS:		
No.	DATE	DESCRIPTION

PROJECT No.: ASF14-072-01

ISSUE DATE: 08/28/2014  
 DRAWN BY: CCL  
 CHECKED BY: SB  
 REVIEWED BY: SB


**ATTACHMENT**

**3**

NOTE: This Drawing is Provided for Illustration Only, May Not be to Scale and is Not Suitable for Design or Construction Purposes



**LEGEND**

 APPROXIMATE STUDY BOUNDARY

Source: Esri, DigitalGlobe, GeoEye, Earthstar (USA), USCG, AEX, GeoMapping, AeroGRID, IGN, IGP, swisstopo, and the GIS User Community

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 TBPE Firm F-3257

SOURCE: Critical Habitat Data Obtained from United States Fish & Wildlife Service (USFWS) Critical Habitat Mapper Portal - August 2014.

**AERIAL PHOTOGRAPH**  
 PROPOSED TRANSIT FACILITY  
 FORT BEND COUNTY, TEXAS

REVISIONS:		
No.	DATE	DESCRIPTION

PROJECT No.: ASF14-072-01  
 ISSUE DATE: 08/28/2014  
 DRAWN BY: CCL  
 CHECKED BY: SB  
 REVIEWED BY: SB  
**ATTACHMENT**  
**4**

NOTE: This Drawing is Provided for Illustration Only, May Not be to Scale and is Not Suitable for Design or Construction Purposes





**LEGEND**

APPROXIMATE STUDY BOUNDARY

**ECOLOGICAL SYSTEMS CLASSIFICATION**

GULF COAST: COASTAL PRAIRIE (70.2 ACRES)

NATIVE INVASIVE: BACCHARIS SHRUBLAND (0.5 ACRES)

NATIVE INVASIVE: HUISACHE WOODLAND OR SHRUBLAND (1.9 ACRES)

ROW CROPS (2.4 ACRES)



Source: Esri, DigitalGlobe, GeoEye, 1 INCH = 1,000 FEET, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

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 TBPE Firm F-3257

SOURCE: Ecological Systems Classification Data Obtained from the Texas Parks & Wildlife Department (TPWD) - 2012

**ECOLOGICAL MAPPING SYSTEM OF TEXAS (EMST)**

**PROPOSED TRANSIT FACILITY  
 FORT BEND COUNTY, TEXAS**

REVISIONS:		
No.	DATE	DESCRIPTION

PROJECT No.: ASF14-072-01

ISSUE DATE: 08/28/2014

DRAWN BY: CCL

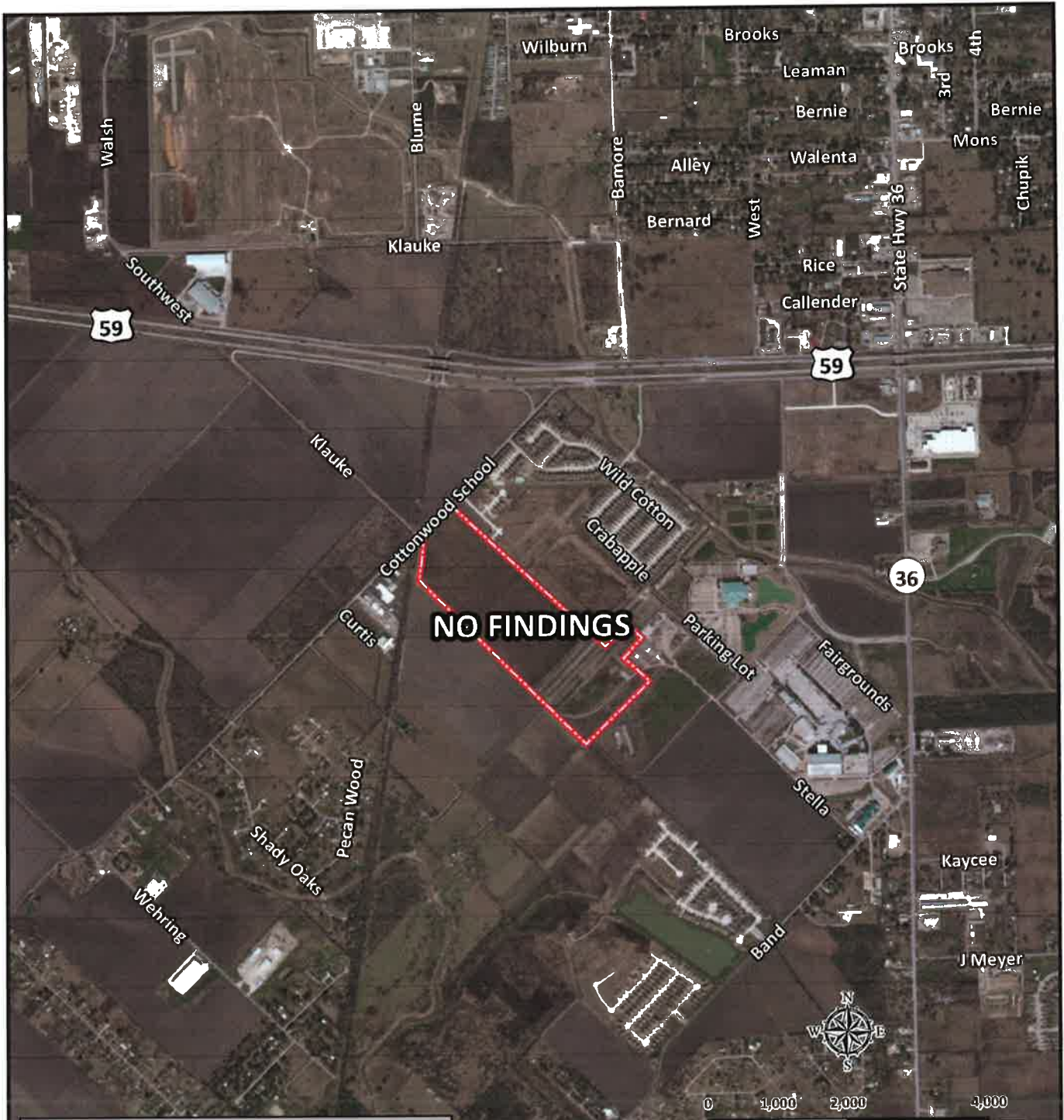
CHECKED BY: SB

REVIEWED BY: SB

**ATTACHMENT**

**6**

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**LEGEND**

 APPROXIMATE STUDY BOUNDARY

Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, ICF, swisstopo, and the GIS User Community

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 TBPE Firm F-3257

SOURCE: Texas Natural Diversity Database (TXNDD), Richmond, TX Quadrangles 2014

**NATIONAL DIVERSITY DATABASE (NDD)**

PROPOSED TRANSIT FACILITY  
 FORT BEND COUNTY, TEXAS

REVISIONS:		
No.	DATE	DESCRIPTION

PROJECT No.: ASF14-072-01

ISSUE DATE: 09/02/2014

DRAWN BY: CCL

CHECKED BY: SB

REVIEWED BY: SB

**ATTACHMENT**

**7**

NOTE: This Drawing is Provided for Illustration Only, May Not be to Scale and is Not Suitable for Design or Construction Purposes

**ATTACHMENT 8**  
**Proposed Fort Bend Transit Facility**  
**EMST Project MOU Summary Table**

EMST Vegetation Type	Corresponding MOU Type	Ecosystem Name/Subregion	Ecoregion	Acres (Mapped)	Trigger Threshold (Acres)	Discrepancy with Vegetation Observed in Field?	Actual Impacts to Vegetation Type	Vegetation Observed in Mapped Area	Threshold Exceeded?
Gulf Coast: Coastal Prairie	Tallgrass Prairie, Grassland	Northern Humid Gulf Coastal Prairies	Western Gulf Coastal Plain	70.2	2	Yes	N/A (discrepancy)		N/A (discrepancy)
Native Invasive: Baccharis Shrubland	Scrub, Thoms scrub, Shrubland	Northern Humid Gulf Coastal Prairies	Western Gulf Coastal Plain	0.5	2	Yes	N/A (discrepancy)	Mowed/Maintained Land (Considered Agriculture per recent TxDOT Coordination)	N/A (discrepancy)
Native Invasive: Huisache Woodland or Shrubland	Scrub, Thoms scrub, Shrubland	Northern Humid Gulf Coastal Prairies	Western Gulf Coastal Plain	1.9	2	Yes	N/A (discrepancy)		N/A (discrepancy)
Row Crops	Agriculture	Northern Humid Gulf Coastal Prairies	Western Gulf Coastal Plain	2.4	10	No*	N/A (discrepancy)		N/A (discrepancy)

\*Although no agriculture is taking place on the site, recent TxDOT consultation indicates mowed/maintained grass will be considered agriculture for purposes of BEFs.

**ATTACHMENT 9**  
**Proposed Fort Bend Transit Facility**  
**Species Impact Table and Natural Diversity Database (NDD) Summary**

Species listed as Endangered or Threatened by the U.S. Fish and Wildlife Service (USFWS) under The Endangered Species Act (ESA) are protected. This includes protection from direct takes or harming of a species or the indirect take by removal of critical habitat. In addition the ESA provides the necessary means for individual states to establish their own regulatory authority to manage and protect endangered and threatened species.

The study area visually observed by vehicle and on foot by a biologist to determine the potential presence of federal and/or state threatened/endangered flora and fauna species and critical habitats.

TPWD Annotated List of Rare Species for Fort Bend County

**Table 1** summarizes species listed as endangered or threatened by the TPWD (accessed August 28, 2014). Each of these species is considered by these agencies as having potential to occur in Fort Bend County. A description of their federal and state status, habitat requirements, and findings of the habitat field survey are as follows:

**Table 1. State and Federal Threatened or Endangered Species,  
 General Habitat Information and Information Pertaining to the SITE**

Species	Species Habitat Description <sup>1</sup>	Assessment Findings
<b>AMPHIBIANS</b>		
<b>Houston toad</b> ( <i>Anaxyrus houstonensis</i> ) LE, E	This species is endemic to sandy substrate, water in pools, ephemeral pools and stock tanks. This species breeds in spring especially after rains and burrows in soil of adjacent uplands when inactive. The Houston toad breeds February through June. The species is associated with soils of the Sparta, Carrizo, Goliad, Queen City, Recklaw, Weches, and Willis geologic formations.	The project area does not contain the soils needed to support suitable habitat for this species.
<b>BIRDS</b>		
<b>American peregrine falcon</b> ( <i>Falco peregrinus annatum</i> ), DL, T	Year-round resident and local breeder in west Texas, nests in tall cliff eyries; also, migrant across state from more northern breeding areas in US and Canada, winters along coast and farther south; occupies wide range of habitats during migration, including urban, concentrations along coast and barrier islands; low-altitude migrant, stopovers at leading landscape edges such as lake shores, coastlines, and barrier islands	The project area does not support suitable habitat for this species.
<b>Arctic peregrine falcon</b> ( <i>Falco peregrinus tundrius</i> ), DL	Migrant throughout state from subspecies' far northern breeding range, winters along coast and farther south; occupies wide range of habitats during migration, including urban, concentrations along coast and barrier islands; low-altitude migrant, stopovers at leading landscape edges such as lake shores, coastlines, and barrier islands.	The project area does not support suitable habitat for this species.

<sup>1</sup> Most information presented in this table can be found at <http://www.tpwd.state.tx.us/nature/endang/>

Species	Species Habitat Description <sup>1</sup>	Assessment Findings
<b>Attwater's Greater Prairie-Chicken</b> <i>(Tymppanuchus cupido attwateri)</i> LE E	This county is within this species' historic range; endemic; open prairies of mostly thick grass one to three feet tall; from near sea level to 200 feet along coastal plain on upper two-thirds of Texas coast; males form communal display flocks during late winter-early spring; booming grounds important; breeding February-July.	The project area does not support suitable habitat for this species.
<b>Bald Eagle</b> <i>(Haliaeetus leucocephalus)</i> , DL, T	This species is found primarily near rivers and large lakes and nests in tall trees or on cliffs near water. The Bald Eagle communally roosts, especially in winter and hunts live prey, scavenges, and pirates food from other birds.	The project area does not support suitable habitat for this species.
<b>Interior Least Tern</b> <i>(Sterna antillarum athalassos)</i> LE E	subspecies is listed only when inland (more than 50 miles from a coastline); nests along sand and gravel bars within braided streams, rivers; also know to nest on man-made structures (inland beaches, wastewater treatment plants, gravel mines, etc.); eats small fish and crustaceans, when breeding forages within a few hundred feet of colony	The project area does not support suitable habitat for this species.
<b>Sprague's Pipit</b> <i>(Anthus spragueii)</i> , C, SGCN	This species is only in Texas during migration and winter, mid-September to early April. This species is a diurnal migrant and strongly tied to native upland prairie. It can be locally common in coastal grasslands but is uncommon to rare further west. The pipit is sensitive to patch size and avoids edges.	The project area does not support suitable habitat for this species.
<b>White-faced Ibis</b> <i>(Plegadis chihi)</i> T	This species prefers freshwater marshes, sloughs, and irrigated rice fields, but will attend brackish and saltwater habitats. The White-faced Ibis nests in marshes, in low trees, on the ground in bulrushes or reeds, or on floating mats.	The project area does not support suitable habitat for this species.
<b>White-tailed Hawk</b> <i>(Buteo albicaudatus)</i> T	This species resides near coast on prairies, cordgrass flats, and scrub-live oak. The white-tailed hawk can also be found further inland on prairies, mesquite and oak savannas, and mixed savanna-chaparral. This species breeding period is from March-May.	The project area does not support suitable habitat for this species.
<b>Whooping Crane</b> <i>(Grus Americana)</i> , LE, E	Potential migrant. During migration occasionally uses marshes, river bottoms, potholes, prairies, and croplands. Critical habitat exists on Texas Coast of Aransas National Wildlife Refuge.	The project area does not support suitable habitat for this species.
<b>Wood Stork</b> <i>(Mycteria americana)</i> T	This species forages in prairie ponds, flooded pastures or fields, ditches, and other shallow standing water, including saltwater. The wood stork usually roosts communally in tall snags, sometimes in association with other wading birds (i.e. active heronries). This species breeds in Mexico and birds move into Gulf States in search of mud flats and other wetlands. Even those species associated with forested areas; formerly nested in Texas. There are no breeding records since 1960 for the wood stork.	The project area does not support suitable habitat for this species.

Species	Species Habitat Description <sup>1</sup>	Assessment Findings
<b>FISHES</b>		
<b>Sharpnose shiner</b> ( <i>Notropis oxyrhynchus</i> ) PE	Endemic to Brazos River drainage; also, apparently introduced into adjacent Colorado River drainage; large turbid river, with bottom a combination of sand, gravel, and clay-mud.	The project area does not support suitable habitat for this species.
<b>MAMMALS</b>		
<b>Louisiana black bear</b> ( <i>Ursus americanus luteolus</i> ) LT, T, SGCN	This species is possible as transient. The Louisiana black bear prefers bottomland hardwoods and large tracts of inaccessible forested areas.	The project area does not support suitable habitat for this species.
<b>Red wolf</b> ( <i>Canis rufus</i> ), LE, E	This species is extirpated and was formerly known throughout eastern half of Texas in brushy and forested areas, as well as coastal prairies.	The project area does not support suitable habitat for this species.
<b>MOLLUKSKS</b>		
False spike mussel ( <i>Quadrula mitchelli</i> ) T, SGCN	Possibly extirpated in Texas; probably medium to large rivers; substrates varying from mud through mixtures of sand, gravel and cobble; one study indicated water lilies were present at the site; Rio Grande, Brazos, Colorado, and Guadalupe (historic) river basins.	The project area does not support suitable habitat for this species.
Smooth pimpleback ( <i>Quadrula houstonensis</i> ) C, T, SGCN	Small to moderate streams and rivers as well as moderate size reservoirs; mixed mud, sand, and fine gravel, tolerates very slow to moderate flow rates, appears not to tolerate dramatic water level fluctuations, scoured bedrock substrates, or shifting sand bottoms, lower Trinity (questionable), Brazos, and Colorado River basins.	The project area does not support suitable habitat for this species.
Texas fawnsfoot ( <i>Truncilla macrodon</i> ) C, T, SGCN	Little known; possibly rivers and larger streams, and intolerant of impoundment; flowing rice irrigation canals, possibly sand, gravel, and perhaps sandy-mud bottoms in moderate flows; Brazos and Colorado River basins.	The project area does not support suitable habitat for this species.
<b>REPTILES</b>		
<b>Alligator snapping turtle</b> ( <i>Macrochelys temminckii</i> ) T	This species resides in perennial water bodies; deep water of rivers, canals, lakes, and oxbows. The alligator snapping turtle is also in swamps, bayous, and ponds near deep running water. This species sometimes enters brackish coastal waters. The alligator snapping turtle is usually in water with mud bottom and abundant aquatic vegetation. This species may migrate several miles along rivers and is most active March-October. This species breeds April- October.	The project area does not support suitable habitat for this species.

Species	Species Habitat Description <sup>1</sup>	Assessment Findings
<b>Texas horned lizard</b> ( <i>Phrynosoma cornutum</i> ) T, SGCN	This species resides in open, arid and semi-arid regions with sparse vegetation, including grass, cactus, scattered brush or scrubby trees. The soil in these regions may vary in texture from sandy to rocky. The Texas horned lizard burrows into soil, enters rodent burrows, or hides under rock when inactive. This species breeds March-September.	Habitat for this species may occur in the project area. Impacts to this species would be minimized through the use of TxDOT BMPs for reptiles.
<b>Timber/Canebrake rattlesnake</b> ( <i>Crotalus horridus</i> ) T	This species resides in swamps, floodplains, upland pine and deciduous woodlands, riparian zones, abandoned farmland; limestone bluffs, sandy soil or black clay. The timber/canebrake rattlesnake prefers dense ground cover such as grapevines or palmetto.	The project area does not support suitable habitat for this species.
<b>PLANTS</b>		
Texas prairie dawn ( <i>Hymenoxys texana</i> ) LE, E	Texas endemic; in poorly drained, sparsely vegetated areas (slick spots) at the base of mima mounds in open grassland or almost barren areas on slightly saline soils that are sticky when wet and powdery when dry; flowering late February-early April	The project area does not support suitable habitat for this species.

Last Updated April 28, 2014

LE, LT - Federally Listed Endangered/Threatened

DL - Federally De-listed

E, T - State Listed Endangered/Threatened

C - Candidate species

PE - Federally Proposed Endangered

SGCN - Species of Greatest Conservation Need

With the exception of potential habitat for the Texas horned lizard, a State-listed threatened species and a species of greatest conservation need (SGCN) No other potentially-suitable habitat was observed for species listed by the TPWD as threatened or endangered. According to the U.S. Fish and Wildlife Service online Critical Habitat Mapper (accessed August 28, 2014), no critical habitat was mapped in the vicinity of the proposed SITE.

#### TPWD natural Diversity Database

Data from the Texas Natural Diversity Database (TXNDD) was obtained on September 1, 2014. This data was reviewed to identify known occurrences of listed species occurring in the project vicinity. The TXNDD includes Element of Occurrence (EOR) records, which includes known occurrences of various species that are tracked by TPWD and maintained in a regularly-updated database. The Richmond, Tex. U.S. Geological Survey (USGS) 7.5 minute quadrangle was searched. Information from the TXNDD cannot be used to determine the presence/absence of species, but it can provide valuable information in characterizing the local environment with respect to possible use of area habitats by species.

The TPWD provides TXNDD data in Geographic Information System (GIS) shapefile (.shp) format for analysis by the end user. Individual species occurrences are generally provided as circular shapes, centered on the species' reported location. The circular shapes are generally sized are based on the degree of location accuracy, where smaller circles indicate higher location accuracy (e.g. collected using GPS devices) and larger circles indicate less accurate location data.

The TXNDD data revealed no occurrences in the project vicinity.





# Biological Evaluation Form

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CSJ: N/A

Stella Road (nearest roadway)

Samuel Blanco, Raba-Kistner Environmental, Inc.

CSJ: N/A	<input type="checkbox"/> <i>Project has no Federal nexus.</i>
Date of Evaluation: August 21, 2014	
Proposed Letting Date: TBD	
County: Fort Bend	
Roadway Name: Stella Road (nearest roadway)	
Project Limits:	
Project Description:	

## Endangered Species Act (ESA)

1.     No     Is the action area of the proposed project within the range and in suitable habitat of federally protected species?

Date [USFWS County List](#) Accessed: August 21, 2014

Comments:

Resources consulted or activities conducted to make effect determination (if applicable):

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> TPWD County List                          | <input checked="" type="checkbox"/> USFWS Critical Habitat Maps      | <input type="checkbox"/> Species Expert Consulted |
| <input checked="" type="checkbox"/> Aerial Photography                        | <input type="checkbox"/> Coastal Areas Maps                          | <input type="checkbox"/> Site Visit               |
| <input checked="" type="checkbox"/> Topographic Map                           | <input type="checkbox"/> Species Study Conducted                     | <input type="checkbox"/> Karst Zone Maps          |
| <input checked="" type="checkbox"/> Ecological Mapping System of Texas (EMST) | <input checked="" type="checkbox"/> Natural Diversity Database (NDD) |   |

Other:

## Migratory Bird Treaty Act (MBTA)

1.     No     Is there potential for nesting birds to be present in the project action area during construction?

2.     No     Will BMPs will be incorporated to protect migratory bird nests?

\*Explain:

No migratory bird nesting is anticipated (no trees or bridges in project area).

Comments:

## Bald and Golden Eagle Protection Act (BGEPA)

1.  No Does the proposed project have the potential to impact Bald or Golden Eagles?

Comments:

## Fish and Wildlife Coordination Act (FWCA)

1.  No Does the project have impacts on one or more Waters of the U.S. or wetlands?

Comments:

## Executive Order 13112 on Invasive Species

1.  Yes Would the proposed project be in compliance with EO 13112?

Comments

## Executive Memorandum on Beneficial Landscaping

1.  No Would landscaping be included in the proposed projects?

Comments

## Farmland Protection Policy Act (FPPA)

1.  No Would the project require new ROW or permanent easements (*Do not include temporary easements*)?

Comments:

Fort Bend County owns all of the property needed.

## General Comments

# TPWD Analysis Section

## Coordination Conditions

1.  No Is the project limited to a maintenance activity exempt from coordination?  
[https://ftp.dot.state.tx.us/pub/txdot-info/env/env\\_assessment.pdf](https://ftp.dot.state.tx.us/pub/txdot-info/env/env_assessment.pdf)
2.  No Has the project previously completed coordination with TPWD?

## Tier I Site Assessment

### MOU-Triggers

1.  Yes Is the project within range of a state threatened or endangered species or SGCN and suitable habitat is present?

\*Explanation:

Texas Horned Lizard

Date [TPWD County](#) List Accessed: August 28, 2014

Date that the NDD was accessed: \_\_\_\_\_

What agency performed the NDD search? \_\_\_\_\_

What version of the NDD was used? \_\_\_\_\_

- 1.1  Yes Does the BMP PA eliminate the requirement to coordinate for species?

\*Explanation:

Species specific BMP calls for advising contractors to avoid harming species and harvester ant mounds in selection of PSLs where feasible.

2. \_\_\_\_\_ NDD and TCAP review indicates adverse impacts to remnant vegetation?

\*Explanation:

3.  No Does the project require a NWP with PCN or IP by USACE?

Comments:

No surface waters on site.

4.  No Does the project include more than 200 linear feet of stream channel for each single and complete crossing of one or more of the following that is not already channelized or otherwise maintained:

Comments:

N/A

5.     No     Does the project contain known isolated wetlands outside the TxDOT ROW that will be directly impacted by the project?

Comments:

N/A

6.     No     Would the project impact at least 0.10 acre of riparian vegetation?

Comments:

N/A

7.     Yes     Does project disturb a habitat type in an area equal to or greater than the area of disturbance indicated in the Threshold Table Programmatic Agreement?

\*Explanation:

Mowed/Maintained Land (Considered "Agriculture"). Approx. 15 acres to be disturbed.

\*Attach associated file of EMST output (Mapper Report or other Excel File which includes MOU Type, Ecosystem Name, Common/Vegetation Type Name) in ECOS

Excel File Name:

Att 8 - EMST Project MOUS Summary Table.xls

- 7.1     Yes     Is there a discrepancy between actual habitat(s) and EMST mapped habitat(s)?

\*Explanation:

Area exists as mowed/maintained land, which is considered agricultural by TxDOT for MOU purposes.

Attach file showing discrepancy between actual and EMST mapped habitat(s).

File Name:

Att 8 - EMST Project MOUS Summary Table.xls

## Is TPWD Coordination Required?

Yes

Early Coordination

Administrated Coordination

BMPs Implemented or EPICs included (as necessary):

Reptile BMP for Texas Horned Lizard

**TxDOT Contact Information**

Name:

Phone Number:

E-mail:

## Findings

### **Endangered Species Act (ESA)**

No suitable habitat was observed for any federally listed species; therefore, there will be no effect on federally listed species. However, measures to avoid harm to any threatened and endangered species will be taken should they be observed during construction of the proposed project. Coordination with the USFWS will not be required. The USFWS County list was accessed on August 21, 2014.

### **Essential Fish Habitat (EFH)**

Essential fish habitat is defined by the Magnuson-Stevens Fishery Conservation and Management Act (MSA) as those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity.

Tidally influenced waters do not occur within the project action area. Coordination with National Marine Fisheries Service (NMFS) is not required.

### **Coastal Barrier Resources Act (CBRA)**

The Coastal Barrier Resources Act (CBRA) established the Coastal Barrier Resources System (CBRS) to protect a defined set of geographic units along the coast of the U.S.

This project is not located within a designated CBRA map unit. Coordination with the USFWS is not required.

### **Marine Mammal Protection Act (MMPA)**

Marine mammals are protected under the Marine Mammal Protection Act (MMPA). The Texas coast provides suitable habitat and is within range of several marine mammals including the West Indian Manatee (*Trichechus manatus*), and bottlenose dolphin (*Tursiops truncatus*).

The project action area does not contain suitable habitat for marine mammals. Coordination with NMFS is not required.

### **Migratory Bird Treaty Act (MBTA)**

The Migratory Bird Treaty Act (MBTA) states that it is unlawful to kill, capture, collect, possess, buy, sell, trade, or transport any migratory bird, nest, young, feather, or egg in part or in whole, without a federal permit issued in accordance within the Act's policies and regulations.

TxDOT will take all appropriate actions to prevent the take of migratory birds, their active nests, eggs, or young by the use of proper phasing of the project or other appropriate actions.

No migratory bird nesting is anticipated (no trees or bridges in project area).

### **Bald and Golden Eagle Protection Act (BGEPA)**

The proposed project does not have the potential to impact Bald or Golden Eagles.

### **Executive Order 13112 on Invasive Species**

Re-vegetation of disturbed areas would be in compliance with the Executive Order on Invasive Species (EO 13112). Regionally native and non-invasive plants will be used to the extent practicable in landscaping and re-vegetation.

### **Executive Memorandum on Beneficial Landscaping**

No landscaping would be a part of the proposed project. Disturbed areas would be re-vegetated according to TxDOT's standard practices for rural areas, which to the extent practicable, is in compliance with Executive Memorandum on Beneficial Landscaping.

### **Farmland Protection Policy Act (FPPA)**

The purpose of the Farmland Protection Policy Act (FPPA) is to minimize the extent to which federal programs contribute to the unnecessary and irreversible conversion of farmland to non-agricultural uses. Coordination with the National Resources Conservation Service (NRCS) for FPPA would not be required because the project requires no additional ROW or permanent easements.

### **Fish and Wildlife Coordination Act (FWCA)**

The Fish and Wildlife Coordination Act (FWCA) of 1958 requires that federal agencies obtain comments from USFWS and TPWD. This coordination is required whenever a project involves impounding, diverting, or deepening a stream channel or other body of water.

The proposed project would have no impact to Waters of the U.S. or wetlands and no Section 404 permit is required; therefore, no review by the U.S. Fish and Wildlife Service (USFWS).

---

TxDOT Reviewer

Date

## *Suggested Attachments*

**Aerial Map (with delineated project boundaries)**

**USFWS T&E List**

**TPWD T&E List**

**Species Impact Table**

**NDD EOID List and Tracked Managed Areas (Required for TPWD Coordination)**

**NOAA EFH Mapper Printout**

**USFWS CBRA Mapper Printout**

**EMST Project MOU Summary Table (Required for TPWD Coordination)**

**TPWD SGCN List**

**FPPA Documentation**

**Landscaping Plans**

**Photos (Required for TPWD Coordination)**

**Previous TPWD Coordination Documentation (if applicable)**

The following table shows the revision history for this guidance document.

Revision History	
Effective Date Month, Year	Reason for and Description of Change

## **Proposed Fort Bend Transit Facility**

### **List of Attachments**

- Attachment 1 USFWS County Species List and Natural Diversity Database (NDD) Summary
- Attachment 2 TPWD County List
- Attachment 3 USFWS Critical Habitat Map
- Attachment 4 Aerial Photograph
- Attachment 5 Topographic Map
- Attachment 6 Ecological Mapping System of Texas (EMST)
- Attachment 7 Natural Diversity Database (NDD)
- Attachment 8 EMST Project MOU Summary Table
- Attachment 9 Species Impact Table with SGCN and NDD

**ATTACHMENT 1**

**USFWS COUNTY SPECIES LIST AND NATURAL  
DIVERSITY DATABASE (NDD) SUMMARY**

Group	Name	Population	Status	Lead Office	Recovery Plan Name	Recovery Plan Stage
Birds	Whooping crane (Grus	except where EXPN	Endangered	Assistant Regional Director-	Whooping Crane Recovery	Final Revision 3
Birds	Whooping crane (Grus	U.S.A. (CO, ID, FL, NM, UT,	Experimental Population, Non-	Office Of The Regional Director		
Birds	Bald eagle (Haliaeetus	lower 48 States	Recovery	Rock Island Ecological Services	Chesapeake Bay Bald Eagle	Final Revision 1
Birds	Bald eagle (Haliaeetus	lower 48 States	Recovery	Rock Island Ecological Services	Northern States Bald Eagle	Final
Birds	Bald eagle (Haliaeetus	lower 48 States	Recovery	Rock Island Ecological Services	Southwestern Bald Eagle	Final
Birds	Bald eagle (Haliaeetus	lower 48 States	Recovery	Rock Island Ecological Services	Southeastern States Bald Eagle	Final Revision 1
Birds	Bald eagle (Haliaeetus	lower 48 States	Recovery	Rock Island Ecological Services	Recovery Plan for the Pacific	Final
Clams	Texas fawnsfoot (Truncilla		Candidate	Austin Ecological Services Field		
Clams	Smooth pimpleback (Quadrula		Candidate	Austin Ecological Services Field		
Flowering Plants	Texas prairie dawn-flower		Endangered	Houston Ecological Services	Hymenoxys texana Recovery	Final

**ATTACHMENT 2**

**TPWD COUNTY LIST**

## FORT BEND COUNTY

### AMPHIBIANS

		Federal Status	State Status
<b>Houston toad</b>	<i>Anaxyrus houstonensis</i>	LE	E
endemic; sandy substrate, water in pools, ephemeral pools, stock tanks; breeds in spring especially after rains; burrows in soil of adjacent uplands when inactive; breeds February-June; associated with soils of the Sparta, Carrizo, Goliad, Queen City, Recklaw, Weches, and Willis geologic formations			

### BIRDS

		Federal Status	State Status
<b>American Peregrine Falcon</b>	<i>Falco peregrinus anatum</i>	DL	T
year-round resident and local breeder in west Texas, nests in tall cliff eyries; also, migrant across state from more northern breeding areas in US and Canada, winters along coast and farther south; occupies wide range of habitats during migration, including urban, concentrations along coast and barrier islands; low-altitude migrant, stopovers at leading landscape edges such as lake shores, coastlines, and barrier islands.			
<b>Arctic Peregrine Falcon</b>	<i>Falco peregrinus tundrius</i>	DL	
migrant throughout state from subspecies' far northern breeding range, winters along coast and farther south; occupies wide range of habitats during migration, including urban, concentrations along coast and barrier islands; low-altitude migrant, stopovers at leading landscape edges such as lake shores, coastlines, and barrier islands.			
<b>Attwater's Greater Prairie-Chicken</b>	<i>Tympanuchus cupido attwateri</i>	LE	E
this county within historic range; endemic; open prairies of mostly thick grass one to three feet tall; from near sea level to 200 feet along coastal plain on upper two-thirds of Texas coast; males form communal display flocks during late winter-early spring; booming grounds important; breeding February-July			
<b>Bald Eagle</b>	<i>Haliaeetus leucocephalus</i>	DL	T
found primarily near rivers and large lakes; nests in tall trees or on cliffs near water; communally roosts, especially in winter; hunts live prey, scavenges, and pirates food from other birds			
<b>Henslow's Sparrow</b>	<i>Ammodramus henslowii</i>		
wintering individuals (not flocks) found in weedy fields or cut-over areas where lots of bunch grasses occur along with vines and brambles; a key component is bare ground for running/walking			
<b>Interior Least Tern</b>	<i>Sterna antillarum athalassos</i>	LE	E
subspecies is listed only when inland (more than 50 miles from a coastline); nests along sand and gravel bars within braided streams, rivers; also know to nest on man-made structures (inland beaches, wastewater treatment plants, gravel mines, etc); eats small fish and crustaceans, when breeding forages within a few hundred feet of colony			

## FORT BEND COUNTY

### BIRDS

		Federal Status	State Status
<b>Peregrine Falcon</b>	<i>Falco peregrinus</i>	DL	T
<p>both subspecies migrate across the state from more northern breeding areas in US and Canada to winter along coast and farther south; subspecies (F. p. anatum) is also a resident breeder in west Texas; the two subspecies' listing statuses differ, F.p. tundrius is no longer listed in Texas; but because the subspecies are not easily distinguishable at a distance, reference is generally made only to the species level; see subspecies for habitat.</p>			
<b>Sprague's Pipit</b>	<i>Anthus spragueii</i>	C	
<p>only in Texas during migration and winter, mid September to early April; short to medium distance, diurnal migrant; strongly tied to native upland prairie, can be locally common in coastal grasslands, uncommon to rare further west; sensitive to patch size and avoids edges.</p>			
<b>Western Burrowing Owl</b>	<i>Athene cunicularia hypugaea</i>		
<p>open grasslands, especially prairie, plains, and savanna, sometimes in open areas such as vacant lots near human habitation or airports; nests and roosts in abandoned burrows</p>			
<b>White-faced Ibis</b>	<i>Plegadis chihi</i>		T
<p>prefers freshwater marshes, sloughs, and irrigated rice fields, but will attend brackish and saltwater habitats; nests in marshes, in low trees, on the ground in bulrushes or reeds, or on floating mats</p>			
<b>White-tailed Hawk</b>	<i>Buteo albicaudatus</i>		T
<p>near coast on prairies, cordgrass flats, and scrub-live oak; further inland on prairies, mesquite and oak savannas, and mixed savanna-chaparral; breeding March-May</p>			
<b>Whooping Crane</b>	<i>Grus americana</i>	LE	E
<p>potential migrant via plains throughout most of state to coast; winters in coastal marshes of Aransas, Calhoun, and Refugio counties</p>			
<b>Wood Stork</b>	<i>Mycteria americana</i>		T
<p>forages in prairie ponds, flooded pastures or fields, ditches, and other shallow standing water, including salt-water; usually roosts communally in tall snags, sometimes in association with other wading birds (i.e. active heronries); breeds in Mexico and birds move into Gulf States in search of mud flats and other wetlands, even those associated with forested areas; formerly nested in Texas, but no breeding records since 1960</p>			

### FISHES

		Federal Status	State Status
<b>American eel</b>	<i>Anguilla rostrata</i>		
<p>coastal waterways below reservoirs to gulf; spawns January to February in ocean, larva move to coastal waters, metamorphose, then females move into freshwater; most aquatic habitats with access to ocean, muddy bottoms, still waters, large streams, lakes; can travel overland in wet areas; males in brackish estuaries; diet varies widely, geographically, and seasonally</p>			
<b>Sharpnose shiner</b>	<i>Notropis oxyrinchus</i>	PE	
<p>endemic to Brazos River drainage; also, apparently introduced into adjacent Colorado River drainage; large turbid river, with bottom a combination of sand, gravel, and clay-mud</p>			

## FORT BEND COUNTY

### MAMMALS

		Federal Status	State Status
<b>Louisiana black bear</b>	<i>Ursus americanus luteolus</i>	LT	T
possible as transient; bottomland hardwoods and large tracts of inaccessible forested areas			
<b>Plains spotted skunk</b>	<i>Spilogale putorius interrupta</i>		
catholic; open fields, prairies, croplands, fence rows, farmyards, forest edges, and woodlands; prefers wooded, brushy areas and tallgrass prairie			
<b>Red wolf</b>	<i>Canis rufus</i>	LE	E
extirpated; formerly known throughout eastern half of Texas in brushy and forested areas, as well as coastal prairies			

### MOLLUSKS

		Federal Status	State Status
<b>False spike mussel</b>	<i>Quadrula mitchelli</i>		T
possibly extirpated in Texas; probably medium to large rivers; substrates varying from mud through mixtures of sand, gravel and cobble; one study indicated water lilies were present at the site; Rio Grande, Brazos, Colorado, and Guadalupe (historic) river basins			
<b>Smooth pimpleback</b>	<i>Quadrula houstonensis</i>	C	T
small to moderate streams and rivers as well as moderate size reservoirs; mixed mud, sand, and fine gravel, tolerates very slow to moderate flow rates, appears not to tolerate dramatic water level fluctuations, scoured bedrock substrates, or shifting sand bottoms, lower Trinity (questionable), Brazos, and Colorado River basins			
<b>Texas fawnsfoot</b>	<i>Truncilla macrodon</i>	C	T
little known; possibly rivers and larger streams, and intolerant of impoundment; flowing rice irrigation canals, possibly sand, gravel, and perhaps sandy-mud bottoms in moderate flows; Brazos and Colorado River basins			

### REPTILES

		Federal Status	State Status
<b>Alligator snapping turtle</b>	<i>Macrochelys temminckii</i>		T
perennial water bodies; deep water of rivers, canals, lakes, and oxbows; also swamps, bayous, and ponds near deep running water; sometimes enters brackish coastal waters; usually in water with mud bottom and abundant aquatic vegetation; may migrate several miles along rivers; active March-October; breeds April-October			
<b>Texas horned lizard</b>	<i>Phrynosoma cornutum</i>		T
open, arid and semi-arid regions with sparse vegetation, including grass, cactus, scattered brush or scrubby trees; soil may vary in texture from sandy to rocky; burrows into soil, enters rodent burrows, or hides under rock when inactive; breeds March-September			
<b>Timber rattlesnake</b>	<i>Crotalus horridus</i>		T

## FORT BEND COUNTY

### REPTILES

Federal Status

State Status

swamps, floodplains, upland pine and deciduous woodlands, riparian zones, abandoned farmland; limestone bluffs, sandy soil or black clay; prefers dense ground cover, i.e. grapevines or palmetto

### PLANTS

Federal Status

State Status

**Texas prairie dawn**

*Hymenoxys texana*

LE

E

Texas endemic; in poorly drained, sparsely vegetated areas (slick spots) at the base of mima mounds in open grassland or almost barren areas on slightly saline soils that are sticky when wet and powdery when dry; flowering late February-early April


**Threeflower broomweed**

*Thurovia triflora*

Texas endemic; near coast in sparse, low vegetation on a veneer of light colored silt or fine sand over saline clay along drier upper margins of ecotone between between salty prairies and tidal flats; further inland associated with vegetated slick spots on prairie mima mounds; flowering September-November



**LEGEND**

 APPROXIMATE STUDY BOUNDARY

Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

**RABA KISTNER ENVIRONMENTAL**  
 Raba Kistner Environmental, Inc.  
 12821 West Golden Lane  
 San Antonio, Texas 78249  
 www.rkci.com  
 P 210 :: 699 :: 9090  
 F 210 :: 699 :: 6426  
 TBPE Firm F-3257

SOURCE: Critical Habitat Data Obtained from United States Fish & Wildlife Service (USFWS) Critical Habitat Mapper Portal - August 2014.

**USFWS CRITICAL HABITAT MAPPER**

PROPOSED TRANSIT FACILITY  
 FORT BEND COUNTY, TEXAS

REVISIONS:		
No.	DATE	DESCRIPTION

PROJECT No.: ASF14-072-01

ISSUE DATE: 08/28/2014

DRAWN BY: CCL

CHECKED BY: SB

REVIEWED BY: SB


**ATTACHMENT**

**3**

NOTE: This Drawing is Provided for Illustration Only, May Not be to Scale and is Not Suitable for Design or Construction Purposes



**LEGEND**

 APPROXIMATE STUDY BOUNDARY

Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

**RABA KISTNER ENVIRONMENTAL**  
 Raba Kistner Environmental, Inc.  
 12821 West Golden Lane  
 San Antonio, Texas 78249  
 www.rkci.com  
 P 210 :: 699 :: 9090  
 F 210 :: 699 :: 6426  
 TBPE Firm F-3257

SOURCE: Critical Habitat Data Obtained from United States Fish & Wildlife Service (USFWS) Critical Habitat Mapper Portal - August 2014.

**AERIAL PHOTOGRAPH**  
 PROPOSED TRANSIT FACILITY  
 FORT BEND COUNTY, TEXAS

REVISIONS:		
No.	DATE	DESCRIPTION

PROJECT No.:	ASF14-072-01
ISSUE DATE:	08/28/2014
DRAWN BY:	CCL
CHECKED BY:	SB
REVIEWED BY:	SB

**ATTACHMENT**  
**4**

NOTE: This Drawing is Provided for Illustration Only, May Not be to Scale and is Not Suitable for Design or Construction Purposes





**LEGEND**

APPROXIMATE STUDY BOUNDARY

**ECOLOGICAL SYSTEMS CLASSIFICATION**

- GULF COAST: COASTAL PRAIRIE (70.2 ACRES)
- NATIVE INVASIVE: BACCHARIS SHRUBLAND (0.5 ACRES)
- NATIVE INVASIVE: HUISACHE WOODLAND OR SHRUBLAND (1.9 ACRES)
- ROW CROPS (2.4 ACRES)



Source: Esri, DigitalGlobe, GeoEye, Earthstar, United States, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

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 F 210 :: 699 :: 6426  
 TBPE Firm F-3257

SOURCE: Ecological Systems Classification Data Obtained from the Texas Parks & Wildlife Department (TPWD) - 2012

**ECOLOGICAL MAPPING SYSTEM OF TEXAS (EMST)**

PROPOSED TRANSIT FACILITY  
 FORT BEND COUNTY, TEXAS

REVISIONS:		
No.	DATE	DESCRIPTION

PROJECT No.: ASF14-072-01

ISSUE DATE: 08/28/2014

DRAWN BY: CCL

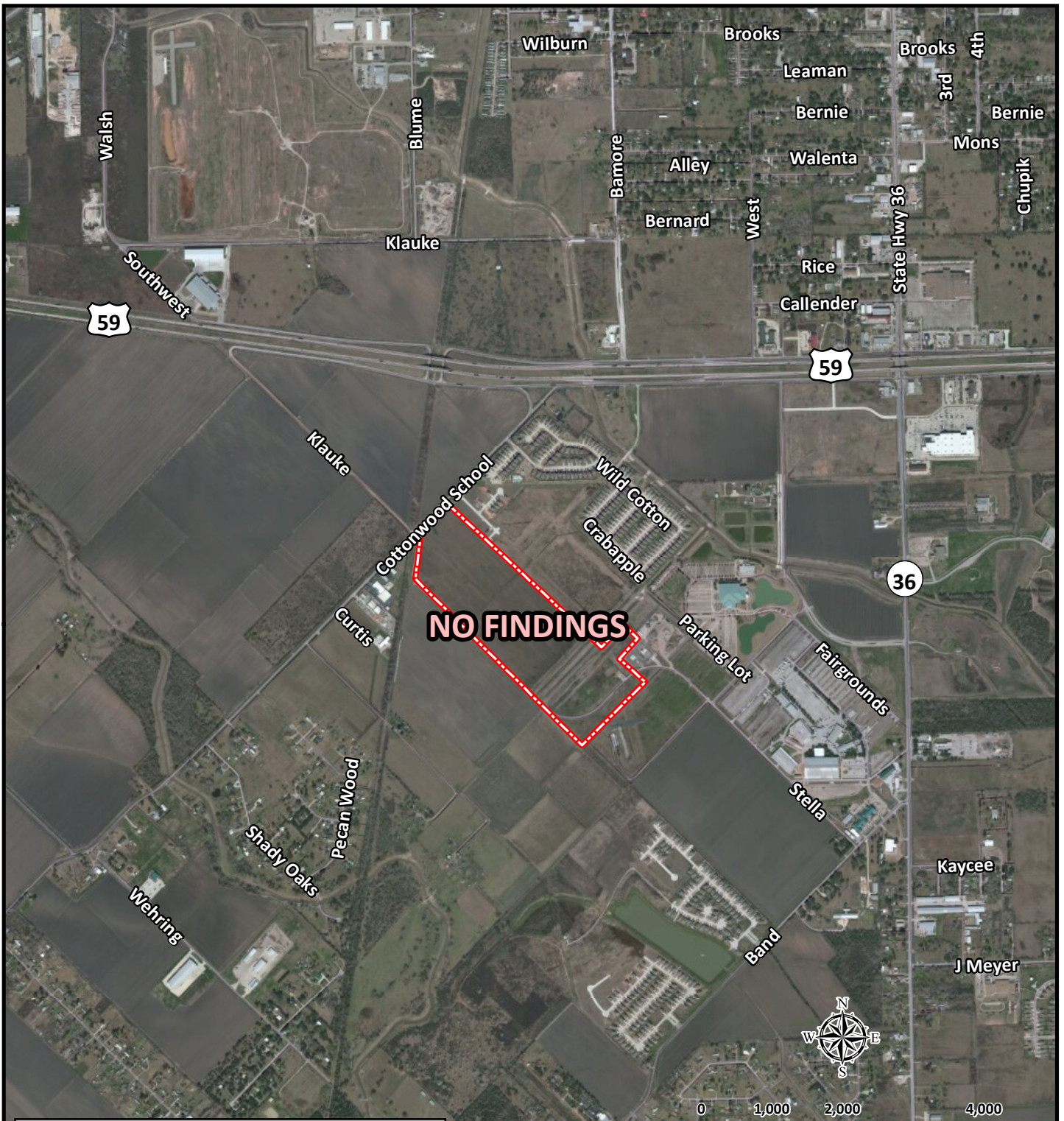
CHECKED BY: SB

REVIEWED BY: SB


**ATTACHMENT**

**6**

NOTE: This Drawing is Provided for Illustration Only, May Not be to Scale and is Not Suitable for Design or Construction Purposes



**LEGEND**

 APPROXIMATE STUDY BOUNDARY

Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

**RABA KISTNER ENVIRONMENTAL**  
 Raba Kistner Environmental, Inc.  
 12821 West Golden Lane  
 San Antonio, Texas 78249  
 www.rkci.com  
 P 210 :: 699 :: 9090  
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 TBPE Firm F-3257

SOURCE: Texas Natural Diversity Database (TXNDD), Richmond, TX Quadrangles 2014

**NATIONAL DIVERSITY DATABASE (NDD)**

PROPOSED TRANSIT FACILITY  
 FORT BEND COUNTY, TEXAS

REVISIONS:		
No.	DATE	DESCRIPTION

PROJECT No.: ASF14-072-01

ISSUE DATE: 09/02/2014

DRAWN BY: CCL

CHECKED BY: SB

REVIEWED BY: SB

**ATTACHMENT**

**7**

NOTE: This Drawing is Provided for Illustration Only, May Not be to Scale and is Not Suitable for Design or Construction Purposes

**ATTACHMENT 8**  
**Proposed Fort Bend Transit Facility**  
**EMST Project MOU Summary Table**

EMST Vegetation Type	Corresponding MOU Type	Ecosystem Name/Subregion	Ecoregion	Acres (Mapped)	Trigger Threshold (Acres)	Discrepancy with Vegetation Observed in Field?	Actual Impacts to Vegetation Type	Vegetation Observed in Mapped Area	Threshold Exceeded?
Gulf Coast: Coastal Prairie	Tallgrass Prairie, Grassland	Northern Humid Gulf Coastal Prairies	Western Gulf Coastal Plain	70.2	2	Yes	N/A (discrepancy)	Mowed/Maintained Land (Considered Agriculture per recent TxDOT Coordination)	N/A (discrepancy)
Native Invasive: Baccharis Shrubland	Scrub, Thornscrub, Shrubland	Northern Humid Gulf Coastal Prairies	Western Gulf Coastal Plain	0.5	2	Yes	N/A (discrepancy)		N/A (discrepancy)
Native Invasive: Huisache Woodland or Shrubland	Scrub, Thornscrub, Shrubland	Northern Humid Gulf Coastal Prairies	Western Gulf Coastal Plain	1.9	2	Yes	N/A (discrepancy)		N/A (discrepancy)
Row Crops	Agriculture	Northern Humid Gulf Coastal Prairies	Western Gulf Coastal Plain	2.4	10	No*	N/A (discrepancy)		N/A (discrepancy)

\*Although no agriculture is taking place on the site, recent TxDOT consultation indicates mowed/maintained grass will be considered agriculture for purposes of BEFs.

**ATTACHMENT 9**  
**Proposed Fort Bend Transit Facility**  
**Species Impact Table and Natural Diversity Database (NDD) Summary**

Species listed as Endangered or Threatened by the U.S. Fish and Wildlife Service (USFWS) under The Endangered Species Act (ESA) are protected. This includes protection from direct takes or harming of a species or the indirect take by removal of critical habitat. In addition the ESA provides the necessary means for individual states to establish their own regulatory authority to manage and protect endangered and threatened species.

The study area visually observed by vehicle and on foot by a biologist to determine the potential presence of federal and/or state threatened/endangered flora and fauna species and critical habitats.

TPWD Annotated List of Rare Species for Fort Bend County

**Table 1** summarizes species listed as endangered or threatened by the TPWD (accessed August 28, 2014). Each of these species is considered by these agencies as having potential to occur in Fort Bend County. A description of their federal and state status, habitat requirements, and findings of the habitat field survey are as follows:

**Table 1. State and Federal Threatened or Endangered Species,  
 General Habitat Information and Information Pertaining to the SITE**

Species	Species Habitat Description <sup>1</sup>	Assessment Findings
<b>AMPHIBIANS</b>		
<b>Houston toad</b> ( <i>Anaxyrus houstonensis</i> ) LE, E	This species is endemic to sandy substrate, water in pools, ephemeral pools and stock tanks. This species breeds in spring especially after rains and burrows in soil of adjacent uplands when inactive. The Houston toad breeds February through June. The species is associated with soils of the Sparta, Carrizo, Goliad, Queen City, Recklaw, Weches, and Willis geologic formations.	The project area does not contain the soils needed to support suitable habitat for this species.
<b>BIRDS</b>		
<b>American peregrine falcon</b> ( <i>Falco peregrinus annatum</i> ), DL, T	Year-round resident and local breeder in west Texas, nests in tall cliff eyries; also, migrant across state from more northern breeding areas in US and Canada, winters along coast and farther south; occupies wide range of habitats during migration, including urban, concentrations along coast and barrier islands; low-altitude migrant, stopovers at leading landscape edges such as lake shores, coastlines, and barrier islands	The project area does not support suitable habitat for this species.
<b>Arctic peregrine falcon</b> ( <i>Falco peregrinus tundrius</i> ), DL	Migrant throughout state from subspecies' far northern breeding range, winters along coast and farther south; occupies wide range of habitats during migration, including urban, concentrations along coast and barrier islands; low-altitude migrant, stopovers at leading landscape edges such as lake shores, coastlines, and barrier islands.	The project area does not support suitable habitat for this species.

<sup>1</sup> Most information presented in this table can be found at <http://www.tpwd.state.tx.us/nature/endang/>

Species	Species Habitat Description <sup>1</sup>	Assessment Findings
<b>Attwater's Greater Prairie-Chicken</b> <i>(Tympuchus cupido attwateri)</i> LE E	This county is within this species' historic range; endemic; open prairies of mostly thick grass one to three feet tall; from near sea level to 200 feet along coastal plain on upper two-thirds of Texas coast; males form communal display flocks during late winter-early spring; booming grounds important; breeding February-July.	The project area does not support suitable habitat for this species.
<b>Bald Eagle</b> <i>(Haliaeetus leucocephalus)</i> , DL, T	This species is found primarily near rivers and large lakes and nests in tall trees or on cliffs near water. The Bald Eagle communally roosts, especially in winter and hunts live prey, scavenges, and pirates food from other birds.	The project area does not support suitable habitat for this species.
<b>Interior Least Tern</b> <i>(Sterna antillarum athalassos)</i> LE E	subspecies is listed only when inland (more than 50 miles from a coastline); nests along sand and gravel bars within braided streams, rivers; also know to nest on man-made structures (inland beaches, wastewater treatment plants, gravel mines, etc.); eats small fish and crustaceans, when breeding forages within a few hundred feet of colony	The project area does not support suitable habitat for this species.
<b>Sprague's Pipit</b> <i>(Anthus spragueii)</i> , C, SGCN	This species is only in Texas during migration and winter, mid-September to early April. This species is a diurnal migrant and strongly tied to native upland prairie. It can be locally common in coastal grasslands but is uncommon to rare further west. The pipit is sensitive to patch size and avoids edges.	The project area does not support suitable habitat for this species.
<b>White-faced Ibis</b> <i>(Plegadis chihi)</i> T	This species prefers freshwater marshes, sloughs, and irrigated rice fields, but will attend brackish and saltwater habitats. The White-faced Ibis nests in marshes, in low trees, on the ground in bulrushes or reeds, or on floating mats.	The project area does not support suitable habitat for this species.
<b>White-tailed Hawk</b> <i>(Buteo albicaudatus)</i> T	This species resides near coast on prairies, cordgrass flats, and scrub-live oak. The white-tailed hawk can also be found further inland on prairies, mesquite and oak savannas, and mixed savanna-chaparral. This species breeding period is from March-May.	The project area does not support suitable habitat for this species.
<b>Whooping Crane</b> <i>(Grus Americana)</i> , LE, E	Potential migrant. During migration occasionally uses marshes, river bottoms, potholes, prairies, and croplands. Critical habitat exists on Texas Coast of Aransas National Wildlife Refuge.	The project area does not support suitable habitat for this species.
<b>Wood Stork</b> <i>(Mycteria americana)</i> T	This species forages in prairie ponds, flooded pastures or fields, ditches, and other shallow standing water, including saltwater. The wood stork usually roosts communally in tall snags, sometimes in association with other wading birds (i.e. active heronries). This species breeds in Mexico and birds move into Gulf States in search of mud flats and other wetlands. Even those species associated with forested areas; formerly nested in Texas. There are no breeding records since 1960 for the wood stork.	The project area does not support suitable habitat for this species.

Species	Species Habitat Description <sup>1</sup>	Assessment Findings
<b>FISHES</b>		
<b>Sharpnose shiner</b> ( <i>Notropis oxyrhynchus</i> ) PE	Endemic to Brazos River drainage; also, apparently introduced into adjacent Colorado River drainage; large turbid river, with bottom a combination of sand, gravel, and clay-mud.	The project area does not support suitable habitat for this species.
<b>MAMMALS</b>		
<b>Louisiana black bear</b> ( <i>Ursus americanus luteolus</i> ) LT, T, SGCN	This species is possible as transient. The Louisiana black bear prefers bottomland hardwoods and large tracts of inaccessible forested areas.	The project area does not support suitable habitat for this species.
<b>Red wolf</b> ( <i>Canis rufus</i> ), LE, E	This species is extirpated and was formerly known throughout eastern half of Texas in brushy and forested areas, as well as coastal prairies.	The project area does not support suitable habitat for this species.
<b>MOLLUKSKS</b>		
False spike mussel ( <i>Quadrula mitchelli</i> ) T, SGCN	Possibly extirpated in Texas; probably medium to large rivers; substrates varying from mud through mixtures of sand, gravel and cobble; one study indicated water lilies were present at the site; Rio Grande, Brazos, Colorado, and Guadalupe (historic) river basins.	The project area does not support suitable habitat for this species.
Smooth pimpleback ( <i>Quadrula houstonensis</i> ) C, T, SGCN	Small to moderate streams and rivers as well as moderate size reservoirs; mixed mud, sand, and fine gravel, tolerates very slow to moderate flow rates, appears not to tolerate dramatic water level fluctuations, scoured bedrock substrates, or shifting sand bottoms, lower Trinity (questionable), Brazos, and Colorado River basins.	The project area does not support suitable habitat for this species.
Texas fawnsfoot ( <i>Truncilla macrodon</i> ) C, T, SGCN	Little known; possibly rivers and larger streams, and intolerant of impoundment; flowing rice irrigation canals, possibly sand, gravel, and perhaps sandy-mud bottoms in moderate flows; Brazos and Colorado River basins.	The project area does not support suitable habitat for this species.
<b>REPTILES</b>		
<b>Alligator snapping turtle</b> ( <i>Macrochelys temminckii</i> ) T	This species resides in perennial water bodies; deep water of rivers, canals, lakes, and oxbows. The alligator snapping turtle is also in swamps, bayous, and ponds near deep running water. This species sometimes enters brackish coastal waters. The alligator snapping turtle is usually in water with mud bottom and abundant aquatic vegetation. This species may migrate several miles along rivers and is most active March-October. This species breeds April- October.	The project area does not support suitable habitat for this species.

Species	Species Habitat Description <sup>1</sup>	Assessment Findings
<b>Texas horned lizard</b> ( <i>Phrynosoma cornutum</i> ) T, SGCN	This species resides in open, arid and semi-arid regions with sparse vegetation, including grass, cactus, scattered brush or scrubby trees. The soil in these regions may vary in texture from sandy to rocky. The Texas horned lizard burrows into soil, enters rodent burrows, or hides under rock when inactive. This species breeds March-September.	Habitat for this species may occur in the project area. Impacts to this species would be minimized through the use of TxDOT BMPs for reptiles.
<b>Timber/Canebrake rattlesnake</b> ( <i>Crotalus horridus</i> ) T	This species resides in swamps, floodplains, upland pine and deciduous woodlands, riparian zones, abandoned farmland; limestone bluffs, sandy soil or black clay. The timber/canebrake rattlesnake prefers dense ground cover such as grapevines or palmetto.	The project area does not support suitable habitat for this species.
<b>PLANTS</b>		
Texas prairie dawn ( <i>Hymenoxys texana</i> ) LE, E	Texas endemic; in poorly drained, sparsely vegetated areas (slick spots) at the base of mima mounds in open grassland or almost barren areas on slightly saline soils that are sticky when wet and powdery when dry; flowering late February-early April	The project area does not support suitable habitat for this species.

Last Updated April 28, 2014

LE, LT - Federally Listed Endangered/Threatened

DL - Federally De-listed

E, T - State Listed Endangered/Threatened

C - Candidate species

PE - Federally Proposed Endangered

SGCN - Species of Greatest Conservation Need

With the exception of potential habitat for the Texas horned lizard, a State-listed threatened species and a species of greatest conservation need (SGCN) No other potentially-suitable habitat was observed for species listed by the TPWD as threatened or endangered. According to the U.S. Fish and Wildlife Service online Critical Habitat Mapper (accessed August 28, 2014), no critical habitat was mapped in the vicinity of the proposed SITE.

#### TPWD natural Diversity Database

Data from the Texas Natural Diversity Database (TXNDD) was obtained on September 1, 2014. This data was reviewed to identify known occurrences of listed species occurring in the project vicinity. The TXNDD includes Element of Occurrence (EOR) records, which includes known occurrences of various species that are tracked by TPWD and maintained in a regularly-updated database. The Richmond, Tex. U.S. Geological Survey (USGS) 7.5 minute quadrangle was searched. Information from the TXNDD cannot be used to determine the presence/absence of species, but it can provide valuable information in characterizing the local environment with respect to possible use of area habitats by species.

The TPWD provides TXNDD data in Geographic Information System (GIS) shapefile (.shp) format for analysis by the end user. Individual species occurrences are generally provided as circular shapes, centered on the species' reported location. The circular shapes are generally sized are based on the degree of location accuracy, where smaller circles indicate higher location accuracy (e.g. collected using GPS devices) and larger circles indicate less accurate location data.

The TXNDD data revealed no occurrences in the project vicinity.



# Hazardous Materials Initial Site Assessment (ISA) Report

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August 2014

PPA-ENV

# Hazardous Materials Initial Site Assessment (ISA) Report

Completion of the ISA complies with the Federal Highway Administration's (FHWA's) policy dealing with hazardous materials discussed in FHWA's *Supplemental Hazardous Waste Guidance* (January 16, 1997) located at <http://www.environment.fhwa.dot.gov/guidebook/vol1/doc7b.pdf>.

This FHWA policy emphasizes three objectives: 1) the need to identify and assess potentially contaminated sites early in project development, 2) to coordinate early with federal/ state/ local agencies to assess the contamination and the cleanup needed; and 3) to determine and implement measures early to avoid or minimize involvement with substantially contaminated properties.

In addition, completion of the ISA will reduce construction delays that result from unexpected hazardous material discoveries and reduce the department's liability associated with the purchase of contaminated right of way.

Maintain a copy of the completed ISA report with all applicable attachments in the project administrative record.

For additional information, refer to TxDOT's online manual: *Hazardous Materials in Project Development*: <http://onlinemanuals.txdot.gov/txdotmanuals/haz/index.htm>

## Abbreviations and Acronyms

ACM	Asbestos Containing Material
ASTs	Aboveground Storage Tanks
ASTM	American Society for Testing and Materials
CERCLIS	Comprehensive Environmental Response Compensation and Liability Information System
COG	Council of Government
ECOS	Environmental Compliance Oversight System
ERNS	Emergency Response Notification System
ESA	Environmental Site Assessment
IIR	Issues Identification and Resolution Form in ECOS
ISA	Initial Site Assessment
LPST	Leaking Petroleum Storage Tank
MSWLF	Municipal Solid Waste Landfill
NPL	National Priorities List
PST	Petroleum Storage Tank
RCRA	Resource Conservation and Recovery Act
ROW	Right of Way
RPST	Registered Petroleum Storage Tank
TCEQ	Texas Commission on Environmental Quality
TRC	Texas Railroad Commission
TSD	Treatment Storage and Disposal Facility
USGS	United States Geological Survey
UST	Underground Storage Tank
VCP	Voluntary Cleanup Program

# TxDOT Hazardous Materials Initial Site Assessment (ISA) Report

## Project Information

CSJ No: N/A	City: Rosenberg	Zip Code: 77471	County: Fort Bend
HWY: Stella Road	Limits: N/A (See Figure)		

### Section 1: Identify Previously Completed Environmental Site Assessments, Known Hazmat Conditions, Preliminary Project Design and Right-of-Way Requirements

Yes/No	Obtain information/comments from design, right of way, and/or environmental staff. Attach maps and/or details as appropriate.
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Has a Phase I Environmental Site Assessment (ESA) been prepared for this project? If one or more Phase I ESAs have been prepared for this project, please use applicable information from the Phase I ESA(s) to help complete the ISA.
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown	Are there any previous environmental assessments, testing or studies performed within the proposed project area related to contamination issues? If yes, explain here if there are any concerns to the proposed project:
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Are preliminary plans detailed enough to show excavation, ROW features, pipelines, utilities and storm sewer details? If no, explain here what information is limited or unavailable: Only preliminary layout and location of proposed transit facility is available at this time.

### Section 2: Demolition and Renovation Information

<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Are there proposed structure demolition operations or structure modifications for this project (include all ROW structures and bridges)?
If yes, describe structure locations, anticipated demolitions and/or renovations here: N/A – No structures are located on site.	
If yes, record asbestos and/or lead in paint concerns on an IIR form in ECOS. Detailed instructions for completing an ECOS IRR Form are located in the Non-Project Documentation section of ECOS under the heading Hazmat. Contact the ECOS help desk for assistance preparing the IRR Form if necessary.	
<p><b>Note:</b> ACM inspections are required for all bridge and structure renovation and demolition projects. Refer to the guidance found at TxDOT's <a href="#">Environmental Compliance Toolkit</a> web page for additional information.</p> <p><b>Note:</b> Bridge and structure demolitions and renovations that will disturb ACM require notification to the Texas Department of State Health Services ten (10) working days (hand delivered or post marked) prior to the demolition start date. Refer to guidance found at TxDOT's <a href="#">Environmental Compliance Toolkit</a> web page for additional information regarding DSHS notification requirements.</p>	

### Section 3: Identify Project Activities

3.1 Yes/No	Using the preliminary design and ROW information for this project, determine if the project includes any of the activities listed below.
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p><b>Project Excavations:</b> Are there proposed excavations exceeding three feet below the surface, to include: tunneling, underpass construction, vertical alignment changes, trenching, drilled shafts or storm sewers?</p>

<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Dewatering:</b> Are there proposed de-watering operations. If yes, what is the estimated depth to groundwater?
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>Utility Adjustments:</b> Are there proposed pipeline and underground utility installation or adjustments?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Encroachments:</b> Are there known or potential encroachments into the project area? Encroachments include soil and groundwater contamination, dump sites, tanks, and other issues in the ROW.
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>ROW and Easements:</b> Are there any acquisitions of new ROW, easements, temporary construction easements planned for the project?

**3.2 Complete the appropriate box below:**

- If Section 3.1 contains any "Yes" answers, please proceed to Section 4.
- If Section 3.1 contains all "No" answers, proceed to Section 6, Site Survey. Please perform a site survey documenting the results in Section 6 and then mark the appropriate box below. If a Phase I ESA has been prepared for this project, you may use the applicable site survey information from the Phase I ESA.
  - The site survey did not identify evidence of any environmental concerns listed in Section 6. The ISA is complete. Complete section 10 and maintain a copy of the ISA and all applicable attachments in the administrative record.
  - The site survey identified evidence of environmental concerns listed in Section 6. Continue with Section 4.

**Section 4: Current and Past Land Use Information**

<b>Reviewed?</b>	<b>Review and assess current and past land use (up to 50 years) in the project area. Document and attach sources that were reviewed.</b> If one or more Phase I ESAs were prepared for this project, please use applicable information from the Phase I ESAs to help complete this section of the ISA.		
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Available <input type="checkbox"/> Not Applicable	<b>4.1 Review Current and if possible Past USGS 7.5 Minute Topographic Maps of the project area:</b> Look for oil & gas pipelines, tanks, landfills or other industrial features. Describe any concerns: A pipeline traverses site on 1955 topographic map.		
	List Topo Maps Reviewed:	Dates:	Comments:
	Richmond, Texas USGS Quadrangle	1955, 1971, 1980	Pipeline markers were observed during the 8/25/14 site visit. Marker locations are consistent with where the pipeline is mapped in 1955.
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Available <input type="checkbox"/> Not Applicable	<b>4.2 Review Current Aerial Photographs and if possible Past Aerial Photographs of the project area:</b> Look for oil & gas pipelines, tanks, landfills or other industrial features. Describe any concerns: None		
	List All Aerial Photos Reviewed:	Photo Dates:	Comments:
	ASCS, USGS, TXDOT, USDA	1941, 1953, 1964, 1970, 1989, 1995, 2004, 2008, 2012	Agricultural land throughout this timeframe.
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Available <input type="checkbox"/> Not Applicable	<b>4.3 Review Current and Past Right-of-Way Maps/Files:</b> Look for oil & gas pipelines, tanks, landfills, or other industrial features. Describe any concerns:		
	List Maps/ Files & Dates Reviewed:	Comments:	
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Available <input type="checkbox"/> Not Applicable	<b>4.4 Review Sanborn Fire Insurance Maps/Files:</b> Look for tanks, oil & gas pipelines, landfills, or other industrial features. Describe any concerns:		
	List Maps/ Files & Dates Reviewed:	Comments:	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Available <input type="checkbox"/> Not Applicable	<b>4.5 Review TxDOT As-Built Plans:</b> Any concerns identified during previous work within the project limits? If yes, explain: If known, what is the previous Project CSJ:		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Available <input type="checkbox"/> Not Applicable	<b>4.6 Review TxDOT Geotechnical Soil Boring Logs:</b> Any concerns noted on the boring logs such as unusual odors, visible contamination, trash, waste or debris? If yes explain:		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Available <input type="checkbox"/> Not Applicable	<b>4.7 Review TxDOT Temporary Use ROW Agreements (permits issued by the district to entities to occupy a portion of the ROW):</b> Any concerns such as monitor wells or treatment systems within the ROW? If yes, explain:		

**Section 4: Current and Past Land Use Information**

<b>Reviewed?</b>	<b>Review and assess current and past land use (up to 50 years) in the project area. Document and attach sources that were reviewed.</b> If one or more Phase I ESAs were prepared for this project, please use applicable information from the Phase I ESAs to help complete this section of the ISA.
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Available <input type="checkbox"/> Not Applicable	<b>4.8 Review Notifications of Contamination to TxDOT</b> (These are typically letters from TCEQ or third parties explaining the presence of contamination on TxDOT ROW): Any concerns regarding contamination of ROW from off-site sources? If yes, explain:

**Section 5: Complete a Regulatory Records Review (Database Search)**

**Note:** The purpose of the database search is to obtain and review standard sources of environmental information from government agency records that will help identify potential hazardous material issues within the project limits and surrounding properties. A list of standard databases of environmental information from government agency records is included in Section 5.1.

To enhance and supplement the standard sources of environmental information, other information such as local records and/or additional state records should be reviewed when, in the judgment of the environmental professional, such additional records are (1) reasonably ascertainable, and (2) are sufficiently useful, accurate, and complete in light of the objective of the regulatory records review.

Standard database source information or other record information from government agencies may be obtained directly from appropriate government agencies or from commercial services.

If one or more Phase I ESAs were prepared for this project, please use applicable information from the Phase I ESAs to help complete this section of the ISA.

**Mark the appropriate box below:**

A Database search was conducted through a contracted service. Indicate in Section 5.1, and if applicable, Section 5.2, the regulatory records searched and make any comments if potential environmental concerns are identified. A complete copy of the database search findings (contractor's report deliverable) should be maintained in the project administrative record with the ISA.

A Database search was conducted in-house. Include in Section 5.1 the regulatory records searched and make any comments if potential environmental concerns are identified. For in-house database searches, not all databases need to be reviewed for each project, but at a minimum the databases listed in Section 5.1 marked in bold with a star must be reviewed. Include database records that list potential issues in the project administrative record with the ISA. It is not necessary to include records of negative findings in the project administrative record.

Most state and federal databases are located at the following websites:

Federal EPA databases link: <http://www.epa.gov/enviro/>.

Texas TCEQ databases link: <http://www12.tceq.texas.gov/crpub/index.cfm?fuseaction=regent.RNSearch>

<b>Section 5.1 Standard Database Sources of Environmental Information from Government Agency Records</b>			
Regulatory Record	Reviewed	Recommended Minimum Search Distance from Project Limits (miles)	Comment Field: Provide any comments related to potential issues discovered within the database.
<b>NPL list*</b>	<input checked="" type="checkbox"/> Yes	1.0	None identified in search area.
<b>Federal Delisted NPL list*</b>	<input checked="" type="checkbox"/> Yes	0.5	None identified in search area.
<b>Federal CERCLIS list*</b>	<input checked="" type="checkbox"/> Yes	0.5	None identified in search area.
<b>Federal CERCLIS No Further Remedial Action Planned (NFRAP) site list*</b>	<input checked="" type="checkbox"/> Yes	0.5	None identified in search area.

<b>Section 5.1 (Continued)</b>			
Regulatory Record	Reviewed	Recommended Minimum Search Distance from Project Limits (miles)	Comment Field: Provide any comments related to potential issues discovered within the database.
Federal RCRA Corrective Action (CORRACTS) list	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	1.0	None identified in search area.
Federal RCRA non-CORRACTS Treatment Storage Disposal (TSD) facilities list	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	0.5	None identified in search area.
Federal Institutional Controls/ Engineering Controls Registry <a href="http://www.epa.gov/ictssw07/public/export/regionalReport/REGION6.HTM">http://www.epa.gov/ictssw07/public/export/regionalReport/REGION6.HTM</a>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	0.5	None identified in search area.
Federal RCRA generators	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<i>property and adjoining properties</i>	None identified in search area.
Federal ERNS	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<i>property only</i>	None identified in search area.
TCEQ Industrial Hazardous Waste (IHW) Corrective Action sites*	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	1.0	None identified in search area.
TCEQ Superfund sites*	<input checked="" type="checkbox"/> Yes	1.0	None identified in search area.
Closed and abandoned municipal solid waste landfill sites* <a href="http://www.tceq.texas.gov/permittin g/waste_permits/msw_permits/msw -data">http://www.tceq.texas.gov/permittin g/waste_permits/msw_permits/msw -data</a>	<input checked="" type="checkbox"/> Yes	0.5	None identified in search area.
TCEQ leaking petroleum storage tank remediation lists (LPST)*	<input checked="" type="checkbox"/> Yes	0.5	None identified in search area.
TCEQ registered petroleum storage tank lists (PST)*	<input checked="" type="checkbox"/> Yes	<i>property and adjoining properties</i>	None identified in search area.
TCEQ voluntary cleanup program (VCP) sites*	<input checked="" type="checkbox"/> Yes	0.5	None identified in search area.
TCEQ Innocent Owner/ Operator (IOP) sites	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	0.5	None identified in search area.
TCEQ Dry Cleaners Remediation Database*	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	0.5	None identified in search area.
TCEQ Brownfields Database	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	0.5	None identified in search area.
Texas Railroad Commission VCP sites* <a href="http://www.rrc.state.tx.us/environment al/environsupport/voluntarycleanup.ph p">http://www.rrc.state.tx.us/environment al/environsupport/voluntarycleanup.ph p</a>	<input checked="" type="checkbox"/> Yes	0.5	None identified in search area.
<b>Section 5.2 List below other records reviewed such as local records and/or additional state records</b>			
Record source	Environmental Concerns (If Yes describe)		
N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No		
	<input type="checkbox"/> Yes <input type="checkbox"/> No		

**Section 6: Complete a Project Site Survey**

**Note:** Document site survey and findings. Describe location, size of concern. Attach site maps and photographs as appropriate. If a Phase I ESA has been prepared for this project, you may use the applicable site survey information from the Phase I ESA.

**Site Survey Date(s): August 25, 2014**

**6.1 Current Land Use Type:**

- Undeveloped to light commercial (agricultural, residential, offices, retail, light commercial).
- Developed/commercial (automotive repair, gas stations, manufacturing, dry cleaners, military base, waste collection and handling facilities, other industrial sites).

Describe:

Evidence? (Yes/No)	6.2 Specific Concerns Identified (as necessary provide a description for each "Yes" checked).
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<ul style="list-style-type: none"> <li>• underground storage tanks.</li> </ul>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<ul style="list-style-type: none"> <li>• vent pipes, fill pipes, or access ways indicating a fill pipe protruding from the ground.</li> </ul>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<ul style="list-style-type: none"> <li>• aboveground storage tanks.</li> </ul>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<ul style="list-style-type: none"> <li>• electrical and transformer equipment storage or evidence of release.</li> </ul>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<ul style="list-style-type: none"> <li>• injection wells, cisterns, sumps, dry wells.</li> </ul>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<ul style="list-style-type: none"> <li>• groundwater monitoring wells and/or groundwater treatment systems.</li> </ul>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<ul style="list-style-type: none"> <li>• flooring, drains, or walls stained by substances other than water or emitting foul odors.</li> </ul>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<ul style="list-style-type: none"> <li>• vats, 55-gallon drums (labeled/unlabeled), canisters, barrels, bottles, etc.</li> </ul>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<ul style="list-style-type: none"> <li>• stockpiling, storage of material.</li> </ul>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<ul style="list-style-type: none"> <li>• evidence of liquid spills.</li> </ul>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<ul style="list-style-type: none"> <li>• surface dumping of trash, garbage, refuse, rubbish, debris half exposed/buried, etc.</li> </ul>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<ul style="list-style-type: none"> <li>• damaged or discarded automotive or industrial batteries.</li> </ul>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<ul style="list-style-type: none"> <li>• stained, discolored, barren, exposed or foreign (fill) soil.</li> </ul>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<ul style="list-style-type: none"> <li>• dead, damaged or stressed vegetation.</li> </ul>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<ul style="list-style-type: none"> <li>• oil sheen or films on surface water, seeps, lagoons, ponds, or drainage basins.</li> </ul>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<ul style="list-style-type: none"> <li>• pits, ponds, or lagoons associated with waste treatment or waste disposal.</li> </ul>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<ul style="list-style-type: none"> <li>• changes in drainage patterns from possible fill areas.</li> </ul>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<ul style="list-style-type: none"> <li>• security fencing, protected areas, placards, warning signs.</li> </ul>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<ul style="list-style-type: none"> <li>• dead animals (fish, birds, etc.) possibly due to contamination.</li> </ul>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<ul style="list-style-type: none"> <li>• other concerns.</li> </ul>

**6.3 Describe adjoining properties and any visible hazardous material concerns.** List adjacent businesses, factories, abandoned sites, etc. that may be the source of hazardous materials concerns. Undeveloped and residential (north); Undeveloped and private RC airstrip (south); commercial warehouse/office space and paverstone manufacture (west); Fort Bend County Fuel Depot and Road/Bridge material yard (east)

**6.4 Describe Concerns Observed in the Site Survey.** Indicate whether the concern is associated with existing ROW, proposed ROW acquisition or easements. As necessary, provide additional information about the evidence identified; include photographs as an attachment to the ISA. Pipeline easement on site. No evidence of spills.

**Section 7: Interviews**

**Section 7.1 Were interviews conducted?**  Yes  No

Possible interviewees include: local residents, TxDOT staff, fire department personnel, city or county department of health/environmental staff; city or county planning staff; TCEQ staff; TRC staff; current and former property owners or operators.

If one or more Phase I ESAs were prepared for this project, please use applicable interview information from the Phase I ESAs to help complete this section of the ISA.

**Section 7.2 Interview Summary:** Complete this section if interviews were conducted. Add additional rows as needed. Attach record of communications to the ISA.

Name:	Title:	Date:
-------	--------	-------

Describe any potential concerns:

Name:	Title:	Date:
-------	--------	-------

Describe any potential concerns:

Name:	Title:	Date:
-------	--------	-------

Describe any potential concerns:

**Section 8: Identified Hazardous Material Concerns**

On the list below, indicate Yes or No whether the hazardous material concern was identified. If Yes, record the hazardous material concern on an Issues Identification and Resolution (IIR) Form in ECOS. If the ISA preparer is unsure how to complete the IIR Form, the responsibility to complete the Hazmat IIR may be assigned within ECOS to ENV Hazmat Staff. *Detailed instructions for completing an ECOS IIR Form are located in the Non-Project Documentation section of ECOS under the heading Hazmat. Contact the ECOS help desk for assistance preparing the IIR Form if necessary.*

Hazardous materials concerns identified below will require additional assessment work. In most cases, resolution to the concerns should be completed prior to project letting.

For additional information regarding scheduling considerations, internal/external coordination and recommended practices for resolving hazmat issues please refer to TxDOT's *Environmental Tool Kit* web site.

Contact ENV Pollution Prevention and Abatement (PPA) for additional assistance.

**8.1 Identify the Hazardous Material Concerns**

Concern Identified?	Type of Concern
Record the hazardous material concerns on an Issues Identification and Resolution (IIR) Form in ECOS.	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA	<b>Current or Past Land Use Concern:</b> This concern is associated with hazardous material issues identified in Section 4. <i>On the ECOS IIR, the Available Contaminated Media would be "Other".</i>
<input type="checkbox"/> Yes <input type="checkbox"/> No	One or more concerns identified in Section 4.
<input type="checkbox"/> Yes <input type="checkbox"/> No	No obvious concerns were identified but additional research is needed as a result of unique or unusual current or past land use. Request additional assistance from ENV.

8.1 Identify the Hazardous Material Concerns (Continued)		
Concern Identified?	Type of Concern	
	Record the hazardous material concerns on an Issues Identification and Resolution (IIR) Form in ECOS.	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Site Visit Concerns:</b> This is associated with any hazardous material issues discovered following the completion of Section 6. On the ECOS IIR, the Available Contaminated Media would be "Other".	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	One or more concerns identified.
	<input type="checkbox"/> Yes <input type="checkbox"/> No	No listed concerns identified but additional research is needed as a result of unique or unusual project site conditions. Request assistance from ENV.
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA	<b>Interview Concerns:</b> This concern is associated with any hazardous material issues discovered during an interview listed in Section 7. In the IIR, the Available Contaminated Media would be "Other".	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	One or more concerns identified after completing interviews.
	<input type="checkbox"/> Yes <input type="checkbox"/> No	No listed concerns identified but additional research is needed as a result of unique or unusual project site conditions. Request assistance from ENV.
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Asbestos and/or Lead in Paint Concerns:</b> The following are related to ACM and LBP identified in Section 2. Select below all that apply.	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	Bridge Demolition/ Renovation without Steel Structures
	<input type="checkbox"/> Yes <input type="checkbox"/> No	Bridge Demolition/ Renovation with Steel Structures
	<input type="checkbox"/> Yes <input type="checkbox"/> No	ROW Structure(s) Demolition
	<input type="checkbox"/> Yes <input type="checkbox"/> No	Enhancement Project Demolition/Renovation
	<input type="checkbox"/> Yes <input type="checkbox"/> No	Other- Describe
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Petroleum Storage Tank Concerns:</b> PSTs can be any underground or aboveground storage tanks that are used to store petroleum based fluids. Typically, these are gasoline and diesel refueling facilities. Select below all that apply.	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	ROW acquisition or partial acquisition of a parcel with one or more PSTs.
	<input type="checkbox"/> Yes <input type="checkbox"/> No	Other- Describe:
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Leaking Petroleum Storage Tank (LPST) Concerns:</b> An LPST parcel will only need to be identified once in the following list. LPST sites are PSTs that have caused or suspected to have caused a release to the environment.	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	Additional Research is needed or uncertain of impacts from an LPST.
	<input type="checkbox"/> Yes <input type="checkbox"/> No	Acquisition of a Parcel with an LPST.
	<input type="checkbox"/> Yes <input type="checkbox"/> No	An LPST is located within 0.25 miles of the project.
	<input type="checkbox"/> Yes <input type="checkbox"/> No	Other- Describe
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Oil and Gas Production Activity Concerns:</b> TxDOT is concerned with the acquisition of oil and gas production wells (and ancillary equipment). Typically, these are oil/gas wells, piping, ancillary production equipment, pipelines, etc. Select below all that apply.	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	Additional Research needed or uncertain of impacts. Request assistance from ENV.
	<input type="checkbox"/> Yes <input type="checkbox"/> No	Database search identified TRC VCP Site within 0.5 miles of project.
	<input type="checkbox"/> Yes <input type="checkbox"/> No	Oil/ Gas Wells within Future ROW.
	<input type="checkbox"/> Yes <input type="checkbox"/> No	Pipelines requiring adjustment.
	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Other- Describe: Pipeline crosses site, but transport-related (not production). TxDOT

8.1 Identify the Hazardous Material Concerns (Continued)	
Concern Identified?	Type of Concern
	Record the hazardous material concerns on an Issues Identification and Resolution (IIR) Form in ECOS.
	would not acquire the pipeline.

8.1 Identify the Hazardous Material Concerns (Continued)	
Concern Identified?	Type of Concern
	Record the hazardous material concerns on an Issues Identification and Resolution (IIR) Form in ECOS.
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Non-LPST Source Contamination Concerns:</b> These parcels or locations have a potential for soil and/or groundwater contamination. Typically, they are contaminated locations (even potentially contaminated locations) that are not associated with LPST sites. Select below all that apply.
<input type="checkbox"/> Yes <input type="checkbox"/> No	Additional Research is needed or uncertain of impacts from a Non-LPST site. Request assistance from ENV.
<input type="checkbox"/> Yes <input type="checkbox"/> No	Database search identified a CERCLA NPL(s) site within 1 mile of project.
<input type="checkbox"/> Yes <input type="checkbox"/> No	Database search identified CERCLA (to include NFRAP) within 0.5 miles of project.
<input type="checkbox"/> Yes <input type="checkbox"/> No	Database search identified RCRA Corrective Action(s) site within 1 mile of project.
<input type="checkbox"/> Yes <input type="checkbox"/> No	Database search identified RCRA TSD Facilities within 0.5 miles of project.
<input type="checkbox"/> Yes <input type="checkbox"/> No	Database search identified TCEQ IHW Corrective Action Sites within 1 mile.
<input type="checkbox"/> Yes <input type="checkbox"/> No	Database search identified TCEQ Superfund Sites within 1 mile of project.
<input type="checkbox"/> Yes <input type="checkbox"/> No	Database search identified TCEQ VCP Sites within 0.5 miles of project.
<input type="checkbox"/> Yes <input type="checkbox"/> No	Database search identified TCEQ IOP Sites within 0.5 miles of project.
<input type="checkbox"/> Yes <input type="checkbox"/> No	Other- Describe:
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Landfills/ Waste Pits/ Dump Site Concerns:</b> This is associated with any known or unknown (based on visual observations) landfills, dump sites, or waste pits. Typically, the local Council of Governments (COG) should maintain a list of all closed and open landfills in your project area. Select below all that apply.
<input type="checkbox"/> Yes <input type="checkbox"/> No	Additional research is needed or uncertain of impacts. Request assistance from ENV.
<input type="checkbox"/> Yes <input type="checkbox"/> No	Database search identified Texas COG closed/abandoned MSW landfill sites within .5 miles of the project.
<input type="checkbox"/> Yes <input type="checkbox"/> No	Other- Describe

<b>8.2 Did the ISA identify any potential Hazardous material concerns?</b>	
<input checked="" type="checkbox"/> No hazardous materials concerns were identified as a result of the ISA performed for the proposed action. No further hazardous materials action is required. The ISA is complete for this project. Any unanticipated hazardous materials impacts encountered during the project construction phase will be addressed in accordance with regulatory requirements. No further assessment is required. Complete Sections 9 and 10 and maintain a copy of the ISA and all applicable attachments in the project administrative record.	
<input type="checkbox"/> Yes, the ISA identified one or more hazardous materials concerns for this project. Additional assessment work is required and an IIR form has been completed in ECOS. Complete Sections 9 and 10 and maintain a copy of the ISA and all applicable attachments in the project administrative record.	

**Section 9: Reference Materials Utilized (Identify any referenced materials attached to this ISA)**

<b>Referenced Materials Used</b>	<input checked="" type="checkbox"/> Project Map	<input checked="" type="checkbox"/> USGS Topo Maps	<input checked="" type="checkbox"/> Aerial Photographs
	<input type="checkbox"/> ROW Maps/Files	<input type="checkbox"/> Sanborn Fire Insurance Maps	<input type="checkbox"/> Temporary Use Agreements
	<input type="checkbox"/> TxDOT As-Built Plans	<input type="checkbox"/> Notifications	<input checked="" type="checkbox"/> Photographs
	<input type="checkbox"/> Record of Communications	<input checked="" type="checkbox"/> Regulatory Database	<input type="checkbox"/> Record of Interviews
	<input type="checkbox"/> Other:		

**Section 10: Contact/Completed by**

<b>Name:</b>	Samuel Blanco, AICP	<b>Tel: 210-694-3691</b>
<b>Title:</b>	Senior Environmental Planner	
<b>Firm (District Section):</b>	Raba-Kistner Environmental. Inc.	
<b>Address:</b>	12821 West Golden Lane, San Antonio, TX 78249	
<b>Signature:</b>		<b>Date:</b>

## Appendix A


The following table shows the revision history for this guidance document.

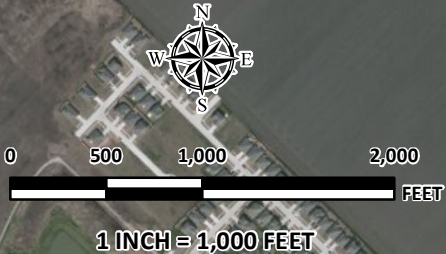
Revision History	
Effective Date Month, Year	Reason for and Description of Change
8/2014	Removed introductory note describing ISA threshold criteria. Note was removed because the ISA threshold criteria are located in other TxDOT guidance.

**FIGURE**  
**PROJECT AREA MAP**



**LEGEND**

 APPROXIMATE STUDY BOUNDARY



Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

**RABA KISTNER ENVIRONMENTAL**  
 Raba Kistner Environmental, Inc.  
 12821 West Golden Lane  
 San Antonio, Texas 78249  
 www.rkci.com  
 P 210 :: 699 :: 9090  
 F 210 :: 699 :: 6426  
 TBPE Firm F-3257

SOURCE: Critical Habitat Data Obtained from United States Fish & Wildlife Service (USFWS) Critical Habitat Mapper Portal - August 2014.

**PROJECT AREA MAP**  
 PROPOSED TRANSIT FACILITY  
 FORT BEND COUNTY, TEXAS

REVISIONS:		
No.	DATE	DESCRIPTION

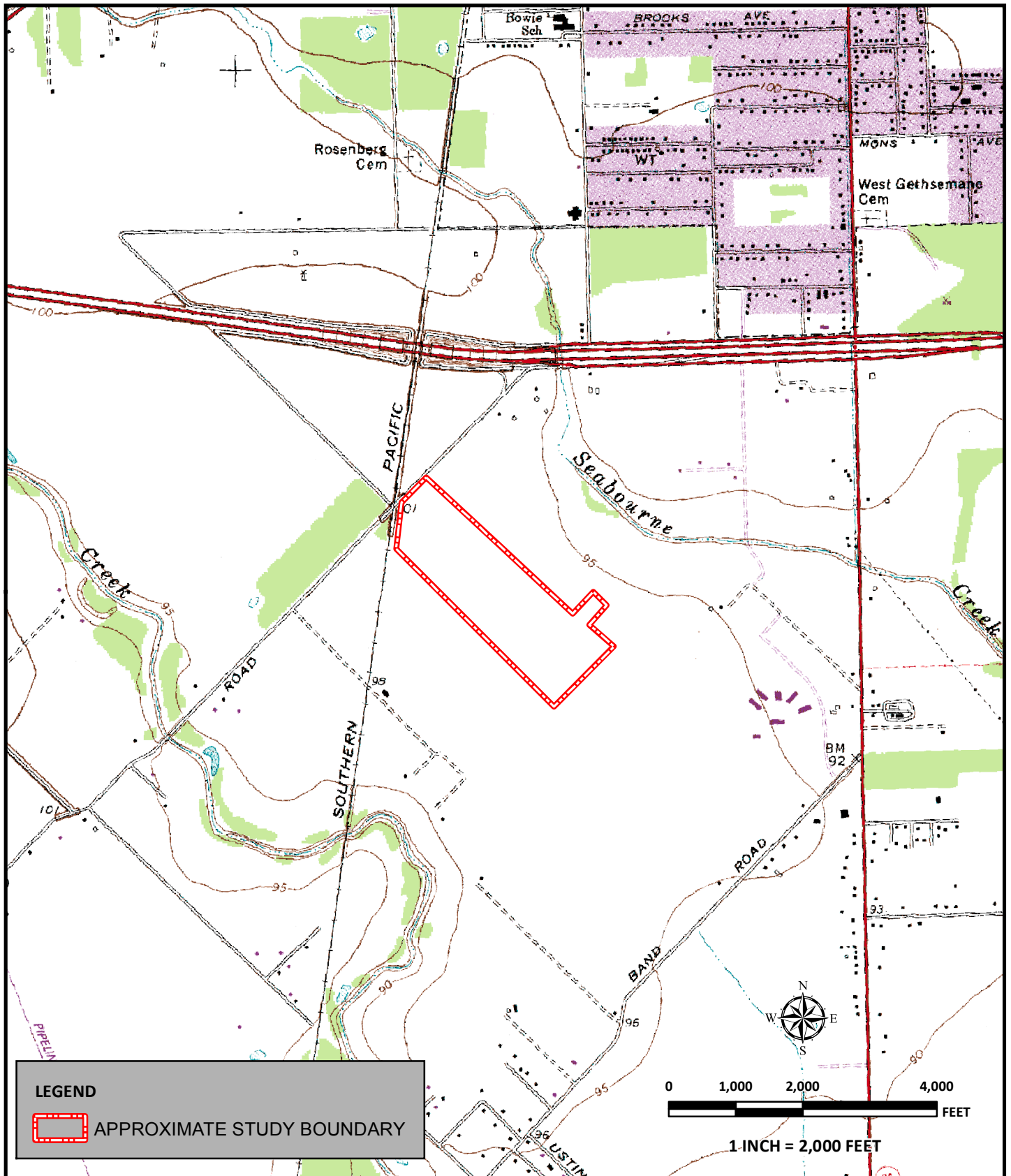
PROJECT No.:	ASF14-072-01
ISSUE DATE:	09/05/2014
DRAWN BY:	CCL
CHECKED BY:	SB
REVIEWED BY:	SB

**FIGURE**  
1


NOTE: This Drawing is Provided for Illustration Only, May Not be to Scale and is Not Suitable for Design or Construction Purposes

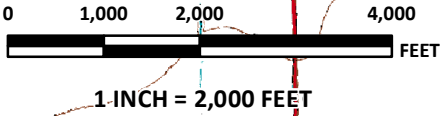
# **APPENDIX A**

## **HISTORICAL USGS TOPOGRAPHIC MAPS**



**LEGEND**

 APPROXIMATE STUDY BOUNDARY



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SOURCE: USGS Topographic 7.5 Minute Quadrangle Richmond Obtained from the Perry-Casteneda Map Collection, University of Texas at Austin - 1980

**1980 TOPOGRAPHIC MAP (USGS)**

PROPOSED TRANSIT FACILITY  
 FORT BEND COUNTY, TEXAS

REVISIONS:		
No.	DATE	DESCRIPTION

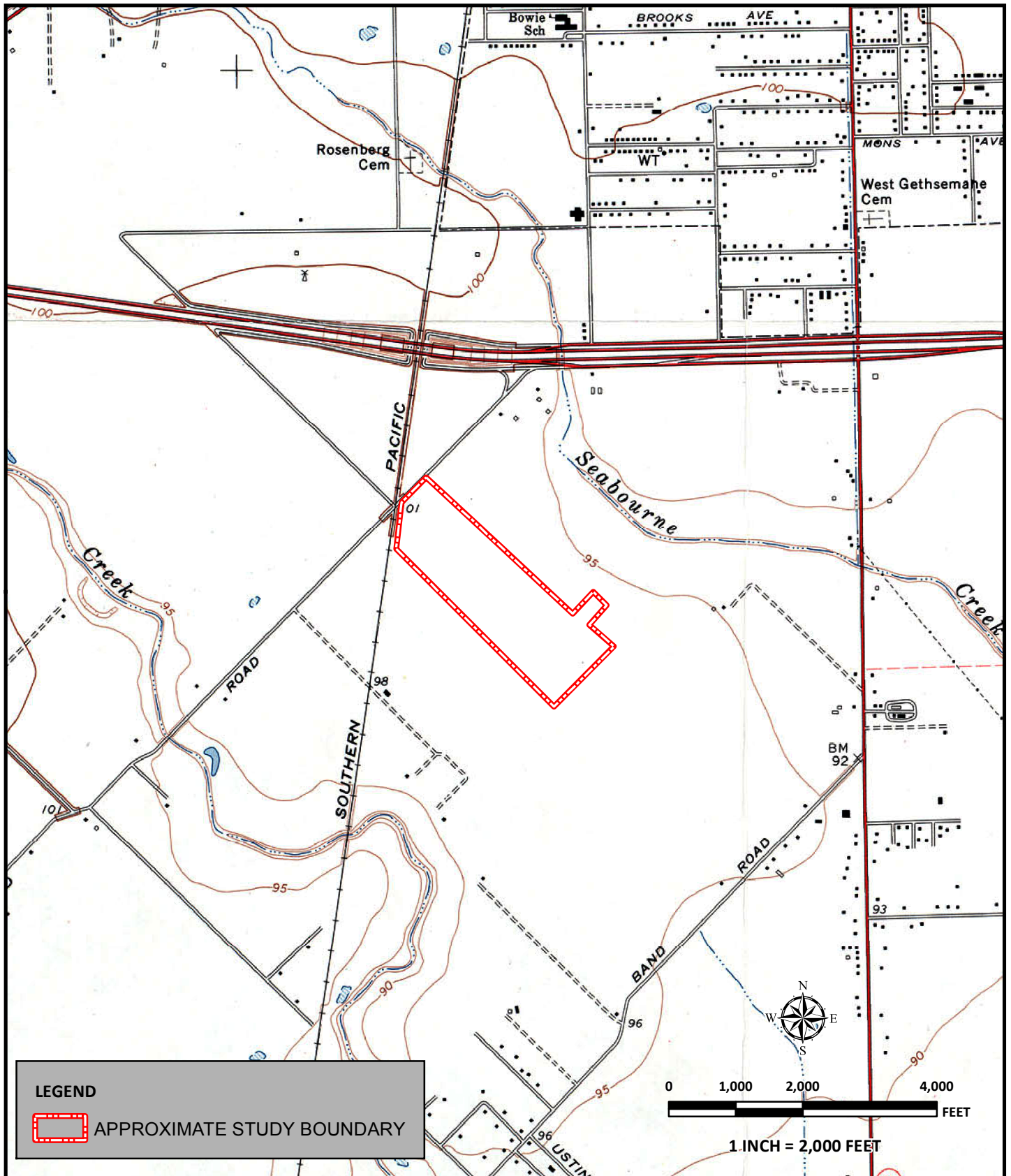
PROJECT No.: ASF14-072-01  
 ISSUE DATE: 09/05/2014  
 DRAWN BY: CCL  
 CHECKED BY: SB  
 REVIEWED BY: SB

**APPENDIX**


**A**

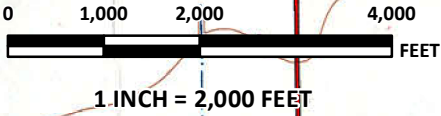
1 OF 3

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**LEGEND**

 APPROXIMATE STUDY BOUNDARY



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 TBPE Firm F-3257

SOURCE: USGS Topographic 7.5 Minute Quadrangle Richmond Obtained from the Perry-Casteneda Map Collection, University of Texas at Austin - 1971

**1971 TOPOGRAPHIC MAP (USGS)**

PROPOSED TRANSIT FACILITY  
 FORT BEND COUNTY, TEXAS

REVISIONS:		
No.	DATE	DESCRIPTION

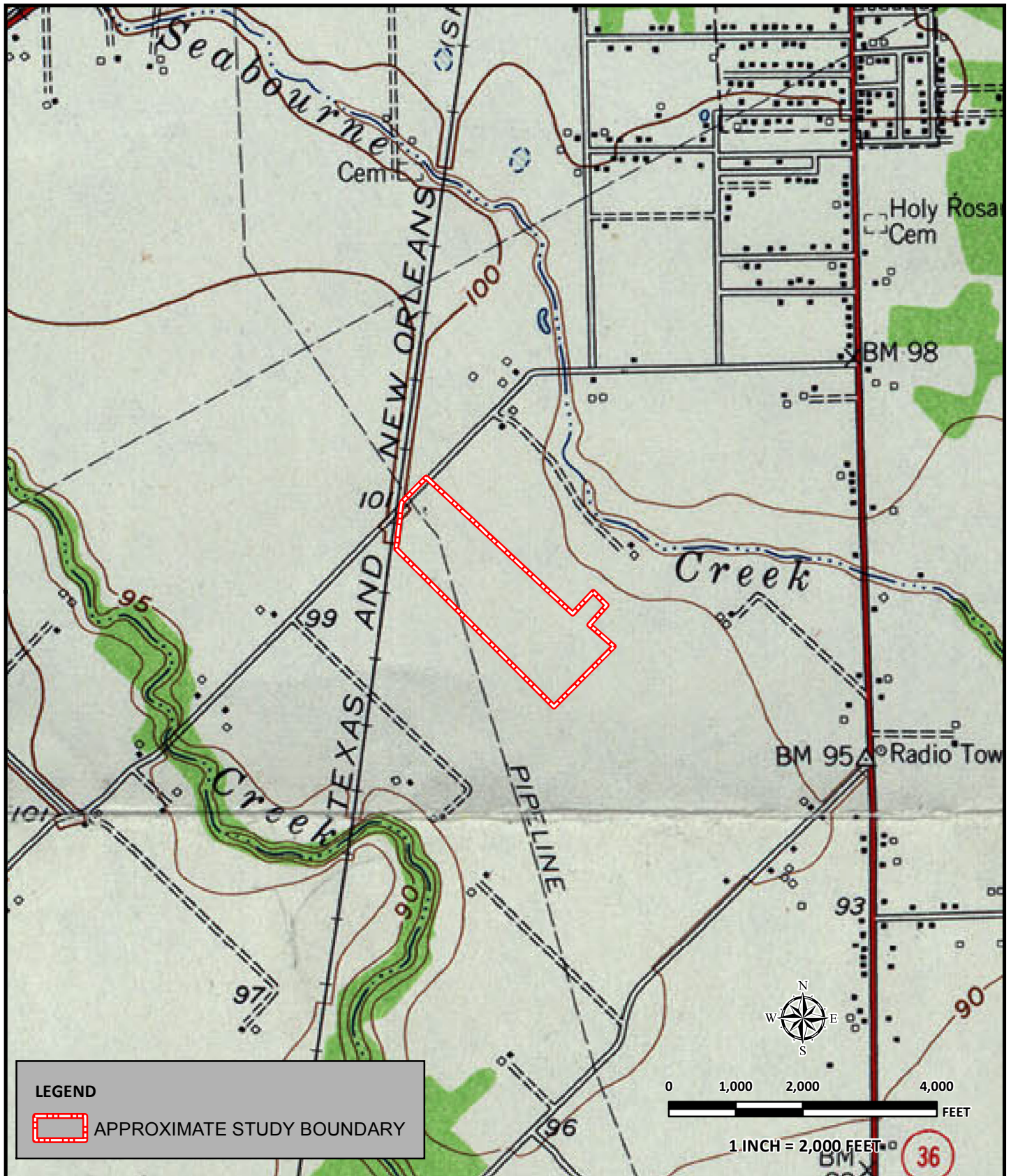
PROJECT No.:	ASF14-072-01
ISSUE DATE:	09/05/2014
DRAWN BY:	CCL
CHECKED BY:	SB
REVIEWED BY:	SB

**APPENDIX**


**A**

2 OF 3

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**LEGEND**

 APPROXIMATE STUDY BOUNDARY

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 F 210 :: 699 :: 6426  
 TBPE Firm F-3257

SOURCE: USGS Topographic 7.5 Minute Quadrangle Richmond Obtained from the Perry-Casteneda Map Collection, University of Texas at Austin - 1971

**1955 TOPOGRAPHIC MAP (USGS)**

PROPOSED TRANSIT FACILITY  
 FORT BEND COUNTY, TEXAS

REVISIONS:		
No.	DATE	DESCRIPTION

PROJECT No.:	ASF14-072-01
ISSUE DATE:	09/05/2014
DRAWN BY:	CCL
CHECKED BY:	SB
REVIEWED BY:	SB

**APPENDIX**

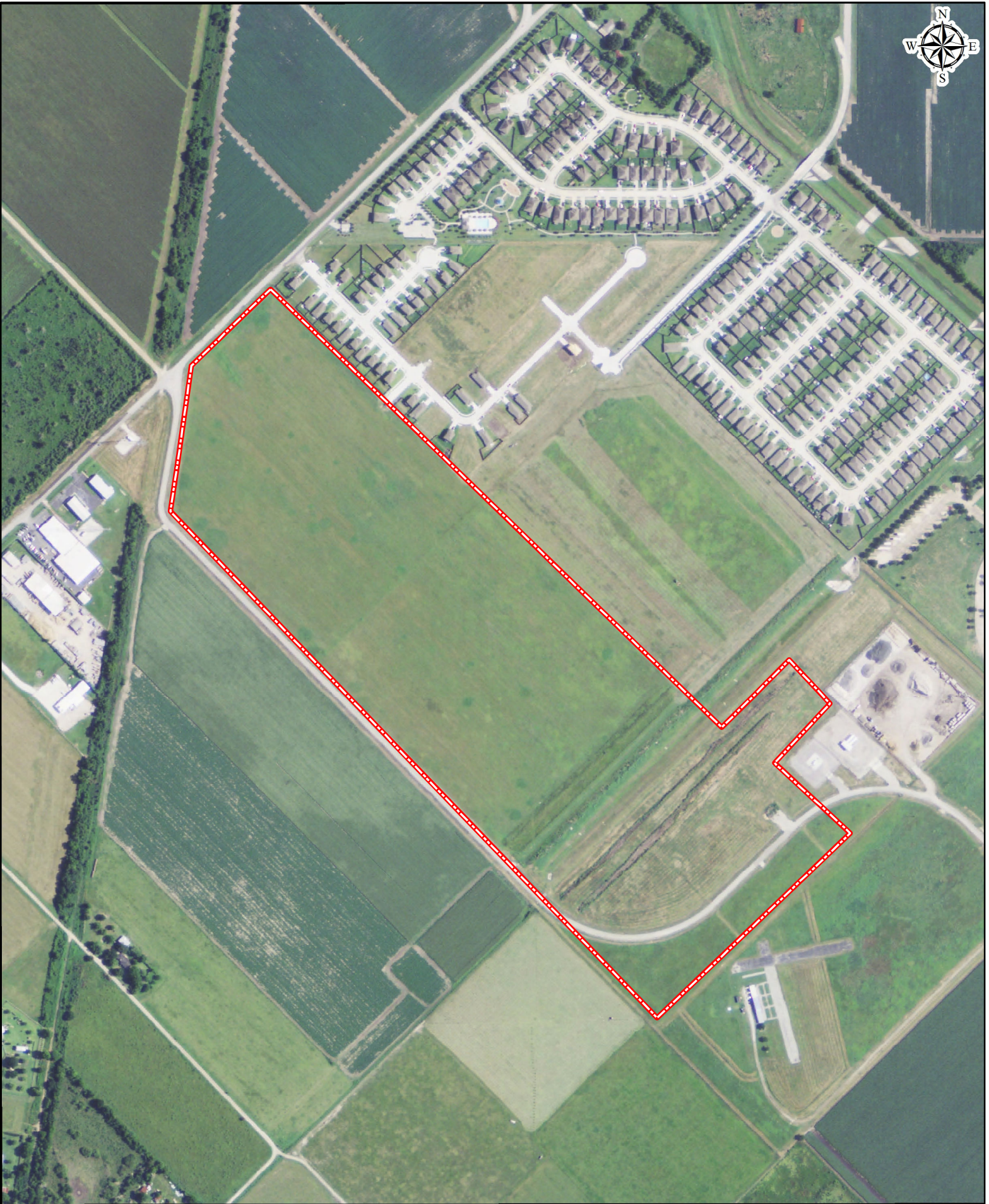
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3 OF 3

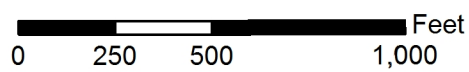
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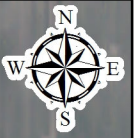
# **APPENDIX B**

## **HISTORICAL AERIAL PHOTOGRAPHS**

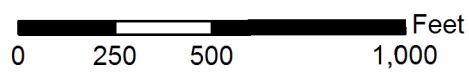


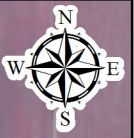
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Source: USDA



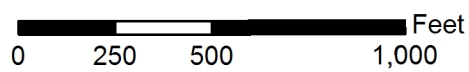


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Source: USDA



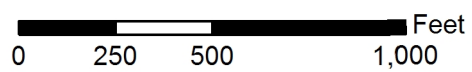


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Source: USDA



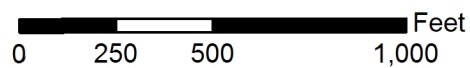


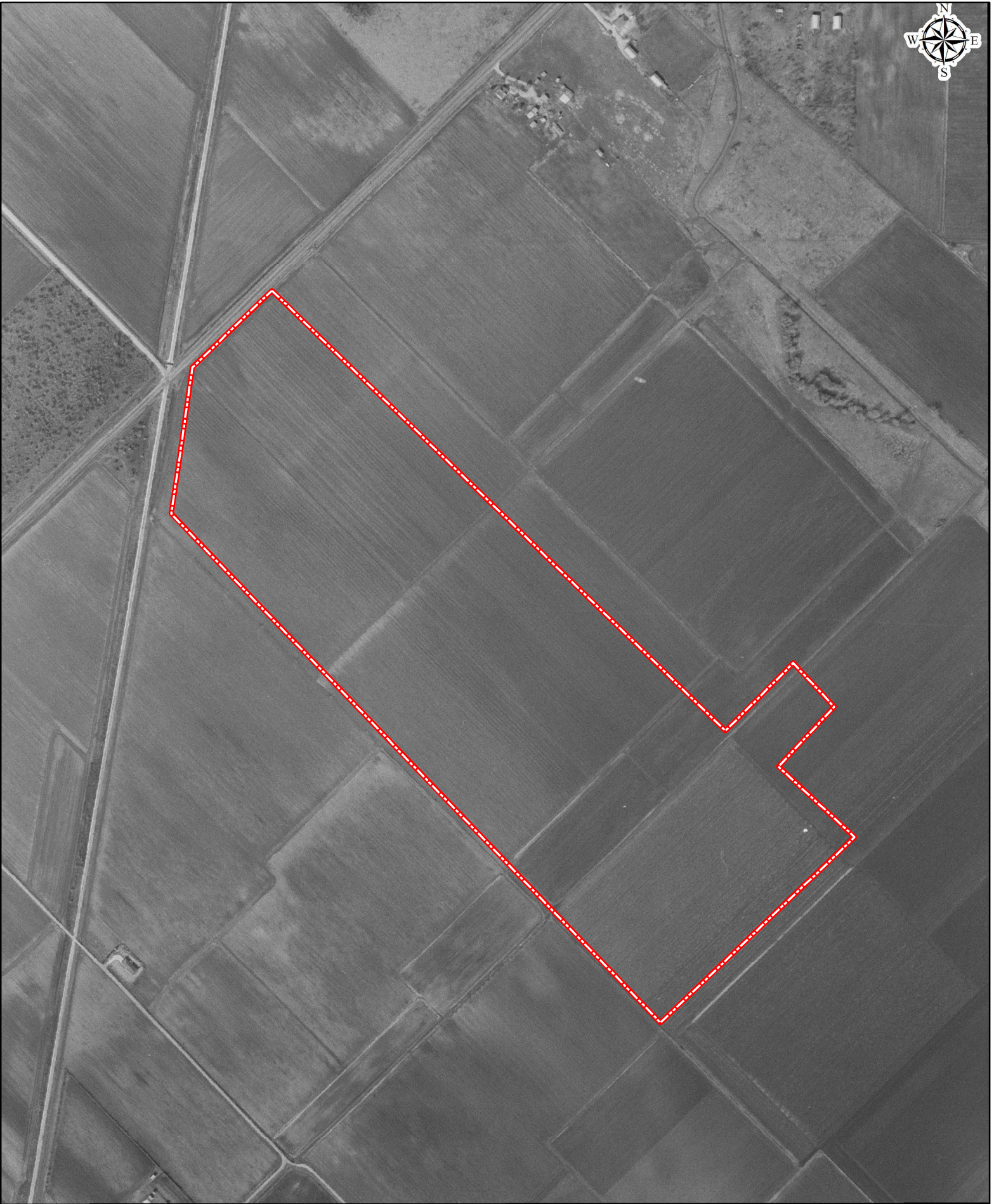
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Source: USGS



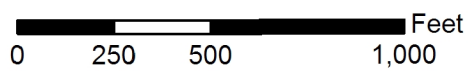


Date: 1989  
Source: TXDOT

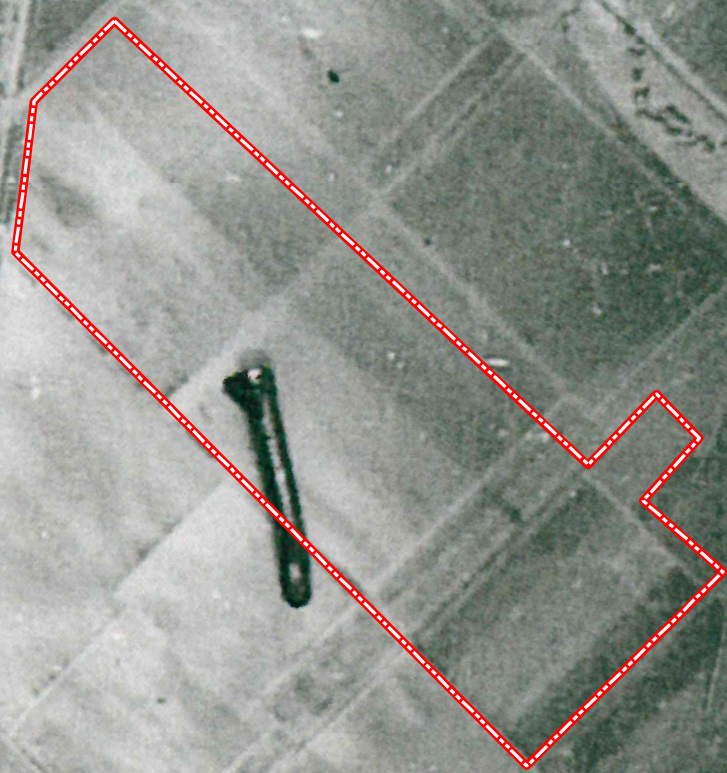




Date: 1970  
Source: USGS



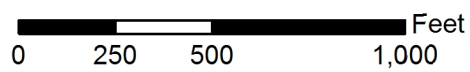
CLC-1EE- 90



CLC-1EE- 89

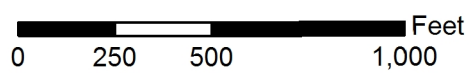


Date: 1953  
Source: USGS





Date: 1941  
Source: ASCS



# **APPENDIX C PHOTOGRAPHS**



**Photo 1.** Viewing southeast from northwest corner of property (on Cottonwood School Rd.). Adjacent north residential development.



**Photo 2.** Viewing north from Klaycke Road onto property.



**Photo 3.** Pipeline marker on property.



**Photo 4.** Typical grass cover on property.



**Photo 5.** View of adjacent Fort Bend County Fuel Depot and Road & Bridge Stockpile and material yard.

# **APPENDIX D**

## **REGULATORY DATABASE**

**Prepared for:**

RABA KISTNER, INC.-San Antonio  
P. O. Box 690287  
San Antonio, TX 78269



# Regulatory Database Report

ASTM E1527-13/AAI Compliant

Fort Bend Transit Center

Stella Road

Klaycke Road

Rosenberg, TX

Fort Bend County

PO #: ASF14-072-01

ES-111949

Friday, August 08, 2014

**Table of Contents** *Fort Bend Transit Center*

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<b>Summary Map - 0.25 Mile Buffer</b>	<b>5</b>
<b>Summary Map - 0.5 Mile Buffer</b>	<b>6</b>
<b>Summary Map - 1 Mile Buffer</b>	<b>7</b>
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## Geographic Summary *Fort Bend Transit Center*

### Location

Fort Bend County, TX

Target location is 0.115 square miles and has a 1.71 mile perimeter

### Coordinates

Longitude & Latitude in Degrees Minutes Seconds NA

Longitude & Latitude in Decimal Degrees NA

X and Y in UTM NA

### Elevation

NA

### Zip Codes Searched

Search Distance	Zip Codes (historical zip codes included)
Target Property	77471, 77406, 77464
0.25 miles	77471, 77406, 77464
0.5 miles	77471, 77406, 77464
1 mile	77469, 77406, 77407, 77481, 77498, 77471, 77406, 77464

### Topos Searched

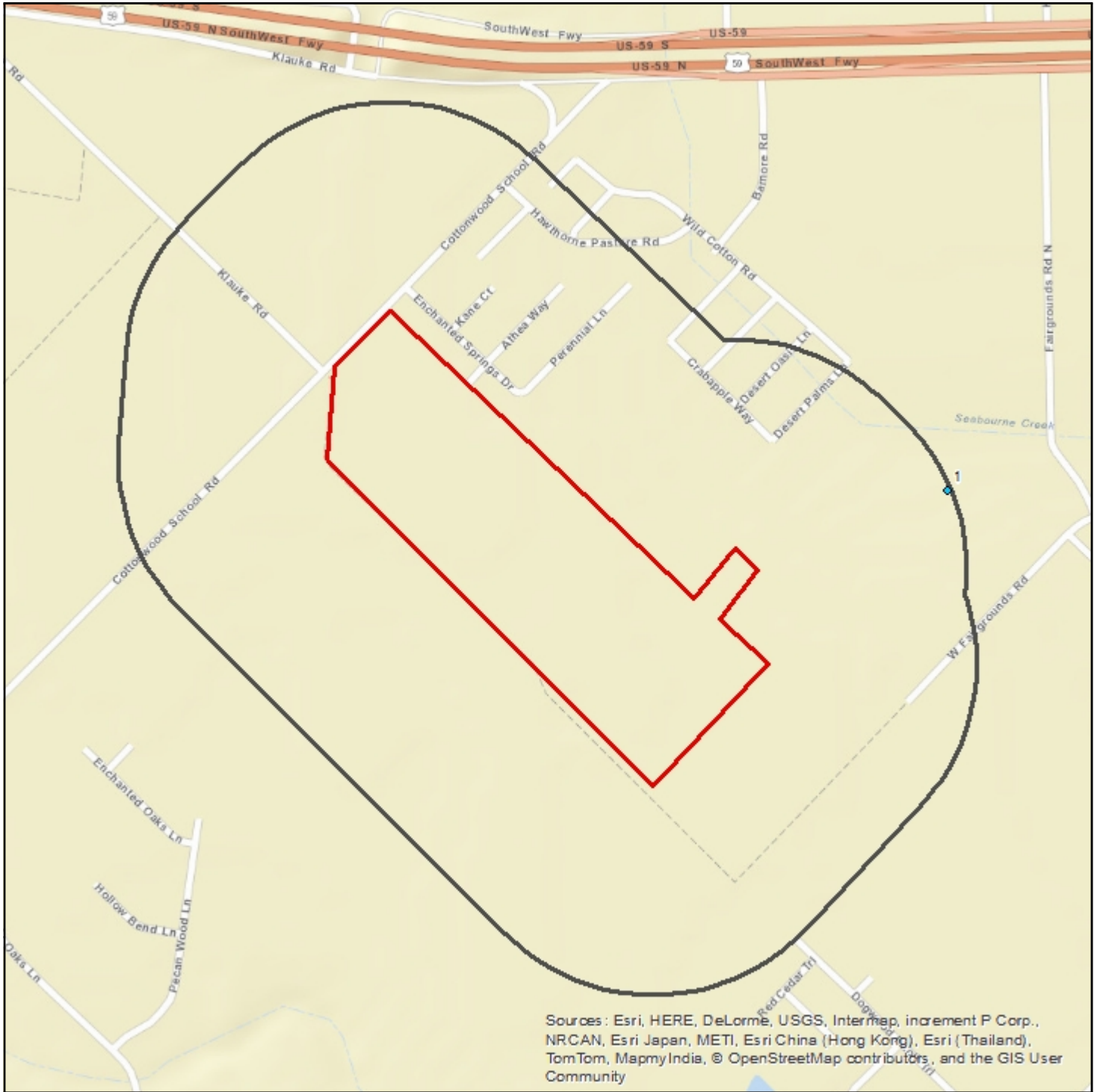
Search Distance	Topo Name
Target Property	Richmond (1981)
0.25 miles	Richmond (1981)
0.5 miles	Richmond (1981)
1 mile	Richmond (1981)

## Database Summary Fort Bend Transit Center



Databases Searched	Distance Searched	# Mapped	# Not Mapped	Total
<b>Federal - ASTM 1527-13/AAI Required</b>				
National Priority List (NPL)	1	0	0	0
Delisted National Priority List (DNPL)	0.5	0	0	0
CERCLIS (CER)	0.5	0	0	0
CERCLIS NFRAP (CER NFRAP)	0.5	0	1	1
RCRA CORRACTS (RCRA COR)	1	0	0	0
RCRA non-CORRACTS TSD (RCRA TSD)	0.5	0	0	0
RCRA Generators (RCRA GEN)	0.25	0	0	0
Federal Brownfields (FED BWN)	0.5	0	0	0
Federal Institutional Control (FED IC)	0.5	0	0	0
Federal Engineering Control (FED EC)	0.5	0	0	0
ERNS List (ERNS)	0.25	0	0	0
<b>State - ASTM 1527-13/AAI Required</b>				
State/Tribal Equivalent NPL (ST NPL)	1	0	0	0
State/Tribal Equivalent CERCLIS (ST CER)	0.5	0	0	0
State/Tribal Disposal or Landfill (SWLF)	0.5	0	0	0
State/Tribal Leaking Storage Tank (LPST)	0.5	0	0	0
State/Tribal Storage Tank (PST)	0.25	1	2	3
State/Tribal Institutional Control (ST IC)	0.25	0	0	0
State/Tribal Engineering Control (ST EC)	0.5	0	0	0
State/Tribal Voluntary Cleanup (VCP)	0.5	0	0	0
State/Tribal Brownfield (ST BWN)	0.5	0	0	0
State/Tribal Hazardous Waste (HW)	0.25	0	1	1
<b>Non-ASTM/AAI Required Databases</b>				
RCRA (RCRA)	0.25	0	1	1
Dry Cleaners (DRYC)	0.25	0	0	0
<b>Total Sites Found</b>		<b>1</b>	<b>5</b>	<b>6</b>

# Summary Map - 0.25 Mile Buffer



Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

## Fort Bend Transit Center

- |  |   |  |  |
|--|---|--|--|
| <span style="color: red;">●</span> Single Site   | <span style="color: red;">●</span> Cluster Site   | <span style="color: red;">■</span> Large Tract   | <span style="color: red;">●</span> Cluster Site with Large Tract   |
| <span style="color: cyan;">●</span> Single Site  | <span style="color: cyan;">●</span> Cluster Site  | <span style="color: cyan;">■</span> Large Tract  | <span style="color: cyan;">●</span> Cluster Site with Large Tract  |
| <span style="color: green;">●</span> Single Site | <span style="color: green;">●</span> Cluster Site | <span style="color: green;">■</span> Large Tract | <span style="color: green;">●</span> Cluster Site with Large Tract |
- RCRA COR, RCRA TSD, CER, LPST, NPL, ST NPL, SWLF*  
*RCRA GEN, ST & FED BWN, ST & FED EC, ST & FED IC, DNPL, CER NFRAP, PST, VCP, ST CER*  
*ERNS, HW, RCRA, DRYC*

- Target Property
- Search Buffer

**1 : 11,000**  
 1 inch = 0.174 miles  
 1 inch = 917 feet  
 1 centimeter = 0.110 kilometers  
 1 centimeter = 110 meters

Lambert Conformal Conic Projection  
 1983 North American Datum  
 First Standard Parallel: 33° 00' 00" North  
 Second Standard Parallel: 45° 00' 00" North  
 Central Meridian: 96° 00' 00" West  
 Latitude of Origin: 39° 00' 00" North



# Summary Map - 0.5 Mile Buffer



Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

## Fort Bend Transit Center

- |  |   |  |  |
|--|---|--|--|
| <span style="color: red;">●</span> Single Site   | <span style="color: red;">●</span> Cluster Site   | <span style="color: red;">■</span> Large Tract   | <span style="color: red;">●</span> Cluster Site with Large Tract   |
| <span style="color: cyan;">●</span> Single Site  | <span style="color: cyan;">●</span> Cluster Site  | <span style="color: cyan;">■</span> Large Tract  | <span style="color: cyan;">●</span> Cluster Site with Large Tract  |
| <span style="color: green;">●</span> Single Site | <span style="color: green;">●</span> Cluster Site | <span style="color: green;">■</span> Large Tract | <span style="color: green;">●</span> Cluster Site with Large Tract |
- RCRA COR, RCRA TSD, CER, LPST, NPL, ST NPL, SWLF  
 RCRA GEN, ST & FED BWN, ST & FED EC, ST & FED IC, DNPL, CER NFRAP, PST, VCP, ST CER  
 ERNS, HW, RCRA, DRYC

- Target Property
- Search Buffer

1 : 15,000  
 1 inch = 0.237 miles  
 1 inch = 1250 feet  
 1 centimeter = 0.150 kilometers  
 1 centimeter = 150 meters

Lambert Conformal Conic Projection  
 1983 North American Datum  
 First Standard Parallel: 33° 00' North  
 Second Standard Parallel: 45° 00' North  
 Central Meridian: 96° 00' West  
 Latitude of Origin: 39° 00' North



# Summary Map - 1 Mile Buffer



Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

## Fort Bend Transit Center

- Single Site
  - Cluster Site
  - Large Tract
  - Cluster Site with Large Tract
  - Single Site
  - Cluster Site
  - Large Tract
  - Cluster Site with Large Tract
  - Single Site
  - Cluster Site
  - Large Tract
  - Cluster Site with Large Tract
- RCRA COR, RCRA TSD, CER, LPST, NPL, ST NPL, SWLF  
 RCRA GEN, ST & FED BWN, ST & FED EC, ST & FED IC, DNPL, CER NFRAP, PST, VCP, ST CER  
 ERNS, HW, RCRA, DRYC

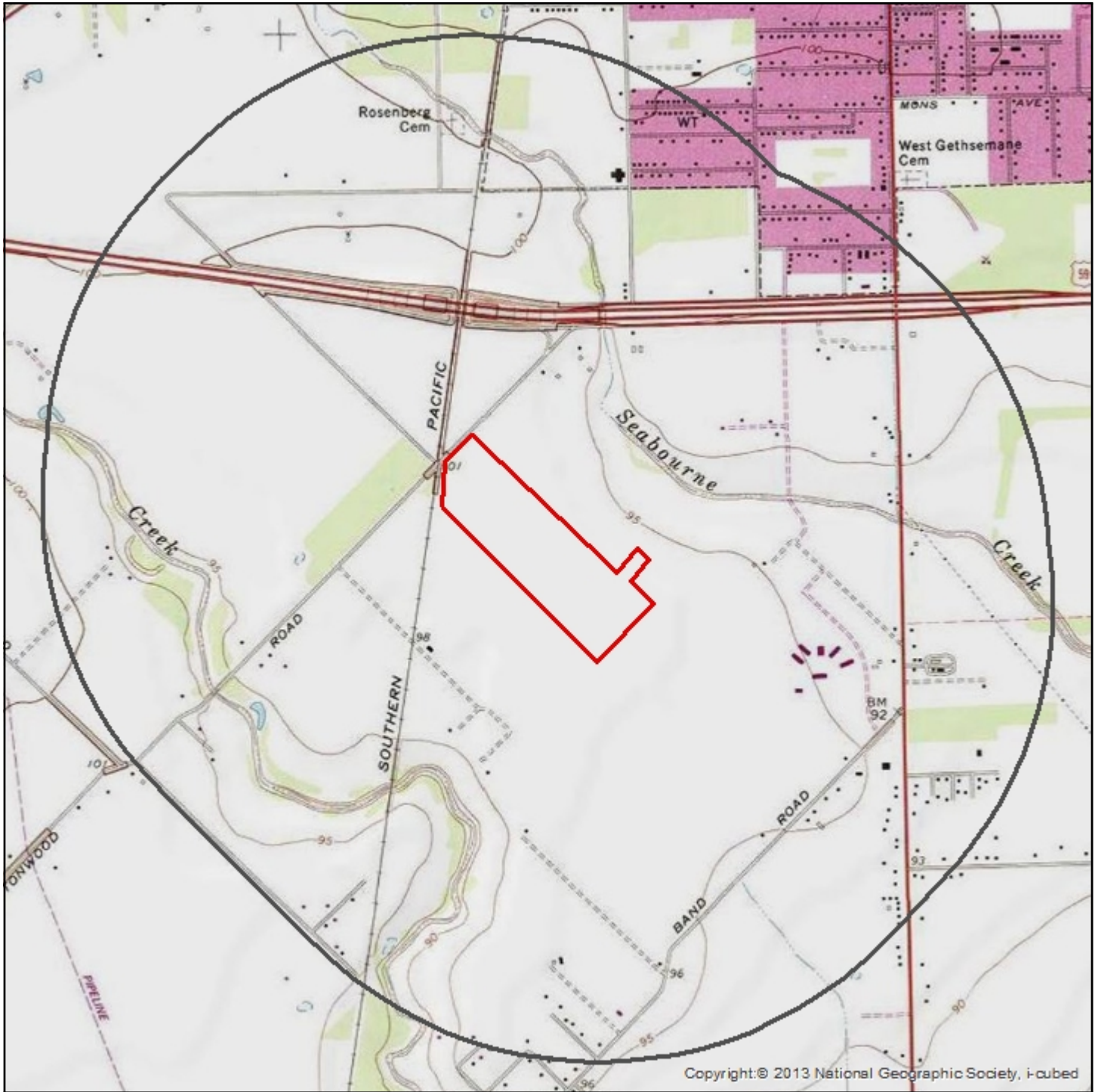
- Target Property
- Search Buffer

1 : 23,000  
 1 inch = 0.363 miles  
 1 inch = 1917 feet  
 1 centimeter = 0.230 kilometers  
 1 centimeter = 230 meters

Lambert Conformal Conic Projection  
 1983 North American Datum  
 First Standard Parallel: 33° 00' North  
 Second Standard Parallel: 45° 00' North  
 Central Meridian: 96° 00' West  
 Latitude of Origin: 39° 00' North



# Topographic Overlay Map - 1 Mile Buffer



## Fort Bend Transit Center

- Target Property
- Search Buffer

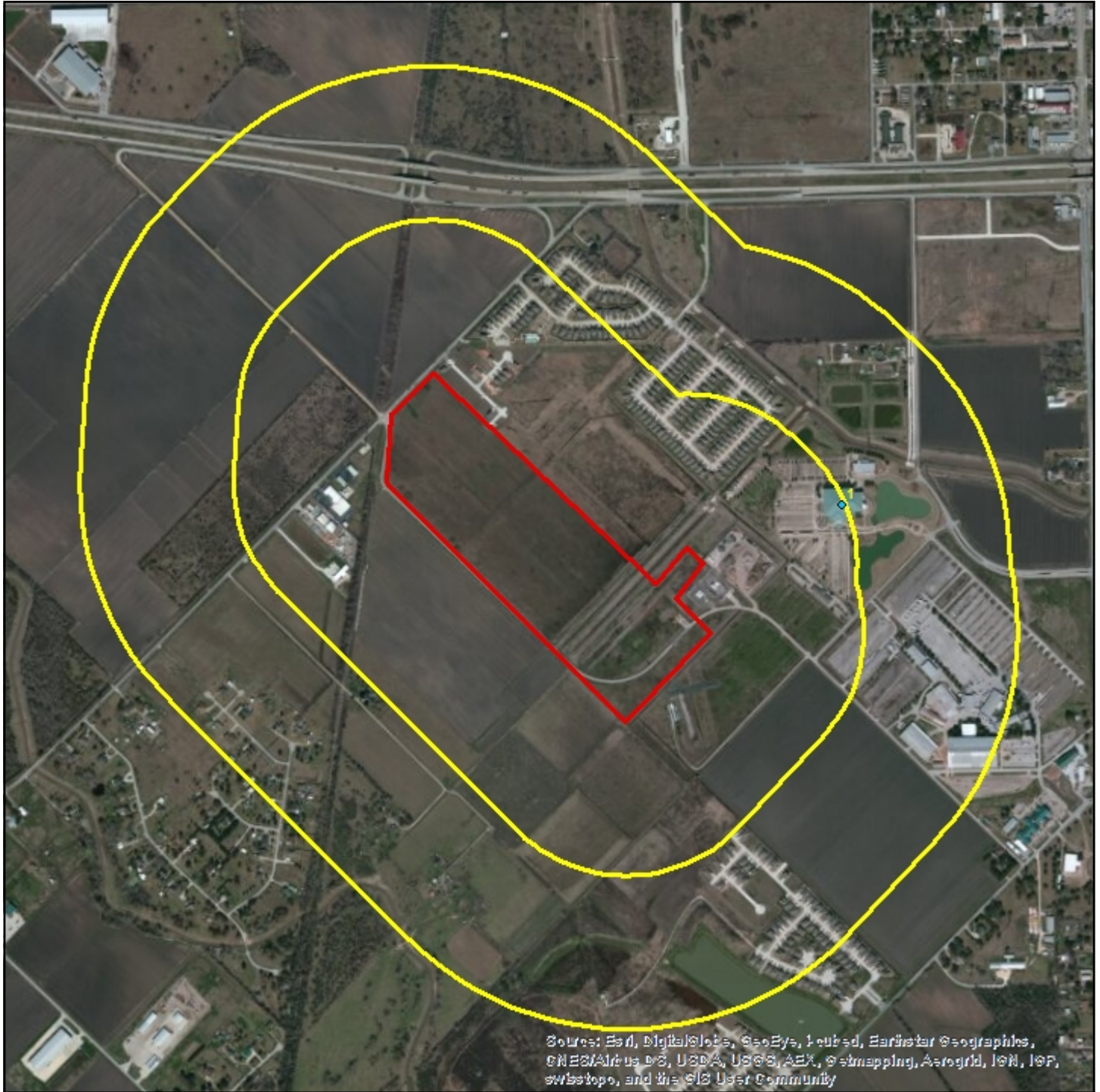
Target Property Quad Name(s)  
Richmond (1981)

1 : 23,000  
1 inch = 0.363 miles  
1 inch = 1917 feet

Lambert Conformal Conic Projection  
1983 North American Datum  
First Standard Parallel: 33° 00' North  
Second Standard Parallel: 45° 00' North  
Central Meridian: 96° 00' West  
Latitude of Origin: 39° 00' North



# Current Imagery Overlay Map - 0.5 Mile Buffer



Source: Esri, DigitalGlobe, GeoEye, AeroGRID, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroX, Swisstopo, and the GIS User Community

## Fort Bend Transit Center

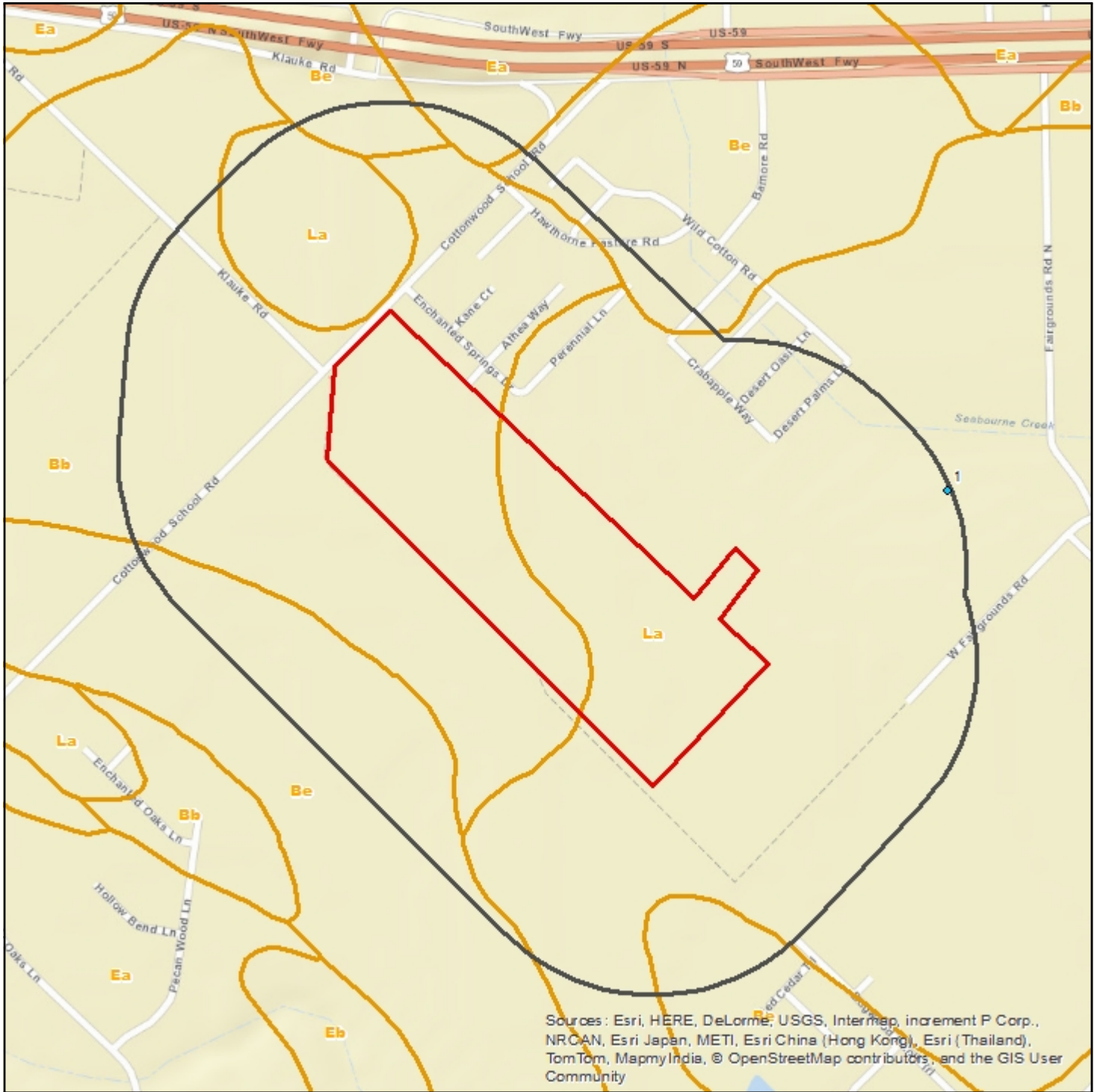
- |  |   |  |  |   |
|--|---|--|--|---|
| <span style="color: red;">●</span> Single Site   | <span style="color: red;">●</span> Cluster Site   | <span style="color: red;">■</span> Large Tract   | <span style="color: red;">■</span> Cluster Site with Large Tract   | <span style="border: 1px solid red; display: inline-block; width: 15px; height: 10px;"></span> Target Property  |
| <span style="color: cyan;">●</span> Single Site  | <span style="color: cyan;">●</span> Cluster Site  | <span style="color: cyan;">■</span> Large Tract  | <span style="color: cyan;">■</span> Cluster Site with Large Tract  | <span style="border: 1px solid yellow; display: inline-block; width: 15px; height: 10px;"></span> Search Buffer |
| <span style="color: green;">●</span> Single Site | <span style="color: green;">●</span> Cluster Site | <span style="color: green;">■</span> Large Tract | <span style="color: green;">■</span> Cluster Site with Large Tract |   |
- RCRA COR, RCRA TSD, CER, LPST, NPL, ST NPL, SWLF*  
*RCRA GEN, ST & FED BWN, ST & FED EC, ST & FED IC, DNPL, CER NFRAP, PST, VCP, ST CER*  
*ERNS, HW, RCRA, DRYC*

**1 : 15,000**  
 1 inch = 0.237 miles  
 1 inch = 1250 feet  
 1 centimeter = 0.150 kilometers  
 1 centimeter = 150 meters



Lambert Conformal Conic Projection  
 1983 North American Datum  
 First Standard Parallel: 33° 00' 00" North  
 Second Standard Parallel: 45° 00' 00" North  
 Central Meridian: 96° 00' 00" West  
 Latitude of Origin: 39° 00' 00" North

# Soil Survey Map - 0.25 Mile Buffer



Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

## Fort Bend Transit Center

- Single Site
  - Cluster Site
  - Large Tract
  - Cluster Site with Large Tract
  - Single Site
  - Cluster Site
  - Large Tract
  - Cluster Site with Large Tract
  - Single Site
  - Cluster Site
  - Large Tract
  - Cluster Site with Large Tract
- RCRA COR, RCRA TSD, CER, LPST, NPL, ST NPL, SWLF*
- RCRA GEN, ST & FED BWN, ST & FED EC, ST & FED IC, DNPL, CER NFRAP, PST, VCP, ST CER*
- ERNS, HW, RCRA, DRYC*

- Target Property
- Search Buffer
- Soils Boundary

1 : 11,000  
 1 inch = 0.174 miles  
 1 inch = 917 feet  
 1 centimeter = 0.110 kilometers  
 1 centimeter = 110 meters



Lambert Conformal Conic Projection  
 1983 North American Datum  
 First Standard Parallel: 33° 00' North  
 Second Standard Parallel: 45° 00' North  
 Central Meridian: 96° 00' West  
 Latitude of Origin: 39° 00' North

**Soils** Fort Bend Transit Center**Soils Types Found**

<b>Target Property</b>	Bb, La
<b>Within 0.25 miles of Target Property</b>	Be, Ea, Be, Be, Bb, La, La, Be

**Soil Type Descriptions****Bb - Bernard clay loam, 0 to 1 percent slopes**

<b>Hydric Status</b>	5
<b>Minimum Depth to Bedrock</b>	

**Bernard (95 percent)**

<b>Hydrologic Group</b>	High runoff potential
<b>Soil Drainage Class</b>	Somewhat poorly drained
<b>Corrosion Potential - Uncoated Steel</b>	High
<b>Depth to Restrictive Feature</b>	

Horizon	Soil Texture	Upper Boundary	Lower Boundary	AASHTO	Unified
H1	Clay loam	0 cm	15 cm	A-6, A-7	CL
H2	Clay	15 cm	137 cm	A-7	CH, CL
H3	Silty clay	137 cm	183 cm	A-7	CH, CL

**Unnamed, hydric minor components (5 percent)****Be - Bernard-Edna complex 0 to 1 percent slopes**

<b>Hydric Status</b>	5
<b>Minimum Depth to Bedrock</b>	

**Bernard (50 percent)**

<b>Hydrologic Group</b>	High runoff potential
<b>Soil Drainage Class</b>	Somewhat poorly drained
<b>Corrosion Potential - Uncoated Steel</b>	High
<b>Depth to Restrictive Feature</b>	

Horizon	Soil Texture	Upper Boundary	Lower Boundary	AASHTO	Unified
H1	Clay loam	0 cm	15 cm	A-6, A-7	CL
H2	Clay	15 cm	152 cm	A-7	CH, CL
H3	Silty clay	152 cm	198 cm	A-7	CH, CL

**Edna (45 percent)**

<b>Hydrologic Group</b>	High runoff potential
<b>Soil Drainage Class</b>	Somewhat poorly drained
<b>Corrosion Potential - Uncoated Steel</b>	High
<b>Depth to Restrictive Feature</b>	

Horizon	Soil Texture	Upper Boundary	Lower Boundary	AASHTO	Unified
H1	Fine sandy loam	0 cm	20 cm	A-4, A-6	ML, SC, SC-SM, SM
H2	Clay	20 cm	91 cm	A-7	CH
H3	Clay	91 cm	127 cm	A-7	CH, CL
H4	Sandy clay loam	127 cm	165 cm	A-6, A-7	CH, CL

**Unnamed, hydric minor components (5 percent)****Ea - Edna fine sandy loam, 0 to 1 percent slopes**

<b>Hydric Status</b>	5
<b>Minimum Depth to Bedrock</b>	

**Edna (95 percent)**

<b>Hydrologic Group</b>	High runoff potential
<b>Soil Drainage Class</b>	Somewhat poorly drained
<b>Corrosion Potential - Uncoated Steel</b>	High
<b>Depth to Restrictive Feature</b>	

**Soils** Fort Bend Transit Center

Horizon	Soil Texture	Upper Boundary	Lower Boundary	AASHTO	Unified
H1	Fine sandy loam	0 cm	20 cm	A-4, A-6	ML, SC, SC-SM, SM
H2	Clay	20 cm	91 cm	A-7	CH
H3	Clay	91 cm	127 cm	A-7	CH, CL
H4	Clay loam	127 cm	165 cm	A-6, A-7	CH, CL

Unnamed, hydric minor components (5 percent)

La - Lake Charles clay, 0 to 1 percent slopes

Hydric Status 5

Minimum Depth to Bedrock

Lake Charles (95 percent)

Hydrologic Group	High runoff potential
Soil Drainage Class	Moderately well drained
Corrosion Potential - Uncoated Steel	High
Depth to Restrictive Feature	

Horizon	Soil Texture	Upper Boundary	Lower Boundary	AASHTO	Unified
H1	Clay	0 cm	25 cm	A-7	CH
H2	Clay	25 cm	86 cm	A-7	CH
H3	Clay	86 cm	178 cm	A-7	CH
H4	Clay	178 cm	203 cm	A-7	CH

Beaumont (5 percent)

Hydrologic Group	High runoff potential
Soil Drainage Class	Poorly drained
Corrosion Potential - Uncoated Steel	
Depth to Restrictive Feature	

**Soils Descriptions** Fort Bend Transit Center**AASHTO Classification Definitions**

<b>A-1, A-1-a, A-1-b</b>	Granular materials (35% or less passing No. 200 sieve), silt fragments, gravel and sand
<b>A-2, A-2-4, A-2-5, A-2-6, A-2-7</b>	Granular materials (35% or less passing No. 200 sieve), silty or clayey gravel and sand
<b>A-3</b>	Granular materials (35% or less passing No. 200 sieve), fine sand
<b>A-4</b>	Silt-Clay materials (more than 35% passing No. 200 sieve), silty soils
<b>A-5</b>	Silt-Clay materials (more than 35% passing No. 200 sieve), silty soils
<b>A-6</b>	Silt-Clay materials (more than 35% passing No. 200 sieve), clayey soils
<b>A-7, A-7-5, A-7-6</b>	Silt-Clay materials (more than 35% passing No. 200 sieve), clayey soils
<b>A-8</b>	Silt-Clay materials (more than 35% passing No. 200 sieve), clayey soils

**Unified Classification Definitions**

<b>CH</b>	Fine-grained soils, silts and clays (liquid limit is 50% or more), Fat Clay
<b>CL, CL-A (proposed), CL-K (proposed), CL-ML, CL-O (proposed), CL-T (proposed)</b>	Fine-grained soils, silts and clays (liquid limit is less than 50%), Lean Clay
<b>GC, GC-GM</b>	Coarse-grained soils, Gravels, gravel with fines, Clayey Gravel
<b>GM</b>	Coarse-grained soils, Gravels, gravel with fines, Silty Gravel
<b>GP, GP-GC, GP-GM</b>	Coarse-grained soils, Gravels, clean gravels, Poorly Graded Gravel
<b>GW, GW-GC, GW-GM</b>	Coarse-grained soils, Gravels, clean gravels, Well-Graded Gravel
<b>MH, MH-A, MH-K, MH-O, MH-T</b>	Fine-grained soils, silts and clays (liquid limit is 50% or more), Elastic Silt
<b>ML, ML-A (proposed), ML-K (proposed), ML-O (proposed), ML-T (proposed)</b>	Fine-grained soils, silts and clays (liquid limit is less than 50%), Silt
<b>OH, OH-T (proposed)</b>	Fine-grained soils, silts and clays (liquid limit is 50% or more), Organic Clay or Organic Silt
<b>OL</b>	Fine-grained soils, silts and clays (liquid limit is less than 50%), Organic Clay or Organic Silt
<b>PT</b>	Highly organic soils, Peat
<b>SC, SC-SM</b>	Coarse-grained soils, Sands, sands with fines, Clayey Sand
<b>SM</b>	Coarse-grained soils, Sands, sands with fines, Silty Sand
<b>SP, SP-SC, SP-SM</b>	Coarse-grained soils, Sands, clean sands, Poorly Graded Sand
<b>SW, SW-SC, SW-SM</b>	Coarse-grained soils, Sands, clean sands, Well-Graded Sand

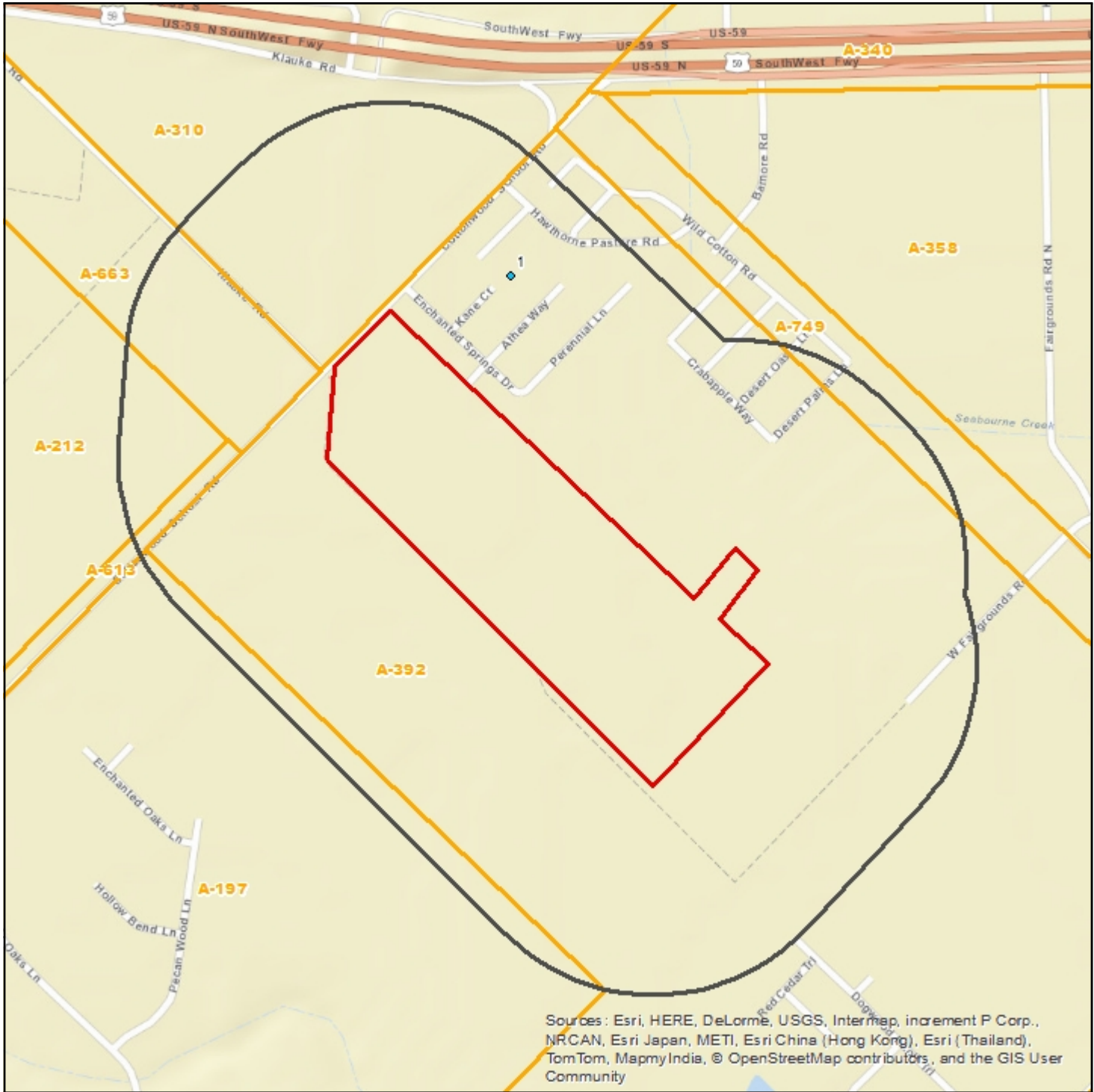
**Source**

Natural Resources Conservation Service, Soil Survey Geographic (SSURGO) Database.

**Disclaimer**

This Soils Survey from Banks Environmental Data, Inc. has searched Natural Resources Conservation Service (NRCS) and the Soil Survey Geographic Database (SSURGO). All soil data presented on the map and in the details section are based on information obtained from NRCS. Although Banks performs quality assurance and quality control on all data, inaccuracies of the data and mapped locations could possibly be traced to the source. Banks Environmental Data, Inc. cannot fully guarantee the accuracy of the SSURGO database maintained by NRCS.

# Water & Oil/Gas Wells Map - 0.25 Mile Buffer



Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

## Fort Bend Transit Center

- Single Water Well
- Water Well Cluster
- Single Oil/Gas/Other Well
- Oil/Gas/Other Well Cluster
- Water/Oil/Gas/Other Well Cluster
- Target Property
- Search Buffer
- Texas Land Survey

1 : 11,000  
 1 inch = 0.174 miles  
 1 inch = 917 feet  
 1 centimeter = 0.110 kilometers  
 1 centimeter = 110 meters



Lambert Conformal Conic Projection  
 1983 North American Datum  
 First Standard Parallel: 33° 00' 00" North  
 Second Standard Parallel: 45° 00' 00" North  
 Central Meridian: 96° 00' 00" West  
 Latitude of Origin: 39° 00' 00" North

**Water & Oil/Gas Wells** Fort Bend Transit Center

Map ID	Well ID	Owner	Well Type	Elevation
1	WIID74603	Dore Interests, Inc.	Water: Domestic	98 ft

**Source**

U.S. Geological Survey, Texas Water Development Board (GW and Submitted Driller's Report), Texas Commission of Environmental Quality (PWS), Railroad Commission of Texas (Production Data)

**Disclaimer**

This well scan from Banks Environmental Data, Inc. has included a digital search of state and federal wells currently digitized in our geospatial database. Since this scan includes only well data that is currently mapped in our geospatial database, more wells could exist within the search area. For a complete well search or to locate more details, please contact Banks to obtain a full Water Well Report or Oil & Gas Well/Pipeline Search Report. More detailed individual well records can also be obtained from Banks for an additional cost, please reference a Well ID # from this well scan.

All well locations are based on information obtained from state and federal sources. Although Banks performs quality assurance and quality control on all data, inaccuracies of the records and mapped locations could possibly be traced to the specific regulatory authority or individual well driller. Banks Environmental Data, Inc. cannot fully guarantee the accuracy of the data or well location(s) of the maps and records maintained by the state and federal agencies.

**Mapped Sites Summary** Fort Bend Transit Center



Database	Distance from Target Property	Map ID	Facility Site Name	Facility Site Address	Site Details Page #
----------	-------------------------------	--------	--------------------	-----------------------	---------------------

\*Sites are sorted by database tier, database, and distance from the target site.

PST	0.25 miles E	1	JEHOVAHS WITNESSES	400 W FAIRGROUNDS RD, ROSENBERG, TX 77471	<a href="#">19</a>
-----	--------------	---	--------------------	---	--------------------

**End of Mapped Sites Summary Section**

**Unmapped Sites Summary** Fort Bend Transit Center

Database	Facility Site Name	Facility Site Address	Site Details Page #
----------	--------------------	-----------------------	---------------------

\*Sites are sorted by database tier and database.

CER NFRAP	WESTERN AGRI VENTURE	P.O. BOX 1312, ROSENBERG, TX 77471	<a href="#">20</a>
PST	ROSENBERG RS	.125 MI W OF ROSENBERG, ROSENBERG, TX 77471	<a href="#">21</a>
PST	HENRY ONDREY	RT 1, ROSENBERG, TX 77471	<a href="#">22</a>
HW	AMERICAN TELEPHONE AND TELEGRAPH	1.8 Mi W L436860 , Rosenberg, TX	<a href="#">23</a>
RCRA	AMERICAN TELEPHONE AND TELEGRAPH COMPANY	1.8 MI W L436860, ROSENBERG, TX 77471	<a href="#">24</a>

## End of Unmapped Sites Summary Section

# Zip Code Map - 1 Mile Buffer



Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

## Fort Bend Transit Center

- Target Property
- Search Buffer
- Zip Code Boundary

1 : 23,000  
 1 inch = 0.363 miles  
 1 inch = 1917 feet  
 1 centimeter = 0.230 kilometers  
 1 centimeter = 230 meters



Lambert Conformal Conic Projection  
 1983 North American Datum  
 First Standard Parallel: 33° 00' North  
 Second Standard Parallel: 45° 00' North  
 Central Meridian: 96° 00' West  
 Latitude of Origin: 39° 00' North

**Mapped Sites Details: PST (MapID 1) Fort Bend Transit Center****PST - State/Tribal Storage Tank**

<b>Map ID #1</b>	<b>PST - State/Tribal Storage Tank</b>	<b>Source: TCEQ</b>
<b>Facility #: 0064507</b>	<b>TCEQ Customer ID: 095733</b>	<b>Banks ID: 0064507</b>
JEHOVAHS WITNESSES 400 W FAIRGROUNDS RD, ROSENBERG, TX 77471		Rel. Loc.: 0.25 miles E Elevation: 91.92 feet (+91.92)
Contact:		
<b>Facility Owner Name:</b>	JEHOVAHS WITNESSES INC	
<b>Facility Owner Address:</b>		
<b>Facility Owner City:</b>		
<b>Facility Owner State:</b>		
<b>Facility Owner Zip:</b>		
<b>Facility Contact Name:</b>	DAVID NIELSEN	
<b>Facility Contact Phone:</b>	7133410707	
<b>Facility Status:</b>	INACTIVE	
<b>Number of ASTs:</b>	0	
<b>Number of USTs:</b>	0	
<b>Total Number of Tanks:</b>		
<b>Tank #</b>	<b>#132201</b>	
<b>Status:</b>		
<b>Status Date:</b>	9/14/1995	
<b>Capacity:</b>	10000	
<b>Comments:</b>		
<b>Install Date:</b>	1/1/1987	
<b>Closure Certification Date:</b>		
<b>Above or Below Ground Tank:</b>	above	
<b>Unit ID:</b>	166835	
<b>Construction Material:</b>	Steel	
<b>Piping Material:</b>		
<b>Tank Contents:</b>	DIESEL	
<b>Automatic Tank Gauge:</b>		
<b>Inventory Control:</b>		

**End of PST Sites Section**

**Unmapped Sites Details: CER NFRAP (0603158) Fort Bend Transit Center****CER NFRAP - CERCLIS NFRAP****CER NFRAP - CERCLIS NFRAP****Source: EPA****Site ID: 0603158****EPA ID: TXD981048887****Banks ID: 0603158**

WESTERN AGRI VENTURE  
 P.O. BOX 1312, ROSENBURG, TX 77471

Contact:

**National Priority List Status:** Not on the NPL  
**Facility Type:** Not a federal facility

**Aliases:****Additional Info:** <http://cfpub.epa.gov/supercpad/cursites/calinfo.cfm?id=0603158>

<b>Action</b>	<b>Start Date</b>	<b>Completion Date</b>
DISCOVERY		1/1/1985 12:00:00 AM
ARCHIVE SITE		10/1/1985 12:00:00 AM
PRELIMINARY ASSESSMENT	10/1/1985	10/1/1985 12:00:00 AM

**End of CER NFRAP Sites Section**

## Unmapped Sites Details: PST (0017312) Fort Bend Transit Center



## PST - State/Tribal Storage Tank

## PST - State/Tribal Storage Tank

Source: TCEQ

Facility #: 0017312

TCEQ Customer ID: 055712

Banks ID: 0017312

ROSENBERG RS

.125 MI W OF ROSENBERG, ROSENBERG, TX 77471

Contact:

Facility Owner Name: AT&amp;T CORP

Facility Owner Address:

Facility Owner City:

Facility Owner State:

Facility Owner Zip:

Facility Contact Name: G TREINIES

Facility Contact Phone: 7133532411

Facility Status: INACTIVE

Number of ASTs: 0

Number of USTs: 0

Total Number of Tanks:

Tank #	#1	#2
Status:	REMOVED FROM GROUND	REMOVED FROM GROUND
Status Date:	9/11/1991	9/11/1991
Capacity:	20000	20000
Comments:		
Install Date:	1/1/1969	1/1/1969
Closure Certification Date:		
Above or Below Ground Tank:	below	below
Unit ID:		
Construction Material:		
Piping Material:		
Tank Contents:	DIESEL	DIESEL
Automatic Tank Gauge:		
Inventory Control:		

**Unmapped Sites Details: PST (0061754) Fort Bend Transit Center****PST - State/Tribal Storage Tank****Source: TCEQ****Facility #: 0061754****TCEQ Customer ID: 091865****Banks ID: 0061754**

HENRY ONDREY

RT 1, ROSENBERG, TX 77471

Contact:

**Facility Owner Name:** ONDREY HENRY JR**Facility Owner Address:****Facility Owner City:****Facility Owner State:****Facility Owner Zip:****Facility Contact Name:****Facility Contact Phone:** 7133422020**Facility Status:** INACTIVE**Number of ASTs:** 0**Number of USTs:** 0**Total Number of Tanks:****Tank #** #1**Status:****Status Date:** 5/25/1997**Capacity:** 2000**Comments:****Install Date:** 1/1/1987**Closure Certification Date:****Above or Below Ground Tank:** above**Unit ID:** 165537**Construction Material:** Steel**Piping Material:****Tank Contents:** DIESEL**Automatic Tank Gauge:****Inventory Control:****End of PST Sites Section**

**Unmapped Sites Details: HW (71299) Fort Bend Transit Center****HW - State/Tribal Hazardous Waste****HW - State/Tribal Hazardous Waste****Source: TCEQ****Register #: 71299****EPA ID: TXD980540413****Banks ID: 71299**

AMERICAN TELEPHONE AND TELEGRAPH

1.8 Mi W L436860 , Rosenberg, TX

Contact:

**Status:** INACTIVE**Waste Description:****Location Description:**

1.8 Mi W L436860, Rosenberg, TX

**Additional State ID:**

25960

**Permit Number:****Business Type:**

Corporation

**Facility Type:**

Generator

**Facility Owner Name:**

AMERICAN TELEPHONE AND TELEGRAPH COMPANY

**Facility Owner Phone:****Facility Contact Name:**

ENVIRONMENTAL CONTACT

**Facility Contact Phone:****Company Name:**

AMERICAN TELEPHONE AND TELEGRAPH COMPANY

**Operator Address:****End of HW Sites Section**

**Unmapped Sites Details: RCRA (TXD980540413) Fort Bend Transit Center**



**RCRA - RCRA**

**RCRA - RCRA** **Source: EPA**

**EPA Handler ID: TXD980540413** **Handler Sequence Number: 2** **Banks ID: TXD980540413**

AMERICAN TELEPHONE AND TELEGRAPH COMPANY

1.8 MI W L436860, ROSENBERG, TX 77471

Contact:

<b>Owner Name:</b>	AMERICAN TELEPHONE AND TELEGRAPH COMPANY
<b>Number of Owners:</b>	1
<b>Operator Name:</b>	
<b>Number of Operators:</b>	0
<b>Mailing Address:</b>	811 MAIN ST STE 939, KANSAS CITY, MO 64141
<b>Contact Name:</b>	ENVIRONMENTAL CONTACT
<b>Contact Address:</b>	811 MAIN ST STE 939, KANSAS CITY, MO 64141
<b>Contact Phone:</b>	
<b>Contact Email Address:</b>	

**Government Performance and Results Act (GPRA) Permit:** The facility does not exist on the Operating/Post-Closure Permit Baseline.

**Government Performance and Results Act (GPRA) Corrective Action:** No

**Workload Legend: L=Land Disposal I=Incineration B=Boiler/Industrial Furnace S=Storage T=Treatment**

<b>Permit Workload:</b>	-----
<b>Closure Workload:</b>	-----
<b>Post-Closure Workload:</b>	-----
<b>Subject to Corrective Action:</b>	No
<b>Subject to Corrective Action 3004:</b>	No
<b>Subject to Corrective Action Non-TSDF:</b>	No
<b>Corrective Action Workload:</b>	No
<b>Generator Status:</b>	Not a Generator
<b>Nuclear Mixed Waste Handler:</b>	No
<b>Onsite Burner Exemption:</b>	No
<b>Furnace Exemption:</b>	No
<b>Underground Injection Activity:</b>	No
<b>NAIC Description 1:</b>	
<b>NAIC Description 2:</b>	
<b>NAIC Description 3:</b>	
<b>NAIC Description 4:</b>	
<b>Federal Generator Class:</b>	Not a Generator, Verified
<b>State Generator Class:</b>	
<b>Environmental Controls in Place:</b>	No
<b>Institutional Controls in Place:</b>	No
<b>Groundwater Controls in Place:</b>	No
<b>Significant Non-Compliance:</b>	No
<b>Unaddressed Significant Non-Complier:</b>	No
<b>Addressed Significant Non-Complier:</b>	No
<b>Significant Non-Complier with Compliance Schedule:</b>	No

Enforcement Description	Responsible Enforcement Agency	Enforcement Date	Penalty Description

Evaluation Description	Responsible Agency	Evaluation Date	Violation Found

Violation Description	Violation Determined By	Violation Date	Actual Resolution Date	Scheduled Resolution Date

Hazardous Waste Description
CORROSIVE WASTE
DESCRIPTION

Continued from Previous Page

**End of RCRA Sites Section**

# Dataset Descriptions and Sources *Fort Bend Transit Center*



Dataset	Source	Dataset Description	Update Schedule	Data Requested	Data Obtained	Data Updated	Source Updated
<b>NPL -- National Priority List</b>	EPA	NPL is the list of high priority hazardous waste sites in the United States eligible for long-term remedial action financed under the federal Superfund program and CERCLIS. Also known as Superfund sites, the EPA will only add sites to the NPL list based upon completion of the Hazard Ranking System (HRS) screening, public solicitation of comments about the proposed site, and after all comments have been addressed.	Quarterly	01/18/2014	11/05/2013	11/05/2013	10/25/2013
<b>DNPL -- Delisted National Priority List</b>	EPA	DNPL is a list of all sites that have been deleted from the EPA NPL list. These sites are taken off the NPL list usually due to no further response or remedial action being required on them. Notices to delete NPL sites are published in the Federal Register and become effective unless the EPA receives significant adverse or critical comments during the 30-day public comment period.	Quarterly	01/18/2014	11/05/2013	11/05/2013	10/25/2013
<b>CER -- CERCLIS</b>	EPA	CERCLIS sites come from the Comprehensive Environmental Response, Compensation, and Liability Act, a federal law designed to clean up abandoned hazardous waste sites. These sites are either proposed, listed or under review currently to be a part of the National Priority List.	Quarterly	01/18/2014	11/05/2013	11/05/2013	10/25/2013
<b>CER NFRAP -- CERCLIS NFRAP</b>	EPA	CERCLIS sites designated 'No Further Remedial Action Planned' NFRAP have been removed from CERCLIS. NFRAP sites may be sites where, following an initial investigation, no contamination was found, contamination was removed quickly without the site being placed on the NPL, or the contamination was not serious enough to require Federal Superfund action or NPL consideration.	Quarterly	01/18/2014	11/05/2013	11/05/2013	10/25/2013
<b>RCRA COR -- RCRA CORRACTS</b>	EPA	These sites are registered hazardous waste generators or handlers that fall under the Resource Conservation and Recovery Act (RCRA) and subject to corrective action activity.	Quarterly	07/14/2014	07/14/2014	07/14/2014	07/10/2014
<b>RCRA TSD -- RCRA non-CORRACTS TSD</b>	EPA	This database lists all treatment, storage and disposal of hazardous material sites that fall under the Resource Conservation and Recovery Act (RCRA). All hazardous waste TSD facilities are required to notify EPA of their existence.	Quarterly	07/14/2014	07/14/2014	07/14/2014	07/10/2014
<b>RCRA GEN -- RCRA Generators</b>	EPA	The EPA regulates all Hazardous Waste Generators subject to the Resource Conservation and Recovery Act (RCRA). They are classified by the quantity of hazardous waste generated. A Small Quantity Generator (SQG) generates between 100kg and 1,000 kg of waste per month. A Large Quantity Generator (LQG) generates over 1,000 kg of waste per month. A Conditionally Exempt SQG (CEG) generates less than 100 kg of waste per month.	Quarterly	07/14/2014	07/14/2014	07/14/2014	07/10/2014
<b>FED BWN -- Federal Brownfields</b>	EPA	A listing of sites that assist the EPA in collecting, tracking, and updating information of sites in relation to the Small Business Liability Relief and Brownfields Revitalization Act. These sites are real property that is either abandoned or underutilized where redevelopment or expansion is complicated by real or perceived environmental contamination.	Quarterly	05/02/2014	07/08/2014	07/08/2014	07/08/2014
<b>FED IC -- Federal Institutional Control</b>	EPA	This is a listing of Brownfield Management System (BMS) sites that have had Institutional Controls (ICs) placed on them. ICs are administrative restrictions, such as legal controls, that help minimize the potential for human exposure to known contamination by ensuring appropriate land or resource use. ICs are meant to supplement Engineering Controls and will rarely be the sole remedy at a site. ICs are a type of Activity and Use Limitation (AUL).	Quarterly	05/02/2014	02/10/2014	02/11/2014	01/31/2014
<b>FED EC -- Federal Engineering Control</b>	EPA	This is a listing of Brownfield Management System (BMS) sites that have had Engineering Controls (ECs) placed on them. ECs are physical methods or modifications put into place on a site to reduce or eliminate the possibility of human exposure to known contamination. ECs are a type of Activity and Use Limitation (AUL).	Quarterly	05/02/2014	02/10/2014	02/11/2014	01/31/2014

Dataset Descriptions and Sources *Fort Bend Transit Center*

Dataset	Source	Dataset Description	Update Schedule	Data Requested	Data Obtained	Data Updated	Source Updated
ERNS -- ERNS List	EPA/National Response Center	ERNS is a national database used to store information on unauthorized releases of oil and hazardous substances that have been reported to the National Response Center since 2001. The NRC is the sole federal point of contact for reporting oil and chemical spills. Prior to 2001 this information was maintained by the EPA.	Annually	01/11/2014	05/14/2014	05/15/2014	12/31/2013
ST NPL -- State/Tribal Equivalent NPL	TCEQ	This database contains sites determined by the TCEQ that may constitute an imminent and substantial endangerment to public health and safety or to the environment due to a release or threatened release of hazardous substances into the environment.	Quarterly	07/14/2014	07/17/2014	07/17/2014	07/17/2014
ST CER -- State/Tribal Equivalent CERCLIS	NA	This database is not currently available from this state. If this state does make this database available in the future, Banks Environmental Data will obtain it for reporting purposes.	NA	N/A	N/A	N/A	N/A
SWLF -- State/Tribal Disposal or Landfill	TCEQ	The SWLF database contains records of municipal solid waste facilities that may accept various types of municipal solid waste for processing or disposal, depending on the type of facility. A Municipal Solid Waste facility may also accept certain special wastes and non-hazardous industrial solid wastes if approved by the TCEQ executive director.	Quarterly	07/16/2014	07/16/2014	07/16/2014	07/12/2014
SWLF -- State/Tribal Disposal or Landfill	TCEQ	This database is a listing of closed and abandoned municipal solid waste landfills. The sites included are either unauthorized (UNUM_) or permitted (PERMAPP_).	NA	N/A	N/A	N/A	N/A
LPST -- State/Tribal Leaking Storage Tank	TCEQ	This database contains information on leaking storage tanks, equipment failures, compliance, and releases in the state.	Quarterly	07/15/2014	05/06/2014	05/06/2014	05/06/2014
LPST -- State/Tribal Leaking Storage Tank	EPA	The Tribal LUST database (maintained by EPA Region 6) provides information on leaking underground storage tank on tribal lands in Louisiana, Arkansas, Oklahoma, New Mexico and Tribal Nations.	Quarterly	06/23/2014	07/22/2014	07/22/2014	06/25/2014
PST -- State/Tribal Storage Tank	TCEQ	This database contains information on above and underground storage tanks, compliance, and releases in the state.	Quarterly	07/15/2014	07/15/2014	07/15/2014	07/14/2014
PST -- State/Tribal Storage Tank	EPA	The Tribal UST database (maintained by EPA Region 6) provides underground storage tank information on tribal lands in Louisiana, Arkansas, Oklahoma, New Mexico and Tribal Nations.	Quarterly	06/23/2014	07/22/2014	07/22/2014	06/25/2014
ST IC -- State/Tribal Institutional Control	TCEQ	This database includes Voluntary Cleanup Program (VCP) or Innocent Operator Program (IOP) sites that have been remediated and have had Institutional Controls (ICs) placed on them. ICs are administrative restrictions, such as legal controls, that help minimize the potential for human exposure to known contamination by ensuring appropriate land or resource use.	Quarterly	04/11/2014	05/12/2014	05/12/2014	05/12/2014
ST IC -- State/Tribal Institutional Control	RRC	The Railroad Commission of Texas Voluntary Cleanup Program provides an incentive to remediate Oil & Gas related pollution by participants as long as they did not cause or contribute to the contamination.	Quarterly	04/11/2014	05/12/2014	05/12/2014	05/12/2014
ST EC -- State/Tribal Engineering Control	TCEQ	This database includes Voluntary Cleanup Program (VCP) or Innocent Operator Program (IOP) sites that have been remediated and have had Engineering Controls (ECs) placed on them. ECs are physical methods or modifications put into place on a site to reduce or eliminate the possibility of human exposure to known contamination.	Quarterly	04/11/2014	05/12/2014	05/12/2014	05/12/2014

# Dataset Descriptions and Sources *Fort Bend Transit Center*



Dataset	Source	Dataset Description	Update Schedule	Data Requested	Data Obtained	Data Updated	Source Updated
VCP -- State/Tribal Voluntary Cleanup	TCEQ	This database contains sites from both the Voluntary Cleanup Program (VCP) and the Innocent Operator Program (IOP). The VCP records contain information on contaminated sites that private parties have cleaned up through assistance from the State in the form of administrative, technical, and legal incentives. The IOP records are sites that have received certificates from the State acknowledging that their property is contaminated as a result of a release or migration of contaminants from a source or sources not located on the property, and they did not cause or contribute to the source or sources of contamination.	Quarterly	04/11/2014	05/12/2014	05/12/2014	05/12/2014
VCP -- State/Tribal Voluntary Cleanup	RRC	The Railroad Commission of Texas Voluntary Cleanup Program provides an incentive to remediate Oil & Gas related pollution by participants as long as they did not cause or contribute to the contamination.	Quarterly	04/11/2014	05/12/2014	05/12/2014	05/12/2014
ST BWN -- State/Tribal Brownfield	TCEQ	Brownfield sites are former industrial properties that lie dormant or underutilized due to liability associated with real or perceived contamination. In Texas, the TCEQ, in close partnership with the EPA and other federal, state, and local redevelopment agencies, and stakeholders, is facilitating cleanup, transferability, and revitalization of Brownfield's through the development of regulatory, tax, and technical assistance tools.	Quarterly	05/02/2014	05/12/2014	05/13/2014	05/12/2014
ST BWN -- State/Tribal Brownfield	RRC	The Railroad Commission of Texas' Voluntary Cleanup Program (RRC-VCP) provides an incentive to remediate Oil & Gas related pollution by participants as long as they did not cause or contribute to the contamination. Applicants to the program receive a release of liability to the state in exchange for a successful cleanup.	Quarterly	04/11/2014	05/11/2014	05/13/2014	05/11/2014
HW -- State/Tribal Hazardous Waste	TCEQ	This database contains information on facilities which store, process, or dispose of hazardous waste as maintained by the Industrial and Hazardous Waste Permits section of the TCEQ.	Quarterly	07/07/2014	07/07/2014	07/07/2014	06/02/2014
RCRA -- RCRA	EPA	This database lists all sites that fall under the Resource Conservation and Recovery Act (RCRA) and are not classifiable as treatment, storage, disposers of hazardous material, hazardous waste generator or subject to corrective action activity.	Quarterly	07/14/2014	07/14/2014	07/14/2014	07/10/2014
DRYC -- Dry Cleaners	TCEQ	Dry Cleaner data houses both the DCRP Program information and PERC information released by the TCEQ. The DCRP database contains records funded for state-lead clean up of dry cleaner related contaminated sites. The DCRP administers the Dry Cleaning Facility Release Fund to assist with remediation of contamination caused by dry cleaning solvents. There are two listings from this program: LIST#1 - A historic listing of any facility that registered with the DCRP indicating whether or not the facility has used Perchloroethylene (PERC) in the past. LIST#2 - A Prioritization list of dry cleaner sites Facilities on this list will be investigated in order to determine the existence and or extent of possible contamination. Facilities which are not current on their DCRP payments get dropped from the program. Banks Environmental Data DOES NOT REMOVE these listings from our database so that we may present a more complete historical listing of facilities that may or may not have used PERC in the past.	Quarterly	07/15/2014	07/15/2014	07/15/2014	07/15/2014

**Disclaimer** *Fort Bend Transit Center*

The Banks Environmental Data Regulatory Database Report was prepared based upon data obtained from State, Tribal, and Federal sources known to Banks Environmental Data at the time the data was obtained. Great care has been taken by Banks in obtaining the best available data from the best available sources. However, there is a possibility that there are sources of data applicable or pertaining to this report's target property, and/or surrounding properties, to which Banks does not have access or has not accessed. Furthermore, although Banks Environmental Data performs quality assurance and quality control on all data, including data it obtains, Banks recognizes that inaccuracies in data from these sources may, and do exist; accordingly, inaccurate data may have been used or relied upon in the preparation of this report. Even though Banks Environmental Data performs a thorough and diligent search to locate and fix any inaccuracies in the data relied upon in the preparation of this report, Banks cannot guarantee or warrant the accuracy of the locations, information, data, or report. The purchaser of this report accepts this report "as is" and assumes all risk related to any potential inaccuracy contained in the report or not reported in it, whether due to a reliance by Banks Environmental Data on inaccurate data, or for any other reason [including but not limited to the negligence or express negligence of Banks Environmental Data]. If this report is being used for the Records Review section of a Phase I Site Assessment according to the ASTM 1527-13, for EPA's All Appropriate Inquiry, or for any other purpose (public or private), all liability and responsibility is assumed by the Environmental Professional or other individual or entity acquiring the report.

**Prepared for:**

RABA KISTNER, INC.-San Antonio  
P. O. Box 690287  
San Antonio, TX 78269



# Oil and Gas Well Report

Fort Bend Transit Center

Stella Road

Klaycke Road

Rosenberg, TX

Fort Bend County

PO #: ASF14-072-01

ES-111949

Friday, August 08, 2014

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**Geographic Summary** Fort Bend Transit Center

Location	
Fort Bend County, TX	
Target location is 0.115 square miles and has a 1.71 mile perimeter	
Coordinates	
Longitude & Latitude in Degrees Minutes Seconds	NA
Longitude & Latitude in Decimal Degrees	NA
X and Y in UTM	NA
Elevation	
NA	
Zip Codes Searched	
Search Distance	Zip Codes (historical zip codes included)
Target Property	77471, 77406, 77464
0.5 miles	77471, 77406, 77464
Topos Searched	
Search Distance	Topo Name
Target Property	Richmond (1981)
0.5 miles	Richmond (1981)

# Summary Map - 0.5 Mile Buffer



Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

## Fort Bend Transit Center

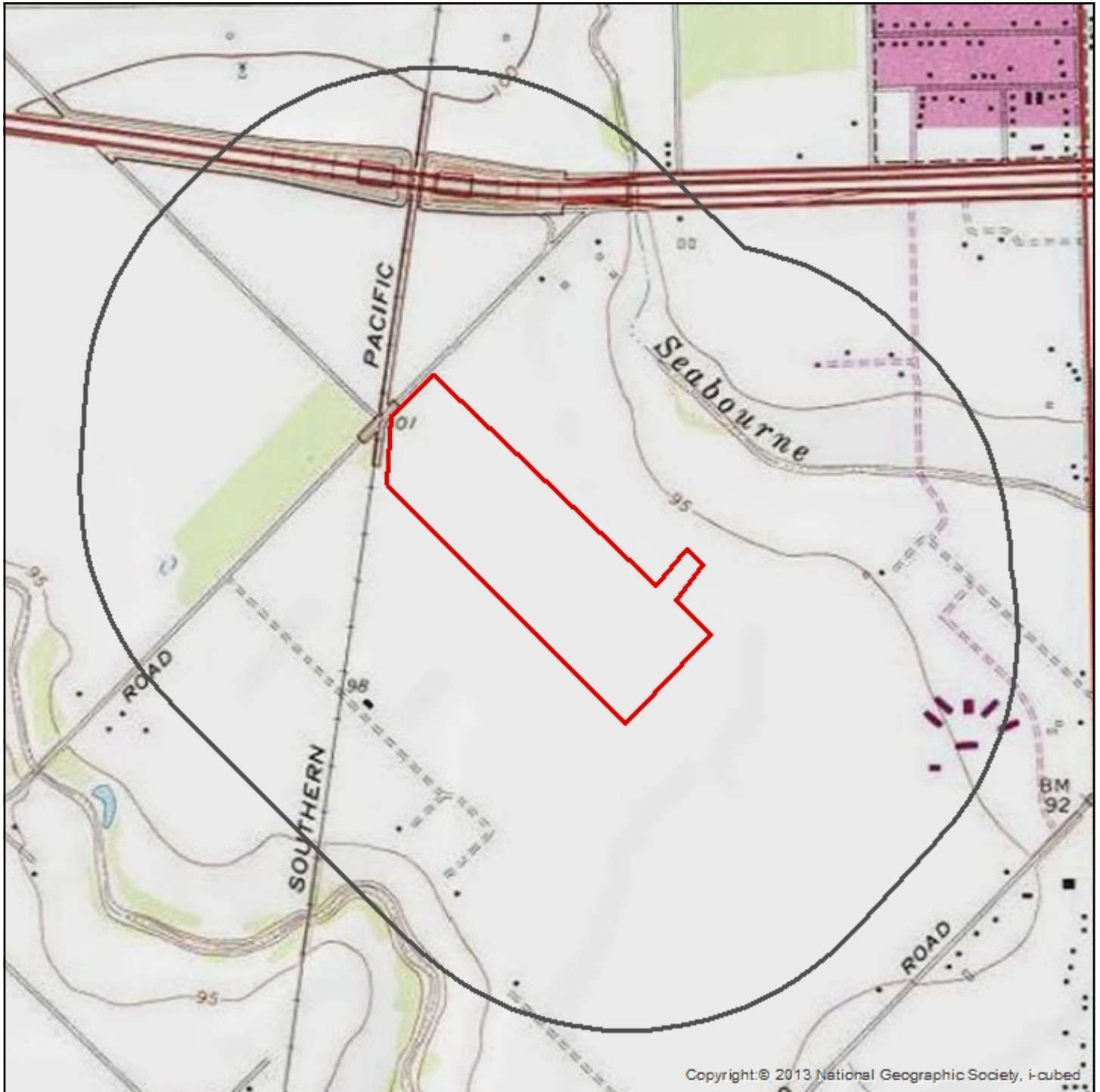
- |                   |                      |                                   |                     |
|-------------------|----------------------|-----------------------------------|---------------------|
| ▲ Well            | ○ Permitted Location | ⊗ Injection/Disposal              | □ Target Property   |
| ● Oil             | ◐ Shut-in Oil        | ⊗ Injection/Disposal from Oil     | ▭ Search Buffer     |
| ☼ Gas             | ◑ Shut-in Gas        | ⊗ Injection/Disposal from Gas     | ▭ Texas Land Survey |
| ⚡ Oil/Gas         | ◒ Sidetrack Surf.    | ⊗ Injection/Disposal from Oil/Gas |                     |
| ⊖ Dry Hole        | ⊗ Core Test          | ⊗ Canceled/Abandoned Location     |                     |
| ● Plugged Oil     | ◑ Horz. Drainhole    | BR ● Brine Mining/Oil             |                     |
| ☼ Plugged Gas     | ◑ Geothermal         | BR ☼ Brine Mining/Gas             |                     |
| ⚡ Plugged Oil/Gas | ◑ Dir. Surf. Loc.    |                                   |                     |

1 : 15,000  
 1 inch = 0.237 miles  
 1 inch = 1250 feet  
 1 centimeter = 0.150 kilometers  
 1 centimeter = 150 meters

Lambert Conformal Conic Projection  
 1983 North American Datum  
 First Standard Parallel: 33° 00' North  
 Second Standard Parallel: 45° 00' North  
 Central Meridian: 96° 00' West  
 Latitude of Origin: 39° 00' North



# Topographic Overlay Map - 0.5 Mile Buffer



## Fort Bend Transit Center

- |                   |                      |                                   |
|-------------------|----------------------|-----------------------------------|
| ▲ Well            | ○ Permitted Location | ⊗ Injection/Disposal              |
| ● Oil             | ◐ Shut-in Oil        | ⊗ Injection/Disposal from Oil     |
| ☼ Gas             | ◑ Shut-in Gas        | ⊗ Injection/Disposal from Gas     |
| ★ Oil/Gas         | ◒ Sidetrack Surf.    | ⊗ Injection/Disposal from Oil/Gas |
| ⊖ Dry Hole        | ⊗ Core Test          | ⊗ Canceled/Abandoned Location     |
| ● Plugged Oil     | ◑ Horz. Drainhole    | BR ● Brine Mining/Oil             |
| ☼ Plugged Gas     | ◒ Geothermal         | BR ☼ Brine Mining/Gas             |
| ★ Plugged Oil/Gas | ◑ Dir. Surf. Loc.    |                                   |

- Target Property
- Search Buffer

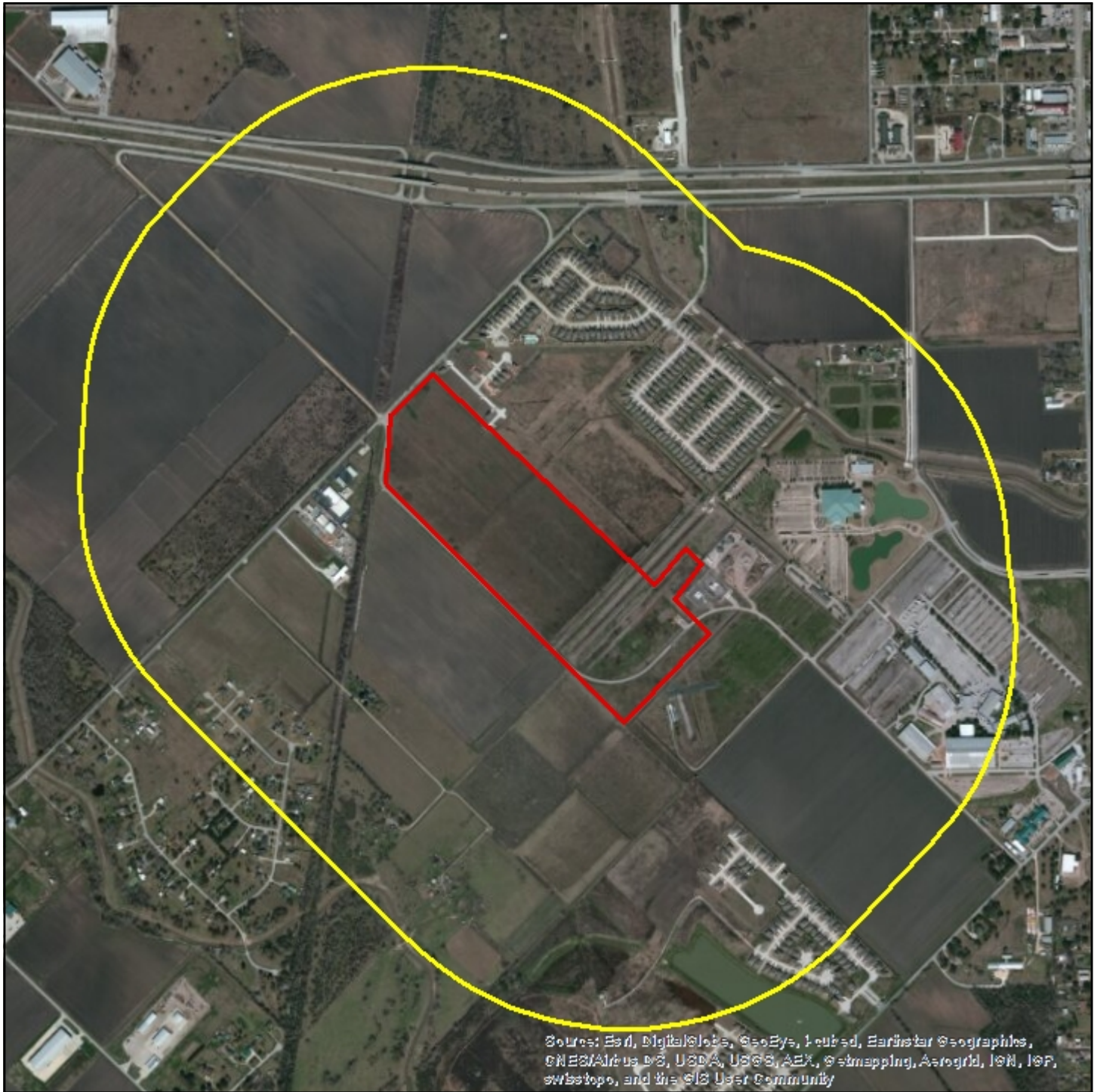
Target Property Quad Name(s)  
Richmond (1981)

1 : 15,000  
1 inch = 0.237 miles  
1 inch = 1250 feet

Lambert Conformal Conic Projection  
1983 North American Datum  
First Standard Parallel: 33° 00' North  
Second Standard Parallel: 45° 00' North  
Central Meridian: 96° 00' West  
Latitude of Origin: 39° 00' North



# Current Imagery Overlay Map - 0.5 Mile Buffer



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroX, Swmapping, AeroGRID, IGN, IGP, swisstopo, and the GIS User Community

## Fort Bend Transit Center

- |                   |                      |                                   |                   |
|-------------------|----------------------|-----------------------------------|-------------------|
| ▲ Well            | ○ Permitted Location | 🗑️ Injection/Disposal             | 📏 Target Property |
| ● Oil             | ● Shut-in Oil        | 🗑️ Injection/Disposal from Oil    | 🟡 Search Buffer   |
| ⊙ Gas             | ▲ Shut-in Gas        | 🗑️ Injection/Disposal from Gas    |                   |
| ★ Oil/Gas         | ◇ Sidetrack Surf.    | ★ Injection/Disposal from Oil/Gas |                   |
| ⚡ Dry Hole        | ⚡ Core Test          | 🗑️ Canceled/Abandoned Location    |                   |
| ● Plugged Oil     | ○ Horz. Drainhole    | 🗑️ Brine Mining/Oil               |                   |
| 🗑️ Plugged Gas    | 🗑️ Geothermal        | 🗑️ Brine Mining/Gas               |                   |
| ★ Plugged Oil/Gas | ○ Dir. Surf. Loc.    |                                   |                   |

1 : 15,000  
 1 inch = 0.237 miles  
 1 inch = 1250 feet  
 1 centimeter = 0.150 kilometers  
 1 centimeter = 150 meters

Lambert Conformal Conic Projection  
 1983 North American Datum  
 First Standard Parallel: 33° 00' 00" North  
 Second Standard Parallel: 45° 00' 00" North  
 Central Meridian: 96° 00' 00" West  
 Latitude of Origin: 39° 00' 00" North



**Banks Environmental Data performed a thorough search and no oil or gas wells were found.**

**Dataset Descriptions and Sources** *Fort Bend Transit Center*



Source	Update Schedule	Data Updated	Source Updated
Railroad Commission of Texas (Production Data), Texas Comptroller of Public Accounts	Monthly	07/18/2014	05/01/2014

**Disclaimer** *Fort Bend Transit Center*



The Banks Environmental Data Oil and Gas Well Report was prepared from existing state databases. Banks recommends obtaining the actual construction and abandonment records from the appropriate oil and gas regulatory agency to identify possible sources of surface or below surface contamination and/or identify any improperly plugged or abandoned wells that can contribute to the possible upward migration of subsurface drilling fluids. Obtaining the actual well records can provide closure for plugging questions, verify locations, or obtain missing information for many of the historical wells. Banks Environmental Data provides mapping data sets for informational purposes only. These data sets are continually being updated and refined. Although Banks performs quality assurance and quality control on all research projects, we recognize that any inaccuracies of the well locations and well data could possibly be traced to the appropriate regulatory authority. Therefore, Banks cannot guarantee the accuracy of the data or well location(s) of those maps and records maintained by the oil and gas regulatory agencies.



## **Guidance for Implementation of FTA's Categorical Exclusions (23 C.F.R. §771.118)**

### **I. Introduction**

The Federal Transit Administration (FTA) categorical exclusions (CEs), located at 23 CFR §771.118, are tailored specifically to transit projects and provide for a more straightforward and efficient environmental review process. With this guidance, FTA aims to assist FTA Regional staff and project sponsors in applying specific CEs to FTA projects. This guidance is not, however, intended to address National Environmental Policy Act (NEPA) compliance in general; questions about NEPA compliance on FTA projects should be directed to FTA Regional staff.

### **II. Background**

Per the Council on Environmental Quality's (CEQ's) "Establishing, Applying, and Revising Categorical Exclusions under the National Environmental Policy Act" guidance (Dec. 2010), the CEs in 23 CFR section 771.118 are presented as general categories that include limitations, as appropriate, and provide an informative (but not exhaustive) list of examples. CEs added to section 771.118 pursuant to the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21) do not follow the same format because they were created pursuant to specific statutory criteria.

Section 771.118 is reserved exclusively for FTA actions; section 771.117 is reserved exclusively for Federal Highway Administration (FHWA) actions, and CEs listed in 23 CFR section 771.117 should no longer be used for FTA's actions on projects.

The contents of section 771.118 follow a similar format as FHWA section 771.117 by having a c-list (found at 23 CFR section 771.118(c)) and a d-list (found at 23 CFR section 771.118(d)) that include categorically excluded routine actions and those actions that require limited documentation, respectively. Section 771.118 is organized as follows: paragraph (a) describes and defines CE actions; paragraph (b) explains "unusual circumstances"; paragraph (c) contains FTA categorically excluded actions; paragraph (d) contains examples of actions that may be categorically excluded under section 771.118(d); and, paragraph (e) addresses the addition of new CEs in the future.

### **III. Applicability and Documentation**

The list of CEs in section 771.118(c) focuses on actions most applicable to FTA. It is FTA's responsibility to determine whether the action described by the grant applicant ("applicant") falls within the CE category (i.e., the action meets all conditions listed in the CE), whether the action is impermissibly segmented from a larger project, and whether there are unusual circumstances (e.g., substantial controversy on environmental grounds, significant impact to properties protected by Section 4(f) of the US DOT Act or Section 106 of the National Historic Preservation Act) that would make a CE determination inappropriate.

Grant applicants should include sufficient information for FTA to make a CE determination. A description of the project in the grant application, as well as any maps or figures typically included with the application or as requested by the FTA Regional Office, will normally be sufficient for FTA to

determine whether the CE applies. This information submitted through the normal grant application process does not mean an action that otherwise meets the conditions for a CE under section 771.118(c) needs to be converted to a section 771.118(d) action. Given the nature of the CEs listed under section 771.118(c), documentation demonstrating compliance with environmental requirements other than NEPA, such as Section 106 of the National Historic Preservation Act ("Section 106"), or Section 7 of the Endangered Species Act, may be necessary for the processing of the grant. The required supporting documentation can be included with the grant in FTA's grant management software (i.e., TEAM), which is preferred, or kept in the FTA Regional Office's project files. Other applicable environmental requirements must be met regardless of the applicability of the CE under NEPA, but compliance with other environmental requirements does not elevate an action that otherwise is categorically excluded under section 771.118(c) to section 771.118(d). See Section VI for more information regarding "Consideration of Other Environmental Requirements."

Section 771.118(d), which is an open-ended categorical exclusion authority, lists example actions and requires documentation to verify the application of a CE is appropriate (i.e., the action meets the criteria established in Sections 771.118(a) and (b)). The list of examples is particularly helpful for those actions that do not meet the conditions of CEs found in section 771.118(c).

A CE must capture the entire proposed action, which includes all connected actions (see CEQ, "Final Guidance on Establishing, Applying, and Revising Categorical Exclusions under NEPA," 75 FR 75628, 75632, Dec. 6, 2010). The requirement that a project demonstrates independent utility, connects logical termini, and does not restrict consideration of alternatives reflects FTA's test for determining the full scope of a project for NEPA review purposes and avoiding impermissible segmentation. This does not prohibit the construction of a transportation facility in phases, so long as the project scope reviewed under NEPA meets the test described above. Typically, the documentation expectations described above will be sufficient to demonstrate impermissible segmentation is not occurring, but in some instances, additional information may be needed.

If an action could fall under multiple CEs listed at section 771.118(c) due to their broad nature and/or one or more of the examples under section 771.118(d), then choose the best option (i.e., the CE that most closely fits the proposed activities) for the particular project in consultation with the FTA Regional Office. Preventative maintenance is one such example. There are many different types of preventative maintenance, and different types might qualify under different CEs. The CEs at section 771.118(c)(4), (c)(7), (c)(8), and (c)(15), for example, might all apply to some aspects of preventative maintenance, but there are also other CEs (e.g., the MAP-21-based CEs) that could potentially apply as well. For example, a project to rehabilitate vehicles that will be accommodated by the existing facilities is best described under section 771.118(c)(7), and it would be better to use that particular CE in that case, even though the project also could be covered by section 771.118(c)(13). Ultimately, the selected CE must cover all aspects of the proposed project's scope, and the project description should include all project elements.

#### IV. Section 771.118(c)

##### Utility and Similar Appurtenance Action

*(1) Acquisition, installation, operation, evaluation, replacement, and improvement of discrete utilities and similar appurtenances (existing and new) within or adjacent to existing transportation right-of-way, such as: utility poles, underground wiring, cables, and information systems; and power substations and utility transfer stations.*

This CE applies to utility-related activities when limited in scope and within or directly adjacent to the property considered the traditional transportation right-of-way. "Discrete utilities" are those that are separate and independent from a larger transit project or other larger project, such as the modernization of an entire rail transit line that includes station expansions or station redesign for improved access.

The traditional transportation right-of-way will likely have been disturbed by prior installation of utilities, and activities occurring there would have little potential for significant environmental impact. This CE covers utility activities occurring within the boundaries of the right-of-way, and utility activities that may extend onto adjacent property, as well as utility-related activities (e.g., landscaping or re-vegetation) occurring within the boundaries of the right-of-way or on immediately adjacent property. Ownership of the utility is not a factor in determining the application of this CE, however. For example, a utility company may own an easement on the transportation right-of-way; an FTA utility action on the easement would require FTA NEPA approval, but if the utility company performs non-FTA-related work within its easement, no FTA NEPA approval is needed. This CE does not, however, relieve the project sponsor of giving notice to property owners where a new utility easement may be needed. If property rights are to be acquired for a utility project and the action complies with the conditions in this CE, it is still necessary to give the property owners notice early in the process, pursuant to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 ("Uniform Relocation Act").

Additional examples of activities that could be covered by this CE include: catenary and signal work, given that these activities are substantially similar to the listed examples; and, maintenance and rehabilitation activities, as the environmental impacts of these activities are likely the same or less than an "improvement."

##### Pedestrian or Bicycle Action

*(2) Acquisition, construction, maintenance, rehabilitation, and improvement or limited expansion of stand-alone recreation, pedestrian, or bicycle facilities, such as: a multiuse pathway, lane, trail, or pedestrian bridge; and transit plaza amenities.*

This CE covers the expansion of existing recreational, pedestrian, or bicycle facilities, as well as acquisition, construction, maintenance, rehabilitation, and improvements of stand-alone recreation, pedestrian, or bicycle facilities. This CE is not limited to recreational facilities. FTA uses the term "stand-alone" to mean a facility that is capable of operating independently. For example, facilities that are part

of a larger proposed project that has significant environmental impacts cannot be approved as a CE; the entire project would need to be evaluated with an environmental impact statement. "Transit plaza amenities" are those features of a facility that add to its desirability as viewed by the traveling public (e.g., wayfinding signs, bike lockers, ticket vending machines, benches, and landscaping).

FTA expects that actions occurring under this CE would have minor construction effects. FTA project sponsors usually construct these types of facilities in urbanized areas where sensitive habitat is not impacted. If sensitive habitat may be impacted, then that could be an unusual circumstance that would likely require FTA and the applicant to conduct appropriate environmental studies under section 771.118(b)(1) to determine whether the CE classification is proper.

Additional examples of activities that could be covered by this CE include ferry terminal passenger overhead loading structures because these structures are virtually synonymous with "pedestrian bridge."

#### Environmental Mitigation or Stewardship Activity

*(3) Activities designed to mitigate environmental harm that cause no harm themselves or to maintain and enhance environmental quality and site aesthetics, and employ construction best management practices, such as: noise mitigation activities; rehabilitation of public transportation buildings, structures, or facilities; retrofitting for energy or other resource conservation; and landscaping or re-vegetation.*

This CE covers environmental mitigation activities, as well as those activities that enhance environmental quality (sometimes referred to as "environmental stewardship" activities). The activities need to be eligible for FTA assistance; and therefore, would be limited by FTA's funding program requirements, in addition to the other conditions listed in the CE language (i.e., mitigate environmental harm and cause no harm themselves or maintain and enhance environmental quality and site aesthetics, and employ construction best management practices).

Additional examples of activities covered by this CE could include:

- Maintenance and rehabilitation of historic transportation facilities that may be adversely affected by the project;
- Replacement of in-water creosote-treated timber piles, berthing, and other structures, as this constitutes rehabilitation of public transportation buildings, structures, or facilities;
- Stormwater management activities designed to mitigate environmental harm;
- Roof replacement to the extent it fits within the CE's limitations; and,
- Rehabilitation of bridges and viaducts if they are considered public transportation structures.

#### Planning and Administrative Activity

*(4) Planning and administrative activities which do not involve or lead directly to construction, such as: training, technical assistance and research; promulgation of rules, regulations, directives, or*

*program guidance; approval of project concepts; engineering; and operating assistance to transit authorities to continue existing service or increase service to meet routine demand.*

This CE covers routine administrative, engineering, and analytical functions that do not have an environmental impact. These activities are often office-related and, while they may be frequent, are generally environmentally benign.

Note that geotechnical work has limited applicability under this CE. Some geotechnical work (such as the use of ground penetrating radar) could be approved under this CE as long as it does not involve construction or lead directly to construction. However, invasive work, such as soil borings or archeological test digs, would not be covered under this CE.

#### Action Promoting Safety, Security, Accessibility

*(5) Activities, including repairs, replacements, and rehabilitations, designed to promote transportation safety, security, accessibility and effective communication within or adjacent to existing right-of-way, such as: the deployment of Intelligent Transportation Systems and components; installation and improvement of safety and communications equipment, including hazard elimination and mitigation; installation of passenger amenities and traffic signals; and retrofitting existing transportation vehicles, facilities or structures, or upgrading to current standards.*

This CE applies to stand-alone projects, such as the installation of communications equipment along an existing line, and may not be an element impermissibly segmented from a larger project, such as construction of a new transit line that includes installation of communication equipment.

Additional examples of activities covered by this CE could include installation of fencing, signs, pavement markings, and small passenger shelters as these activities promote transportation safety, security, accessibility, and effective communication. This CE does not extend to all safety actions, however. For example, closing a railroad crossing for safety reasons would not be eligible for this CE.

#### Acquisition, Transfer of Real Property Interest

*(6) Acquisition or transfer of an interest in real property that is not within or adjacent to recognized environmentally sensitive areas (e.g., wetlands, non-urban parks, wildlife management areas) and does not result in a substantial change in the functional use of the property or in substantial displacements, such as: acquisition for scenic easements or historic sites for the purpose of preserving the site. This CE extends only to acquisitions and transfers that will not limit the evaluation of alternatives for future FTA-assisted projects that make use of the acquired or transferred property.*

This CE covers cases where the property is acquired and remains essentially unchanged from its previous use until NEPA is completed for the future FTA-assisted project that may make use of the property. Note that acquiring property pursuant to this CE must not limit the evaluation of alternatives

when the future FTA-assisted project is evaluated in the FTA environmental review process, which must allow for the possibility that the property will not be used for the project. The purchase must also comply with Uniform Relocation Act requirements and must be allowable as an exception to the general prohibition on property acquisition prior to a NEPA finding located at 23 CFR section 771.113.

FTA uses the phrase “Acquisition or transfer of an interest in real property” to mean the act of purchasing or otherwise acquiring a property right (e.g., absolute ownership, trackage right, easement, leasing, etc.). Note that similar CEs covering property acquisition in section 771.118(d)(3) and (d)(4) would allow property acquisition (real property for hardship or protective purposes or right-of-way, respectively) without these limitations but would require documentation under section 771.118(d) to demonstrate that the CE applies. The “functional use” qualifying criterion is included because any change in the functional use of the property, if FTA-assisted, would disqualify the use of this CE for the acquisition. The reference to “scenic easements or historic sites” (for preserving the site) provides examples of special cases where this CE might apply. Other examples could be the acquisition of right-of-way for later utility work or construction staging areas.

An activity not covered by this CE is disposal of property the transit agency owns, even if there is an FTA financial interest due to a past grant(s). This is not a FTA action for purposes of NEPA because FTA does not exercise sufficient control over these actions. Instead, disposition actions by transit agencies of their own property are governed by FTA rules (see Circular 5010.1D) that protect FTA’s investment in transit.

For joint development projects funded with FTA grants, see section 771.118(c)(10).

#### Acquisition, Maintenance of Vehicles/Equipment

*(7) Acquisition, installation, rehabilitation, replacement, and maintenance of vehicles or equipment, within or accommodated by existing facilities, that does not result in a change in functional use of the facilities, such as: equipment to be located within existing facilities and with no substantial off-site impacts; and vehicles, including buses, rail cars, trolley cars, ferry boats and people movers that can be accommodated by existing facilities or by new facilities that qualify for a categorical exclusion.*

This CE focuses on activities associated with public transportation vehicles and equipment to improve operations and the transit riding experience. Installation of equipment under this CE would only be covered if it did not have substantial off-site impacts.

The phrase “located within existing facilities” means equipment located within a property that is already dedicated to a transportation function or within an existing building. FTA uses the phrase “that can be accommodated by existing facilities or by new facilities” to mean that the existing facilities have sufficient excess capacity to accommodate the vehicles, or, if the transit vehicles require new facilities, the new facilities also meet the requirements for the categorical exclusion. If the new facilities required by the new vehicles are part of a larger undertaking and require the use of either a CE under section

771.118(d), an environmental assessment (EA), or an environmental impact statement (EIS), the vehicle acquisition would be evaluated as part of that larger project.

#### Maintenance, Rehabilitation, Reconstruction of Facilities

*(8) Maintenance, rehabilitation, and reconstruction of facilities that occupy substantially the same geographic footprint and do not result in a change in functional use, such as: improvements to bridges, tunnels, storage yards, buildings, stations, and terminals; construction of platform extensions, passing track, and retaining walls; and improvements to tracks and railbeds.*

This CE covers maintenance, rehabilitation, and reconstruction of certain facilities as long as the facilities occupy substantially the same geographic footprint (all areas already affected by the direct impacts of the facility) and the functional use of the facility is unchanged. The original construction of the facility would have been previously evaluated under NEPA. Note an improvement to the facility is not a change in functional use. For example, when a transit center is rehabilitated under this CE, it may be improved by incorporating the latest communications and passenger information technologies. If the transit center's function is changed by converting it into a bus maintenance facility, then it would not qualify under this CE.

Additional examples of activities covered by this CE could include ferry terminals, transit infrastructure rehabilitation, and specific aspects of rehabilitation or reconstruction activities, such as renewal and/or component repair. An applicant and the FTA Regional Office should discuss the project and its class of action early in the environmental review/project development process.

Regarding pre-award authority, applicants may incur costs under pre-award authority for projects that clearly meet the criteria for this CE, however, if a project is subsequently found not to qualify as a CE, it will be ineligible for FTA assistance. Any grant applicant that is concerned that a project may not clearly qualify as a CE is strongly encouraged to contact FTA's Regional Office for assistance in determining the appropriate environmental review process and level of documentation necessary.

#### Assembly or Construction of Facilities

*(9) Assembly or construction of facilities that is consistent with existing land use and zoning requirements (including floodplain regulations), and uses primarily land disturbed for transportation use, such as: buildings and associated structures; bus transfer stations or intermodal centers; busways and streetcar lines or other transit investments within areas of the right-of-way occupied by the physical footprint of the existing facility or otherwise maintained or used for transportation operations; and parking facilities.*

This CE focuses on construction of facilities that is in keeping with existing land use and zoning requirements and primarily uses land disturbed for transportation uses. The phrase "uses primarily land previously disturbed for transportation use" does not prohibit a negligible amount of land in its natural state from being impacted by the proposed action. Thus, projects functionally similar to those listed

(such as electric trolleybus lines) and requiring minor right-of-way acquisition may still be covered by the CE as long as “unusual circumstances” would not result.

Busways, streetcar lines, and other transit investments have the potential to result in significant impacts (e.g., noise and vibration, Section 106). Thus, particular attention must be paid to the conditions found in this CE. Documentation is likely to be requested by the FTA Regional Office when pursuing a categorical exclusion for these larger investments in order to support the CE finding. An applicant and the FTA Regional Office should discuss the project and its class of action early in the environmental review/project development process.

Regarding pre-award authority, applicants may incur costs under pre-award authority for projects that clearly meet the criteria for this CE, however, if a project is subsequently found not to qualify for this CE, it will be ineligible for FTA assistance. Any grant applicant that is concerned that a project may not clearly qualify as a CE is strongly encouraged to contact FTA’s Regional Office for assistance in determining the appropriate environmental review process and level of documentation necessary.

#### Joint Development of Facilities

*(10) Development of facilities for transit and non-transit purposes, located on, above, or adjacent to existing transit facilities, that are not part of a larger transportation project and do not substantially enlarge such facilities, such as: police facilities, daycare facilities, public service facilities, amenities, and commercial, retail, and residential development.*

This CE applies to those activities taking place within or at a public transportation facility that do not substantially expand the footprint. Note, the CE is not limited to public service facilities and amenities, such as government offices, but also includes commercial, retail, and residential facilities. An applicant and the FTA Regional Office should discuss the project and its class of action early in the environmental review/project development process.

The development of these facilities must not adversely impact transit operations or safety. MAP-21 provided FTA with new authority for enforcing operating and safety constraints, but the environmental review process is not FTA’s mechanism for the enforcement. If the applicant has potential operations or safety issues, the applicant should contact the FTA Regional Office or the FTA Safety Office (located in Washington, D.C.).

Regarding pre-award authority, applicants may incur costs under pre-award authority for projects that clearly meet the criteria for this CE, however, if a project is subsequently found not to qualify as a CE, it will be ineligible for FTA assistance. Any grant applicant that is concerned that a project may not clearly qualify as a CE is strongly encouraged to contact FTA’s Regional Office for assistance in determining the appropriate environmental review process and level of documentation necessary.

For more information on Joint Development, see [72 FR 5788](#) for FTA’s Joint Development Guidance and [http://www.fta.dot.gov/about\\_FTA\\_11011.html](http://www.fta.dot.gov/about_FTA_11011.html) for Joint Development Frequently Asked Questions.

### Emergency Recovery Actions

*(11) The following actions for transportation facilities damaged by an incident resulting in an emergency declared by the Governor of the State and concurred in by the Secretary, or a disaster or emergency declared by the President pursuant to the Robert T. Stafford Act (42 U.S.C. 5121):*

- (i) Emergency repairs under 49 U.S.C. 5324; and*
- (ii) The repair, reconstruction, restoration, retrofitting, or replacement of any road, highway, bridge, tunnel, or transit facility (such as a ferry dock or bus transfer station), including ancillary transportation facilities (such as pedestrian/bicycle paths and bike lanes), that is in operation or under construction when damaged and the action:*

*(A) Occurs within the existing right-of-way and in a manner that substantially conforms to the preexisting design, function, and location as the original (which may include upgrades to meet existing codes and standards as well as upgrades warranted to address conditions that have changed since the original construction); and*

*(B) Is commenced within a 2-year period beginning on the date of the declaration.*

This CE was created pursuant to MAP-21 and applies to emergency recovery actions. Paragraph (i) specifically covers activities under the Public Transportation Emergency Relief Program (49 U.S.C. section 5324) such as public transportation capital projects and operating assistance related to emergencies, including natural disasters.

Paragraph (ii) mostly tracks the language found in section 1315 of MAP-21, though the language was expanded to include public transportation facilities. Under paragraph (ii), the transit facilities are not limited to ferry docks or bus transfer stations, and the ancillary transportation facilities are not limited to pedestrian/bicycle paths or bike lanes. Rather, examples were provided in those two cases, but the list of examples is not exhaustive. The application of the CE is limited by the conditions specified in the text of the CE. For example, the recovery work would need to occur within existing right-of-way, substantially conform to the preexisting design, function, and location (though upgrades to current standards or codes may occur), and be commenced within two years of the declaration.

### Action within Existing Operational Right-of-Way

*(12) Projects, as defined in 23 U.S.C. 101, that would take place entirely within the existing operational right-of-way. Existing operational right-of-way refers to right-of-way that has been disturbed for an existing transportation facility or is maintained for a transportation purpose. This area includes the features associated with the physical footprint of the transportation facility (including the roadway, bridges, interchanges, culverts, drainage, fixed guideways, mitigation areas, etc.) and other areas maintained for transportation purposes such as clear zone, traffic control signage, landscaping, any rest areas with direct access to a controlled access highway, areas maintained for safety and security of a transportation facility, parking facilities with direct access to an existing transportation facility, transit power substations, transit venting structures, and transit*

*maintenance facilities. Portions of the right-of-way that have not been disturbed or that are not maintained for transportation purposes are not in the existing operational right-of-way.*

This CE was created pursuant to MAP-21, and applies to actions taking place within existing operational right-of-way (ROW). FTA interprets the phrase “existing operational right-of-way” as the ROW “that has been disturbed for an existing transportation facility or is maintained for a transportation purpose.” A transportation facility must already exist at the time of the proposed project’s review when being considered for this CE. FTA may need to see evidence that the area was disturbed for a transportation facility if staff are not familiar with the area or are unable to make that determination using online mapping tools, etc. The term “transportation facility” refers to an existing surface transportation facility or structure, and includes bicycle and pedestrian facilities.

The phrase “maintained for a transportation purpose” includes areas that may not be traditionally considered a transportation facility but are maintained to serve a transportation purpose for an existing transportation facility such as clear zones and areas for safety and security of the transportation facility. A transportation facility that has fallen into disuse may require an assessment to determine if it is still being maintained for a transportation purpose and, therefore, qualifies as an operational right-of-way. Regarding the term “maintained,” applicants do not need to develop or engage in regular maintenance actions within these areas to ensure they become part of the existing operational right-of-way in the future. Natural methods of managing roadside vegetation, clear zones, and areas necessary for maintaining the safety and security of a transportation facility are covered. But “maintained” does not cover uneconomic remnants or excess right-of-way, or parcels that are acquired and held for a future transportation project.

When a proposed project would be located on property acquired for a future project but simply held in perpetuity with no associated transportation use, this CE does not apply; a transportation facility must already exist at the location where the proposed project will be built. Areas acquired and held as part of a transportation corridor for a future project would not constitute an existing operational right-of-way. Utility use and occupancy agreements, and other real property interests that are not maintained for existing transportation purposes would not be part of the existing operational right-of-way.

Public transportation facilities often have non-contiguous features that are part of a transportation system and are, therefore, part of the operational right-of-way. Examples include substations, including transit power substations, transit maintenance yards, transit venting structures, and parking facilities, which includes both surface lots and parking structures.

Mitigation sites, such as wooded areas mitigating impacts of highways on historic districts, noise walls, and buffer zones used for transportation safety purposes are part of the operational right-of-way. However, consideration of unusual circumstances and compliance with other environmental laws may trigger the need to identify substitute mitigation or compensatory measures, as appropriate (i.e., using mitigation areas for a new project may trigger other actions to meet the original mitigation commitments).

The final project must be entirely within the operational ROW, but the CE accounts for all connected actions. Temporary work taking place outside an operational right-of-way, including work under temporary easements, is covered by the CE as long as the work is necessary for the construction of the project and the final project is entirely within the existing operational ROW. As such, temporary easements and work are subject to review for any unusual circumstances. However, the CE does not apply to the construction of a permanent project within an area acquired through a temporary easement for the construction of past projects; temporary easements terminate once the original project is completed and, therefore, cannot be considered “existing” transportation facilities when a new project is being evaluated.

Applicants may incur costs under pre-award authority for projects that clearly meet the criteria for this CE; however, if a project is subsequently found not to qualify as a CE, it will be ineligible for FTA assistance. Any grant applicant that is concerned that a project may not clearly qualify as a CE is strongly encouraged to contact FTA’s Regional Office for assistance in determining the appropriate environmental review process and level of documentation necessary.

#### Action with Limited Federal Funding

*(13) Federally-funded projects:*

*(i) That receive less than \$5,000,000 of Federal funds; or*

*(ii) With a total estimated cost of not more than \$30,000,000 and Federal funds comprising less than 15 percent of the total estimated project cost.*

This CE was created pursuant to MAP-21, Section 1317. The action has to involve some level of Federal assistance in order to qualify for the CE. Projects not funded with Federal funds but requiring other forms of approvals from the Agencies do not qualify for this CE. Federal funding alone is not a reliable indicator of the significance of the environmental impacts associated with a project. The uniqueness of this CE (that is, a CE determination based on dollar thresholds instead of a particular scope or description of the action) makes the consideration of unusual circumstances particularly important. FTA must ensure that projects receiving Federal funds below the established thresholds are not processed as CEs when unusual circumstances warrant another level of NEPA review.

Because this CE is dependent on a funding threshold, it is important to obtain accurate cost estimates and to carefully evaluate whether application of this CE is appropriate, especially when a project’s cost estimate is close to the established threshold. If the amount of Federal funds increases for the project beyond the established threshold, and if there is still an FTA action that needs to be taken when these changes occur, re-evaluation would be triggered. Prior to any request for further approvals or grants (including approval of project plans, specifications, or estimates), the applicant and FTA need to consult in order to determine whether the CE designation remains valid. This CE does not provide for inflation considerations or for small cost increases beyond the regulatory thresholds.

Applicants may incur costs under pre-award authority for projects that clearly meet the criteria for this CE; however, if a project is subsequently found not to qualify as a CE, it will be ineligible for FTA assistance. Any grant applicant that is concerned that a project may not clearly qualify as a CE is strongly encouraged to contact FTA's Regional Office for assistance in determining the appropriate environmental review process and level of documentation necessary.

#### Bridge Removal and Related Activities

*(14) Bridge removal and bridge removal related activities, such as in-channel work, disposal of materials and debris in accordance with applicable regulations, and transportation facility realignment.*

This CE addresses bridge removal, specifically, which is related to the example at section 771.118(d)(2) (bridge replacement or rail grade separation). Although a bridge is removed or temporarily taken out of service during a bridge replacement project, this CE covers actions that remove a bridge permanently and the resulting change to the associated transportation network. In addition to the bridge removal action itself, it is likely that the transportation facility to and from the bridge would need to be realigned, materials and debris would need to be disposed of in an approved manner per applicable regulations, and in-channel work performed to remove piers or reduce pier height for safer in-water navigation when conducting a complete bridge removal. Any in-water work, including whether to leave piers in place rather than remove them due to cost considerations or environmental considerations (e.g., avoidance of exposure in cases of contaminated sediments and other CWA considerations), is determined through discussions with stakeholders, permitting agencies, and project engineers.

#### Preventative Maintenance of Culverts/Channels

*(15) Preventative maintenance, including safety treatments, to culverts and channels within and adjacent to transportation right-of-way to prevent damage to the transportation facility and adjoining property, plus any necessary channel work, such as restoring, replacing, reconstructing, and rehabilitating culverts and drainage pipes; and, expanding existing culverts and drainage pipes.*

This CE is limited to culvert and channel maintenance within or adjacent to the transportation right-of-way in order to preserve the functionality of the culverts and channels, and to prevent damage to the transportation facility and adjoining property. The intent of this CE is to focus on rainwater conveyance methods that can be useful in preventing future flooding at transit facilities; this CE does not extend to drainage facilities. If grantees would like to pursue stormwater management activities (including treatment) outside the scope of this CE, FTA recommends considering the use of the CEs at section 771.118(c)(3) or section 771.118(d).

Actions falling under this CE could be performed on an on-going, but as-needed basis to maintain the continued operation of the structure.

### Geotechnical and Other Similar Investigations

*(16) Localized geotechnical and other investigations to provide information for preliminary design and for environmental analyses and permitting purposes, such as drilling test bores for soil sampling; archeological investigations for archeology resources assessment or similar survey; and wetland surveys.*

The focus of this CE is on geotechnical and other subsurface investigations that involve ground disturbance and inform preliminary engineering, environmental analyses, and permitting. Geotechnical and other investigations may be needed, for example, to determine the suitability of a location for a project but the project itself is not ripe for analysis. The CE applies when there is a Federal action involved or when Federal-aid is used for these preliminary study actions. It is not intended to federalize actions taken by the applicants in furtherance of their applications without the use of Federal funds.

#### **V. Section 771.118(d)**

### Highway Modernization

*(1) Modernization of a highway by resurfacing, restoration, rehabilitation, reconstruction, adding shoulders, or adding auxiliary lanes (e.g., parking, weaving, turning, climbing).*

This has been a longstanding CE; it mirrors the language found at section 771.117(d)(1). The language of the example in section 771.118(d)(1) is written to cover the conversion of existing auxiliary lanes or shoulders to a transit purpose, not general purpose travel lanes, but it is only an example, and other similar projects could potentially be categorically excluded if a reasonable amount of documentation can show there is no potential for significant environmental impacts. Note, section 771.118(c)(9) can be used for busways, if the conditions in the CE language are met.

### Bridge Replacement or Rail Grade Separation

*(2) Bridge replacement or the construction of grade separation to replace existing at-grade railroad crossings.*

This has also been a longstanding CE, though originally worded differently (see section 771.117(d)(3)). Under this CE, environmental documentation is required for bridge projects involving new construction or reconstruction of a bridge, or to replace existing at-grade railroad crossings (sec. 771.118(d)(2)). Documentation is required to demonstrate that the CE would apply and that no significant environmental impacts would result.

Note bridge rehabilitation and maintenance activities, which would have no anticipated significant environmental impacts, are covered by section 771.118(c)(8) and under normal circumstances do not require additional NEPA documentation.

### Hardship or Protective Property Acquisition

*(3) Acquisition of land for hardship or protective purposes. Hardship and protective buying will be permitted only for a particular parcel or a limited number of parcels. These types of land acquisition qualify for a CE only where the acquisition will not limit the evaluation of alternatives, including shifts in alignment for planned construction projects, which may be required in the NEPA process. No project development on such land may proceed until the NEPA process has been completed.*

*(i) Hardship acquisition is early acquisition of property by the applicant at the property owner's request to alleviate particular hardship to the owner, in contrast to others, because of an inability to sell his property. This is justified when the property owner can document on the basis of health, safety or financial reasons that remaining in the property poses an undue hardship compared to others.*

*(ii) Protective acquisition is done to prevent imminent development of a parcel which may be needed for a proposed transportation corridor or site. Documentation must clearly demonstrate that development of the land would preclude future transportation use and that such development is imminent. Advance acquisition is not permitted for the sole purpose of reducing the cost of property for a proposed project.*

This has also been a longstanding CE; the language found here mirrors the language found at section 771.117(d)(12). Protective acquisitions may be based on economic reasons, as well as other reasons, such as precluding future transportation use and imminent development. Whether an applicant wants to pursue a hardship or protective property acquisition, FTA must evaluate whether the conditions are met.

#### Acquisition of Right-of-Way

*(4) Acquisition of right-of-way. No project development on the acquired right-of-way may proceed until the NEPA process for such project development, including the consideration of alternatives, has been completed.*

Pursuant to MAP-21, Section 20016 and the associated changes to 49 U.S.C. § 5323, section 771.118(d)(4) was expanded from early acquisition authority of railroad right-of-way to any right-of-way needed for a transit project (i.e., "railroad" was deleted). Despite the expansion to any right-of-way needed for a transit project, the conditions found in Sections 771.118(a) and (b) must be met in order to qualify for a CE.

#### (5) Reserved

#### Facility Modernization

*(6) Facility modernization through construction or replacement of existing components.*

Facility modernization projects that do not meet the conditions set forth in Sections 771.118(c)(5) or (c)(8) may be eligible for a CE, with documentation, under this example. An example of an action that may qualify for a CE under this example is when a bus maintenance facility is expanded to meet modern

building codes and to include a bus washing facility, where the facility footprint itself is expanded. Under section 771.118(c)(8), a facility's functional use cannot change and it must occupy substantially the same geographic footprint, which means that only limited expansion of the footprint is permissible under the CE. Under section 771.118(d)(6), greater expansion of the facility footprint could potentially be categorically excluded with proper documentation, and the functional use of the facility can be modified.

#### Minor Facility Realignment for Rail Safety Purposes

*(7) Minor transportation facility realignment for rail safety reasons, such as improving vertical and horizontal alignment of railroad crossings, and improving sight distance at railroad crossings.*

This CE example is for those transportation facility realignments needed in order to improve rail safety for the grantee and its operations, and the public. As noted in the language above, this example can cover vertical and horizontal alignment changes, and improving site distance at railroad crossings, but those are only examples and other similar realignment actions, in both scope and scale, could fall under section 771.118(d)(7).

#### Facility Modernization/Expansion Outside Existing ROW

*(8) Modernization or minor expansions of transit structures and facilities outside existing right-of-way, such as bridges, stations, or rail yards.*

This CE example provides for modernizing or providing minor expansions of transit structures and facilities outside the existing right-of-way (activities occurring within the existing transportation right-of-way could fall under section 771.118 (c)(8) or (12)). This example provides greater flexibility than the example found at section 771.118(d)(6) by allowing modernization and minor expansions that clearly extend outside of the existing transportation right-of-way.

#### Other

As noted previously, section 771.118(d) provides a list of examples of the types of actions that can be categorically excluded with documentation. To accommodate the fact that this is an open-ended authority rather than an exhaustive list of activities eligible for the CE, TEAM contains an option to select "Other" under section 771.118(d). This box should be checked and completed (a) when processing an action as a CE not otherwise identified in section 771.118, or (b) when processing an action as a CE not yet identified in TEAM (e.g., a final rule was published implementing a new CE(s), but TEAM has not been updated yet). Under scenario "a," appropriate documentation must be submitted to verify the actions meet the conditions for a CE. Under scenario "b," if the CE will fall under section 771.118(c), a notation of the CE number and a short project description will normally be sufficient documentation to satisfy NEPA.

## **VI. Special Considerations**

### Multimodal Projects

Multimodal projects containing both FHWA-funded and FTA-funded elements (such as the reconstruction of a highway lane within existing right-of-way for express bus service) may be processed as CEs under section 771.117 for FHWA and under section 771.118 for FTA, as appropriate.

### Real Property Acquisition

Sections 771.118(d)(3), and (d)(4) cover the traditional early acquisitions available in the former version of this regulation (i.e., section 771.117), namely hardship and protective acquisitions in section 771.118(d)(3) and the acquisition of existing railroad right-of-way (ROW) in section 771.118(d)(4). Under section 771.118(c)(6), with certain conditions, early acquisition of ROW may be appropriate and categorically excluded even when the acquisition is not a protective, hardship, or railroad ROW acquisition. The early acquisitions covered by section 771.118(c)(6) do have some constraints, however, regarding the environmental context of the property. FTA chose to add the environmentally constrained acquisitions to the CE list in section 771.118(c), while retaining the protective and hardship acquisitions in section 771.118(d).

In addition, FTA retained but modified the CE in section 771.118(d) that addresses railroad ROW acquisition to reflect the change made to the statute (49 U.S.C. 5323(q)) by MAP-21, Section 20016 (i.e., deleted the word "railroad"). The "property acquisition" categories in sections 771.118(c) and (d) overlap in their coverage, but neither absorbs the other category of CE in its entirety. Thus, the multiple CEs available for property acquisition offer maximum flexibility.

One action not specifically mentioned above, but that may be categorically excluded, is the demolition of facilities where a structure creates an adverse condition if left standing, such as a potential fire safety hazard; the applicant should coordinate with the FTA Regional Office to determine whether to utilize a CE appropriate for actions involving demolition activities.

### Consideration of Other Environmental Requirements

Although some projects may not trigger the need for public involvement and review in the NEPA process through the preparation of an EA or EIS, these projects may trigger procedural and consultation requirements for other environmental laws, such as Section 106 of the National Historic Preservation Act, Section 4(f) of the US DOT Act, or Section 7 of the Endangered Species Act. The FTA Regional Office, in coordination with the applicant, will identify whether there needs to be information and documentation to meet the requirements of these other environmental laws. Projects that warrant additional review typically involve ground disturbance or construction activities. Maps, engineering diagrams, and photographs can aid in supplementing a grant description to identify whether these additional laws apply and can expedite the review of projects if they are reviewed early in the grant application process.

For Section 106, projects that have the possibility to cause effects on historic properties are required to go through the Section 106 process. As noted above, this tends to result on projects that involve construction. Common potential effects include changes to visual setting of historic buildings or districts from construction or modification of a facility, disturbance of archeological sites due to construction, or physical disturbance of historic buildings through modification of a historic transportation facility, including stations or bridges, or an adjacent historic property. Section 106 consultation is completed by the FTA Regional Office, in coordination with the applicant and the State Historic Preservation Officer.

Section 4(f) of the US DOT Act applies to projects funded by FTA (or other Federal transportation modes) and protects publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance, or land of an historic site of national, State, or local significance. If a project may “use” land from one of these protected properties (e.g., a bike path through a park), Section 4(f) compliance is required. For categorically excluded actions, Section 4(f) compliance is likely to involve a *de minimis* determination, which can be applied when there is no significant use of the protected property, but land is still needed. Public involvement in these cases can be handled through Board or City meetings that are publically announced and open to the public, or posting notices in the local newspaper or at the site. If a *de minimis* finding is not possible for the proposed action, then avoidance alternatives will need to be investigated through a full Section 4(f) evaluation under 23 CFR Part 774. The evaluation, depending on the environmental impacts that could result, may lead to a determination that a CE is not appropriate.

Section 7 of the Endangered Species Act compliance is required when there is a threatened or endangered species or habitat within the project area. To determine whether there are protected species or habitats in the project area, the applicant reviews the US Fish and Wildlife Service (FWS) website (<http://ecos.fws.gov/ipac>) (note, States may maintain their own databases, too). Section 7 is not generally a concern for categorically excluded projects, especially when the work is performed on previously disturbed land, though care should be given to projects that involve bridges, are near water or forested areas, or will involve previously undisturbed land. If coordination beyond the initial database search may be necessary, the applicant should contact the FTA Regional Office prior to any coordination/consultation with the FWS. Any coordination performed should be documented with the grant in the grant management software or kept in the FTA Regional Office project file.

## **Attachment 1: Comprehensive List of FTA Categorical Exclusions**

### C-list

(1) Acquisition, installation, operation, evaluation, replacement, and improvement of discrete utilities and similar appurtenances (existing and new) within or adjacent to existing transportation right-of-way, such as: utility poles, underground wiring, cables, and information systems; and power substations and utility transfer stations.

(2) Acquisition, construction, maintenance, rehabilitation, and improvement or limited expansion of stand-alone recreation, pedestrian, or bicycle facilities, such as: a multiuse pathway, lane, trail, or pedestrian bridge; and transit plaza amenities.

(3) Activities designed to mitigate environmental harm that cause no harm themselves or to maintain and enhance environmental quality and site aesthetics, and employ construction best management practices, such as: noise mitigation activities; rehabilitation of public transportation buildings, structures, or facilities; retrofitting for energy or other resource conservation; and landscaping or re-vegetation.

(4) Planning and administrative activities which do not involve or lead directly to construction, such as: training, technical assistance and research; promulgation of rules, regulations, directives, or program guidance; approval of project concepts; engineering; and operating assistance to transit authorities to continue existing service or increase service to meet routine demand.

(5) Activities, including repairs, replacements, and rehabilitations, designed to promote transportation safety, security, accessibility and effective communication within or adjacent to existing right-of-way, such as: the deployment of Intelligent Transportation Systems and components; installation and improvement of safety and communications equipment, including hazard elimination and mitigation; installation of passenger amenities and traffic signals; and retrofitting existing transportation vehicles, facilities or structures, or upgrading to current standards.

(6) Acquisition or transfer of an interest in real property that is not within or adjacent to recognized environmentally sensitive areas (e.g., wetlands, non-urban parks, wildlife management areas) and does not result in a substantial change in the functional use of the property or in substantial displacements, such as: acquisition for scenic easements or historic sites for the purpose of preserving the site. This CE extends only to acquisitions and transfers that will not limit the evaluation of alternatives for future FTA-assisted projects that make use of the acquired or transferred property.

(7) Acquisition, installation, rehabilitation, replacement, and maintenance of vehicles or equipment, within or accommodated by existing facilities, that does not result in a change in functional use of the facilities, such as: equipment to be located within existing facilities and with no substantial off-site impacts; and vehicles, including buses, rail cars, trolley cars, ferry boats and people movers that can be accommodated by existing facilities or by new facilities that qualify for a categorical exclusion.

(8) Maintenance, rehabilitation, and reconstruction of facilities that occupy substantially the same geographic footprint and do not result in a change in functional use, such as: improvements to bridges, tunnels, storage yards, buildings, stations, and terminals; construction of platform extensions, passing track, and retaining walls; and improvements to tracks and railbeds.

(9) Assembly or construction of facilities that is consistent with existing land use and zoning requirements (including floodplain regulations) and uses primarily land disturbed for transportation use, such as: buildings and

associated structures; bus transfer stations or intermodal centers; busways and streetcar lines or other transit investments within areas of the right-of-way occupied by the physical footprint of the existing facility or otherwise maintained or used for transportation operations; and parking facilities.

(10) Development of facilities for transit and non-transit purposes, located on, above, or adjacent to existing transit facilities, that are not part of a larger transportation project and do not substantially enlarge such facilities, such as: police facilities, daycare facilities, public service facilities, amenities, and commercial, retail, and residential development.

(11) The following actions for transportation facilities damaged by an incident resulting in an emergency declared by the Governor of the State and concurred in by the Secretary, or a disaster or emergency declared by the President pursuant to the Robert T. Stafford Act (42 U.S.C. 5121):

(i) Emergency repairs under 49 U.S.C. 5324; and

(ii) The repair, reconstruction, restoration, retrofitting, or replacement of any road, highway, bridge, tunnel, or transit facility (such as a ferry dock or bus transfer station), including ancillary transportation facilities (such as pedestrian/bicycle paths and bike lanes), that is in operation or under construction when damaged and the action:

(A) Occurs within the existing right-of-way and in a manner that substantially conforms to the preexisting design, function, and location as the original (which may include upgrades to meet existing codes and standards as well as upgrades warranted to address conditions that have changed since the original construction); and

(B) Is commenced within a 2-year period beginning on the date of the declaration.

(12) Projects, as defined in 23 U.S.C. 101, that would take place entirely within the existing operational right-of-way. Existing operational right-of-way refers to right-of-way that has been disturbed for an existing transportation facility or is maintained for a transportation purpose. This area includes the features associated with the physical footprint of the transportation facility (including the roadway, bridges, interchanges, culverts, drainage, fixed guideways, mitigation areas, etc.) and other areas maintained for transportation purposes such as clear zone, traffic control signage, landscaping, any rest areas with direct access to a controlled access highway, areas maintained for safety and security of a transportation facility, parking facilities with direct access to an existing transportation facility, transit power substations, transit venting structures, and transit maintenance facilities. Portions of the right-of-way that have not been disturbed or that are not maintained for transportation purposes are not in the existing operational right-of-way.

(13) Federally-funded projects:

(i) That receive less than \$5,000,000 of Federal funds; or

(ii) With a total estimated cost of not more than \$30,000,000 and Federal funds comprising less than 15 percent of the total estimated project cost.

(14) Bridge removal and bridge removal related activities, such as in-channel work, disposal of materials and debris in accordance with applicable regulations, and transportation facility realignment.

(15) Preventative maintenance, including safety treatments, to culverts and channels within and adjacent to transportation right-of-way to prevent damage to the transportation facility and adjoining property, plus any necessary channel work, such as restoring, replacing, reconstructing, and rehabilitating culverts and drainage pipes; and, expanding existing culverts and drainage pipes.

(16) Localized geotechnical and other investigations to provide information for preliminary design and for environmental analyses and permitting purposes, such as drilling test bores for soil sampling; archeological investigations for archeology resources assessment or similar survey; and wetland surveys.

D-list

(1) Modernization of a highway by resurfacing, restoring, rehabilitating, or reconstructing shoulders or auxiliary lanes (e.g., lanes for parking, weaving, turning, climbing).

(2) Bridge replacement or the construction of grade separation to replace existing at-grade railroad crossings.

(3) Acquisition of land for hardship or protective purposes. Hardship and protective buying will be permitted only for a particular parcel or a limited number of parcels. These types of land acquisition qualify for a CE only where the acquisition will not limit the evaluation of alternatives, including shifts in alignment for planned construction projects, which may be required in the NEPA process. No project development on such land may proceed until the NEPA process has been completed.

(i) Hardship acquisition is early acquisition of property by the applicant at the property owner's request to alleviate particular hardship to the owner, in contrast to others, because of an inability to sell his property. This is justified when the property owner can document on the basis of health, safety or financial reasons that remaining in the property poses an undue hardship compared to others.

(ii) Protective acquisition is done to prevent imminent development of a parcel which may be needed for a proposed transportation corridor or site. Documentation must clearly demonstrate that development of the land would preclude future transportation use and that such development is imminent. Advance acquisition is not permitted for the sole purpose of reducing the cost of property for a proposed project.

(4) Acquisition of right-of-way. No project development on the acquired right-of-way may proceed until the NEPA process for such project development, including the consideration of alternatives, has been completed.

(5) [Reserved]

(6) Facility modernization through construction or replacement of existing components.

(7) Minor transportation facility realignment for rail safety reasons, such as improving vertical and horizontal alignment of railroad crossings, and improving sight distance at railroad crossings.

(8) Modernization or minor expansions of transit structures and facilities outside existing right-of-way, such as bridges, stations, or rail yards.