ENVIRONMENTAL ASSESSMENT

FM 1301 EXTENSION TO US 59 & US 59 OVERPASS AND FRONTAGE ROADS

CSJ 1412-03-038
City of Wharton
Wharton County, Texas

Prepared for:

U.S. Department of Transportation
Federal Highway Administration

CITY OF WHARTON
TEXAS 1846

Texas Department of Transportation

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EXHIBITS

APPENDICES

Acronyms, Abbreviations and Terms

ac: Acre
ACHP: Advisory Council on Historic Preservation
ADT: Average Daily Traffic
ANSI: American National Standards Institute
APE: Area of Potential Effect
ASTM: American Society for Testing and Materials
BMP: Best Management Practice
CAA: Clean Air Act of 1970
CEQ: Council on Environmental Quality
CFR: Code of Federal Regulations
CMA: Congestion Management Analysis
CMP: Congestion Management Process
CMS: Congestion Management System
CO: Carbon Monoxide
CWA: Clean Water Act of 1977
CZMA: Coastal Zone Management Act
dBA: decibel
DBH: Diameter at Breast Height
EA: Environmental Assessment
EFH: Essential Fish Habitat
EIS: Environmental Impact Statement
EOID: Element of Occurrence Identification number
ESA: Environmental Site Assessment
FAA: Federal Aviation Administration
FEMA: Federal Emergency Management Agency
FHWA: Federal Highway Administration
FIRM: Flood Insurance Rate Map
FM: Farm-to-Market
FONSI: Finding of No Significant Impact
FPPA: Farmland Protection Policy Act
ft: feet
FWCA: Fish and Wildlife Coordination Act
HCFCD: Harris County Flood Control District
HCPID: Harris County Public Infrastructure Department
H-GAC: Houston-Galveston Area Council
Human Environment: See CEQ Regulations 1508.14. The term *human environment* includes and requires the appropriate consideration of the potential effects on the physical, biological (natural), economic, and social environmental factors.
IH: Interstate Highway
IP: Individual Permit
LEP: Limited English Proficiency
LPST: Leaking Petroleum Storage Tank
LUST: Leaking Underground Storage Tank
MBTA: Migratory Bird Treaty Act
MPO: Metropolitan Planning Organization
MOA: Memorandum of Agreement
MOU: Memorandum of Understanding
MSA: Metropolitan Statistical Area
MSAT: Mobile Source Air Toxics
MSL: Mean Sea Level
NAAQS: National Ambient Air Quality Standards
NATA: National Air Toxics Assessment
NDD: National Diversity Database
NCHRP: National Cooperative Highway Research Program
NEPA: National Environmental Policy Act
NFIP: National Flood Insurance Program
NHPA: National Historic Preservation Act
NMHC: Non-methane Hydrocarbon
NOI: Notice of Intent
NRHP: National Register of Historical Places
NWP: Nationwide Permit
PCN: Preconstruction Notification
Project: The whole of an action that has a potential for resulting in a physical change in the environment, directly or ultimately, and that is any of the following:
- An activity directly undertaken by any public agency, including but not limited to public works construction and related activities, clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements thereof pursuant to Government Code Sections 65100-65700.
- An activity undertaken by a person, which is supported in whole or in part through public agency contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies.
- An activity involving the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.

ROD: Record of Decision
ROW: Right-of-way
RTHL: Recorded Texas Historic Landmarks
RTP: Regional Transportation Plan
SAL: State Archeological Landmarks
Scoping: Process of determining the potential physical, biological, economic, and social issues relevant to a Proposed Project.
SH: State Highway
SHPO: State Historic Preservation Officer

SIP: State Implementation Plan
SOV: Single Occupancy Vehicle
SWPPP (SW3P): Storm Water Pollution Prevention Plan
TCEQ: Texas Council on Environmental Quality
TCMP: Texas Coastal Management Plan
THC: Texas Historical Commission
TIP: Transportation Improvement Program
TPDES: Texas Pollutant Discharge Elimination System
TPWD: Texas Parks and Wildlife Department
TSS: Total Suspended Solids
TxDOT: Texas Department of Transportation
TXLUST: Texas Leaking Underground Storage Tank
TXUST: Texas Underground Storage Tank
U.S.: United States
USACE: U.S. Army Corps of Engineers
USBOC: U.S. Bureau of Census
USEPA: U.S. Environmental Protection Agency
USFWS: U. S. Fish and Wildlife Service
USGS: U. S. Geological Survey
VMT: Vehicle Miles Traveled
VOCs: Volatile Organic Compounds

1.0 NEED AND PURPOSE

1.1 Introduction

This Environmental Assessment (EA) presents the potential environmental effects of a project proposed by The City of Wharton in cooperation with the Texas Department of Transportation (TxDOT) – Yoakum District, to construct a new single-phase project. Initially the project was conceived as a four-phase project in 2013, however the project has been reduced down from the initial concept to the current 2020 single phase project. This single-phase project is located within the prior alignment of different segments of the initial four-phase project. The initial four-phase project was intended to include: **Phase 1** – Construction of FM 1301 from State Highway 60 to the existing FM 102: **Phase 2** – the construction of northbound exit ramp from US Highway 59 to FM 102 and frontage road improvements: **Phase 3**– Construction of a new city local road from the new FM 1301 to US Highway 59, and north bound access road improvements along Highway 59 and associated ramps, and: **Phase 4** – Construction of a new Highway 59 overpass at the new city local road intersection, and the construction of new south bound access roads and associated ramps. It should be noted that the project scope has been reduced, and that the current single-phase project contains only portions of the prior Phase 1 and prior Phase 3. **For clarity, the new project is identified as the: 2020 – Single Phase Project *– the Extension of FM 1301 from SH 60 to US 59 in Wharton, Texas.***

This EA presents the need and purpose of the proposed project, a description of the proposed project and alternatives considered, and an interdisciplinary evaluation of the potential effects to the human and natural environment. This EA has been prepared in accordance with the National Environmental Policy Act (NEPA) of 1969, Council on Environmental Quality (CEQ) Regulations (40 CFR Section 1500-1508), Federal Highway Administration (FHWA) Technical Advisory T6640.8A, FHWA NEPA regulations (23 CFR 771), and the TxDOT Environmental Manual. The public has been and will continue to be afforded the opportunity to comment on this project.

The proposed project consists of both the improvement of a small section of existing roadways at the State Highway (SH) 60 and Farm to Market (FM) 1301 intersection, and the construction of a new roadway from the SH 60/FM 1301 intersection to US Highway 59 in Wharton, Texas. The project would consist of the construction of a new roadway and railroad overpass and would tie into the existing State Highway 60 / FM 1301 intersection on the eastern extent of the project, and tie into the existing US Highway 59 at its western terminus.

A map depicting the project vicinity is shown in ***Exhibit 1***. The location of the proposed project is shown in ***Exhibit 2***. A sketch of the project area is shown in ***Exhibit 3***. The project is located in the Wharton, United States Geological Survey (USGS) 7.5 Minute Quadrangle, as shown in ***Exhibit 4***.

The logical termini of the project area are the noted state and federal roadways and major thoroughfares. The termini include the entire project area and are rational end points for a transportation improvement. The logical termini have independent utility and can function without the construction of another project and do not restrict future alternatives.

For the purposes of this evaluation, the project study area is defined as an area within the project limits and extending to areas immediately adjacent to the project limits. Depending on the resource, the evaluation of data may include an area up to 0.5 miles surrounding the project logical termini.

1.2 Need and Purpose of the Proposed Project

The need for the proposed project is demonstrated by the following existing conditions:

- The existing at grade crossing on FM 102 and the Kansas City Southern Railroad (KCSRR) presents a safety and mobility concern for the traveling public. Additionally, KCSRR has recently constructed a new railcar switch yard north of the project area, and rail traffic is anticipated to increase significantly.
- The limited number of access routes to US 59 creates congestion within the City.
- The discontinuous roadway network is unsuitable for through traffic on FM 1301.
- The existing entrance/exit ramps and two way access roadways along Highway 59 are limited in length and limit access pathways into and out of the City of Wharton.

Currently, the existing FM 1301 traffic encounters a "T" intersection at the busy SH 60 (Business 59) and traffic must divert along Business 59. Traffic headed toward the dominant commercial corridor at FM 102 and US Highway 59, from the east, is generally funneled to the existing at grade intersection of FM 102 and the KCSRR, with frequent and increasing train delays.

Emergency evacuation and transport activities toward Highway 59 and the health care center north of FM 102 are either required to traverse the at grade KCSRR crossing, or loop around the city utilizing the discontinuous existing roadways, and access roads.

The City of Wharton, in cooperation with TxDOT, proposes to construct new roadways and improve existing roadways in order to provide through traffic access. The purpose of the proposed project is:

- To improve the area's mobility and safety.
- To enhance the area transportation network.
- To eliminate the requirement to traverse an at grade railroad crossing.
- To reduce driver delays.
- To reduce traffic congestion and delays.
- To reduce the potential for train/vehicle collisions, which reduces resultant property damage and medical cost and liability.
- To create a facility consistent with thoroughfare plans.

The project was developed based on an analysis of the existing traffic conditions, forecasts of future travel demand, projected population growth in the area, and input from federal, state, and local agencies, and public stakeholders.

1.2.1 Traffic Data

The Texas Department of Transportation (TxDOT) provided traffic volume projections for the proposed project. The traffic volumes modeled by TxDOT were split into multiple segments for the initial four phase project. **This new 2020 – Single Phase Project** ***– the Extension of FM 1301 from SH 60 to US 59 in Wharton, Texas is utilizing the prior evaluated traffic volume.***

The traffic volumes were developed for the initial four phases of the project. As the majority of the proposed project would be located in areas where the roadways are not currently present, current traffic data is largely not applicable. TxDOT provided traffic data for the design year 2036 for the proposed project phases. The volumes provided per proposed phase are:

Phase 1 – Construction of new FM 1301 from State Highway 60 to the existing FM 102: Current Volume – N/A, the 2036 Average Daily Traffic (ADT) would be 4300 vehicles.

Phase 2 – Construction of a northbound exit ramp from US Highway 59 to FM 102, and improvements and construction of new access roads south of FM 102: Current Volume – N/A, the 2036 ADT would be 1200 vehicles.

Phase 3 – Construction of a new city road from the new FM 1301 to US Highway 59: Current Volume – N/A, 2036 ADT would be 4900 vehicles. Improvements and construction of new northbound Highway 59 access road: Current Volume – N/A, 2036 ADT would be 3700 vehicles.

Phase 4- Construction of new exit ramps and southbound Highway 59 access road, and Construction of a new US Highway 59 overpass interchange at the proposed new city road / US Highway 59 intersection: Current value for south bound access roads only – N/A, 2036 ADT values 1700 vehicles. The 2016 ADT value for US Highway 59 at proposed new road overpass location, in both directions is 27,100 vehicles. The 2036 ADT value for US 59 at proposed new road in both directions would be 40,100 vehicles.

Based on field observations, the existing traffic along the existing roadways is dominated by light duty (passenger vehicle) traffic. The traffic projections provided by TxDOT for the new single phase project in the traffic year 2036 show the projected traffic values to be largely light duty (passenger vehicle) traffic. The TxDOT projections show that approximately 96% of the proposed traffic volume would be light duty.

The implementation of the proposed project is anticipated to only minimally alter the mix of vehicles within the study areas.

1.2.2 Planning Process

Planning Document Review

The City of Wharton along the design engineer, the Wharton Economic Development Council and TxDOT have performed a review of relevant planning documents, including land use and transportation plans. A review of these documents was performed to determine how the proposed facility, as well as, potential adjacent and future facilities and regional trends correspond to the proposed action.

Project Scoping and Public Outreach Summary

The project has been discussed in Wharton for over a decade, and numerous informal meetings and discussions have occurred with regard to the proposed projects.

The proposed project was initially conceived as a two-phase project – with the two initial phases being

the construction of FM 1301 and the new city road (Phases 1 & 3 of the 4 phase project).

During the scoping of the project, the City of Wharton identified two additional project phases that are desired to meet the long range plan for the community. The City desired to include all four phases in this Environmental Assessment document. The final decision to include the two additional phases of the project was made after the advertisement of the May 8th, 2012 public meeting had occurred. As a result, the May 8th, 2012 public meeting only addressed the two phase project, with the intent that a public hearing for the then proposed four phase project on would be held once the EA document attained the satisfactory for further process (SFFP) designation from the FHWA.

A public meeting was held on May 8th, 2012 from 6-8 pm at the Wharton Civic Center located at 1924 N. Fulton Street in Wharton, Texas for the proposed two phase project. The public was made aware of the meeting by a notice of public meeting announcement which was published in the Wharton Journal Spectator on April 7th, and April 12th, 2012. Additionally, all property owners with parcels in the pathway or immediately adjacent to the proposed roadway were sent letters via US Mail inviting them to the public meeting.

In addition to the direct mailings and the newspaper advertisements, an announcement of the public meeting was displayed on the Wharton Civic Center large display sign. The display on the sign provided information about the date, time, and topic of the meeting. The public meeting was held in relation to the initially conceived 2 Phase project (Phases 1&3 of the overall 4 phase project).

Approximately 65 citizens attended the meeting, in addition to 7 City of Wharton elected officials. A registration table was located at the entrance to the civic center where the meeting was held. The registration table consisted of sign in sheets for attendees to register, public meeting comment forms for attendees to share their thoughts, and public meeting handouts which contained a brief description and purpose of the proposed project. Exhibits depicting several alternatives for the project, as well as the locally preferred alternative project layout were displayed. Representatives from the engineer of record, environmental consultant, and the City of Wharton were present. Representatives of TxDOT also attended the meeting in an informal capacity.

The four-phase project was never initiated as issues arose with funding, and other logistical/timing issues associated with the planned improvements of US 59. The four-phase project was put on hold, and in 2020 the new single-phase project was initiated. As noted above, the Public Hearing was held for an earlier configuration of the proposed project.

Since the earlier proposed project configuration was changed into a new Single-Phase Project in 2020, a new Public Hearing will be held to address the currently preferred alternative*. This new 2020 – Single Phase Project *– the Extension of FM 1301 from SH 60 to US 59 in Wharton, Texas is pending a Public Hearing and the results of that effort will be incorporated into the Final Environmental Review document.

Public Comments

For the initial four phase project - several people asked questions or made comments. A few commenters expressed multiple concerns. All verbal questions and comments were immediately responded to at the public meeting. A total of nineteen Public Meeting Comment forms were submitted at the public meeting and by mail prior to the deadline of May 24th, 2012. Numerous forms contained multiple comments. A brief summary of the questions / comments received and responses is provided in ***Appendix G***.

Additional project features are discussed in detail in the following section.

Congestion Management System / Program

The proposed project does not require a CMP evaluation for the following reasons:

- The proposed project is **not** located within a Non-Attainment Area as defined by the EPA Section 81.334 within 40 CFR Chapter 1, December 14th, 2012.
- The proposed project is **not** located within an urbanized area over 200,000 in population.

Funding

An Advanced Funding Agreement is in place for the current single-phase project. This agreement is identified as:
CSJ 1412-03-038 - The extension of FM 1301 from SH 60 to US 59 in Wharton. CSJ 1412-03-038 estimates the total project cost to be $15,984,000. With $0.00 (0%) being Federal Participation, $2,152,000 (13.5%) being State Participation, and $13,833,000 (87%) being Local Participation. This project is included in the STIP. The proposed letting date is July 2021 and estimated completion date is December 2022.

Copies of both Advanced Funding Agreements are included in ***Appendix F*** of this document.

Related Studies and Documents

In addition to this EA, the following studies were performed for this project and are herein incorporated by reference:

- Wetland Delineation
- Historical Structures Coordination
- Cultural Resource Coordination
- Noise Study
- Hazardous Materials Study

Applicable Regulatory Requirements and Required Coordination
Executive orders and regulations that influence the design, operational, and environmental decisions concerning the proposed project are listed in ***Appendix B***.

2.0 DESCRIPTION OF THE ALTERNATIVES

Several conceptual alternatives were evaluated using a systematic, interdisciplinary approach. This

approach focused on input from the public as well as resource agencies during the planning phase of the project. The alternatives that were considered included those that satisfied the purpose and need for the project while minimizing potential effects to the environment. These alternatives were further evaluated based on the need for an alignment that used the existing roadway as a portion of any future facility to maximize the existing resources and minimize adverse environmental effects, construction costs, utility adjustments, community disruptions, and right-of-way (ROW) acquisitions. The range of alternatives considered is presented below.

2.1 No Build Alternative

The No Build Alternative would leave the existing roadways and facilities as is and would remain a discontinuous roadway system. Normal routine maintenance would continue on the existing limited infrastructure. Typical maintenance activities under this alternative would include inspections of the roadway, minor rehabilitations, pavement edge repair, seal coats and overlays, and other activities such as striping, signing, and patchwork.

Although the No Build Alternative does not meet the purpose and need for the project, it is retained as a basis for comparison with the Build Alternative carried forward for detailed study as required by CEQ regulations (40 CFR 1502.14(d)).

2.2 Build Alternatives Considered but Eliminated

During project planning, several conceptual alternatives were eliminated because of various engineering and environmental constraints. Exhibits were developed by the design engineer for the project and those layouts are included in Appendix C. These alternatives were evaluated and presented in the Public Meeting. The selected Locally Preferred Alternative is Alternative F-2, as referenced in ***Appendix C.***

2.3 Build Alternative Considered in Detail

The build alternative alignment was selected to maximize existing ROW and property currently owned by TxDOT, the City of Wharton and/or the Wharton Economic Development Council. The new project is identified as the 2020 – Single Phase Project *– the Extension of FM 1301 from SH 60 to US 59 in Wharton, Texas. Project schematics and layouts for the single-phase project are included in Appendix C.*

Project schematics and layouts were developed by the design engineer and are presented in ***Appendix C.***

The project schematics represent the following design conditions:

Phase IA -FM 1301 Design

- FM 1301 is identified as having 4 different schematics – 1) the US Highway 59 area section; 2) the central new road on grade FM 1301 area section; 3) the railroad overpass section and: 4) the State Highway 60 area section.
- US Highway 59 Section has a 2-2’ wide shoulders, 4-12’ wide lanes, and a 14’ wide flush median
- Road at grade Section west of the railroad overpass has 2-8’ wide shoulders which are identified for future sidewalks, 2-12’ wide lanes, and a 14’wide flush median

- Railroad Overpass Section has 2– 12' wide lanes, with 2-10' wide shoulders which are identified as containing area for future sidewalks
- Road at grade Section east of the railroad overpass has 4-12' wide lanes, a 14' wide flush median, 2-10' wide shoulders for future sidewalks.

The proposed ROW acquisition is required to meet TxDOT design standards. The acquisition of the new ROW will be performed in compliance with the Uniform Act. Proposed typical sections, and project schematics, for the design of this alternative are presented in ***Appendix C***.

In response to citizen concerns regarding vehicle and train traffic and provision of a safer roadway, project sponsors used safety, engineering constraints, design speed, use of the existing infrastructures, the potential displacement of adjacent businesses/residences, preservation of access to adjacent properties, and minimization of environmental impacts, in consideration of the design of the Build Alternative.

Alternatives were evaluated primarily on the basis of safety and engineering considerations, as well as, the potential for displacing adjacent businesses/residences. During the public scoping meeting in May 2012, residents were given the opportunity to comment on the Build Alternative.

2.4 Preferred Alternative

The Build Alternative considered in detail was selected as the Locally Preferred Alternative. The selected layout of the chosen alternative is presented in ***Appendix C,*** Alternate G Phase 1A.

This alternative was preferred primarily because it would minimize ROW acquisition, would utilize existing parcels of land owned by the City and/or Economic Development Corporation at US 59 and at the FM 1301 & SH 60 intersections, would avoid and minimize the environmental impacts, meet the engineering considerations, and avoid displacements to adjacent homeowners and businesses. The implementation of the Preferred Alternative would impact approximately 0.341 acres of waters of the U.S.

Acquisition of approximately 45 acres of new ROW would also be required. The design of the stormwater system will minimize the potential effect on property adjacent to the undeveloped portion of the proposed project by managing the stormwater runoff and preventing soil erosion.

Additionally, the Build Alternative was chosen as it was the only alternative that met the need and purpose of the proposed project. The Build Alternative was selected as it would have only minimal effects to existing and future residents of the area. The implementation of the No Build Alternative would not meet the need and purpose.

2.5 Description of Other Relevant Actions

Other relevant actions include the planned conversion of US Highway 59 into the proposed US Interstate 69. The single-phase project represented in this environmental evaluation will a) tie into US Highway 59, and b) minimally improve and construct portions of access roads for US Highway 59.

3.0 ENVIRONMENTAL IMPACTS

3.1 Land Use

The project study area is located in a generally rural setting with limited commercial and light industrial properties at the eastern and western terminus. Two residential areas are located outside of the project limits – at the existing FM 1301 and SH 60 interchange, the eastern extent of the project. It should be noted that the proposed roadway at this location would be located entirely within an abandoned railroad track parcel, which is currently owned by the City of Wharton. Utilization of this existing owned parcel would not result in the separation of the neighborhood.

The vast majority of the project area is currently vacant and undeveloped land utilized for crop and livestock production.

Table 1 provides a summary of the existing land uses within a 0.5 mile radius of the proposed project. A map depicting existing land use is provided in ***Exhibit 5***.

Table 1: Existing Land Use within 0.5-mile of Proposed Project

Land Use Type	Area (acres)	Percent of Total Area
Comm. / Industrial	550	18.7
Residential	450	15.5
Government/Medical/Educational	0	0
Other	0	0
Parks/Open Space	0	0
Agricultural land	1920	65.8
Totals	**2920**	**100.00**

Source: Based on field evaluation and aerial interpretation.

The project study area is located in the Caney Creek and Baughman Slough watersheds which provide drainage and attenuation of storm water within the project vicinity.

The project study area is located in the Gulf Coast Prairies and Marshes natural region of Texas. Gulf Coast marshes are low, wet, marshy coastal areas commonly inundated with saline water, ranging from sea level to a few feet in elevation above MSL. These marshes support species of sedges, rushes, cordgrasses, reeds, and forbs, which provide beneficial wildlife habitat for numerous birds and marine fisheries. Many areas in the region have been invaded by noxious volunteer species such as honey mesquite (*Prosopis glandulosa*), smut grass (*Sporobolus indicus*), and Chinese tallow (*Triadica sebifera*).

According to the field evaluation and review of the *Vegetation Types of Texas* by the Texas Parks and Wildlife Department (TPWD), the project study area is largely located within one vegetation type - Rural (McMahan et al., 1984). Small sections of the subject site are located with the Urban (46) or industrial zone and are delineated by city limits and demonstrate a history of human development and habitation. The majority of the project area consists of land used for crop and cattle production, which is largely altered and undeveloped land. Transportation purposes or urban development (residential, commercial, and community facilities) are the smaller portions scattered along the terminus points of the project and along US Highway 59. The dominant vegetative communities include sparse aquatic

features, scrub/shrub-dominated riparian areas, open woodlands, mowed and maintained ROW, farmed uplands, and herbaceous uplands and are described below. Photographs of the vegetation found on the project site can be seen in ***Appendix A*.**

3.2 Soils

Two soil types are mapped by the Natural Resources Conservation Service (NRCS) within the project study area. The project site lies on the Pleistocene Recent Formation. The formations origin is mainly fluvial and deltaic, but was likely deposited by the meandering Colorado River and Caney Creek. The Miller Norwood Association is a moderately well drained and well-drained soil that has a surface layer and lower layers of clay and silt loam and is located on bottom lands near former creek and river meanders.

The Miller Norwood Association occupies approximately 19 percent of the county. The Miller soils make up about 39 percent of the association, the Norwood soils make up about 23 percent of the soils and minor soils make up the remainder. About 80 percent of the acreage is used for row crops; the remaining acreage is used for pasture, though undeveloped areas have a dense cover of brush and trees. Pecan trees are adapted to those soils, but they are of minor commercial value.

The subject site is specifically identified as being largely contained within the Norwood silt loam (NoA), 0-1 percent slopes and the Brazoria clay (Me), 0-1 percent slopes. These series consist of well drained, calcareous silt loams that formed in alluvium. These soils are on a featureless plain.

The Norwood silt loam (NoA) 0-1 percent slope soil is adjacent to major streams and are dissected by a network of very shallow and narrow, low drainage ways. The areas are generally 400 acres in size, but some are as large as 1300 acres in size and are long and irregular in shape. The surface of this soil is mostly plane, but sloping areas are convex. Runoff is slow on this soil and it is used mostly for crops and pasture.

The Brazoria clay (Me) 0-1 percent slope soil is slightly higher on the landscape and removed from channel banks and frequent flooding. This soil is considered to be moderately well drained with high runoff. This mapped unit is listed as being prime farmland that is mostly plane with slightly convex areas. Crops grow very well in this soil and most of the soil is used for crops

Various soil profiles taken from the project study area were consistent with this soil description. ***Exhibit 6*** depicts the soil mapping units present within the project study area.

The No Build Alternative is not anticipated to adversely affect soils within the project study area, as construction and ground disturbance would not occur. The Build Alternative would result in the disturbance of the ground surface; however, it is not anticipated that this disturbance would adversely affect soil mapping units within the project vicinity.

Prime and Unique Farmland

Projects considered exempt under the Farmland Protection Policy Act (FPPA) include those that require no additional ROW or require ROW that is developed, urbanized, or zoned for urban use. The project study

area is considered rural and is lightly urbanized. The proposed project would require approximately 40 acres of new ROW.

The Farmland Conversion Impact Rating evaluation for the subject site was completed in coordination with the USDA / NRCS – Temple, Texas office utilizing FPPA form AD-1006. The evaluation indicated that the site does contain soils classified as Important Farmland Soils, however, the evaluation indicated only slight impacts. A total of 18.5 acres of Prime and Unique farmland were identified as being converted by the project. This acreage reflects a 0.0029 percent conversion within the County or Local Government Unit, as defined by the USDA/ NRCS. This impact was identified as being exempt from the requirements of the FPPA. A copy of the completed FPPA form AD-1006 is located in Appendix H of this report.

3.3 Displacements and Right-of-Way Acquisition

No commercial or industrial facilities are located directly within the project boundaries. As a result, no displacements of any commercial and/or industrial facilities would be required. No residential homes are located directly within the project boundaries, and as a result, no displacements of any households would be required.

If the No Build Alternative were implemented, no relocations would occur, and no additional ROW would be acquired.

The Build Alternative would result in the acquisition of approximately 45 acres of additional ROW. The acquired ROW would be the minimum amount necessary to construct and build the single-phase project.

The acquisition of the required parcels would not limit the evaluation of alternatives. The other alternatives considered, but eliminated from further analysis, would have required additional ROW acquisition and potential displacements of additional businesses and residences along the proposed route.

Various utilities, including water, telephone, electrical and gas lines are present at the terminal ends of the project. Only minor relocation or adjustment of the existing utilities would be required for the project. No permanent or temporary construction easements would be proposed. The proposed additional ROW would not include any resources that may be protected under Section 4(f) of the Department of Transportation Act of 1966. ROW acquisition would occur in compliance with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970.

3.4 Socioeconomic Data

Socioeconomic data were collected for the project area in order to evaluate potential effects on the community surrounding the proposed project, community cohesion, travel patterns, accessibility, public facilities, safety, social groups, business and employment, housing, vacancy, and property values. For this section, the study area is defined as the following 3 Census Tracts (CT): (CT) 7402 in the City of Wharton, Wharton County, Texas, and CT's 7403 and 7404 which contain portions of the linear project, but which are outside of the city limits of the City of Wharton, Texas.

3.4.1 Community Cohesion

Cohesion is defined by the FHWA as "those behaviors or perceptual relationships that are shared among residents of a community that cause the community to be identifiable as a discrete, distinctive geographic entity." The project study area lies mostly within rural Wharton and in undeveloped land. The terminal ends of the project contain small subdivisions and scattered commercial /industrial facilities. The subdivisions are individual sub-areas or neighborhood districts that have unique characteristics within the larger community. A cohesive community enables residents to have a sense of belonging to their neighborhood or community and/or a strong relationship with people in their neighborhood or with people from different backgrounds in the workplace and in schools.

The No Build Alternative would not affect the existing structure of the local communities; however, negative effects to the communities may occur with the anticipated increase of traffic on the existing roadway network. Effects would include increased traffic volumes on the existing network, increased congestion, and deterioration of mobility.

Community cohesion would remain intact with the Build Alternative because it would not physically divide any subdivision or create barriers between communities. The Build Alternative would not adversely affect residential areas or these communities as they occur outside of the project study area. The Build Alternative would not alter the boundary between neighborhoods and communities. It is anticipated that the Build Alternative would link the neighborhoods to the larger community and other adjoining communities.

Through the implementation of the Build Alternative, the adjacent communities are anticipated to benefit through reduction of traffic congestion and safety for pedestrians. Sidewalks and wheelchair accessible ramps are being provided at the intersection of FM 1301 and SH 60, extending approximately 100' feet to the west of the existing intersection. The sidewalks transition to a 10' wide shoulder which could be utilized to accommodate future walk or bike lanes. This 10' wide shoulder would transition to an 8' wide shoulder to the west of the railroad overpass. The 8' wide shoulder would extend along FM 1301 toward the west and within approximately 500 linear feet of the western terminus at US Highway 59.

The combination of the sidewalks, ramp, and shoulders would provide connectivity between the commercial and industrial businesses located within the project corridor with residential and other communities in the project vicinity. The inclusion of future bike lanes within the Build Alternative would provide an alternative modal component which would also allow connectivity between the commercial and industrial businesses along the project corridor with adjacent communities. The neighborhoods adjacent to the project study area would not be separated, divided, or isolated under the proposed project.

3.4.2 Limited English Proficiency

Executive Order 13166, entitled "Improving Access to Services for Persons with Limited English Proficiency," mandates that Federal agencies examine the services it provides and develop and implement a system by which Limited English Proficiency (LEP) persons can meaningfully access those services consistent with, and without unduly burdening, the fundamental mission of the agency. Each agency shall also work to ensure that recipients of federal financial assistance (recipients) provide meaningful access to their LEP applicants and beneficiaries (65 Federal Register 50123, August 16, 2000).

Potential language barriers associated with ethnic and minority populations were analyzed to determine whether there are persons with LEP near the project area. A linguistically isolated household is one in which no member of the household aged 14 or over speaks English or speaks it without difficulty.

A review of the American Community Survey data for the project area indicates that 364 persons out of 7797 total persons speak English "not well" or "not at all". No obvious indicators of LEP conditions were noted during field surveys (signs or other notices in a language other than English). As the potential for LEP populations was not identified for the project study area; translations were not provided for the May, 2012 public meeting.

No LEP populations have been, or would be, discriminated against as a result of the proposed project. Reasonable steps would continue to be taken to ensure that all programs and activities provided by the City of Wharton, and/or TxDOT would meet the needs of such persons that may require meaningful access. Should an unidentified LEP become evident, the following steps would be implemented:

- Public meeting announcements would be provided through postcard notices to a list of interested parties and landowners with property adjacent to the existing ROW;
- Advertisements with local and city-wide circulation, including English and the noted language newspapers;
- Newsletters and other public meeting/outreach materials in English and the noted language; and
- Opportunity for individuals to request an interpreter for the public meeting.

For this project, the City of Wharton and TxDOT would continue to comply with Executive Order 13166 by offering to meet the needs of persons requiring special communication or accommodations in all public involvement activities and notices. Therefore, the requirements of Executive Order 13166 are satisfied.

3.4.3 Travel Patterns

It is likely that much of the existing traffic on FM 1301 and US Highway 59 within the project study area is related to the adjacent businesses, the nearby junior college, medical, and commercial facilities. It has also been observed that many of the truck turning movements from FM 1301 and FM 102 onto SH 60 is related to truck traffic traveling to adjacent businesses.

During the planning phases of the project, access to pedestrian facilities was found to be a desired element. The existing roadways, where present, are used by local and regional traffic. The employees of commercial facilities in the area use the existing roadways to travel to and from work.

The No Build Alternative would not alter existing travel patterns or accessibility in the project area; however, system linkage would not be realized. Travel between and among communities could be affected due to projected future increases in traffic and population.

The Build Alternative is not expected to significantly alter travel patterns in the overall project area; however, the proposed new railroad overpass at FM 1301 and the proposed access to Highway 59 and SH 60 would accommodate additional travelers on the improved facility. In addition, the Build Alternative would significantly improve system linkage between Highway 59 and the City of Wharton. The Build Alternative would allow for multimodal uses of FM 1301 to travel between their desired destinations.

The Build Alternative would offer opportunities to link with existing roadway improvements, resulting in changes to the existing transportation patterns in the area. Such changes include the following:

- Transportation Links to other Transportation Improvements: Within the surrounding area, there are several roadway improvement projects occurring, planned, or proposed in the region. The proposed project would link with additional capacity improvements planned (see the Indirect and Cumulative Impacts section of this document for additional roadway improvement projects in the project vicinity). Pending projects include the conversion of US Highway 59 into US Interstate 69 – a major north-south regional corridor.
- Transportation Links to regional shopping, recreation, and employment areas: The proposed project would improve access and provide improved travel times to and from regional shopping districts, educational centers, recreational facilities and employment centers.
- Bicycle and Pedestrian Patterns: The Build Alternative would provide the option for future sidewalks to improve bicycle and pedestrian travel on parts of the project corridor and provide connection to surrounding areas and communities. The noted shoulders can accommodate future bicycle lanes and/or sidewalks and would also support connectivity within the project vicinity.

3.4.4 Public Facilities

There are no public facilities directly within the project study area. Various religious, educational, and recreational facilities are located nearby the proposed project. These facilities are listed in Table 2.

Table 2: Public Facilities and Services in the Project Vicinity

Type of Facility	Name
Schools	Wharton County Junior College
Faith-based	None
Cemeteries	None
Parks and Recreational Areas	None
Hospitals	Oak Bend Medical Center
City Hall / Municipal facilities	Wharton City and County facilities

The No Build Alternative would not affect or improve any public facility or service. Public facilities or services would remain the same, unless altered by an unrelated action.

The Build Alternative would not adversely affect or displace any public facility or service. It is anticipated that emergency services and emergency evacuation would improve due to improved access and improved system linkage. The proposed project would result in a less congested and more convenient roadway network for local and regional traffic. It would enhance access to the various facilities and services throughout the project area. In addition, emergency and law enforcement services would be enhanced as travel time through these communities would improve. Access to or use of any public facility and service would be maintained at all times during project construction.

3.4.5 Safety

Reliable crash data for the project has not been collected. Crash rates may indicate roadway and operational deficiencies contributing to unsafe conditions. Congestion and travel disruption within the existing transportation systems, particularly at the KCSRR / FM 102 at grade intersection is evident.

The No Build Alternative would not change the capacity or geometry of the existing roadways. This alternative would include the necessary maintenance activities, such as mowing and pavement resurfacing/overlay reconstruction. Additionally, no bicycle/pedestrian facilities, including sidewalks and wheelchair accessible ramps, are planned under this alternative. The No Build Alternative would not improve safety conditions.

The Build Alternative is anticipated to provide an adequate transportation system with improved traffic operations through the following components:

- Construction of a four lane, median divided roadway and railroad overpass. Traffic studies comparing undivided and divided roadways show that divided roadways have safer conditions and a lower crash rate (Self 2003 and Campbell 2005).
- The Build Alternative would address the need for correcting existing roadway deficiencies which may have led to the numbers of accidents within the project study area.
- Addition of pedestrian facilities separated from vehicular traffic.
- Improved access ramps and access roadways along US Highway 59, thus assisting in the elimination of congestion and delays in this area of the proposed project.

An increase of traffic is anticipated in the future and the Build Alternative would provide a safer facility. This safer facility is based on the structural roadway deficiencies / discontinuous travel system identified previously.

3.4.6 Population Trends

The population of Wharton County is forecasted to grow moderately by 2040. Population projections were obtained from the Texas State Data Center for Wharton County. Population projections for the City of Wharton were not identified. The data shows an increase in population from 44,284 in 2010 to 50,962 in 2040. This reflects a 14.7% increase in the population of the County over the noted timeline. The encroachment of the City of Houston and Rosenberg, the dramatic increase in oil field activity, the overall US Interstate 69 project area are all anticipated to have a considerable and sustained impact on Wharton County and the City of Wharton.

Table 3: Wharton County Population & Projections

Year	2000	2010	2020	2030	2040
Population	41,188	44,284	47,377	49,645	50,962

Source: Texas State Data Center

The No Build Alternative is not anticipated to affect population growth trends in Wharton County. Growth

within the county and region is forecasted to increase if the implementation of the No Build Alternative would occur.

The Build Alternative would not affect population growth trends; urban development is expected to change independently of the proposed project. The Build Alternative would lessen the effect of a growing population and compliment associated growth and development of the area.

3.4.7 Environmental Justice

Executive Order (EO) 12898 "Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations" requires each Federal Agency to "make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations." The Federal Highway Administration (FHWA) has identified three fundamental principles of environmental justice:

1. To avoid, minimize, or mitigate disproportionately high and adverse human health or environmental effects, including social and economic effects, on minority populations and low-income populations;
2. To ensure full and fair participation by all potentially affected communities in the transportation decision- making process;
3. To prevent the denial of, reduction in, or significant delay in the receipt of benefit by minority populations and low-income populations.

Disproportionally high and adverse human health or environmental effects are defined by FHWA as adverse effects that:

1. Are predominately borne by a minority population and/or a low-income population; or
2. Would be suffered by the minority population and/or low-income population and are appreciably more severe or greater in magnitude than the adverse effects that would be suffered by the non-minority population and/or non-low income population.

A population is defined as "minority" or "low-income" when the percentage of the population that is minority and/or low-income, is 50 percent or more of the minority and/or low-income population percentage in the affected area, and is meaningfully greater than the minority or low-income population percentage in an appropriate comparison group (FHWA Order 6640.23A, DOT Order 5610.2(a)).

A review of 2010 Census demographic data for Census Tracts was performed to determine whether there had been any substantial changes with the population within the project area. A summary of a review of the US Census data indicates no material change within the project area population or demographic data from 1990 until 2010.

Table 4: Census Tract 7402 – 2010 Values Minority Populations (2010 Census)

Non-Hispanic	American Indian	Asian	Black	Hispanic	Other	Total	Minority Percentage

White							
580	2	14	296	647	26	1565	62.9 %

Source: US Census Bureau – 2010 Census

A closer examination of the block-level minority populations of blocks adjacent to (or within 1,000 feet of) the proposed project was conducted. The minority populations within these blocks are in line with the averages of the study area and the City of Wharton.

A low-income population is defined as one with a median income for a family of four equal to or below the national poverty level. The U.S. Department of Health and Human Services 2020 poverty guideline for a family of four is $26,200. The median household income and poverty status for the project area identified that no populations within the project study area are below the poverty guidelines. The median household income in the project area according to that American Community Survey (ACS) for 2013-2018 was $48,385.

The No Build Alternative would not affect minority or low-income populations. It would not alter the socio- economic conditions of the project study area.

Individual minority or low-income populations are not anticipated to be affected by the Build Alternative. The implementation of the Build Alternative would provide a continuous roadway within the project limits and reduce congestion within the project vicinity, which would benefit the adjacent communities. Providing a continuous roadway that meets current design standards and is safe would also benefit these adjacent communities. The implementation of the Build Alternative would not result in changes in the demographics within the project vicinity and not affect project incomes. The implementation of the Build Alternative would not cause disproportionate adverse impacts to minority or low-income populations. The requirements of Executive Order 12898 have been be satisfied.

3.4.8 Business and Employment

Trip generators and attractors located near the proposed project include facilities such as the Wharton County Junior College, the Oak Bend Medical Center, commercial facilities, manufacturing facilities, farming activities, transportation to the City of Houston and the City of Victoria for containerized shipping storage, and recreational facilities such as the nearby Texas Gulf Coast Fisheries.

Neither the Build Alternative nor the No Build Alternative would have adverse effects to business or employment. The No Build Alternative is not anticipated to result in a direct economic effect to the local economy. This alternative would neither improve nor change the economic characteristics of the project area.

The Build Alternative would acquire ROW from surrounding properties, but no displacement, relocation, or disruption of businesses or households would occur. Sufficient space would be left on commercial properties to sustain current operations. Under the Build Alternative, no businesses would be displaced, no jobs would be lost, and a minimal amount of commercial and undeveloped land would be removed from the local tax base. As the proposed project is largely located within low tax base agricultural land, only

minimal effects on the tax base of the property adjacent to the roadway would occur. Transportation-related businesses may be sensitive to temporary effects from construction of the Build Alternative. These effects may result in some businesses becoming less convenient to access during the construction phase of the proposed project. The implementation of the Build Alternative would provide construction jobs.

3.4.9 Housing and Vacancy

Based on the 2010 Census, there are no residences located within the project area. The project design does not show any displacements.

3.5 Air Quality

This project is located entirely within Wharton County which is in an area in attainment or unclassifiable for all national ambient air quality standards (NAAQS); therefore, the transportation conformity rules do not apply.

The proposed action is included in the May revision to the 2019-2020 Statewide Transportation Implementation Program (STIP).

A prior TxDOT modeling study and previous analyses of similar projects demonstrated that it is unlikely that a carbon monoxide (CO) standard would ever be exceeded as a result of any project with an average annual daily traffic (AADT) below 140,000. The AADT projections for the project do not exceed 140,000 vehicles per day; therefore a Traffic Air Quality Analysis was not required.

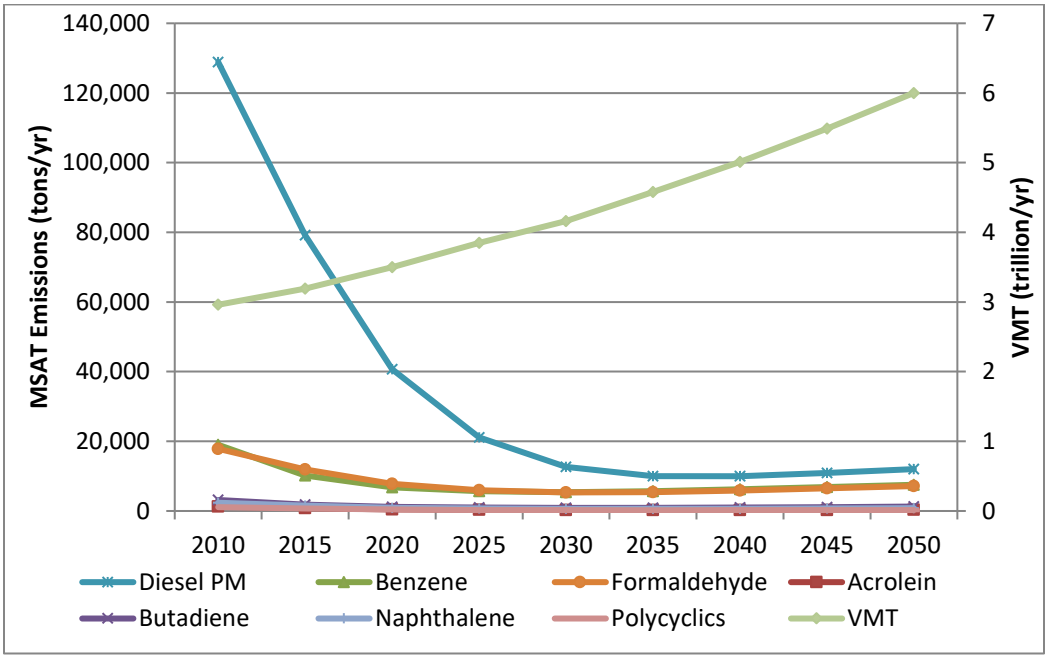
This project is located in an area that is in attainment or unclassifiable for all NAAQS; therefore a CMP analysis is not required.

Mobile Source Air Toxics – Background

Controlling air toxic emissions became a national priority with the passage of the Clean Air Act Amendments (CAAA) of 1990, whereby Congress mandated that the U.S. Environmental Protection Agency (EPA) regulate 188 air toxics, also known as hazardous air pollutants. The EPA has assessed this expansive list in their latest rule on the Control of Hazardous Air Pollutants from Mobile Sources (Federal Register, Vol. 72, No. 37, page 8430, February 26, 2007), and identified a group of 93 compounds emitted from mobile sources that are listed in their Integrated Risk Information System (IRIS) (http://www.epa.gov/iris/). In addition, EPA identified seven compounds with significant contributions from mobile sources that are among the national and regional-scale cancer risk drivers from their 1999 National Air Toxics Assessment (NATA) (http://www.epa.gov/ttn/atw/nata1999/). These are acrolein, benzene, 1,3-butidiene, diesel particulate matter plus diesel exhaust organic gases (diesel PM), formaldehyde, naphthalene, and polycyclic organic matter. While FHWA considers these the priority mobile source air toxics, the list is subject to change and may be adjusted in consideration of future EPA rules.

The 2007 EPA Mobile Source Air Toxics (MSAT) rule mentioned above requires controls that will dramatically decrease MSAT emissions through cleaner fuels and cleaner engines. Based on an FHWA analysis using EPA's MOVES2010b model, as shown in Figure 1 and Table 5, even if vehicle-miles travelled (VMT) increases by 102 percent as assumed from 2010 to 2050, a combined reduction of 83 percent in the total annual emissions for the priority MSAT is projected for the same time period.

Figure 1: PROJECTED NATIONAL MSAT EMISSION TRENDS 2010 – 2050 FOR VEHICLES OPERATING ON ROADWAYSUSING EPA's MOVES2010b MODEL



Source: Table 5 below.

Note: Trends for specific locations may be different, depending on locally derived information representing vehicle-miles travelled, vehicle speeds, vehicle mix, fuels, emission control programs, meteorology, and other factors.

Table 5: PROJECTED NATIONAL MSAT EMISSION TRENDS 2010 – 2050 FOR VEHICLES OPERATING ON ROADWAYS USING EPA's MOVES2010b MODEL

Pollutant / VMT	Pollutant Emissions (tons) and Vehicle-Miles Traveled (VMT) by Calendar Year									Change
	2010	2015	2020	2025	2030	2035	2040	2045	2050	2010 to 2050
Acrolein	1,244	805	476	318	258	247	264	292	322	-74%
Benzene	18,995	10,195	6,765	5,669	5,386	5,696	6,216	6,840	7,525	-60%
Butadiene	3,157	1,783	1,163	951	890	934	1,017	1,119	1,231	-61%
Diesel PM	128,847	79,158	40,694	21,155	12,667	10,027	9,978	10,942	11,992	-91%
Formaldehyde	17,848	11,943	7,778	5,938	5,329	5,407	5,847	6,463	7,141	-60%
Naphthalene	2,366	1,502	939	693	607	611	659	727	802	-66%

Polycyclics	1,102	705	414	274	218	207	219	240	262	-76%
Trillions VMT	2.96	3.19	3.5	3.85	4.16	4.58	5.01	5.49	6	102%

Source: EPA MOVES2010b model runs conducted during May – June 2012 by FHWA.

Air toxics analysis is a continuing area of research. While much work has been done to assess the overall health risk of air toxics, many questions remain unanswered. In particular, the tools and techniques for assessing project-specific health outcomes as a result of lifetime MSAT exposure remain limited. These limitations impede the ability to evaluate how the potential health risks posed by MSAT exposure should be factored into project-level decision-making within the context of the National Environmental Policy Act (NEPA). The FHWA, EPA, the Health Effects Institute, and others have funded and conducted research studies to try to more clearly define potential risks from MSAT emissions associated with highway projects. The FHWA will continue to monitor the developing research in this emerging field.

Project-Specific MSAT Information

A qualitative analysis provides a basis for identifying and comparing the potential differences among MSAT emissions, if any, from the various alternatives. The qualitative assessment presented below is derived in part from a study conducted by the FHWA entitled A Methodology for Evaluating Mobile Source Air Toxic Emissions Among Transportation Project Alternatives, found at: http://www.fhwa.dot.gov/environment/air_quality/air_toxics/research_and_analysis/mobile_source_air_toxics/msatemissions.pdf

For each alternative in this document, the amount of MSAT emitted would be proportional to the vehicle miles traveled, or VMT, assuming that other variables such as fleet mix are the same for each alternative. Because the VMT estimated for the No Build Alternative is higher than for any of the Build Alternatives, higher levels of MSAT are not expected from any of the Build Alternatives compared to the No Build. Also, regardless of the alternative chosen, emissions will likely be lower than present levels in the design year as a result of EPA's national control programs that are projected to reduce annual MSAT emissions by over 80 percent from 2010 to 2050. Local conditions may differ from these national projections in terms of fleet mix and turnover, VMT growth rates, and local control measures. However, the magnitude of the EPA-projected reductions is so great (even after accounting for VMT growth) that MSAT emissions in the study area are likely to be lower in the future in virtually all locations.

Under each alternative there may be localized areas where VMT would increase, and other areas where VMT would decrease. Therefore, it is possible that localized increases and decreases in MSAT emissions may occur. The localized increases in MSAT emissions would likely be most pronounced along the new roadway sections that would be built at FM 1301. However, even if these increases do occur, they too will be substantially reduced in the future due to implementation of EPA's vehicle and fuel regulations.

In sum, under all Build Alternatives in the design year it is expected there would be reduced MSAT emissions in the immediate area of the project, relative to the No Build Alternative, due to the reduced

VMT associated with more direct routing, and due to EPA's MSAT reduction programs. Emissions are virtually certain to be lower than present levels in the design year as a result of EPA's national control programs that are projected to reduce annual MSAT emissions by over 80 percent from 2010 to 2050. Local conditions may differ from these national projections in terms of fleet mix and turnover, VMT growth rates, and local control measures.

Incomplete or Unavailable Information for Project-Specific MSAT Health Impacts Analysis

In FHWA's view, information is incomplete or unavailable to credibly predict the project-specific health impacts due to changes in MSAT emissions associated with a proposed set of highway alternatives. The outcome of such an assessment, adverse or not, would be influenced more by the uncertainty introduced into the process through assumption and speculation rather than any genuine insight into the actual health impacts directly attributable to MSAT exposure associated with a proposed action.

The U.S. Environmental Protection Agency (EPA) is responsible for protecting the public health and welfare from any known or anticipated effect of an air pollutant. They are the lead authority for administering the Clean Air Act and its amendments and have specific statutory obligations with respect to hazardous air pollutants and MSAT. The EPA is in the continual process of assessing human health effects, exposures, and risks posed by air pollutants. They maintain the Integrated Risk Information System (IRIS), which is "a compilation of electronic reports on specific substances found in the environment and their potential to cause human health effects" (EPA, http://www.epa.gov/iris/). Each report contains assessments of non-cancerous and cancerous effects for individual compounds and quantitative estimates of risk levels from lifetime oral and inhalation exposures with uncertainty spanning perhaps an order of magnitude.

Other organizations are also active in the research and analyses of the human health effects of MSAT, including the Health Effects Institute (HEI). Two HEI studies are summarized in Appendix D of FHWA's Interim Guidance Update on Mobile source Air Toxic Analysis in NEPA Documents. Among the adverse health effects linked to MSAT compounds at high exposures are; cancer in humans in occupational settings; cancer in animals; and irritation to the respiratory tract, including the exacerbation of asthma. Less obvious is the adverse human health effects of MSAT compounds at current environmental concentrations (HEI, http://pubs.healtheffects.org/view.php?id=282) or in the future as vehicle emissions substantially decrease (HEI, http://pubs.healtheffects.org/view.php?id=306).

The methodologies for forecasting health impacts include emissions modeling; dispersion modeling; exposure modeling; and then final determination of health impacts – each step in the process building on the model predictions obtained in the previous step. All are encumbered by technical shortcomings or uncertain science that prevents a more complete differentiation of the MSAT health impacts among a set of project alternatives. These difficulties are magnified for lifetime (i.e., 70 year) assessments, particularly because unsupportable assumptions would have to be made regarding changes in travel patterns and vehicle technology (which affects emissions rates) over that time frame, since such information is unavailable.

It is particularly difficult to reliably forecast 70-year lifetime MSAT concentrations and exposure near roadways; to determine the portion of time that people are actually exposed at a specific location; and to

establish the extent attributable to a proposed action, especially given that some of the information needed is unavailable.

There are considerable uncertainties associated with the existing estimates of toxicity of the various MSAT, because of factors such as low-dose extrapolation and translation of occupational exposure data to the general population, a concern expressed by HEI (http://pubs.healtheffects.org/view.php?id=282). As a result, there is no national consensus on air dose-response values assumed to protect the public health and welfare for MSAT compounds, and in particular for diesel PM. The EPA (http://www.epa.gov/risk/basicinformation.htm#g) and the HEI (http://pubs.healtheffects.org/getfile.php?u=395) have not established a basis for quantitative risk assessment of diesel PM in ambient settings.

There is also the lack of a national consensus on an acceptable level of risk. The current context is the process used by the EPA as provided by the Clean Air Act to determine whether more stringent controls are required in order to provide an ample margin of safety to protect public health or to prevent an adverse environmental effect for industrial sources subject to the maximum achievable control technology standards, such as benzene emissions from refineries. The decision framework is a two-step process. The first step requires EPA to determine an "acceptable" level of risk due to emissions from a source, which is generally no greater than approximately 100 in a million. Additional factors are considered in the second step, the goal of which is to maximize the number of people with risks less than 1 in a million due to emissions from a source. The results of this statutory two-step process do not guarantee that cancer risks from exposure to air toxics are less than 1 in a million; in some cases, the residual risk determination could result in maximum individual cancer risks that are as high as approximately 100 in a million. In a June 2008 decision, the U.S. Court of Appeals for the District of Columbia Circuit upheld EPA's approach to addressing risk in its two step decision framework.

Information is incomplete or unavailable to establish that even the largest of highway projects would result in levels of risk greater than deemed acceptable. Because of the limitations in the methodologies for forecasting health impacts described, any predicted difference in health impacts between alternatives is likely to be much smaller than the uncertainties associated with predicting the impacts. Consequently, the results of such assessments would not be useful to decision makers, who would need to weigh this information against project benefits, such as reducing traffic congestion, accident rates, and fatalities plus improved access for emergency response, that are better suited for quantitative analysis.

Conclusion

In this document, a qualitative MSAT assessment has been provided relative to the various alternatives of MSAT emissions and has acknowledged that the project may result in increased exposure to MSAT emissions in certain locations, although the concentrations and duration of exposures are uncertain, and because of this uncertainty, the health effects from these emissions cannot be estimated.

Air Quality Construction Emissions

During the construction phase of this project, temporary increases in air pollutant emissions may occur from construction activities, equipment, and related vehicles. The primary construction related emissions

are particulate matter (fugitive dust) from site preparation and construction and non-road MSATs from construction equipment and vehicles. The primary MSAT emission related to construction is diesel particulate matter from diesel powered construction equipment and vehicles.

These emissions are temporary in nature (only occurring during actual construction); it is not possible to reasonably estimate impacts from these emissions due to limitations of the existing models. However, the potential impacts of particulate matter emissions would be minimized by dust control measures such as covering or treating disturbed areas with dust suppression techniques, sprinkling, covering loaded trucks, and other dust abatement controls, as appropriate.

However, considering the temporary and transient nature of construction related emissions, as well as the mitigation actions to be utilized, it is not anticipated that emissions from construction of this project would have any significant impact on air quality in the area.

3.6 Noise

This analysis was accomplished in accordance with TxDOT's (FHWA approved) Guidelines for Analysis and Abatement of Roadway Traffic Noise (2011).

Sound from highway traffic is generated primarily from a vehicle's tires, engine and exhaust. It is commonly measured in decibels and is expressed as "dB."

Sound occurs over a wide range of frequencies. However, not all frequencies are detectable by the human ear; therefore, an adjustment is made to the high and low frequencies to approximate the way an average person hears traffic sounds. This adjustment is called A-weighting and is expressed as "dB(A)."

Also, because traffic sound levels are never constant due to the changing number, type and speed of vehicles, a single value is used to represent the average or equivalent sound level and is expressed as "Leq."

The traffic noise analysis typically includes the following elements:

Identification of land use activity areas that might be impacted by traffic noise.
Determination of existing noise levels.
Prediction of future noise levels.
Identification of possible noise impacts.
Consideration and evaluation of measures to reduce noise impacts.

The FHWA has established the following Noise Abatement Criteria (NAC) for various land use activity areas that are used as one of two means to determine when a traffic noise impact would occur.

Table 6: NOISE ABATEMENT CRITERIA

Activity Category	FHWA dB(A) Leq		Description of Land Use Activity Areas
A	57 (exterior)		Lands on which serenity and quiet are of extra-ordinary significance and serve an important public need and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose.
B	67 (exterior)		Residential
C	67 (exterior)		Active sport areas, amphitheaters, auditoriums, campgrounds, cemeteries, day care centers, hospitals, libraries, medical facilities, parks, picnic areas, places of worship, playgrounds, public meeting rooms, public or nonprofit institutional structures, radio studios, recording studios, recreation areas, Section 4(f) sites, schools , television studios, trails, and trail crossings
D	52 (interior)		Auditoriums, day care centers, hospitals, libraries, medical facilities, places of worship, public meeting rooms, public or nonprofit institutional structures, radio studios, recording studios, schools, and television studios
E	72 (exterior)		Hotels, motels, offices, restaurants/bars, and other developed lands, properties, or activities not included in A-D or F.
F	--		Agricultural, airports, bus yards, emergency services, industrial, logging, maintenance facilities, manufacturing, mining, rail yards, retail facilities, shipyards, utilities (water resources, water treatment, electrical), and warehousing.
G	--		Undeveloped lands that are not permitted.

A noise impact occurs when either the absolute or relative criterion is met:

Absolute criterion: the predicted noise level at a receiver approaches, equals or exceeds the NAC. "Approach" is defined as one dB(A) below the FHWA NAC. For example: a noise impact would occur at a Category B residence if the noise level is predicted to be 66 dB(A) or above.

Relative criterion: the predicted noise level substantially exceeds the existing noise level at a receiver even though the predicted noise level does not approach, equal or exceed the NAC. “Substantially exceeds” is defined as more than 10 dB(A). For example: a noise impact would occur at a Category B residence if the existing level is 54 dB(A) and the predicted level is 65 dB(A).

When a traffic noise impact occurs, noise abatement measures must be considered. A noise abatement measure is any positive action taken to reduce the impact of traffic noise on an activity area.

The FHWA traffic noise modeling software was used to calculate existing and predicted traffic noise levels. The model primarily considers the number, type and speed of vehicles; highway alignment and grade; cuts, fills and natural berms; surrounding terrain features; and the locations of activity areas likely to be impacted by the associated traffic noise. On site sampling of existing conditions was also performed.

Existing and predicted traffic noise levels were modeled at receiver locations (Table 7 and Exhibit 10) that represent the land use activity areas adjacent to the proposed project that might be impacted by traffic noise and potentially

benefit from feasible and reasonable noise abatement.

Table 7: TRAFFIC NOISE LEVELS dB(A) Leq

Representative Receiver	NAC Category	NAC Level	Existing	Predicted 2036	Change (+/-)	Noise Impact
R1 Homes – West FM 1301 @ Overpass	B	66	59	63	4	No
R2 Undeveloped Land – FM 1301 Open land	G	N/A	58	65	7	No
R3 Undeveloped Land New city road – Open Land	G	N/A	58	65	7	No
R4 Restaurant -Highway 59 north at existing FM 102	E	72	68	69	1	No

As indicated in Table 8, the proposed project would not result in a traffic noise impact. However, to avoid noise impacts that may result from future development of properties adjacent to the project, local officials responsible for land use control programs must ensure, to the maximum extent possible, no new activities are planned or constructed along or within the following predicted (2036) noise impact contours.

Table 8 – 2036 Noise Contour Offset Distances

LAND USE NAC Category	IMPACT CONTOUR Db(A)	REPRSENTATIVE RECEPTOR	DISTANCE FROM ROW LINE - feet
B&C	66	R1	10
E	71	R1	0
B&C	66	R2	10
E	71	R2	0
B&C	66	R3	10
E	71	R3	0
B&C	66	R4	205
E	71	R4	100

Noise associated with the construction of the project is difficult to predict. Heavy machinery, the major source of noise in construction, is constantly moving in unpredictable patterns. However, construction normally occurs during daylight hours when occasional loud noises are more tolerable. None of the receivers are expected to be exposed to construction noise for a long duration; therefore, any extended disruption of normal activities is not expected. Provisions would be included in the plans and specifications that require the contractor to make every reasonable effort to minimize construction noise through abatement measures such as work-hour controls and proper maintenance of muffler systems.

A copy of this traffic noise analysis will be available to local officials. On the date of approval of this document (Date of Public Knowledge), FHWA and TxDOT are no longer responsible for providing noise abatement for new development adjacent to the project.

3.7 Hazardous Materials

Visual Observation

A Phase I Environmental Site Assessment (ESA) of the four-phase project study area was performed

on August 13th, 2012, to assess the conditions and properties adjoining the project study area. This included a visual survey of properties located immediately outside the boundaries of the proposed project area to identify release or threatened release of petroleum products or hazardous substances.

Two Recognized Environmental Conditions (REC's) were noted at the subject site and as a result of our findings. These Recognized Environmental Conditions are:

The former presence of a Closed Petroleum Storage Tank Facility near the northeastern corner of FM 1301 and State Highway 60 was noted. Evaluation of the records for this site indicated that the subject site has attained final closure from the TCEQ. As part of this project coordination effort, TxDOT requested the utility depths in the area of the noted site, and the depth to groundwater. The current utilities near the subject site were between 4 and 7 feet in depth. Groundwater records indicate that groundwater is some 15 feet below natural ground surface. As a result, it is believed that migration of any residual materials is unlikely.

The second REC was the former presence of an oil/gas exploration and/or production well located near the center of the subject site. Based on the provided overlay map, it appears that the former well site is located on, or immediately adjacent to, the proposed project right of way. Considerable efforts were made to specifically locate this well. Texas Railroad Commission well records were obtained and provided to the project surveyor. The records were in a state which could not definitively confirm or deny that the indicated well was physically located within the project zone. Interaction and coordination with TxDOT indicated that the well was likely not in the construction zone, and that if the well piping was discovered during the construction phase, TxDOT has a standard construction specification for identifying and remediating such item.

Based on the site evaluation and interaction with TxDOT, it was determined that no additional environmental evaluation is warranted for the subject site.

The project study area was not listed in any of the state and federal databases searched by ESA Data. Several surrounding properties were listed in the database search as LUST, UST, RCRIS- TSD, RCRIS-LQG, RCRIS-SQG, ERNS, State Landfill, CLI, and TX VCP sites. Several oil/gas wells are mapped as occurring within one mile of the project study area. None of these properties are reported to have impacted or been impacted by the project alignment.

Two jurisdictional waters of the U.S. and one non-jurisdictional surface water feature (upland cut, man-made ditch) were observed within the project study area.

During the site visit, industrial, residential, commercial and vacant land properties were identified on either side of the project study area. No significant soil staining or other environmental concern was observed on any properties adjacent to the project study area.

The Phase I Environmental Site Assessment was conducted in conformance with the scope and limitations of ASTM Practice E-1527. This assessment has revealed no evidence of "recognized environmental conditions" currently in connection with the project study area.

Regulatory Records Review

A search of numerous local, state and federal environmental databases was conducted according to ASTM E-

1527 standard specifications on June 26, 2008, by ESA Data of Houston, Texas. An updated EDR report was obtained on July 9th, 2012. This report can be found in ***Appendix D***.

A considerable number of mapped sites were identified in accordance with the ASTM Standard evaluation search distances. A number of mapped sites were identified within the 1 mile search radius of the project site and were noted as:

- Comprehensive Environmental Response, Compensation, and Liability Information System – None
- Further Remedial Action Planned (CERCLIS-NFRAP): None
- Resource Conservation and Recovery Act - Treatment, Storage and Disposal Facilities (RCRA-TSDF): 11 Sites
- Emergency Response Notification System (ERNS): 1 Site
- Solid Waste Facilities/Landfill Sites (SWF/LF): 1 Site
- Closed Landfill Inventory (CLI): 2 Sites
- Leaking Petroleum Storage Tank (LPST): 10 Sites
- Underground Storage Tank (UST): 14 Sites
- Aboveground Storage Tank (AST): 0 Sites
- Voluntary Cleanup Program (VCP):0 Sites
- Hazardous Materials Incident Report System (HMIRS):0 Sites
- SPILLS: None
- Industrial Hazardous Waste Database:7 Sites
- Facility Registry System: 16 Sites

The noted sites were largely distributed along the intersection of FM 1301 and SH 60. Several additional sites were identified near the existing intersection of US Highway 59 and FM 102.

Based upon a review of regulatory records listed in the EDR report attached in ***Appendix D*** and site investigations conducted**,** it has been determined that none of these listed sites would manifest any "recognized environmental conditions" in connection with the project alignment.

Neither the No Build Alternative nor the Build Alternative is anticipated to be adversely affected by hazardous materials. The No Build Alternative would not result in any changes from existing conditions reported, observed and documented within the project study area.

The contractor would take appropriate measures to prevent, minimize, and control the spill of hazardous materials during the implementation of the Build Alternative. The use of construction equipment within sensitive areas would be minimized or eliminated entirely. All construction materials used for construction of the Build Alternative would be removed as soon as work schedules permit. Any unanticipated hazardous materials and/or petroleum contamination encountered during construction would be handled according to applicable federal and state regulations per TxDOT Standard Specifications.

3.8 Water Quality

Section 303(d)

The final design of the storm water management system is not complete at the time of this evaluation. Based on the existing available infrastructure and location of the proposed project, it is understood that the

storm water would largely be directed to the City of Wharton drainage system (which includes a small isolated remnant slough portion of Caney Creek) to the south of the project, and Baughman Slough to the north of the project.

Neither Baughman Slough nor the City of Wharton drainage system (including the portion of the isolated remnant of Caney Creek) is identified as a threatened / impaired stream on the 2012 303(d) list. The proposed project would not create and/or exacerbate existing bacteria or dissolved oxygen levels into the noted water body. Best Management Practices (BMPs), such as silt fences, hay bales, and vegetative filter strips, would be installed, monitored and maintained to prevent discharges into the receiving water bodies. Any portable sewage devices would be contained and would not discharge into the watershed. No long-term water quality impacts are expected as a result of the proposed project.

Approximately 5 miles to the south of the project area is the current functioning Caney Creek. The functioning Caney Creek is identified as a threatened / impaired stream on the 2012 303(d) list. It is understood that the project design will direct no flow toward this section of Caney Creek, and as a result no impacts to the impaired stream are anticipated. ***Exhibit 14*** shows the extents of the impaired functioning Caney Creek in relation to the location of the project site.

The No Build Alternative is not anticipated to adversely affect water quality within the watershed as improvements to the project study area would not occur. Anthropogenic activities surrounding the project study area may result in exacerbation of water quality that may not meet state and federal standards.

The Build Alternative is not expected to contaminate or otherwise adversely affect the public water supply, water treatment facilities, or water distribution systems. No long-term water quality impacts are expected as a result of the Build Alternative. Subsurface water would not be required for this project; therefore, no adverse effects to groundwater are expected.

The construction properly designed storm water management facilities would provide a beneficial effect to water quality within the drainage basin by removing pollutants, polishing water quality and minimizing the accumulation of suspended solids in the water column of storm water runoff. The proposed project is not expected to contaminate or otherwise adversely affect the public water supply, water treatment facilities, or water distribution systems.

Section 401 of the Clean Water Act

The No Build Alternative would not result in discharges to waters of the U.S.; therefore, authorization under Section 401 CWA is not required. For the Build Alternative, a Section 401 CWA certification requirements for Nationwide Permit 14 – Linear Transportation Projects would be met by implementing approved erosion controls, sediment controls and/or post-construction TSS controls from the *TCEQ's 401 Water Quality Certification Conditions* for Nationwide Permits.

Section 402 of the Clean Water Act

The No Build Alternative would not trigger any TPDES requirements as soil disturbances would not occur. The Build Alternative would include five or more acres of earth disturbance. TxDOT would comply with TCEQ's Texas Pollutant Discharge Elimination System (TPDES) Construction General Permit (CGP). A Storm Water Pollution Prevention Plan (SW3P) would be implemented, and a construction site notice would be

posted on the construction site. A notice of intent would be required.

The project study area is partially located within the boundaries of a Municipal Separate Storm Sewer System (MS4). The No Build Alternative would not affect the MS4 as no construction would occur. The implementation of the Build Alternative would result in project construction complying with the requirements of the MS4 program.

3.9 Floodplains

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps, virtually the entire project to the west of the existing KCSRR line is located within the 100 year floodplain. The portion of the project located to the east of the KCSRR is shown to be located outside of the 100 year floodplain and within the 500 year floodplain.

Avoidance of floodplains for the alternative alignment analysis, with the exception of the No Build Alternative, is not possible because the floodplain in the study area covers virtually all of the project study area. Because the floodplain boundaries of the watercourse in the study area cover the Build Alternative, which is the only alternative that meets the need for and purpose of the project, complete avoidance of floodplain encroachment is not possible. However, the encroachment required is not significant, per the conditions of 23 CFR 650.105(q) as follows:

> Significant encroachment means a highway encroachment and any direct support of likely base flood-plain development that would involve one or more of the following construction-or flood-related impacts:
> (1) A significant potential for interruption or termination of a transportation facility which is needed for emergency vehicles or provides a community's only evacuation route
> (2) A significant risk, or
> (3) A significant adverse impact on natural and beneficial floodplain values

A preliminary drainage report for the project is currently being developed in coordination with the City of Wharton and Wharton County Drainage District. A draft of the preliminary drainage report was anticipated to be completed in September, 2013 and will be provided to the City of Wharton, Wharton County Drainage District and TxDOT.

The hydraulic design of the roadway would be done with the most recent floodplain data that is available for use. The final hydraulic design would be done in accordance with applicable federal, state, and local policies and in accordance with 23 CFR 650.113. The roadway would be designed to prevent inundation at recurrence intervals of at least 100 years and such that the inundation of the roadway would not cause significant damage to roadway, stream, or other property.

The City of Wharton is a participant in the National Flood Insurance Program (NFIP). Coordination would be conducted with the City of Wharton, TxDOT and FEMA to ensure the proposed project would have no adverse effect to floodplains within the project study area.

3.10 Coastal Zone Management Plan

Wharton County is not under the jurisdiction of the Texas Coastal Management Plan (TCMP) of the Coastal

Zone Management Act (CZMA). The TCMP rules state that actions that may adversely affect coastal natural resource areas must comply with the TCMP and a consistency review is required.

The project study area is located outside the Coastal Management Zone as determined by the Texas General Land Office. Therefore, the No Build and Build Alternative would not affect coastal resources within Wharton County and a consistency determination would not be required.

3.11 Waters of the U.S., including Wetlands

An analysis of USGS topographic maps, FEMA FIRM maps, field reconnaissance and wetland delineation, reveals that jurisdictional waters of the U.S. that are subject to Section 404 of the Clean Water Act are present within the project limits. A jurisdictional delineation was performed in August 2012, within the project limits (*SMC Consulting, Inc. August, 2012 – TxDOT CSJ 1412-03-038, Four Phase Wharton Roadway Approximate 29,800 Linear Foot – Roadway Extension Project of FM 1301 From State Highway 60 to US Highway 59, Including the Highway 59 Overpass, Exit Ramps, and Access Roads along Highway 59 -88 pp.)*. A map depicting the boundaries of the jurisdictional waters and/or wetlands present within the project limits can be found in ***Exhibit 12***.

It was determined that three areas of two different jurisdictional waters of the U.S. and one non-jurisdictional upland cut, man-made aquatic feature were present within the project study area. The total areas identified on the subject site were identified as being 0.301 acres of Jurisdictional Waters, and an additional 0.039 acres of Jurisdictional Wetlands were present in the proposed project area. The total Jurisdictional Areas in the project area were a cumulative 0.340 acres.

As the project is still in the early design stages, a request for USACE Nationwide Permitting or USACE Concurrence has not been made. Permitting activities will be performed in accordance with the USACE and US EPA requirements, once the project design is finalized.

If the No Build Alternative were implemented, no new ROW would be acquired and no effects would occur to waters of the U.S. No permits would be required under Section 404 of the CWA. The Build Alternative would result in minimal impacts to waters of the U.S. and the placement of temporary or permanent dredge or fill materials would be authorized under Nationwide Permit (NWP) 14 – Linear Transportation Projects with a Pre-Construction Notification (PCN) under Section 404 of the Clean Water Act. A PCN is required because the proposed impacts exceed 0.10-acre of total Jurisdictional Areas. General Condition No. 27 for NWPs requires that notification be provided prior to construction of the proposed project.

Appropriate measures would be taken to maintain normal downstream flows and minimize flooding. Temporary fills would consist of non-hazardous materials that would be placed in a manner so as to not be eroded by high flows. Temporary fills would be removed in their entirety and the affected area returned to pre-construction elevations, and revegetated as appropriate. Stream channel modifications, including bank stabilization, would be limited to that necessary to construct or protect the structure and the immediate vicinity of the project. The activity would comply with all general and regional conditions applicable to NWP 14 – Linear Transportation Projects.

A small amount of the non-jurisdictional man-made ditch may be impacted during the construction of the Build Alternative. These impacts would consist of earthen fill for the proposed roadway and associated

storm drains / drainage system.

Only a small amount of wetlands are present within the project study area. Impacts to wetlands would likely be proposed under any of the Build Alternatives; therefore, Executive Order 11990 on wetlands does apply. In order to comply with EO 11990, USACE permitting regulations would need to be followed for the proposed Build Alternative.

Section 9 and 10, Rivers and Harbors Act

Coordination with the U.S. Coast Guard under Section 9 would not be required for this project. This project would not involve work in, or over, a navigable water of the U.S., therefore Section 10 of the Rivers and Harbors Act would not apply.

Compensatory Mitigation

Compensatory mitigation for permanent impacts associated with the Build Alternative would likely not be proposed, as permanent impacts to wetlands are identified as being less than 0.10 acres and the USACE has largely not required mitigation for permanent impacts less than 0.10 acres of wetlands. Should mitigation be required as a condition of the permit, appropriate mitigation will be proposed and provided. The implementation of the Build Alternative would be anticipated to increase the function and value of the aquatic ecosystem by diversifying the substrate of the relic scar of Caney Creek and Baughman Slough and providing microhabitats for aquatic flora and fauna.

303(d) Impaired Waters

A review of the 2012 Section 303(d) impacted waters listing shows a segment of Caney Creek near Old Caney Road in Wharton County, as an impaired water for bacteria and dissolved oxygen. This segment of Caney Creek is within the 5 mile search radius of the proposed project boundary.

The proposed project will implement best management practices for erosion control and stormwater discharge protection. The proposed project is not anticipated to have an impact on Caney Creek and will not degrade the bacteria or dissolved oxygen condition of the water body. The proposed project is not designed to direct discharge into the impacted water body of Caney Creek.

3.12 Water Body Modifications

The project area contains three aquatic features that are described in more detail in Section 3.11. The No Build Alternative would not result in modifications to these aquatic features as no construction would occur. The Build Alternative would not adversely modify any of the existing water bodies – other than minimal bridge crossings, or small length box culvert installation work. The water bodies would continue to function for capturing stormwater runoff and drainage of the surrounding watershed.

3.13 Vegetation

Existing Environment

According to the field evaluation and review of the *Vegetation Types of Texas* by the Texas Parks and Wildlife Department (TPWD), the project study area is largely located within one vegetation type - Rural (McMahan et al., 1984). Small sections of the subject site are located with the Urban (46) or industrial zone and are delineated by city limits and demonstrate a history of human development and habitation. The majority of the project area consists of land used for crop and cattle production, which is largely altered and undeveloped land. Transportation purposes or urban development (residential, commercial, and community facilities) are the smaller portions scattered along the terminus points of the project and along US Highway 59. The dominant vegetative communities include sparse aquatic features, scrub/shrub-dominated riparian areas, open woodlands, mowed and maintained ROW, farmed uplands, and herbaceous uplands and are described below. Photographs of the vegetation found on the project site can be seen in ***Appendix A*.**

The project study area is located in the Gulf Coast Prairies and Marshes natural region of Texas, which includes approximately 20,312 square miles (Gould 1975). Gulf Coast prairies are nearly level with slow surface drainage and elevations ranging from sea level to approximately 250 feet above mean sea level (MSL). In addition to wildlife habitat, the prairies are used for crops, livestock grazing, and urban and industrial centers. It is estimated that as much as 99 percent of the coastal prairies in Texas have been converted to agricultural land (Gould,1975; McMahan, et. al, 1984).

Gulf Coast marshes are low, wet, marshy coastal areas commonly inundated with saline water, ranging from sea level to a few feet in elevation above MSL. These marshes support species of sedges, rushes, cordgrasses, reeds, and forbs, which provide beneficial wildlife habitat for numerous birds and marine fisheries. Many areas in the region have been invaded by noxious volunteer species such as honey mesquite (*Prosopis glandulosa*), smut grass (*Sporobolus indicus*), and Chinese tallow (*Triadica sebifera*).

Local Vegetation Types

In accordance with Provision (4)(A)(i) of the TxDOT-TPWD Memorandum of Understanding (MOU), an investigation was conducted to identify vegetation types within the project study area. The dominant vegetative communities include aquatic features, scrub/shrub-dominated riparian areas, open woodlands, mowed and maintained ROW, and herbaceous uplands as described below.

The vast majority of the subject site is comprised of open farm / cattle production land, and mowed right of way. This open farm / cattle production and mowed right of way habitat type makes up approximately 98 percent of the project area.

Aquatic Features – As depicted above, aquatic features (0.340 acres) within the project area include the remnants of Caney Creek and Baughman Slough and a non-jurisdictional man-made farm / roadside drainage ditch which flows into Baughman Slough.

Scrub/Shrub-Dominated Riparian Area - This riparian vegetative community was located primarily on the project site along fencerows, undeveloped parcels, and abutting the aquatic features on the project site. This community was dominated by a cover of Hackberry trees (Celitis laevigata), Yaupon(Ilex vomitoria), Poison

Ivy(Toxicodendron radicans), and Green briar(Smilax bona-nox).

Open Woodlands and Herbaceous Uplands / Maintained ROW - The open woodlands vegetative community represents the vast majority of the subject site – representing undeveloped agricultural fields. This community appeared to be grazed extensively by livestock as evidenced by the invasive and exotic plants species present, uniform height of existing herbaceous cover, and cow skeletons. The open woodlands community was dominated by Cynodon dactylon (Bermuda grass), Taraxacum officinale (Dandelion), Cirslum undulatum (Thistle) and Rumex crispus (Curly dock).

The herbaceous upland vegetative community within the project site is dominated by a cover of Canadian goldenrod (Solidago canadensis), Brazilian vervain (Verbana brasiliensis), dogfennel (Eupatorium capillifolium), Johnsongrass (Sorghum halepense), yellow bluestem (Bothriochloa ischaemum), and eastern bacharis (Baccharis halimifolia).

Under the No Build Alternative, the existing roadway and associated ROW would continue to be maintained. Existing land use changes, including urban development and periodic mowing of the existing ROW, would continue and periodically affect vegetation communities. No adverse effects to vegetation are anticipated under the No Build Alternative.

Clearing, grading, and other roadbed preparation activities associated with the construction of the Build Alternative would permanently affect approximately 45 acres of modified vegetation within the existing and proposed ROW. These vegetation communities include scrub/shrub-dominated riparian areas, open woodlands, and herbaceous uplands. The project area ROW would be largely converted to paved roadway /drainage ditches, or disturbed temporarily during construction.

The vegetated portions of the existing and proposed ROW would largely be converted to a maintained ROW, excavated for the installation of ditches, culvert extensions and bridge crossings, or cleared, graded, and paved to accommodate construction.

A tree survey was not performed for the project study area since no special habitat was identified within the very limited treed zones on the subject site. The only tress encountered in the project ROW, were invasive tress along ditches and fence rows. The vast majority of the project area was open non-treed farmland.

The majority of the vegetation present in the project study area has been altered by anthropogenic activities such as farming, road construction, maintenance mowing of roadside drainage swales and easements, mowing of utility corridors, and land clearing. Both Chinese tallow and Chinese privet dominate the forested areas of the proposed ROW and are noxious invaders that should be eradicated whenever possible to improve wildlife habitat.

Potential Mitigation

In accordance with Provision (4)(A)(ii) of the TxDOT-TPWD Memorandum of Understanding (MOU), some habitats may be given consideration for non-regulatory mitigation during project planning. These habitats may include:

- Habitat for federal candidate species if mitigation would assist in the prevention of the listing of the species;
- Rare vegetation series (S1, S2 or S3) that also locally provide habitat for a state-listed species;
- All vegetation communities listed as S1 or S2, regardless of whether or not the series in question provide habitat for state listed species;
- Bottomland hardwoods, native prairies, and riparian areas; and,
- Any other habitat feature considered to be locally important.

The Build Alternative would affect scrub-shrub dominated riparian areas and would be considered for non-regulatory mitigation during planning. Proposed impacts to these riparian areas would be avoided and minimized to the greatest extent practicable. Compensatory mitigation to offset riparian areas not avoided and minimized is not practicable due to maintaining the project layout and minimal available land.

Beneficial Landscape Practices

In accordance with the Executive Memorandum of August 10, 1995, all agencies shall comply with the National Environmental Policy Act as it relates to vegetation management and landscape practices for all federally assisted projects. The Executive Memorandum directs that where cost-effective and to the extent practicable, agencies would (1) use regionally native plants for landscaping; (2) design, use, or promote construction practices that minimize adverse effects on the natural habitat; (3) seed to prevent pollution by reducing fertilizer and pesticide use; (4) implement water-efficient and runoff reduction practices; and (5) create demonstration projects employing these practices. Landscaping included with this project would be in compliance with the Executive Memorandum and the guidelines for environmentally and economically beneficial landscape practices.

Invasive Species

On February 3, 1999, the President issued Executive Order 13112 to prevent the introduction of invasive species and provide for their control, and to minimize economic, ecological, and human health impacts. In accordance with Executive Order 13112 on invasive species, native plant species would be used in the landscaping and in the seed mixes where practicable.

3.14 Wildlife

The project study area is located in the Gulf Coast Prairies and Marshes vegetation region, which includes parts of the Texas and Tamaulipan Biotic Provinces (Blair 1950). Habitat in the project study area is limited, as the area is primarily residential, commercial, and industrial property and because existing transportation corridors are being improved and expanded by the proposed project. Wildlife present within the project study area is indicative of the vegetation types observed with species being adapted to urbanized conditions. The wildlife likely to be found in the project study area includes birds, small mammals, herpetofauna, and invertebrates typically associated with areas of intense and prolonged human development and activity. Human development, farming, and existing transport systems have greatly reduced and degraded habitat for wildlife so that extremely low species diversity and density occur within the project study area.

The wildlife found in the undeveloped portions of the project study area are similar to that of the developed

areas, due to the limited size of undeveloped areas and close proximity to residential and commercial areas, which are characterized by constant human activity and noise. Wildlife habitat in the undeveloped areas of the project study area is greatly reduced due to the ongoing farming activities in the area of the site. As a result of the largely uniform and non-diverse planting and crop activities, low species diversity is evident. As with other elements of the ecosystem, wildlife communities are directly affected by the loss of habitat.

The No Build Alternative is not anticipated to affect wildlife communities within the project study area as no construction would occur. The Build Alternative would involve road improvement to existing roadways, and new roadway construction in areas that are currently farm land, as well as construction in existing roadway corridor areas. The potential effects of the Build Alternative on regional wildlife resources would be relatively minor. The use of BMPs to reduce erosion and stream sedimentation would minimize effects to jurisdictional waters of the U.S. and thus reduce potential effects to wildlife within the project study area. Disturbed areas would be reseeded and planted with native, non-invasive species which may enhance opportunities for wildlife to re-inhabit the project study area.

The general project location is within the North American flyway and neo-tropical migrants pass over this area annually. The project study area has been disturbed by anthropogenic activity for approximately 80 years, which has resulted in the degradation of desirable habitat for resident and migratory neo-tropical bird species. No nesting birds were observed during numerous site inspections to the project study area.

The Migratory Bird Treaty Act (MBTA) states that it is unlawful to pursue, hunt, kill, capture, possess, buy, sell, purchase, or barter any migratory birds, including the feathers or other parts, nests, eggs, or migratory bird parts. To avoid potential impacts to migratory birds associated with the Build Alternative, the removal of trees and clearing of the ROW would either be conducted outside of the breeding season of the migratory birds or the ROW would be surveyed for active nests to ensure the preservation of the nests prior to construction.

The Fish and Wildlife Coordination Act (FWCA), as amended in 1964, provides protection for potentially affected fish and wildlife species and their habitats when a federal action results in a modification of a natural stream or water body or a proposed control structure of those resources. The No Build Alternative would not result in any water body or natural stream impacts. The Build Alternative is anticipated to have minimal impacts to waters of the U.S.; however, the proposed modification is anticipated to be authorized under NWP 14, Section 404 of the CWA. Coordination with the USFWS is not required if the proposed modifications would be authorized under the nationwide permit program.

3.15 Threatened and Endangered Species

Texas Parks and Wildlife Department (TPWD) and the USFWS were contacted regarding the potential for occurrence of listed species and habitat in the project study area.

A general guidance letter dated January 2010 from the Clear Lake, Texas office of the USFWS details procedures to ensure that this project meets ESA coordination requirements. County specific species lists were obtained from the USFWS website (http://www.fws.gov/southwest/es/EndangeredSpecies/lists) on January 27th, 2013, and coordination per the guidance described in the aforementioned letter was followed. The No

further coordination is required if the assessment of the proposed project indicates "no effect" to any listed species. Should the assessment determine that the proposed project "may effect" any listed species, the Clear Lake office should be contacted for further evaluation.

TPWD was contacted on August 9th, 2012, regarding their knowledge of recorded data about documented presence or potential presence of listed species on or adjacent to the site. On January 27th, 2013, a search of the National Diversity Database (NDD) was performed using NDD Mimic, and the TPWD indicated that no listed species and/or habitat were documented within either ten miles or one mile of the project site. The NDD cannot be used for presence/absence determinations.

A Certified Wildlife Biologist with experience in field surveys for listed species performed diurnal and crepuscular site investigations on several days including March 28th and 29th, 2012. The Certified Wildlife biologist concentrated the search on evidence of the species and habitat of concern documented by TPWD and observations were made regarding other listed species.

The entire project study area and surrounding properties were visually inspected to determine existing habitat types and to observe the wildlife utilizing the site. A comparison was made between habitat requirements of listed species and existing habitats. The project study area was inspected for the presence of active bird nests. No listed species, species proposed for listing, or critical or suitable habitat was observed on or near the project study area. The marginal habitat and surveys conducted revealed no species present at the time, indicating that the likelihood of any occurring in the area is low. The project study area is deemed unsuitable for listed species because of the low quality vegetative habitat, continued farm equipment alteration, steady vehicular traffic, and continuous noise from human activity at nearby commercial and industrial sites.

Upon completion of the field evaluation, Texas Parks & Wildlife Department (TPWD) was provided the project evaluation and project plan. On June 10th, 2013 a No Effect Determination letter was provided by the Ecological Resources Branch of the TPWD.

Due to the extended overall project timeline, a new Threatened & Endangered Species evaluation was performed for the subject site on August 28th, 2020. The new evaluation also found no effect/ no impact to any of the listed species. The updated list of species of concern is inserted below, and the new August 28th, 2020 evaluation document is appendix E.

The current federal and state listing of threatened and endangered species in Wharton County can be found in Table 9. The effect determination for the Build Alternative can also be found in Table 14. Communication with USFWS and TPWD is included in ***Appendix E***.

The No Build Alternative would have no impact to state-listed species and no effect to federally-listed threatened and/or endangered species and their habitats as construction would not occur. The existing habitat is fragmented, non-unique and is poor to marginal in quality. As this low quality habitat has limited ability to attract wildlife, the Build Alternative would have no impact to state- listed species and no effect to federally-listed threatened and/or endangered species and their habitats.

Table 9: Threatened, Endangered, Candidate Species and Species of Concern Potentially Occurring in Wharton County, Texas

Table 9: TPWD List of Rare, Threatened, and Endangered Species for Wharton County, Texas					
Species	**USFWS Status**	**TPWD Status**	**Habitat Description**	**Habitat Present**	**Findings**
AMPHIBIANS					
Anaxyrus houstonensis Houston Toad	**LE**	**E**	Terrestrial and aquatic: Primary terrestrial habitat is forests with deep sandy soils. Juveniles and adults are presumed to move through areas of less suitable soils using riparian corridors. Aquatic habitats can include any water body from a tire rut to a large lake.	No suitable habitat on or near the site.	No effect
BIRDS					
Tympanuchus copido attwateri Attwater's Greater Prairie-chicken	LE	E	Open prairies of mostly thick grass one to three feet tall; sandhill country with bunch grass, sage, and shinnery oak. 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	No Suitable habitat near the project site.	No impact
Laterallis jamaicensis Black Rail	PT	T	This bird species is found in salt, brackish and freshwater marshes, pond borders, wet meadows, and grassy swamps. It nests in or along the edge of marsh, sometimes on damp ground, but usually on mat of previous years dad grasses. The nest is usually hidden in marsh grass or at the base of Saliconrnia	No suitable habitat within or near the project site.	No effect
Sternula antillarum athalassos Interior Least Tern	LE	E	Sand beaches, flats, bays, inlets, lagoons, islands. 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	No suitable habitat within or near the project site.	No effect
Charadrius melodus Piping Plover	LT	T	Beaches, sandflats, and dunes along Gulf Coast beaches and adjacent offshore islands. Also spoil islands in the Intracoastal Waterway. Based on the November 30, 1992 Section 6 Job No. 9.1, Piping Plover and Snowy Plover Winter Habitat Status Survey, algal flats appear to be the highest quality habitat. Some of the most important aspects of algal flats are their relative inaccessibility and their continuous availability throughout all tidal conditions. Sand flats often appear to be preferred over algal flats when both are available, but large portions of sand flats along the Texas coast are available only during low-very low tides and are often completely unavailable during extreme high tides or strong north winds. Beaches appear to serve as a secondary habitat to the flats associated with the primary bays, lagoons, and inter-island passes. Beaches are rarely used on the southern Texas coast, where bayside habitat is always available, and are abandoned as bayside habitats become available on the central and northern coast. However, beaches are probably a vital habitat along the central and northern coast (i.e. north of Padre Island) during periods of extreme high tides that cover the flats. Optimal site characteristics appear t be large in area, sparsely vegetated, continuously available or in close proximity to secondary habitat, and with limited human disturbance.	No suitable habitat within or near the project site.	No effect

Egretta rufenscens Reddish Egret		T	Resident of the Texas Gulf Coast and can be found in brackish marshes and shallow salt ponds and tidal flats. This species nests on the ground or in trees or bushes, on dry coastal islands in brushy thickets of yucca and prickly pear.	No suitable habitat located within or near the project site.	No impact
Calidris canutus rufa Red Knot	LT	T	Red knots migrate long distances in flocks northward through the contiguous United States mainly April-June, southward July-October. A small plump-bodied, short-necked shorebird that in breeding plumage, typically held from May through August, is a distinctive and unique pottery orange color. Its bill is dark, straight and, relative to other shorebirds, short-to-medium in length. After molting in late summer, this species is in a drab gray-and-white non-breeding plumage, typically held from September through April. In the non-breeding plumage, the knot might be confused with the omnipresent Sanderling. During this plumage, look for the knot's prominent pale eyebrow and whitish flanks with dark barring. The Red Knot prefers the shoreline of coast and bays and also uses mudflats during rare inland encounters. Primary prey items include coquina clam (*Donax* spp.) on beaches and dwarf surf clam (*Mulinia lateralis*) in bays, at least in the Laguna Madre. Wintering Range includes- Aransas, Brazoria, Calhoun, Cameron , Chambers, Galveston, Jefferson, Kennedy, Kleberg, Matagorda, Nueces, San Patricio, and Willacy. Habitat: Primarily seacoasts on tidal flats and beaches, herbaceous wetland, and Tidal flat/shore.	No; absence of suitable habitat within or near the project site	No effect
Elanoides forficatus Swallow-tailed Kite		T	Can be found in the lowland forested regions, especially swampy areas, ranging into open woodlands; marshes, along rivers, lakes, and ponds. This species nests high in tall trees in clearing or on forest woodland edge, usually in pine, cypress or various deciduous trees	No; absence of suitable habitat within or near the project site	No impact
Plegadis chihi White-faced Ibis		T	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	No; absence of suitable habitat within or near the project site	No impact
Buteo albicaudatus White-tailed Hawk		T	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	No; absence of suitable habitat within or near the project site	No impact
Grus americana Whooping Crane	LE	E	Potential migrant via plains throughout most of state to coast; winters in coastal marshes of Aransas, Calhoun, and Refugio counties	No; no coastal habitat is present within or near project site	No effect
Mycteria americana Wood Stork		T	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	No; absence of suitable habitat within or near the project site	No impact
MOLLUSKS					
Truncilla macrodon Texas fawnsfoot	C	T	Occurs in large rivers but may also be found in medium-sized streams. Is found in protected near shore areas such as banks and backwaters but also riffles and point bar habitats with low to moderate water velocities. Typically occurs in substrates of mud, sandy mud, gravel and cobble. Considered intolerant of reservoirs (Randklev et al. 2010; Howells 2010o; Randklev et al. 2014b,c; Randklev et al. 2017a,b). [Mussels of Texas 2019]	No suitable habitat is present within or near the project site.	No Impact

Cyclonaias petrina Texas Pimpleback	C	T	Occurs in medium-size streams to large rivers primarily in riffles and runs. Often found in substrates composed of sand, gravel, and cobble, including mud-silt or gravel-filled cracks in bedrock slabs. Considered intolerant of reservoirs (Howells 2010m; Randklev et al. 2017b). [Mussels of Texas 2019]	No suitable habitat within or near the project site.	No effect.
REPTILES					
Phrynosoma cornutum Texas horned lizard		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	No; absence of arid and semi-arid regions with sparse vegetation within the project site	No impact

* *These species occur on the state listing of threated or endangered species; however, they are not federally listed at this time by the U.S. Fish and Wildlife Service. (2011)*
State Status: E = Endangered and T = Threatened
Federal Status: LE = Listed Endangered, LT = Listed Endangered, C = Candidate for federal listing as endangered or threatened and DL = Delisted but still being monitored by USFWS
(Note – the above list includes only those species that are afforded protection under either federal ESA or state ESA or both. Those species found in appendix C that are not designated as "T" or "LT" threatened or "E" or "LE" endangered are considered "species of concern" and are only being monitored for future inclusion if warranted)

3.16 Essential Fish Habitat

No essential fish habitat (EFH) occurs within the project study area or within the surrounding project vicinity. Neither the No Build nor the Build Alternative would affect EFH.

3.17 Archeological/Historic Properties

Cultural resources are structures, buildings, archeological sites, districts (a collection of related structures, buildings and/or archaeological sites), cemeteries, and objects. Both federal and state laws require consideration of cultural resources during project planning. At the federal level, the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA) of 1966, among others, apply to transportation projects such as this one. Compliance with these laws often requires coordination with the Texas Historical Commission (THC)/Texas State Historic Preservation Officer (SHPO) and/or federally-recognized tribes to determine a project's effects on cultural resources. Review and coordination of this project followed approved procedures for compliance with federal and state laws.

Archeological Resources

Based on the archeological study and consultation results, no further work is warranted.

A preliminary and comprehensive invasive archaeological evaluation of the project was performed. The comprehensive evaluations were completed in August of 2012. The report was submitted to TxDOT and the THC/TSHPO consulted on the project impacts. Formal coordination was performed by TxDOT with SHPO in 2012. Section 106 coordination was performed and clearance was received on September 17, 2012.

Tribal consultation was initiated in August 2012 and coordination was completed on August 28th, 2012. In addition, no public controversy exists regarding the Build Alternative's potential impacts on archeological sites or cemeteries. In the event that unanticipated archeological deposits are encountered during construction, work in the immediate area would cease, and TxDOT archeological staff would be contacted to initiate post-review discovery procedures.

Historic Properties

A review of the National Register of Historic Places (NRHP), and a historic structures survey was completed for the subject site and coordinated with the Texas Historical Commission. One potentially eligible structure was identified near the project area. This structure is a farm house type structure outside of the project area.

TxDOT Historians have evaluated the historic-age resource through application of the Criteria of Eligibility for listing in the National Register of Historic Places, and have determined that it is not eligible for inclusion in the NRHP. It does not have associations with significant historical figures or events to qualify for eligibility under Criteria A or B. Additionally, it represents a common vernacular type that does not clearly reflect the distinctive characteristic of type, period, method of construction, work of a master, or high artistic value to qualify as eligible under Criterion C.

Pursuant to Stipulation VI "Undertakings with Potential to Cause Effects," Appendix 4 (2) of the Programmatic Agreement for Transportation Undertakings, (PATU) between the Federal Highway Administration (FHWA), the Texas State Historic Preservation Officer (SHPO), the Advisory Council on Historic Preservation, and the Texas Department of Transportation (TxDOT) and the Memorandum of Understanding (MOU), TxDOT Historians determined that no historic properties are present within the proposed project's APE.

3.18 Parklands

The project study area is not situated or located in any wildlife or waterfowl refuges, publicly owned parklands, recreational areas, or historic sites. Neither the No Build nor the Build Alternatives would impact any wildlife or waterfowl refuges, publicly owned parklands, recreational areas, or historic sites; therefore, a Section 4(f) statement is not required. In addition, neither the No Build nor the Build Alternatives would impact any areas of unique scenic beauty or other lands of national, state, or local importance.

3.19 Permits

U.S. Army Corps of Engineers Nationwide Permit 14

The implementation of the Build Alternative would qualify for NWP 14 – Linear Transportation Projects under Section 404 of the CWA. A PCN would be required if the total proposed project impacts would be greater than 0.10 acre.

TCEQ Section 401 Certification

Approximately 0.340 acres of potential waters of the U.S. have been delineated in the project study area. The No Build Alternative would not require Section 401 certification from the TCEQ as no impacts would

occur. The Build Alternative would impact less than three acres of jurisdictional areas and would meet the TCEQ's Section 401 Water Quality Certification Tier I (small projects) criteria. According to the Tier I Certification Checklist, all projects must implement at least one BMP from each of three categories: erosion, post- construction TSS control, and sedimentation.

The Build Alternative would incorporate several BMPs at appropriate stages during construction. For the purposes of this document the BMPs utilized may include, but are not limited to:

- For erosion control, sod would be utilized and remain in place until the area has been stabilized.
- For sedimentation, a combination of silt fencing and hay bale dikes would be utilized and remain in place until project completion.
- For post-construction TSS control, a combination of retention and vegetative filter strips would be utilized to control total suspended solids after construction.

Section 9 Rivers and Harbors Act (U.S. Coast Guard Bridge Permit)

The Build Alternative would not require a U.S. Coast Guard Section 9 Bridge permit.

Section 10 Rivers and Harbors Act

The Build Alternative would not involve work in or over a navigable water of the U.S., therefore Section 10 of the Rivers and Harbors Act does not apply.

Texas Pollutant Discharge and Elimination System

The project site consists of approximately 50 acres of disturbance including roadway construction and earth moving activities. A NOI would be filed with the TCEQ prior to construction, as well as a SW3P. Temporary erosion, sediment and water pollution prevention control measures would be implemented to minimize pollution of stormwater runoff from the construction site. Where appropriate, the temporary erosion and sedimentation control features would be in place prior to construction. The construction and maintenance of the Build Alternative would not result in exceedances of state or federal water quality standards. The project would meet any and all applicable regulations and permit requirements promulgated by the EPA and TCEQ.

Railroads
The project study area does include a railroad crossing. Therefore, a railroad permit is required.

Aircraft Clearance
The proposed road project would not interfere with aircraft flight paths; thus, a permit would not be required.

3.20 Construction Impacts

The construction of the Build Alternative would be conducted to minimize the impacts to traffic passing through the construction zone. All traffic control would conform to Part VI (Traffic Control for Street and Highway Construction and Maintenance Operations) of the Texas Manual of Uniform Traffic Control Devices.

During construction, due to operations normally associated with road construction, there is the possibility that noise levels would be above normal in the areas adjacent to the ROW. Construction is normally limited to daylight hours when occasional loud noises are more tolerable. Due to the relatively short-term exposure periods imposed on any one receptor, extended disruption of normal activities is not considered likely. Every reasonable effort would be made to minimize construction noise.

Construction may temporarily degrade air quality through dust and exhaust gases associated with construction equipment. Measures to control dust would be considered and incorporated into the final design and construction specifications.

Effects to Caney Creek and Baughman Slough resulting from construction of the culverts, shoreline stabilization and stormwater detention outfall structures could potentially include the following:

- A temporary increase in suspended solids and turbidity and
- Loss of aquatic habitat along areas of shoreline stabilization;

Sediment concentrations and turbidity would return to preconstruction levels soon after completion. Shoreline stabilization would be limited to the minimum amount required to prevent erosion to side slopes and to stabilize outfall structures. Riprap would be installed which would provide niche habitats for several small invertebrate and fish species.

During construction of the Build Alternative, the existing roadways would remain functional; however temporary traffic interruptions are anticipated. This temporary effect would be minimal on local and through traffic, as the vast majority of the construction would be new, non-traveled roadways.

The effect on mobility of the elderly and handicapped would be negligible. The existing facilities would remain unchanged for the section of the roadway that would be open. As each of the four phases of construction are completed, they will be opened for public utilization. The new facilities would be constructed in accordance with the Americans with Disabilities Act (ADA). Access to hospitals and emergency services would remain unchanged throughout construction of the proposed project. After construction, access would improve with the continuous roadway between the major transit corridors. This roadway continuity would result in reduced travel time for emergency vehicles.

3.21 Indirect Impacts

The CEQ regulations define indirect effects as:

"…effects, which are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect effects may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems" (40 CFR 1508.7).

Indirect effects often occur outside of the project ROW, and may include induced growth-related effects on air, water, and other natural resources. For this evaluation, the timeline associated with the indirect impact analysis was selected as the initial construction year of 2014 until the year 2036.

There are three broad categories of indirect effects:

- Encroachment-Alteration Effects alter the behavior and functioning of the physical environment. These effects are related to project design features, but are separated from the project by time and/or distance.
- Access-Alteration Effects, also known as Project-Influenced Effects or the Land Use Effect. Changes in traffic, access, and mobility can result in changes in land use. Highway projects might promote development, or influence and increase in the rate of development; these effects are often referred to as induced growth.
- Effects Related to Project-Influenced Development, or Induced Growth-Related Effects, are attributable to the induced growth itself.

Examples of potential indirect effects of transportation projects include:

- Development and land use changes due to improved access,
- Increase in storm water runoff due to changes in land use and increased development on land surrounding a proposed roadway facility,
- Increased sedimentation of wetlands and streams and decreased water quality due to future development of land adjacent to a new roadway facility,
- Loss of vegetation and wildlife habitat and decreased habitat value in areas of increased land development caused indirectly by improved access,
- Impact to historic or archeological resource sites from development projects on private property that do not require cultural resource investigation because public funds or permits are not required,
- Increased use of parks and recreational areas due to more convenient access provided by a new facility
- Stimulation of the local economy from the circulation of construction spending; improved access to employment opportunities, markets, goods, or services such as health and education; an increased work force related to construction; and developments stemming from a new facility, and
- Temporary impacts to air quality associated with construction machinery exhaust and dust.

TxDOT's Revised Guidance on Preparing Indirect and Cumulative Impact Analyses (September 2010) is adapted from NCHRP Report 466 and describes a seven-step process for conducting an indirect impacts analysis. The steps listed in Table 10 describe the process utilized for analysis of indirect effects.

Table 10: Steps for Conducting an Indirect Impacts Analysis

1	Scoping
2	Identify the study area's goals and trends
3	Inventory the study area's notable features
4	Identify impact-causing activities of the proposed action and alternatives
5	Identify potentially substantial indirect effects for analysis
6	Analyze indirect effects and evaluate results
7	Assess consequences and consider/develop mitigation

Source: TxDOT 2009.

Step 1: Scoping

The project area consists largely of undeveloped farmland, with some developed land adjacent to the project study area. The need for the proposed project is driven by the providing a continuous roadway within the project limits and to address roadway deficiencies, provide uninterrupted passageway over the KCSRR line and providing a more direct emergency and travel pathways – by enhancing the existing discontinuous roadway system. Therefore, the proposed project is not intended to induce development, and there is no planned development within the Area of Influence (AOI). With appropriate implementation of applicable land use planning regulations and control strategies, adverse effects to natural ecosystems would be avoided and minimized.

The logical termini of the project area are the noted state and federal roadways and major thoroughfares that bound the proposed project. The termini include the entire project area and are rational end points for a transportation improvement project. The logical termini have independent utility and can function without the construction of another project and do not restrict future alternatives.

For the purpose of project scoping, the geographic boundary of the indirect impacts study area is formed by the limits of the proposed project area and properties located within ½ mile in all directions of the boundary of the proposed project. This extends the area of influence beyond the railroad tracks and waterways which are traversed by the project. This area of influence is approximately 2,920 acres and was determined by the nature of the land use adjacent to the proposed project and its susceptibility to potential impacts from the improved roadway. The AOI for the proposed project is depicted in **Exhibit 13**.

Data collection for indirect impact analysis included a literature review; collection of demographic and economic data; and a collection of land use information from local planning resources and landowners. Given the speculative nature of indirect impacts prediction, it must be stated that qualitative assumptions were predominantly relied upon during the analysis.

Step 2: Identify the study area's goals and trends.

The proposed project lies within the limits of Wharton County and partially within the City of Wharton. The City of Wharton does not have zoning regulations over large parts of the project area. Existing land use plans and future comprehensive plans are not available.

Existing land use in the project area is largely agricultural. There is currently no known planned development within the AOI. Future land use of both the developed and undeveloped areas within the AOI are anticipated to be largely agricultural, with some commercial development and some residential redevelopment reasonably anticipated. The growth patterns currently experienced in the AOI, necessitating the proposed improvement project, are not expected to change significantly.

Runoff from this project is anticipated to discharge into the City of Wharton drainage system (an isolated section of Caney Creek) and Baughman Slough. The proposed project would not create and/or exacerbate existing bacteria or dissolved oxygen levels into the surrounding watershed.

The proposed project may result in increased development, sewage system flow increases and improper use of fertilizers and pesticides by homeowners and lawn maintenance companies. According to National Wetlands Inventory (NWI) maps, there are small areas of wetlands within the AOI.

The greater Houston-Galveston region is projecting a significant increase in population and employment over the next 25 years. The additional population would bring total regional population to 8.8 million persons by 2035. Based on the projected job growth, a 60% increase in employment is expected (H-GAC 2035 RTP Update). According to H-GAC's regional growth forecasting data the area of commercial and industrial growth in the area will reduce and there is anticipated to be an increase in residential growth. As the Houston – Galveston region expands toward the southwest, indirect impacts on the Wharton area are anticipated.

Data from the Texas State Data Center indicates that Wharton County will experience a population growth of 14.7 percent between 2101 and 2040 (Table 3, page 24). Available data for the City of Wharton itself was not identified in the Texas State Data Center.

The air quality in the AOI is currently considered in good health, because it is not included in the nonattainment or maintenance area for 8-hour ozone. In addition, the proposed project would result in an increase in mobility in and access to the area. All such actions would result in changes of traffic patterns and thus have the potential to indirectly impact air quality in the area.

Step 3: Inventory the study area's notable features.

The AOI for the proposed project currently is largely agricultural, with scattered commercial development. The notable features in the region are largely considered to be the county seat of Wharton County, Wharton County Junior College, the Oak Bend Medical Center, the Colorado River, and the historic district of downtown Wharton, Texas.

The City of Wharton and County of Wharton are major employers in the region and are also the center of commerce in the county. These noted facilities include administrative office, tax offices, city and county service offices judicial offices, and perform a wide range of governmental functions.

Wharton County Junior College is a major center of higher learning and training for employment in the region. The Oak Bend Medical Center is the only major medical and emergency care facility in the region.

The historic district of downtown Wharton and the Colorado River are major recreational, economic, commercial, and tourism hubs for the region.

The map depicting the location of the notable features within the region of the proposed project is depicted in ***Exhibit 13***.

Step 4: Identify impact-causing activities of the proposed action and alternatives.

The proposed project is a single-phase construction project and the typical configurations/ schematics are attached to this report and represent the proposed construction. The proposed project would take place within existing owned ROW, and would also require the acquisition of approximately 45 acres of new ROW. This construction would require clearing of vegetation and excavation and fill in some locations. Depending on the phasing of construction and negotiations with the contractor, storage of some constructions materials may be allowed within the project ROW. The proposed project is expected to help alleviate traffic congestion in the project area.

Most of the construction would be performed within newly acquired agricultural ROW and in existing ROW which are largely previously disturbed areas that are mowed and maintained vegetation. Vegetation in the existing and proposed ROW would be disturbed, and some areas would be permanently disturbed. Approximately 50 acres of total land area would be disturbed by the construction. The vast majority of these 50 acres is currently undeveloped farmland which is in crops and cattle production, and has been altered through farming practices.

None of the proposed construction activities will have anything other than minor and transient impacts to the AOI's notable features. As the proposed projects are largely outside of currently serviceable roadways and transit corridors, limited impacts are anticipated. Minor detours or traffic impediments will likely occur during short periods over the project life.

All construction methods, material handling, material disposal, and storage of equipment will be performed in accordance with all applicable environmental regulations. Storm water system design and construction will be performed in accordance with all regulations and engineering standards.

Sediment control management plans and processes will be followed during the construction phase of the project.

Step 5: Identify potential substantial indirect effects for analysis.

Potential indirect effects were examined for the potential to be substantial. Types of indirect effects include: encroachment-alteration effects, induced growth effects, and effects related to induced growth.

Encroachment-alteration Effects (Ecological)

The proposed project would affect approximately 40 acres of land which is largely agricultural land and a small amount of mowed and maintained roadway ROW. It was determined that three areas of two different jurisdictional waters of the U.S. and one non-jurisdictional upland cut, man-made aquatic feature were present within the project study area.

The total jurisdictional areas identified on the subject site were identified as being 0.301 acres of Jurisdictional Waters, and an additional 0.039 acres of Jurisdictional Wetlands were present in the proposed project area. The total combined Jurisdictional Areas in the project area were a cumulative 0.340 acres. The final design of the project has not been completed, however, it is anticipated that permanent direct impact to wetlands will be 0.039 acres.

Wildlife habitat in the project vicinity is limited, as most of the area is actively mowed or farmed. No indirect impacts to threatened and/or endangered species are anticipated. No new barriers to wildlife movement would be introduced by the proposed project. Fragmentation of wildlife habitat has occurred in the area due to past roadway and land uses. Noise generated by construction of the proposed project would be temporary. Operational noise, noise generated by use of the roadway, may increase within the immediate vicinity of the roadway. This increase in operational noise would have negligible effects to wildlife and other species immediately outside the immediate vicinity of the project.

The air quality in the AOI is currently considered in good health, as the project area is not within

the nonattainment or maintenance area for 8-hour ozone. The AOI is currently in attainment for all other NAAQS pollutants, including CO. In addition, the proposed project would result in an increase in mobility in, and access to, the area. Additional development along the newly constructed roadways is also a possibility. All such actions would result in changes of traffic patterns and thus have the potential to indirectly impact air quality in the area.

Please refer to Section 3.5 of this document for a discussion of Air Quality. No change in the attainment status is anticipated within the AOI as a result of emissions associated with the Build Alternative. As the proposed project is anticipated to result in indirect air quality impacts, further evaluation and discussion of air quality and MSATs is necessary in Step 6.

Direct impacts on air quality and MSATs from the project are primarily those associated with the increased capacity and accessibility, as well as the resulting projected increases in VMT. EPA's new fuel and vehicle standards are projected to reduce emissions of air pollutants and MSATs and are expected to offset the impacts to air quality resulting from the increases in VMT. These net emissions reductions are expected to contribute to continued maintenance and improvement of air quality and MSAT levels in the AOI.

Potential indirect effects on water quality from roadway projects include water quality degradation from roadway induced development. Storm water runoff may contain nutrients, oils, greases, pesticides and herbicides, bacterial inputs, as well as, other non-point source (grass clippings and garbage from storm drains) and point source pollutants (wastewater treatment plants, industrial activities, etc.). Sediment loads into the watershed are a result ground disturbances that are not adequately controlled through BMPs performed during construction and general unauthorized dumping into the storm sewer system. Future land use changes would have the potential to result in additional stormwater related pollutant inputs into the receiving watersheds if inadequately treated prior to discharge.

Encroachment-alteration Effects (Socioeconomic)

The No Build Alternative would not alter existing travel patterns in the project study area; however, provision of a continuous roadway would not be realized. Travel between and among surrounding communities could be adversely affected due to projected future increases in traffic and population.

The proposed project would help alleviate congestion and improve mobility in the corridor. The reconstruction of the existing roadway and providing a new continuous roadway within the project limits would not affect aesthetic quality within the AOI.

The Build Alternative is expected to alter travel patterns in the project study area by improving travel continuity between Highway 59 and the FM 1301 / SH 60 interchange area.

Induced Growth Effects

The immediate project area is largely undeveloped agricultural land. There is a considerable amount of vacant land along and near the project alignment that is undeveloped and not planned for development. Land development in the AOI is possible, but not a reasonably foreseeable action. Other factors, such as real estate market conditions, city financing opportunities (for various public facility improvements),

anticipated growth, and other local roadway improvements play a role in nearby land development investment decisions.

Effects Related to Induced Growth

Induced growth is not expected to result in substantial ecological effects, because most of the habitat in the project area is uniform farm production land and any distinct and non-unique habitat throughout the AOI is already fragmented. The AOI is currently in attainment for ozone and all other NAAQS pollutants and the proposed project is not anticipated to result in indirect air quality impacts.

Step 6: Analyze indirect effects and evaluate results

Based on other projects in the region and empirical studies by other transportation agencies (NCHRP Report 25-25 [Task 22]), added capacity projects on existing roadway facilities tend to have less of an effect on induced development than new facilities. As the proposed project is largely the construction of new facilities through vacant land, the proposed project has the possibility to induce moderate growth and development.

The single-phase project is largely divided into 2 distinct land use types. Type 1 -largely vacant farmland between the FM 1301 / SH 60 intersect and US 59, and Type 2 – developed commercial land at the FM1301/SH 60 intersection.

The Type 1 project study area largely consists of large undeveloped cattle and crop production fields – largely located within newly acquired ROW on vacant land. The need for the proposed project is driven by the need for providing connectivity between two existing roadway segments. The need is not driven by the roadway project spurring development. While the design and intent of this phase of the project is to provide connectivity, it is possible that additional development could follow the project.

The Type 2 project study area consists of area currently partially utilized for commercial and industrial development. As highway frontage to a major thoroughfare would be increased, it can be inferred that additional development along this corridor would occur.

Resource specific indirect effects that may occur if the proposed project is implemented were evaluated within the study area and are discussed in the following sections.

Air Quality: The potential indirect impacts on air quality and MSATs are primarily related to any expected development/redevelopment resulting from increased accessibility or capacity to the area. The Build Alternative can be inferred to result in increased development/redevelopment in the area, as access is improved by the project.

However, any increased air pollutant or MSAT emissions resulting from the potential development or redevelopment of the area must meet regulatory emissions limits established by the TCEQ and EPA, as well as obtain appropriate authorization from the TCEQ. Regulatory emission limits set by TCEQ and EPA are established to attain and maintain the NAAQS by assuring any emissions sources resulting from new development or redevelopment would not cause or contribute to a violation of those standards. Therefore, because the project's potential direct and indirect impacts on air quality and MSATs are projected to be

offset by federal fuel and vehicle control programs, the reduction in idle times, or state and federal regulatory programs, negative impacts on air quality are not anticipated.

Land Use: With implementation of the Build Alternative, induced changes in the pattern of land use may occur along the project corridor and at intersections along the project corridor. Land use changes would likely include the conversion of undeveloped land to residential and commercial uses. The indirect effects of this process of conversion are likely to be most notable as businesses, such as convenience stores and gas stations, seeking financial opportunities associated with new development and likely in areas where direct access is enhanced at intersections along the project corridor. Additional development, including residential subdivisions, would be dependent upon the creation of adjacent roads outside of the study area funded by the city, county or state, or private funds.

Under the No Build Alternative, no indirect impacts would occur.

Social and Economic Conditions: Under the Build Alternative, it is expected that new development on parcels in the vicinity of the project corridor would slowly continue to occur and provide potential for new jobs and increased economic utility.

Under the No Build Alternative, no indirect impacts would occur.

Water Quality: Future increases in stormwater runoff levels, non-point source pollution, and effects to groundwater associated with projected regional and local development are anticipated with the No Build Alternative. The density and type of future development within the project area would contribute to the overall changes in runoff. The Build Alternative would likely result in a slight benefit to water quality within the watershed as a stormwater transfer and detention system would serve to treat and polish attenuated water prior to discharge into the watershed.

Under the No Build Alternative, no indirect impacts would occur.

Floodplains: Under the Build Alternative, it is expected that induced development in the vicinity of the project study area would occur and could result in the encroachment on the 100-year floodplain.

Under the No Build Alternative, no indirect impacts would occur.

Waters of the U.S., including Wetlands: Changes in land use and related effects on wetlands and Waters of the U.S. would occur under the Build Alternative. New induced development and corresponding excavation or increases in stormwater flow could encroach upon and/or affect aquatic resources by changing vegetation/wildlife habitat or hydrology and therefore, potentially the size, functions, or value of the resources. Implementation of the Build Alternative may induce development that would affect waters of the U.S., including wetlands, if they are present within these areas.

Under the No Build Alternative, no indirect impacts would occur.

Vegetation: Changes in land use and related effects on vegetative communities would likely occur under the Build Alternative. New induced development and roadway construction adjacent to or near the proposed

project could result in the clearing of wooded areas, prairies, and grassland, as well as, a small amount of fragmentation of habitat. In addition, indirect effects to vegetation and habitat from transportation projects would convert existing uniformly vegetated habitat to roadway ROW.

Under the No Build Alternative, no indirect impacts would occur.

Wildlife: Changes in land use and related effects on wildlife would likely occur under the Build Alternative. New induced development and roadway construction adjacent to or near the proposed project could result in the clearing and/or fragmentation of habitat. In addition, indirect effects to wildlife and habitat from transportation projects would convert existing habitat to roadway ROW.

Under the No Build Alternative, no indirect impacts would occur.

Cultural Resources: New induced development could result in unregulated changes to historic structures, historic context and/or yet-undiscovered cultural resource sites.

Under the No Build Alternative, no indirect impacts would occur.

Step 7: Assess consequences and consider/develop mitigation

Based on the indirect impacts analysis presented above, assuming appropriate implementation of applicable land use planning regulations and control strategies, related effects to air, noise, water and other natural systems, including ecosystems, would be avoided and minimized. The proposed project would not contribute to significant direct or indirect impacts.

3.22 Cumulative Impacts

As addressed by the CEQ (40 CFR 1508.7), cumulative impacts are defined as "the impact on the environment which results from the incremental impact of an action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time."

This analysis follows the requirements and processes outlined in TxDOT's *Guidance on Preparing Indirect and Cumulative Impact Analyses* (2010) as well as 23 CFR 771, the FHWA Technical Advisory T 6640.8A (1987), the CEQ handbook *Considering Cumulative Effects Under the National Environmental Policy Act* (1997), FHWA's *Questions and Answers Regarding the Consideration of Indirect and Cumulative Impacts in the NEPA Process*, (2003), CEQ's Memorandum, and *Guidance on the Consideration of Past Actions in Cumulative Effects Analysis* (2005), and the California Department of Transportation (Caltrans) *Guidance for Preparers of Indirect and Cumulative Impact Assessments* (2005).

3.22.1 Methods

Based on TxDOT's *Guidance on Preparing Indirect and Cumulative Impact Analyses* (2010), the following eight- step approach was used to identify and evaluate potential cumulative impacts of the proposed project in combination with other past, present, and reasonably foreseeable actions (Table 11).

Table 11: Guidelines for Identifying and Assessing Cumulative Impacts

1	Identify the resources to consider in the analysis.
2	Define the study area for each affected resource.
3	Describe the current health and historical context for each resource.
4	Identify direct and indirect impacts that may contribute to a cumulative impact.
5	Identify other reasonably foreseeable actions that may affect resources.
6	Assess potential cumulative impacts to each resource.
7	Report the results.
8	Assess and discuss mitigation issues for all adverse impacts.

Step 1. Identify resources to consider in the analysis.

Step 1 requires the identification of resources/issues associated with the proposed project that may result in cumulative impacts. The proposed project was reviewed to gather input on substantial issues in the project study area, which was determined through scoping with federal, state, and local agencies, and for input on the proposed project and issues of concern as provided at past public meetings. This information was used to identify resources/issues to consider in this cumulative impact analysis and to evaluate the potential for cumulative impacts to all project resources and issues.

TxDOT guidance (2010, page 58) states that "if a project will not cause direct or indirect impacts on a resource, it will not contribute to a cumulative impact on the resource." Therefore, if the proposed project would not have a direct or indirect impact on a resource, then that resource would not be carried forward for detailed cumulative impact analysis. Furthermore, this analysis "should focus on 1) those resources substantially impacted by the project, and 2) resources currently in poor or declining health or at risk even if the project impacts are relatively small."

The results of the Step 1 evaluation identified nine major resources/issues that warrant more detailed discussion. These include:

- Land Use
- Social and Economic Conditions
- Water Quality
- Floodplains
- Waters of the U.S., including Wetlands
- Vegetation
- Wildlife
- Cultural Resources
- Air Quality

Step 2. Define the study area for each resource.

For the purpose of assessing cumulative impacts, Step 2 identifies the geographic extent of the resource study area (RSA) and the temporal RSA considered in this cumulative impact analysis.

Geographic Resource Study Area

Land Use: The cumulative impact RSA for land use is generally located within the community of Wharton and bordered by US Highway 59 on the west, SH 60 on the east, existing FM 102 on the south and Baughman Slough on the north.

Social and Economic Conditions: The cumulative impact RSA for social and economic conditions is defined as by Census Tract (CT) 7402 in Wharton County, Texas.

Water Quality: The cumulative impact RSA for water quality was developed by identifying the watersheds that intersect the project corridor. Since the late 1980s, watershed organizations, tribes, and federal and state agencies have moved toward managing water quality by using a watershed approach. In Texas, the TCEQ manages the Water Pollution Control Program, the primary regulatory program to maintain, restore, and enhance water quality, by watershed. The RSA for water quality includes the watershed of Caney Creek and Baughman Slough.

Floodplains: The cumulative impact RSA for floodplains was developed by using the watershed approach. Watersheds were used to establish the floodplains study area boundary because effects to floodplains can affect the overall health of a watershed. Effects to floodplains can greatly affect watershed health because they are directly correlated with watershed hydrology via flood control, groundwater recharge and erosion control. The RSA for floodplains includes the watershed of Caney Creek and Baughman Slough.

Waters of the U.S., including Wetlands: The cumulative impact RSA for waters of the U.S. was developed by using the watershed approach. Watersheds were used to establish the waters of the U.S. study area boundary because effects to waters of the U.S. can affect the overall health of a watershed. Since the late 1980s, watershed organizations, tribes, and federal and state agencies have moved toward managing water quality by using a watershed approach. Waters of the U.S. are important elements of a watershed because they serve as the link between land and water resources. This link has been demonstrated in practice by resource agency requirements for compensatory mitigation for waters of the U.S. effects within the same watershed whenever possible. Effects to waters of the U.S. can greatly affect watershed health because waters of the U.S. are directly connected to watershed hydrology through sheet flow or direct hydrologic connections. Collectively, wetlands provide many watershed benefits, including pollutant removal, flood storage, wildlife habitat, groundwater recharge, and erosion control. The RSA for waters of the U.S. includes the watershed of Caney Creek and Baughman Slough.

Vegetation: A literature review was conducted to determine the cumulative impact RSA for vegetation. The geographic area considered for this resource incorporates an area that is described as Rural (46) based on the *Vegetation Types of Texas* (McMahan et al., 1984).

Wildlife: A literature review was conducted to determine the cumulative impact RSA for wildlife. The geographic area considered for this resource incorporates an area generally defined as Wharton County that is described as the Texan Biotic Province based on the *Biotic Provinces of Texas* (Blair, 1950).

Cultural Resources: Section 106 of the National Historic Preservation Act requires federal agencies to define and document the Area of Potential Effect (APE) in consultation with the State Historic Preservation Office (SHPO). According to 36 CFR 800.16(d), the APE is the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, if such properties exist. The APE is influenced by the scale and nature of the undertaking and may be different for different kinds of effects caused by the undertaking. The cumulative impact RSA for cultural resources is the same as the APE, located within the project study area and on immediately adjacent tracts of land.

Air Quality: TxDOT guidance (2009, page 57) states that "if a project will not cause direct or indirect impacts on a resource, it will not contribute to a cumulative impact on the resource." Therefore, if the proposed project would not have a direct or indirect impact on a resource, then that resource would not be carried forward for detailed cumulative impact analysis. Since air quality is not anticipated to have direct or indirect impacts, and because the area is in attainment for all NAAQS, air quality is not included in the cumulative impacts evaluation of this report.

Temporal Resource Study Area

The temporal resource study area was defined with a representative time frame from the early 1900's extending until 2036. This timeline was selected as the Wharton area had experienced a slow progressive development starting in the early 1900's which has extended until the present time. The project traffic design data used in this evaluation is for the design year 2036.

A comprehensive discussion of the historical and reasonably foreseeable development of the temporal resource study area is provided in Step 6 below.

Step 3. Describe the current health and historical context for each resource.

Patterns or activities that have contributed to the current condition of the resources/issues considered in this cumulative impact analysis would not differ greatly with the proposed project because growth and development is taking place independently, and to varying degrees, regardless of project construction. The health of each resource considered in this analysis is summarized in Table 13.

Step 4. Identify direct and indirect impacts that may contribute to a cumulative impact.

The direct and indirect effects that could contribute to a cumulative impact were identified and documented in Table 13. Additional information on the direct and indirect impacts for each of the resources/issues carried forward in this cumulative impact analysis is discussed in previous sections of this EA.

Step 5. Identify other reasonably foreseeable actions that may affect resources.

Reasonably foreseeable actions are those that are likely to occur, or are probable, rather than those that are merely possible. Reasonably foreseeable actions within the vicinity of the proposed project include linear transportation projects, which could potentially affect the same resources as the proposed project. These actions are summarized in Table 12. Currently, there are no known "reasonably foreseeable" plans or platted developments for projects such as industrial developments, retail/commercial centers, or

residential subdivisions in the vicinity of the proposed project.

Table 12: List of Actions by Federal, State, and Local Agencies/Other Interests

Location	Type of Action
State/Federal/Local	
US Interstate Highway 69 Project	Construct / Improve US 59 Freeway System in project area

Although it would be ideal to identify all past, present, and reasonably foreseeable activities so their potential effects could be taken into consideration in combination with those from the proposed project, site specific details regarding such actions (i.e. type, location, magnitude, and scale) are not always comprehensively available. Therefore, potential effects from other actions were estimated based on available information from general development plans and trends. Where effects could not be quantitatively determined, potential effects were only qualitatively determined. It was found that many of the potential effects to the resources/issues considered in this cumulative impact analysis are not specifically attributable to the proposed project but are related to the indirect and cumulative impacts of urbanization and associated infrastructure, which has occurred and is occurring throughout the study area.

Overall, it was found that cumulative effects from the actions could include the following:

- The conversion of undeveloped land for residential, commercial, institutional, industrial, and/or recreational use;
- Potential temporary and permanent degradation or loss of water resources from surface runoff;
- A change in the economic and social environment due to increased employment, earning opportunities and housing additional tax revenue;
- Potential degradation of vegetation, habitats and wildlife populations from construction and ongoing operation.

Step 6. Assess potential cumulative impacts to each resource and the results

The cumulative impact analysis is intended to address the past impacts along with the present impacts and the reasonably foreseeable future impacts. The Wharton area was historically largely rural and agricultural/ cattle production property, with farming and ranching activities dating back over 100 years. The establishment of the City of Wharton as the county seat for Wharton County assisted in the development of the existing community. The necessary support commercial activities such as banking, grocery stores, equipment stores, etc. developed in the downtown commercial district. Conversion of large parcels from raw range land into row crops was noted. This conversion rendered large portions of the region into a less diverse and non-unique habitat area.

A rural and segmented transit system developed in a somewhat haphazard manner, with local waterways and railroad lines largely acting as boundaries for roadways. The roadway transit system was largely based

around State Highway 60 (Business 59). The construction of US Highway 59 to the west of the City provided an important transit link between the larger communities of Houston and Victoria and bypassed the original downtown Wharton area. Efficiencies in farming methods resulted in an increased production per acre farmed, and a reduced demand for agricultural workers as more of the processes became mechanized, resulting in greater agricultural production with fewer workers.

Enhanced transportation to the nearby communities, and explosive growth of the Houston Metropolitan area and associated economic opportunities, resulted in a slightly increased population in Wharton County. The population of Wharton County slowly increased over time, peaking at approximately 40,000 in the 1990's. Projections are for a 14.7 percent population increase in Wharton County between 2010 and 2040. The City of Wharton experienced a small population decrease from the late 1990's until the current time.

The construction and growth of Wharton County Junior College over the last few decades has resulted in changed travel patterns near the eastern terminus of the project area. The Oak Bend Medical Center has spurred the growth of a substantial healthcare industry along Highway 59 in Wharton. The nearby Texas Gulf Coast Fisheries, petrochemical facilities, and containerized shipping activities have all had a slow, but persistent, demand on the existing roadway system.

The conversion of US Highway 59 to Interstate 69 is planned and is a reasonably foreseeable future impact. The overall planning of the Interstate 69 system is ongoing and certain portions of the system are under construction. This major thoroughfare project will result in the enhancement and conversion of US Highway 59 and increased vehicle traffic in the region. Slow population growth in the project area is anticipated in the coming decades. Encroachment from the north (Houston area) is anticipated to be slow and persistent.

The conversion of the area from raw undeveloped land, into rural farm land has had a mild to moderate impact on the environment. While the characteristic of the landscape has changed, only limited demand has been placed on the environment. This limited demand is largely a result of the relatively low density of the community and the rural nature of the region.

The analysis on the potential for cumulative impacts to each specific resource category noted in Step 4 is presented in the last column of Table 13, which is included below.

Step 7. Report the results

Land Use: The slow change of land use from undeveloped to other uses could contribute to the long-term decline in health of natural resources, as many natural resources are incompatible with developed land. Over the planning period of this project, these changes are anticipated to represent a small portion of available land. Land uses may change from undeveloped to commercial, such as gas and service stations, and especially at or near intersections, as businesses seek financial opportunities associated with a newly improved roadway. Similarly, residential development could be enhanced due to improved access provided by the improvements. It is not anticipated that the proposed project would result in substantial induced changes to community development patterns or local socioeconomic characteristics.

The proposed project, combined with reasonably foreseeable actions, would not contribute to significant cumulative impacts to growth planned within the project vicinity. With appropriate implementation of applicable land use planning regulations, related effects to social and/or economic growth, air, water,

and other natural systems would be avoided and minimized.

Social and Economic Conditions: The net long-term economic effect on the broader communities includes increased commercial development, which could provide increased employment, earning opportunities, and additional tax revenues, which could be used for increasing and improving community services, maintaining and improving local roadways, and improving and providing public recreational opportunities.

Water Quality: Local and regional governments (including the City of Wharton) include the management of stormwater through stormwater pollution prevention plans (SW3P) in their comprehensive planning efforts to control the discharge of pollutants. As urbanization in the project area continues at its current and projected rate and new roadway projects are constructed, stringent requirements for stormwater management as well as Best Management Practices (BMP) are enforced to prevent cumulative impacts on water quality and quantity.

With appropriate implementation of regulation and control strategies, as discussed in more detail in the Water Quality section of this EA, it is expected that future potential effects to the area's water quality would be substantially reduced. The proposed project would not contribute to significant cumulative impacts to the area's water quality.

Floodplains: No substantial or significant direct effects to floodplains are anticipated and indirect effects are expected to be minimal. The proposed project is not anticipated to have a substantial or significant cumulative impact on floodplains.

Waters of the U.S., including Wetlands: Cumulative impacts to wetlands and waters of the U.S. would include direct and indirect effects to the resource as discussed in Step 4, as well as effects caused by projects identified in Table 13. The most common cause and effect issue is land conversion from wetlands to other uses, primarily urban/developed land. As a result of such development, stresses on wetlands may include water quality effects, changes in water levels, and overall effects from urban development.

Effects to wetlands from construction and associated indirect development would be limited based on the current regulations as well as compensatory mitigation as required by the United States Army Corps of Engineers (USACE) for wetland effects. Because of the federal mandate with regard to wetlands, "no net loss" of wetlands associated with the future proposed land use would be anticipated. The proposed project would not contribute to significant cumulative impacts to the area's wetlands and waters of the U.S.

Vegetation: Cumulative impacts to vegetative communities would include direct and indirect effects to vegetation as discussed in Step 4, as well as effects caused by projects identified in Table 13. The conversion of vegetative communities to developed land primarily results from population and employment growth. Even under the No Build Alternative, as Texas continues to grow, the conversion of vegetation to accommodate development would likely continue due to future projected population and employment growth rates. Transportation projects may influence land conversion by inducing development in some locations, which could also accelerate the conversion of rural land.

With appropriate implementation of the TxDOT/Texas Parks and Wildlife Department (TPWD) Memorandum of Agreement (MOU) and availability of park, floodplain and existing vacant lands for mitigation strategies, the proposed project would not contribute to significant cumulative impacts to the

area's vegetative communities.

Wildlife: No substantial or significant direct effects to wildlife are anticipated and indirect effects are expected to be minimal. The proposed project is not anticipated to have a substantial or significant cumulative impact on wildlife.

Cultural Resources: No substantial or significant direct effects to cultural resources are anticipated and indirect effects are expected to be minimal. The proposed project is not anticipated to have a substantial or significant cumulative impact on cultural resources.

Step 8. Assess and discuss mitigation issues for all adverse impacts.

Consideration of potential mitigation measures, as specified in 40 CFR 1508.20, for this project included:

- Avoiding the impact altogether by not taking a certain action or parts of an action;
- Minimizing impacts by limiting the degree or magnitude of the action and its implementation;
- Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
- Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; and
- Compensating for the impact by replacing or providing substitute resources or environments.

Potential mitigation measures for all project resources have been discussed in previous sections of this EA. Step 8 of this cumulative impact analysis provides additional mitigation discussions for those resources carried through this process.

The magnitude and significance of adverse cumulative impacts are expected to be limited and controllable. Efforts have been made to avoid and minimize project effects to all resources during the alternative alignment development phase of the project (see alternatives discussion in Chapter 2). Mitigation measures would be implemented where practicable. When project alternatives were developed, several environmental issues were considered that influenced the location of the proposed alignment including the potential for involvement with Section 4(f) and 6(f) resources, avoiding and minimizing the filling of wetlands and floodplains, and sensitive biological communities. Other factors affecting the proposed project were also studied including compatibility with local land use plans/policies, housing and business displacements, socioeconomic issues, and community interests. The alternatives evaluation process was based on the sequential practice of avoidance, minimization, and mitigation. All project-specific commitments and conditions of approval, including resource agency permitting, compliance, and monitoring requirements, are stated in this EA. Mitigation monitoring would be conducted by TxDOT and other appropriate federal, state, and local agencies to ensure compliance with the agreed upon mitigation measures.

Land Use: The Build Alternative was developed to be consistent with state and local government plans and policies on land use and growth within the project area. Direct land use effects would be mitigated through avoidance and minimization. Such effects include reduction of impacts on vegetative communities. Activities to minimize the effects to vegetative or undeveloped habitats from construction include: minimizing devegetation of the construction area wherever safety allows, decreasing the amount of fill placement, and implementation of BMPs, including an erosion and sedimentation control plan. Specific impact minimization to wetland, floodplain, and stream areas may include: the roadway design; the use

of retention basins and revegetated swales to minimize runoff, sedimentation, turbidity, leaching of soil nutrients, and leaching of chemicals from petroleum products, pavement, and waste material; and maintaining flow patterns to ensure wetland hydrology in spite of roadway design requirements.

Indirect effects to land use would be similar to that of the direct project effects, but would occur throughout the project area. As TxDOT and FHWA do not have the authority to implement zoning or planning regulations, mitigation for cumulative impacts to land use, redevelopment, or continued conversion of undeveloped land to developed land would require the collaborative efforts of local, county, and regional planners, the public, and private developers. These parties all have a stake in the ultimate landscape in which they reside and only proactive, cooperative interactions would provide the optimum blend of natural and developed communities.

Social and Economic Conditions: No direct impacts to social and economic conditions would result from implementation of the Build Alternative. Indirect impacts include the inducement of new development on smaller parcels, which may provide potential for new jobs and increased economic utility. Because the project would be anticipated to result in beneficial impacts to social and economic conditions, no additional mitigation would be warranted.

Floodplains: No direct impacts to floodplains would result from implementation of the Build Alternative and resulting indirect impacts would be minimal. Regulatory authority over floodplains is administered by the Federal Emergency Management Agency (FEMA). FEMA manages the National Flood Insurance Program (NFIP) which was created by the Congress of the United States in 1968 through the National Flood Insurance Act of 1968 (P.L. 90-448). The intent of the NFIP is to reduce future flood damage through community floodplain management ordinances and provide protection for property owners against potential losses through an insurance mechanism. The City of Wharton is one of the local floodplain administrators for the community's participation in the NFIP. Therefore, local, state, and federal government's construction regulations are primarily responsible for ensuring floodplain issues are adequately addressed for every proposed project.

Water Quality, Wetlands and Vegetation: Construction activities associated with the proposed project would directly affect aquatic systems to varying degrees. Land clearing during construction activities would remove vegetative cover. These activities may increase surface runoff during storm events and could lead to erosion. If runoff is allowed to flow into streams without erosion and sediment control measures, increased turbidity and sedimentation may modify water chemistry due to elevated levels of sediments, nutrients and pollutants, which would also diminish suitable habitat for aquatic species, including littoral zone plants. To aid in minimizing such effects, placement and monitoring of erosion control measures (BMPs) at the start of, during, and after construction would be incorporated into project plans according to SW3P guidelines. In addition, the proposed project operates within a partially rural and partial urban area and the contractor would need to coordinate the proposed project with the appropriate city and county drainage officials. Re-vegetation along the project ROW would adhere to TxDOT re-vegetation guidelines. Indirect and cumulative impacts to wetland resources would be similar.

Effects to wetlands, whether direct, indirect or cumulative, are regulated through the USACE Section 404 permit process. Natural resource agencies (including TPWD, USFWS, USACE, Environmental Protection Agency (EPA), and TCEQ) would be involved in decisions regarding appropriate wetland mitigation ratios

and the location, size, and character of the mitigation. A compensatory mitigation plan would be submitted to the USACE as part of the Section 404 permit review process.

Non-regulated portions of vegetative communities affected by the proposed project could be mitigated through avoidance and minimization efforts and through collaboration with local, county, and regional planners, the public, private developers, and other conservation groups dedicated to protection and preservation of this natural resource. Future cumulative impacts to this resource would continue if land use and conservation plans are not developed and maintained to protect and preserve the remaining acreage of this important ecosystem.

Wildlife: No direct impacts to wildlife would result from implementation of the Build Alternative and resulting indirect impacts would be minimal. Regulatory authority over wildlife is administered by both state and Federal regulations. The Texas Transportation Code, §201.607 requires TxDOT to adopt MOUs with each state agency that has responsibility for protection of the natural environment. TxDOT has negotiated an MOU with TPWD whereas TPWD acts as the state agency with primary responsibility to protect the state's wildlife resources by providing recommendations and information to agencies that make decisions that could affect those species. 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. Therefore, the USFWS and TPWD are primarily responsible for ensuring wildlife issues are adequately addressed for every proposed project.

Cultural Resources: The proposed project is not anticipated to directly affect cultural resources. New induced development as a result of construction of the Build Alternative could result in unregulated changes to cultural resources. In the unlikely event that evidence of archeological deposits is encountered during construction of the Build Alternative, work in the immediate area would cease and TxDOT archeological staff would be contacted to initiate accidental discovery procedures under the provisions of the Programmatic Agreement among TxDOT, the Texas Historical Commission (THC), the FHWA, and the Advisory Council on Historic Preservation (ACHP), as well as the MOU between TxDOT and the THC.

Summary of Cumulative Impacts

The region considered in this cumulative impact analysis is expected to continue with the existing trend of urbanization under the No Build Alternative and Build Alternative. The proposed project, combined with past, present, and reasonably foreseeable future actions, would not result in a significant cumulative impact. A number of regulatory mechanisms are in place to offset or minimize any adverse effects of social and/or economic growth.

Table 13: Resource Evaluation for Cumulative Impact

Resource	Health of Resource	Direct Impacts	Indirect Impacts	Concerns Raised During Scoping	Cumulative Impact Analysis
Land Use	Stable – Existing land use is fairly stable; development continues to fill in smaller parcels of undeveloped land. Some larger parcels are developable, but these tracts are not located adjacent to existing residential areas.	The Build Alternative would convert approximately 40 acres of agricultural and undeveloped land to transportation uses.	The presence of the proposed project may induce land use conversion or development, or encourage infill of smaller parcels. Most land adjacent to the proposed project is undeveloped.	No concerns were raised specific to this topic.	The slow change of land use from undeveloped to other uses could contribute to the long-term decline in health of natural resources, as many natural resources are incompatible with developed land. Over the planning period of this project, these changes are anticipated to represent a small portion of available land.
Social and Economic Conditions	Stable to Declining Short-Term; Increasing – Long- Term – Population is declining slowly; minority percentage has been increasing since 1990; community cohesion is intact; unemployment is comparable to the region, but increasing in recent years. Employment opportunities within the area are currently stagnant to moderately growing, but are anticipated to be healthy and diverse once the economic recovery is more stable. Population is anticipated to increase within the region long-term based on 2035 and 2040 population projections.	Long-term economic effects resulting from the proposed project are anticipated to be neutral to slightly positive	The proposed project may induce new development on smaller parcels, which may provide potential for new jobs and increased economic utility.	No concerns were raised specific to this topic.	The net long-term economic effect on the broader communities includes increased commercial development, which could provide increased employment, earning opportunities, and additional tax revenues, which could be used for increasing and improving community services, maintaining and improving local roadways, and improving and providing public recreational opportunities. Large scale residential development is not anticipated.

Resource	Health of Resource	Direct Impacts	Indirect Impacts	Concerns Raised During Scoping	Cumulative Impact Analysis
Water Quality	Improving – Overall water quality has been improving nationwide since the CWA was implemented in 1972. The watersheds within the study area are in good health.	Project construction could result in a temporary increase in sedimentation and turbidity. Construction impacts would be minimized through the incorporation of appropriate Best Management Practices. Treatment and attenuation of stormwater runoff is anticipated to enhance water quality in the surrounding watershed.	New induced development would increase impervious cover and therefore cause greater volumes of runoff during storm events. Runoff could contain contaminants, which could be carried to receiving streams.	No concerns were raised specific to this topic.	Short-term project effects include effects to runoff and receiving streams during construction of future actions. The cumulative impact may also include long- term effects to wetlands and riparian areas, thereby affecting surface water quality. Over the planning period of this project, these changes are anticipated to affect a small area of aquatic resources.
Floodplains	Stable – A continuing change in land use setting can be expected to encroach on the 100-year floodplain.	The proposed project would intersect the floodplains. The project would not increase the base flood elevation to a level that would violate the applicable floodplain regulations or ordinances.	Induced development could result in the encroachment on the100-year floodplain.	One citizen expressed some concern regarding flooding.	No direct effects are anticipated and indirect effects are expected to be minimal. The proposed project is not anticipated to have a cumulative impact on floodplains.

Resource	Health of Resource	Direct Impacts	Indirect Impacts	Concerns Raised During Scoping	Cumulative Impact Analysis
Waters of the US, including wetlands	Stable to Declining – Land use changes and development, though relatively slow in the project area, incrementally affect the size, function, or value of aquatic resources.	The Build Alternative would affect 0.039 acres of Jurisdictional Wetlands.	New induced development could encroach upon and/or affect aquatic resources by changing vegetation or hydrology and therefore, potentially the size, function, or value of the resources.	The project will be coordinated with the USACE Galveston District. Compensatory mitigation for Section 404 effects would be coordinated with the USACE and performed in accordance with the terms of the approved permit(s).	The cumulative impact would include long-term effects to affected aquatic resources, waters of the U.S. and wetlands, thereby affecting the quality, function, and value of these resources. Over the planning period of this project, these changes are anticipated to affect a small amount of aquatic resources.
Vegetation	Declining – About 99 percent of the coastal prairies in Texas have been converted to agricultural land. Subsequently, some of the croplands have been converted to grazing land or have been left fallow. Woody brush species or trees have since invaded a significant percentage of the tracts not in cultivation.	The Build Alternative would permanently or temporarily affect approximately 40 acres of vegetation within the existing and proposed ROW.	New induced development could result in the clearing or conversion of vegetation.	No concerns were raised specific to this topic.	The conversion of vegetative communities to developed land primarily results from population and employment growth. Even under the No Build Alternative, as Texas continues to grow, the conversion of vegetation to accommodate development would likely continue due to future projected population and employment growth rates. Transportation projects may influence land conversion by inducing development in some locations, which could also accelerate the conversion of rural land. No substantial or significant direct effects to vegetation are anticipated and indirect effects are expected to be minimal. The proposed project is not anticipated to have a substantial or significant cumulative impact on vegetatione.

Resource	Health of Resource	Direct Impacts	Indirect Impacts	Concerns Raised During Scoping	Cumulative Impact Analysis
Wildlife	Declining – Wildlife in the project area has and would continue to be slowly dominated by species that are better able to adapt to a disturbed physical environment.	No adverse impacts to wildlife are anticipated.	Minimal, induced development could result in the incremental conversion of wildlife habitat.	No concerns were raised specific to this topic.	No substantial or significant direct effects to wildlife are anticipated and indirect effects are expected to be minimal. The proposed project is not anticipated to have a substantial or significant cumulative impact on wildlife.
Cultural Resources (Historic Properties)	Historic Properties: Stable to Declining – A review of the National Register of Historic Places (NRHP), the list of State Archeological Landmarks, and the list of Recorded Texas Historic Landmarks indicate that no historically significant properties have been previously documented within the area of potential effects (APE). A field survey identified 1 structures constructed in 1955 or earlier within the project's survey area.	None of the buildings or structures in the study area are eligible for inclusion in the NRHP. No known cemeteries would be affected by the proposed project. None of the structures identified during the field survey would be affected by project construction.	New induced development could result in unregulated changes to historic structures or context.	Formal correspondence with the SHPO has been initiated to finalize the determination of eligibility for historic resources identified within the project's APE. Through coordination, the SHPO concurred with the eligibility determinations for historic resources and there would be no adverse effect.	No substantial or significant direct effects to cultural resources are anticipated and indirect effects are expected to be minimal. The proposed project is not anticipated to have a substantial or significant cumulative impact on cultural resources.

Resource	Health of Resource	Direct Impacts	Indirect Impacts	Concerns Raised During Scoping	Cumulative Impact Analysis
Cultural Resources (Archeological Resources)	Archeological Resources: Declining – A continuing change in the land use setting can be expected to encroach upon and disturb yet-undiscovered cultural resource sites. The probability of any significant archeological resources remaining in or near the project's APE was evaluated as very low.	The proposed project is not anticipated to affect archeological resources.	New induced development could result in the disturbance of yet-undiscovered cultural resource sites.	No concerns were raised specific to this topic.	No substantial direct or indirect impacts to cultural resources are associated or anticipated from this project; and therefore, cumulative impacts are expected to be minimal.
Air Quality	The EPA establishes limits on atmospheric pollutant concentrations through enactment of the NAAQS for six principal, or criteria, pollutants. The EPA designated Wharton County as being an attainment zone for all pollutants.	Direct impacts on air quality and MSATs from the project are primarily those associated with the increased capacity, accessibility and the resulting projected increases in VMT. Emission reductions, as a result of EPA's new fuel and vehicle standards, are anticipated to offset impacts with VMT increases.	Indirect impacts on air quality and MSATs are primarily related to any expected development resulting from project's increased accessibility or capacity to the area. Any increased air pollutant or MSAT emissions resulting from the potential development of the area must meet regulatory emissions limits established by the TCEQ and EPA as well as obtain appropriate authorization from the TCEQ and therefore are not expected to result in any degradation of air quality or MSAT levels.	No concerns were raised specific to this topic.	No direct or indirect impacts to air quality are anticipated, and the area is in attainment of all NAAQS, a cumulative impact analysis is not required.

3.23 Summary and Comparison of Potential Effects

The No-Build Alternative would not fulfill the transportation needs in the project area. The Build Alternative (proposed project) would fulfill the need to improve roadway conditions, public safety, and mobility for traffic in the project area, thereby meeting the project's objectives. Table 14 compares the potential effects of the alternatives.

Table 14: Summary and Comparison of Potential Effects

Issues	No Build Alternative	Build Alternative
Relocations and ROW Acquisitions	No additional ROW needed. No relocation or displacements would occur.	An additional 45 ac of ROW would be acquired. This includes acquisition of largely undeveloped property. No relocation or displacements of businesses/ residences would occur.
Travel Patterns	No effects to travel patterns would occur.	The proposed project would provide access and complete an existing disjointed transportation system, would eliminate delays, improve safety and improve emergency services. The proposed project would improve pedestrian and bicycle travel through the construction of sidewalks.
Traffic Noise	Increasing traffic noise levels would occur over the 20-year planning period.	No receivers would be impacted by noise from the proposed project
Threatened & Endangered Species	No effects would occur.	No effects would occur.

Waters of the U.S.	No effects to jurisdictional areas would occur.	Effects to approximately 0.34 acres of waters of the U.S. would occur from the proposed project. USACE permitting would occur.

4.0 RECOMMENDATION OF THE PREFERRED ALTERNATIVE

4.1 Identification and Rationale for the Preferred Alternative

4.1.1 Preferred Alternative

The Build Alternative is the recommended preferred alternative. The Build Alternative satisfies the purpose and need for this transportation improvement project and would satisfactorily meet the project objectives.

4.1.2 Support Rationale

Implementation of the Build Alternative would increase capacity along existing segmented roadways, provide new capacity in areas of the new location, reduce traffic congestion, improve mobility, improve safety, provide an alternative route over existing active railroad tracks thus avoiding the requirement to cross at an existing at grade railroad crossing, and improve design deficiencies. This alternative would also support economic development. The preferred alternative would be constructed using standard, proven techniques at a reasonable cost and would not restrict consideration of reasonable alternatives for future improvements. The preferred alternative utilizes as much of the existing facility as practical and is consistent with local and regional plans. This alternative would comply with all federal, state and local environmental laws and regulations. All permits from regulatory agencies would be attained before proceeding with construction of this project.

4.1.3 Mitigation and Monitoring Commitments

Construction inspectors and staff would provide continuous monitoring during the construction phase of this project. Mitigation and monitoring requirements related to the Build Alternative are discussed below. Mitigation monitoring would be conducted by TxDOT and other appropriate federal, state and local agencies to ensure compliance with agreed upon mitigation measures.

Waters of the U.S. Approximately 0.340 acres of jurisdictional waters of the U.S. were identified within the existing and proposed ROW of the preferred alternative. It is anticipated that less than 0.5-acre of non-tidal waters would be affected by the Build Alternative. Therefore, the project would likely be authorized under a Nationwide Permit 14 by the USACE. Complete avoidance of impacts to Waters of the

US is not practicable due to design and access requirements of the transportation system. However, when project alternatives were developed, avoidance and minimization of effects to sensitive biological communities, including these riparian areas, were considered when selecting the Build Alternative. For all effects to jurisdictional waters of the U.S., including wetlands, under Section 404 of the CWA, a review of the USACE permitting and mitigation requirements would be conducted as design plans are finalized. Compensatory mitigation for Section 404 effects would be coordinated with the USACE and performed in accordance with the terms of the any required permits.

Water Quality. Effects to water quality would be minimized by implementing a Stormwater Pollution Prevention Plan (SW3P) in compliance with TPDES requirements. The SW3P would utilize temporary erosion and sedimentation control practices (i.e. silt fence, rock berm, and drainage swales) from the TxDOT manual "Standard Specifications for the Construction of Highways, Streets and Bridges." Where appropriate, these BMPs would be in place prior to the initiation of construction and would be maintained throughout the duration of the construction. Clearing of vegetation would be limited and/or phased in order to maintain a natural water quality buffer and minimize the amount erodible earth exposed at any one time. Because the preferred alternative would disturb more than five acres, it would be necessary to file a Notice of Intent (NOI) with TCEQ prior to construction.

Vegetation. Non unique and sterile farmland habitat and grassed right of ways would be the vast majority of any vegetation impacts. Only a small amount of invasive tree coverage along fence lines would be impacted. Any trees that would be removed by the Build Alternative would not be replanted.

Migratory Birds. To avoid potential impacts to migratory birds associated with the Build Alternative in accordance with the MBTA, the removal of trees and clearing of the ROW would either be conducted outside of the breeding season of the migratory birds or the ROW would be surveyed for active nests to ensure the preservation of the nests prior to construction.

Beneficial Landscape Practices. Landscaping included with this project would be in compliance with the Executive Memorandum and the guidelines for environmentally and economically beneficial landscape practices.

Hazardous Materials. No property containing potential hazardous materials would be acquired for the proposed ROW. It is not anticipated that contaminated groundwater or soil would be encountered during construction.

Furthermore, the contractor would take appropriate measures to prevent, minimize and control the spill of fuels, lubricants and hazardous materials in the construction staging area. All materials being removed and/or disposed of by the contractor would be done so in accordance with the state and federal laws and by the approval of the Project Engineer. Any unanticipated hazardous materials and/or petroleum contamination encountered during construction would be handled according to applicable federal and state regulations per TxDOT Standard Specifications.

Cultural Resources. If historic structures or archeological sites are discovered prior to or during construction, work would cease immediately. Qualified archeological staff would assess the site pursuant to the TAC and the site would be avoided or mitigated according to Section 106 of the National Historic Preservation Act.

Land Use. Appropriate implementation of applicable land use planning regulations by local entities would result in avoidance and minimization of effects to social and/or economic growth.

Construction Impacts. Construction impacts would be minimized through the incorporation of appropriate Best Management Practices. Treatment and attenuation of stormwater runoff through a stormwater control system is anticipated to enhance water quality in the surrounding watershed. Two lanes would remain open to traffic at all times during construction activities to allow for mobility of local traffic in the project area.

4.2 Recommendations for Alternative Selection and for a FONSI

Based on the information in this EA and in this project's Administration Record, the City of Wharton and TxDOT recommend implementation of the Build Alternative. Alternative selection would occur following the completion of the public review period, which could include a public hearing. The engineering, social, economic, and environmental studies conducted thus far indicate that the proposed project would result in no significant effects to the quality of the human or natural environment.

The project sponsors recommend that FHWA find that implementing the Build Alternative would not be a major Federal action significantly affecting the quality of the human or natural environment and thus issue a Finding of No Significant Impact (FONSI) for this project.

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Exhibit 1

Project Vicinity Map

Legend

- TXDOT Approximate Alignment

Highways

Minor Highways (Regional and Local)

- Limited Access
- Highway
- Major Road
- Local Road
- Minor Road
- Other Road
- Ramp
- Ferry
- Pedestrian Way

EXHIBIT 1

Property Vicinity Map

CITY OF WHARTON
TEXAS 1846

FM 1301 Extension
SH 60 to US 59 in Wharton
CSJ 1412-03-038
City of Wharton
Wharton County, Texas

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Disclaimer:
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Exhibit 2

Project Location Map

Legend

TXDOT Approximate Alignment

Highways

Minor Highways (Regional and Local)

- Limited Access
- Highway
- Major Road
- Local Road
- Minor Road
- Other Road
- Ramp
- Ferry
- Pedestrian Way

EXHIBIT 2

Project Location Map

CITY OF WHARTON
TEXAS 1846

FM 1301 Extension
SH 60 to US 59 in Wharton
CSJ 1412-03-038
City of Wharton
Wharton County, Texas

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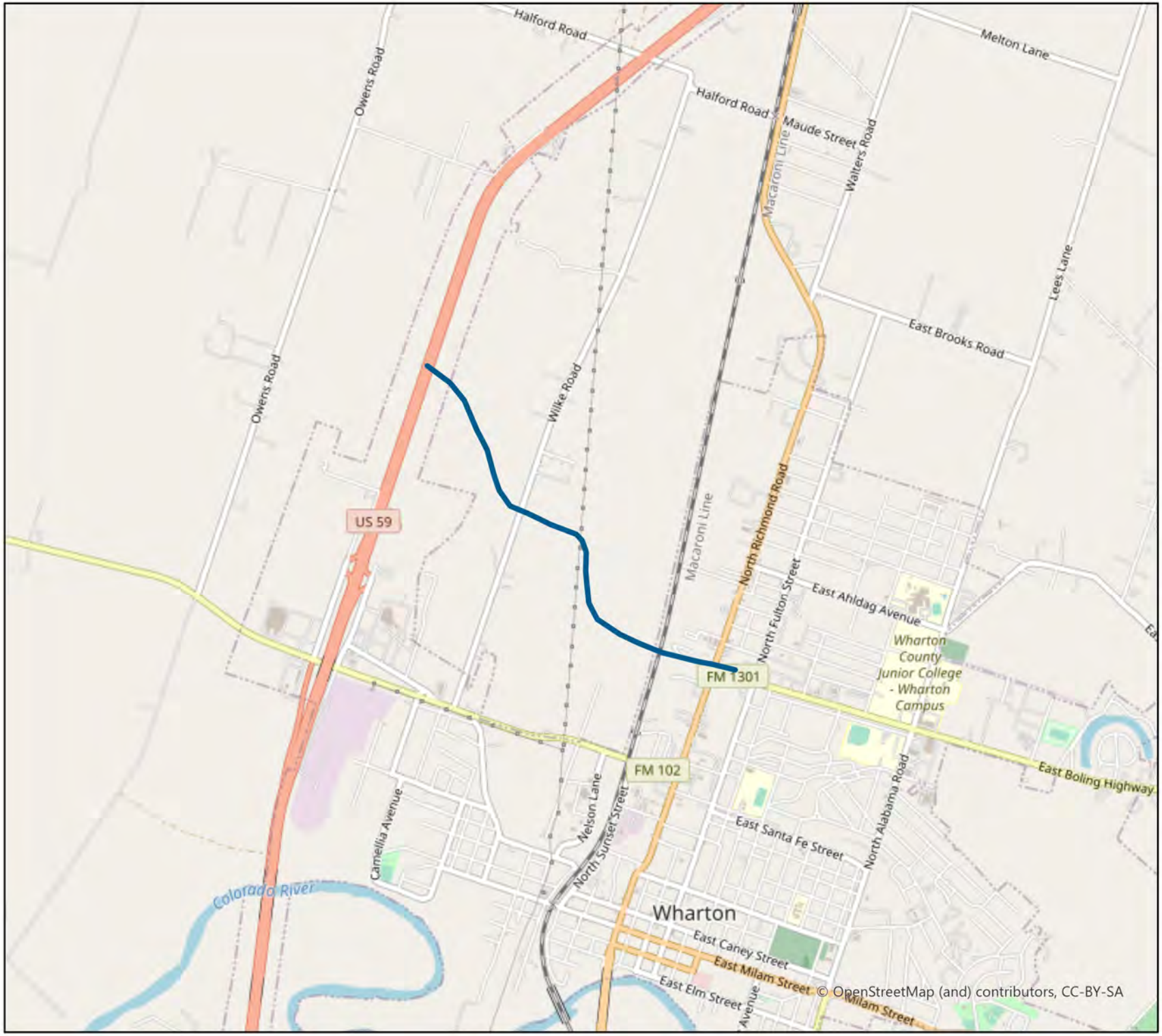
Exhibit 3

Project Sketch



Legend

TXDOT Approximate Alignment

EXHIBIT 3

Site Sketch Map

CITY OF WHARTON
TEXAS 1846

SMC Consulting, Inc.
environmental engineering

Texas Department of Transportation

FM 1301 Extension
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CSJ 1412-03-038
City of Wharton
Wharton County, Texas

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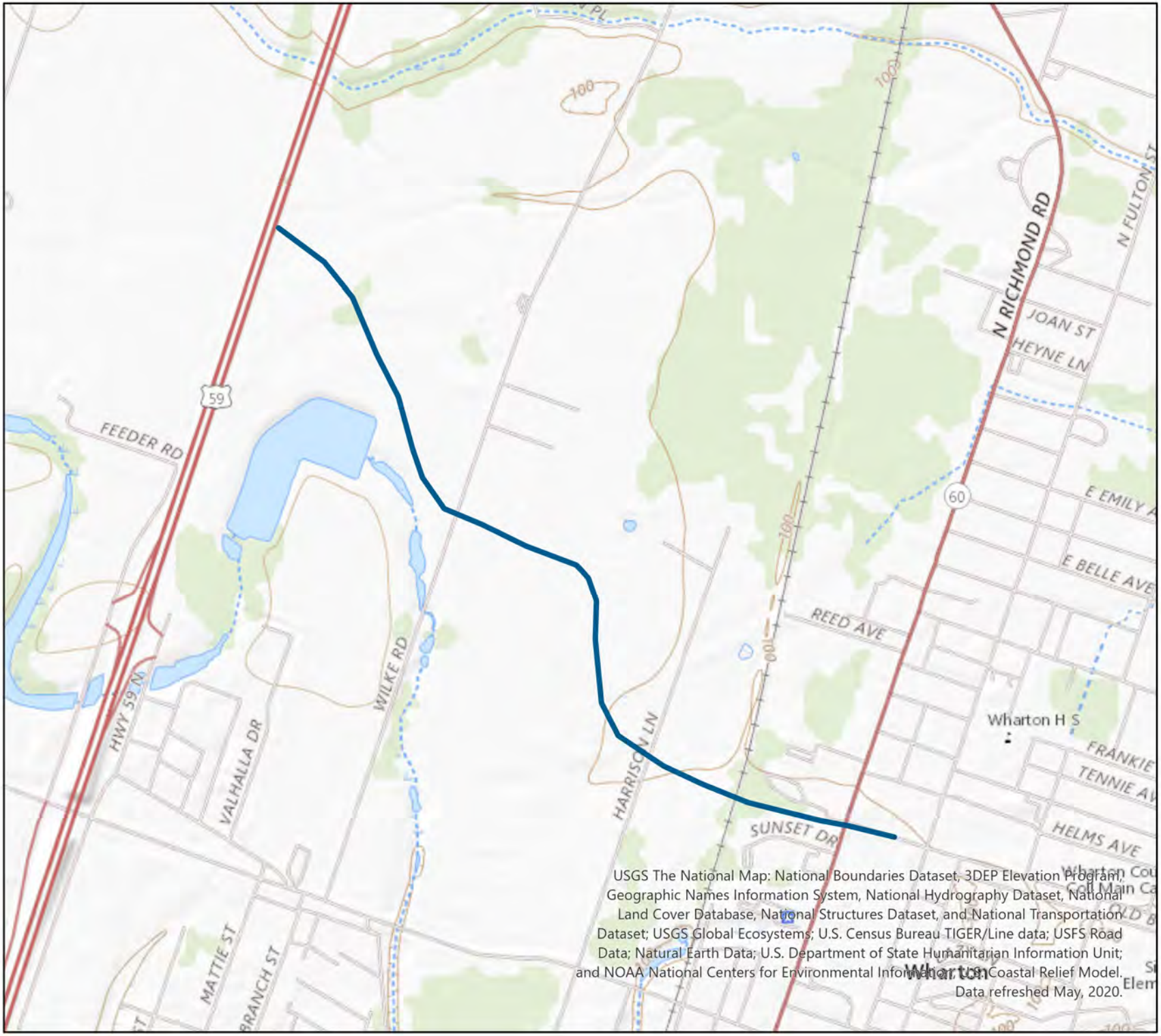
Exhibit 4

USGS Topographic Map



Legend

TXDOT Approximate Alignment

EXHIBIT 4

Site Topographic Map

CITY OF WHARTON
TEXAS 1846

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environmental engineering

Texas Department of Transportation

FM 1301 Extension
SH 60 to US 59 in Wharton
CSJ 1412-03-038
City of Wharton
Wharton County, Texas

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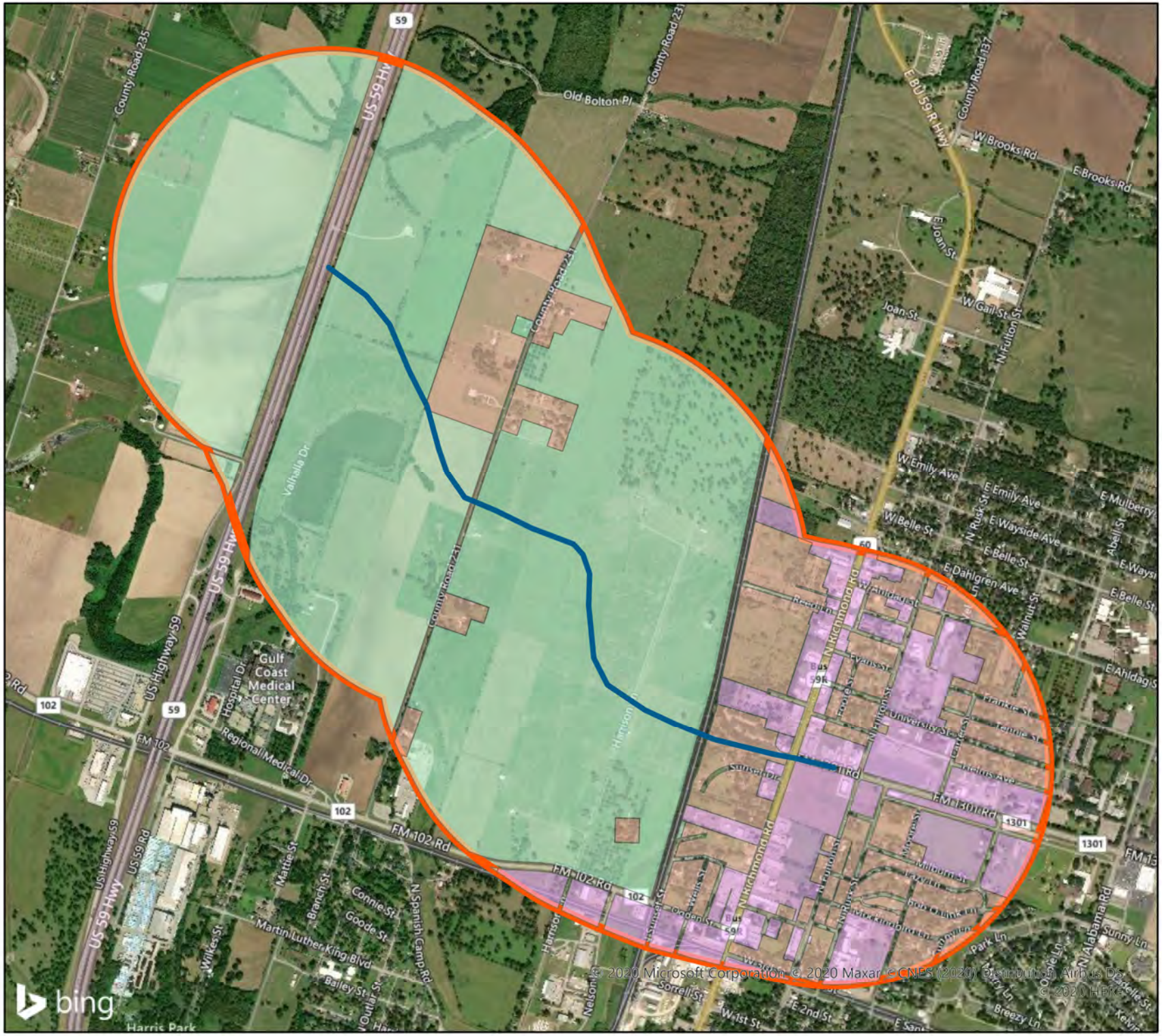
USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed May, 2020.

Exhibit 5

Current Land Use Map



Legend

- TXDOT Approximate Alignment
- Agricultural
- Commercial/Industrial
- Residential
- BufferHalfMile

EXHIBIT 5

Land Use Map

CITY OF WHARTON
TEXAS 1846

SMC Consulting, Inc.
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Texas Department of Transportation

FM 1301 Extension
SH 60 to US 59 in Wharton
CSJ 1412-03-038
City of Wharton
Wharton County, Texas

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Exhibit 6

Soils Map

Legend

- TXDOT Approximate Alignment
- Buffer Half Mile
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- Me
- NoA
- NoB
- W

EXHIBIT 6

Soils Map

CITY OF WHARTON
TEXAS 1846

SMC Consulting, Inc.
environmental engineering

Texas Department of Transportation

FM 1301 Extension
SH 60 to US 59 in Wharton
CSJ 1412-03-038
City of Wharton
Wharton County, Texas

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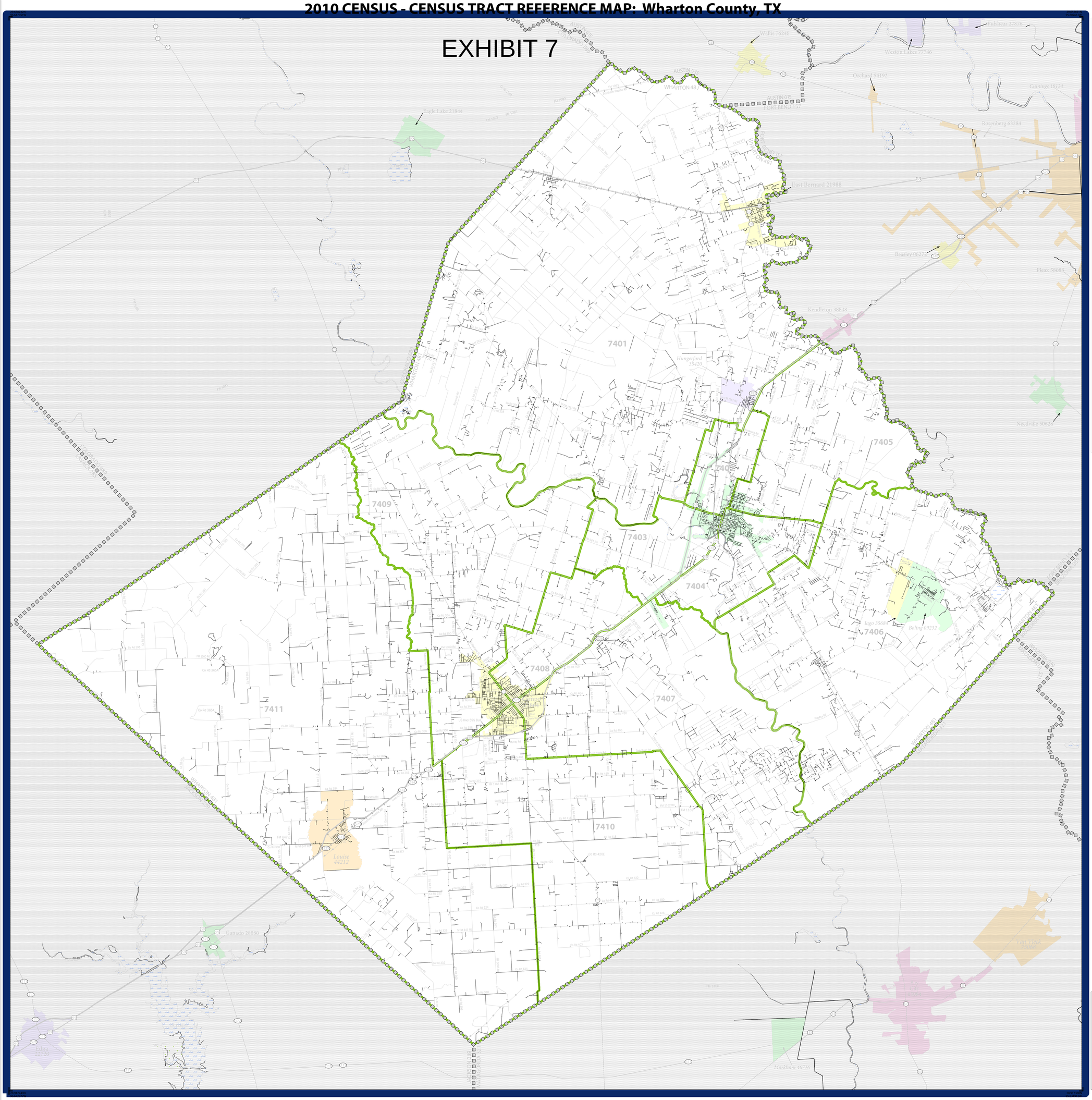
Exhibit 7

2010 Census Tracts County Map

2010 CENSUS - CENSUS TRACT REFERENCE MAP: Wharton County, TX

EXHIBIT 7



LEGEND

SYMBOL DESCRIPTION	SYMBOL	LABEL STYLE
Federal American Indian Reservation		L'ANSE RES 1880
Off-Reservation Trust Land, Hawaiian Home Land		T1880
Oklahoma Tribal Statistical Area, Alaska Native Village Statistical Area, Tribal Designated Statistical Area		*KAW OTSA 5340*
State American Indian Reservation		Tama Res 4125
State Designated Tribal Statistical Area		*Lumbee STSA 9815*
Alaska Native Regional Corporation		***NANA ANRC 52120***
State (or statistically equivalent entity)		NEW YORK 36
County (or statistically equivalent entity)		ERIE 029
Minor Civil Division (MCD) [1,2]		Bristol town 07485
Consolidated City		MILFORD 47500
Incorporated Place [1,3]		Davis 18100
Census Designated Place (CDP) [3]		*Incline Village 35100*
Census Tract		33.07

DESCRIPTION	SYMBOL	DESCRIPTION	SYMBOL
Interstate	35	Water Body	Pleasant Lake
U.S. Highway	27	Swamp or Marsh	Okefenokee Swamp
State Highway	4	Glacier	Bering Glacier
Other Road	Marsh Ln	Military	Fort Belvoir
4WD Trail, Stairway, Alley, Walkway, or Ferry		National or State Park, Forest, or Recreation Area	Yosemite NP
Railroad	Southern RR	Inset Area	A
Pipeline or Power Line		Outside Subject Area	
Ridge or Fence			
Property Line			
Nonvisible Boundary or Feature Not Elsewhere Classified			

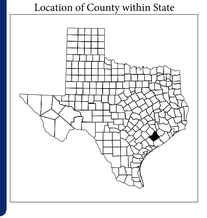
Where state, county, and/or MCD boundaries coincide, the map shows the boundary symbol for only the highest-ranking of these boundaries.

1 A '*' following an MCD name denotes a false MCD. A '*' following a place name indicates that a false MCD exists with the same name and FIPS code as the place; the false MCD label is not shown.

2 MCD boundaries are shown in the following states in which MCDs have functioning governments: Connecticut, Maine, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and Wisconsin.

3 Place label color correlates to the place fill color.

Location of County within State



All legal boundaries and names are as of January 1, 2010. The boundaries shown on this map are for Census Bureau statistical data collection and tabulation purposes only; their depiction and designation for statistical purposes does not constitute a determination of jurisdictional authority or rights of ownership or entitlement.

Geographic Vintage: 2010 Census (reference date: January 1, 2010)
Data Source: U.S. Census Bureau's MAF/TIGER database (TAB10ST48)
Map Created by Geography Division: November 30, 2010

U.S. DEPARTMENT OF COMMERCE Economics and Statistics Administration U.S. Census Bureau

Projection: Albers Equal Area Conic
Datum: NAD 83
Spheroid: GRS 80
1st Standard Parallel: 27 36 51
2nd Standard Parallel: 34 43 24
Central Meridian: -100 04 35
Latitude of Projection's Origin: 25 50 13
False Easting: 0
False Northing: 0

0 3 6 9 12 15 Kilometers
0 2 4 6 8 10 Miles
The plotted map scale is 1:111840

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USCENSUSBUREAU

PARENT SHEET 1

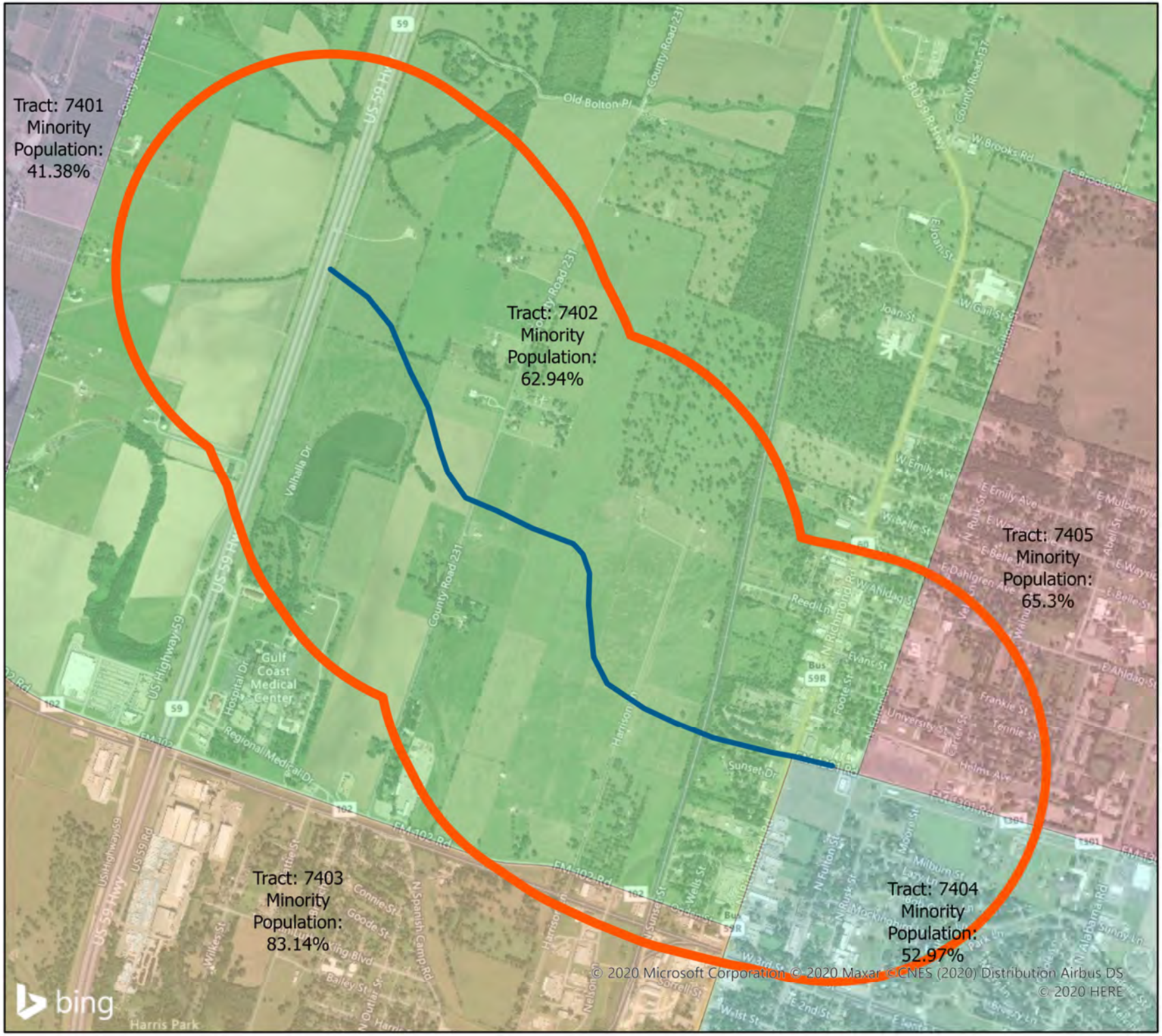
Total Sheets: 1
- Index Sheets: 0
- Parent Sheets: 1
- Inset Sheets: 0

NAME: Wharton County (481)
ENTITY TYPE: County or statistically equivalent entity
ST: Texas (48)

2010 CENSUS TRACT REF MAP (PARENT)
20504848I1001

Exhibit 8

2010 Minority Census Population Map



Legend

- TXDOT Approximate Alignment
- 7401
- 7402
- 7403
- 7404
- 7405
- Buffer Half Mile

EXHIBIT 8

Minority Population Map

CITY OF WHARTON
TEXAS 1846

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Texas Department of Transportation

FM 1301 Extension
SH 60 to US 59 in Wharton
CSJ 1412-03-038
City of Wharton
Wharton County, Texas

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Exhibit 9

MSAT Sensitive Receptors Map

Legend

- Hospitals
- TXDOT Approximate Alignment
- Buffer Half Mile

EXHIBIT 9

Sensitive Receiver Map

CITY OF WHARTON
TEXAS 1846

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FM 1301 Extension
SH 60 to US 59 in Wharton
CSJ 1412-03-038
City of Wharton
Wharton County, Texas

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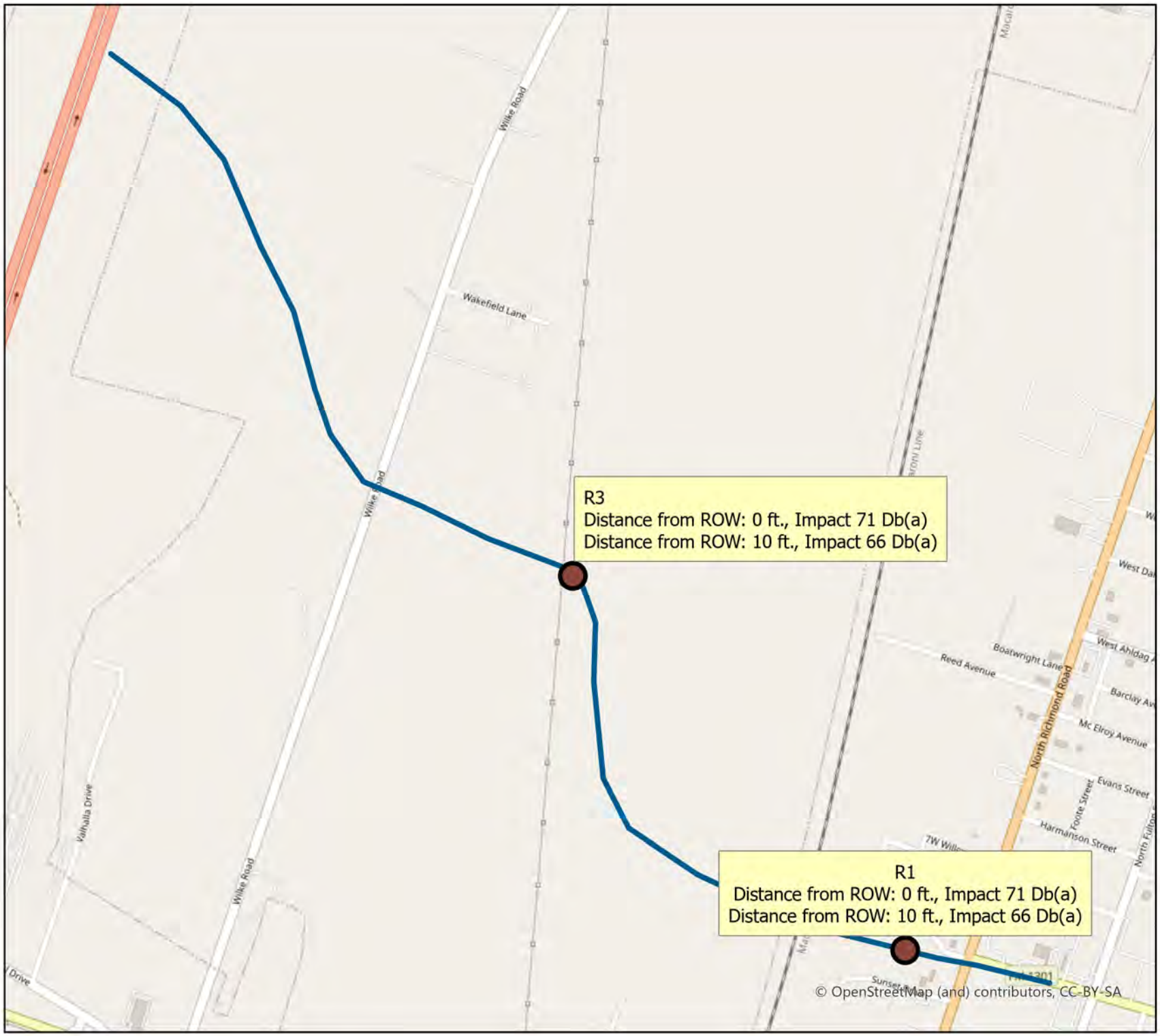
Exhibit 10

Noise Contour Map



Legend

- Noise Samples
- TXDOT Approximate Alignment

EXHIBIT 10

Noise Contour Map

CITY OF WHARTON
TEXAS 1846

Texas Department of Transportation

FM 1301 Extension
SH 60 to US 59 in Wharton
CSJ 1412-03-038
City of Wharton
Wharton County, Texas

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Exhibit 11

FEMA Floodplain Map

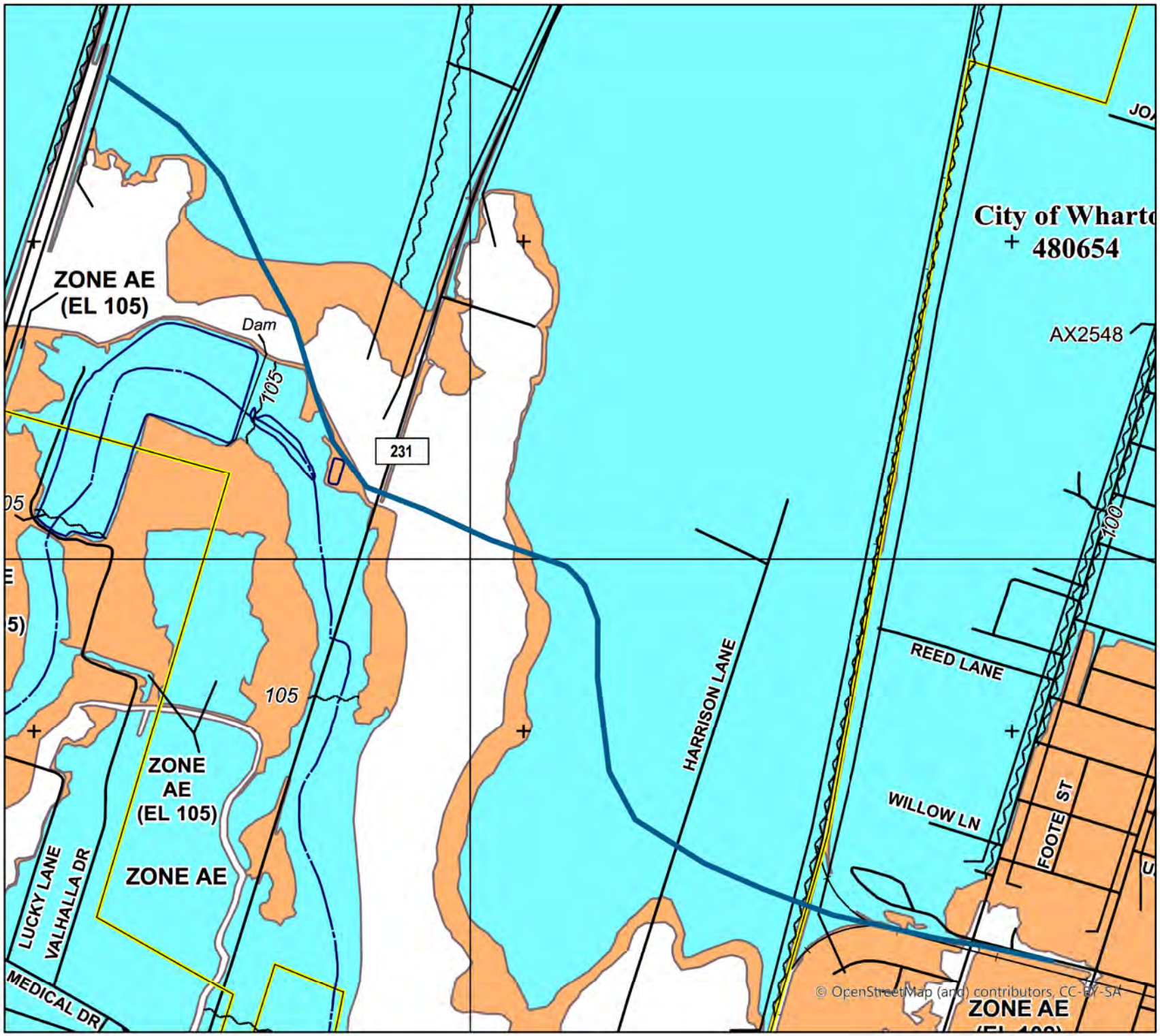

EXHIBIT 11

FEMA Flood Map

CITY OF WHARTON
TEXAS 1846

Texas Department of Transportation

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City of Wharton
Wharton County, Texas

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Exhibit 12

Waters of the US and Manmade Ditches

Legend

- WaterUS
- TXDOT Approximate Alignment

EXHIBIT 12

Waters of the US Map

CITY OF WHARTON
TEXAS 1846

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Texas Department of Transportation

FM 1301 Extension
SH 60 to US 59 in Wharton
CSJ 1412-03-038
City of Wharton
Wharton County, Texas

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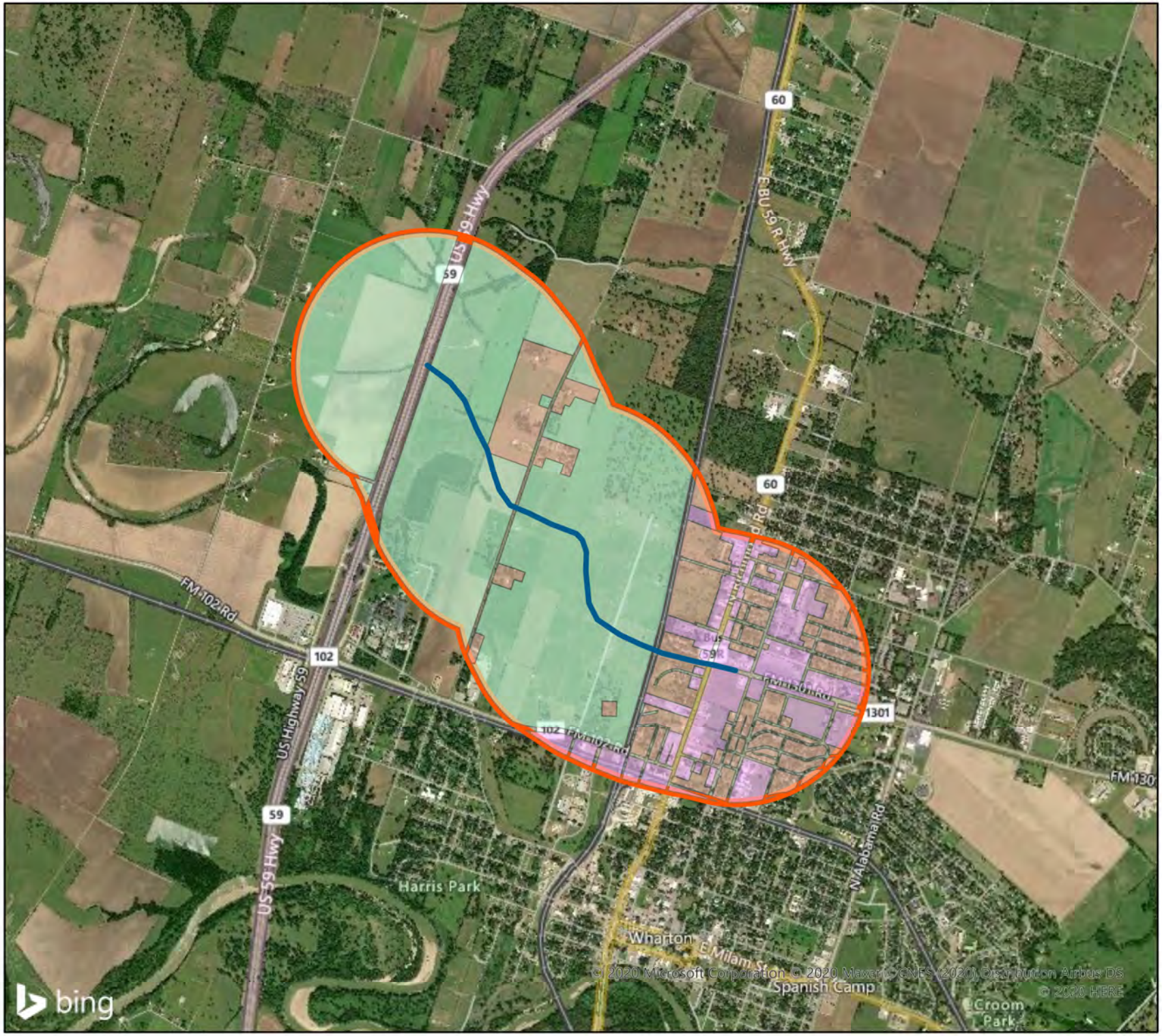
Exhibit 13

Area of Influence (AOI) Map – ½ Mile Radius



Legend

- TXDOT Approximate Alignment
- Agricultural
- Commercial/Industrial
- Residential
- Buffer Half Mile

EXHIBIT 13

Land Use AOI Map

CITY OF WHARTON
TEXAS 1846

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Texas Department of Transportation

FM 1301 Extension
SH 60 to US 59 in Wharton
CSJ 1412-03-038
City of Wharton
Wharton County, Texas

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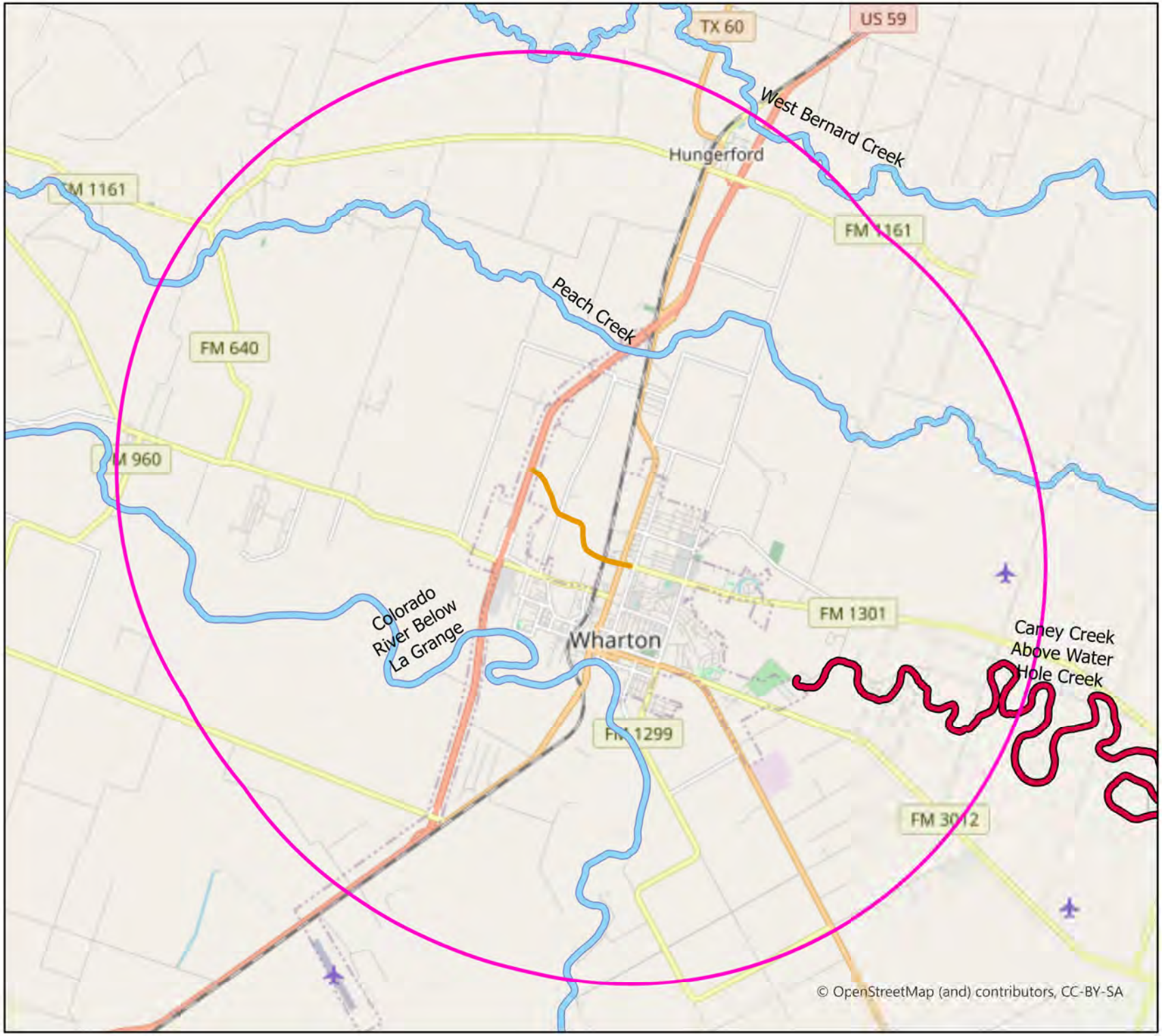
Exhibit 14

303 d Impaired Waters Map



Legend

- Impaired Waterway
- Buffer 5-Mile
- TXDOT Approximate Alignment

EXHIBIT 14

Impaired Waters Map

CITY OF WHARTON
TEXAS 1846

FM 1301 Extension
SH 60 to US 59 in Wharton
CSJ 1412-03-038
City of Wharton
Wharton County, Texas

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Appendix A

Site Photographs

NORTH EDGE OF PHASE 4 LOOKING NORTH NEAR TERMINUS OF PHASES 3 & 4

BAUGHMAN SLOUGH BRIDGE CROSSING NEAR NORTH EDGE OF PHASES 3 & 4

FM 102 & HIGHWAY 59 INTERCHANGE LOOKING SE FROM NW CORNER OF INTER.

LOOKING SOUTH TOWARD FM 102 FROM FROM S. BOUND ACCESS ROADS FOR HIGHWAY 59

HOSPITAL – EAST OF HIGHWAY 59 NEAR PHASE 3 OF PROJECT

COMMERCIAL AREA WEST OF HIGHWAY 59 NEAR PHASE 4 OF PROJECT

MOTEL NEAR HIGHWAY 59 – NEAR PHASE 3 OF PROJECT – EAST OF ACCESS ROAD

USDA BUILDING NEAR HIGHWAY 59 – NEAR PHASE 4 OF PROJECT- WEST OF HIGHWAY 59

PHASE 4 OVERPASS LOCATION ON HIGHWAY 59 LOOKING SOUTH ALONG MEDIAN

LOOKING SOUTH ALONG WEST EDGE OF HWY 59 PHASE 4 OF PROJECT

DRAINAGE UNDER HIGHWAY 59 PHASE 3 OF PROJECT

EXISTING COMMERCIAL AREA NEAR PHASE 4 OF PROJECT – SOUTH SECTION

PHASE 3 PROJECT AREA – NEW FEEDER ROADS LOOKING SOUTH FROM NORTH EDGE

PHASE 3 PROJECT AREA – LOOK. WEST TOWARD HIGHWAY 59

LOOKING WEST FROM CENTRAL SECTION OF PROPOSED FEEDER ROAD FOR HWY. 59 PHASE 3 OF PROJECT

TYPICAL VEGETATION ALONG HIGHWAY 59 PROPOSED FEEDER ROAD AREA – PHASE 3 OF PROJECT

LOOKING NORTH FROM SOUTH EDGE OF PROPOSED FEEDER ROADWAY – PHASE 3

LOOKING SOUTH NEAR SOUTH EDGE OF PROPOSED FEEDER ROADWAY – PHASE 3

TYP. UPLAND VEG. WEST OF RR TRACKS
UPL. AREA – FM 1301 – PHASE 1 PROJ.

NON WETLAND TRIBUTARY – AT EXISTING BRIDGE
FM 102 - PHASE 1 OF PROJECT

LOOKING NORTH FROM FM 102 – CANEY CREEK
WHICH DRAINS UNDER FM 102 BRIDGE

LOOKING NORTH FROM EXISTING FM 102 –
AT NEW FM 1301 ALIGNMENT

LOOKING WEST ALONG NEW CITY ROAD
ALIGNMENT – PHASE 3 OF PROJECT

LOOKING WEST FROM NEW CITY ROAD
PHASE 3 OF PROJECT

TYP. UPLAND VEG. WEST OF RR TRACKS
FM 1301 ALIGNMENT

UPLAND CROP AREA - WEST OF RR TRACK
FM 1301 ALIGNMENT – MOWED FIELD

LOOKING SOUTH -WEST OF RR TRACK
FROM FM 1301 TOWARD EXIST. FM 102

LOOKING SOUTH ALONG DIRT ROADWAY
TYPICAL SITE VEGETATION

TYPICAL UPLAND SOIL SAMPLE – FM 1301

LOOKING NORTH TOWARD NEW CITY STREET
/ FM 1301 INTERSECTION – PHASE 3 PROJECT

WEST OF BUS. 59 (SH 60)– LOOKING NORTHEAST ACROSS FUTURE INTERCHANGE

WEST OF BUS. 59 (SH 60)– LOOK. SOUTH TO FROM PROPOSED FM 1301 TO BUSINESS

LOOKING WEST ALONG PROPOSED ALIGNMENT FOR FM 1301 - EAST OF RR TRACK

MOBILE HOME PARK – NORTH OF PROPOSED FM 1301 – WEST OF BUS. 59 & EAST OF RR TRACK

TREED AREA ALONG EAST EDGE OF RR TRACK FM 1301 PROJECT ALIGNMENT

LOOKING NORTH ALONG RR TRACT AT FM 1301 - PROJECT ALIGNMENT

EAST EDGE OF PROJECT – LOOKING NORTHWEST ACROSS FM 1301

EAST EDGE OF PROJECT LOOKING NORTHEAST ACROSS FM 1301

EAST EDGE OF PROJECT LOOKING WEST ALONG PROPSED ALIGNMENT FOR FM 1301 –EAST OF BUSINESS 59 (SH 60)

RUSTED TRANSFORMER – NORTH OF SITE WEST OF BUSINESS 59

BUSINESS – NW CORNER OF FM 1301 & BUS. 59 (SH 60)

BUSINESS – SW CORNER OF FM 1301 & BUS. 59 (SH 60)

Appendix B

Applicable Regulatory Requirements and Required Coordination

Applicable Regulatory Requirements and Required Coordination

The following regulatory requirements are applicable to the proposed project:

- *Clean Air Act (CAA) of 1970* **-** (42 U.S.C. s/s 7401 et seq.). This act is the comprehensive Federal law that regulates air emissions from area, stationary, and mobile sources. This law authorizes the EPA to establish National Ambient Air Quality Standards (NAAQS) to protect public health and the environment.

- *Clean Water Act (CWA) of 1977* **-** (33 U.S.C. s/s 1251 et seq.). This Act is an amendment to the Federal Water Pollution Control Act of 1972 and it sets the basic structure for regulating discharges of pollutants to waters of the U.S. Section 401 of the CWA requires that an applicant for a federal permit provide a State certification that any discharges from the facility would comply with the Act, including water quality standard requirements.

- *Coastal Zone Management Plan* - The Federal Coastal Zone Management Act of 1972, as amended, authorized a Federal program to encourage coastal states and territories to develop comprehensive coastal management programs. Participation in this program will make these states and territories eligible for grants to carry out certain activities. This led to the Texas Coastal Coordination Act of 1991, which called for the development of a comprehensive coastal program based on existing statutes and regulations. Projects that are proposed with the Coastal Zone Management Program (CZMP) must comply with the goals and objectives of the CZMP.

- *Floodplain Management* **-** (Executive Order 11988). This order requires agencies to take action to reduce the risk of flood loss, to minimize the effect of floods on human safety, health and welfare, and to restore and preserve the natural and beneficial values served by floodplains.

- *Protection of Wetlands* **-** (Executive Order 11990). This order requires agencies to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands.

- *Section 9 of the Rivers and Harbors Act of 1899* - This section requires that the United States Coast Guard approve the location and plans for bridges and causeways over navigable waters of the U.S.

- *Section 10 of the Rivers and Harbors Act of 1899* - This section prohibits the obstruction or alteration of navigable waters (coastal/inland) of the U.S. without a permit from the United States Army Corps of Engineers (USACE).

- *Pollution Prevention Act (P2) of 1990* - (42 U.S.C. 13101 and 13102, s/s et seq.). This Act focused industry, government, and public attention on reducing the amount of pollution through cost-effective changes in production, operation, and raw materials use.

- *Archeological Resources Protection Act (ARPA) of 1979* **-** (16 USC 470aa et seq., P.L. 96-95). This Act supplements the provisions of the 1906 Antiquities Act. The law makes it illegal

to excavate or remove from federal or Native American lands any archeological resources without a permit from the land manager. (TxDOT Environmental Affairs Division to verify cultural resources.)

- *National Historic Preservation Act (NHPA) of 1966*, as amended - (16 USC 470, P.L. 95-515). This Act establishes as federal policy the protection of historic properties or places and their values in cooperation with other nations and with state and local governments. It establishes a program of grants-in-aid to state governments for historic preservation activities. Subsequent amendments designated the State Historic Preservation Officer (SHPO) or the Tribal Historic Preservation Officer (THPO) as the individual responsible for administering programs in the states or reservations. The Act also creates the Advisory Council on Historic Preservation (ACHP). (TxDOT Environmental Affairs Division to verify cultural resources.)
- *Native American Graves Protection and Repatriation Act (NAGPRA) of 1990* - (25 USC 3001, P.L. 101-601). This act sets forth rules for intentional excavation and removal of Native American cultural items, including human remains and funerary objects, and for inadvertent discovery of such items. (TxDOT Environmental Affairs Division to verify cultural resources.)
- *Native American Graves Protection and Repatriation Act Regulations, Final Rule, 1996* **-** (43 CFR Part 10). This final rule establishes definitions and procedures for lineal descendants, Indian tribes, Native Hawaiian organizations, museums, and Federal agencies to carry out the Native American Graves Protection and Repatriation Act of 1990. (TxDOT Environmental Affairs Division to verify cultural resources.)
- *Memorandum of Understanding (MOU) between TxDOT and TPWD* - This MOU requires TxDOT to provide TPWD with pertinent information regarding potential effects to natural resources and measures to minimize and/or compensate for unavoidable losses of unregulated but sensitive habitats. TPWD must coordinate with TxDOT to assist with the decision-making process.
- *Memorandum of Agreement (MOA) between TxDOT and TPWD* - The MOA provides procedures and methodologies for habitat characteristics and impact descriptions, and criteria for compensatory mitigation.
- *Fish and Wildlife Coordination Act (FWCA)* - (16 U.S.C. 661 et seq.). This law was enacted to protect fish and wildlife when federal actions result in a modification of a natural stream or body of water. If a modification to a natural stream or water body is expected, coordination with the United States Fish and Wildlife Service (USFWS) is required.
- *Endangered Species Act (ESA) of 1973* - (16 USC 1531 et seq., P.L. 93-205). This law provides a program for the conservation of threatened and endangered plants and animals and the habitats in which they are found.
- *Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations* **-** (Executive Order 12898). This order requires agencies to ensure that

achieving environmental justice is part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.

- *Uniform Relocation Assistance and Real Property Acquisitions Policies Act* - (42 U.S.C. 4601-4605, 4621-4633, 4635-4636, 4638, 4651-4655). This title establishes a uniform policy for the fair and equitable treatment of persons displaced as a direct result of programs or proposals undertaken by a Federal agency or with Federal financial assistance.

- *Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980* - (42 U.S.C. s/s 9601 et seq.). This Act provides a Federal "Superfund" to clean up uncontrolled or abandoned hazardous-waste sites as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment. Through the Act, EPA was given power to seek out those parties responsible for any release and assure their cooperation in the cleanup.

- *Resource Conservation and Recovery Act (RCRA)* - (42 U.S.C. s/s 6901 et seq.). This Act gives the EPA the authority to control hazardous waste from the "cradle-to-grave." This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also set forth a framework for the management of non-hazardous wastes.

- *Superfund Amendments and Reauthorization Act (SARA) of 1986* - (42 U.S.C.9601 et seq.). This Act reauthorized CERCLA to continue cleanup activities around the country. Several site-specific amendments, definitions clarifications, and technical requirements were added to the legislation, including additional enforcement authorities. Title III of SARA also authorized the Emergency Planning and Community Right-to-Know Act (EPCRA).

- *Farmland Protection Policy Act (FPPA)* - (7 USC 4201 et seq.). This Act minimizes the extent to which Federal programs contribute to the unnecessary and irreversible conversion of farmland to nonagricultural uses, and to assure the Federal programs are administered in a manner that, to the extent practicable, will be compatible with State, unit of local government, and private programs and policies to protect farmland.

- *The Wild and Scenic River Act (16 USC 1271-1287)* This Act outlines that selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations.

- *The Migratory Bird Treaty Act of 1918* (*16 USC 703-712)* This Act states that it is unlawful to pursue, hunt, kill, capture, possess, buy, sell, purchase, or barter any migratory birds, including the feathers or other parts, nests, eggs, or migratory bird parts.

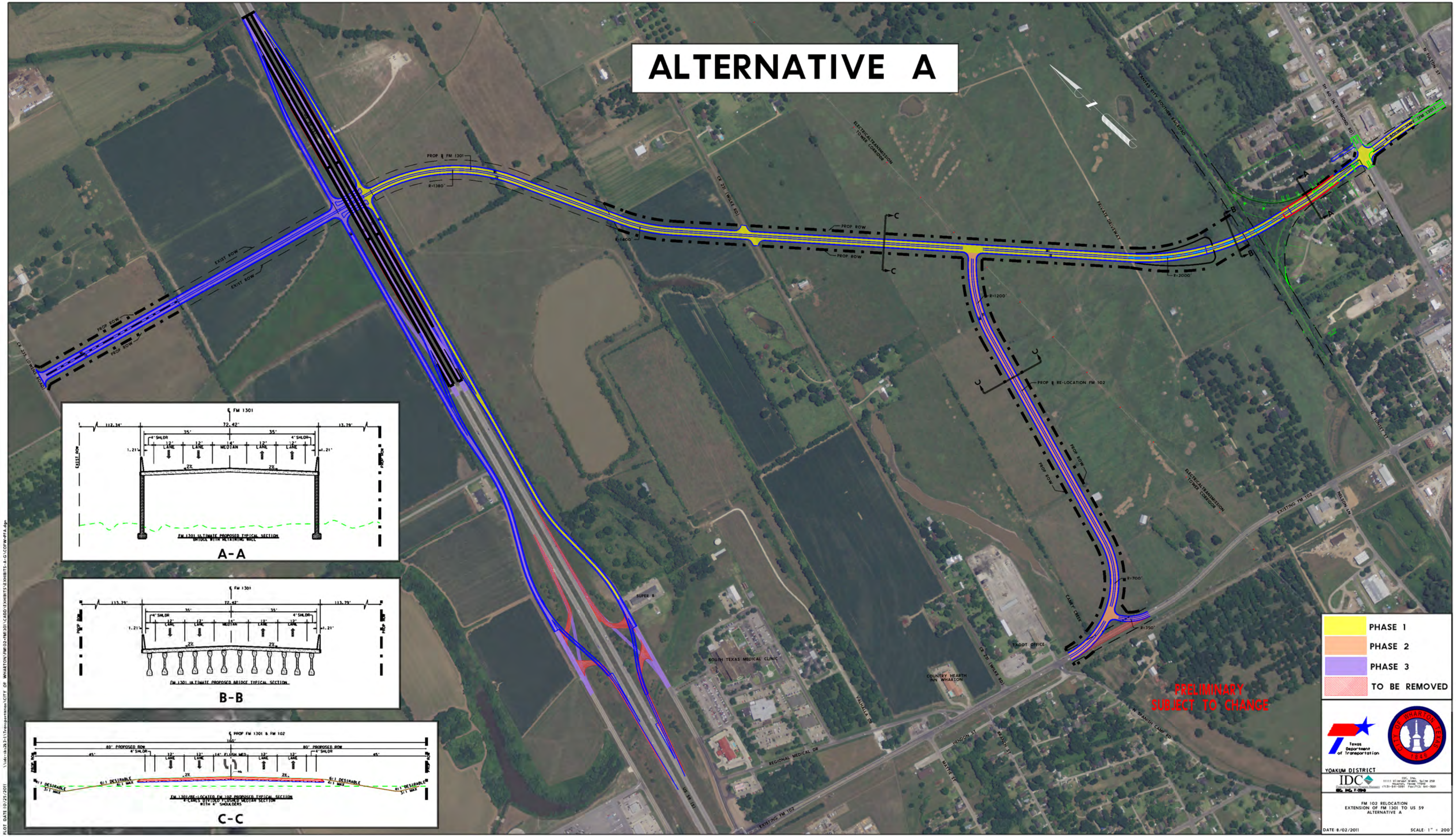
- *Protection of Children from Environmental Health Risks and Safety Risks* - (Executive Order 13045). This order requires each Federal agency to make it a high priority to identify and assess environmental health risks and safety risks that may disproportionately affect children. It also requires agencies to ensure that policies, programs, activities and standards

address disproportionate risks to children that result from environmental health risks or safety risks.

- *Executive Memorandum on Environmentally and Economically Beneficial Landscape Practices* - This memorandum requires agencies to (where cost effective and to the extent practicable) use beneficial landscaping practices such as regionally native plants for landscaping and designing and to use or promote construction practices that minimize adverse effects on the natural habitat.
- *Executive Order 13112 on Invasive Species* - This order requires Federal agencies to prevent the introduction of invasive species and provide for their control and then to minimize the economic, ecological, and human health effects that invasive species cause.
- *Improving Access to Services for Persons with Limited English Proficiency* - (Executive Order 13166). This order mandates that federal agencies examine the services it provides and develop and implement a system by which Limited English Proficiency (LEP) persons can meaningfully access those services consistent with, and without unduly burdening, the fundamental mission of the agency. Each agency shall also work to ensure that recipients of federal financial assistance (recipients) provide meaningful access to their LEP applicants and beneficiaries (65 Federal Register 50123, August 16, 2000). TxDOT complies with Executive Order 13166 by offering to meet the needs of persons requiring special communication accommodations in all public involvement activities and notices.
- *Section 4(f) of the Department of Transportation Act of 1966* - (49 USC 1653[f]). This section was designed to reserve the natural beauty of the countryside. Property eligible for Section 4(f) must be a publicly owned public park, or wildlife and waterfowl refuge, or any significant historic site. Section 4(f) eligible sites may not be approved unless a determination is made that there is no feasible and prudent alternative to the use of land from the property. If the project includes such lands, the selected alternative must include all possible planning to minimize harm to the property resulting from such use.
- *Section 6(f) of the Land and Water Conservation Fund (LWCF) Act* – This Act provides restrictions for public recreation facilities funded with LWCF money. The LWCF Act provides funds for the acquisition and development of public outdoor recreation facilities that could include community, county, and state parks, trails, fairgrounds, conservation areas, boat ramps, shooting ranges, etc. Facilities that are LWCF assisted must be maintained for outdoor recreation in perpetuity and therefore, require mitigation that includes replacement land of at least equal value and recreation utility.

Appendix C

Project Schematics / Project Layouts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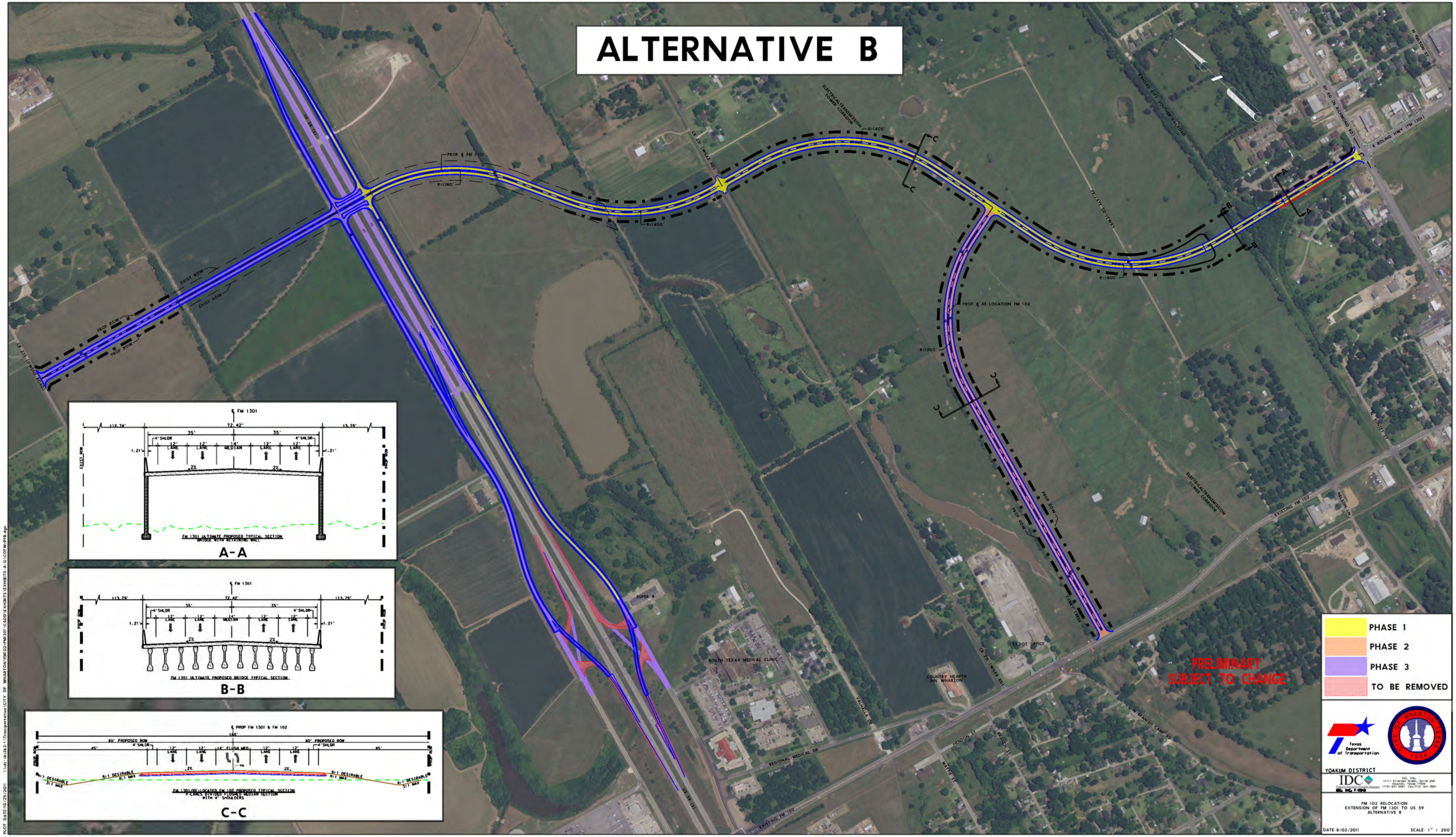
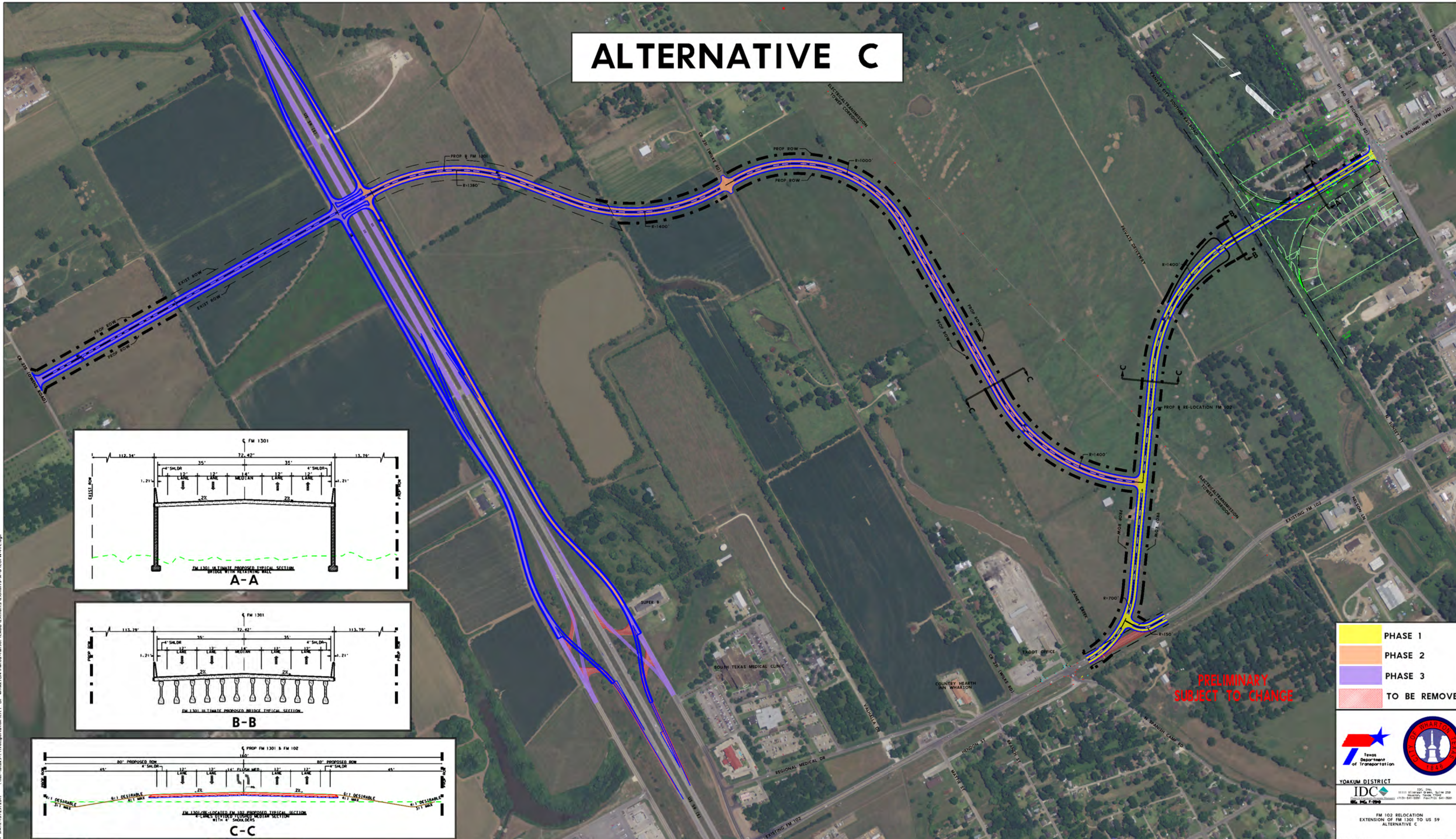
PROP ROW
EXIST ROW
PROP RE-LOCATION FM 102
EXISTING FM 102
SOUTH TEXAS MEDICAL CLINIC
COUNTRY HEARTH INN WHARTON
TXDOT OFFICE
CANEY CREEK
PRELIMINARY
SUBJECT TO CHANGE
PHASE 1
PHASE 2
PHASE 3
TO BE REMOVED
FM 1301 ULTIMATE PROPOSED TYPICAL SECTION BRIDGE WITH RETAINING WALL
A-A
FM 1301 ULTIMATE PROPOSED BRIDGE TYPICAL SECTION
B-B
FM 1301/RE-LOCATED FM 102 PROPOSED TYPICAL SECTION 4-LANES DIVIDED FLUSH MEDIAN SECTION WITH 4' SHOULDERS
C-C
Texas Department of Transportation
CITY OF WHARTON TEXAS 1846
YOAKUM DISTRICT
IDC, Inc.
FM 102 RELOCATION
EXTENSION OF FM 1301 TO US 59
ALTERNATIVE A
DATE: 8/02/2011
SCALE: 1" = 200'


ALTERNATIVE B
PRELIMINARY
SUBJECT TO CHANGE
A-A
B-B
C-C
PHASE 1
PHASE 2
PHASE 3
TO BE REMOVED
Texas Department of Transportation
CITY OF WHARTON TEXAS 1846
YOAKUM DISTRICT
IDC
FM 102 RELOCATION
EXTENSION OF FM 1301 TO US 59
ALTERNATIVE B
DATE: 8/02/2011
SCALE: 1" = 200'
SOUTH TEXAS MEDICAL CLINIC
COUNTRY HEARTH INN WHARTON
TXDOT OFFICE
EXISTING FM 102
REGIONAL MEDICAL DR
PROP ℄ RE-LOCATION FM 102
FM 1301 ULTIMATE PROPOSED BRIDGE TYPICAL SECTION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PROP ROW
EXIST ROW
R=1380'
R=1400'
R=1000'
R=700'
PROP ℄ RE-LOCATION FM 102
EXISTING FM 102
ELECTRICAL/TRANSMISSION TOWER CORRIDOR
PRIVATE DRIVEWAY
SOUTH TEXAS MEDICAL CLINIC
COUNTRY HEARTH INN WHARTON
TXDOT OFFICE
REGIONAL MEDICAL DR
SUPER 8
A-A
FM 1301 ULTIMATE PROPOSED TYPICAL SECTION BRIDGE WITH RETAINING WALL
B-B
FM 1301 ULTIMATE PROPOSED BRIDGE TYPICAL SECTION
C-C
FM 1301/RE-LOCATED FM 102 PROPOSED TYPICAL SECTION
PHASE 1
PHASE 2
PHASE 3
TO BE REMOVED
PRELIMINARY
SUBJECT TO CHANGE
Texas Department of Transportation
CITY OF WHARTON TEXAS 1846
YOAKUM DISTRICT
IDC
FM 102 RELOCATION
EXTENSION OF FM 1301 TO US 59
ALTERNATIVE C
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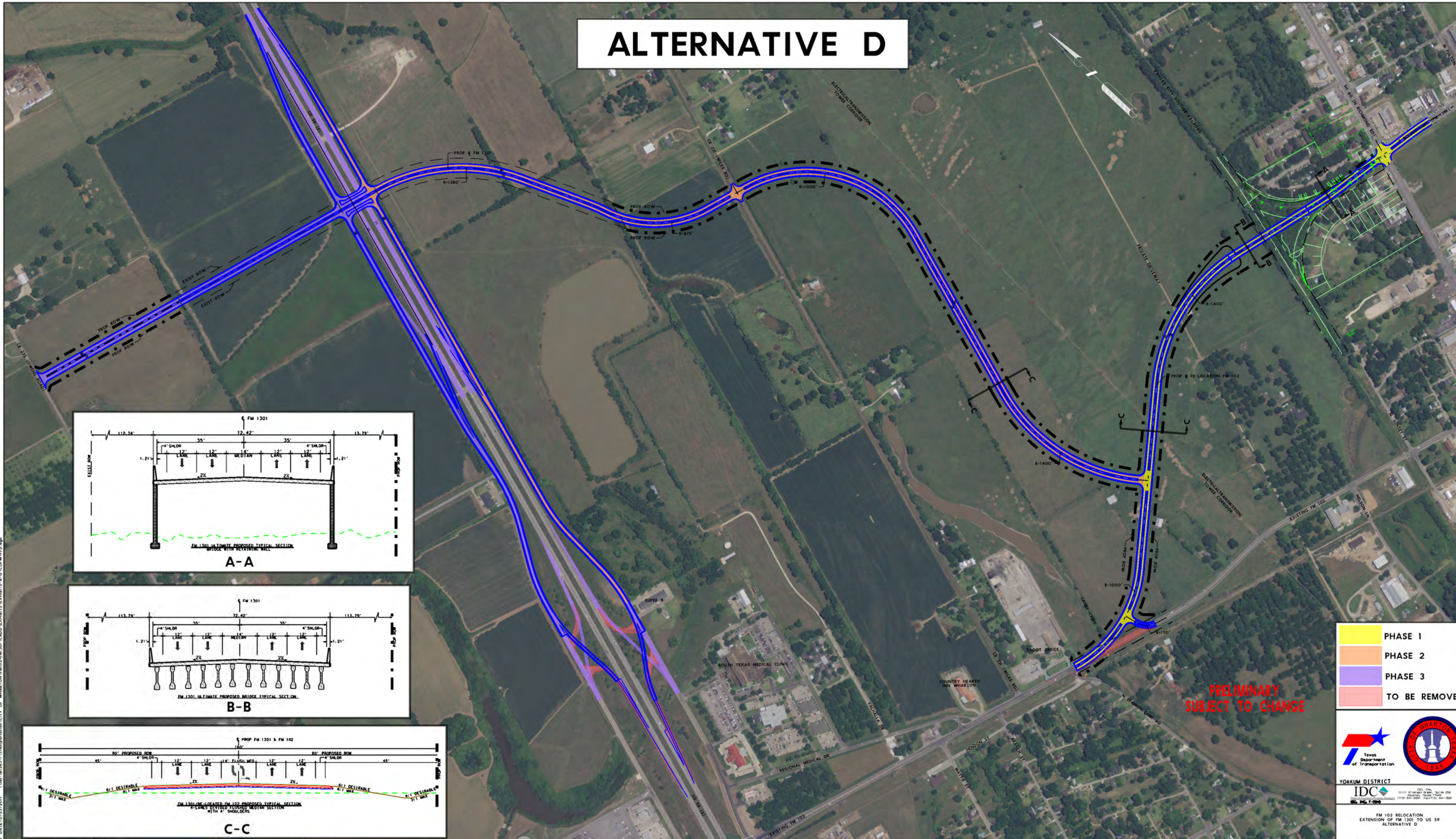

ALTERNATIVE D
PRELIMINARY
SUBJECT TO CHANGE
A-A
FM 1301 ULTIMATE PROPOSED TYPICAL SECTION
BRIDGE WITH RETAINING WALL
B-B
FM 1301 ULTIMATE PROPOSED BRIDGE TYPICAL SECTION
C-C
EXISTING FM 102
COUNTRY HEARTH INN WHARTON
SOUTH TEXAS MEDICAL CLINIC
REGIONAL MEDICAL DR
PHASE 1
PHASE 2
PHASE 3
TO BE REMOVED
Texas Department of Transportation
CITY OF WHARTON TEXAS
1846
YOAKUM DISTRICT
IDC
FM 102 RELOCATION
EXTENSION OF FM 1301 TO US 59
ALTERNATIVE D
DATE: 8/02/2011
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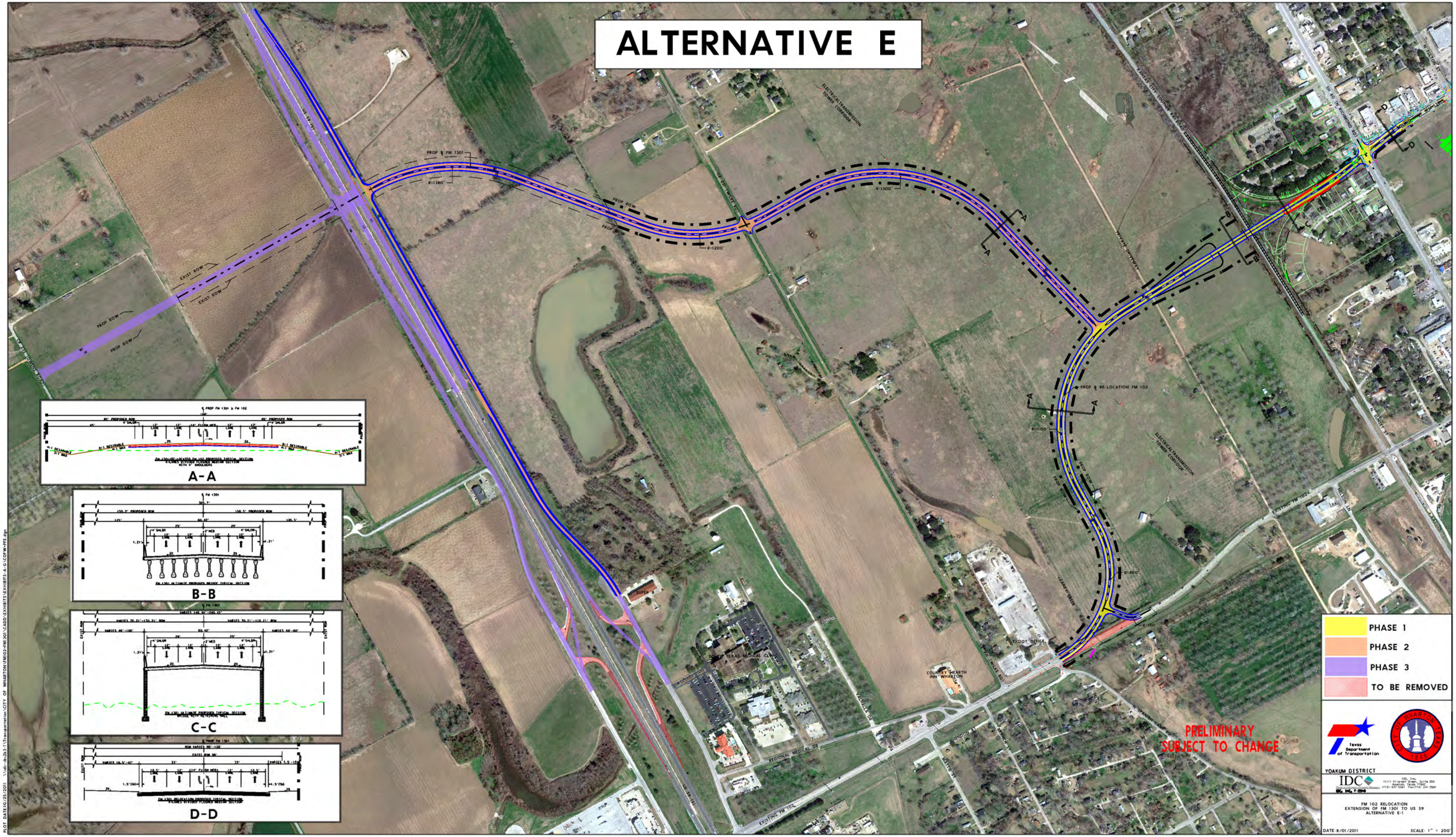

ALTERNATIVE E
A-A
B-B
C-C
D-D
PRELIMINARY
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PHASE 2
PHASE 3
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Texas Department of Transportation
CITY OF WHARTON TEXAS 1846
YOAKUM DISTRICT
IDC
FM 102 RELOCATION
EXTENSION OF FM 1301 TO US 59
ALTERNATIVE E-1
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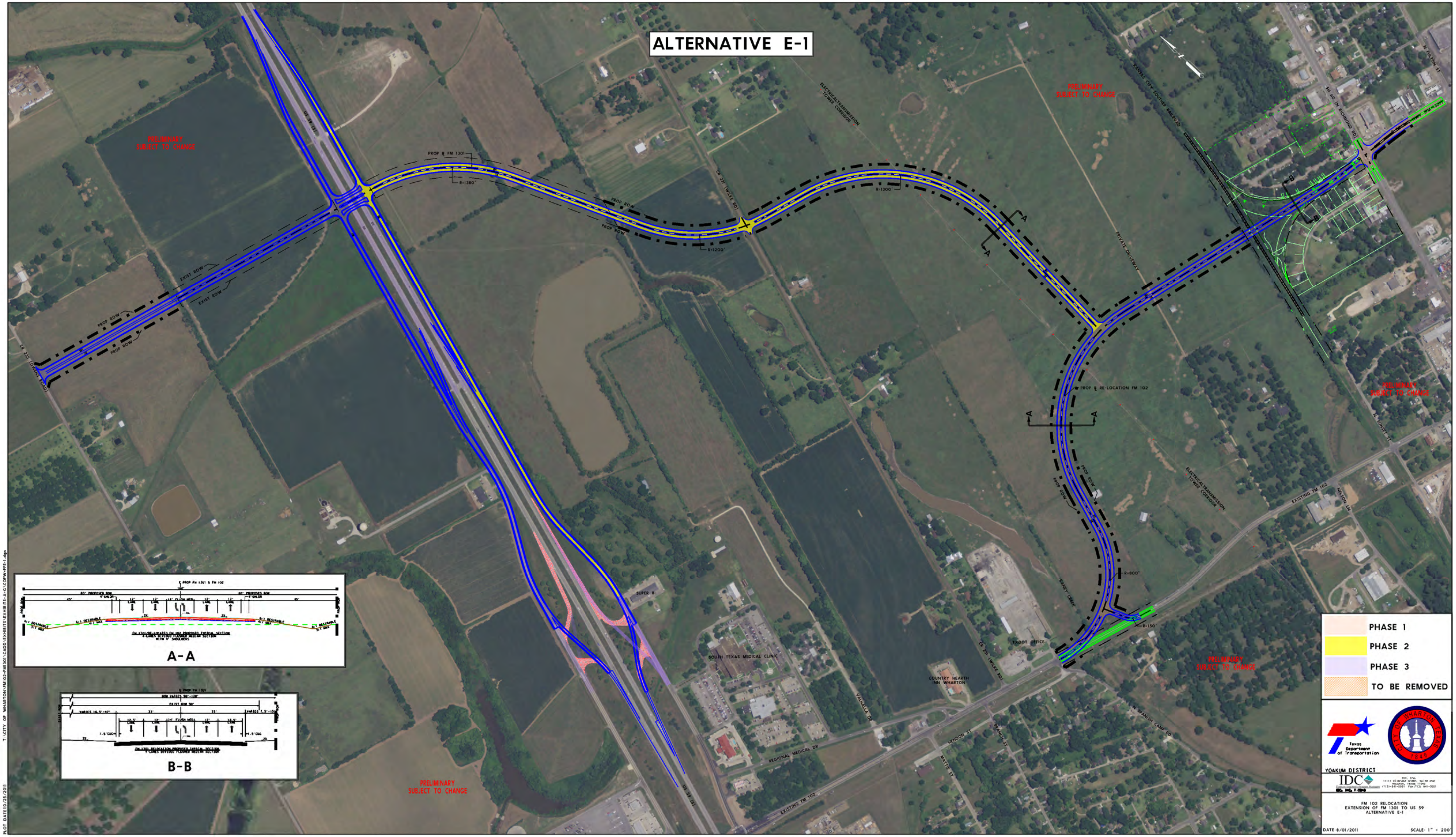
SCALE: 1" = 200'



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PRELIMINARY SUBJECT TO CHANGE
PRELIMINARY SUBJECT TO CHANGE
PRELIMINARY SUBJECT TO CHANGE
PRELIMINARY SUBJECT TO CHANGE
PRELIMINARY SUBJECT TO CHANGE
PROP ROW
EXIST ROW
PROP ℄ RE-LOCATION FM 102
R=1300'
R=1200'
R=800'
EXISTING FM 102
REGIONAL MEDICAL DR
SOUTH TEXAS MEDICAL CLINIC
COUNTRY HEARTH INN WHARTON
SUPER 8
A-A
B-B
PHASE 1
PHASE 2
PHASE 3
TO BE REMOVED
Texas Department of Transportation
CITY OF WHARTON TEXAS 1846
YOAKUM DISTRICT
IDC
FM 102 RELOCATION
EXTENSION OF FM 1301 TO US 59
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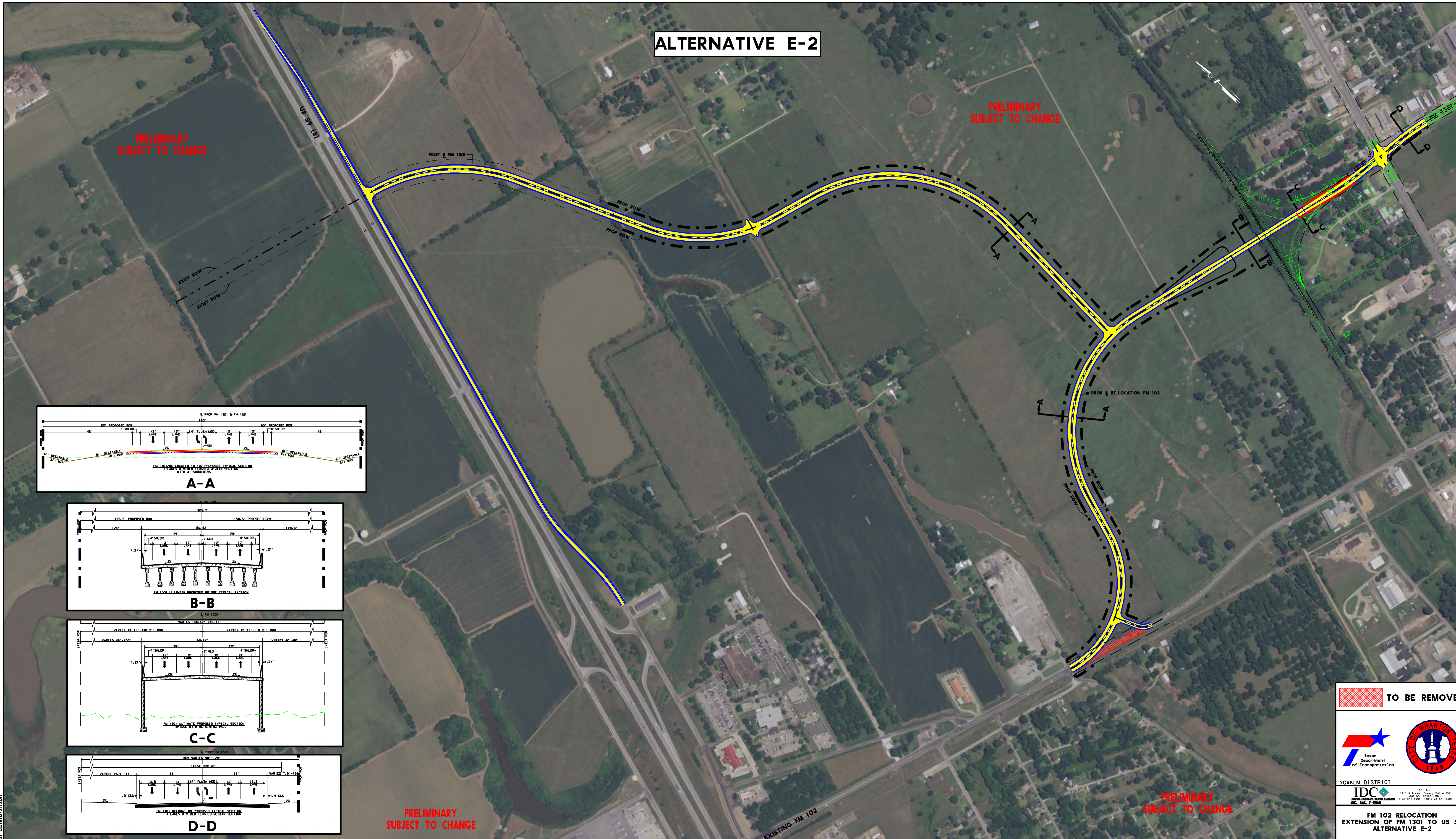
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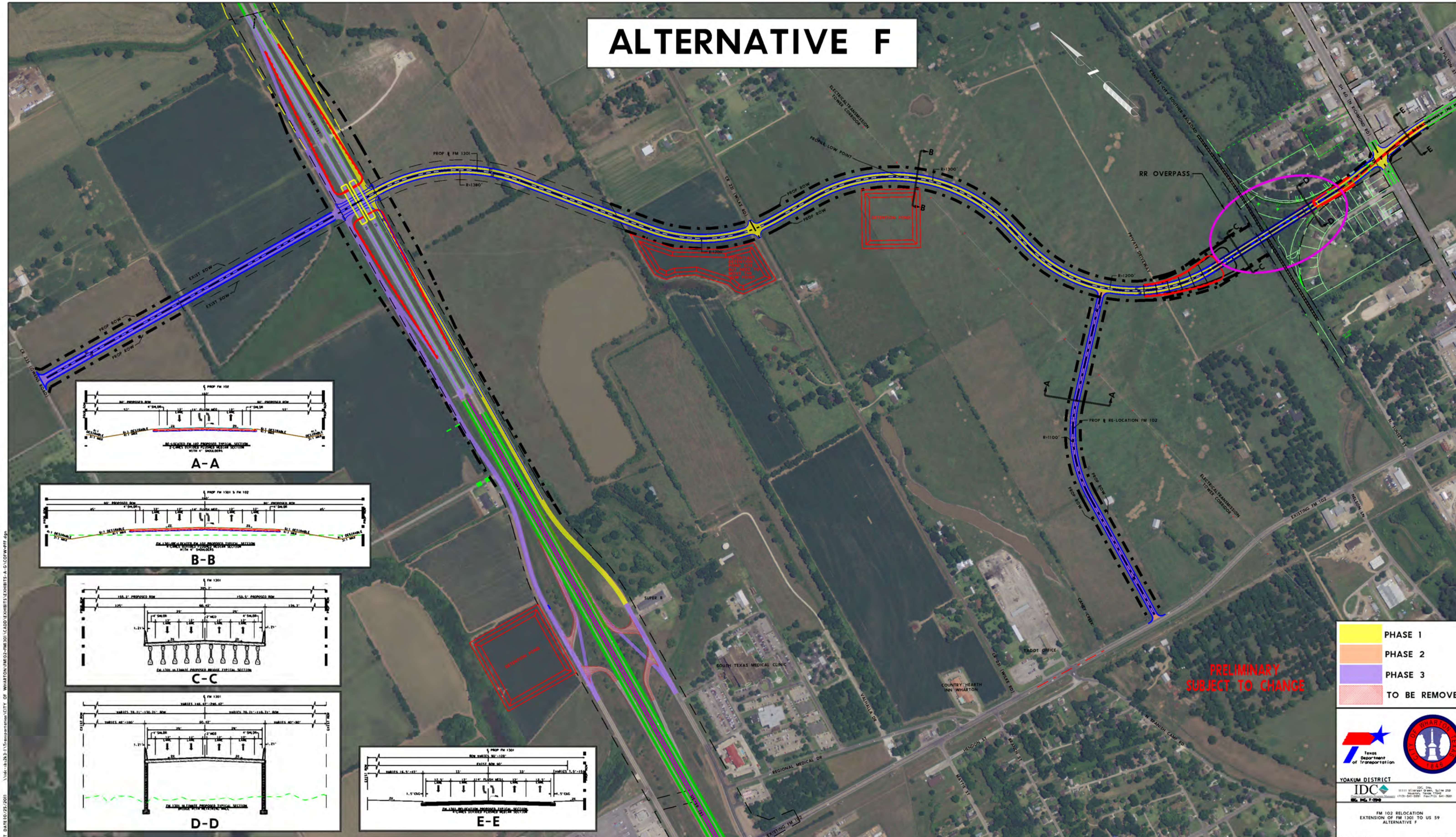
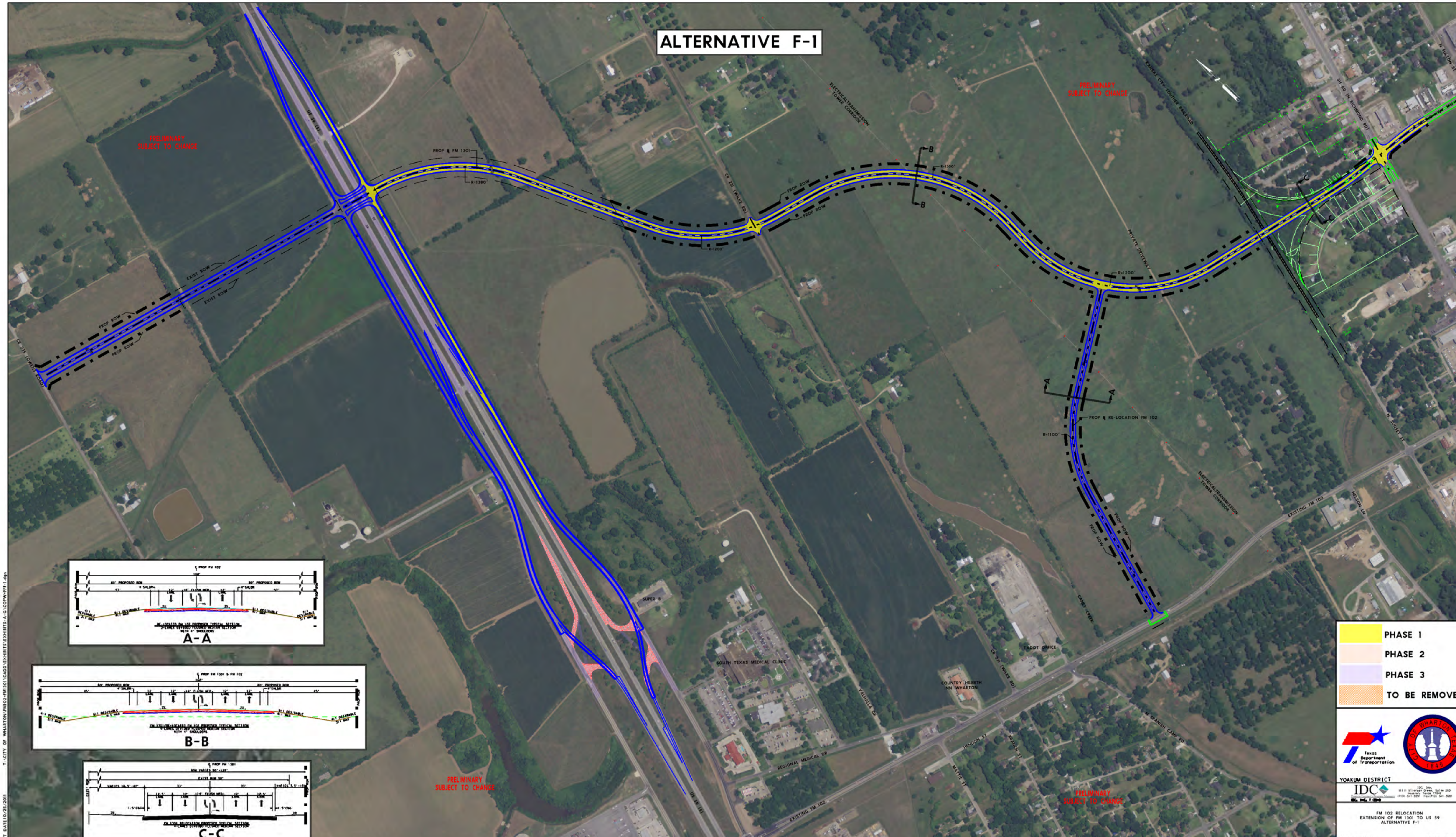
PRELIMINARY
SUBJECT TO CHANGE
US 59
PROP ℄ FM 1301
PROP ROW
EXIST ROW
PROP ℄ RE-LOCATION FM 102
EXISTING FM 102
A-A
B-B
C-C
D-D
TO BE REMOVED
Texas Department of Transportation
YOAKUM DISTRICT
IDC
FM 102 RELOCATION
EXTENSION OF FM 1301 TO US 59
ALTERNATIVE E-2
DATE:10/20/2011
NOT TO SCALE



ALTERNATIVE F
RR OVERPASS
PHASE 1
PHASE 2
PHASE 3
TO BE REMOVED
PRELIMINARY
SUBJECT TO CHANGE
A-A
B-B
C-C
D-D
E-E
Texas Department of Transportation
YOAKUM DISTRICT
FM 102 RELOCATION
EXTENSION OF FM 1301 TO US 59
ALTERNATIVE F
DATE: 8/01/2011
SCALE: 1" = 200'



ALTERNATIVE F-1
PRELIMINARY
SUBJECT TO CHANGE
PROP ℄ FM 1301
PROP ROW
EXIST ROW
PROP ℄ RE-LOCATION FM 102
EXISTING FM 102
REGIONAL MEDICAL DR
SOUTH TEXAS MEDICAL CLINIC
COUNTRY HEARTH INN WHARTON
SUPER 8
A-A
B-B
C-C
PHASE 1
PHASE 2
PHASE 3
TO BE REMOVED
Texas Department of Transportation
CITY OF WHARTON TEXAS 1846
YOAKUM DISTRICT
IDC
FM 102 RELOCATION
EXTENSION OF FM 1301 TO US 59
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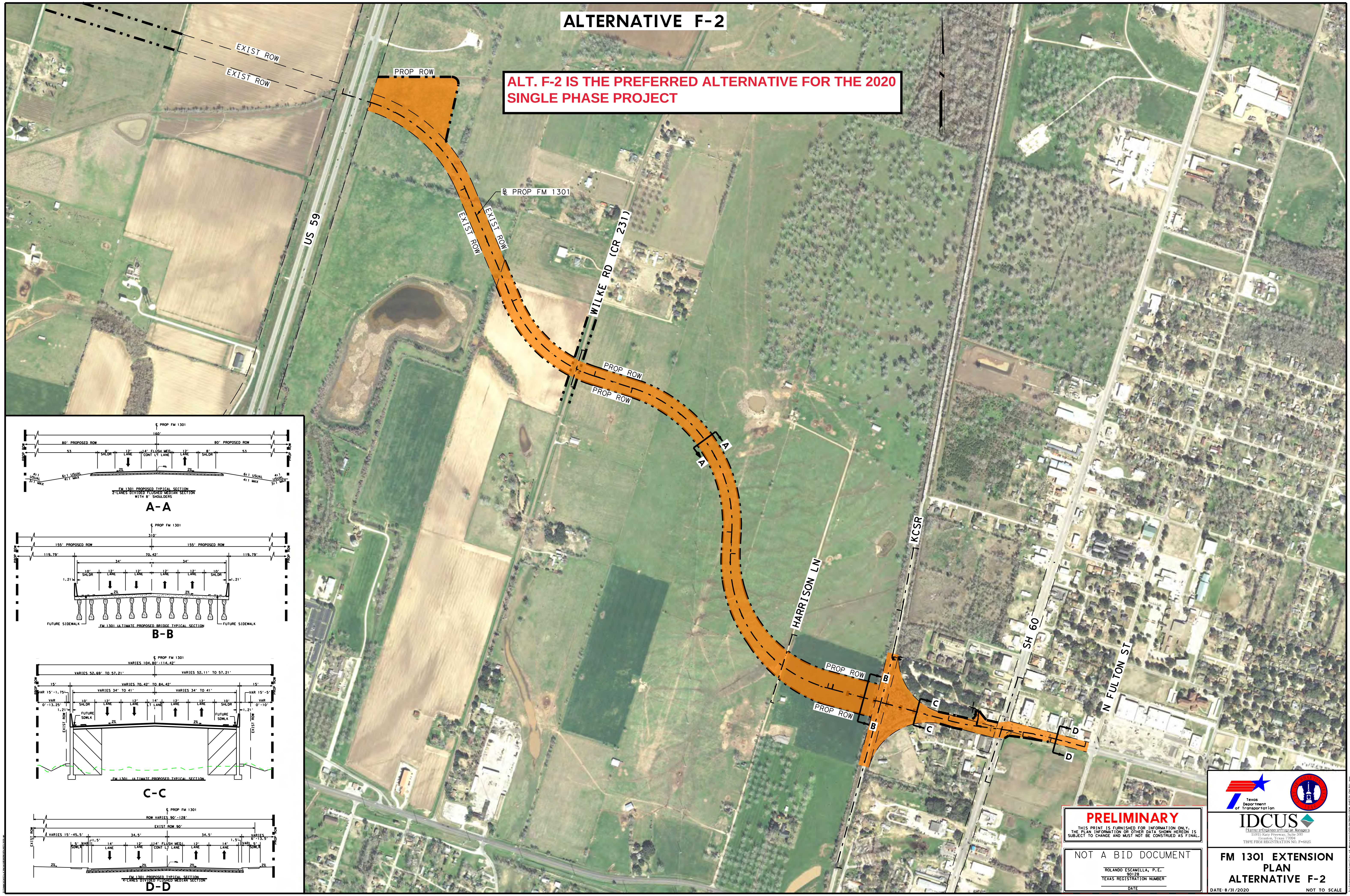
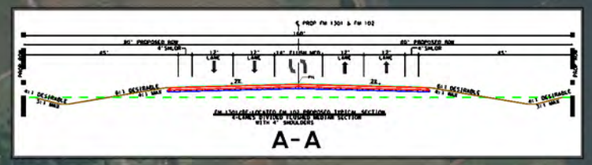
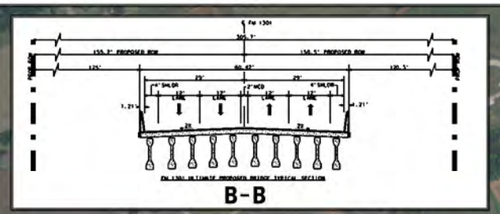
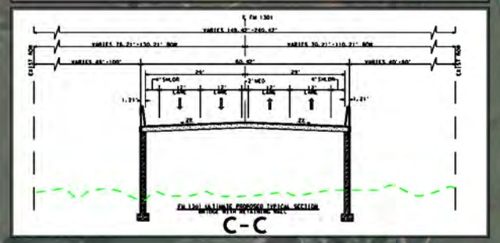
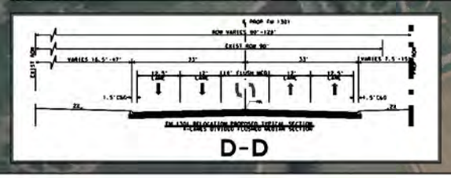

ALTERNATIVE F-2
ALT. F-2 IS THE PREFERRED ALTERNATIVE FOR THE 2020 SINGLE PHASE PROJECT
EXIST ROW
EXIST ROW
PROP ROW
℄ PROP FM 1301
EXIST ROW
EXIST ROW
US 59
WILKE RD (CR 231)
PROP ROW
PROP ROW
HARRISON LN
KCSR
SH 60
N FULTON ST
PROP ROW
PROP ROW
FM 1301 PROPOSED TYPICAL SECTION
2-LANES DIVIDED FLUSHED MEDIAN SECTION
WITH 8' SHOULDERS
A-A
FM 1301 ULTIMATE PROPOSED BRIDGE TYPICAL SECTION
FUTURE SIDEWALK
B-B
FM 1301 ULTIMATE PROPOSED TYPICAL SECTION
C-C
FM 1301 PROPOSED TYPICAL SECTION
4-LANES DIVIDED FLUSHED MEDIAN SECTION
D-D
PRELIMINARY
THIS PRINT IS FURNISHED FOR INFORMATION ONLY. THE PLAN INFORMATION OR OTHER DATA SHOWN HEREON IS SUBJECT TO CHANGE AND MUST NOT BE CONSTRUED AS FINAL.
NOT A BID DOCUMENT
ROLANDO ESCAMILLA, P.E.
90128
TEXAS REGISTRATION NUMBER
DATE
Texas Department of Transportation
IDCUS
FM 1301 EXTENSION
PLAN
ALTERNATIVE F-2
DATE: 8/31/2020
NOT TO SCALE

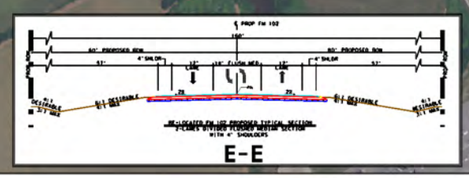
ALTERNATIVE G











ULTIMATE FACILITY

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OCTAVIO N. GUERRA, P.E.
59684
TEXAS REGISTRATION NUMBER
DATE

Texas Department of Transportation

YOAKUM DISTRICT

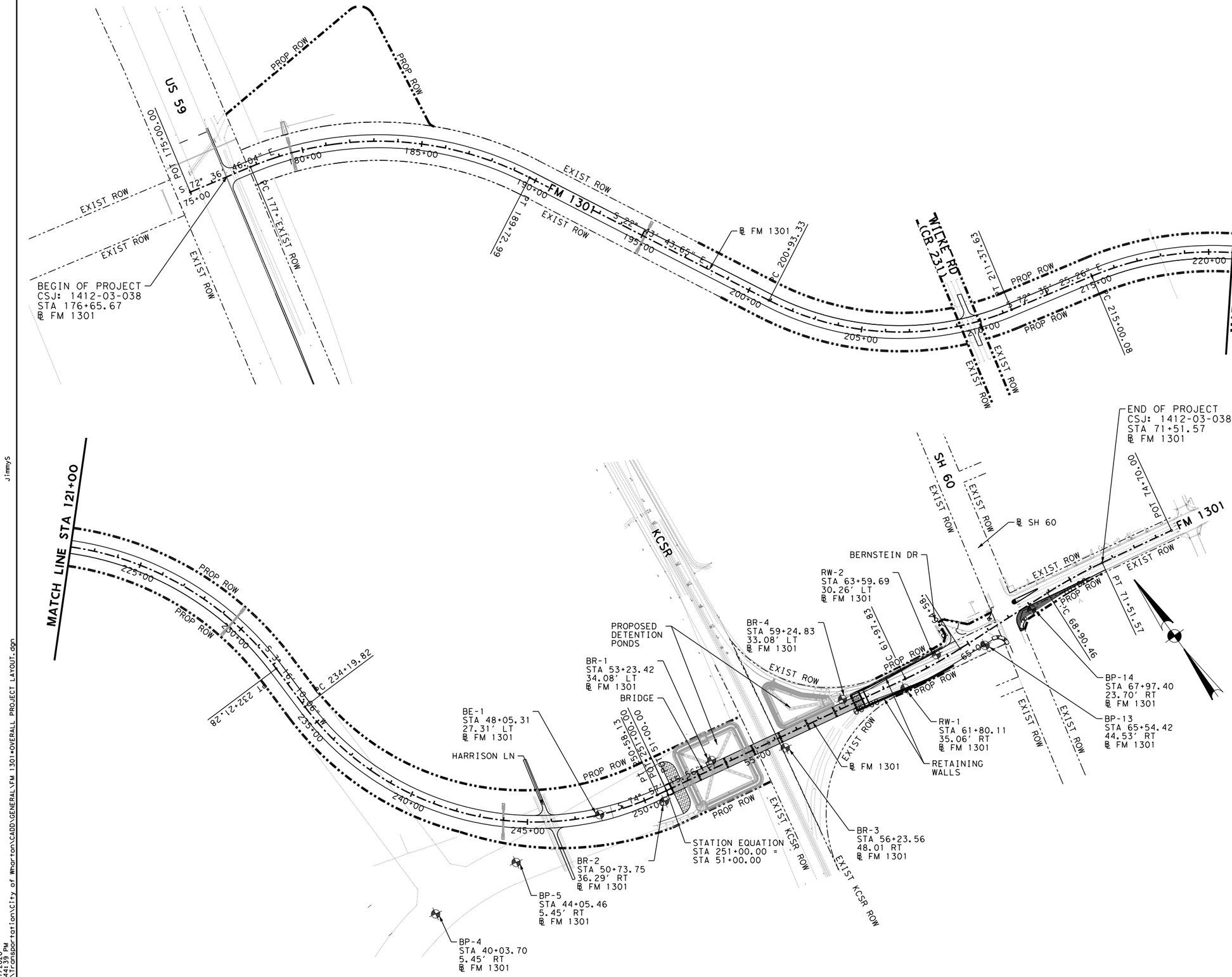
IDC, Inc.
11111 Katy Freeway, Suite 200
Houston, Texas 77079
(713)-541-3060 Fax:(713) 541-3061

IDC INC. F-2040

FM 102 RELOCATION
EXTENSION OF FM 1301 TO US 59
ALTERNATIVE G

DATE: 8/08/2011 SCALE: 1" = 200'

PLOT DATE: 10/25/2011 \\ids-ib-2k3-1\Transportation\CITY OF WHARTON\FM102-FM1301\CADD\EXHIBITS\EXHIBITS-A-G\OPW-PKG.dgn



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OMAR ALDUCIN — 8/7/2020

TYPE OR PRINT NAME — PE #131479 — DATE

REV. NO.	DATE	DESCRIPTION	BY

IDCUS
Planners-Engineers-Program Managers
15915 Katy Freeway, Suite 300
Houston, Texas 77094
TBPE FIRM REGISTRATION NO. F-6825

CITY OF WHARTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

SUBMITTED:	DESIGNED BY:
SCALE:	DRAWN BY:
DATE:	CITY DWG NO:
SURVEYED BY:	
NBI NO:	

Texas Department of Transportation

FM 1301
OVERALL PROJECT LAYOUT

SHEET 1 OF 1

FED.RD. DIV.NO.	PROJECT NO.		SHEET NO.
6			18
STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301

8/7/2020
2:46:38 PM
Z:\Transportation\City of Wharton\CADD\GENERAL\FM 1301*OVERALL PROJECT LAYOUT.dgn
JimmyS

FM 1301*OVERALL PROJECT LAYOUT.dgn

FM 1301 ALIGNMENT

Beginning chain FM1301_A description

Point FM01 N 13,685,008.4117 E 2,887,720.0184 Sta 175+00.00

Course from FM01 to PC FM1301_A-1 S 72° 36′ 46.04" E Dist 271.5082

	Curve Data
Curve FM1301_A-1	
P.I. Station	184+13.31 N 13,684,735.4885 E 2,888,591.5992
(C1) Delta =	49° 53′ 02.39" (RT)
Degree =	4° 09′ 06.73"
Tangent =	641.8046
Length =	1,201.4832
Radius =	1,380.0000
External =	141.9439
Long Chord =	1,163.8936
Mid. Ord. =	128.7055
P.C. Station	177+71.51 N 13,684,927.2775 E 2,887,979.1206
P.T. Station	189+72.99 N 13,684,143.5238 E 2,888,839.5730
C.C.	N 13,683,610.3338 E 2,887,566.7382
Back = S	72° 36′ 46.04" E
Ahead = S	22° 43′ 43.65" E
Chord Bear = S	47° 40′ 14.85" E

Course from PT FM1301_A-1 to PC FM1301_A-2 S 22° 43′ 43.65" E Dist 1,120.3398

	Curve Data
Curve FM1301_A-2	
P.I. Station	206+51.14 N 13,682,595.6968 E 2,889,487.9572
(C2) Delta =	49° 51′ 41.61" (LT)
Degree =	4° 46′ 28.73"
Tangent =	557.8052
Length =	1,044.2980
Radius =	1,200.0000
External =	123.3090
Long Chord =	1,011.6552
Mid. Ord. =	111.8188
P.C. Station	200+93.33 N 13,683,110.1851 E 2,889,272.4383
P.T. Station	211+37.63 N 13,682,428.8007 E 2,890,020.2093
C.C.	N 13,683,573.8286 E 2,890,379.2511
Back = S	22° 43′ 43.65" E
Ahead = S	72° 35′ 25.26" E
Chord Bear = S	47° 39′ 34.46" E

Course from PT FM1301_A-2 to PC FM1301_A-3 S 72° 35′ 25.26" E Dist 362.4505

	Curve Data
Curve FM1301_A-3	
P.I. Station	225+13.19 N 13,682,017.2302 E 2,891,332.7578
(C3) Delta =	75° 51′ 35.32" (RT)
Degree =	4° 24′ 26.52"
Tangent =	1,013.1126
Length =	1,721.2045
Radius =	1,300.0000
External =	348.1496
Long Chord =	1,598.2122
Mid. Ord. =	274.6076
P.C. Station	215+00.08 N 13,682,320.3550 E 2,890,366.0559
P.T. Station	232+21.28 N 13,681,005.7666 E 2,891,274.9781
C.C.	N 13,681,079.9080 E 2,889,977.0940
Back = S	72° 35′ 25.26" E
Ahead = S	3° 16′ 10.06" W
Chord Bear = S	34° 39′ 37.60" E

Course from PT FM1301_A-3 to PC FM1301_A-4 S 3° 16′ 10.06" W Dist 198.5354

	Curve Data
Curve FM1301_A-4	
P.I. Station	243+95.45 N 13,679,833.5151 E 2,891,208.0133
(C4) Delta =	78° 13′ 25.62" (LT)
Degree =	4° 46′ 28.73"
Tangent =	975.6272
Length =	1,638.3151
Radius =	1,200.0000
External =	346.5602
Long Chord =	1,514.0085
Mid. Ord. =	268.9014
P.C. Station	234+19.82 N 13,680,807.5543 E 2,891,263.6552
P.T. Station	250+58.13 N 13,679,580.2530 E 2,892,150.1952
C.C.	N 13,680,739.1160 E 2,892,461.7020
Back = S	3° 16′ 10.06" W
Ahead = S	74° 57′ 15.56" E
Chord Bear = S	35° 50′ 32.75" E

Course from PT FM1301_A-4 to FM02 S 74° 57′ 15.56" E Dist 41.8652

Point FM02 N 13,679,569.3852 E 2,892,190.6253 Sta 251+00.00

Ending chain FM1301_A description

FM 1301 ALIGNMENT, CONT.

Beginning chain FM1301_B description

Point FM03 N 13,679,569.3852 E 2,892,190.6253 Sta 51+00.00

Course from FM03 to PC FM1301_B-1 S 74° 57′ 15.56" E Dist 1,097.8284

	Curve Data
Curve FM1301_B-1	
P.I. Station	63+28.59 N 13,679,250.4555 E 2,893,377.1028
(C5) Delta =	7° 28′ 54.16" (LT)
Degree =	2° 51′ 53.24"
Tangent =	130.7664
Length =	261.1610
Radius =	2,000.0000
External =	4.2704
Long Chord =	260.9755
Mid. Ord. =	4.2613
P.C. Station	61+97.83 N 13,679,284.4010 E 2,893,250.8192
P.T. Station	64+58.99 N 13,679,233.2423 E 2,893,506.7313
C.C.	N 13,681,215.8394 E 2,893,769.9972
Back = S	74° 57′ 15.56" E
Ahead = S	82° 26′ 09.73" E
Chord Bear = S	78° 41′ 42.64" E

Course from PT FM1301_B-1 to PC FM1301_B-2 S 82° 26′ 09.73" E Dist 431.4693

	Curve Data
Curve FM1301_B-2	
P.I. Station	70+21.20 N 13,679,159.2372 E 2,894,064.0476
(C6) Delta =	7° 28′ 48.56" (RT)
Degree =	2° 51′ 53.24"
Tangent =	130.7391
Length =	261.1067
Radius =	2,000.0000
External =	4.2686
Long Chord =	260.9213
Mid. Ord. =	4.2595
P.C. Station	68+90.46 N 13,679,176.4468 E 2,893,934.4461
P.T. Station	71+51.57 N 13,679,125.3022 E 2,894,190.3058
C.C.	N 13,677,193.8497 E 2,893,671.1802
Back = S	82° 26′ 09.73" E
Ahead = S	74° 57′ 21.17" E
Chord Bear = S	78° 41′ 45.45" E

Course from PT FM1301_B-2 to FM04 S 74° 57′ 21.17" E Dist 318.4347

Point FM04 N 13,679,042.6484 E 2,894,497.8265 Sta 74+70.00

Ending chain FM1301_B description

CR 231 ALIGNMENT

Beginning chain CR231 description

Point CR01 N 13,682,666.0265 E 2,889,909.1366 Sta 10+00.00

Course from CR01 to CR02 S 17° 25′ 15.94" W Dist 350.0000

Point CR02 N 13,682,332.0809 E 2,889,804.3494 Sta 13+50.00

Ending chain CR231 description

HARRISON LN ALIGNMENT

Beginning chain HARRISON description

Point HA01 N 13,680,068.8063 E 2,891,827.7399 Sta 10+00.00

Course from HA01 to HA02 S 17° 41′ 45.15" W Dist 650.0000

Point HA02 N 13,679,449.5621 E 2,891,630.1630 Sta 16+50.00

Ending chain HARRISON description

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OMAR ALDUCIN 8/4/2020

TYPE OR PRINT NAME PE # 131479 DATE

REV. NO.	DATE	DESCRIPTION	BY

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Planners-Engineers-Program Managers
15915 Katy Freeway, Suite 300
Houston, Texas 77094
TBPE FIRM REGISTRATION NO. F-6825

CITY OF WHARTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

SUBMITTED:	DESIGNED BY:
SCALE:	DRAWN BY:
DATE:	
SURVEYED BY:	CITY DWG NO:
NBI NO:	

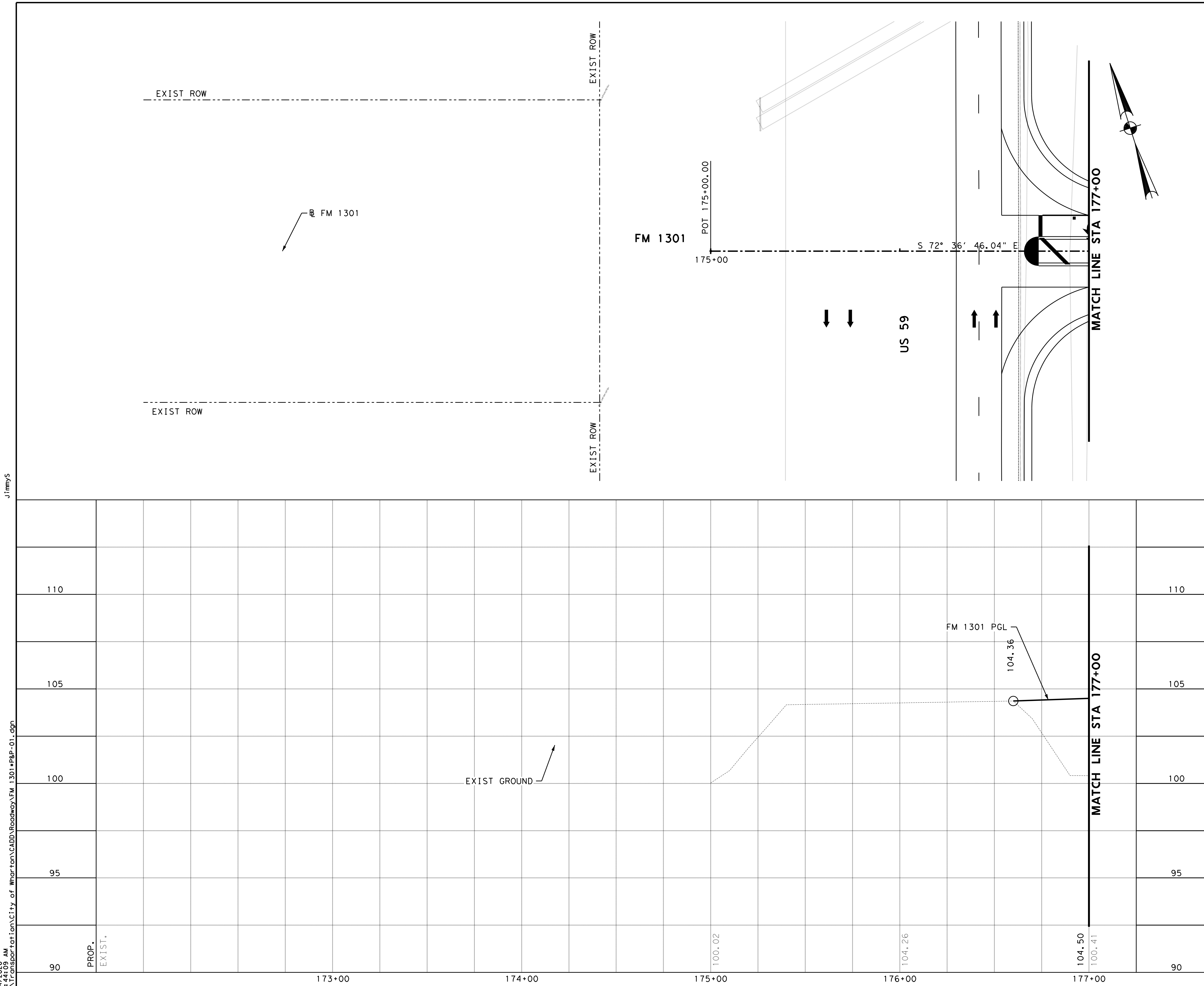
Texas Department of Transportation

FM 1301
HORIZONTAL ALIGNMENT DATA

SHEET 1 OF 2

FED.RD. DIV.NO.	PROJECT NO.	SHEET NO.
6		66

STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301



LEGEND

- EXISTING RIGHT OF WAY
- PROPOSED RIGHT OF WAY
- PROPOSED ROADWAY ALIGNMENT
- DIRECTION OF TRAFFIC FLOW
- CONTINUOUS LEFT TURN LANE
- OPTIONAL TURN LANE
- LEFT TURN ARROW
- PROPOSED DITCH DIRECTIONAL FLOW LINE
- EXIST FENCE
- X DRIVEWAY

25 0 25 50

HORIZ: 1′=50′
VERT: 1"=5′

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CITY OF WHARTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

SUBMITTED:
SCALE:
DATE:
SURVEYED BY:
NBI NO:

DESIGNED BY:
DRAWN BY:

CITY DWG NO:

Texas Department of Transportation

FM 1301
ROADWAY PLAN AND PROFILE

BEGIN PROJECT TO STA 177+00.00

SHEET 1 OF 23

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			67
STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301

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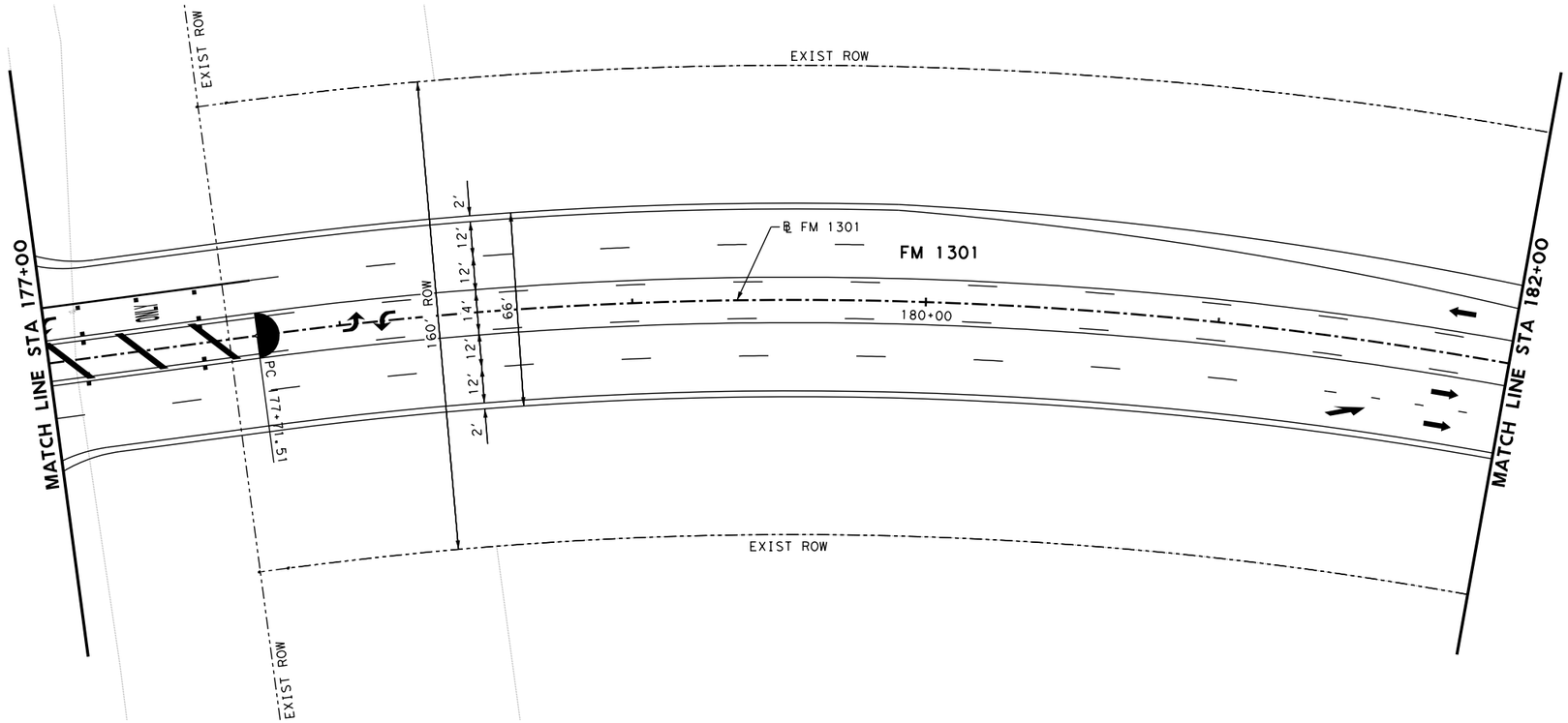
FM 1301*P&P-01.dgn



LEGEND

- EXISTING RIGHT OF WAY
- PROPOSED RIGHT OF WAY
- PROPOSED ROADWAY ALIGNMENT
- DIRECTION OF TRAFFIC FLOW
- CONTINUOUS LEFT TURN LANE
- OPTIONAL TURN LANE
- LEFT TURN ARROW
- PROPOSED DITCH DIRECTIONAL FLOW LINE
- EXIST FENCE
- [X] DRIVEWAY

25 0 25 50

HORIZ: 1'=50'
VERT: 1"=5'

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TYPE OR PRINT NAME PE #131479 DATE

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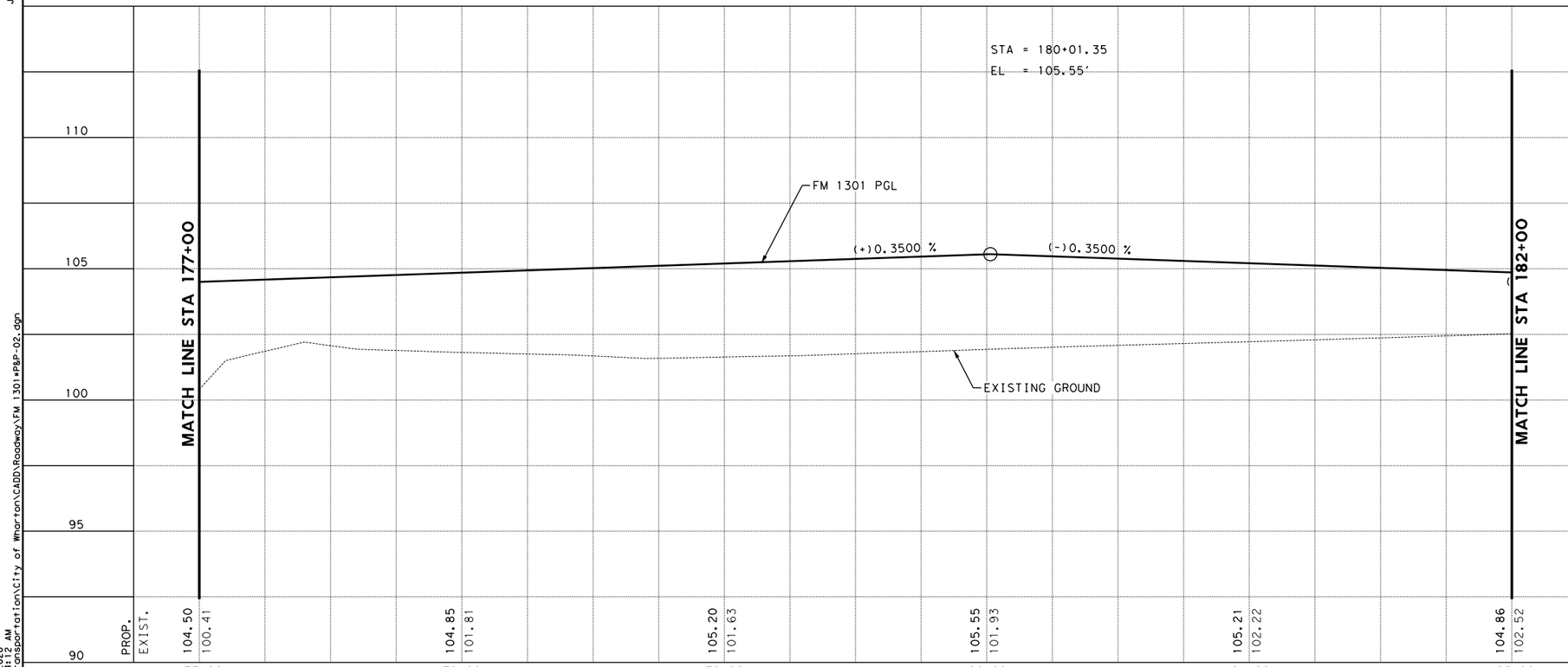

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SCALE:	DRAWN BY:
DATE:	CITY DWG NO:
SURVEYED BY:	
NBI NO:	

Texas Department of Transportation

FM 1301
ROADWAY PLAN AND PROFILE

STA 177+00.00 TO STA 182+00.00

SHEET 2 OF 23

FED.RD. DIV.NO.	PROJECT NO.		SHEET NO.
6			68
STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301

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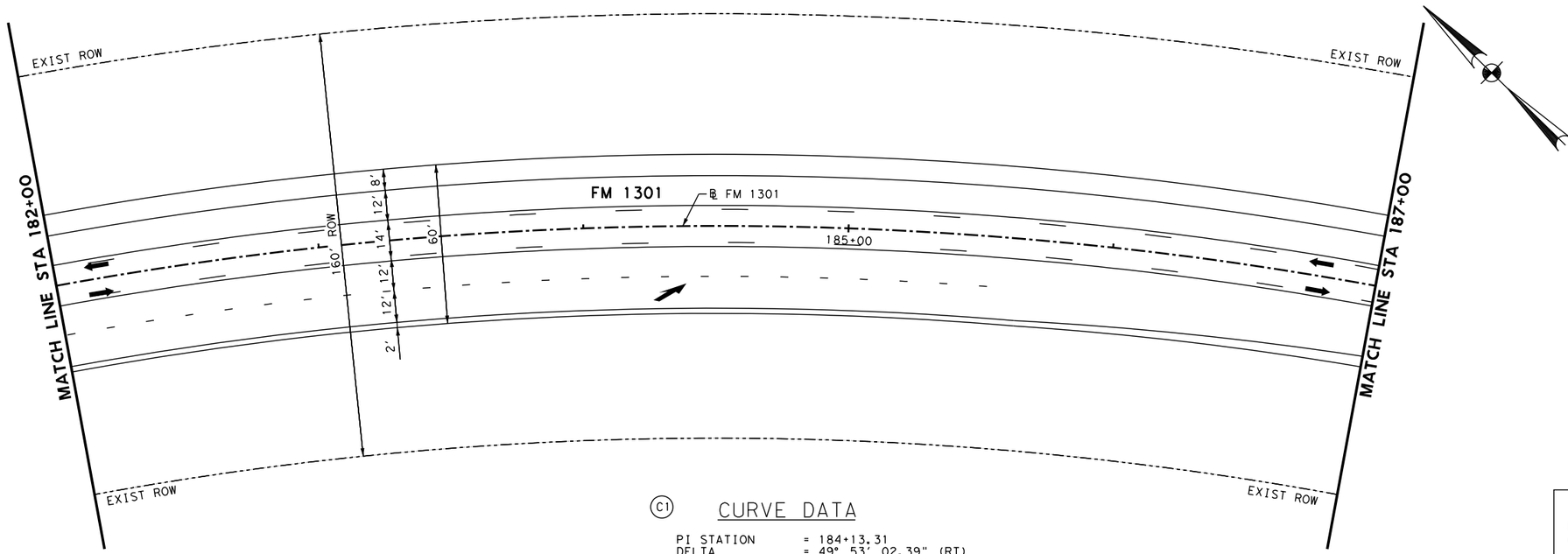
FM 1301*P&P-02.dgn



LEGEND

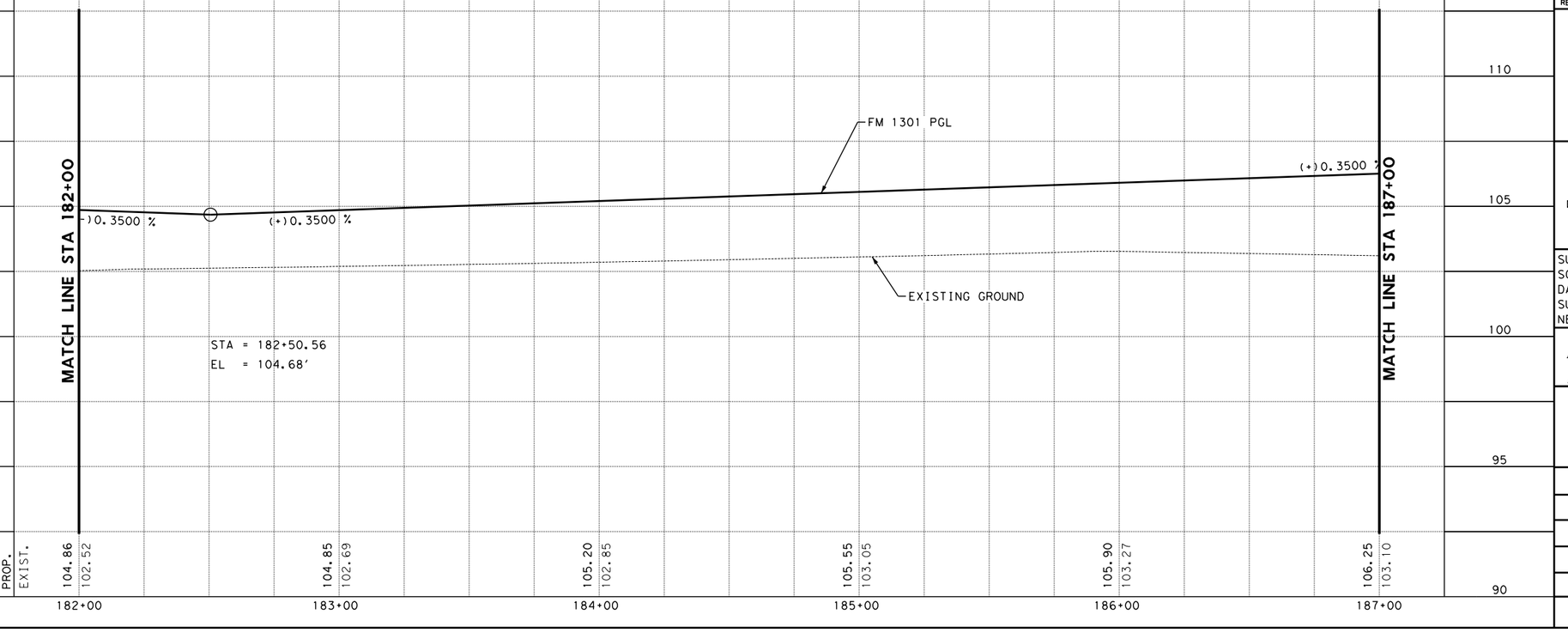
- EXISTING RIGHT OF WAY
- PROPOSED RIGHT OF WAY
- PROPOSED ROADWAY ALIGNMENT
- DIRECTION OF TRAFFIC FLOW
- CONTINUOUS LEFT TURN LANE
- OPTIONAL TURN LANE
- LEFT TURN ARROW
- PROPOSED DITCH DIRECTIONAL FLOW LINE
- EXIST FENCE
- [X] DRIVEWAY

25 0 25 50

HORIZ: 1"=50'
VERT: 1"=5'

(C1) CURVE DATA

PI STATION	= 184+13.31
DELTA	= 49° 53' 02.39" (RT)
DEGREE OF CURVE	= 4° 09' 06.73"
TANGENT	= 641.80
LENGTH	= 1,201.48
RADIUS	= 1,380.00
PC STATION	= 77+71.51
PT STATION	= 89+72.99



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CITY OF WHARTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

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SCALE:	DRAWN BY:
DATE:	CITY DWG NO:
SURVEYED BY:	
NBI NO:	

Texas Department of Transportation

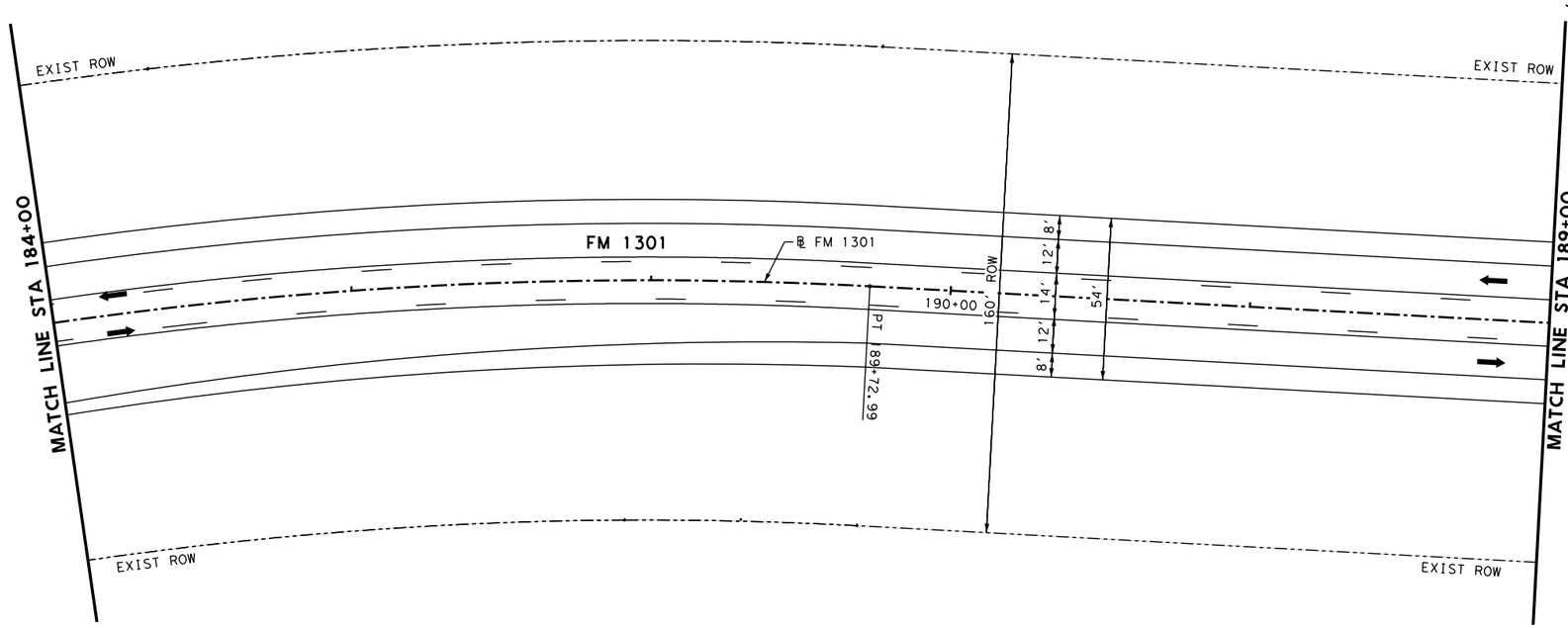
FM 1301
ROADWAY PLAN AND PROFILE

STA 182+00.00 TO STA 187+00.00

SHEET 3 OF 23

FED.RD. DIV.NO.	PROJECT NO.	SHEET NO.
6		69

STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301

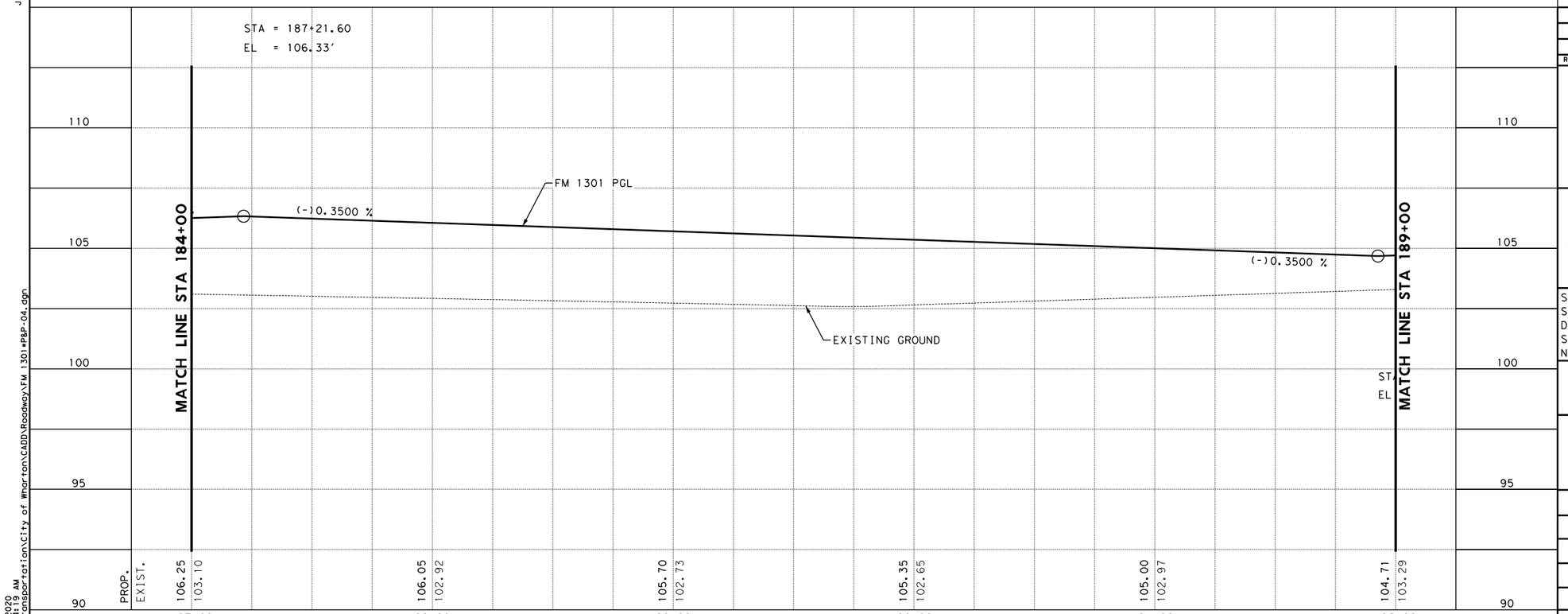


LEGEND

- EXISTING RIGHT OF WAY
- PROPOSED RIGHT OF WAY
- PROPOSED ROADWAY ALIGNMENT
- DIRECTION OF TRAFFIC FLOW
- CONTINUOUS LEFT TURN LANE
- OPTIONAL TURN LANE
- LEFT TURN ARROW
- PROPOSED DITCH DIRECTIONAL FLOW LINE
- EXIST FENCE
- X — DRIVEWAY

25 0 25 50

HORIZ: 1"=50'
VERT: 1"=5'



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DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

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SCALE:	DRAWN BY:
DATE:	CITY DWG NO:
SURVEYED BY:	
NBI NO:	

Texas Department of Transportation

FM 1301
ROADWAY PLAN AND PROFILE

STA 187+00.00 TO STA 192+00.00

SHEET 4 OF 23

FED.RD. DIV.NO.	PROJECT NO.	SHEET NO.
6		70

STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301

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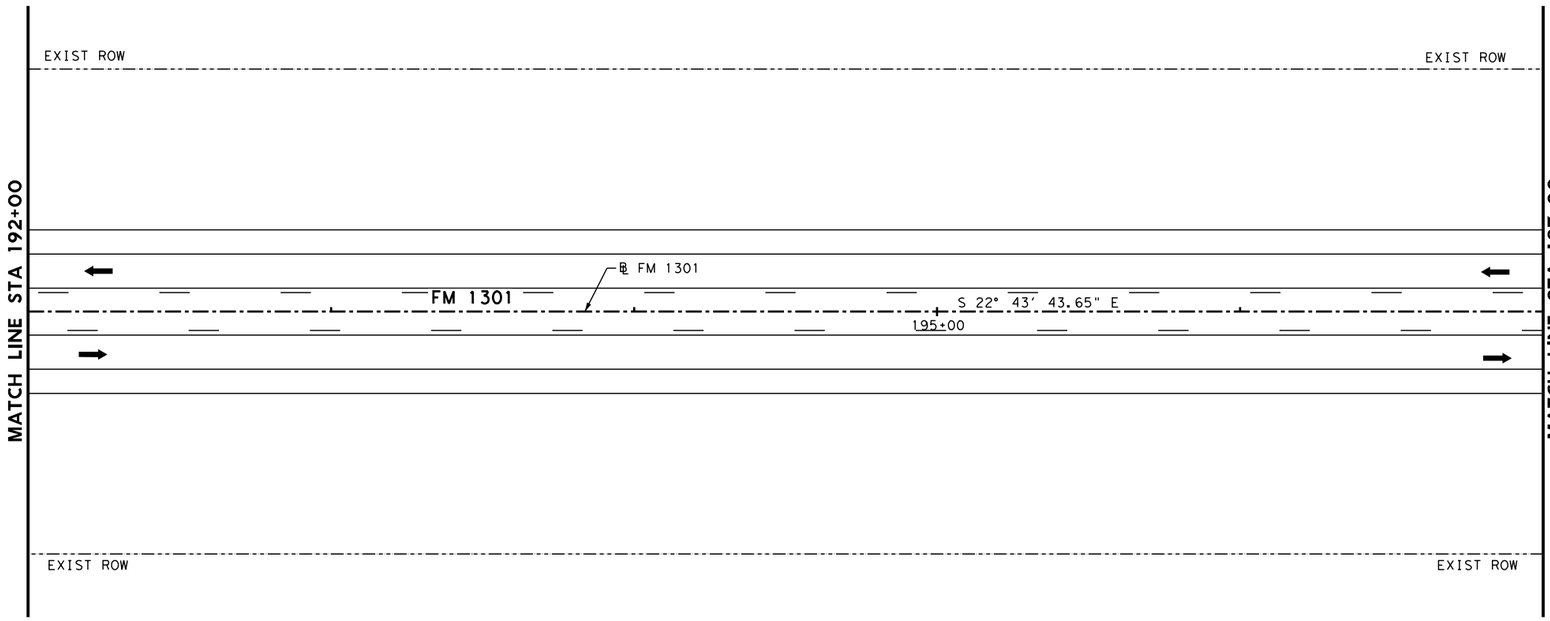
FM 1301*P&P-04.dgn



LEGEND

- EXISTING RIGHT OF WAY
- PROPOSED RIGHT OF WAY
- PROPOSED ROADWAY ALIGNMENT
- DIRECTION OF TRAFFIC FLOW
- CONTINUOUS LEFT TURN LANE
- OPTIONAL TURN LANE
- LEFT TURN ARROW
- PROPOSED DITCH DIRECTIONAL FLOW LINE
- EXIST FENCE
- [X] DRIVEWAY

25 0 25 50

HORIZ: 1"=50'
VERT: 1"=5'

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SCALE:	DRAWN BY:
DATE:	CITY DWG NO:
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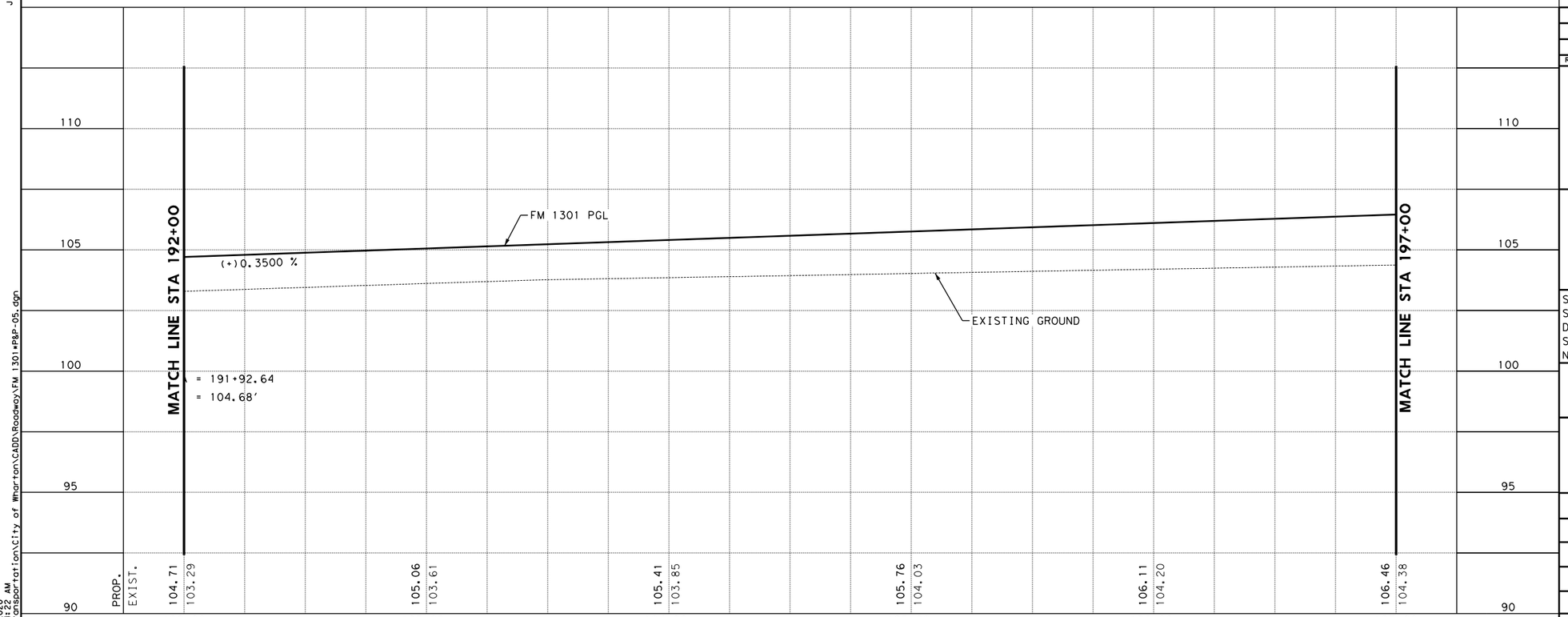
Texas Department of Transportation

FM 1301
ROADWAY PLAN AND PROFILE
STA 192+00.00 TO STA 197+00.00
SHEET 5 OF 23

FED.RD. DIV.NO.	PROJECT NO.	SHEET NO.
6		71

STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301



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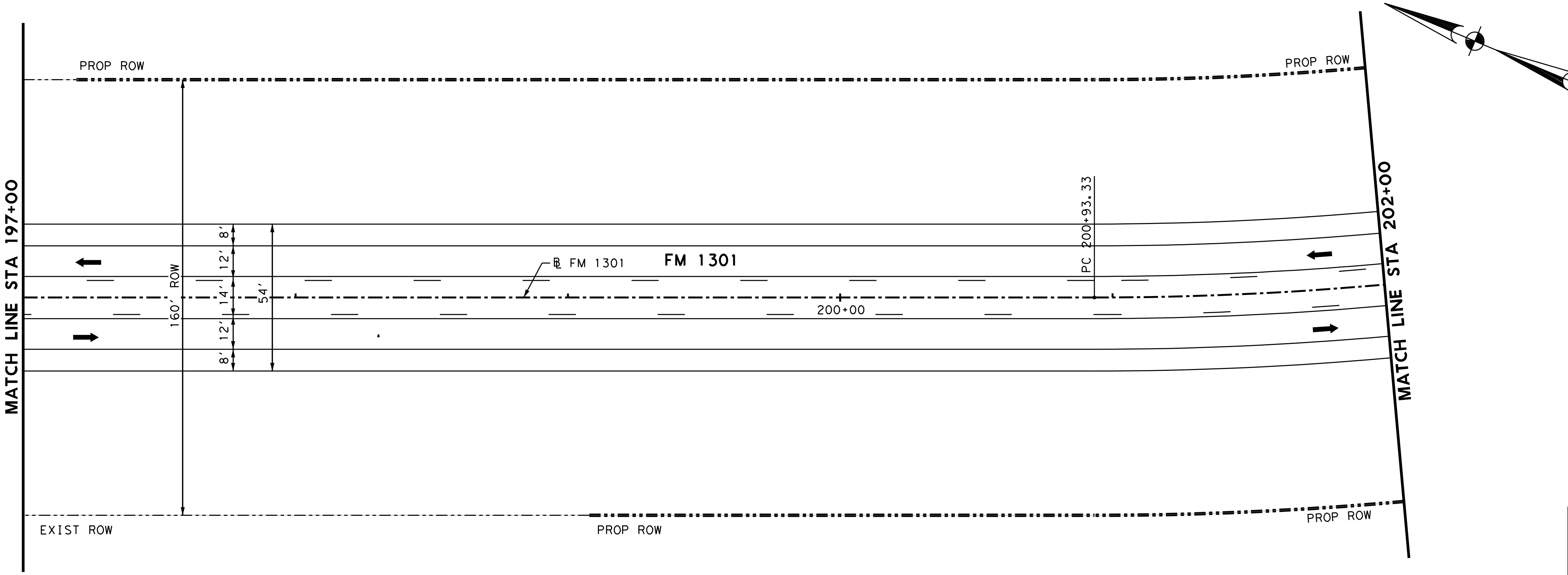

LEGEND

- EXISTING RIGHT OF WAY
- PROPOSED RIGHT OF WAY
- PROPOSED ROADWAY ALIGNMENT
- DIRECTION OF TRAFFIC FLOW
- CONTINUOUS LEFT TURN LANE
- OPTIONAL TURN LANE
- LEFT TURN ARROW
- PROPOSED DITCH DIRECTIONAL FLOW LINE
- EXIST FENCE
- X DRIVEWAY

25 0 25 50
HORIZ: 1'=50'
VERT: 1"=5'

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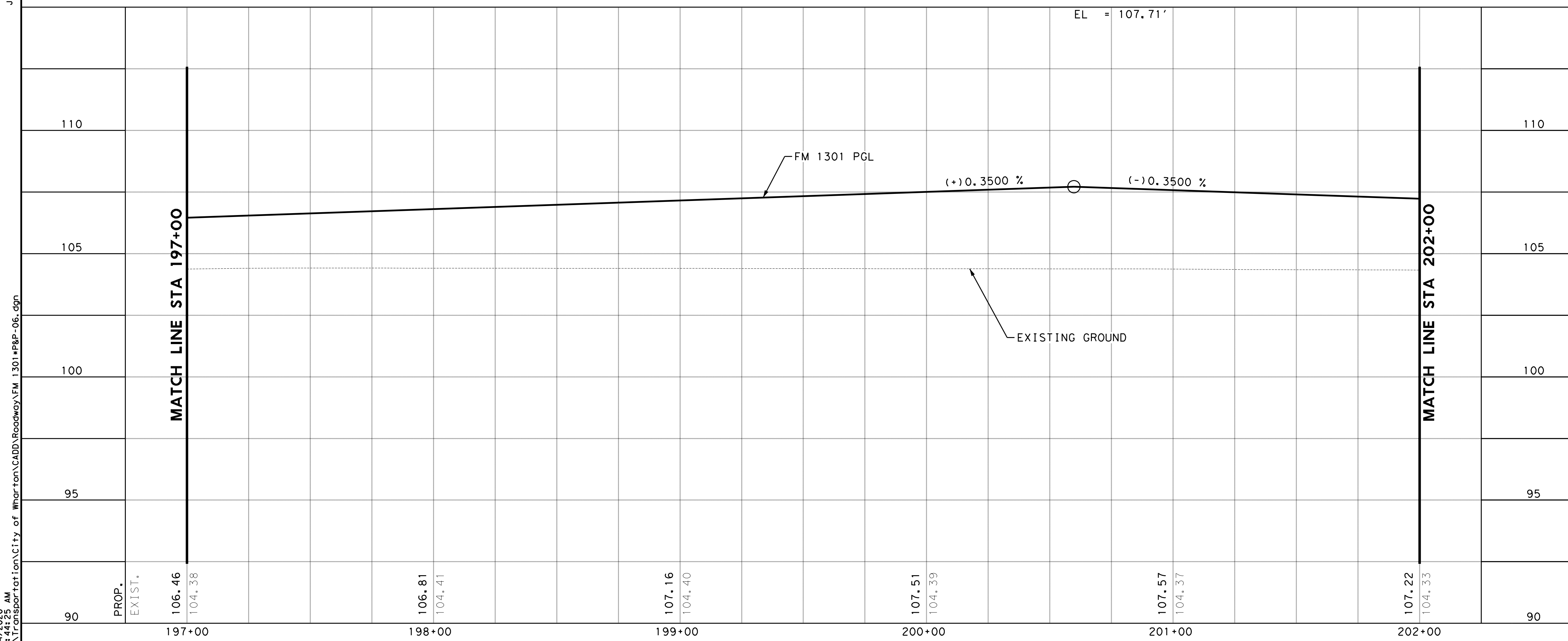

REV. NO.	DATE	DESCRIPTION	BY

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Planners-Engineers-Program Managers
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TBPE FIRM REGISTRATION NO. F-6825

CITY OF WHARTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

SUBMITTED: SCALE: DATE: SURVEYED BY: NBI NO:	DESIGNED BY: DRAWN BY: CITY DWG NO:

Texas Department of Transportation

FM 1301
ROADWAY PLAN AND PROFILE

STA 197+00.00 TO STA 202+00.00

SHEET 6 OF 23

FED. RD. DIV. NO.	PROJECT NO.	SHEET NO.
6		72

STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301

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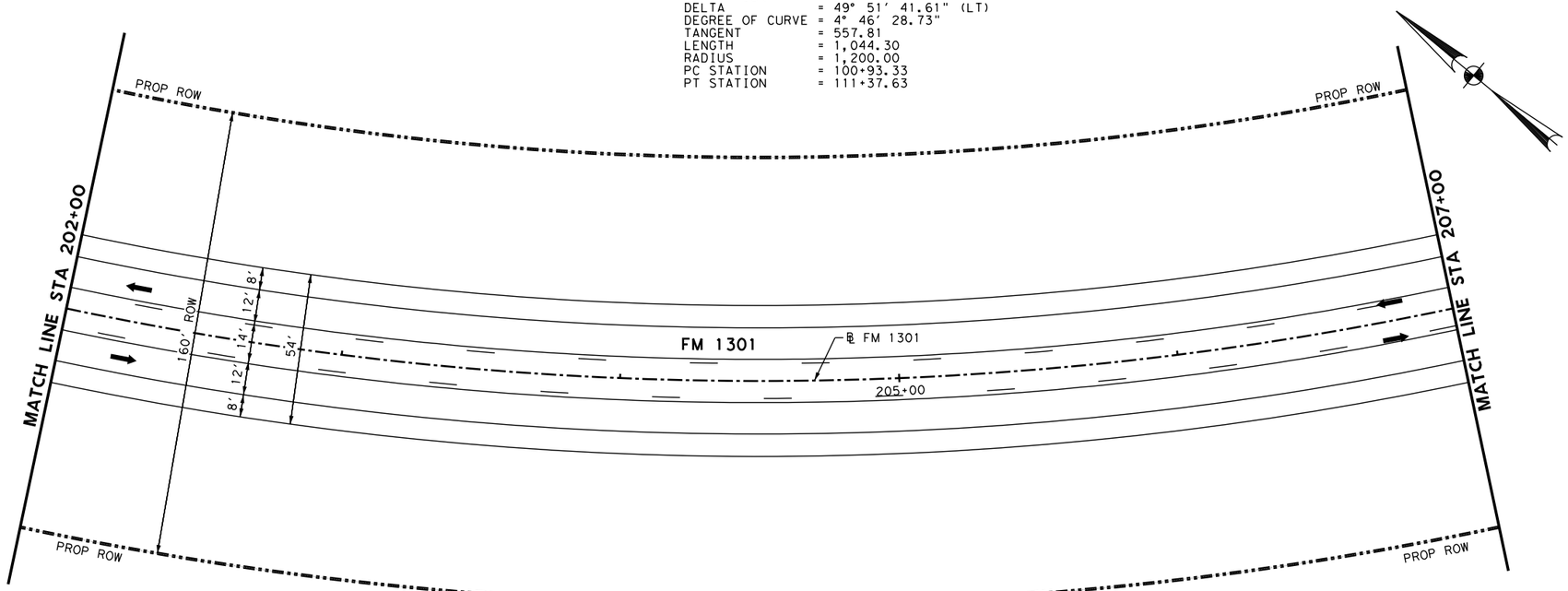
FM 1301*P&P-06.dgn

(C2) CURVE DATA

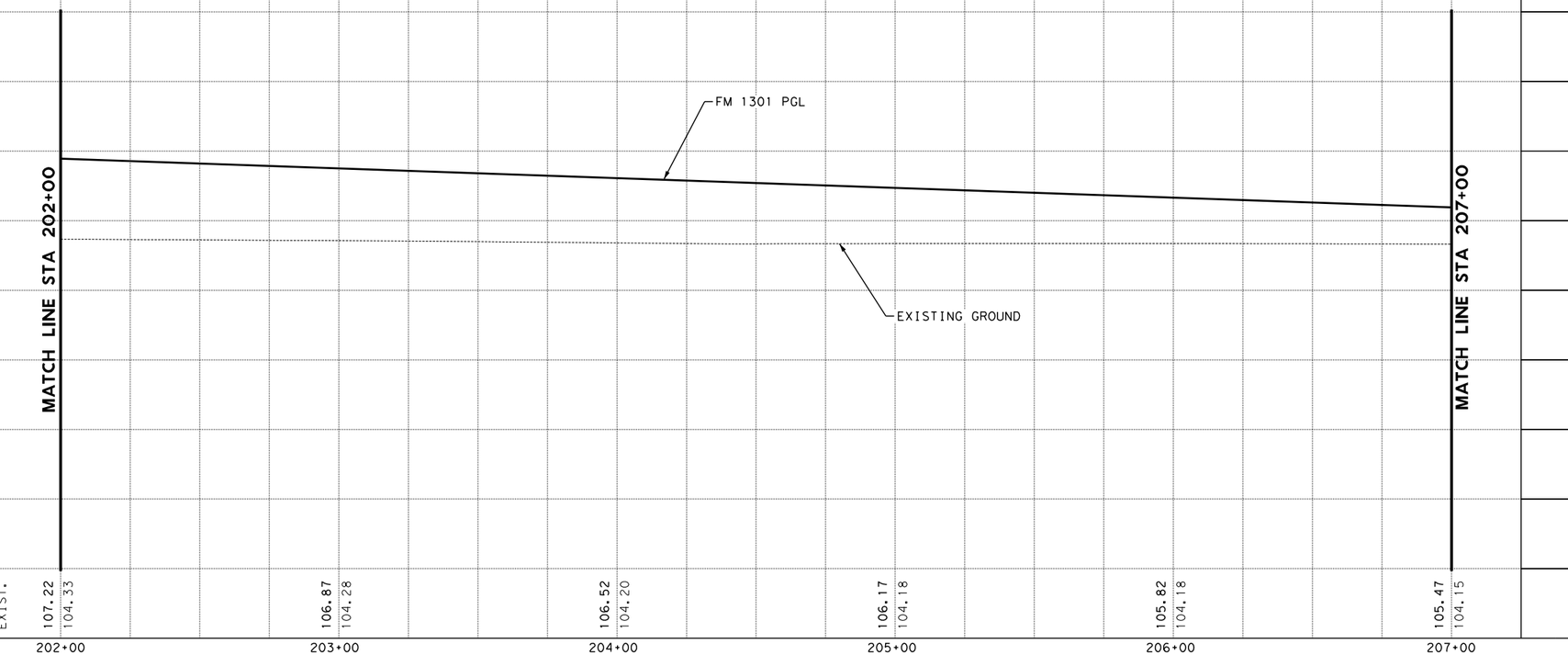
PI STATION = 206+51.14
DELTA = 49° 51' 41.61" (LT)
DEGREE OF CURVE = 4° 46' 28.73"
TANGENT = 557.81
LENGTH = 1,044.30
RADIUS = 1,200.00
PC STATION = 100+93.33
PT STATION = 111+37.63



LEGEND

- EXISTING RIGHT OF WAY
- PROPOSED RIGHT OF WAY
- PROPOSED ROADWAY ALIGNMENT
- DIRECTION OF TRAFFIC FLOW
- CONTINUOUS LEFT TURN LANE
- OPTIONAL TURN LANE
- LEFT TURN ARROW
- PROPOSED DITCH DIRECTIONAL FLOW LINE
- EXIST FENCE
- [X] DRIVEWAY

25 0 25 50
HORIZ: 1'=50'
VERT: 1"=5'



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REV. NO.	DATE	DESCRIPTION	BY

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TBPE FIRM REGISTRATION NO. F-6825

CITY OF WHARTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

SUBMITTED:	DESIGNED BY:
SCALE:	DRAWN BY:
DATE:	CITY DWG NO:
SURVEYED BY:	
NBI NO:	

Texas Department of Transportation

FM 1301
ROADWAY PLAN AND PROFILE
STA 202+00.00 TO STA 207+00.00
SHEET 7 OF 23

FED.RD. DIV.NO.	PROJECT NO.		SHEET NO.
6			73
STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301

8/4/2020 11:44:28 AM
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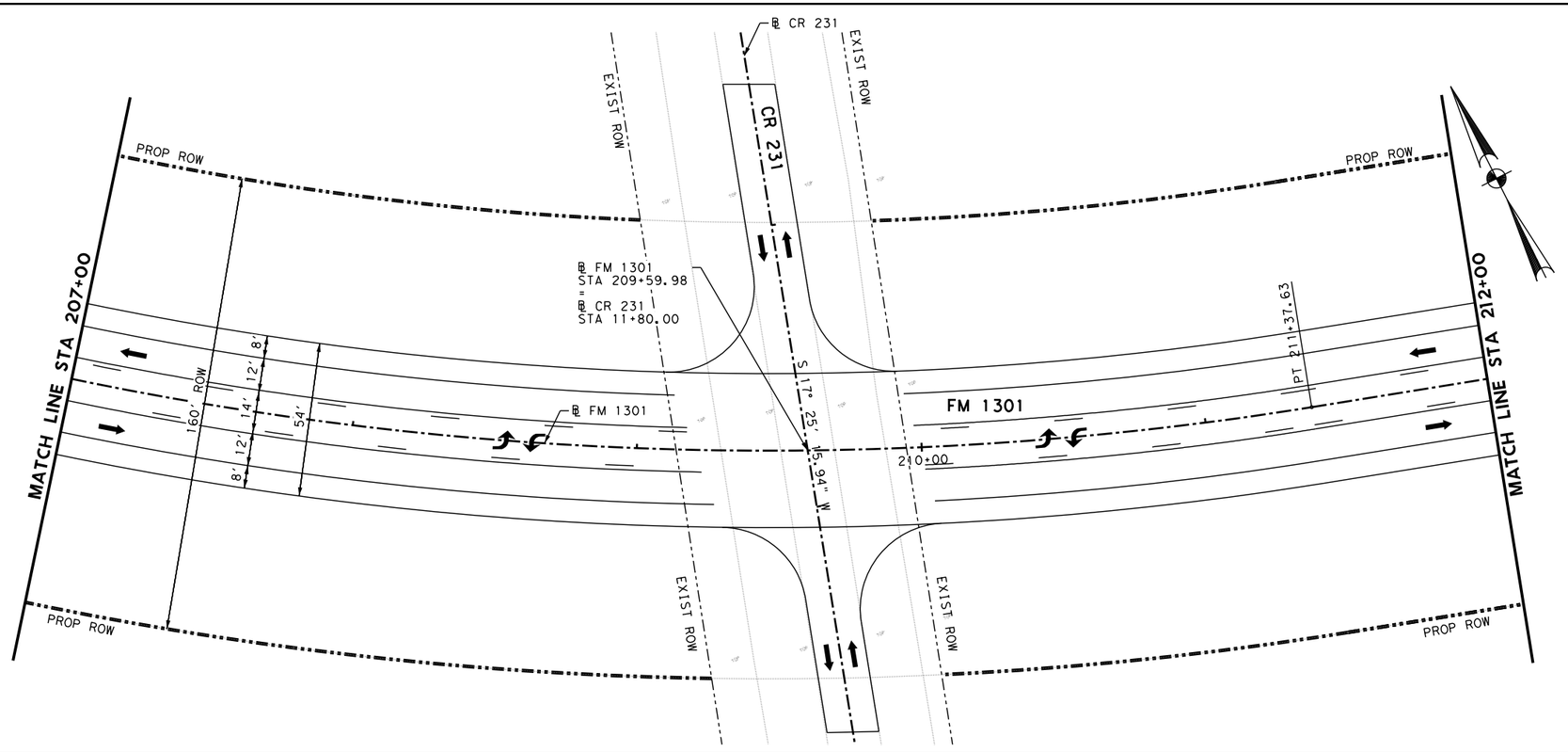
FM 1301*P&P-07.dgn



LEGEND

- EXISTING RIGHT OF WAY
- PROPOSED RIGHT OF WAY
- PROPOSED ROADWAY ALIGNMENT
- DIRECTION OF TRAFFIC FLOW
- CONTINUOUS LEFT TURN LANE
- OPTIONAL TURN LANE
- LEFT TURN ARROW
- PROPOSED DITCH DIRECTIONAL FLOW LINE
- EXIST FENCE
- [X] DRIVEWAY

25 0 25 50

HORIZ: 1"=50'
VERT: 1"=5'

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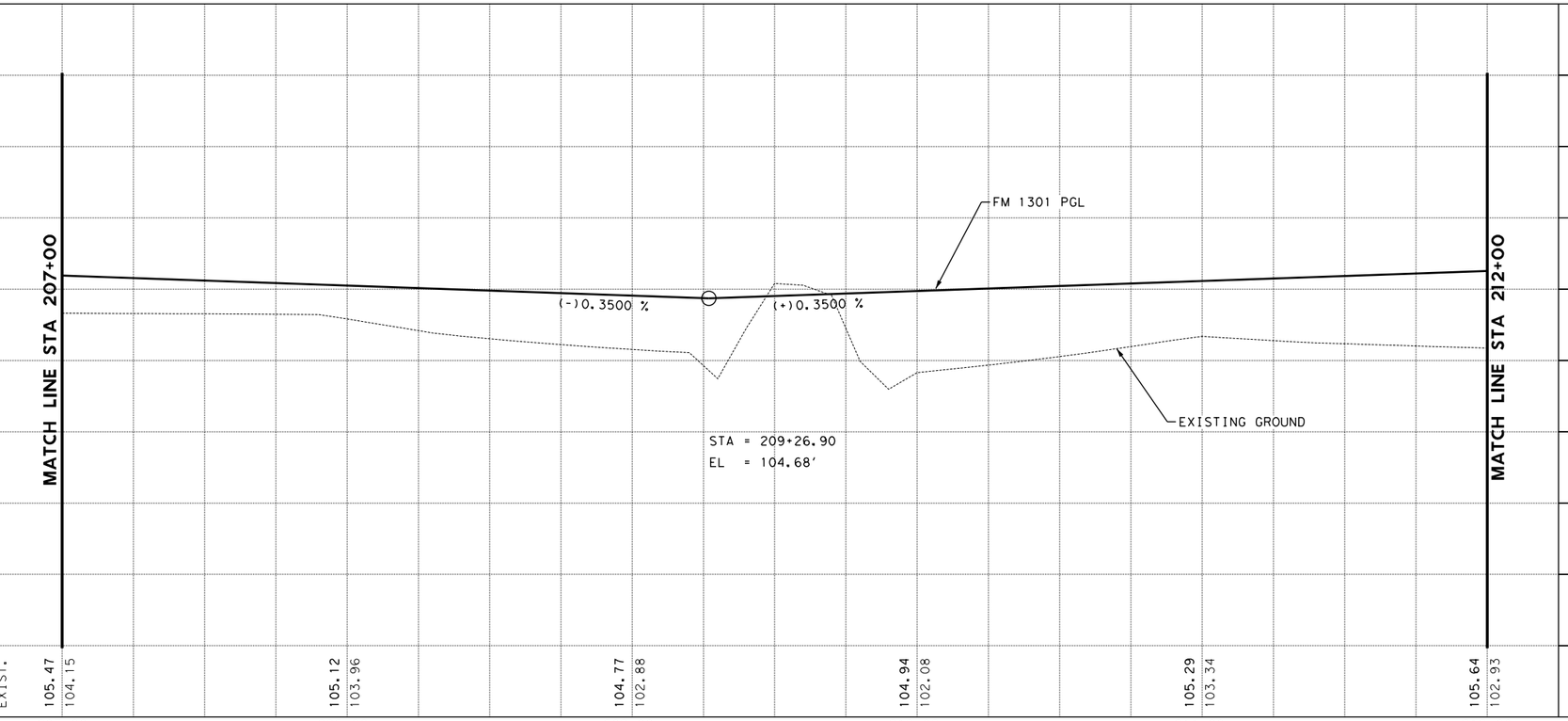
TYPE OR PRINT NAME — PE #131479 — DATE

REV. NO.	DATE	DESCRIPTION	BY



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15915 Katy Freeway, Suite 300
Houston, Texas 77094
TBPE FIRM REGISTRATION NO. F-6825

CITY OF WHARTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

SUBMITTED:	DESIGNED BY:
SCALE:	DRAWN BY:
DATE:	CITY DWG NO:
SURVEYED BY:	
NBI NO:	

Texas Department of Transportation

FM 1301
ROADWAY PLAN AND PROFILE
STA 207+00.00 TO STA 212+00.00

SHEET 8 OF 23

FED.RD. DIV.NO.	PROJECT NO.	SHEET NO.
6		74

STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301

8/4/2020
11:44:22 AM
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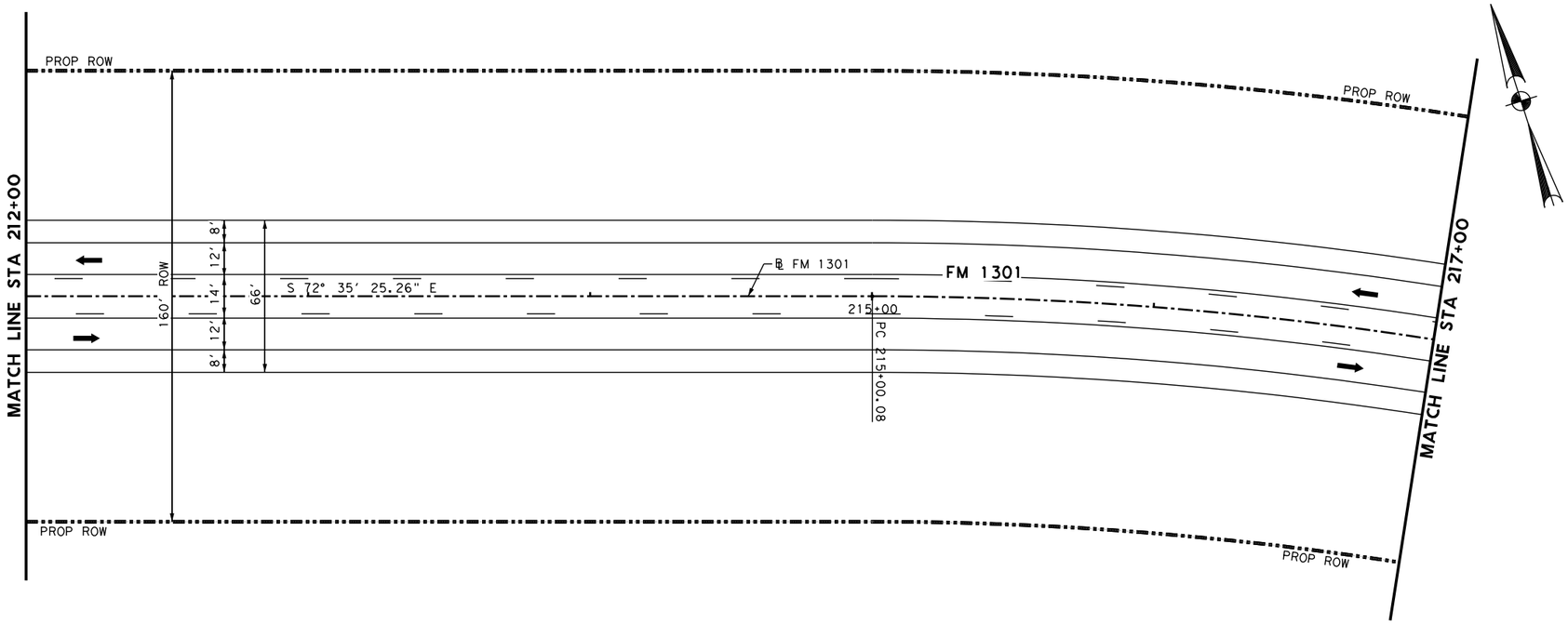
Jimmy S
FM 1301*P&P-08.dgn



LEGEND

- EXISTING RIGHT OF WAY
- PROPOSED RIGHT OF WAY
- PROPOSED ROADWAY ALIGNMENT
- DIRECTION OF TRAFFIC FLOW
- CONTINUOUS LEFT TURN LANE
- OPTIONAL TURN LANE
- LEFT TURN ARROW
- PROPOSED DITCH DIRECTIONAL FLOW LINE
- EXIST FENCE
- X DRIVEWAY

25 0 25 50

HORIZ: 1'=50'
VERT: 1"=5'

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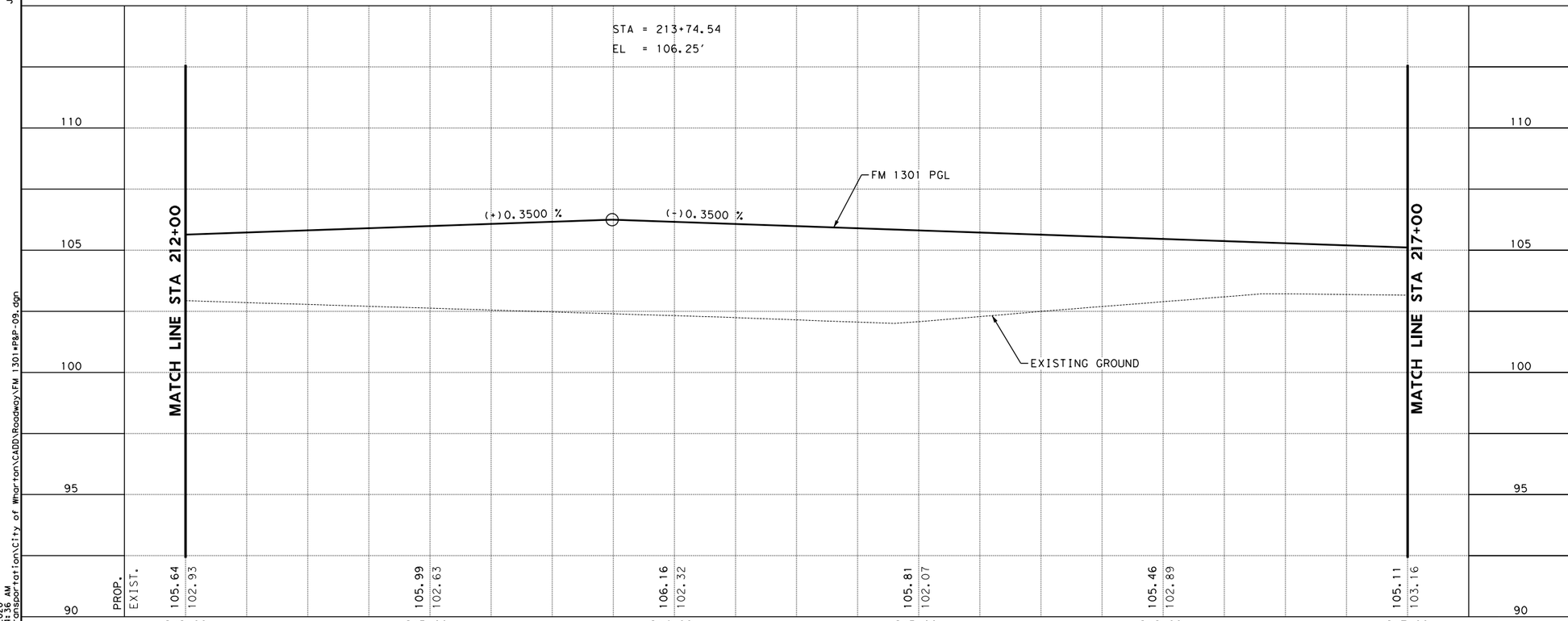
OMAR ALDUCIN 8/4/2020
TYPE OR PRINT NAME PE #131479 DATE

REV. NO.	DATE	DESCRIPTION	BY



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Houston, Texas 77094
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CITY OF WHARTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

SUBMITTED:	DESIGNED BY:
SCALE:	DRAWN BY:
DATE:	CITY DWG NO:
SURVEYED BY:	
NBI NO:	

Texas Department of Transportation

FM 1301
ROADWAY PLAN AND PROFILE
STA 212+00.00 TO STA 217+00.00

SHEET 9 OF 23

FED.RD. DIV.NO.	PROJECT NO.	SHEET NO.
6		75

STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301

8/4/2020
11:44:16 AM
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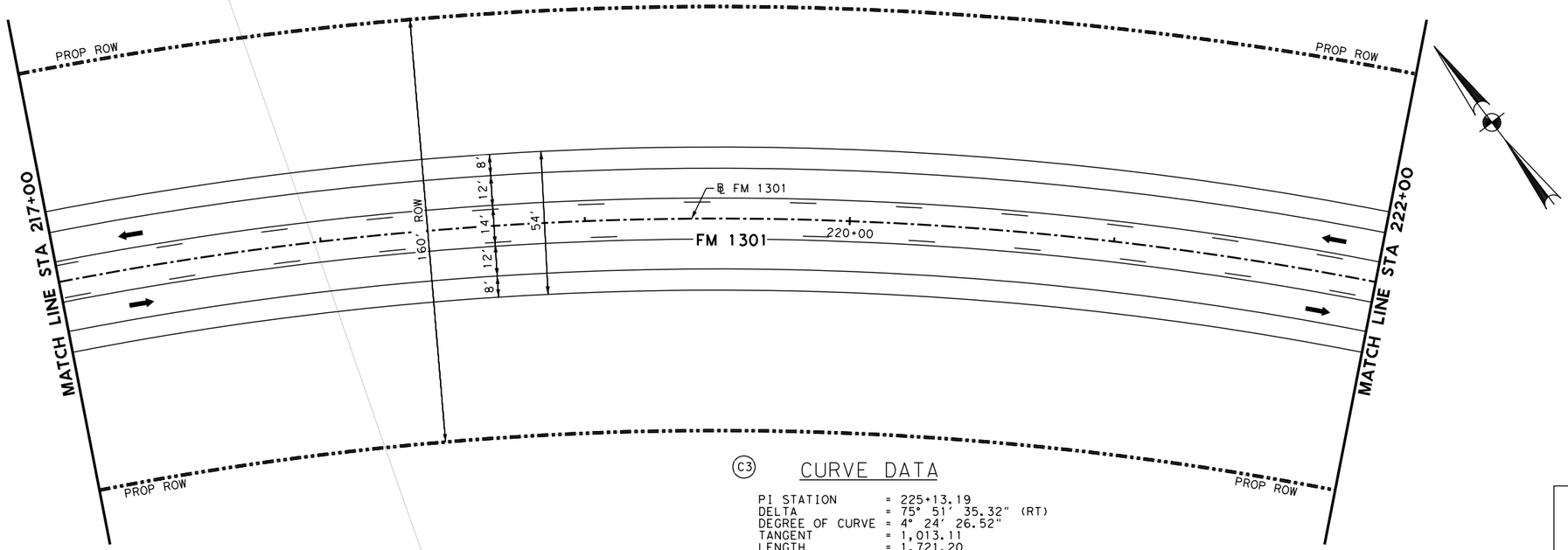
Jimmy S
FM 1301*P&P-09.dgn



LEGEND

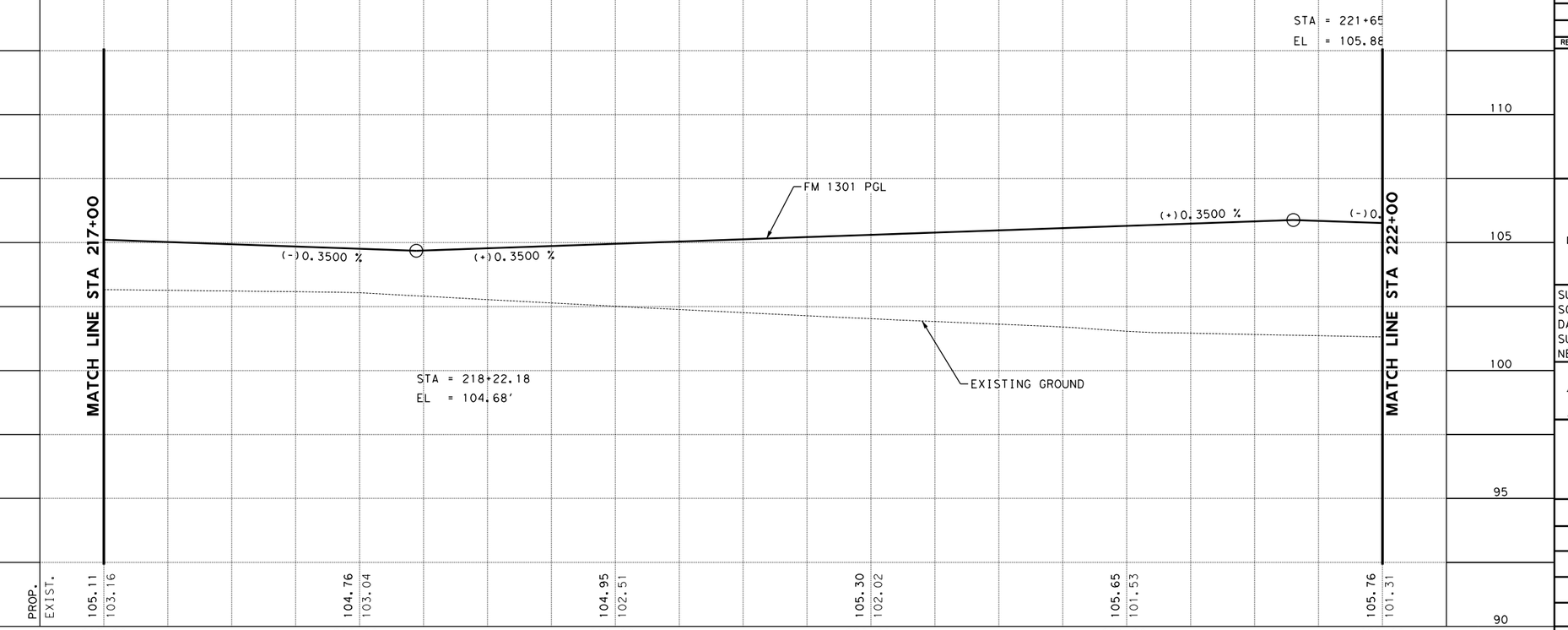
- EXISTING RIGHT OF WAY
- PROPOSED RIGHT OF WAY
- PROPOSED ROADWAY ALIGNMENT
- DIRECTION OF TRAFFIC FLOW
- CONTINUOUS LEFT TURN LANE
- OPTIONAL TURN LANE
- LEFT TURN ARROW
- PROPOSED DITCH DIRECTIONAL FLOW LINE
- EXIST FENCE
- X — DRIVEWAY

25 0 25 50

HORIZ: 1"=50'
VERT: 1"=5'

(C3) CURVE DATA

PI STATION	= 225+13.19
DELTA	= 75° 51' 35.32" (RT)
DEGREE OF CURVE	= 4° 24' 26.52"
TANGENT	= 1,013.11
LENGTH	= 1,721.20
RADIUS	= 1,300.00
PC STATION	= 115+00.08
PT STATION	= 132+21.28



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OMAR ALDUCIN — 8/4/2020
TYPE OR PRINT NAME — PE #131479 — DATE

REV. NO.	DATE	DESCRIPTION	BY

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TBPE FIRM REGISTRATION NO. F-6825

CITY OF WHARTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

SUBMITTED:	DESIGNED BY:
SCALE:	DRAWN BY:
DATE:	CITY DWG NO:
SURVEYED BY:	
NBI NO:	

Texas Department of Transportation

FM 1301
ROADWAY PLAN AND PROFILE

STA 217+00.00 TO STA 222+00.00

SHEET 10 OF 23

FED.RD. DIV.NO.	PROJECT NO.	SHEET NO.
6		76

STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301

8/4/2020
11:44:20 AM
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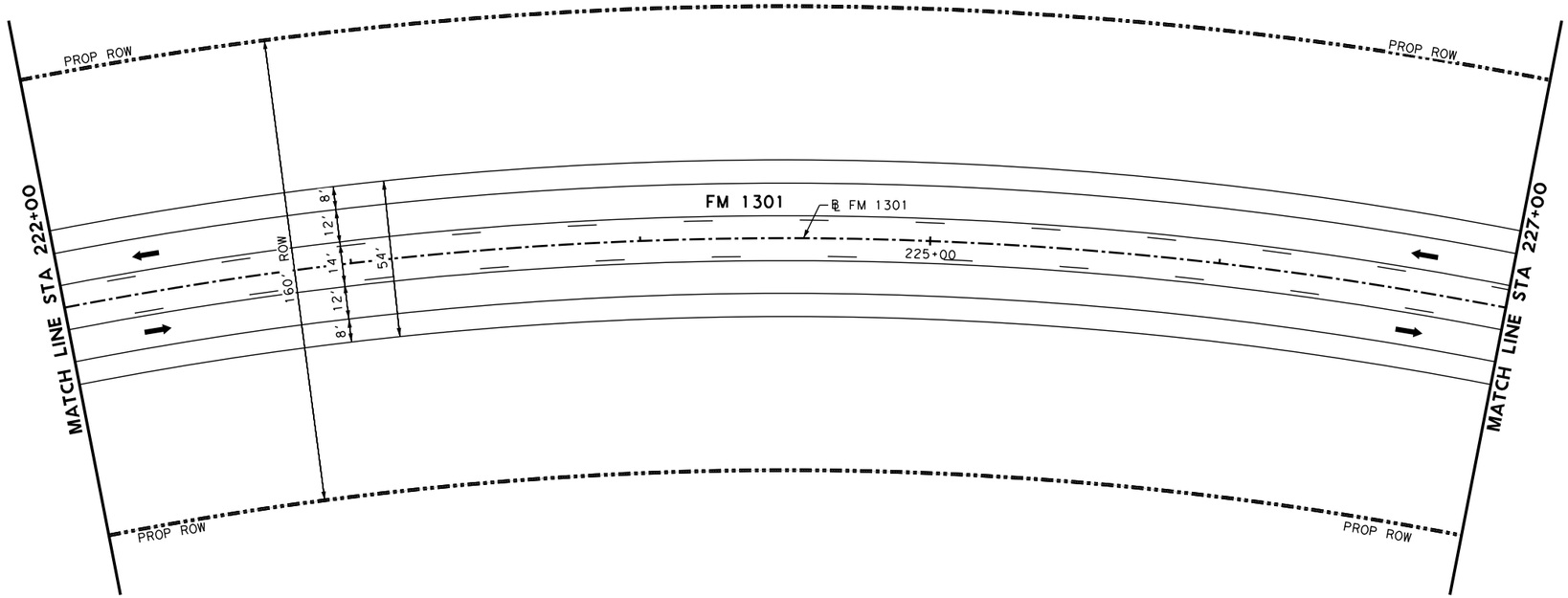
Jimmy S
FM 1301*P&P-10.dgn



LEGEND

- EXISTING RIGHT OF WAY
- PROPOSED RIGHT OF WAY
- PROPOSED ROADWAY ALIGNMENT
- DIRECTION OF TRAFFIC FLOW
- CONTINUOUS LEFT TURN LANE
- OPTIONAL TURN LANE
- LEFT TURN ARROW
- PROPOSED DITCH DIRECTIONAL FLOW LINE
- EXIST FENCE
- [X] DRIVEWAY

25 0 25 50

HORIZ: 1'=50'
VERT: 1"=5'

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SCALE:	DRAWN BY:
DATE:	CITY DWG NO:
SURVEYED BY:	
NBI NO:	

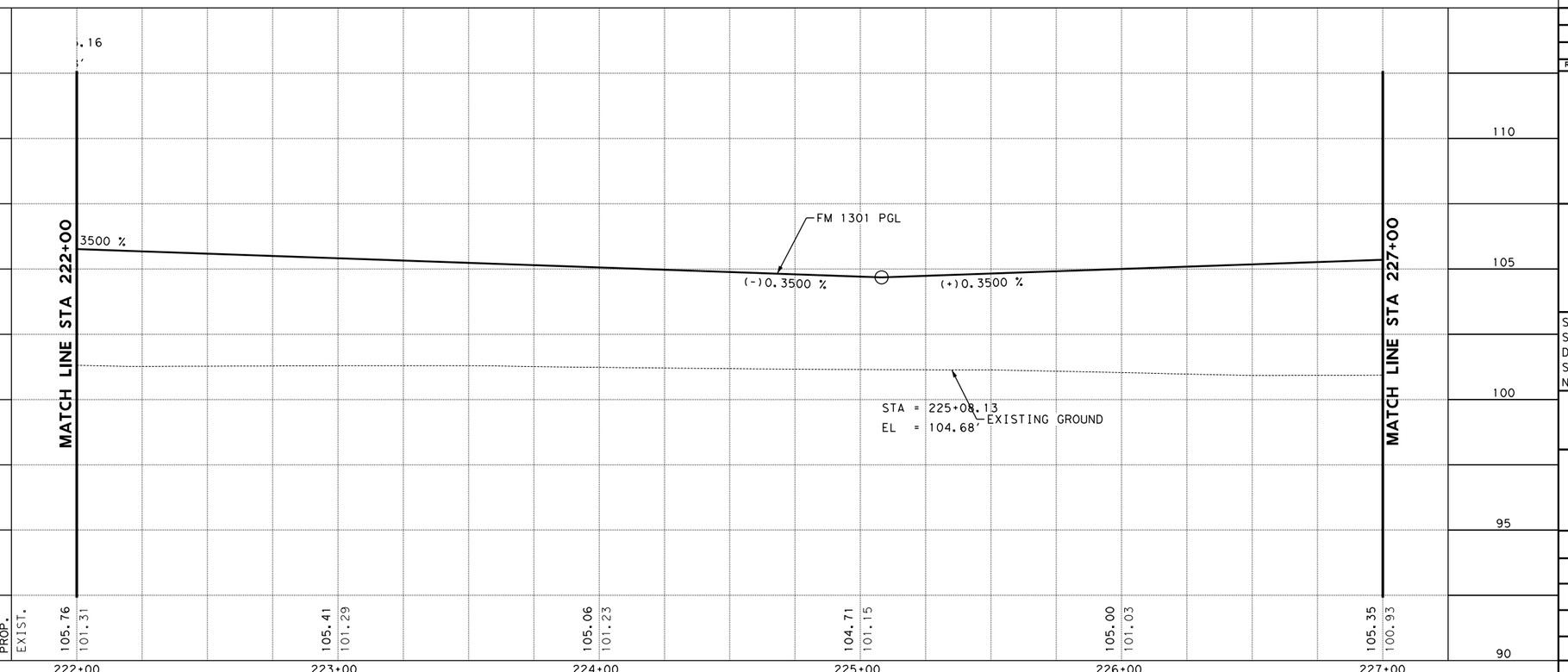
Texas Department of Transportation

FM 1301
ROADWAY PLAN AND PROFILE

STA 222+00.00 TO STA 227+00.00

SHEET 11 OF 23

FED.RD. DIV.NO.	PROJECT NO.		SHEET NO.
6			77
STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301



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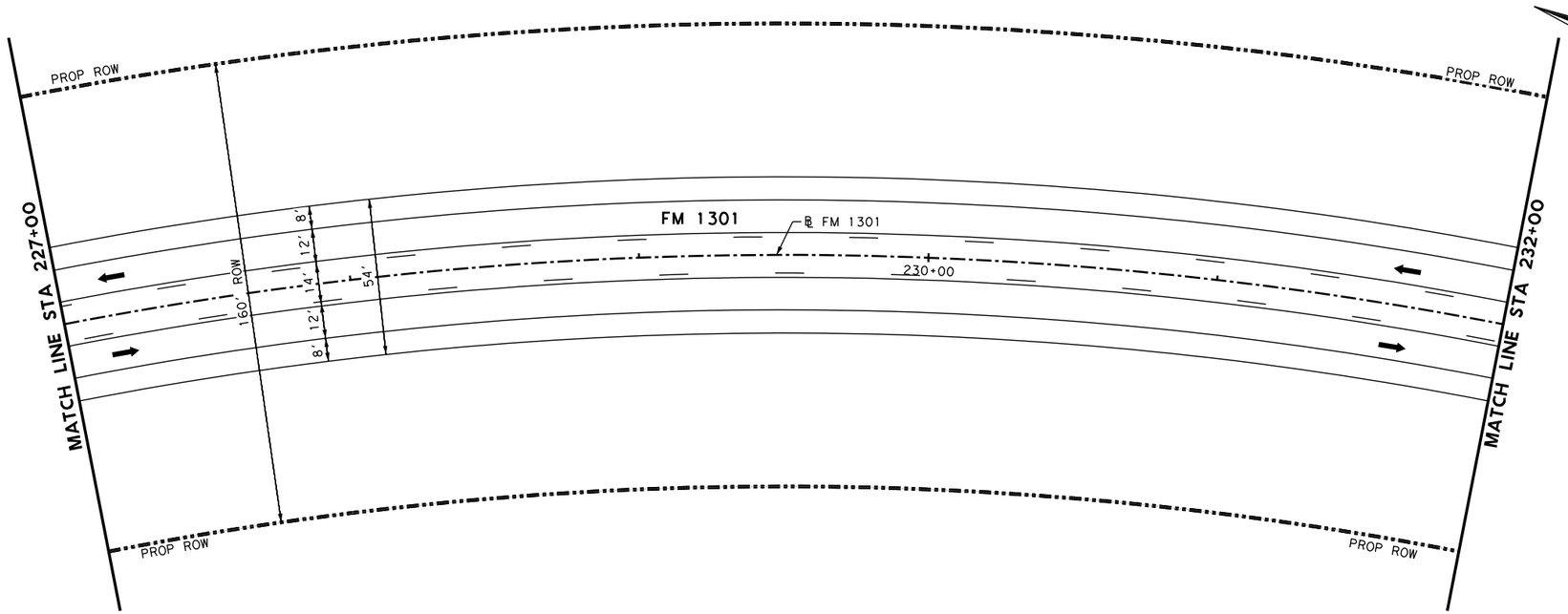
Jimmy S
FM 1301*P&P-11.dgn



LEGEND

- EXISTING RIGHT OF WAY
- PROPOSED RIGHT OF WAY
- PROPOSED ROADWAY ALIGNMENT
- DIRECTION OF TRAFFIC FLOW
- CONTINUOUS LEFT TURN LANE
- OPTIONAL TURN LANE
- LEFT TURN ARROW
- PROPOSED DITCH DIRECTIONAL FLOW LINE
- EXIST FENCE
- [X] DRIVEWAY

25 0 25 50

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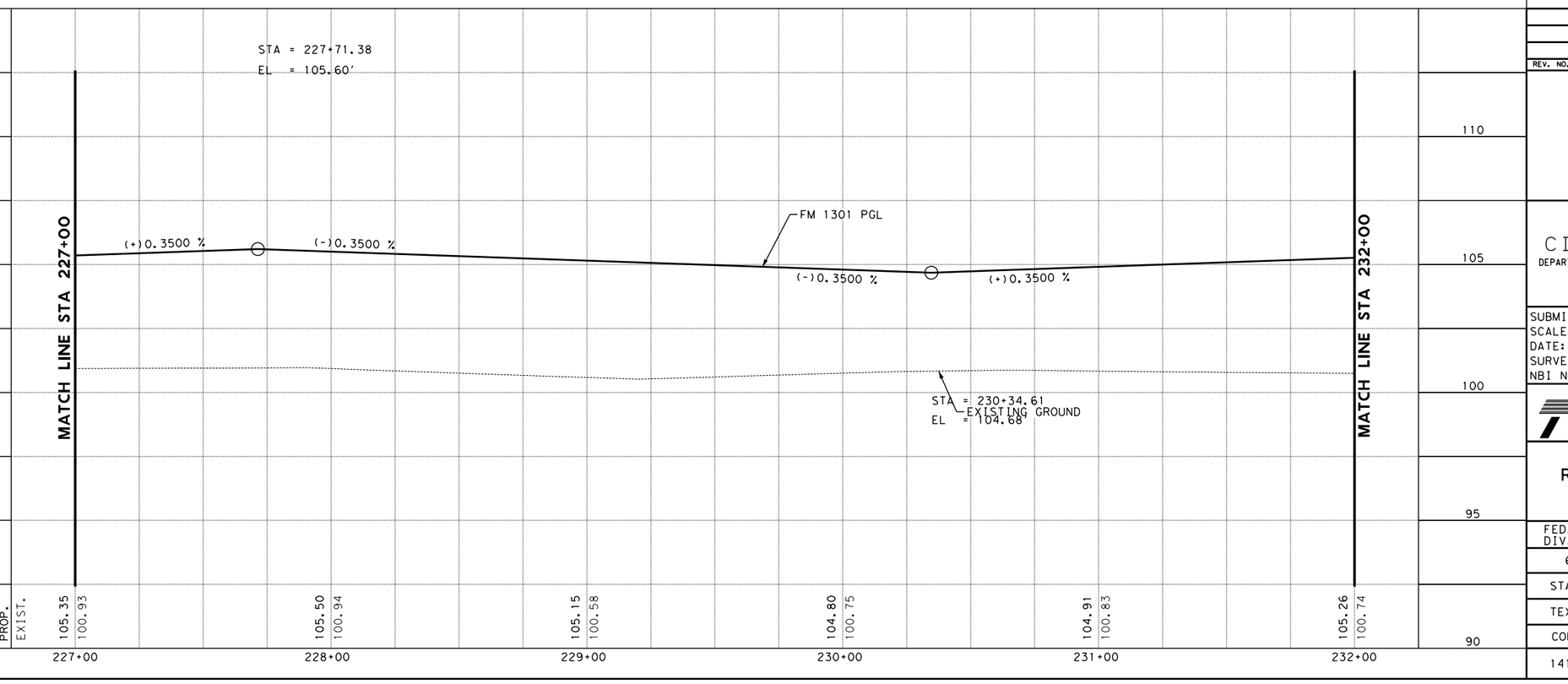
TYPE OR PRINT NAME — PE #131479 — DATE



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DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

SUBMITTED:	DESIGNED BY:
SCALE:	DRAWN BY:
DATE:	CITY DWG NO:
SURVEYED BY:	
NBI NO:	

Texas Department of Transportation

FM 1301
ROADWAY PLAN AND PROFILE

STA 227+00.00 TO STA 232+00.00

SHEET 12 OF 23

FED.RD. DIV.NO.	PROJECT NO.	SHEET NO.
6		78

STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301

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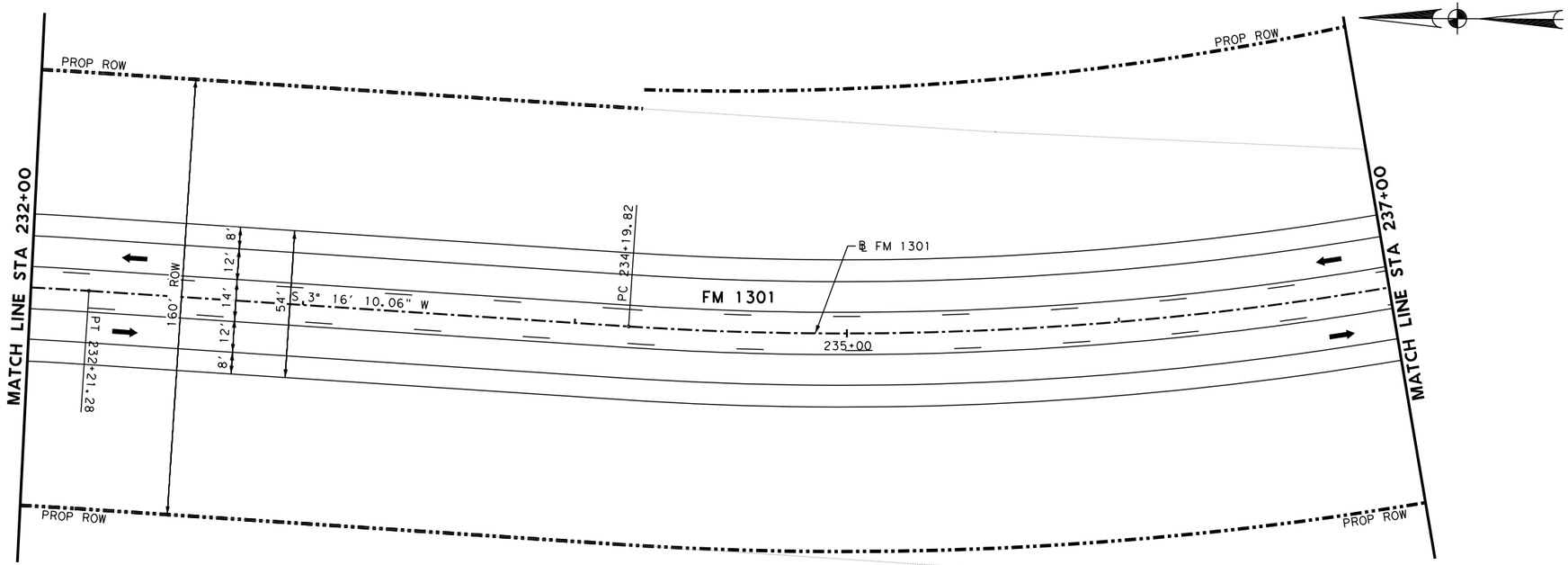
Jimmy S
FM 1301*P&P-12.dgn

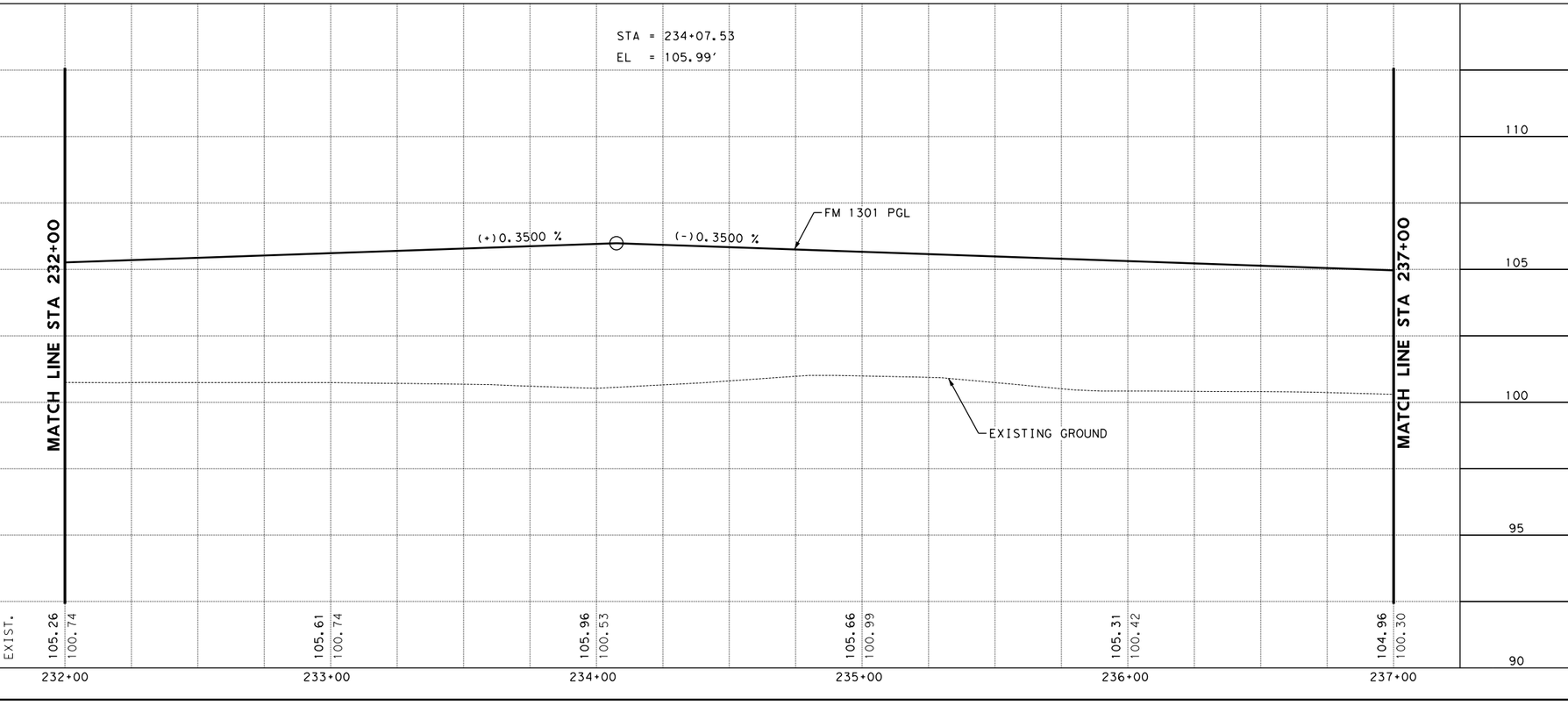


LEGEND

- EXISTING RIGHT OF WAY
- PROPOSED RIGHT OF WAY
- PROPOSED ROADWAY ALIGNMENT
- DIRECTION OF TRAFFIC FLOW
- CONTINUOUS LEFT TURN LANE
- OPTIONAL TURN LANE
- LEFT TURN ARROW
- PROPOSED DITCH DIRECTIONAL FLOW LINE
- EXIST FENCE
- [X] DRIVEWAY

25 0 25 50

HORIZ: 1'=50'
VERT: 1"=5'



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OMAR ALDUCIN — 8/4/2020
TYPE OR PRINT NAME — PE #131479 — DATE

REV. NO.	DATE	DESCRIPTION	BY

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CITY OF WHARTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

SUBMITTED:	DESIGNED BY:
SCALE:	DRAWN BY:
DATE:	CITY DWG NO:
SURVEYED BY:	
NBI NO:	

Texas Department of Transportation

FM 1301
ROADWAY PLAN AND PROFILE

STA 232+00.00 TO STA 237+00.00

SHEET 13 OF 23

FED.RD. DIV.NO.	PROJECT NO.	SHEET NO.
6		79

STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301

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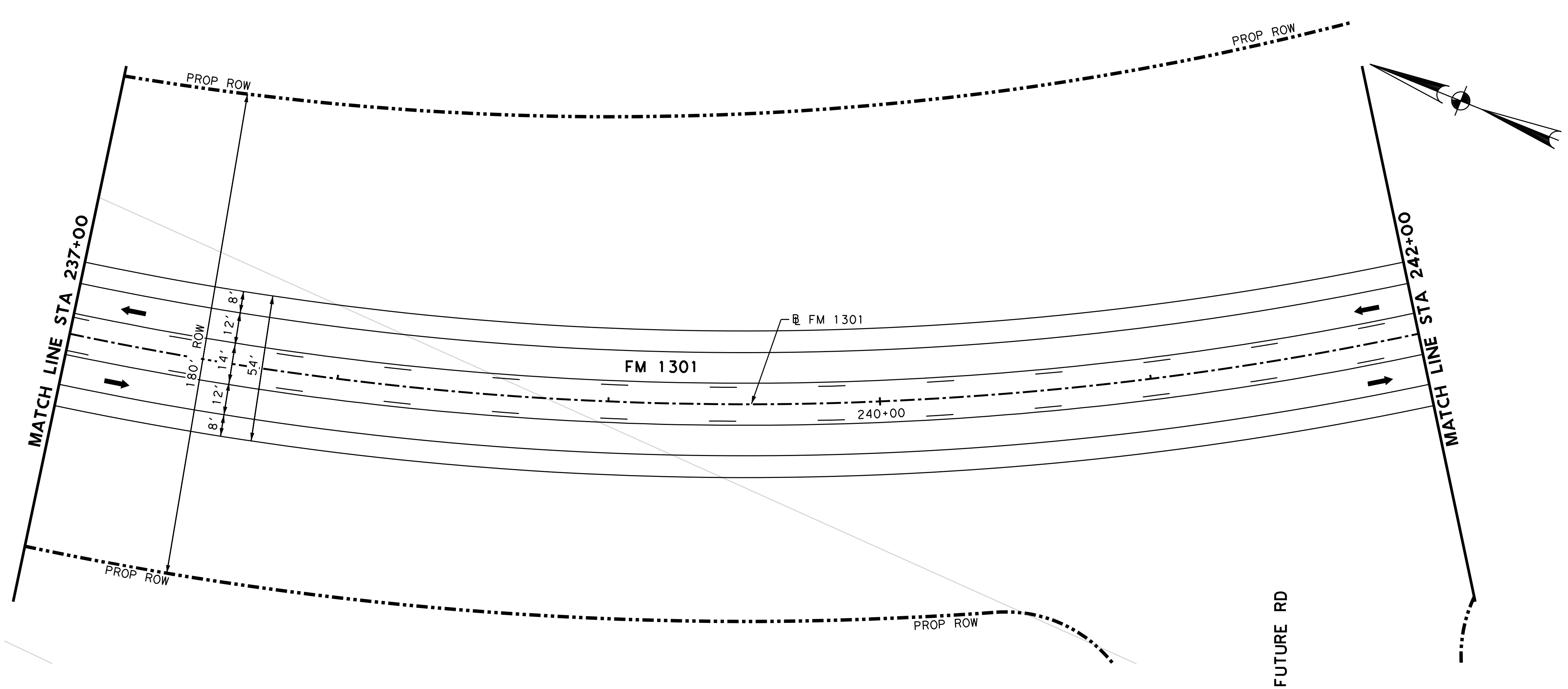
Jimmy S
FM 1301*P&P-13.dgn



LEGEND

- EXISTING RIGHT OF WAY
- PROPOSED RIGHT OF WAY
- PROPOSED ROADWAY ALIGNMENT
- DIRECTION OF TRAFFIC FLOW
- CONTINUOUS LEFT TURN LANE
- OPTIONAL TURN LANE
- LEFT TURN ARROW
- PROPOSED DITCH DIRECTIONAL FLOW LINE
- EXIST FENCE
- X DRIVEWAY

25 0 25 50

HORIZ: 1'=50'
VERT: 1"=5'

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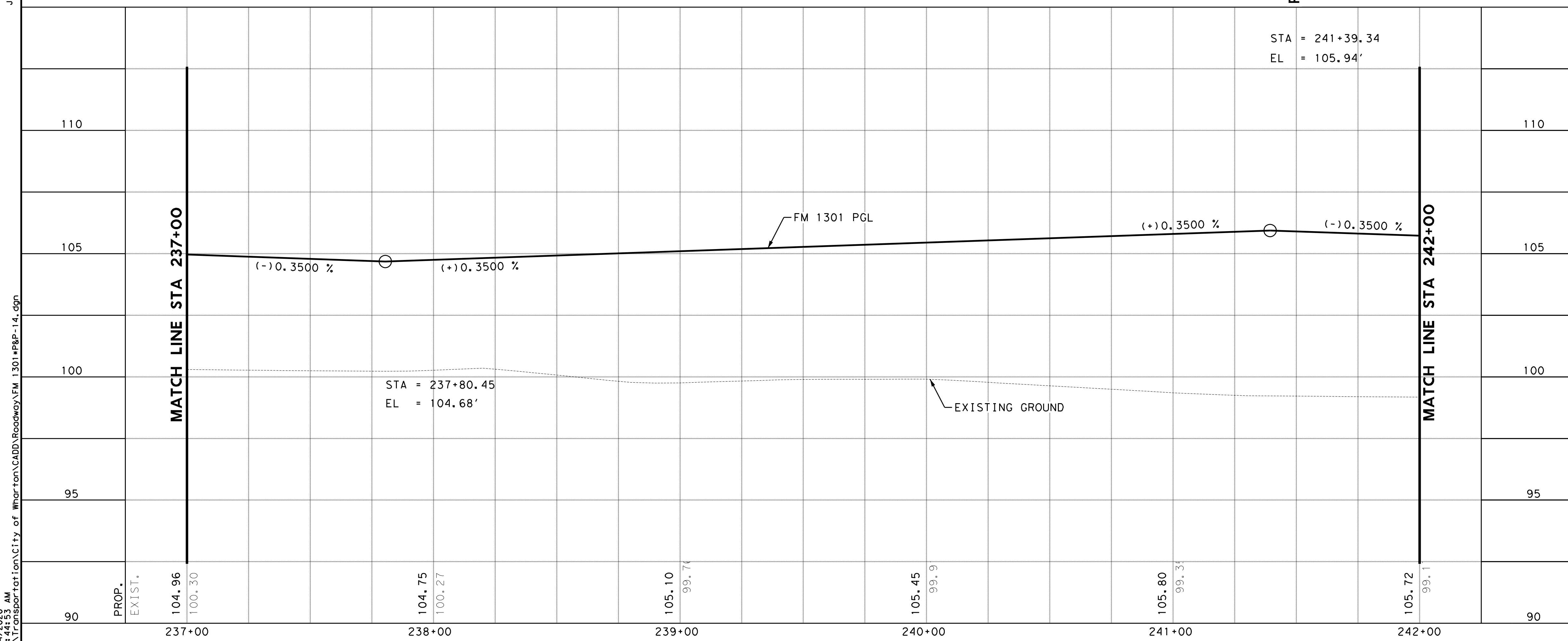

REV. NO.	DATE	DESCRIPTION	BY

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Planners-Engineers-Program Managers
15915 Katy Freeway, Suite 300
Houston, Texas 77094
TBPE FIRM REGISTRATION NO. F-6825

CITY OF WHARTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

SUBMITTED: SCALE: DATE: SURVEYED BY: NBI NO:	DESIGNED BY: DRAWN BY: CITY DWG NO:

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Texas Department of Transportation

FM 1301
ROADWAY PLAN AND PROFILE
STA 237+00.00 TO STA 242+00.00
SHEET 14 OF 23

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			80
STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301

JimmyS
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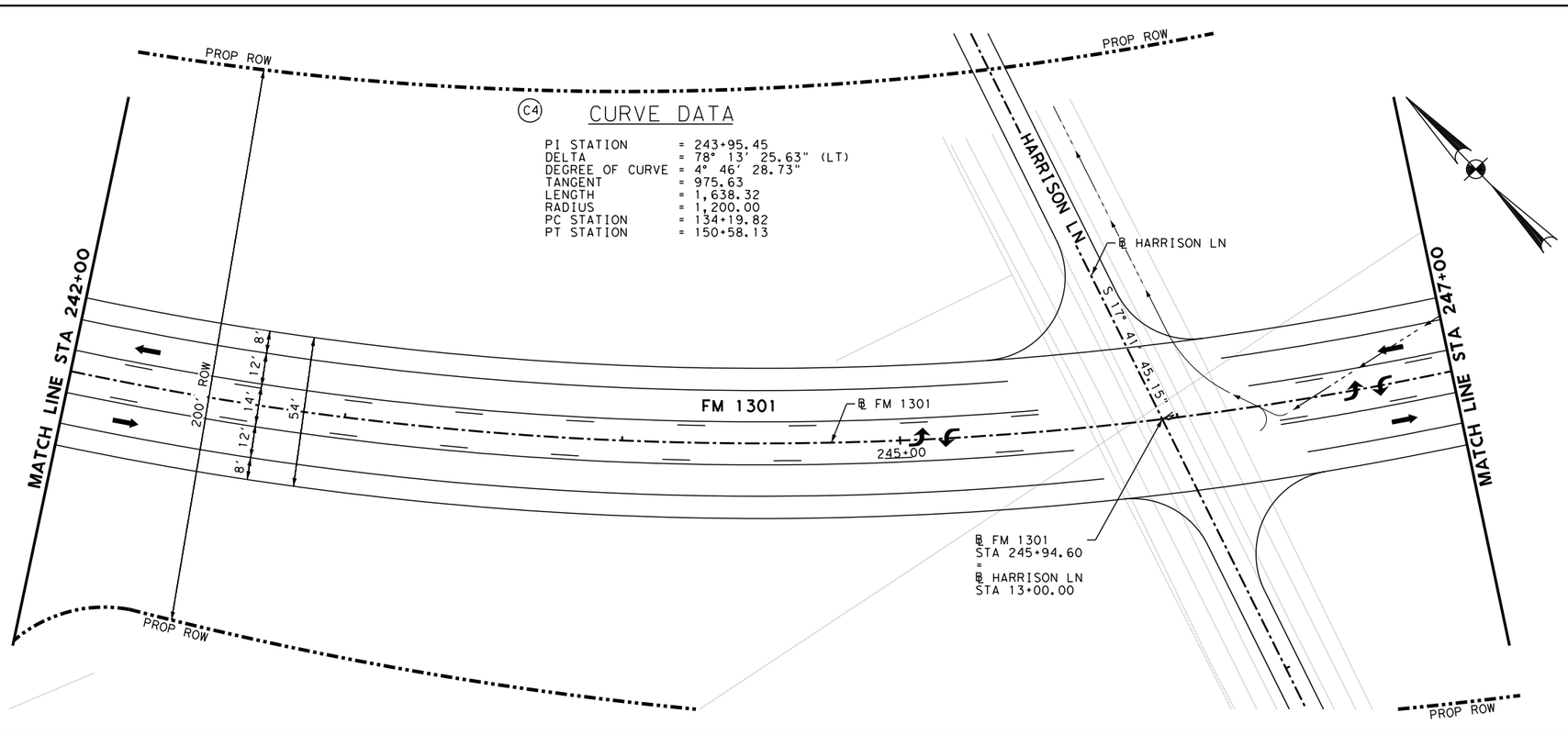
FM 1301*P&P-14.dgn

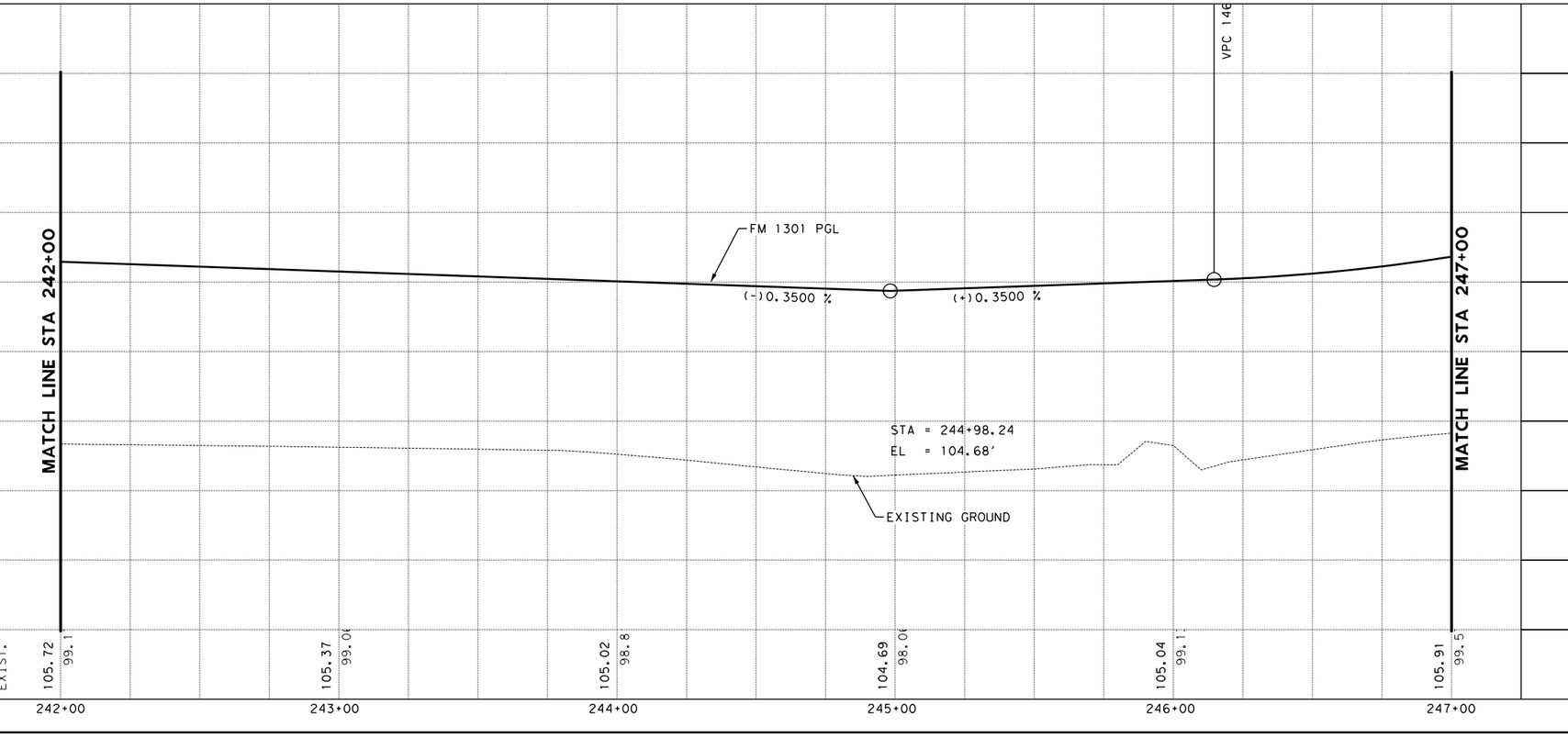


LEGEND

- EXISTING RIGHT OF WAY
- PROPOSED RIGHT OF WAY
- PROPOSED ROADWAY ALIGNMENT
- DIRECTION OF TRAFFIC FLOW
- CONTINUOUS LEFT TURN LANE
- OPTIONAL TURN LANE
- LEFT TURN ARROW
- PROPOSED DITCH DIRECTIONAL FLOW LINE
- EXIST FENCE
- [X] DRIVEWAY

25 0 25 50

HORIZ: 1'=50'
VERT: 1"=5'



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OMAR ALDUCIN 8/4/2020
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Houston, Texas 77094
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CITY OF WHARTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

SUBMITTED:	DESIGNED BY:
SCALE:	DRAWN BY:
DATE:	CITY DWG NO:
SURVEYED BY:	
NBI NO:	

Texas Department of Transportation

FM 1301
ROADWAY PLAN AND PROFILE
STA 242+00.00 TO STA 247+00.00
SHEET 15 OF 23

FED.RD. DIV.NO.	PROJECT NO.	SHEET NO.
6		81

STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301

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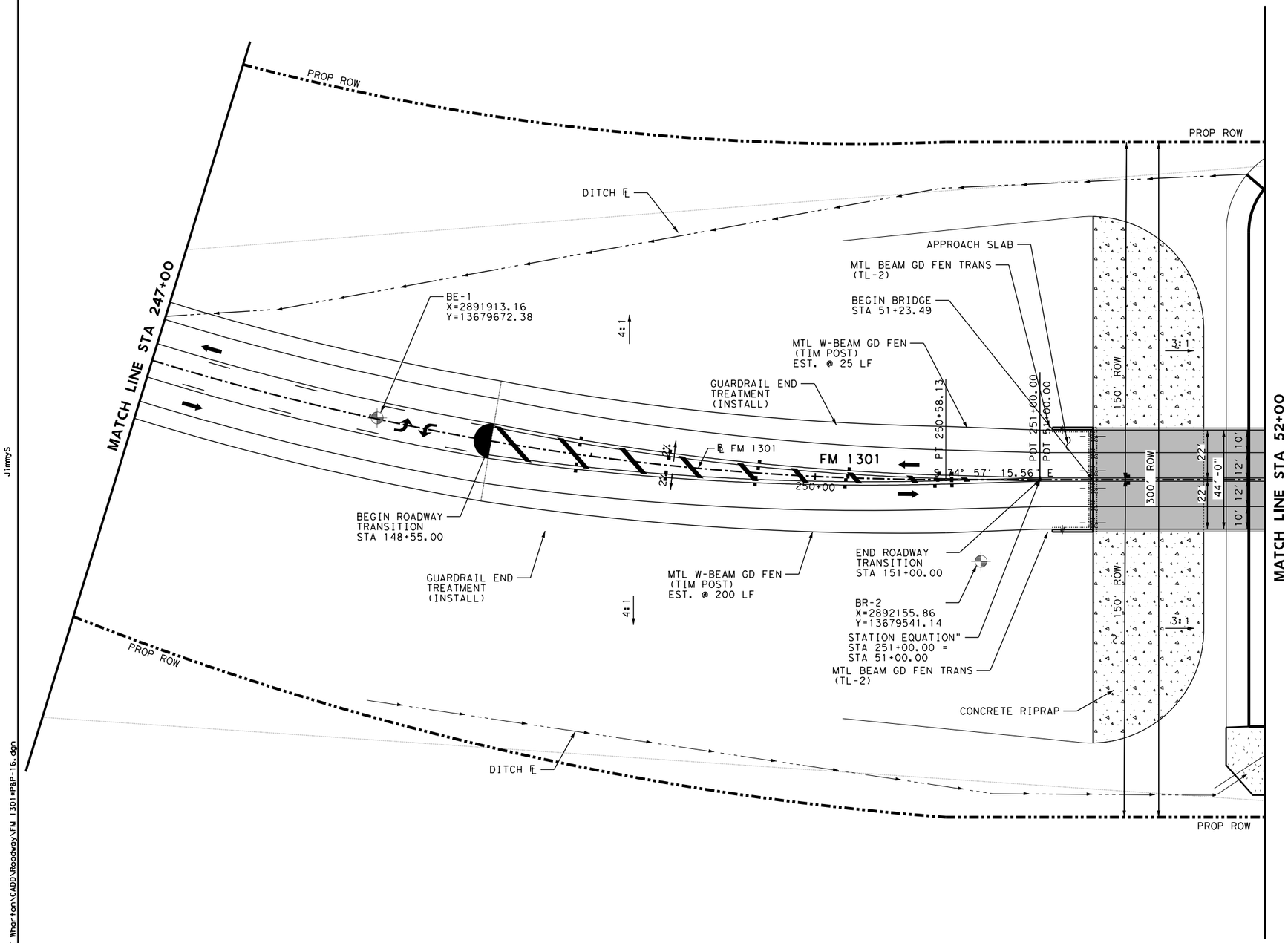
Jimmy S
FM 1301*P&P-15.dgn



SEE SHEET 17 OF 23 FOR PROFILE

25 0 25 50
HORIZ. - 1"=50'

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ROLANDO ESCAMILLA 8/4/2020
TYPE OR PRINT NAME PE # 90128 DATE

REV. NO.	DATE	DESCRIPTION	BY

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Houston, Texas 77094
TBPE FIRM REGISTRATION NO. F-6825

CITY OF WHARTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

SUBMITTED:	DESIGNED BY:
SCALE:	DRAWN BY:
DATE:	CITY DWG NO:
SURVEYED BY:	
NBI NO:	

Texas Department of Transportation

FM 1301
ROADWAY PLAN
STA 247+00.00 TO STA 52+00.00

SHEET 16 OF 23

FED.RD. DIV.NO.	PROJECT NO.		SHEET NO.
6			82
STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301

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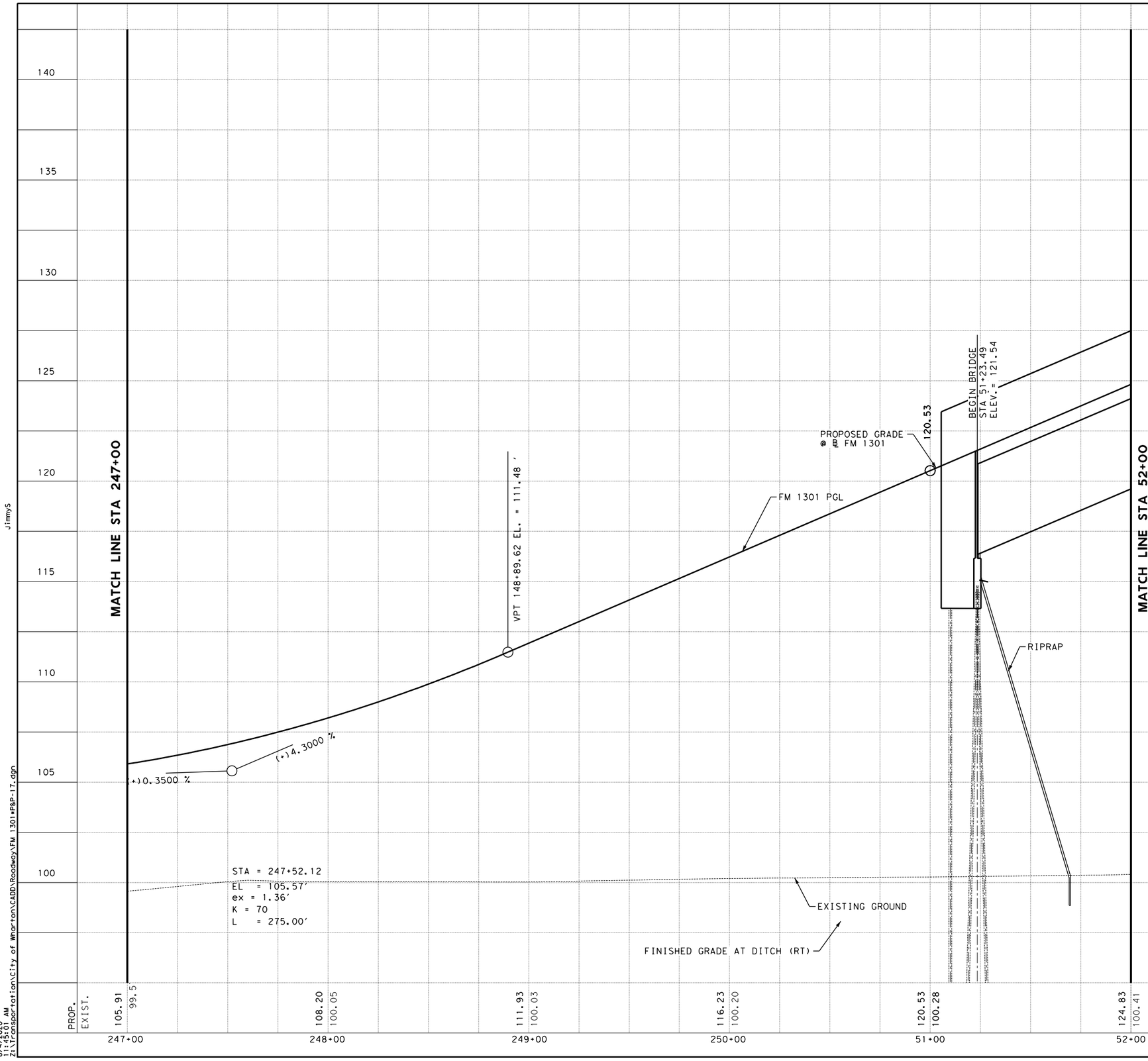
FM 1301*P&P-16.dgn



25 0 25 50

HORIZ. - 1"=50'
VERT. - 1"=5'

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DATE:	CITY DWG NO:
SURVEYED BY:	
NBI NO:	

Texas Department of Transportation

FM 1301
ROADWAY PROFILE

STA 247+00.00 TO STA 52+00.00

SHEET 17 OF 23

FED.RD. DIV.NO.	PROJECT NO.	SHEET NO.
6		83

STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301

8/4/2020
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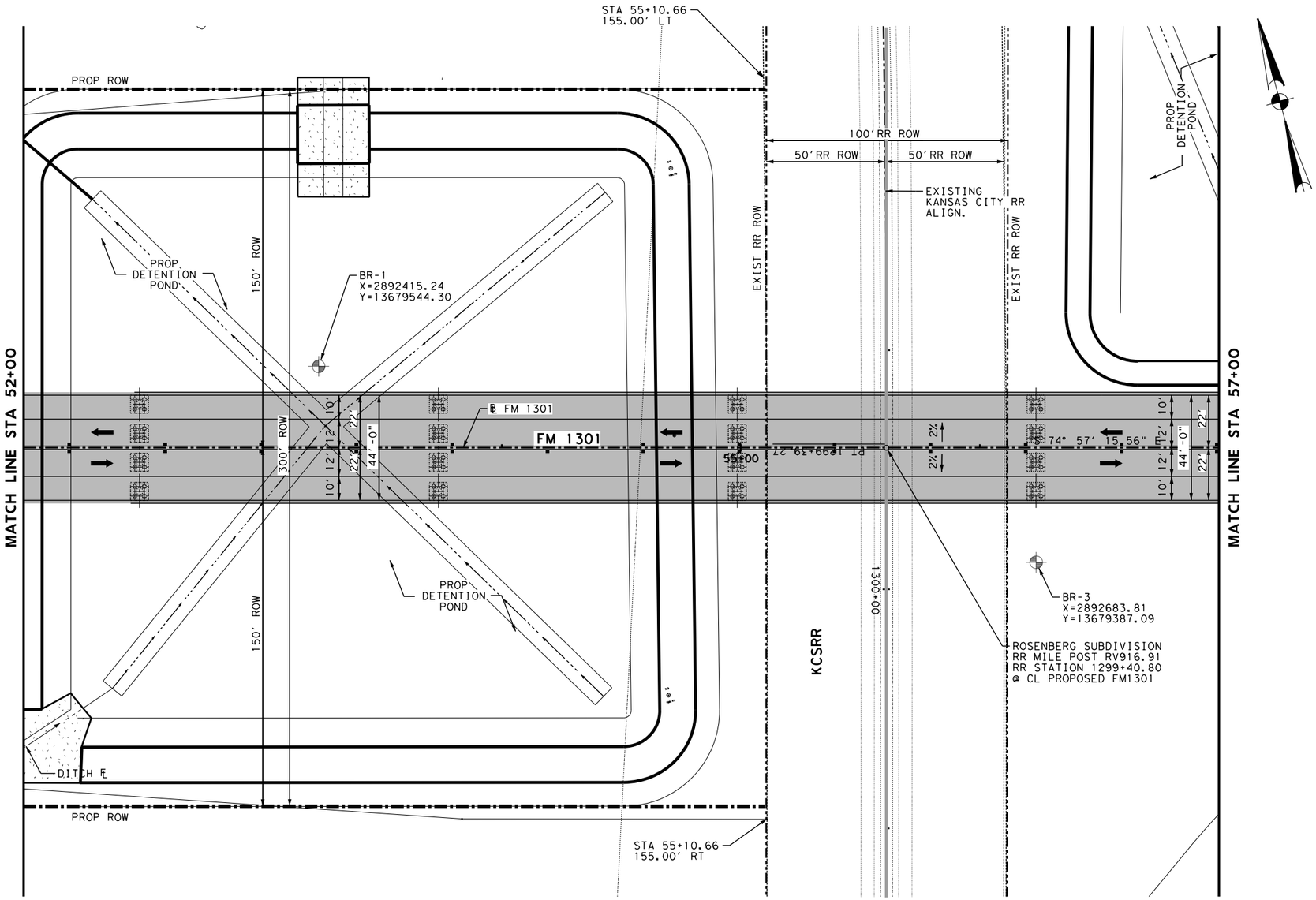
JimmyS
FM 1301+P&P-17.dgn



LEGEND

- EXISTING RIGHT OF WAY
- PROPOSED RIGHT OF WAY
- PROPOSED ROADWAY ALIGNMENT
- DIRECTION OF TRAFFIC FLOW
- CONTINUOUS LEFT TURN LANE
- OPTIONAL TURN LANE
- LEFT TURN ARROW
- PROPOSED DITCH DIRECTIONAL FLOW LINE
- EXIST FENCE
- X — DRIVEWAY

25 0 25 50

HORIZ. - 1"=50'

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ROLANDO ESCAMILLA 8/4/2020

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SUBMITTED:	DESIGNED BY:
SCALE:	DRAWN BY:
DATE:	
SURVEYED BY:	CITY DWG NO:
NBI NO:	

Texas Department of Transportation

FM 1301
ROADWAY PLAN
STA 52+00.00 TO STA 57+00.00

SHEET 18 OF 23

FED.RD. DIV.NO.	PROJECT NO.	SHEET NO.
6		84

STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301

SEE SHEET 19 OF 23 FOR PROFILE

8/14/2020
11:14:55 AM
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JimmyS
FM 1301•P&P-18.dgn

STA = 55+60.99
EL = 140.35'
ex = -4.09'
K = 44
L = 380.00'

(+)4.3000 %

(-)4.6000 %

FM 1301 PGL

VPC 53+70.99 EL. = 132.18'

59.82' 59.82'

50' 50'

24'-6" ULTIMATE CONDITION MIN VERT CLR

KCSRR ROW

KCSRR ROW

MATCH LINE STA 52+00

MATCH LINE STA 57+00

STA 52+15
BEGIN DETENTION POND

STA 54+80
END DETENTION POND

EXISTING RAILROAD TRACKS

ROSENBERG SUBDIVISION
RR MILE POST RV916.91
RR STATION 1299+40.80
@ CL PROPOSED FM1301

PROPOSED DETENTION POND

EXISTING GROUND

124.83	129.13	133.33	135.84	136.09	134.08
100.41	100.59	100.49	100.07	100.45	100.15

140 135 130 125 120 115 110 105 100 95

52+00 53+00 54+00 55+00 56+00 57+00

25 0 25 50

HORIZ. - 1"=50'
VERT. - 1"=5'

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DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

SUBMITTED:	DESIGNED BY:
SCALE:	DRAWN BY:
DATE:	CITY DWG NO:
SURVEYED BY:	
NBI NO:	

Texas Department of Transportation

FM 1301
ROADWAY PROFILE
STA 52+00.00 TO STA 57+00.00

SHEET 19 OF 23

FED.RD. DIV.NO.	PROJECT NO.	SHEET NO.
6		85

STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301

8/4/2020
11:45:16 AM
Z:\Transportation\City of Wharton\CADD\Roadway\FM 1301•P&P-19.dgn
JimmyS
FM 1301•P&P-19.dgn

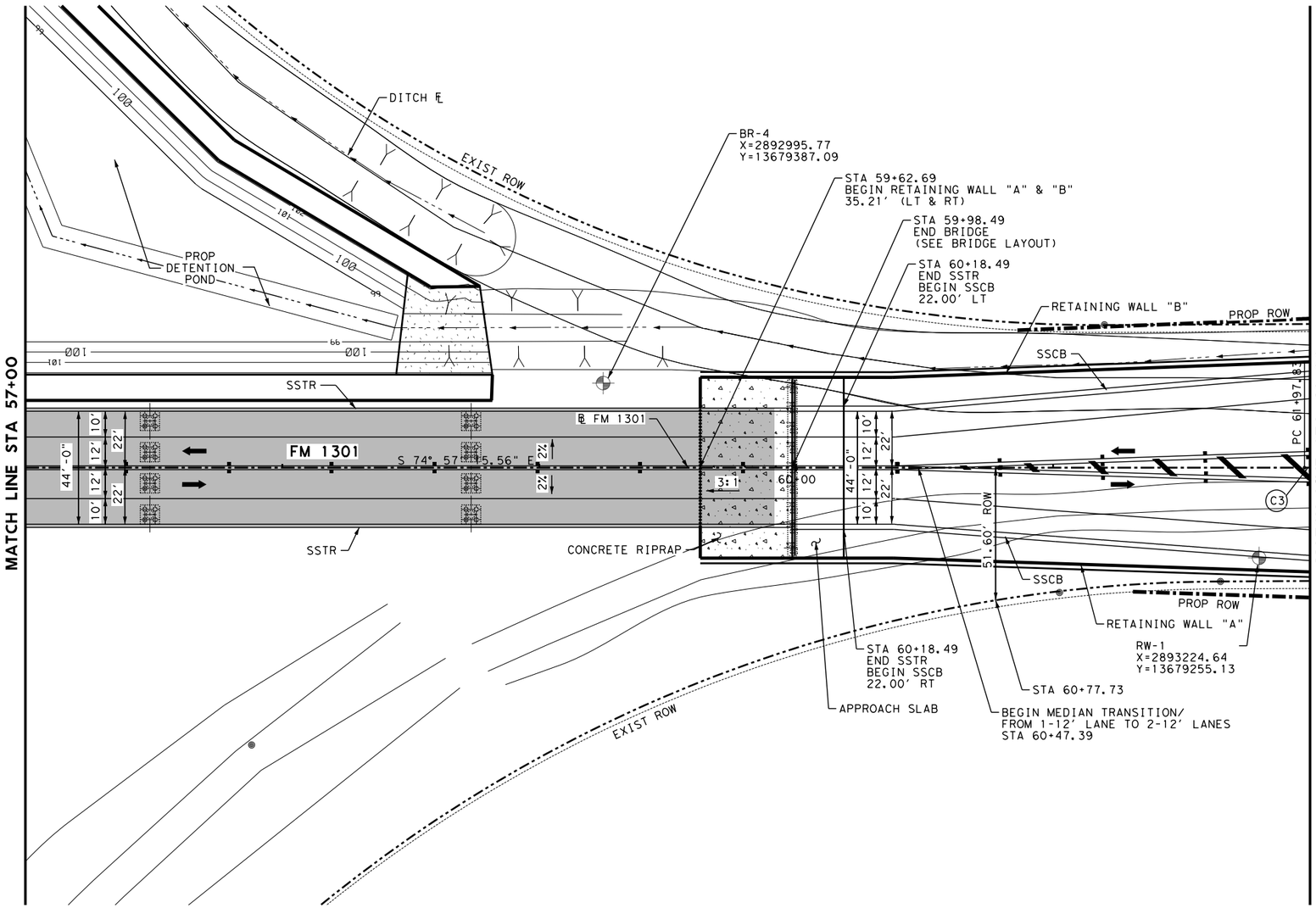
CURVE DATA

(C3)

PI STATION = 63+28.59
DELTA = 7° 28′ 54.16" (LT)
DEGREE OF CURVE = 2° 51′ 53.24"
TANGENT = 130.77
LENGTH = 261.16
RADIUS = 2,000.00
PC STATION = 61+97.83
PT STATION = 64+58.99

LEGEND

- EXISTING RIGHT OF WAY
- PROPOSED RIGHT OF WAY
- PROPOSED ROADWAY ALIGNMENT
- DIRECTION OF TRAFFIC FLOW
- CONTINUOUS LEFT TURN LANE
- OPTIONAL TURN LANE
- LEFT TURN ARROW
- PROPOSED DITCH DIRECTIONAL FLOW LINE
- EXIST FENCE
- X DRIVEWAY



25 0 25 50
HORIZ. - 1"=50′

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ROLANDO ESCAMILLA 8/4/2020
TYPE OR PRINT NAME PE # 90128 DATE

REV. NO.	DATE	DESCRIPTION	BY

IDC
Planners-Engineers-Program Managers
15915 Katy Freeway, Suite 300
Houston, Texas 77094
TBPE FIRM REGISTRATION NO. F-6825

CITY OF WHARTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

SUBMITTED:	DESIGNED BY:
SCALE:	DRAWN BY:
DATE:	
SURVEYED BY:	CITY DWG NO:
NBI NO:	

Texas Department of Transportation

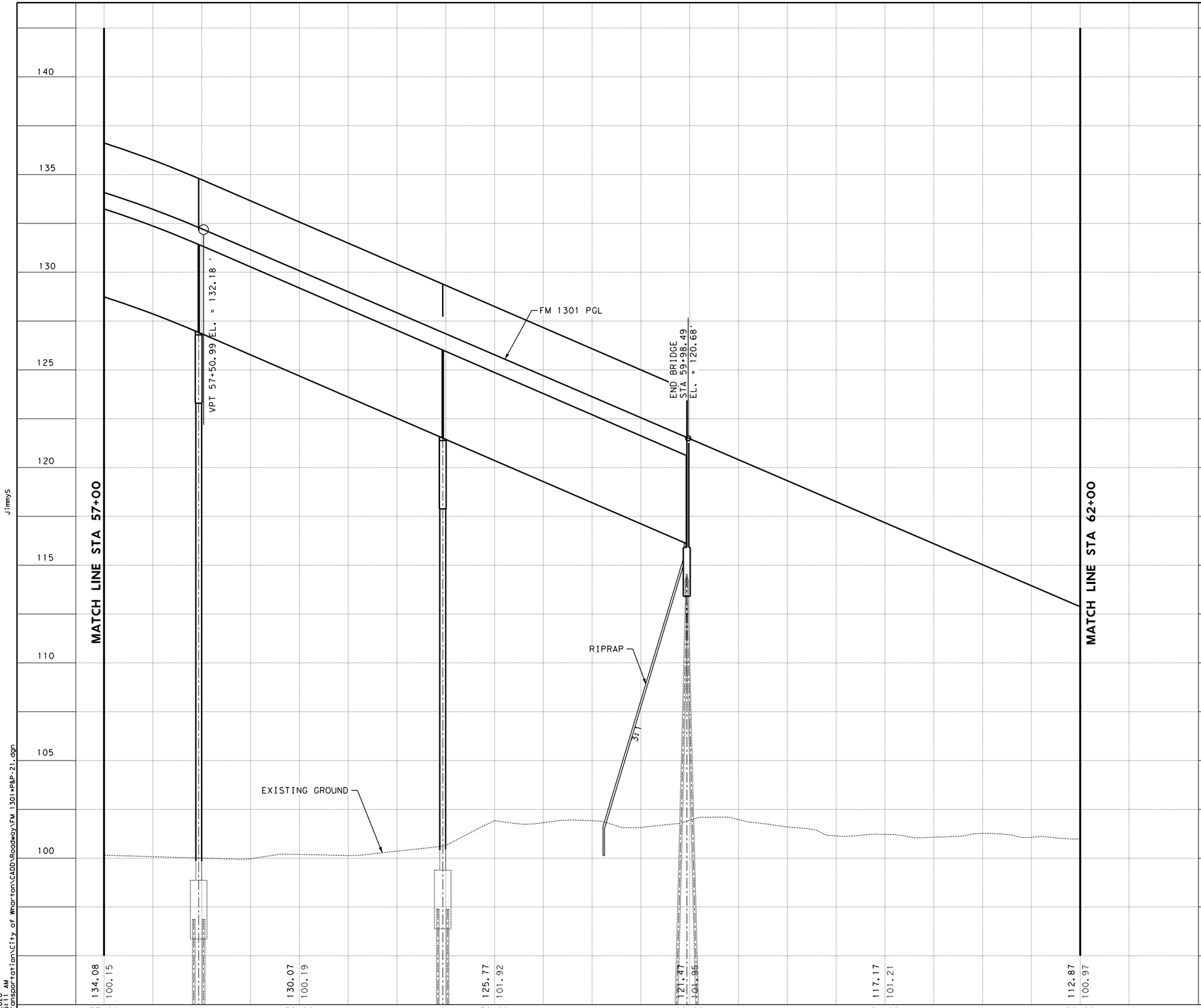
FM 1301
ROADWAY PLAN
STA 57+00.00 TO STA 62+00.00

SHEET 20 OF 23

FED. RD. DIV. NO.	PROJECT NO.	SHEET NO.
6		86

STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301

SEE SHEET 21 OF 23 FOR PROFILE



25 0 25 50

HORIZ. - 1"=50'
VERT. - 1"=5'

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ROLANDO ESCAMILLA 8/4/2020
TYPE OR PRINT NAME PE # 90128 DATE

REV. NO.	DATE	DESCRIPTION	BY

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Planners-Engineers-Program Managers
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Houston, Texas 77094
TBPE FIRM REGISTRATION NO. F-6825

CITY OF WHARTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

SUBMITTED:	DESIGNED BY:
SCALE:	DRAWN BY:
DATE:	
SURVEYED BY:	CITY DWG NO:
NBI NO:	

Texas Department of Transportation

FM 1301
ROADWAY PROFILE
STA 57+00.00 TO STA 62+00.00

SHEET 21 OF 23

FED.RD. DIV.NO.	PROJECT NO.	SHEET NO.
6		87

STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301

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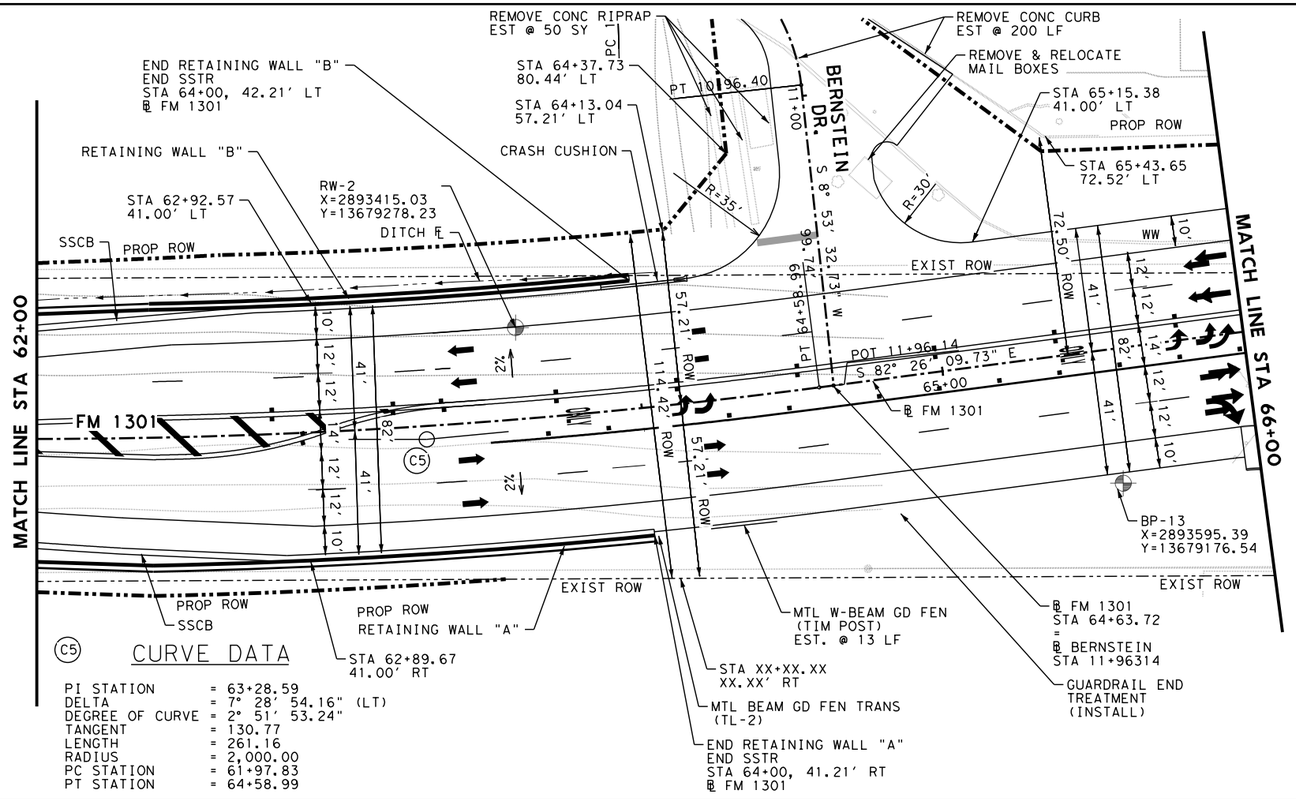
JimmyS
FM 1301 P&P-21.dgn



(C5) CURVE DATA

PI STATION	= 63+28.59
DELTA	= 7° 28' 54.16" (LT)
DEGREE OF CURVE	= 2° 51' 53.24"
TANGENT	= 130.77
LENGTH	= 261.16
RADIUS	= 2,000.00
PC STATION	= 61+97.83
PT STATION	= 64+58.99

LEGEND

- EXISTING RIGHT OF WAY
- PROPOSED RIGHT OF WAY
- PROPOSED ROADWAY ALIGNMENT
- DIRECTION OF TRAFFIC FLOW
- CONTINUOUS LEFT TURN LANE
- OPTIONAL TURN LANE
- LEFT TURN ARROW
- PROPOSED DITCH DIRECTIONAL FLOW LINE
- EXIST FENCE
- X — DRIVEWAY

NOTES
1. SEE RETAINING WALL LAYOUTS FOR DETAILS
2. SEE INTERSECTION LAYOUTS FOR MORE DETAILS

(C5) CURVE DATA

PI STATION	= 63+28.59
DELTA	= 7° 28' 54.16" (LT)
DEGREE OF CURVE	= 2° 51' 53.24"
TANGENT	= 130.77
LENGTH	= 261.16
RADIUS	= 2,000.00
PC STATION	= 61+97.83
PT STATION	= 64+58.99

25 0 25 50
HORIZ: 1"=50'
VERT: 1"=5'

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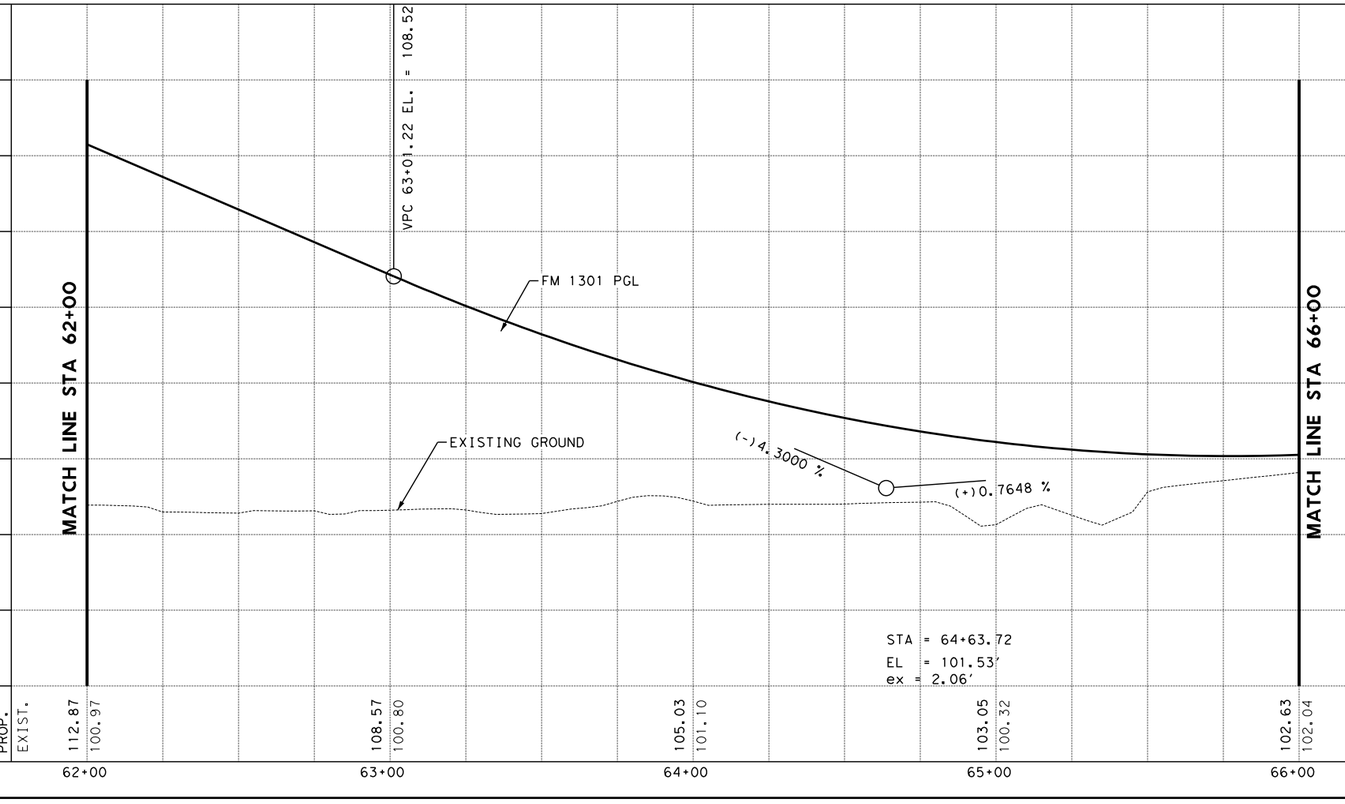
ROLANDO ESCAMILLA 8/4/2020
TYPE OR PRINT NAME PE # 90128 DATE

REV. NO.	DATE	DESCRIPTION	BY



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Planners-Engineers-Program Managers
15915 Katy Freeway, Suite 300
Houston, Texas 77094
TBPE FIRM REGISTRATION NO. F-6825

CITY OF WHARTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

SUBMITTED:	DESIGNED BY:
SCALE:	DRAWN BY:
DATE:	CITY DWG NO:
SURVEYED BY:	
NBI NO:	

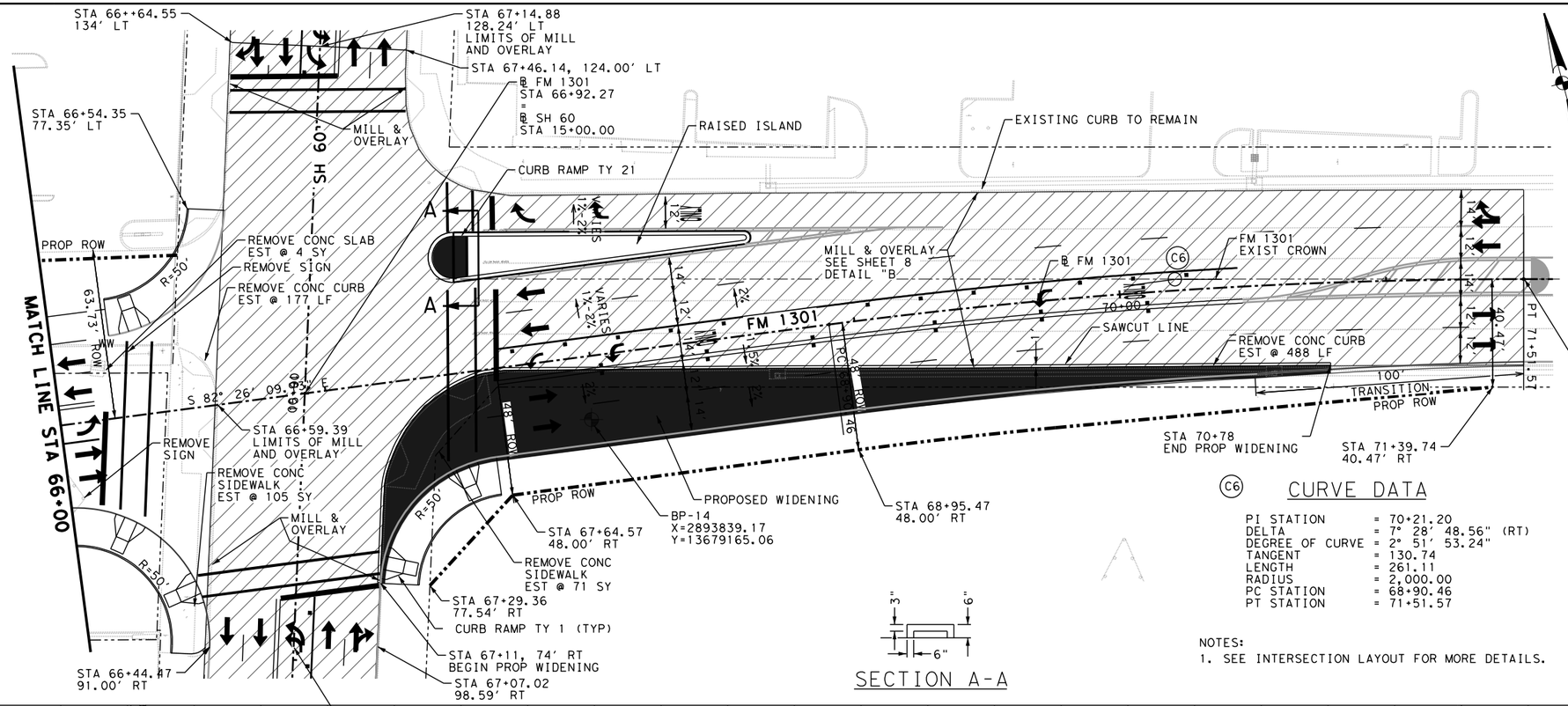
Texas Department of Transportation

FM 1301
ROADWAY PLAN AND PROFILE
STA 62+00.00 TO STA 66+00.00

SHEET 22 OF 23

FED.RD. DIV.NO.	PROJECT NO.	SHEET NO.
6		88

STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301



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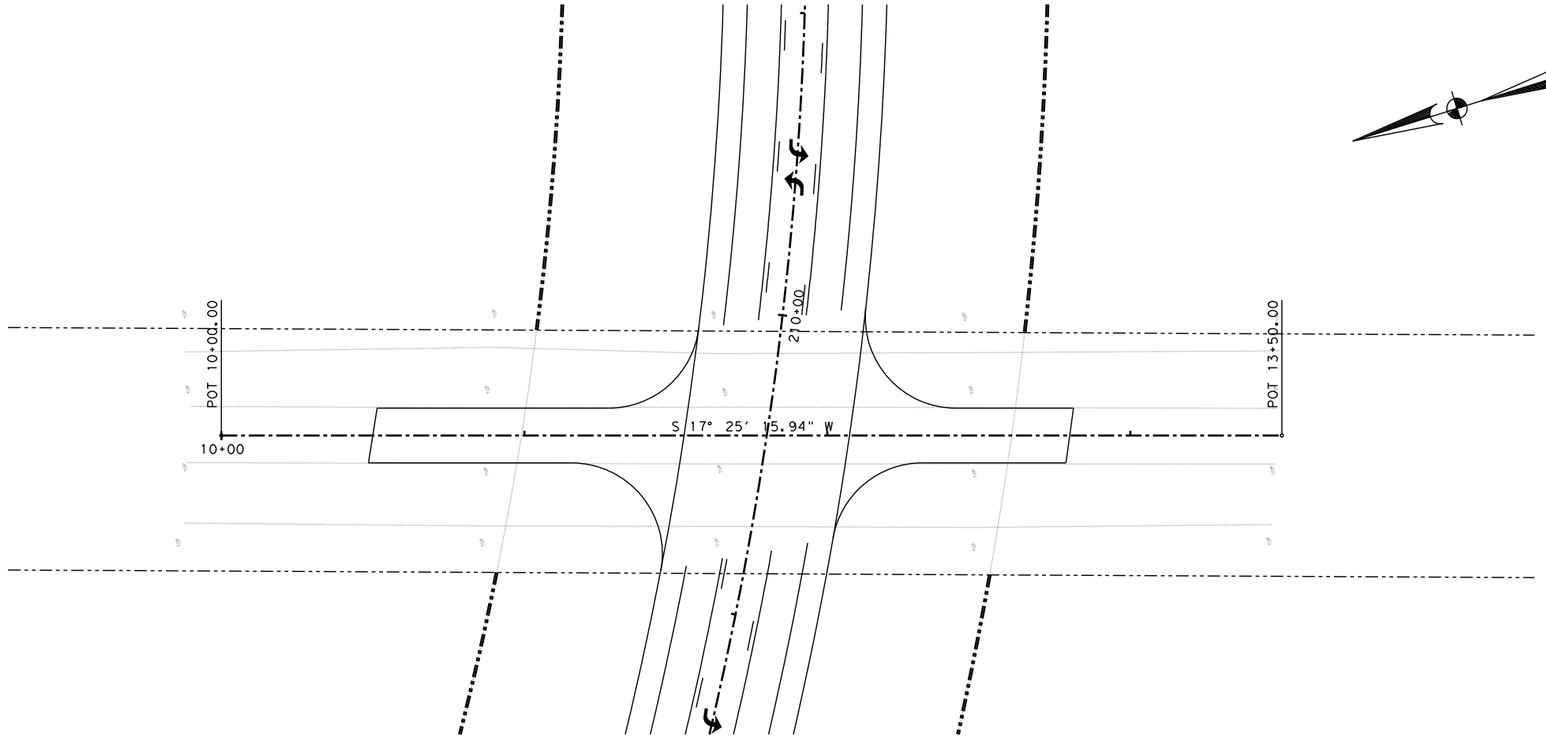
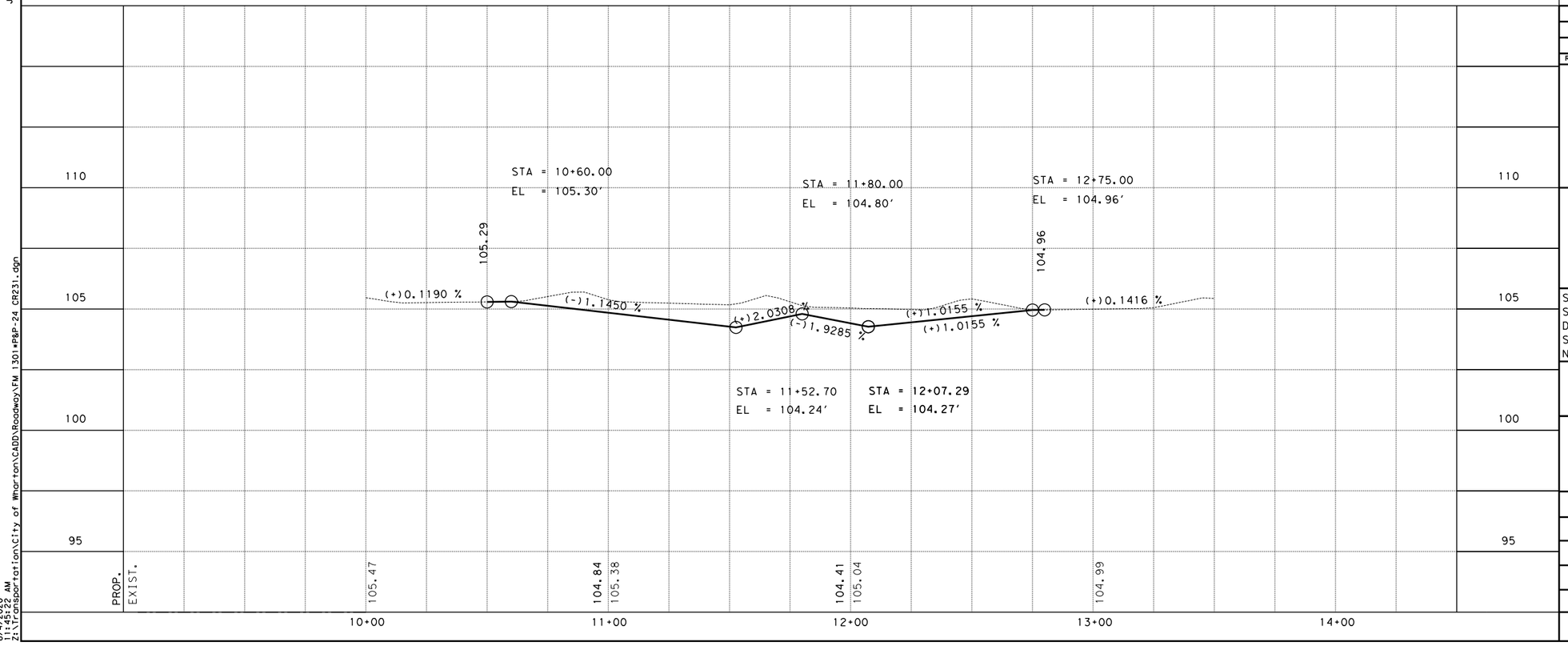
FM 1301*P&P-23.dgn



LEGEND

- EXISTING RIGHT OF WAY
- PROPOSED RIGHT OF WAY
- PROPOSED ROADWAY ALIGNMENT
- DIRECTION OF TRAFFIC FLOW
- CONTINUOUS LEFT TURN LANE
- OPTIONAL TURN LANE
- LEFT TURN ARROW
- PROPOSED DITCH DIRECTIONAL FLOW LINE
- EXIST FENCE
- X — DRIVEWAY



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OMAR ALDUCIN — 8/4/2020

TYPE OR PRINT NAME — PE #131479 — DATE

REV. NO.	DATE	DESCRIPTION	BY

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15915 Katy Freeway, Suite 300
Houston, Texas 77094
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CITY OF WHARTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

SUBMITTED:	DESIGNED BY:
SCALE:	DRAWN BY:
DATE:	CITY DWG NO:
SURVEYED BY:	
NBI NO:	

Texas Department of Transportation

FM 1301
ROADWAY PLAN AND PROFILE
CR 231

SHEET 1 OF 1

FED.RD. DIV.NO.	PROJECT NO.	SHEET NO.
6		90

STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301

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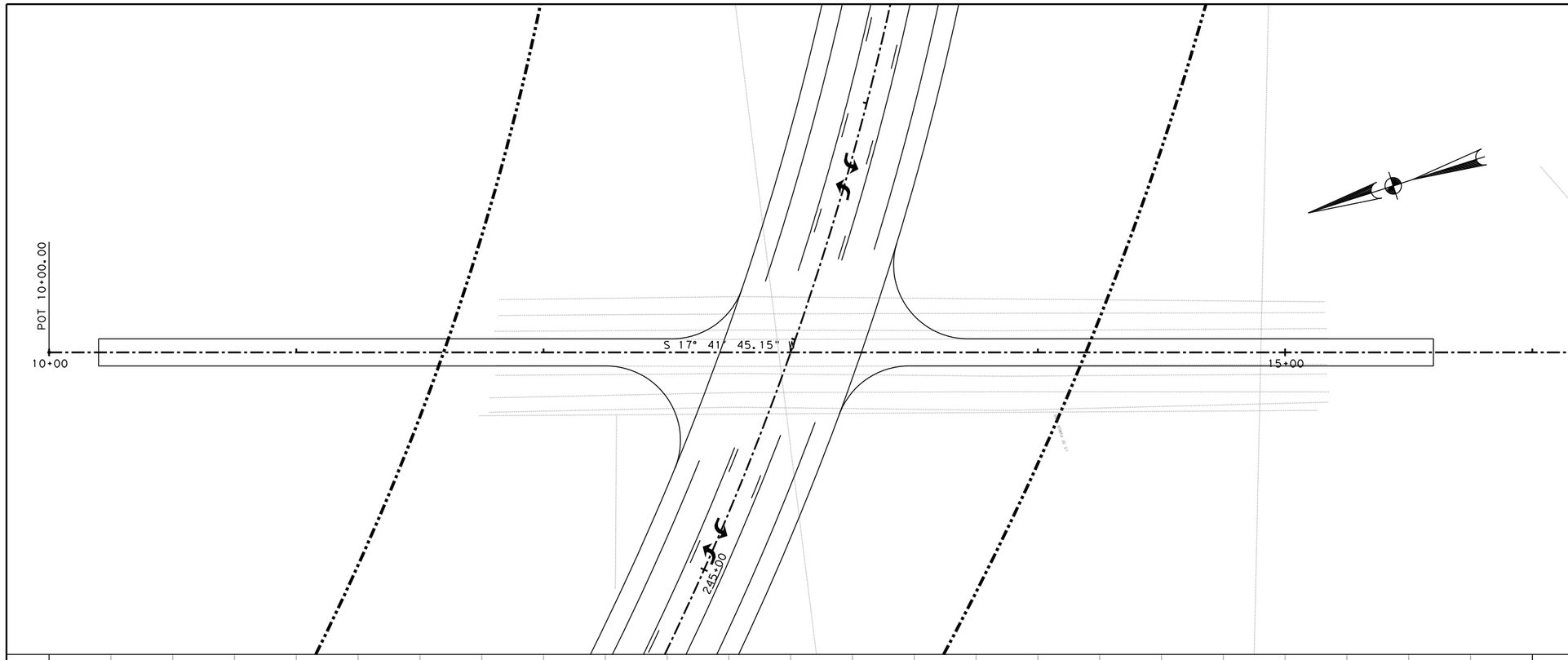
Jimmy S
FM 1301+P&P-24 CR231.dgn



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OMAR ALDUCIN — 8/4/2020
TYPE OR PRINT NAME — PE #131479 — DATE

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15915 Katy Freeway, Suite 300
Houston, Texas 77094
TBPE FIRM REGISTRATION NO. F-6825

CITY OF WHARTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

SUBMITTED:	DESIGNED BY:
SCALE:	DRAWN BY:
DATE:	
SURVEYED BY:	CITY DWG NO:
NBI NO:	

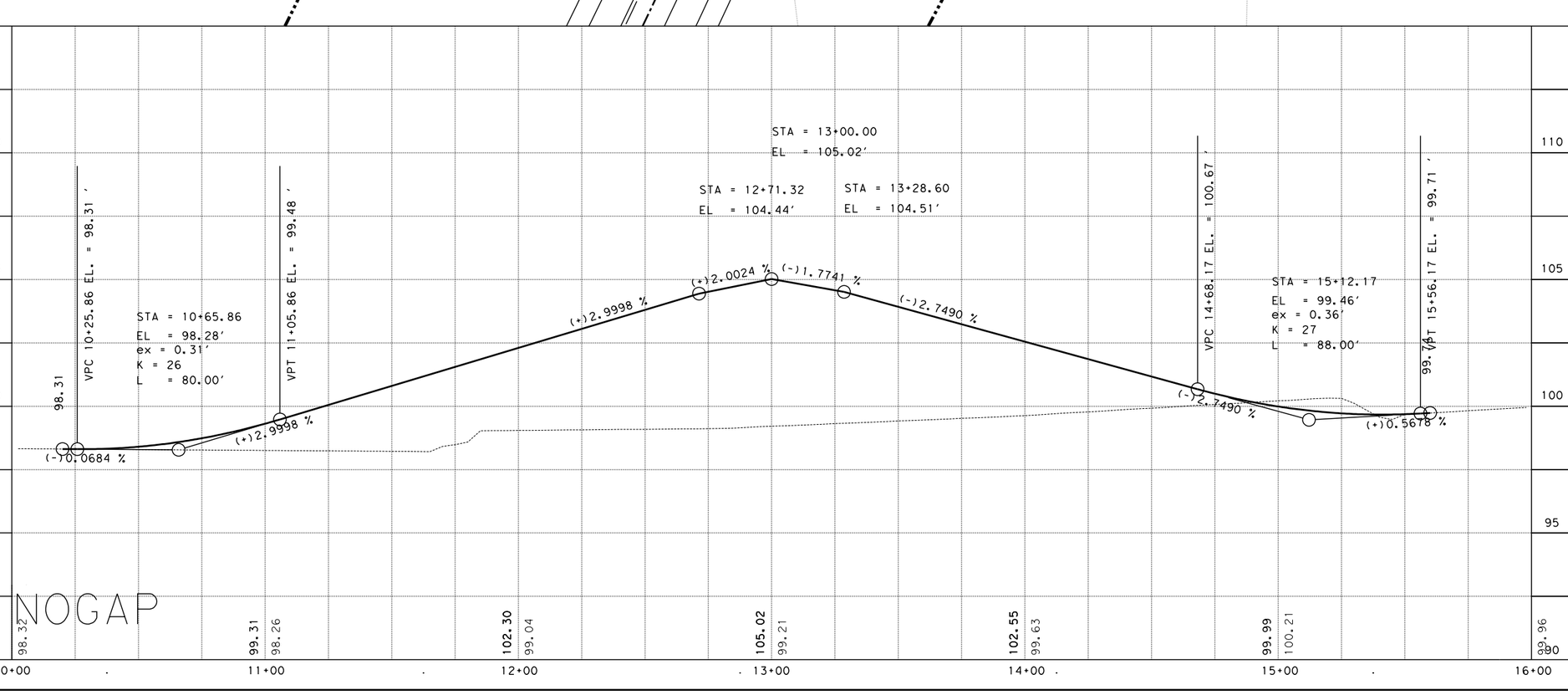
Texas Department of Transportation

FM 1301
ROADWAY PLAN AND PROFILE
HARRISON LANE

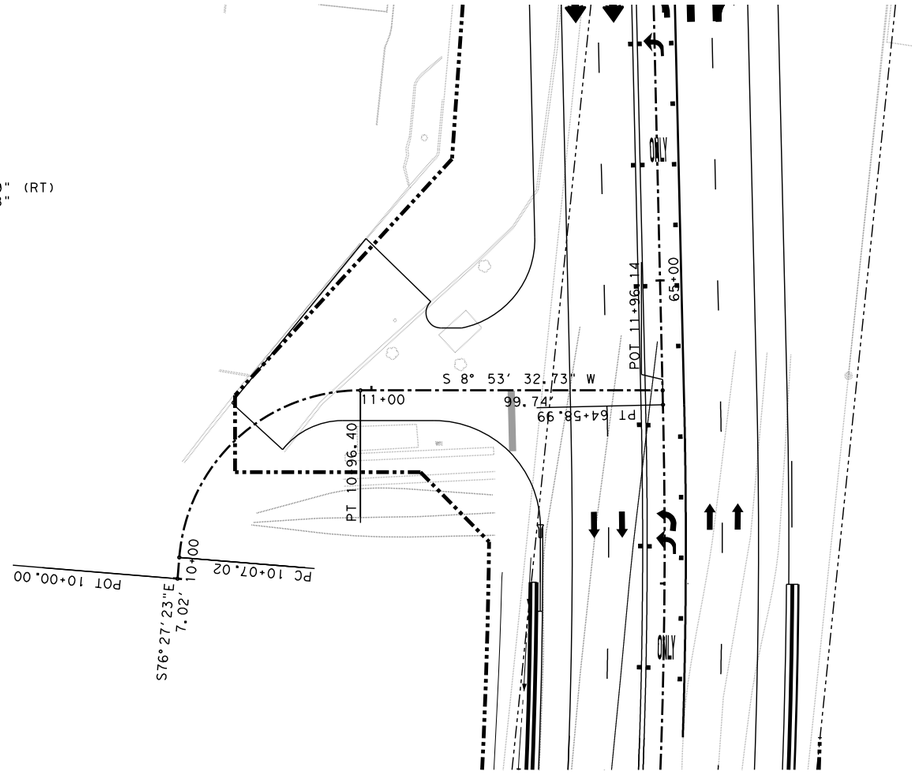
SHEET 1 OF

FED.RD. DIV.NO.	PROJECT NO.	SHEE NO.
6		91

STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO
1412	03	038	FM 1301

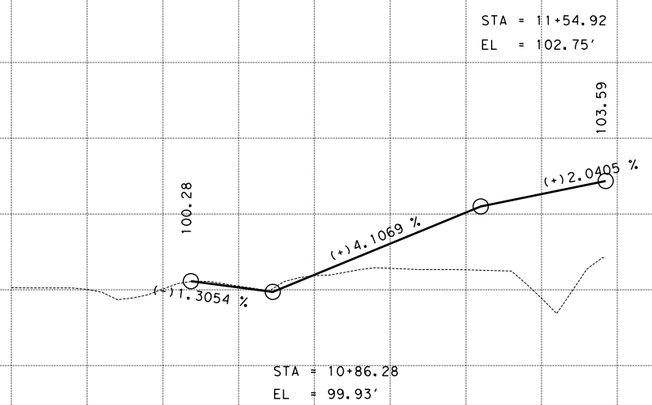


PI STATION = 10+62.34
DELTA = 85° 20' 55.99" (RT)
DEGREE OF CURVE = 95° 29' 34.68"
TANGENT = 55.32
LENGTH = 89.38
RADIUS = 60.00
PC STATION = 10+07.02
PT STATION = 10+96.40



LEGEND

- EXISTING RIGHT OF WAY
- PROPOSED RIGHT OF WAY
- PROPOSED ROADWAY ALIGNMENT
- DIRECTION OF TRAFFIC FLOW
- CONTINUOUS LEFT TURN LANE
- OPTIONAL TURN LANE
- LEFT TURN ARROW
- PROPOSED DITCH DIRECTIONAL FLOW LINE
- EXIST FENCE
- X — DRIVEWAY



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OMAR ALDUCIN 8/4/2020
TYPE OR PRINT NAME PE #131479 DATE

REV. NO.	DATE	DESCRIPTION	BY

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Planners-Engineers-Program Managers
15915 Katy Freeway, Suite 300
Houston, Texas 77094
TBPE FIRM REGISTRATION NO. F-6825

CITY OF WHARTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

SUBMITTED:	DESIGNED BY:
SCALE:	DRAWN BY:
DATE:	CITY DWG NO:
SURVEYED BY:	
NBI NO:	

Texas Department of Transportation

FM 1301
ROADWAY PLAN AND PROFILE
BERNSTEIN (PRIVATE DR.)

SHEET 1 OF 1

FED.RD. DIV.NO.	PROJECT NO.	SHEET NO.
6		92

STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301

8/4/2020 11:14:28 AM
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Jimmy S
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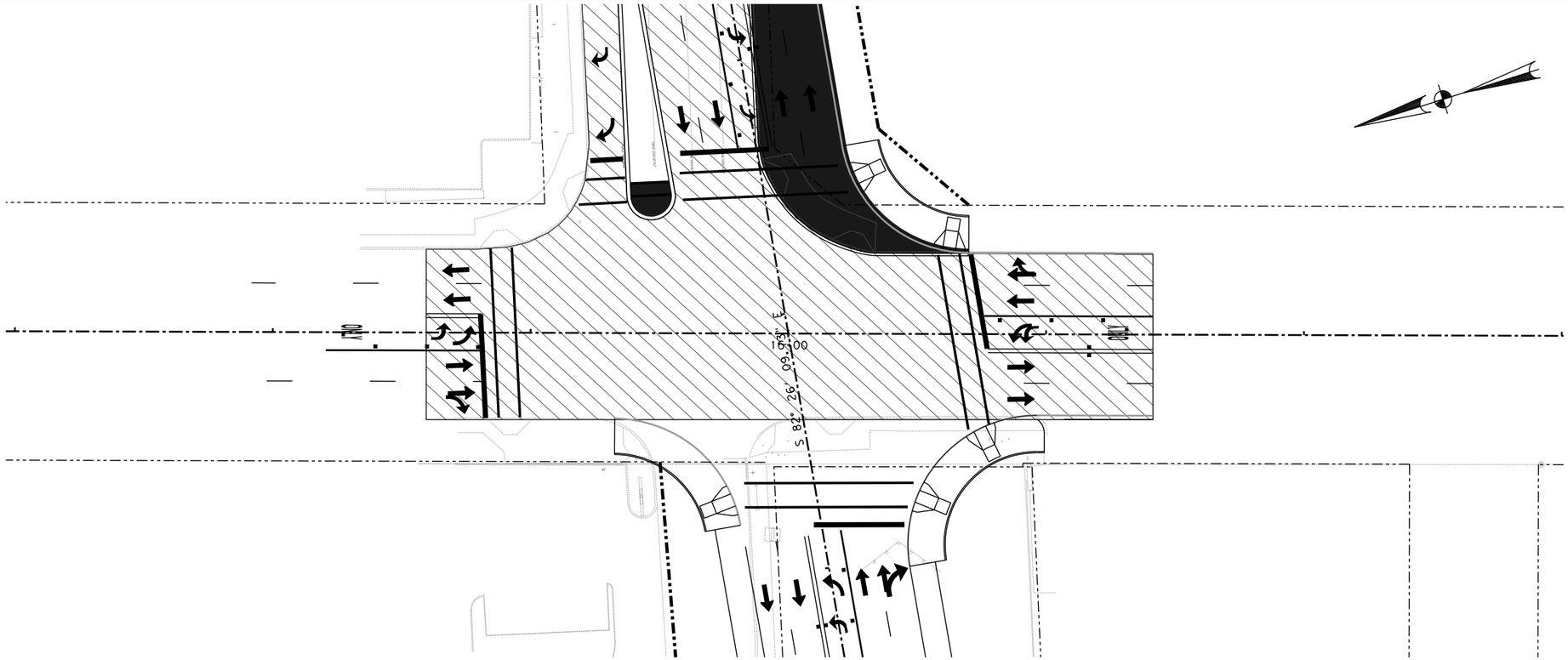

LEGEND

- EXISTING RIGHT OF WAY
- PROPOSED RIGHT OF WAY
- PROPOSED ROADWAY ALIGNMENT
- DIRECTION OF TRAFFIC FLOW
- CONTINUOUS LEFT TURN LANE
- OPTIONAL TURN LANE
- LEFT TURN ARROW
- PROPOSED DITCH DIRECTIONAL FLOW LINE
- EXIST FENCE
- X — DRIVEWAY
- PROPOSED WIDENING
- AREA TO BE MILLED AND OVERLAYED

25 0 25 50

HORIZ: 1"=50'
VERT: 1"=5'

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OMAR ALDUCIN — 8/4/2020
TYPE OR PRINT NAME — PE #131479 — DATE

REV. NO.	DATE	DESCRIPTION	BY

IDC
Planners-Engineers-Program Managers
15915 Katy Freeway, Suite 300
Houston, Texas 77094
TBPE FIRM REGISTRATION NO. F-6825

CITY OF WHARTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

SUBMITTED:	DESIGNED BY:
SCALE:	DRAWN BY:
DATE:	CITY DWG NO:
SURVEYED BY:	
NBI NO:	

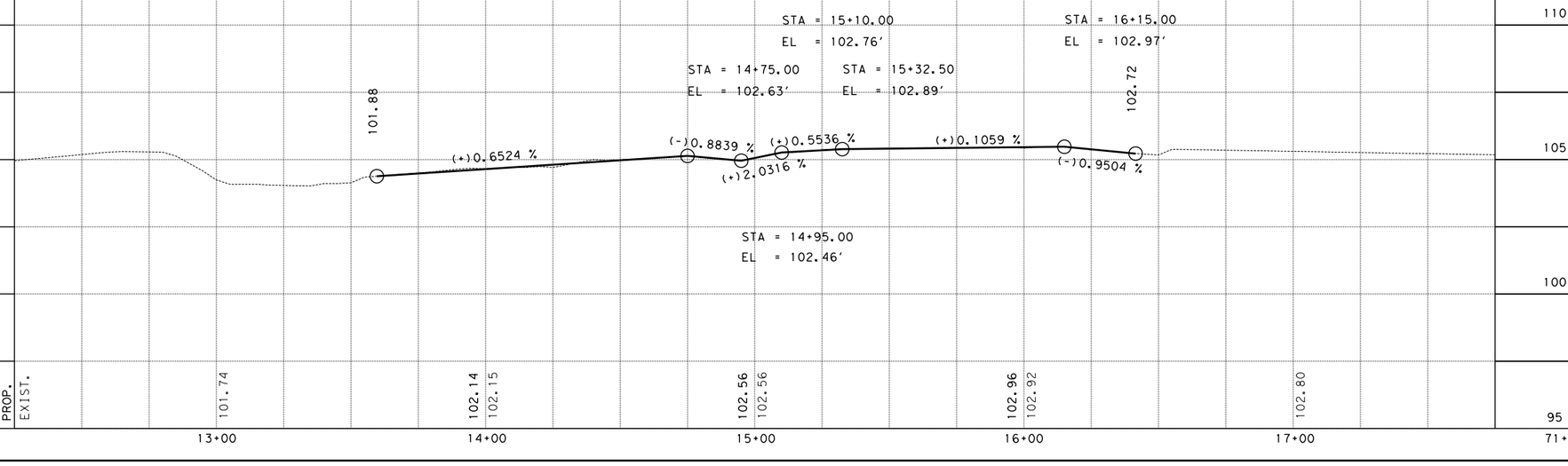
Texas Department of Transportation

FM 1301
ROADWAY PLAN AND PROFILE
SH 60

SHEET 1 OF 1

FED.RD. DIV.NO.	PROJECT NO.	SHEET NO.
6		93

STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301



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Jimmy S
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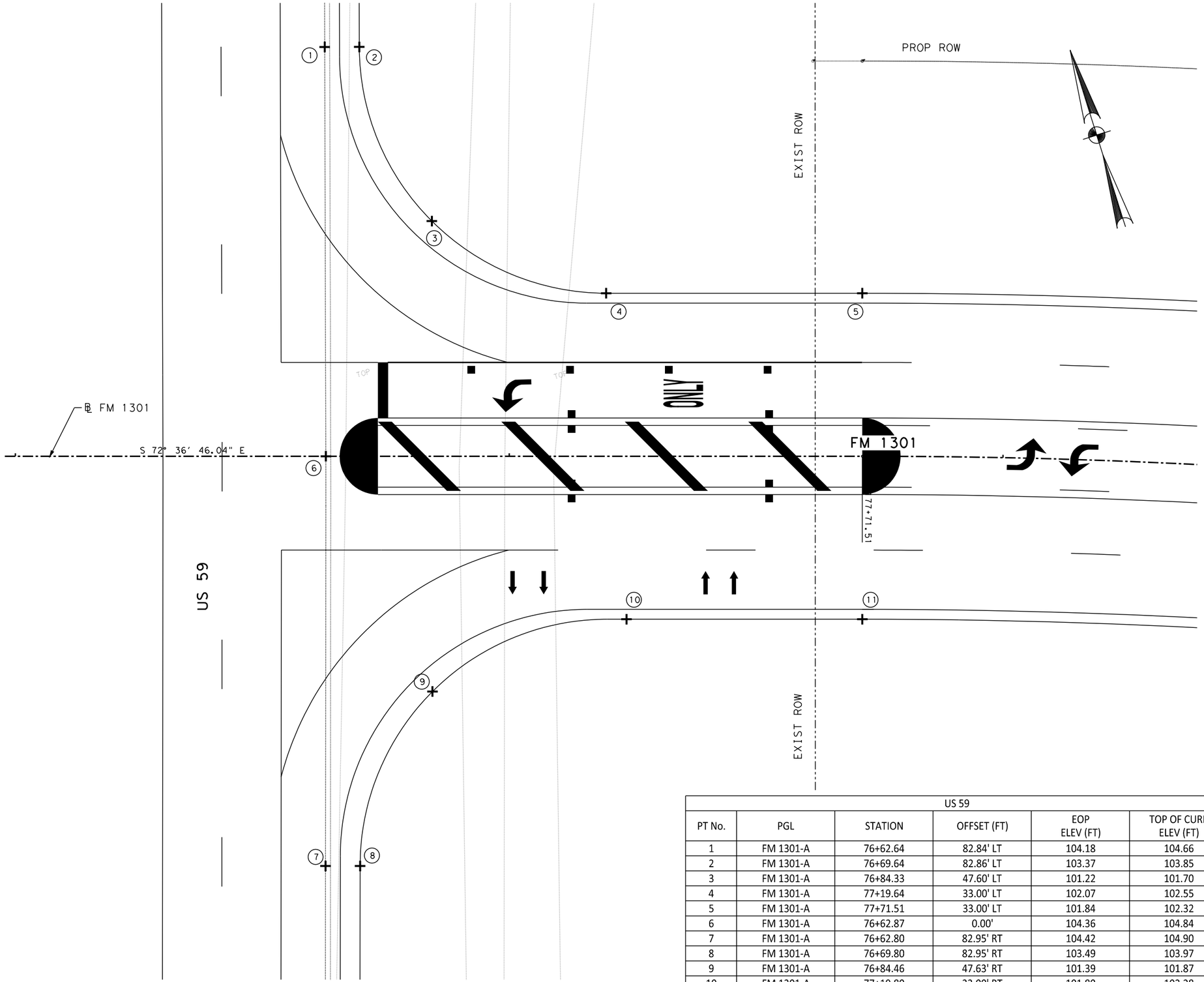

LEGEND

- EXISTING RIGHT OF WAY
- PROPOSED RIGHT OF WAY
- PROPOSED ROADWAY ALIGNMENT
- DIRECTION OF TRAFFIC FLOW
- # + POINT ELEVATION

10 5 0 10 20
HORZ & VERT SCALE

US 59					
PT No.	PGL	STATION	OFFSET (FT)	EOP ELEV (FT)	TOP OF CURB ELEV (FT)
1	FM 1301-A	76+62.64	82.84' LT	104.18	104.66
2	FM 1301-A	76+69.64	82.86' LT	103.37	103.85
3	FM 1301-A	76+84.33	47.60' LT	101.22	101.70
4	FM 1301-A	77+19.64	33.00' LT	102.07	102.55
5	FM 1301-A	77+71.51	33.00' LT	101.84	102.32
6	FM 1301-A	76+62.87	0.00'	104.36	104.84
7	FM 1301-A	76+62.80	82.95' RT	104.42	104.90
8	FM 1301-A	76+69.80	82.95' RT	103.49	103.97
9	FM 1301-A	76+84.46	47.63' RT	101.39	101.87
10	FM 1301-A	77+19.80	33.00' RT	101.80	102.28
11	FM 1301-A	77+71.51	33.00' RT	102.07	102.55

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OMAR EDMONDSHINE — 8/4/2020
TYPE OR PRINT NAME — PE # 139979 — DATE

REV. NO.	DATE	DESCRIPTION	BY

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Planners-Engineers-Program Managers
15915 Katy Freeway, Suite 300
Houston, Texas 77094
TBPE FIRM REGISTRATION NO. F-6825

CITY OF WHARTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

SUBMITTED:	DESIGNED BY:
SCALE:	DRAWN BY:
DATE:	
SURVEYED BY:	CITY DWG NO:
NBI NO:	

Texas Department of Transportation

FM 1301
INTERSECTION LAYOUT
US 59

SHEET 1 OF 1

FED. RD. DIV. NO.	PROJECT NO.	SHEET NO.
6		94

STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301

8/4/2020
11:44:56 AM
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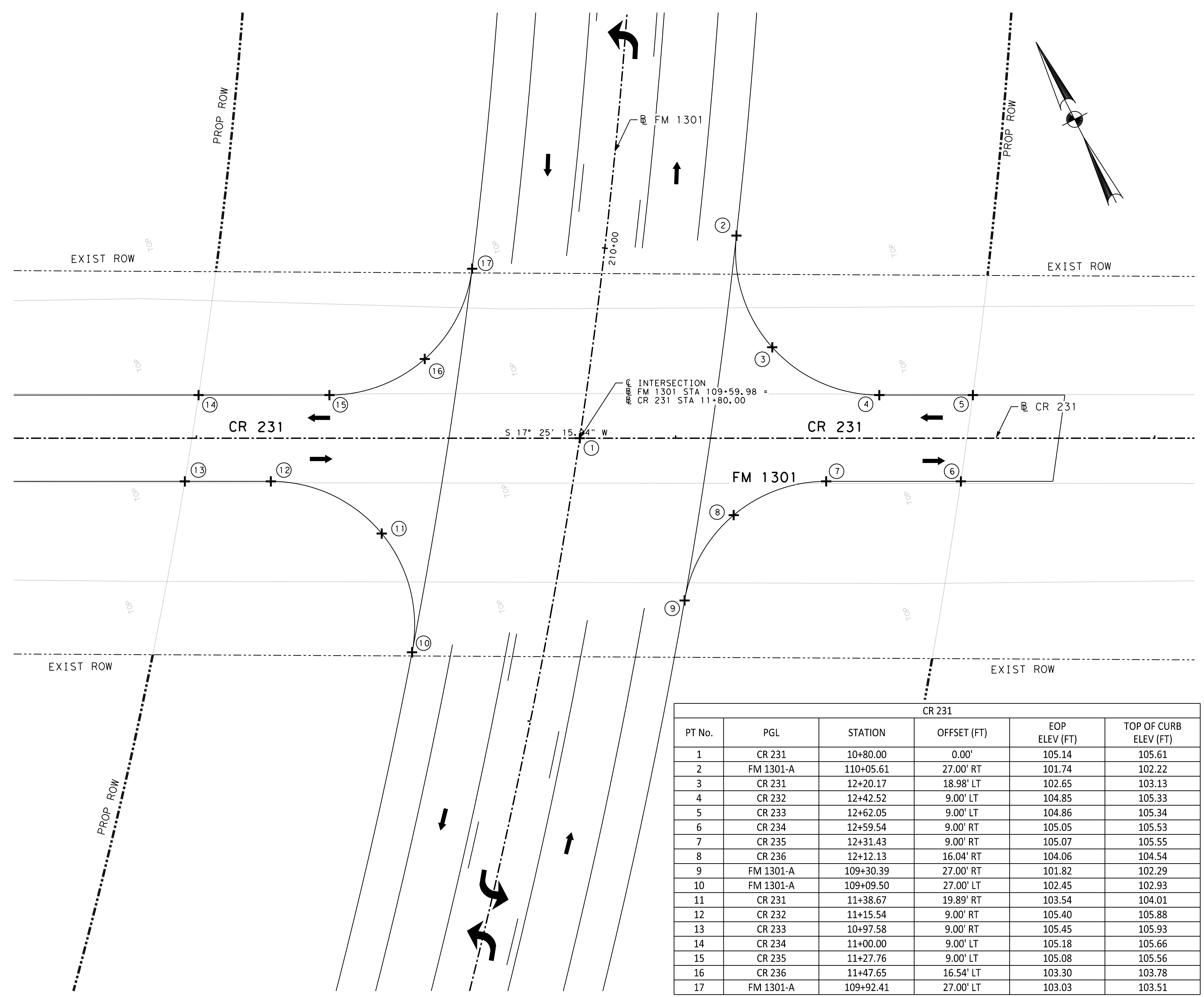
FM 1301*INTERSEC-01 US59.dgn



LEGEND

- EXISTING RIGHT OF WAY
- PROPOSED RIGHT OF WAY
- PROPOSED ROADWAY ALIGNMENT
- DIRECTION OF TRAFFIC FLOW
- POINT ELEVATION

10 5 0 10 20
HORZ & VERT SCALE

CR 231					
PT No.	PGL	STATION	OFFSET (FT)	EOP ELEV (FT)	TOP OF CURB ELEV (FT)
1	CR 231	10+80.00	0.00'	105.14	105.61
2	FM 1301-A	110+05.61	27.00' RT	101.74	102.22
3	CR 231	12+20.17	18.98' LT	102.65	103.13
4	CR 232	12+42.52	9.00' LT	104.85	105.33
5	CR 233	12+62.05	9.00' LT	104.86	105.34
6	CR 234	12+59.54	9.00' RT	105.05	105.53
7	CR 235	12+31.43	9.00' RT	105.07	105.55
8	CR 236	12+12.13	16.04' RT	104.06	104.54
9	FM 1301-A	109+30.39	27.00' RT	101.82	102.29
10	FM 1301-A	109+09.50	27.00' LT	102.45	102.93
11	CR 231	11+38.67	19.89' RT	103.54	104.01
12	CR 232	11+15.54	9.00' RT	105.40	105.88
13	CR 233	10+97.58	9.00' RT	105.45	105.93
14	CR 234	11+00.00	9.00' LT	105.18	105.66
15	CR 235	11+27.76	9.00' LT	105.08	105.56
16	CR 236	11+47.65	16.54' LT	103.30	103.78
17	FM 1301-A	109+92.41	27.00' LT	103.03	103.51

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OHARLESDMCISHINE 8/4/2020
TYPE OR PRINT NAME PE # [illegible] DATE

REV. NO.	DATE	DESCRIPTION	BY

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Planners-Engineers-Program Managers
15915 Katy Freeway, Suite 300
Houston, Texas 77094
TBPE FIRM REGISTRATION NO. F-6825

CITY OF WHARTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

SUBMITTED:
SCALE:
DATE:
SURVEYED BY:
NBI NO:
DESIGNED BY:
DRAWN BY:
CITY DWG NO:

Texas Department of Transportation

FM 1301
INTERSECTION LAYOUT
CR 231

SHEET 1 OF 1

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			95
STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301

FM 1301_INTERSEC-02 CR231.dgn

8/4/2020
11:45:19 AM
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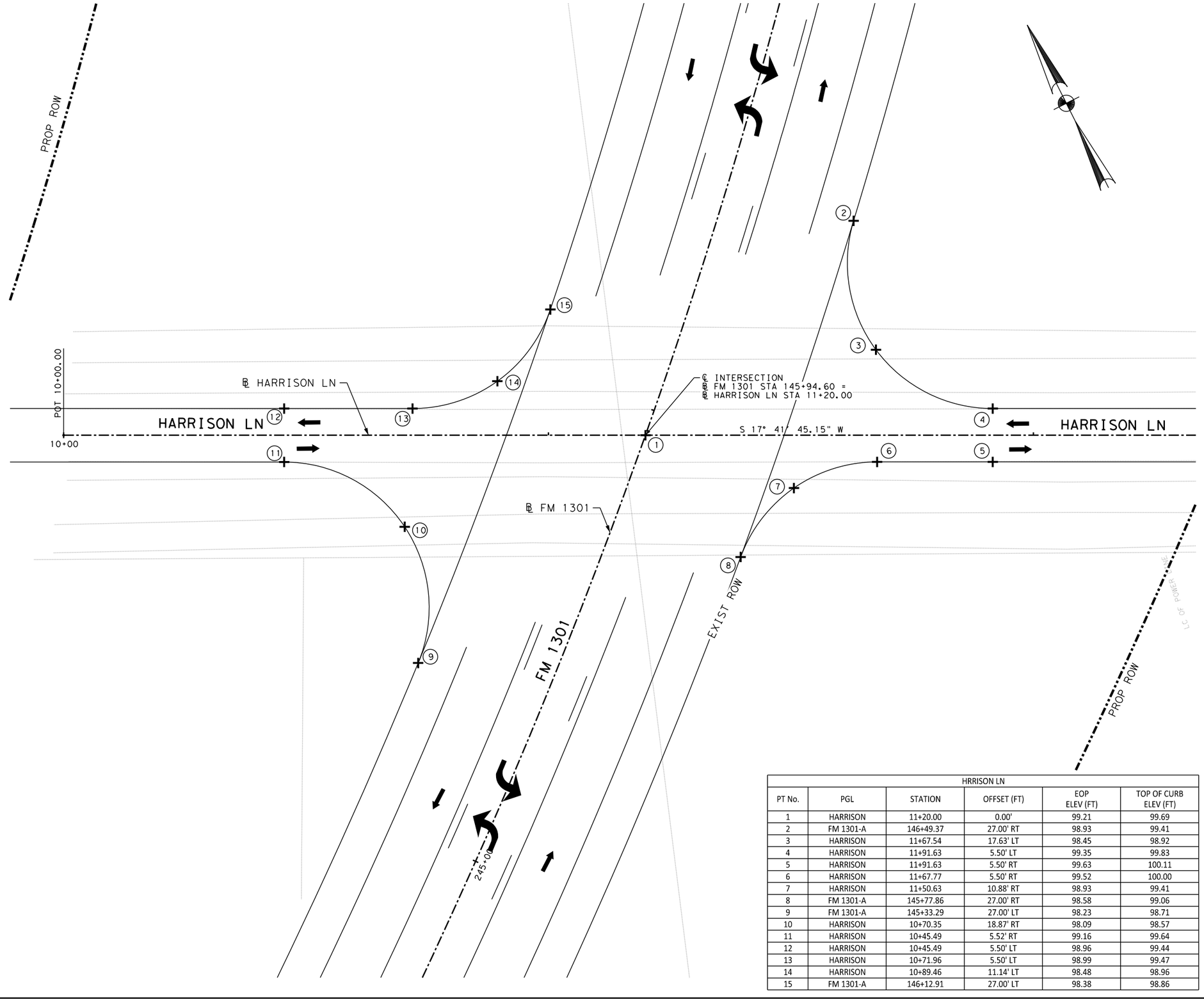
JimmyS



LEGEND

- EXISTING RIGHT OF WAY
- PROPOSED RIGHT OF WAY
- PROPOSED ROADWAY ALIGNMENT
- DIRECTION OF TRAFFIC FLOW
- (#) + POINT ELEVATION

10 5 0 10 20
HORZ & VERT SCALE

HRRISON LN					
PT No.	PGL	STATION	OFFSET (FT)	EOP ELEV (FT)	TOP OF CURB ELEV (FT)
1	HARRISON	11+20.00	0.00'	99.21	99.69
2	FM 1301-A	146+49.37	27.00' RT	98.93	99.41
3	HARRISON	11+67.54	17.63' LT	98.45	98.92
4	HARRISON	11+91.63	5.50' LT	99.35	99.83
5	HARRISON	11+91.63	5.50' RT	99.63	100.11
6	HARRISON	11+67.77	5.50' RT	99.52	100.00
7	HARRISON	11+50.63	10.88' RT	98.93	99.41
8	FM 1301-A	145+77.86	27.00' RT	98.58	99.06
9	FM 1301-A	145+33.29	27.00' LT	98.23	98.71
10	HARRISON	10+70.35	18.87' RT	98.09	98.57
11	HARRISON	10+45.49	5.52' RT	99.16	99.64
12	HARRISON	10+45.49	5.50' LT	98.96	99.44
13	HARRISON	10+71.96	5.50' LT	98.99	99.47
14	HARRISON	10+89.46	11.14' LT	98.48	98.96
15	FM 1301-A	146+12.91	27.00' LT	98.38	98.86

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OMARLESDMCINSHINE 8/4/2020
TYPE OR PRINT NAME PE # 139979 DATE

REV. NO.	DATE	DESCRIPTION	BY

IDC
Planners-Engineers-Program Managers
15915 Katy Freeway, Suite 300
Houston, Texas 77094
TBPE FIRM REGISTRATION NO. F-6825

CITY OF WHARTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

SUBMITTED:	DESIGNED BY:
SCALE:	DRAWN BY:
DATE:	
SURVEYED BY:	CITY DWG NO:
NBI NO:	

Texas Department of Transportation

FM 1301
INTERSECTION LAYOUT
HARRISON LANE

SHEET 1 OF 1

FED. RD. DIV. NO.	PROJECT NO.	SHEET NO.
6		96

STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301

8/4/2020 11:45:53 AM
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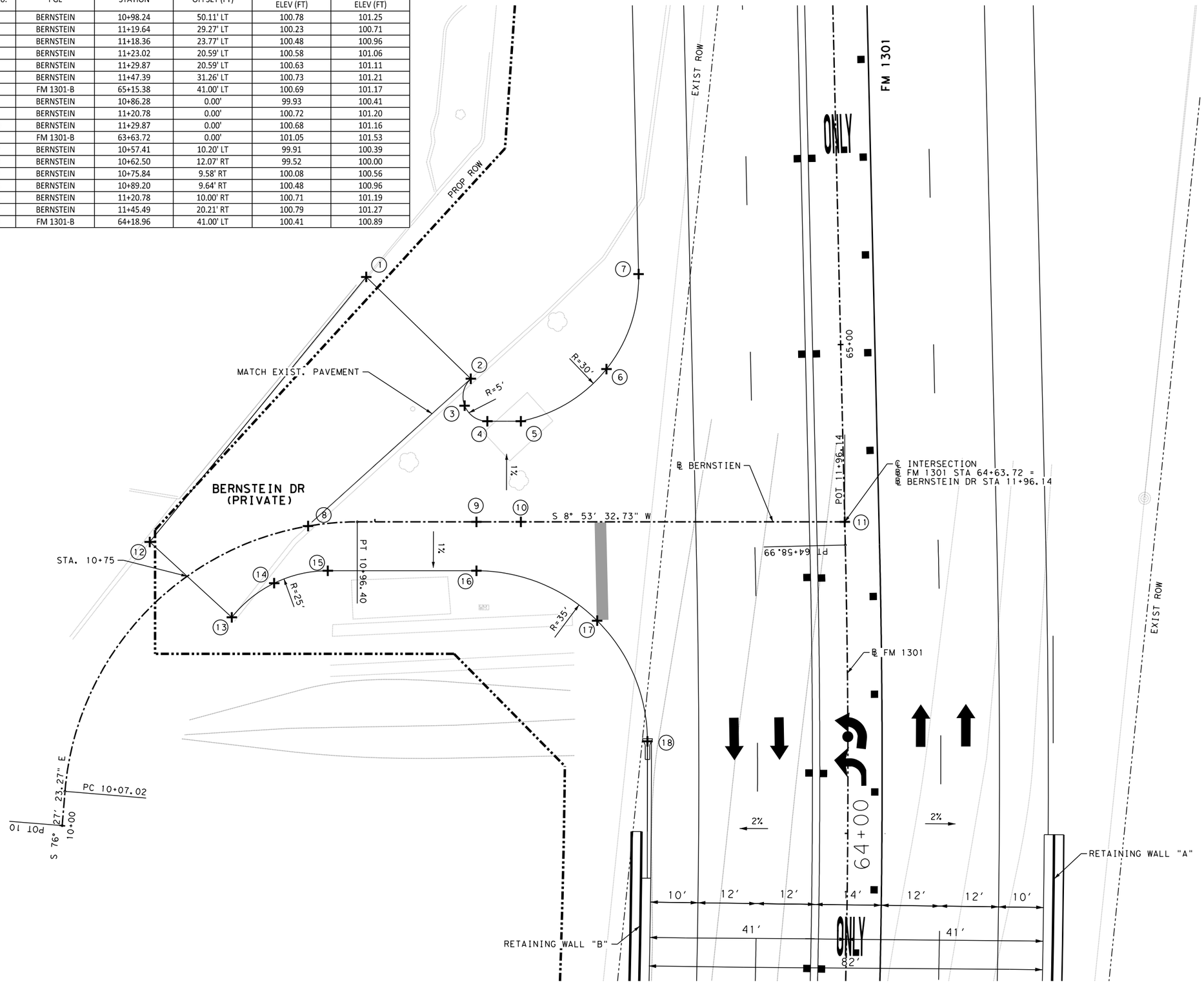
Jimmy S
FM 1301*INTERSEC-03 HARRISON.dgn

BRENSTEIN					
PT No.	PGL	STATION	OFFSET (FT)	EOP ELEV (FT)	TOP OF CURB ELEV (FT)
1	BERNSTEIN	10+98.24	50.11' LT	100.78	101.25
2	BERNSTEIN	11+19.64	29.27' LT	100.23	100.71
3	BERNSTEIN	11+18.36	23.77' LT	100.48	100.96
4	BERNSTEIN	11+23.02	20.59' LT	100.58	101.06
5	BERNSTEIN	11+29.87	20.59' LT	100.63	101.11
6	BERNSTEIN	11+47.39	31.26' LT	100.73	101.21
7	FM 1301-B	65+15.38	41.00' LT	100.69	101.17
8	BERNSTEIN	10+86.28	0.00'	99.93	100.41
9	BERNSTEIN	11+20.78	0.00'	100.72	101.20
10	BERNSTEIN	11+29.87	0.00'	100.68	101.16
11	FM 1301-B	63+63.72	0.00'	101.05	101.53
12	BERNSTEIN	10+57.41	10.20' LT	99.91	100.39
13	BERNSTEIN	10+62.50	12.07' RT	99.52	100.00
14	BERNSTEIN	10+75.84	9.58' RT	100.08	100.56
15	BERNSTEIN	10+89.20	9.64' RT	100.48	100.96
16	BERNSTEIN	11+20.78	10.00' RT	100.71	101.19
17	BERNSTEIN	11+45.49	20.21' RT	100.79	101.27
18	FM 1301-B	64+18.96	41.00' LT	100.41	100.89



LEGEND

- EXISTING RIGHT OF WAY
- PROPOSED RIGHT OF WAY
- PROPOSED ROADWAY ALIGNMENT
- DIRECTION OF TRAFFIC FLOW
- (#) + POINT ELEVATION

10 5 0 10 20
HORZ & VERT SCALE

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OMAR E. MACHINE 8/4/2020
TYPE OR PRINT NAME PE # 139999 DATE

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Planners-Engineers-Program Managers
15915 Katy Freeway, Suite 300
Houston, Texas 77094
TBPE FIRM REGISTRATION NO. F-6825

CITY OF WHARTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

SUBMITTED:	DESIGNED BY:
SCALE:	DRAWN BY:
DATE:	
SURVEYED BY:	CITY DWG NO:
NBI NO:	

Texas Department of Transportation

FM 1301
INTERSECTION LAYOUT
BERNSTEIN (PRIVATE DR.)

SHEET 1 OF 1

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			97
STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301

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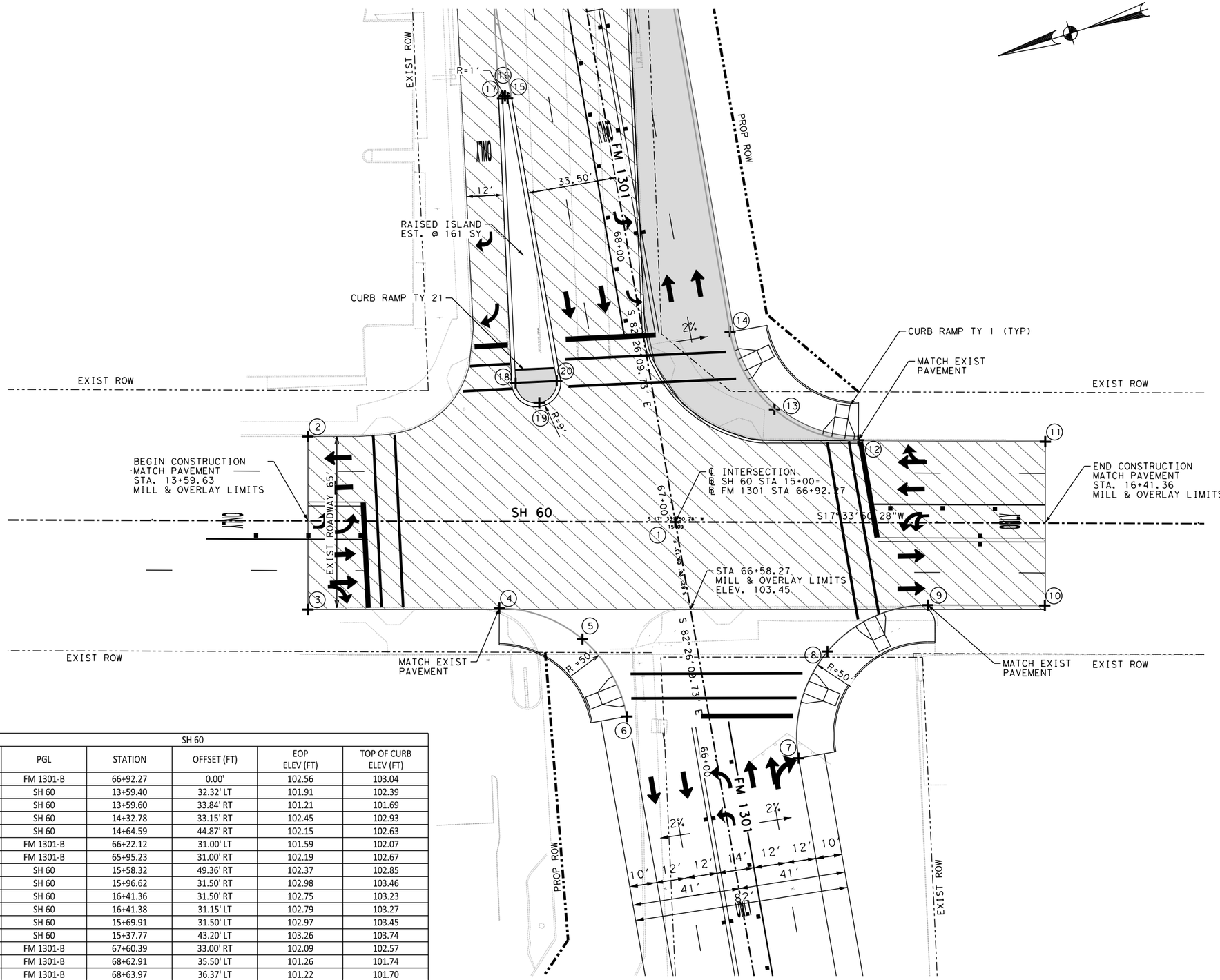
JimmyS

FM 1301*INTERSEC-04 BERNSTEIN.dgn



LEGEND

- EXISTING RIGHT OF WAY
- PROPOSED RIGHT OF WAY
- PROPOSED ROADWAY ALIGNMENT
- DIRECTION OF TRAFFIC FLOW
- POINT ELEVATION
- PROPOSED WIDENING
- AREA TO BE MILLED AND OVERLAYED

0 20 40

SCALE: 1"= 40'

SH 60					
PT No.	PGL	STATION	OFFSET (FT)	EOP ELEV (FT)	TOP OF CURB ELEV (FT)
1	FM 1301-B	66+92.27	0.00'	102.56	103.04
2	SH 60	13+59.40	32.32' LT	101.91	102.39
3	SH 60	13+59.60	33.84' RT	101.21	101.69
4	SH 60	14+32.78	33.15' RT	102.45	102.93
5	SH 60	14+64.59	44.87' RT	102.15	102.63
6	FM 1301-B	66+22.12	31.00' LT	101.59	102.07
7	FM 1301-B	65+95.23	31.00' RT	102.19	102.67
8	SH 60	15+58.32	49.36' RT	102.37	102.85
9	SH 60	15+96.62	31.50' RT	102.98	103.46
10	SH 60	16+41.36	31.50' RT	102.75	103.23
11	SH 60	16+41.38	31.15' LT	102.79	103.27
12	SH 60	15+69.91	31.50' LT	102.97	103.45
13	SH 60	15+37.77	43.20' LT	103.26	103.74
14	FM 1301-B	67+60.39	33.00' RT	102.09	102.57
15	FM 1301-B	68+62.91	35.50' LT	101.26	101.74
16	FM 1301-B	68+63.97	36.37' LT	101.22	101.70
17	FM 1301-B	68+63.16	37.48' LT	101.19	101.67
18	FM 1301-B	67+55.14	51.11' LT	102.29	102.77
19	FM 1301-B	67+46.12	43.50' LT	102.52	103.00
20	FM 1301-B	67+53.27	35.45' LT	102.65	103.13

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OMAR E. MACHINE 8/4/2020

TYPE OR PRINT NAME PE # 139999 DATE

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Houston, Texas 77094
TBPE FIRM REGISTRATION NO. F-6825

CITY OF WHARTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

SUBMITTED:	DESIGNED BY:
SCALE:	DRAWN BY:
DATE:	
SURVEYED BY:	CITY DWG NO:
NBI NO:	

Texas Department of Transportation

FM 1301
INTERSECTION LAYOUT
SH 60

SHEET 1 OF 1

FED. RD. DIV. NO.	PROJECT NO.	SHEET NO.
6		98

STATE	DIST.	COUNTY	
TEXAS	YKM	WHARTON	
CONT.	SECT.	JOB	HIGHWAY NO.
1412	03	038	FM 1301

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FM 1301•INTERSEC-05 SH60.dgn

Appendix D

Summary of Hazardous Materials Database Search

THE ENVIRONMENTAL
DATASOURCE FOR RISK
ASSESSMENT PROFESSIONALS

telephone: (800) ESA-DATA

website: http://www.esadata.com

ESADATA PROFESSIONAL MAP AND DATA REPORT

Site Name: Corridor Search
Site Location: FM 1301
Wharton, TX 77488

Report Date: 7/10/2012 2:10:36 AM
Project Number: 1001

STATISTICAL PROFILE REPORT

Report Run Date: 7/10/2012 2:10:36 AM

SUBJECT PROPERTY INFORMATION		CLIENT INFORMATION	
Corridor Search		SMC	
FM 1301			
Wharton, TX 77488			
Lattitude:	29.334711	**Topo Quad(s):**	|Wharton|
Longitude:	-96.113717		
Search Type:	ASTM		

DATABASE	RADIUS	RADIUS <= 0.25	RADIUS > 0.25 AND <= 0.50	RADIUS > 0.50 TO 1 MILE	TOTAL
AULF	0.0	0	0	0	0
AULS	0.0	0	0	0	0
BRFD	0.5	0	0	0	0
CERC	0.5	0	0	0	0
CERC-DELISTED	0.5	0	0	0	0
CERC-NFRAP	0.5	0	0	0	0
CERC-NPL	1.0	0	0	0	0
CLI	0.5	0	0	2	2
DRYC	0.50	0	0	0	0
ERNS	0.25	1	0	0	1
FRS	0.5	16	0	0	16
IHW	0.50	3	4	0	7
IOP	0.50	0	0	0	0
LPSA	0.50	1	0	0	1
LPSC	0.50	4	5	0	9
MSW	0.50	0	0	1	1
PST	0.25	14	0	0	14
RCRA	0.25	4	7	0	11
SPIL	0.25	0	0	0	0
STSF	1.0	0	0	0	0
TRI	0.25	0	0	0	0
VCP	0.50	0	0	0	0
Mapped Facilities		43	16	3	62

Disclaimer:

Hazard Summary Report

Report Run Date: 7/10/2012 2:10:36 AM

MAP ID	Site Location	Site Information
1	CLOSED FLINTEX FACILITY 5228 HWY 59 & HWY 60 WHARTON, TX, 77488	Hazard Type: LPSC Distance/Direction: Subject Property
2	ALAMO CONCRETE-WHARTON 5114 HIGHWAY 59 LOOP WHARTON, TX, 77488	Hazard Type: PST Distance/Direction: Subject Property
3	GEORGES EXXON RENTAL UNIT 5228 HWY 59 & HWY 60 WHARTON, TX, 77488	Hazard Type: PST Distance/Direction: Subject Property
4	BUCEKS AUTO PARTS 5618 N HWY 59 WHARTON, TX, 77488	Hazard Type: PST Distance/Direction: Subject Property
5	JM MANUFACTURING COMPANY HIGHWAY 59 AT FM 102 WHARTON, TX, 77488	Hazard Type: FRS Distance/Direction: Subject Property
5	FORGASON DEEP UNIT 1 FROM FM 102 & US 59 W ON FM 102 7.25 MI LEFT ON UN WHARTON, TX, 77488	Hazard Type: FRS Distance/Direction: Subject Property
5	FORGASON DEEP UNIT 2 FROM FM 102 & US59 IN WHARTON TRAVEL W ON FM 102 6 WHARTON, TX, 77488	Hazard Type: FRS Distance/Direction: Subject Property
5	TXDOT WHARTON 1512 FM 102 RD WHARTON, TX, 774888713	Hazard Type: FRS Distance/Direction: Subject Property
5	TXDOT MAINT FACILITY 1512 FM 102 WHARTON, TX, 77488	Hazard Type: LPSC Distance/Direction: Subject Property
5	TXDOT WHARTON 1512 FM 102 WHARTON, TX, 77488	Hazard Type: PST Distance/Direction: Subject Property
6	FORMER SERVICE STATION 1702 N RICHMOND RD WHARTON, TX, 77488	Hazard Type: LPSC Distance/Direction: Subject Property
6	JAMES T LANE 1702 N RICHMOND RD WHARTON, TX, 77488	Hazard Type: PST Distance/Direction: Subject Property

MAP ID	Site Location	Site Information
7	OREILLY AUTO PARTS 417 202 W BOLING HWY WHARTON, TX, 774883122	Hazard Type: FRS Distance/Direction: 31 ft. S
8	WHARTON VETERINARY CLINIC 1717 N RICHMOND RD WHARTON, TX, 77488	Hazard Type: PST Distance/Direction: 136 ft. N
9	GULF COAST MEDICAL CENTER 1400 HWY 59 LOOP N WHARTON, TX, 774887807	Hazard Type: FRS Distance/Direction: 217 ft. SE
10	BESTOP FOOD MARKET 106 W BOLING HWY WHARTON, TX, 77488	Hazard Type: PST Distance/Direction: 262 ft. SE
11	BEST STOP FOOD MARKET 106 W BOLING HWY WHARTON, TX, 774883120	Hazard Type: FRS Distance/Direction: 442 ft. SE
12	REPORTED 20 GALLONS DISCHARGE OF MINERAL OIL FROM A POLE MOUNTED TRANSFORMER. 3 GALLONS OF PRODUCT ENTERED A STORM SEWER WHICH DISCHARGES TO THE COLOR	Hazard Type: ERNS Distance/Direction: 496 ft. SW
13	CITY OF WHARTON INDUSTRIAL PARK PUMP STATION AND FORCE MAIN ON US 59 AT CR 231 WHARTON, TX, 77488	Hazard Type: FRS Distance/Direction: 579 ft. NW
14	Wharton Pipeline Headquarters 627 Sunset Drive Wharton, TX, 77488	Hazard Type: IHW Distance/Direction: 600 ft. SW
14	TEXAS EASTERN TRANSMISSION LP 627 SUNSET DRIVE WHARTON, TX, 77488	Hazard Type: RCRA Distance/Direction: 600 ft. SW
15	CHERYLS EXXON 1822 N RICHMOND RD WHARTON, TX, 774882715	Hazard Type: FRS Distance/Direction: 631 ft. NE
15	CHERYLS EXXON 1822 N RICHMOND RD WHARTON, TX, 77488	Hazard Type: PST Distance/Direction: 631 ft. NE
16	WHARTON FOOD MART 1422 N RICHMOND RD WHARTON, TX, 774883018	Hazard Type: FRS Distance/Direction: 651 ft. SW
16	DIAMOND MINI MART 307 1422 N RICHMOND WHARTON, TX, 77488	Hazard Type: LPSC Distance/Direction: 651 ft. SW

MAP ID	Site Location	Site Information
16	TIGER COUNTRY STORE 1422 N RICHMOND RD WHARTON, TX, 77488	Hazard Type: PST Distance/Direction: 651 ft. SW
16	WHARTON SERVICE CENTER 1407 N RICHMOND WHARTON, TX, 77488	Hazard Type: PST Distance/Direction: 651 ft. SW
16	1414 NORTH RICHMOND 1414 N RICHMOND WHARTON, TX, 77488	Hazard Type: PST Distance/Direction: 651 ft. SW
17	NH 2008085 CSJ0089 07 134 US59 @ FM 102 FRONTAGE ROAD. WHARTON, TX, 77488	Hazard Type: FRS Distance/Direction: 677 ft. SW
18	CANEY AUTO SVC INC 1827 N RICHMOND RD WHARTON, TX, 77488	Hazard Type: FRS Distance/Direction: 789 ft. NE
18	Caney Auto Svc 1827 N Richmond Rd Wharton, TX, 77488	Hazard Type: IHW Distance/Direction: 789 ft. NE
18	CANEY AUTO SVC INC 1827 N RICHMOND RD WHARTON, TX, 77488	Hazard Type: RCRA Distance/Direction: 789 ft. NE
19	LONE STAR AUTO TRADE 1902 N RICHMOND RD WHARTON, TX, 774882717	Hazard Type: FRS Distance/Direction: 800 ft. NE
19	MASEK 1902 N RICHMOND WHARTON, TX, 77488	Hazard Type: PST Distance/Direction: 800 ft. NE
20	GULF COAST MEDICAL CENTER UNKNOWN WHARTON, TX, 77488	Hazard Type: FRS Distance/Direction: 836 ft. NW
21	CENTERPOINT ENERGY HOUSTON ELECTRIC LLC 1407 N RICHMOND WHARTON, TX, 77488	Hazard Type: FRS Distance/Direction: 858 ft. SW
21	WHARTON SERVICE CENTER 1407 N RICHMOND RD WHARTON, TX, 774883023	Hazard Type: FRS Distance/Direction: 858 ft. SW
21	Centerpoint Energy Houston Electric Wharton 1407 N Richmond Wharton, TX, 77488	Hazard Type: IHWCA Distance/Direction: 858 ft. SW
21	CENTERPOINT ENERGY HOUSTON ELECTRIC LLC 1407 N RICHMOND WHARTON, TX, 77488	Hazard Type: RCRA Distance/Direction: 858 ft. SW

MAP ID	Site Location	Site Information
23	Texas Department of Transportation FM 102 Wharton, TX, 77488	Hazard Type: IHW Distance/Direction: 1025 ft. NW
23	BEAUMONT HEADQUARTER	Hazard Type: SPIL Distance/Direction: 1025 ft. NW
24	NAN YA PLASTICS CORPORATION USA 700 HIGHWAY 59 LOOP RR WHARTON, TX, 77488	Hazard Type: RCRA Distance/Direction: 1213 ft. S
25	BALLEJO GULF SERVICE 1901 N RICHMOND WHARTON, TX, 77488	Hazard Type: PST Distance/Direction: 1225 ft. N
26	TEX PAK RENTAL PROPERTIES 1311 N RICHMOND WHARTON, TX, 77488	Hazard Type: PST Distance/Direction: 1243 ft. S
27	Don Elliott Chevrolet 1225 N Richmond Wharton, TX, 77488	Hazard Type: IHW Distance/Direction: 1465 ft. SW
27	ELLIOT DON AUTOWORLD 1225 NORTH RICHMOND WHARTON, TX, 77488	Hazard Type: LPSC Distance/Direction: 1465 ft. SW
27	DON ELLIOTT CHEVROLET 1225 N RICHMOND WHARTON, TX, 77488	Hazard Type: RCRA Distance/Direction: 1465 ft. SW
28	L & L AUTOMOTIVE 503 OGDEN WHARTON, TX, 77488	Hazard Type: LPSC Distance/Direction: 1547 ft. SE
29	ENRON GAS PIPELINE/WHARTON 1333 FM 1301 WHARTON, TX, 77488	Hazard Type: RCRA Distance/Direction: 1594 ft. SE
30	Schlumberger Well Service 1005 Nelson Ln Wharton, TX, 77488	Hazard Type: IHWCA Distance/Direction: 1643 ft. SE
30	SCHLUMBERGER TECHNOLOGY CORPORATION 1005 NELSON LN WHARTON, TX, 77488	Hazard Type: RCRA Distance/Direction: 1643 ft. SE
30	GENERIC INCIDENT ZIP CODE 75103 CANTON, TX,	Hazard Type: SPIL Distance/Direction: 1643 ft. SE
31	GOODYEAR TIRE CENTER 1108 NORTH RICHMOND WHARTON, TX, 77488	Hazard Type: LPSC Distance/Direction: 1698 ft. SW

MAP ID	Site Location	Site Information
32	Koonce Petroleum 901 Stafford Ln Wharton, TX, 77488	Hazard Type: IHW Distance/Direction: 1722 ft. SE
32	KOONCE PETROLEUM CO INC 901 STAFFORD LN WHARTON, TX, 77488	Hazard Type: RCRA Distance/Direction: 1722 ft. SE
33	Goodyear Auto Service Center 1108 N Richmond Rd Wharton, TX, 77488	Hazard Type: IHW Distance/Direction: 2104 ft. SW
33	THE GOODYEAR TIRE & RUBBER COMPANY 1108 N RICHMOND RD WHARTON, TX, 77488	Hazard Type: RCRA Distance/Direction: 2104 ft. SW
34	J M MANUFACTURING COMPANY INC 10807 US 59 RD WHARTON, TX, 77488	Hazard Type: RCRA Distance/Direction: 2140 ft. SW
35	WEST END SUPERETTE 1125 SPANISH CAMP RD WHARTON, TX, 77488	Hazard Type: LPSC Distance/Direction: 2252 ft. S
36	BJ SERVICES COMPANY USA LP 707 NELSON LN WHARTON, TX, 77488	Hazard Type: RCRA Distance/Direction: 2431 ft. SE
37	BJ Services Wharton 707 Nelson Ln Wharton, TX, 77488	Hazard Type: IHW Distance/Direction: 2449 ft. SE
38	WESTERN CO 707 NELSEN LN WHARTON, TX, 77488	Hazard Type: LPSC Distance/Direction: 2557 ft. SE
39	Industrial Disposal, Inc. 803 S SHEPPARD WHARTON, TX,	Hazard Type: CLI Distance/Direction: 3731 ft. S
39	City of Wharton AT END OF SHEPHERD ST IN SW PORTION OF WHARTON MUNICIPALITY WHARTON, TX,	Hazard Type: CLI Distance/Direction: 3731 ft. S
39	CITY OF WHARTON LANDFILL AT END OF SHEPHERD STREET IN SW PORTION OF WHARTON MUNICIPALITY, WHARTON, TX 77488 , TX,	Hazard Type: MSW Distance/Direction: 3731 ft. S
39	Park Plaza Office Building 2501 Parkview Drive Fort Worth, TX, 76102	Hazard Type: VCP Distance/Direction: 3731 ft. S

MAP ID	Site Location	Site Information
40	North Richmond Road 404 North Richmond Road Wharton, TX, 77488	Hazard Type: BRFLD Distance/Direction: 3954 ft. SE

Industrial Hazardous Waste Report

Report Run Date: 7/10/2012 2:10:36 AM

Wharton Pipeline Headquarters	County Code: 241	ID: **38804**
Location: 627 SUNSET DRIVE, WHARTON TX 77488		MAP ID: **14**
Mailing Address: WT 722, HOUSTON TX 77251-1642		ACRNYM: IHW

Notification Date: 03/08/1989	Amendment Date: 02/14/2001	Waste Permit Number:
EPA Identification No.: TXD982552531	SIC Code: 49220	Status: Inactive
Is a Generator of Waste: False	Is a Transporter of Waste: False	Is a Transfer Facility: False
Is a Mexican Facility: False	Generator/Former Generator Waste Type: LQG	Generator Industrial Type:
Is a Steers Reporter: False	Is a Non-Notifier: False	Submits Annual Waste Summary: False
Involved in Recycling Activities: False	NCAIS Code: 486210	Registration Status: 19970127
Monthly Reporting Requirement: False	Land Type: Private	

Activities

Waste

00041030	Texas Waste Code: 910550	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B:	Waste Classification: Hazardous	Is Treated Off-Site: False
	Generators Waste Description:		
00041031	Texas Waste Code: 906110	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B:	Waste Classification: Hazardous	Is Treated Off-Site: False
	Generators Waste Description:		
00041032	Texas Waste Code: 117510	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B:	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description:		
00041033	Texas Waste Code: 912310	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B:	Waste Classification: Hazardous	Is Treated Off-Site: False
	Generators Waste Description:		
00041034	Texas Waste Code: 183140	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B:	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description:		
00041035	Texas Waste Code: 910650	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B:	Waste Classification: Hazardous	Is Treated Off-Site: False
	Generators Waste Description:		
00041036	Texas Waste Code: 980450	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B:	Waste Classification: Hazardous	Is Treated Off-Site: False
	Generators Waste Description:		
00041037	Texas Waste Code: 974040	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B:	Waste Classification: Hazardous	Is Treated Off-Site: False
	Generators Waste Description:		
00041038	Texas Waste Code: 900630	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B:	Waste Classification: Hazardous	Is Treated Off-Site: False
	Generators Waste Description:		
00041039	Texas Waste Code: 106110	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B:	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description:		
00041040	Texas Waste Code: 952180	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B:	Waste Classification: Hazardous	Is Treated Off-Site: False
	Generators Waste Description:		

Caney Auto Svc	County Code: 241	ID: **83354**
Location: 1827 N RICHMOND RD, WHARTON TX 77488		MAP ID: **18**
Mailing Address: 1827 N RICHMOND RD, WHARTON TX 77488		ACRNYM: IHW

Notification Date: 05/03/1995	Amendment Date: 02/14/2001	Waste Permit Number:
EPA Identification No.: TXR000004689	SIC Code: 75380	Status: Inactive
Is a Generator of Waste: False	Is a Transporter of Waste: False	Is a Transfer Facility: False
Is a Mexican Facility: False	Generator/Former Generator Waste Type: CESQG	Generator Industrial Type: Non-industrial and/or municipal
Is a Steers Reporter: False	Is a Non-Notifier: False	Submits Annual Waste Summary: False
Involved in Recycling Activities: False	NCAIS Code: 811111	Registration Status: 19990104

Monthly Reporting Requirement: False	Land Type: Private

Activities

Waste

00118247	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B: 0501203H	Waste Classification: Hazardous	Is Treated Off-Site: True
	Generators Waste Description: Waste mineral spirits, combustable liquid used in cleaning engine parts as head'75380G0941		

Centerpoint Energy Houston Electric Wharton	County Code: 241	ID: **34351**
Location: 1407 N RICHMOND, WHARTON TX 77488		MAP ID: **21**
Mailing Address: HOUSTON TX 77251-1700		ACRNYM: IHWCA

Notification Date: 01/13/1984	Amendment Date: 08/28/2007	Waste Permit Number:
EPA Identification No.: TXD981518608	SIC Code: 49110	Status: Closure Request
Is a Generator of Waste: False	Is a Transporter of Waste: False	Is a Transfer Facility: False
Is a Mexican Facility: False	Generator/Former Generator Waste Type: CESQG	Generator Industrial Type: Non-industrial and/or municipal
Is a Steers Reporter: False	Is a Non-Notifier: False	Submits Annual Waste Summary: False
Involved in Recycling Activities: False	NCAIS Code: 221122	Registration Status: 20070305
Monthly Reporting Requirement: False	Land Type: Other	

Activities

Waste

00032443	Texas Waste Code: 210450	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B:	Waste Classification: Class 2	Is Treated Off-Site: False
	Generators Waste Description:		
00032444	Texas Waste Code: 243020	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B:	Waste Classification: Class 2	Is Treated Off-Site: False
	Generators Waste Description:		
00032445	Texas Waste Code: 179430	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B:	Waste Classification: Class 1	Is Treated Off-Site: Not Reported
	Generators Waste Description:		
00032446	Texas Waste Code: 118790	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B:	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description:		
00032447	Texas Waste Code: 914290	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B:	Waste Classification: Hazardous	Is Treated Off-Site: Not Reported
	Generators Waste Description:		
00032448	Texas Waste Code: 278280	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B:	Waste Classification: Class 2	Is Treated Off-Site: False
	Generators Waste Description:		
00032449	Texas Waste Code: 209760	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B:	Waste Classification: Class 2	Is Treated Off-Site: False
	Generators Waste Description:		

00032450	Texas Waste Code: 280440	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B:	Waste Classification: Class 2	Is Treated Off-Site: False
	Generators Waste Description:		
00032451	Texas Waste Code: 912900	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B:	Waste Classification: Hazardous	Is Treated Off-Site: False
	Generators Waste Description: Diesel contaminated with water		
00032452	Texas Waste Code: 918380	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B:	Waste Classification: Hazardous	Is Treated Off-Site: False
	Generators Waste Description: Gasoline contaminated with water		
00032453	Texas Waste Code: 172870	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B:	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description:		
00032454	Texas Waste Code: 180620	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B: 01504891	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description: Hydrocarbon Contaminated Rags/Absorbent Material: Maintenance related activities 1		
00032455	Texas Waste Code: 910100	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B:	Waste Classification: Hazardous	Is Treated Off-Site: False
	Generators Waste Description:		
00032456	Texas Waste Code: 108320	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B:	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description:		
00032457	Texas Waste Code: 177750	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B:	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description:		
00032458	Texas Waste Code: 279760	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B:	Waste Classification: Class 2	Is Treated Off-Site: False
	Generators Waste Description:		
00032459	Texas Waste Code: 273630	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B:	Waste Classification: Class 2	Is Treated Off-Site: False
	Generators Waste Description:		
00032460	Texas Waste Code: 270504	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B:	Waste Classification: Class 2	Is Treated Off-Site: False
	Generators Waste Description:		
00032461	Texas Waste Code: 373630	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B:	Waste Classification: Class 3	Is Treated Off-Site: False
	Generators Waste Description:		
00032462	Texas Waste Code: 990001	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B:	Waste Classification: Hazardous	Is Treated Off-Site: True
	Generators Waste Description: Waste petroleum naphtha		
00032463	Texas Waste Code: 980370	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B:	Waste Classification: Hazardous	Is Treated Off-Site: False
	Generators Waste Description:		
00032464	Texas Waste Code: 170750	Waste Code Status: Inactive	Is Radioactive: False

	Texas Waste Code B:	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description:		
00032465	Texas Waste Code: 179360	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B:	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description:		
00032466	Texas Waste Code: 279360	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B:	Waste Classification: Class 2	Is Treated Off-Site: False
	Generators Waste Description:		
00032467	Texas Waste Code: 285500	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B:	Waste Classification: Class 2	Is Treated Off-Site: False
	Generators Waste Description: Creosote treated wood		
00067249	Texas Waste Code: 972210	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B:	Waste Classification: Hazardous	Is Treated Off-Site: False
	Generators Waste Description: Mercury Vapor Lamps		
00067250	Texas Waste Code: 179450	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B:	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description: RCRA Empty Containers		
00070717	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B: 02494092	Waste Classification: Class 2	Is Treated Off-Site: False
	Generators Waste Description: Paint waste debris 1		
00072011	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B: 02484092	Waste Classification: Class 2	Is Treated Off-Site: False
	Generators Waste Description: Reacted Polt set that remained from utility pole straightening activities 1		
00084318	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B: 02474092	Waste Classification: Class 2	Is Treated Off-Site: False
	Generators Waste Description: Padcrete (reacted portion) is a solid, yellow, light weight material; 7/93 1		
00087660	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B: 0014101H	Waste Classification: Hazardous	Is Treated Off-Site: False
	Generators Waste Description: Machine coolant is a liquid which is composed of water, machine coolant, cutting49110G0911		
00087662	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B: 02099022	Waste Classification: Class 2	Is Treated Off-Site: False
	Generators Waste Description: General miscellaneous plant trash includes items such as office trash paper, car 1		
00087663	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B: 01216031	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description: Vehicle wash rack sludge is a brown to black sludge material with a strong hydro 1		
00087664	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B: 01273071	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description: Metal Grinding waste (dry) are powdery brown/black metal fines. It is generated 1		
00087665	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B: 01166031	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description: Lift rack sump waste is brown to black sludge material with a strong hydrocarbon 1		
00087666	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B: 04023081	Waste Classification: Class 1	Is Treated Off-Site: False

	Generators Waste Description: PCB contaminated containers (<50 ppm PCBs) are containers which held mineral oil 1		
00087669	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B: 04112971	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description: PCB contaminated oil (>=50 and <500 ppm PCBs) is a liquid which will range in co 2		
00087704	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B: 04032981	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description: PCB capacitors (>500 ppm) are composed of ruptured or nonusable capacitors which 1		
00087705	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B: 04062191	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description: Non-PCB Capacitors are composed of ruptured or nonusable capacitors which contai 1		
00087706	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B: 04192191	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description: PCB Contaminated Oil (<50 ppm PCBs) is mineral oil which will range in color fro 2		
00087709	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B: 04154072	Waste Classification: Class 2	Is Treated Off-Site: False
	Generators Waste Description: PCB Contaminated Soil/Debris (1 ppm to <50 ppm PCBs) Class 2 will be composed of 2		
00087711	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B: 04144071	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description: PCB Contaminated Soil/Debris (1 ppm to <50 ppm PCBs) Class 1 will be composed of 2		
00087713	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B: 04133941	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description: PCB contaminated soil/debris (>50 ppm PCBs) will be composed of soils, gravel, v 2		
00087714	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B: 0013307H	Waste Classification: Hazardous	Is Treated Off-Site: False
	Generators Waste Description: Metal grinding waste is powdery brown/black metal fines. It is generated from t49110G0911		
00087716	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B: 02183012	Waste Classification: Class 2	Is Treated Off-Site: False
	Generators Waste Description: Hydrocarbon contaminated soil is contaminated with petroleum based oils and fuel 2		
00087718	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B: 02174882	Waste Classification: Class 2	Is Treated Off-Site: False
	Generators Waste Description: Creosote treated wood will include pieces of cylindrical poles, cross-arms, rail 1		
00087719	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B: 02053012	Waste Classification: Class 2	Is Treated Off-Site: False
	Generators Waste Description: Mineral oil contaminated soil (Class 2) contains less than one ppm PCBs. The so 2		
00087720	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B: 0005409H	Waste Classification: Hazardous	Is Treated Off-Site: False
	Generators Waste Description: Solvent contaminated rags are rags contaminated with solvent, dried paint, and o49110G0611		
00087721	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B: 0020409H	Waste Classification: Hazardous	Is Treated Off-Site: False
	Generators Waste Description: Paint Waste, Solid includes dry, unused paint that is hardened and no longer flo49110G0611		
00087737	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B: 0008209H	Waste Classification: Hazardous	Is Treated Off-Site: False
	Generators Waste Description: Liquid paint waste includes unused paint that has not hardened and still flows. 49110G1111		

00087742	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B: 0501203H	Waste Classification: Hazardous	Is Treated Off-Site: True
	Generators Waste Description: Waste naphtha could vary from amber color to dark grey/black. Typically, it has49110G0911		
00087745	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B: 0011219H	Waste Classification: Hazardous	Is Treated Off-Site: False
	Generators Waste Description: Waste gasoline is a liquid with either one or two visible phases. If two phases49110G1111		
00087747	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B: 0010219H	Waste Classification: Hazardous	Is Treated Off-Site: False
	Generators Waste Description: Waste Diesel is a liquid with either one or two visible phases. If two phases a49110G1111		
00087751	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B: 0006204H	Waste Classification: Hazardous	Is Treated Off-Site: False
	Generators Waste Description: Spent solvent is a clear and colorless to dark gray/black opaque liquid and has 49110G0611		
00087753	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B: 01172961	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description: Spent Antifreeze is a liquid with low viscosity. It is also opaque and green to 1		
00087757	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B: 01254891	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description: Floorsweep is a brown/red saw dust with a hydrocarbon odor. Floorsweep is gener 1		
00087758	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B: 01234091	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description: Spent Roofing Material varies in size and shape. It is composed of tar paper, a 1		
00087760	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B: 01103101	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description: Used oil filters is composed of used vehicle or machine oil filters. Used oil f 1		
00087764	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B: 01073011	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description: Hydrocarbon contaminated soil is contaminated with petroleum based oils and fuel 2		
00087766	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B: 01202061	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description: Waste oil is used hydraulic, mineral or motor oils from vehicles, electrical equ 1		
00087767	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B: 01194091	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description: Waste grease can range from a dark brown smooth material with a slight odor to a 1		
00087770	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B: 01061191	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description: Gasoline contaminated with water (Class 1) is primarily water with a slight gaso 1		
00087772	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B: 01083011	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description: Mineral oil contaminated soil (<1 ppm PCBs) has an oily hydrocarbon odor and the 2		
00087774	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B: 01013111	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description: Asbestos is a solid material white to gray in color. This waste is usually made 1		
00087775	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: Not Reported

	Texas Waste Code B: 01031191	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description: Diesel contaminated with water (Class 1) is primarily water with a slight diesel 1		
00095573	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B: 02033082	Waste Classification: Class 2	Is Treated Off-Site: False
	Generators Waste Description: Class 2 empty metal containers that are 5 gallons or greater and meet all requir 1		
00095574	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B: 02044062	Waste Classification: Class 2	Is Treated Off-Site: False
	Generators Waste Description: Class 2 fiber or plastic containers that are 5 gallons or greater and meet all r 1		
00095575	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B: 01284091	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description: Asbestos roofing material with Asphalt varies in size and shape. 1		
00095576	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B: 01133081	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description: RCRA empty metal containers of all types and sizes that meet all requirements of 1		
00095577	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B: 01144061	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description: RCRA empty plastic or fiber containers of all types and sizes that meet all requ 1		
00108617	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B: 02013902	Waste Classification: Class 2	Is Treated Off-Site: False
	Generators Waste Description: Construction Debris is made up of various non-inert form construction/renovation 1		
00108618	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B: 02404882	Waste Classification: Class 2	Is Treated Off-Site: False
	Generators Waste Description: Penta treated wood will include pieces of cylindrical poles, cross-arms, railroa 1		
00108619	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B: 02604092	Waste Classification: Class 2	Is Treated Off-Site: False
	Generators Waste Description: 100% Medical Waste (wastes associated with first aid station, medical emergencie 1		
00108623	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B: 02551142	Waste Classification: Class 2	Is Treated Off-Site: True
	Generators Waste Description: Demineralizer regenerant wastewater is typically a colorless liquid occasionally 1		
00121683	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B: 0030409H	Waste Classification: Hazardous	Is Treated Off-Site: False
	Generators Waste Description: Paint waste debris is comprised of used plastic and cloth drop cloths used to co49110G0611		
00124482	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B: 0001319H	Waste Classification: Hazardous	Is Treated Off-Site: False
	Generators Waste Description: Hazardous blast grit is dry blast media contaminated with rust, debris and paint49110G0911		
00149843	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B: 01294091	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description: Paint waste debris is comprised of used plastic & fabric drop cloths, contam. 1		
00149844	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B: 01403091	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description: Used carbon zinc batteries that are removed from service when their useful 1		
00171283	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B: 01093191	Waste Classification: Class 1	Is Treated Off-Site: False

	Generators Waste Description: Blast Grit (Class 1) is dry blast media contam. w/rust, debris & paint chips & 1		
00171284	Texas Waste Code:	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B: 02063191	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description: Blast Grit (Class 2) is dry blast media contam. w/rust, debris & paint chips & 1		

Texas Department of Transportation	County Code: 241	ID: **66665**
Location: FM 102 1 MI W OF, WHARTON TX 77488		MAP ID: **23**
Mailing Address: WHARTON TX 77488-0386		ACRNYM: IHW

Notification Date: 09/30/1985	Amendment Date: 07/27/2001	Waste Permit Number:
EPA Identification No.:	SIC Code: 99990	Status: Inactive
Is a Generator of Waste: False	Is a Transporter of Waste: False	Is a Transfer Facility: False
Is a Mexican Facility: False	Generator/Former Generator Waste Type: CESQG	Generator Industrial Type: Non-industrial and/or municipal
Is a Steers Reporter: False	Is a Non-Notifier: False	Submits Annual Waste Summary: False
Involved in Recycling Activities: False	NCAIS Code: 999999	Registration Status: 19970915
Monthly Reporting Requirement: False	Land Type:	

Activities

Waste

Don Elliott Chevrolet	County Code: 241	ID: **72811**
Location: 1225 N RICHMOND, WHARTON TX 77488		MAP ID: **27**
Mailing Address: WHARTON TX 77488		ACRNYM: IHW

Notification Date: 07/15/1988	Amendment Date: 01/27/2001	Waste Permit Number:
EPA Identification No.: TXD982553703	SIC Code: 55110	Status: Active
Is a Generator of Waste: False	Is a Transporter of Waste: False	Is a Transfer Facility: False
Is a Mexican Facility: False	Generator/Former Generator Waste Type: SQG	Generator Industrial Type:
Is a Steers Reporter: False	Is a Non-Notifier: False	Submits Annual Waste Summary: True
Involved in Recycling Activities: False	NCAIS Code: 441110	Registration Status:
Monthly Reporting Requirement: False	Land Type:	

Activities

Waste

00053145	Texas Waste Code: 990001	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B:	Waste Classification: Hazardous	Is Treated Off-Site: True
	Generators Waste Description:		
00053146	Texas Waste Code: 991003	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B:	Waste Classification: Hazardous	Is Treated Off-Site: True
	Generators Waste Description:		
00139575	Texas Waste Code:	Waste Code Status: Active	Is Radioactive: False
	Texas Waste Code B: 0501203H	Waste Classification: Hazardous	Is Treated Off-Site: True
	Generators Waste Description: SPENT SOLVENT 55110G0911		
00139576	Texas Waste Code:	Waste Code Status: Active	Is Radioactive: False
	Texas Waste Code B: 0566203H	Waste Classification: Hazardous	Is Treated Off-Site: True
	Generators Waste Description: IMMERSION CLEANER 55110G0111		

Schlumberger Well Service	County Code: 241	ID: **38401**
Location: 1005 NELSON LN, WHARTON TX 77488		MAP ID: **30**
Mailing Address: 1005 NELSON LN, WHARTON TX 77488		ACRNYM: IHWCA

Notification Date: 05/13/1988	Amendment Date: 09/02/1992	Waste Permit Number:
EPA Identification No.: TXD982556169	SIC Code: 13890	Status: Inactive
Is a Generator of Waste: False	Is a Transporter of Waste: False	Is a Transfer Facility: False
Is a Mexican Facility: False	Generator/Former Generator Waste Type: CESQG	Generator Industrial Type: Non-industrial and/or municipal
Is a Steers Reporter: False	Is a Non-Notifier: False	Submits Annual Waste Summary: False
Involved in Recycling Activities: False	NCAIS Code: 213112	Registration Status:
Monthly Reporting Requirement: False	Land Type:	

Activities

Waste

00039435	Texas Waste Code: 990001	Waste Code Status: Inactive	Is Radioactive: False
	Texas Waste Code B:	Waste Classification: Hazardous	Is Treated Off-Site: False
	Generators Waste Description:		
00039436	Texas Waste Code: 110450	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B:	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description:		

Koonce Petroleum	County Code: 241	ID: **71216**
Location: 901 STAFFORD LN, WHARTON TX 77488		MAP ID: **32**
Mailing Address: 901 STAFFORD LN, WHARTON TX 77488		ACRNYM: IHW

Notification Date:	Amendment Date: 07/27/2001	Waste Permit Number:
EPA Identification No.: TXD000783027	SIC Code: 99990	Status: Inactive
Is a Generator of Waste: False	Is a Transporter of Waste: False	Is a Transfer Facility: False
Is a Mexican Facility: False	Generator/Former Generator Waste Type: Not a HW generator	Generator Industrial Type:
Is a Steers Reporter: False	Is a Non-Notifier: False	Submits Annual Waste Summary: False
Involved in Recycling Activities: False	NCAIS Code: 999999	Registration Status: 19970915
Monthly Reporting Requirement: False	Land Type:	

Activities

Waste

Goodyear Auto Service Center	County Code: 241	ID: **73019**
Location: 1108 N RICHMOND RD, WHARTON TX 77488		MAP ID: **33**
Mailing Address: 321 CENTURY PLAZA DR STE 115, HOUSTON TX 77073-6025		ACRNYM: IHW

Notification Date: 11/07/1986	Amendment Date: 07/27/2001	Waste Permit Number:
EPA Identification No.: TXD149982696	SIC Code: 99990	Status: Inactive
Is a Generator of Waste: False	Is a Transporter of Waste: False	Is a Transfer Facility: False
Is a Mexican Facility: False	Generator/Former Generator Waste Type: CESQG	Generator Industrial Type: Non-industrial and/or municipal
Is a Steers Reporter: False	Is a Non-Notifier: False	Submits Annual Waste Summary: False
Involved in Recycling Activities: False	NCAIS Code: 999999	Registration Status: 19970822
Monthly Reporting Requirement: False	Land Type:	

Activities

Waste

00053549	Texas Waste Code: 990001	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B:	Waste Classification: Hazardous	Is Treated Off-Site: True
	Generators Waste Description:		

BJ Services Wharton	County Code: 241	ID: **33541**
Location: 707 NELSON LN, WHARTON TX 77488		MAP ID: **37**
Mailing Address: 515 POST OAK BLVD STE 913, HOUSTON TX 77027-9407		ACRNYM: IHW

Notification Date: 01/14/1983	Amendment Date: 02/14/2001	Waste Permit Number:
EPA Identification No.: TXD048213185	SIC Code: 13890	Status: Inactive
Is a Generator of Waste: False	Is a Transporter of Waste: False	Is a Transfer Facility: False
Is a Mexican Facility: False	Generator/Former Generator Waste Type: Not a HW generator	Generator Industrial Type:
Is a Steers Reporter: False	Is a Non-Notifier: False	Submits Annual Waste Summary: False
Involved in Recycling Activities: False	NCAIS Code: 213112	Registration Status: 19941219
Monthly Reporting Requirement: False	Land Type: Private	

Activities

Waste

00028122	Texas Waste Code: 208600	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B:	Waste Classification: Class 2	Is Treated Off-Site: False
	Generators Waste Description:		
00028123	Texas Waste Code: 152450	Waste Code Status: Inactive	Is Radioactive: Not Reported
	Texas Waste Code B:	Waste Classification: Class 1	Is Treated Off-Site: False
	Generators Waste Description:		

Leaking Petroleum Storage Tank Facilities

Report Run Date: 7/10/2012 2:10:36 AM

CLOSED FLINTEX FACILITY	CountyCode: 241	LPST ID:	**111845**
Location: 5228 HWY 59, WHARTON TX 77488		MAP ID:	1
PRP Name: FLINTEX OIL CO		ACRNYM:	LPSC
PRP Address: 16420 PARK TEN PL STE 540, HOUSTON TX 77084-5052		Facility ID:	0011022

TCEQ Region:	12	Primary Coord: 1P/1	Priority: 2.5 GW IMPACT, PUBLIC/DOMESTIC WATER SUPPLY WELL W/IN 0.25mi
PRP Contact:	THOMAS ZATOPEK	RPR Coord: KK	Status: 6A FINAL CONCURRENCE ISSUED, CASE CLOSED
PRP Phone:	281/578-0529	PST Coord: AES/XYZ	Date Reported: 10/28/1996

Underground Storage Tank Details

No UST Information

Leaking Petroleum Storage Tank Facilities

Report Run Date: 7/10/2012 2:10:36 AM

TXDOT MAINT FACILITY	CountyCode: 241	LPST ID:	**105384**
Location: 1512 FM RD 102, WHARTON TX 77488		MAP ID:	5
PRP Name: TXDOT		ACRNYM:	LPSC
PRP Address: 125 E 11TH ST, AUSTIN TX 78701		Facility ID:	0043388

TCEQ Region:	12	Primary Coord: 1/2	Priority: 5 MINOR SOIL CONTAMINATION - DOES NOT REQUIRE A REMEDIAL ACTION PLAN (RAP)
PRP Contact:	JIM VICKERY	RPR Coord: MA	Status: 6A FINAL CONCURRENCE ISSUED, CASE CLOSED
PRP Phone:	512/475-3067	PST Coord: MAR/HMW	Date Reported: 6/7/1991

Underground Storage Tank Details

No UST Information

Leaking Petroleum Storage Tank Facilities

Report Run Date: 7/10/2012 2:10:36 AM

FORMER SERVICE STATION	CountyCode: 241	LPST ID:	**114710**
Location: 1702 N RICHMOND RD, WHARTON TX 77488		MAP ID:	6
PRP Name: LANE JAMES T		ACRNYM:	LPSC
PRP Address: 1800 BERING DR STE 495, HOUSTON TX 77057		Facility ID:	0063184

TCEQ Region:	12	Primary Coord: 1	Priority: 4.1 GW IMPACTED, NO APPARENT THREATS OR IMPACTS TO RECEPTORS
PRP Contact:	BRUCE SHELBY	RPR Coord: BL	Status: 6A FINAL CONCURRENCE ISSUED, CASE CLOSED
PRP Phone:	713/974-1777	PST Coord: BLM	Date Reported: 8/4/1999

Underground Storage Tank Details

No UST Information

Leaking Petroleum Storage Tank Facilities

Report Run Date: 7/10/2012 2:10:36 AM

DIAMOND MINI MART 307	CountyCode: 241	LPST ID:	**113698**
Location: 1422 N RICHMOND, WHARTON TX 77488		MAP ID:	16
PRP Name: DIAMOND MINI MARTS INC		ACRNYM:	LPSC
PRP Address: PO BOX 2250, BAY CITY TX 77414-2250		Facility ID:	0025682

TCEQ Region:	12	Primary Coord: 1/1P/1/1P/1	Priority: 4.1 GW IMPACTED, NO APPARENT THREATS OR IMPACTS TO RECEPTORS
PRP Contact:	BUD SHUFORD	RPR Coord: RW	Status: 6A FINAL CONCURRENCE ISSUED, CASE CLOSED
PRP Phone:	409/244-1109	PST Coord: AES/GAB/GAB/SEL	Date Reported: 11/18/1998

Underground Storage Tank Details

No UST Information

Leaking Petroleum Storage Tank Facilities

Report Run Date: 7/10/2012 2:10:36 AM

ELLIOT DON AUTOWORLD	CountyCode: 241	LPST ID:	**105546**
Location: 1225 N RICHMOND, WHARTON TX 77488		MAP ID:	27
PRP Name: ELLIOT DON AUTOWORLD		ACRNYM:	LPSC
PRP Address: PO BOX 1210, WHARTON TX 77488		Facility ID:	0048972

TCEQ Region:	12	Primary Coord: 1/2	Priority: 4.2 NO GW IMPACT, NO APPARENT THREATS OR IMPACTS TO RECEPTORS
PRP Contact:	DAVID COPELAND	RPR Coord: MA	Status: 6A FINAL CONCURRENCE ISSUED, CASE CLOSED
PRP Phone:	409/532-2150	PST Coord: MAO/HLN/HMW	Date Reported: 1/21/1992

Underground Storage Tank Details

No UST Information

Leaking Petroleum Storage Tank Facilities

Report Run Date: 7/10/2012 2:10:36 AM

L & L AUTOMOTIVE	CountyCode: 241	LPST ID:	**105467**
Location: 503 OGDEN ST, WHARTON TX 77488		MAP ID:	28
PRP Name: ATCHISON TOPEKA & SANTA FE RR		ACRNYM:	LPSC
PRP Address: 920 E QUINCY ST, TOPEKA KS 66612		Facility ID:	0014514

TCEQ Region:	12	Primary Coord: 2	Priority: 5 MINOR SOIL CONTAMINATION - DOES NOT REQUIRE A REMEDIAL ACTION PLAN (RAP)
PRP Contact:	LEWIS BIRD	RPR Coord: HM	Status: 6A FINAL CONCURRENCE ISSUED, CASE CLOSED
PRP Phone:	817/868-3185	PST Coord: HMW	Date Reported: 10/15/1991

Underground Storage Tank Details

No UST Information

Leaking Petroleum Storage Tank Facilities

Report Run Date: 7/10/2012 2:10:36 AM

GOODYEAR TIRE CENTER	CountyCode: 241	LPST ID:	**106571**
Location: 1108 N RICHMOND RD, WHARTON TX 77488		MAP ID:	31
PRP Name: GOODYEAR TIRE & RUBBER		ACRNYM:	LPSC
PRP Address: 114 E MARKET ST, AKRON OH 44316		Facility ID:	0013211

TCEQ Region:	12	Primary Coord: 1	Priority: 5 MINOR SOIL CONTAMINATION - DOES NOT REQUIRE A REMEDIAL ACTION PLAN (RAP)
PRP Contact:	S C MAKARA	RPR Coord: RM	Status: 6A FINAL CONCURRENCE ISSUED, CASE CLOSED
PRP Phone:	216/796-2121	PST Coord: RMM/TJL/ASM/RPR	Date Reported: 4/30/1993

Underground Storage Tank Details

No UST Information

Leaking Petroleum Storage Tank Facilities

Report Run Date: 7/10/2012 2:10:36 AM

WEST END SUPERETTE	CountyCode: 241	LPST ID:	**102654**
Location: 1125 SPANISH CAMP RD, WHARTON TX 77488		MAP ID:	35
PRP Name: WEST END SUPERETTE		ACRNYM:	LPSC
PRP Address: 102 S MECHANIC ST, EL CAMPO TX 77437		Facility ID:	0036873

TCEQ Region:	12	Primary Coord: 2	Priority: 6 MINOR SOIL CONTAMINATION - NO REMEDIAL ACTION REQUIRED
PRP Contact:	RAY WILLIAMSON	RPR Coord: HM	Status: 6A FINAL CONCURRENCE ISSUED, CASE CLOSED
PRP Phone:	409/543-3922	PST Coord: HMW	Date Reported: 12/16/1991

Underground Storage Tank Details

No UST Information

Leaking Petroleum Storage Tank Facilities

Report Run Date: 7/10/2012 2:10:36 AM

WESTERN CO	CountyCode: 241	LPST ID:	**107462**
Location: 707 NELSEN LN, WHARTON TX 77488		MAP ID:	38
PRP Name: WASTE MANAGEMENT OF N A INC		ACRNYM:	LPSC
PRP Address: 1320 GREENWAY DR STE 1000, IRVING TX 75038		Facility ID:	0012239

TCEQ Region:	12	Primary Coord: 1/2	Priority: 4.2 NO GW IMPACT, NO APPARENT THREATS OR IMPACTS TO RECEPTORS
PRP Contact:	REYNOLDS BROWN	RPR Coord: HL	Status: 6A FINAL CONCURRENCE ISSUED, CASE CLOSED
PRP Phone:	214/550-1744	PST Coord: HLN/RPR	Date Reported: 11/17/1993

Underground Storage Tank Details

No UST Information

Municipal Solid Waste Facilities

Report Run Date: 7/10/2012

CITY OF WHARTON LANDFILL	County Name: WHARTON	ID: **855**
Location: AT END OF SHEPHERD STREET IN SW PORTION OF WHARTON MUNICIPALITY, WHARTON, TX 77488		MAP ID: **39**
Contact Name: OwnOpr: CITY OF WHARTON		ACRNYM: MSW
Contact Address: OwnOpr: PO BOX 1026, WHARTON, TX 77488		Phone OwnOpr: (713)532-2491

Permit Activities

Error: Subreport could not be shown.

Resource Conservation & Recovery Act (RCRA)

Report Run Date: 7/10/2012 2:10:36 AM

TEXAS EASTERN TRANSMISSION LP			CountyName/CountyCode:WHARTON/TX481					ID:	**TXD982552531**		
Location: 627 SUNSET DRIVE, WHARTON TX 77488								MAP ID:	**14**		
Mailing: PO BOX 1642, HOUSTON TX 77251								ACRNYM:	RCRA		
Activity Location:	TX	State District:	12	Non Notifier:		Exrtract:	X	GWC Ind:	N		
Generator:	N	Transporter:	N	Operationg TSDF		IC Indicator:	N	HE Ind:	N		
Perm Prgrs:		PClos Wrkld:		Subj CA:	N	Subj CA Non-TSD	N				
Perm Wrkld:		Permits GPRA 06:	N	Subj CA TSD 3004:	N	CA Wrkld	N				
Clos Wrkld:		Renewals GPRA 06:	N	Subj CA TSD Disc:	N						

Hazardous Materials

Haz Code ID	Haz Code Def
D001	Ignitable waste
D002	Corrosive waste
D005	Barium
D006	Cadmium
D007	Chromium
D008	Lead
D009	Mercury
D018	Benzene
F003	The following spent non halogenated solvents: Xylene, acetone, ethyl acetate, ethyl benzene, ethyl ether, methyl isobutyl ketone, n butyl alcohol, cyclohexanone, and methanol; all spent solvent mixtures/ blends containing, before use, only the above spent nonhalogenated solvents; and all spent solvent mixtures/blends containing, before use, one or more of the above nonhalogenated solvents, and a total of ten percent or more (by volume) of one or more of those solvents listed in F001, F002, F004, and F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.

Corrective Action Details

No Corrective Actions

Resource Conservation & Recovery Act (RCRA)

Report Run Date: 7/10/2012 2:10:36 AM

CANEY AUTO SVC INC				CountyName/CountyCode:WHARTON/TX481				ID:	**TXR000004689**
Location: 1827 N RICHMOND RD, WHARTON TX 77488								MAP ID:	**18**
Mailing: 1827 N RICHMOND RD, WHARTON TX 77488								ACRNYM:	RCRA
Activity Location:	TX	State District:	12	Non Notifier:		Exrtract:	X	GWC Ind:	N
Generator:	N	Transporter:	N	Operationg TSDF		IC Indicator:	N	HE Ind:	N
Perm Prgrs:		PClos Wrkld:		Subj CA:	N	Subj CA Non-TSD	N		
Perm Wrkld:		Permits GPRA 06:	N	Subj CA TSD 3004:	N	CA Wrkld	N		
Clos Wrkld:		Renewals GPRA 06:	N	Subj CA TSD Disc:	N				

Hazardous Materials

Haz Code ID	Haz Code Def
D001	Ignitable waste
D006	Cadmium
D008	Lead
D018	Benzene
D035	Methyl ethyl ketone
D039	Tetrachloroethylene
D040	Trichlorethylene

Corrective Action Details

No Corrective Actions

Resource Conservation & Recovery Act (RCRA)

Report Run Date: 7/10/2012 2:10:36 AM

CENTERPOINT ENERGY HOUSTON ELECTRIC LLC			CountyName/CountyCode:WHARTON/TX481				ID:	**TXD981518608**	
Location: 1407 N RICHMOND, WHARTON TX 77488							MAP ID:	**21**	
Mailing: PO BOX 1700, HOUSTON TX 77251							ACRNYM:	RCRA	
Activity Location:	TX	State District:	12	Non Notifier:		Exrtract:	X	GWC Ind:	N
Generator:	N	Transporter:	N	Operationg TSDF		IC Indicator:	N	HE Ind:	N
Perm Prgrs:		PClos Wrkld:		Subj CA:	N	Subj CA Non-TSD	N		
Perm Wrkld:		Permits GPRA 06:	N	Subj CA TSD 3004:	N	CA Wrkld	N		
Clos Wrkld:		Renewals GPRA 06:	N	Subj CA TSD Disc:	N				

Hazardous Materials

Haz Code ID	Haz Code Def
D001	Ignitable waste
D005	Barium
D006	Cadmium
D007	Chromium
D008	Lead
D018	Benzene
D029	1,1 Dichloroethylene
D035	Methyl ethyl ketone
D039	Tetrachloroethylene
D040	Trichlorethylene
F001	The following spent halogenated solvents used in degreasing: Tetrachloroethylene, trichlorethylene, methylene chloride, 1,1,1 trichloroethane, carbon tetrachloride and chlorinated fluorocarbons; all spent solvent mixtures/blends used in degreasing containing, before use, a total of ten percent or more (by volume) of one or more of the above halogenated solvents or those solvents listed in F002, F004, and F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.
F003	The following spent non halogenated solvents: Xylene, acetone, ethyl acetate, ethyl benzene, ethyl ether, methyl isobutyl ketone, n butyl alcohol, cyclohexanone, and methanol; all spent solvent mixtures/ blends containing, before use, only the above spent nonhalogenated solvents; and all spent solvent mixtures/blends containing, before use, one or more of the above nonhalogenated solvents, and a total of ten percent or more (by volume) of one or more of those solvents listed in F001, F002, F004, and F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.
F005	The following spent nonhalogenated solvents: toluene, methyl ethyl ketone, carbon disulfide, isobutanol, pyridine, benzene, 2 ethoxyethanol, and 2 nitropropane; all spent solvent mixtures/blends containing, before use, a total of ten percent or more (by volume) of one or more of the above nonhalogenated solvents or those solvents listed in F001, F002, or F004; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.

Corrective Action Details

No Corrective Actions

Resource Conservation & Recovery Act (RCRA)

Report Run Date: 7/10/2012 2:10:36 AM

NAN YA PLASTICS CORPORATION USA				CountyName/CountyCode:WHARTON/TX481				ID:	**TXD102661790**
Location: 700 HIGHWAY 59 LOOP RR, WHARTON TX 77488								MAP ID:	**24**
Mailing: 700 HIGHWAY 59 LOOP RR, WHARTON TX 77488								ACRNYM:	RCRA
Activity Location:	TX	State District:	12	Non Notifier:		Exrtract:	X	GWC Ind:	N
Generator:	CEG	Transporter:	N	Operationg TSDF		IC Indicator:	N	HE Ind:	N
Perm Prgrs:		PClos Wrkld:		Subj CA:	N	Subj CA Non-TSD	N		
Perm Wrkld:		Permits GPRA 06:	N	Subj CA TSD 3004:	N	CA Wrkld	N		
Clos Wrkld:		Renewals GPRA 06:	N	Subj CA TSD Disc:	N				

Hazardous Materials

Haz Code ID	Haz Code Def
D001	Ignitable waste
D002	Corrosive waste

Corrective Action Details

No Corrective Actions

Resource Conservation & Recovery Act (RCRA)

Report Run Date: 7/10/2012 2:10:36 AM

DON ELLIOTT CHEVROLET				CountyName/CountyCode:WHARTON/TX481				ID:	**TXD982553703**
Location: 1225 N RICHMOND, WHARTON TX 77488								MAP ID:	**27**
Mailing: PO BOX 1210, WHARTON TX 77488								ACRNYM:	RCRA
Activity Location:	TX	State District:	12	Non Notifier:		Exrtract:	X	GWC Ind:	N
Generator:	SQG	Transporter:	N	Operationg TSDF		IC Indicator:	N	HE Ind:	N
Perm Prgrs:		PClos Wrkld:		Subj CA:	N	Subj CA Non-TSD	N		
Perm Wrkld:		Permits GPRA 06:	N	Subj CA TSD 3004:	N	CA Wrkld	N		
Clos Wrkld:		Renewals GPRA 06:	N	Subj CA TSD Disc:	N				

Hazardous Materials

Haz Code ID	Haz Code Def
D001	Ignitable waste
D003	Reactive waste
D006	Cadmium
D007	Chromium
D008	Lead
D018	Benzene
D021	Chlorobenzene
D027	1,4 Dichlorobenzene
D039	Tetrachloroethylene
D040	Trichlorethylene
F003	The following spent non halogenated solvents: Xylene, acetone, ethyl acetate, ethyl benzene, ethyl ether, methyl isobutyl ketone, n butyl alcohol, cyclohexanone, and methanol; all spent solvent mixtures/ blends containing, before use, only the above spent nonhalogenated solvents; and all spent solvent mixtures/blends containing, before use, one or more of the above nonhalogenated solvents, and a total of ten percent or more (by volume) of one or more of those solvents listed in F001, F002, F004, and F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.

Corrective Action Details

No Corrective Actions

Resource Conservation & Recovery Act (RCRA)

Report Run Date: 7/10/2012 2:10:36 AM

ENRON GAS PIPELINE/WHARTON				CountyName/CountyCode:WHARTON/TX481				ID:	**TXD987987617**
Location: 1333 FM 1301, WHARTON TX 77488								MAP ID:	**29**
Mailing: PO BOX 427, WHARTON TX 77488								ACRNYM:	RCRA
Activity Location:	TX	State District:	12	Non Notifier:		Exrtract:	X	GWC Ind:	N
Generator:	LQG	Transporter:	N	Operationg TSDF		IC Indicator:	N	HE Ind:	N
Perm Prgrs:		PClos Wrkld:		Subj CA:	N	Subj CA Non-TSD	N		
Perm Wrkld:		Permits GPRA 06:	N	Subj CA TSD 3004:	N	CA Wrkld	N		
Clos Wrkld:		Renewals GPRA 06:	N	Subj CA TSD Disc:	N				

Hazardous Materials

Haz Code ID	Haz Code Def
D001	Ignitable waste
F003	The following spent non halogenated solvents: Xylene, acetone, ethyl acetate, ethyl benzene, ethyl ether, methyl isobutyl ketone, n butyl alcohol, cyclohexanone, and methanol; all spent solvent mixtures/ blends containing, before use, only the above spent nonhalogenated solvents; and all spent solvent mixtures/blends containing, before use, one or more of the above nonhalogenated solvents, and a total of ten percent or more (by volume) of one or more of those solvents listed in F001, F002, F004, and F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.
F005	The following spent nonhalogenated solvents: toluene, methyl ethyl ketone, carbon disulfide, isobutanol, pyridine, benzene, 2 ethoxyethanol, and 2 nitropropane; all spent solvent mixtures/blends containing, before use, a total of ten percent or more (by volume) of one or more of the above nonhalogenated solvents or those solvents listed in F001, F002, or F004; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.

Corrective Action Details

No Corrective Actions

Resource Conservation & Recovery Act (RCRA)

Report Run Date: 7/10/2012 2:10:36 AM

SCHLUMBERGER TECHNOLOGY CORPORATION			CountyName/CountyCode:WHARTON/TX481				ID:	**TXD982556169**	
Location: 1005 NELSON LN, WHARTON TX 77488							MAP ID:	**30**	
Mailing: 1005 NELSON LN, WHARTON TX 77488							ACRNYM:	RCRA	
Activity Location:	TX	State District:	12	Non Notifier:		Exrtract:	X	GWC Ind:	N
Generator:	N	Transporter:	N	Operationg TSDF		IC Indicator:	N	HE Ind:	N
Perm Prgrs:		PClos Wrkld:		Subj CA:	N	Subj CA Non-TSD	N		
Perm Wrkld:		Permits GPRA 06:	N	Subj CA TSD 3004:	N	CA Wrkld	N		
Clos Wrkld:		Renewals GPRA 06:	N	Subj CA TSD Disc:	N				

Hazardous Materials

Haz Code ID	Haz Code Def
D001	Ignitable waste

Corrective Action Details

No Corrective Actions

Resource Conservation & Recovery Act (RCRA)

Report Run Date: 7/10/2012 2:10:36 AM

KOONCE PETROLEUM CO INC				CountyName/CountyCode:WHARTON/TX481				ID:	**TXD000783027**
Location: 901 STAFFORD LN, WHARTON TX 77488								MAP ID:	**32**
Mailing: 901 STAFFORD LN, WHARTON TX 77488								ACRNYM:	RCRA
Activity Location:	TX	State District:	12	Non Notifier:		Exrtract:	X	GWC Ind:	N
Generator:	N	Transporter:	N	Operationg TSDF		IC Indicator:	N	HE Ind:	N
Perm Prgrs:		PClos Wrkld:		Subj CA:	N	Subj CA Non-TSD	N		
Perm Wrkld:		Permits GPRA 06:	N	Subj CA TSD 3004:	N	CA Wrkld	N		
Clos Wrkld:		Renewals GPRA 06:	N	Subj CA TSD Disc:	N				

Hazardous Materials

Haz Code ID	Haz Code Def
D001	Ignitable waste

Corrective Action Details

No Corrective Actions

Resource Conservation & Recovery Act (RCRA)

Report Run Date: 7/10/2012 2:10:36 AM

THE GOODYEAR TIRE & RUBBER COMPANY			CountyName/CountyCode:WHARTON/TX481				ID:	**TXD149982696**	
Location: 1108 N RICHMOND RD, WHARTON TX 77488							MAP ID:		**33**
Mailing: 321 CENTURY PLAZA DR STE 115, HOUSTON TX 77073							ACRNYM:	RCRA	
Activity Location:	TX	State District:	12	Non Notifier:		Exrtract:	X	GWC Ind:	N
Generator:	N	Transporter:	N	Operationg TSDF		IC Indicator:	N	HE Ind:	N
Perm Prgrs:		PClos Wrkld:		Subj CA:	N	Subj CA Non-TSD	N		
Perm Wrkld:		Permits GPRA 06:	N	Subj CA TSD 3004:	N	CA Wrkld	N		
Clos Wrkld:		Renewals GPRA 06:	N	Subj CA TSD Disc:	N				

Hazardous Materials

Haz Code ID	Haz Code Def
D001	Ignitable waste

Corrective Action Details

No Corrective Actions

Resource Conservation & Recovery Act (RCRA)

Report Run Date: 7/10/2012 2:10:36 AM

J M MANUFACTURING COMPANY INC				CountyName/CountyCode:WHARTON/TX481				ID:	**TXD987990843**
Location: 10807 US 59 RD, WHARTON TX 77488								MAP ID:	**34**
Mailing: 10807 US 59 RD, WHARTON TX 77488								ACRNYM:	RCRA
Activity Location:	TX	State District:	12	Non Notifier:		Exrtract:	X	GWC Ind:	N
Generator:	N	Transporter:	N	Operationg TSDF		IC Indicator:	N	HE Ind:	N
Perm Prgrs:		PClos Wrkld:		Subj CA:	N	Subj CA Non-TSD	N		
Perm Wrkld:		Permits GPRA 06:	N	Subj CA TSD 3004:	N	CA Wrkld	N		
Clos Wrkld:		Renewals GPRA 06:	N	Subj CA TSD Disc:	N				

Hazardous Materials

Haz Code ID	Haz Code Def
D001	Ignitable waste
D018	Benzene
D039	Tetrachloroethylene

Corrective Action Details

No Corrective Actions

Resource Conservation & Recovery Act (RCRA)

Report Run Date: 7/10/2012 2:10:36 AM

BJ SERVICES COMPANY USA LP				CountyName/CountyCode:WHARTON/TX481				ID:	**TXD048213185**
Location: 707 NELSON LN, WHARTON TX 77488								MAP ID:	**36**
Mailing: 515 POST OAK BLVD STE 913, HOUSTON TX 77027								ACRNYM:	RCRA
Activity Location:	TX	State District:	12	Non Notifier:		Exrtract:	X	GWC Ind:	N
Generator:	N	Transporter:	N	Operationg TSDF		IC Indicator:	N	HE Ind:	N
Perm Prgrs:		PClos Wrkld:		Subj CA:	N	Subj CA Non-TSD	N		
Perm Wrkld:		Permits GPRA 06:	N	Subj CA TSD 3004:	N	CA Wrkld	N		
Clos Wrkld:		Renewals GPRA 06:	N	Subj CA TSD Disc:	N				

Hazardous Materials

Haz Code ID	Haz Code Def
D002	Corrosive waste

Corrective Action Details

No Corrective Actions

Spills Report

Report Run Date: 7/10/2012 2:10:36 AM

KEYSTONE GAS PLANT		County Name: WINKLER		ID:	**105384**
Location: 7.4 MILES EAST OF KERMIT ON FM 874				MAP ID:	**5**
Near City: KERMIT				ACRNYM:	LPSC
Media Name:	AIR	Regulated Entity Number:	KEYSTONE GAS PLANT		
Level of Importance:	0	Received Date:	3/25/2008		
Start Date:	3/25/2008	Status Date	7/17/2008		
Incident Type: Air Upset		Incident Status: Closed			
Customer Name: SOUTHERN UNION GAS SERVICES LTD		Disputed Status: Public Man			
Comments: Maintenance was unable to replace the bearings on recycle blower when they pulled the bearing housing off. They now had to wait for the other recycle blower, that was pulled off during the maintenance shutdown and was already at the Odessa machine shop getting repaired. This is a really hard piece of equipment to repair and the machine shop personnel have to make sure everything is "perfect" so it will not fail again. The rebuilt recycle blower has been set and aligned. started up eclipse heaters to warm up Sulfur Recovery Unit(SRU). 4/4/2008, off acid gas flare & SRU back on and in service. Ran vibrations checks on rebuilt recycle blower, and everything seems to be working OK.					

BROOKELAND GAS PLANT		County Name: JASPER		ID:	**34351**
Location: FROM JASPER, TX N ON HWY 96 TO REC ROAD 255, E .8 M ON LEFT				MAP ID:	**21**
Near City: BROOKELAND				ACRNYM:	IHWCA
Media Name:	AIR	Regulated Entity Number:	BROOKELAND GAS PLANT		
Level of Importance:	0	Received Date:	1/20/2004		
Start Date:	1/20/2004	Status Date	2/27/2004		
Incident Type: Air Upset		Incident Status: Closed			
Customer Name: DCP MIDSTREAM LP		Disputed Status: Public Auto			
Comments: Shut in the field and blocked in the line. Minimized release by letting the plant pull down the pressure as much as possible.					

NORTH FOSTER CENTRAL TB		County Name: ECTOR	ID: **118522**
Location: 2 MI NW ON SH302 1 MI N ON LSE RD			MAP ID: **22**
Near City: ODESSA			ACRNYM: LPSA
Media Name:	AIR	Regulated Entity Number:	NORTH FOSTER CENTRAL TB
Level of Importance:	0	Received Date:	1/7/2009
Start Date:	1/6/2009	Status Date	1/21/2009
Incident Type: Air Upset		Incident Status: Open	
Customer Name: CHEVRON MIDCONTINENT LP		Disputed Status: Public Man	
Comments: Within levels conductive to a safe working environment, Chevron field and battery facilities will be allowed to pressure up before any gas is routed to the emergency flare. Chevron will discontinue flaring immediately upon DCP Midstream completing the necessary maintenance and repairs on the Mojo line in West Odessa, thus allowing them to resume taking our gas for processing.			
BEAUMONT HEADQUARTER		County Name: JEFFERSON	ID: **66665**
Location:			MAP ID: **23**
Near City: unavailable			ACRNYM: IHW
Media Name:	WASTE	Regulated Entity Number:	BEAUMONT HEADQUARTER
Level of Importance:	4	Received Date:	9/26/2005
Start Date:	9/26/2005	Status Date	10/27/2005
Incident Type: Emergency Response		Incident Status: Closed	
Customer Name: UNITED TEXAS TRANSMISSION CO		Disputed Status:	
Comments: Boom and absorbent pads were deployed for contaiment of the material. The impacted soil was excavated. Graner Environmental was activated for cleanup response. TCEQ-R10 Primary Responder, Greg Goode and ER Investigator Trainees, P.Singh, J.Mayfield, and A.Odstrcil responded onscene for follow-up Inspection on 10/12/05, @1253 hrs.			
GENERIC INCIDENT ZIP CODE 75103		County Name: VAN ZANDT	ID: **38401**
Location:			MAP ID: **30**
Near City: CANTON			ACRNYM: IHWCA
Media Name:	WASTE	Regulated Entity Number:	GENERIC INCIDENT ZIP CODE 75103
Level of Importance:	0	Received Date:	6/5/2003
Start Date:	6/5/2003	Status Date	4/23/2004
Incident Type: Emergency Response		Incident Status: Closed	
Customer Name: BRYCE TRANSPORT INC		Disputed Status:	
Comments: On June 5, 2003, the TCEQ Tyler Region Office received an emergency response notification involving a release of diesel fuel from a Bryce Transport vehicle involved in an accident located near mile marker 519 on Interstate 20. The incident was reported by Mr. Lance Grant (Incident Manager, Cura Emergency Services) at 10:30 hours to Mr. Greg Orr (Environmental Investigator, TCEQ Tyler Region Office). The release of diesel fuel was from the ruptured saddle tanks on the Bryce Transport vehicle. Approximately 200 gallons of a diesel fuel were released to the roadway, adjacent soils, and a retention pond below the interstate. A final spill cleanup report was submitted to the TCEQ Tyler Region Office on July 28, 2003. LW Environmental Services was contracted to recover the spilled diesel fuel. The final report indicated that the recovered diesel/water mixture was disposed at Effluent Recycling, Inc. (Ranger, Texas), and the disposal of the excavated contaminated soils was at Republic Services, Inc. (Avalon, Texas). Based on information in the final spill cleanup report, the clean up of this spill appears to be adequate and no further action is required.			
TILDEN GAS PLANT		County Name: MCMULLEN	ID: **106571**
Location: FROM INTERSECTION OF STATE HWY 72 AND HWY 16 FOR ABOUT 2.0 MILES THEN TURN EAST ON PRIVATE ROAD WITH REGENCY SIGN.			MAP ID: **31**
Near City: TILDEN			ACRNYM: LPSC
Media Name:	AIR	Regulated Entity Number:	TILDEN GAS PLANT
Level of Importance:	0	Received Date:	4/20/2008
Start Date:	4/19/2008	Status Date	8/8/2008
Incident Type: Air Upset		Incident Status: Closed	
Customer Name: REGENCY FS LP		Disputed Status: Public Man	
Comments: The valves were cycled and the equipment was placed back into service as soon as conditions permitted.			
VALERO PORT ARTHUR REFINERY		County Name: JEFFERSON	ID: **102654**

Location: 1801 S GULFWAY DR, PORT ARTHUR, TX			MAP ID: **35**
Near City: PORT ARTHUR			ACRNYM: LPSC
Media Name:	AIR	Regulated Entity Number:	VALERO PORT ARTHUR REFINERY
Level of Importance:	0	Received Date:	1/21/2008
Start Date:	1/20/2008	Status Date	3/20/2008
Incident Type: Air Upset		Incident Status: Closed	
Customer Name: THE PREMCOR REFINING GROUP INC		Disputed Status: Public Man	
Comments: Actions to Prevent Recurrence: Consider verifying that steam tracing and insulation exists for the LC-2400 level column on T-2400 Absorber Stripper is adequate. If not, consider installing steam tracing and insulation. Consider verifying the level taps on LC-2400 level column on T-2400 Absorber Stripper are not plugged. Actions to Minimize Emissions: Operations Personnel reduced the steam rate to the debutanizer reboiler to minimize flaring. Operations Personnel reduced the feed to the debutanizer when the flaring occurred.			

Voluntary Cleanup Program Report

Report Run Date: 7/10/2012 2:10:36 AM

Park Plaza Office Building		County Name: Tarrant	ID: **855**
Location: 2501 PARKVIEW DRIVE, FORT WORTH TX			MAP ID: **39**
TCEQ Project Manager: Fontenot Applicant Lead: Owner			ACRNYM: MSW
Applicant Name:	Massachusetts Mutual Life Insurance Company	Attorny/Consultant Name:	ManTech Environmental Corporation
Applicant Contact:	Robert Whitney	Attorny/Consultant Contact:	Bruce E. Oliver, P.E. Title: Director, Houston Operations
App Address:	311 SOUTH WACKER DRIVE, CHICAGO IL	Attorny/Consultant Address:	6300 WEST LOOP SOUTH, SUITE 500, HOUSTON TX 77401
VCP Recieve Date: 10/27/1998	PCA No: 31765		Facility Type:Municipal Solid Waste Landfill
Cerclis EPA Identification No.:	LPST No:	APAR Submitted: False	Rules:RRR
Standards: 2	Tier:	Certification Issued: 8/23/1999	C/F/L: F
Instituitional Control:	Remedy Type : Not Required		
Media Affected: Soils		Contaminant Categories: Methane	

Facility Registry System Report

Report Run Date: 7/10/2012

CANEY AUTO SVC INC	County Name: WHARTON	ID: **110005165757**
Location: 1827 N RICHMOND RD, WHARTON TX 77488		MAP ID: **18**
Federal Facility:	Tribal Land: N	ACRNYM: FRS
Tribal Land Name:	Congrssional District: 14	
Mexico Border Indicator:N	Legislative Dist.: 12	

Universes the site is a member of:

FRP: False	TRS: False	SDWIS: False
RCRA Info: True	PCS: False	NPDES: False
NEI: False	ICIS: False	CERCLIS: False
CAMDBS: False	BRAC: False	AIRS-AQS: False
AIRS-AFS: False	NCDB: False	

Mailing Address

CENTERPOINT ENERGY HOUSTON ELECTRIC LLC	County Name: WHARTON	ID: **110005090169**
Location: 1407 N RICHMOND, WHARTON TX 77488		MAP ID: **21**
Federal Facility:	Tribal Land: N	ACRNYM: FRS
Tribal Land Name:	Congrssional District: 14	
Mexico Border Indicator:N	Legislative Dist.: 12	

Universes the site is a member of:

FRP: False	TRS: False	SDWIS: False
RCRA Info: True	PCS: False	NPDES: False
NEI: False	ICIS: False	CERCLIS: False
CAMDBS: False	BRAC: False	AIRS-AQS: False
AIRS-AFS: False	NCDB: False	

Mailing Address

ZIP Code Orphan QA/QC Report

Report Run Date: 7/10/2012 2:10:36 AM

ZIP Codes Queried: 77488

ID	Type	Facility	Address
38861	IHW	J-M Manufacturing	10807 US 59 RD, WHARTON TX 77488
0042701	PST	FOODTOWN DRIVE IN	1125 MAIN HWY 90 ST, WHARTON TX 77488
110033738141	FRS	FOODTOWN DRIVE IN	1125 MAIN HWY 90 ST, WHARTON TX 77488
0035519	PST	O & W FRAZIER CONST	1215 SHIRLEY ST, WHARTON TX 77488
110641	LPSC	O & W FRAZIER CONST CO INC	1215 SHIRLEY ST, WHARTON TX 77488
0076224	PST	MURPHY USA 7018	1245 HIGHWAY 59 LOOP N, WHARTON TX 77488
0077736	PST	WAL-MART SUPERCENTER 5246	1255 HIGHWAY 59 LOOP N, WHARTON TX 77488
88228	IHW	Wal-Mart Supercenter 5246	1255 HIGHWAY 59 LOOP N, WHARTON TX 77488
TXR000073940	RCRA	WAL MART SUPERCENTER 5246	1255 HIGHWAY 59 LOOP, WHARTON TX 77488
0035471	PST	F D GAVRANOVIC	1702 S FM 2817, WHARTON TX 77488
E92148328	ERNS	OIL WELL/LEAKING DUE TO UNKNOWN CAUSE	3 BOX 411 HWY 1161, HUNGERFORD TX 77488
0004475	PST	EXXON CO USA PLEDGER	3215 COCKBURN, WHARTON TX 77488
0004476	PST	MAGNET WITHERS FIELD	3215 COCKBURN, WHARTON TX 77488
091719	LPSC	EXXON CO USA PLEDGER	3215 COCKBURN, WHARTON TX 77488
110034278582	FRS	MURPHY OIL USA INC	3413 WEST LOOP ON APPROX 1300 FEET OFF THE SW CORN, WHARTON TX 77488
0061061	PST	RASMUSSEN OSCAR	3737 HIGHWAY 59 LOOP N, WHARTON TX 77488
0048354	PST	SCHLUMBERGER WELL SERVICES	4073 AIRPORT RD, WHARTON TX 77488
0602253	CERC-NFRAP	LACKEY AVIATION	5.5MI SE OF FM 3012 & HWY 60 INT., WHARTON TX 77488
110034059337	FRS	LAND FILL	500 S SHEPHARD ST WHARTON TX, WHARTON TX 77488
104835	LPSC	ALAMO LUMBER COMPANY SITE 24	5114 HIGHWAY 59 LOOP, WHARTON TX 77488
39184	IHW	Nan Ya Plastics	700 HIGHWAY 59 LOOP RR, WHARTON TX 77488
110037864166	FRS	WHARTON REGIONAL AIRPORT	714 ROBERT VONDERAU RD, WHARTON TX 77488
0042702	PST	FOOD TOWN SOUTH	9129 US 60 HWY, EAST BERNARD TX 77488
82821	IHW	Union Pacific Resources	COUNTY RD 407, WHARTON TX 77488
TXR000058222	RCRA	TEPPCO CRUDE WITHERS STATION	COUNTY RD 444 AND PIERCE RANCH, MAGNET TX 77488
110018904104	FRS	TEPPCO CRUDE WITHERS STATION	COUNTY RD 444 AND PIERCE RANCH, MAGNET TX 77488
0020205	PST	SCHOTTS BAKERY	FM 102, WHARTON TX 77488
TXD051888733	RCRA	NATURAL GAS PIPELINE COMPANY OF AMERICA	FM 1161 3 MI W OF US 59, WHARTON TX 77488
0034335	PST	NATURAL GAS PIPELINE COSTA 301	FM 1161 3MI W OF HWY, HUNGERFORD TX 77488
0051642	PST	HELDENFELS ROAD CONSTRUCTION	FM 1299, WHARTON TX 77488
0061400	PST	WHARTON TURF-GRASS	FM 1299, WHARTON TX 77488
0054385	PST	BARNHILL FLYING SERVICE	FM 3012 W OF PAYNE RD, WHARTON TX 77488
0057563	PST	RANCHO GRANDE FARMS	FM 961, WHARTON TX 77488
110041895624	FRS	HARVEST PIPELINE COMPANY WHARTON GAS PLANT	FROM HUNGERFORD GO 5.35 SSW ON US 59R BUS TO FM 13, WHARTON TX 77488
110034879308	FRS	WHARTON NO 1 TANK BATTERY	FROM THE INTXN OF US 59 & SR 60 TVL N ON SR 60.2 T, WHARTON TX 77488

Appendix E

Coordination with Regulatory Agencies

Texas Department of Transportation®
DEWITT C. GREER STATE HIGHWAY BLDG. • 125 E. 11TH STREET • AUSTIN, TEXAS 78701-2483 • (512) 463-8585

May 21, 2013

Texas Parks & Wildlife Dept.
MAY 23 2013
Wildlife Habitat Assessment Program

Environmental Document Coordination
CSJ: 1412-03-038
Highway: FM 1301 Extension
To: US 59; From: FM 1301
Including: US 59 Overpass and Frontage Roads
Wharton County; District: Yoakum

Ms. Kathy Boydston
Texas Parks and Wildlife Department
Wildlife Division – Wildlife Habitat Assessment Program
4200 Smith School Road
Austin, Texas 78744

Dear Ms. Boydston:

Consistent with the Memorandum of Understanding signed by our two agencies, attached is a copy of the environmental document covering the subject project for your review and comment. Any comments you may have on this document will assist the Texas Department of Transportation (Department) in ensuring that the Department's projects are sensitive to the natural resources of the state. Please include the above CSJ number in your correspondence.

Please submit any comments you may have within 45 days from the date of this letter. If you do not have any comments on the document, please sign and date the bottom of this letter and return a copy to the Environmental Affairs Division. If no response is received after the 45 days have expired, we will proceed with project development. If you have any questions regarding this project please contact Alan Sharp Yoakum District at 361-293-4371 or alan.sharp@txdot.gov

Sincerely,

John Young
Ecological Resources Branch
Environmental Affairs Division

Enclosure

RECEIVED - TXDOT
JUN 13 2013
ENVIRONMENTAL AFFAIRS

☒ NO COMMENT: Amy Turner, Ph.D.
Wildlife Habitat Assessment Program

DATE: 6/10/2013

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Division of Ecological Services
17629 El Camino Real, Suite 211
281/286-8282 / (FAX) 281/488-5882

June 2011

Thank you for your request for threatened and endangered species information in the Clear Lake Ecological Services Office's area of responsibility. According to Section 7(a)(2) of the Endangered Species Act and the implementing regulations, it is the responsibility of each Federal agency to ensure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of any federally listed species.

Please note that while a Federal agency may designate a non-Federal representative to conduct informal consultation or prepare a biological assessment, the Federal agency must notify the U.S. Fish and Wildlife Service (Service) in writing of such designation. The Federal agency shall also independently review and evaluate the scope and contents of a biological assessment prepared by their designated non-Federal representative before that document is submitted to the Service.

A county-by-county listing of federally-listed threatened and endangered species that occur within this office's work area can be found at http://www.fws.gov/southwest/es/Endangered Species/lists/default.cfm. You should use the county-by-county listing and other current species information to determine whether suitable habitat for a listed species is present at your project site. If suitable habitat is present, a qualified individual should conduct surveys to determine whether a listed species is present.

After completing a habitat evaluation and /or any necessary surveys, you should evaluate the project for potential effects to the listed species and make one of the following determinations:

No effect – the proposed action will not affect federally listed species or critical habitat (i.e., suitable habitat for species occurring in the project county is not present in, or adjacent to, the action area). No coordination or conduct with the Service is necessary. However, if the project changes or additional information on the distribution of listed or proposed species becomes available, the project should be reanalyzed for effects not previously considered.

Is not likely to adversely affect – the project may affect listed species and/or critical habitat: however, the effects are expected to be discountable, insignificant, or completely beneficial. Certain avoidance aud minimization measures may need to be implemented in order to reach this level of effects. The Federal agency or the designated non-Federal representative should seek written concurrence from the Service that adverse effects have been eliminated. Be sure to include all the information and documentation used to reach your decision with your concurrence. The Service must have this documentation before issuing a concurrence.

Is likely to adversely affect – adverse effect to listed species may occur as a direct or indirect result of the proposed action or its interrelated or interdependent actions, and the effect is not discountable, insignificant, or beneficial. If the overall effect of the proposed action is beneficial to the listed species but also likely to cause some adverse effect to individuals or that species, then the proposed action "is likely to adversely affect" the listed species. An "is likely to adversely affect" determination requires the Federal action agency to initiate formal Section 7 consultation with this office.

Regardless of your determination, the Service recommends that you maintain a complete record of the evaluation, including steps leading to the determination of affect, the qualified personnel conducting the evaluation, habitat conditions, site photographs, and any other related articles. The Service's Consultation Handbook is available online to assist you with further information on definitions, process, and fulfilling Endangered Species Act requirements for your projects at http://www.fws.gov/endangered/esa-libray/pdf/esa_section7_handbook.pdf.

If we can further assist you in understanding a federal agency's obligations under the Endangered Species Act, please contact Donna Anderson, Moni Belton, Kelsey Gocke, Jeff Hill, Charrish Stevens, or Arturo Vale at 281-286-8282.

Sincerely,

Edith Erfling

Edith Erfling
Field Supervisor

Texas Department of Transportation
DEWITT C. GREER STATE HIGHWAY BLDG. • 125 E. 11TH STREET • AUSTIN, TEXAS 78701-2483 • (512) 463-8585

September 17, 2012

Section 106/Antiquities Code of Texas: Review and Comments (Permit #6312)
FM 1301 Extension Project (CSJ: 1412-03-038)
Yoakum District; Wharton County

Ms. Patricia A. Mercado-Allinger
Division Director/State Archeologist
Archeology Division
Texas Historical Commission
PO Box 12276
Austin, TX 78711-2276

Dear Ms. Mercado-Allinger:

The proposed project will be undertaken with Federal funding. In accordance with Section 106 (and the First Amended Programmatic Agreement among the Texas Department of Transportation [TxDOT], the Texas State Historical Preservation Officer [TSHPO], the Federal Highway Administration [FHWA], and the Advisory Council on Historic Preservation) and the Antiquities Code of Texas (and the Memorandum of Understanding between the Texas Historical Commission [THC] and TxDOT), this letter initiates consultation for the proposed undertaking.

The proposed project would expand Farm-to-Market Road (FM) 1301 between State Highway (SH) 60 and United States Highway (US) 59 in Wharton County, Texas. The proposed extension would extend the existing roadway beyond its current terminus at US 59 on new location to SH 60 to accommodate up to four lanes of traffic, two in each direction, possibly with flush medians. Also included in the proposed project design is a four lane grade separation over the Kansas City Southern Rail Road tracks and FM 102 would be realigned to connect to the new extension. Project is approximately 19,000-feet in length. Approximately 119 acres of new ROW would be acquired; the proposed ROW would be acquired from privately-owned property. The APE is defined as the existing and proposed ROW, the width of the proposed ROW (usual 160-feet), and the depth of construction impacts. Depth of impacts is generally 3-ft or less across most of the APE, but would extend to as much as 25-ft at the grade separation.

In July and August of 2012, AmaTerra Environmental, Inc. (AmaTerra), an archeological subcontractor to the Yoakum District, conducted a survey of the APE. The intensive survey consisted of pedestrian survey, 99 shovel-tests, and 11 mechanical trenches. The survey was performed under Texas Antiquities Permit #6312. No archeological materials were encountered during the survey no sites were recorded. Based on this information, AmaTerra recommends that the entire APE is clear of archeological materials, does not warrant any further archeological investigation, and should be allowed to proceed to construction. TxDOT agrees with this recommendation.

TxDOT has concluded that, based on the above archeological inventory to evaluate properties within the APE pursuant to Stipulation VI.A.7, no historic properties are present within the APE and has documented this conclusion pursuant to Stipulation IX.D.6.a of the First Amended Programmatic

Agreement among TxDOT, TSHPO, FHWA, and the Advisory Council on Historic Preservation. Under this stipulation, no consultation with TSHPO is necessary for archeological historic properties.

Please find attached for your review and comments the AmaTerra draft archeological survey report; *Archeological Survey of a Proposed New Location Roadway in the City of Wharton: FM 1301 from State Highway 60 to US 59, Wharton County, Texas*. TxDOT recommends that the inventory is complete and sufficient, no further archeological investigations are warranted, and the report is satisfactory and acceptable. If you have no objections or comments on this report and find it acceptable, please sign below to indicate your concurrence and stamp the draft cover as acceptable.

Thank you for your consideration in this matter. If you have any questions or further need of assistance, please contact Allen Bettis of the TxDOT Archeological Studies Program at (512) 416-2747.

Sincerely,

Allen C. Bettis Jr.
Archeological Studies Program
Environmental Affairs Division

cc w/o attachments: Rachel Feit – AmaTerra Environmental, Inc.
Alan Sharp – Yoakum District EC
ACB SYH PA File

Concurrence: 9-21-12
Date:
for Mark S. Wolfe, State Historic Preservation Officer

Standards of Uniformity for Historical Studies – Project Coordination Request

District/County _____ Highway _____ CSJ _____
Contractor _____ Submittal Date _____

	SECTION 3: ENV HIST DETERMINATIONS ADDITIONAL ACTIONS REQUIRED BY THE DISTRICT. SOU TO BE RESUBMITTED WITH REQUESTED INFORMATION [DO NOT WRITE on this page; for ENV HIST STAFF ONLY]	Yes
1	Project information is **insufficient** to determine level of Historic Resource Review and Consultation (see attached comments indicating why information is insufficient).	☐
2	Project information is sufficient to recommend that a **Reconnaissance Survey** be performed.** ENV HIST staff will consult with the District to specify survey needs and to develop a scope of work and a timeline for receiving contract deliverables.	☐
3	Project information is sufficient to recommend that an **Intensive Survey** be performed.** ENV HIST staff will consult with the District to specify survey needs and develop a scope of work and a timeline for receiving contract deliverables.	☐
	ADDITIONAL COMMENTS:	

** All work must meet appropriate Standards of Uniformity. Please consult with ENV HIST if District requires assistance through an ENV Scientific Services Contract.

SECTION 4: ENV HIST CERTIFICATION [TO BE FILLED OUT BY ENV HIST STAFF. TO BE INCLUDED WITH DISTRICT'S SUBMISSION TO THE REC]
ENV HIST staff determined that the project information is sufficient to record Section 106 actions on HIST screen in ETS. The appropriate NEPA language was submitted to the District and recorded in ETS.
ENV HIST Reviewer Name: Carolyn A Nelson Date: 3.21.13 CSJ #1412-03-038

Appendix F

Funding Agreement / Consistency Documents

Texas Department of Transportation

403 HUCK STREET • YOAKUM, TEXAS 77995-2973 • (361) 293-4300

June 28, 2011

Mr. Andres Garza, Jr.
City Manager
120 E. Caney St.
Wharton TX 77488

Dear Mr. Garza:

Attached are two copies of the Advance Funding Agreement for the extension of FM 1301. Please sign both copies and return them to me for further execution. After the agreement is fully executed, a copy will be sent to you.

Should you have any questions, please contact Paul Frerich, P.E. at, (361)293-4347.

Sincerely,

Lonnie J. Gregorcyk, P.E.
District Engineer – Yoakum

CSJ#: 1412-03-038

District # 13-Yoakum

Code Chart 64 # 45500

Project: The Extension of FM 1301 from SH 60 to US 59 in Wharton

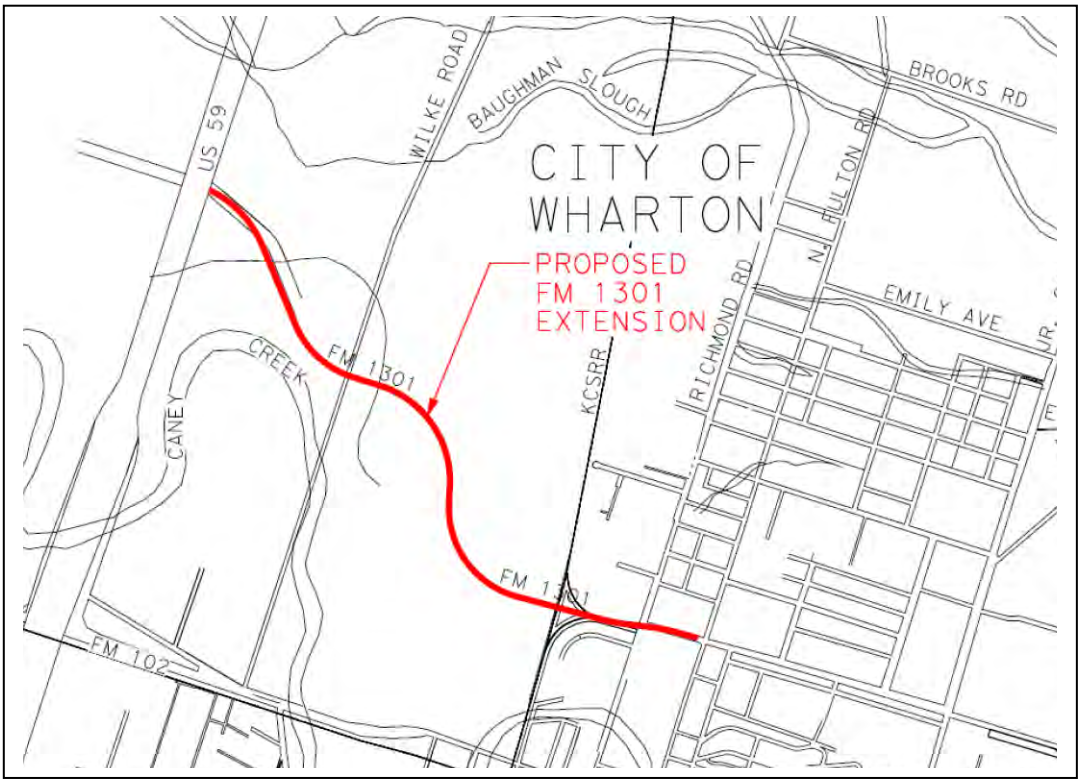
Federal Highway Administration

CFDA # 20.205

Not Research and Development

ATTACHMENT B

Location Map Showing Project



CSJ # 1412-03-038
District # 13 - Yoakum
Code Chart 64 # 45500
Project: The extension of FM 1301 from SH 60 To US 59 in Wharton
Federal Highway Administration
CFDA # 20.205
Not Research and Development

STATE OF TEXAS §

COUNTY OF TRAVIS §

LOCAL TRANSPORTATION PROJECT
ADVANCE FUNDING AGREEMENT
For A
Category 11 Project
(Construct New Location Roadway)
On-System

THIS AGREEMENT is made by and between the State of Texas, acting by and through the Texas Department of Transportation called the "State", and the City of Wharton, acting by and through its duly authorized officials, called the "Local Government."

WITNESSETH

WHEREAS, federal law establishes federally funded programs for transportation improvements to implement its public purposes; and

WHEREAS, the Texas Transportation Code, Sections 201.103 and 222.052 establish that the State shall design, construct and operate a system of highways in cooperation with local governments; and

WHEREAS, federal and state laws require local governments to meet certain contract standards relating to the management and administration of State and federal funds; and

WHEREAS, the Texas Transportation Commission passed Minute Order Number 112237, authorizing the State to undertake and complete a highway improvement generally described as constructing the extension of FM 1301 from SH 60 to US 59 to in Wharton; and,

WHEREAS, the Governing Body of the Local Government has approved entering into this agreement by resolution or ordinance dated _____, which is attached to and made a part of this agreement as Attachment "A" for construction of the extension of FM 1301 from SH 60 to US 59 in Wharton, at the location shown on the Map, which is attached to and made a part of this agreement as Attachment "B" referred to as the Project;

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties, to be by them respectively kept and performed as set forth in this agreement, it is agreed as follows:

CSJ # 1412-03-038
District # 13 - Yoakum
Code Chart 64 # 45500
Project: The extension of FM 1301 from SH 60 To US 59 in Wharton
Federal Highway Administration
CFDA # 20.205
Not Research and Development

AGREEMENT

1. **Period of the Agreement**
   This agreement becomes effective when signed by the last party whose signing makes the agreement fully executed. This agreement shall remain in effect until the Project is completed or unless terminated as provided below.

2. **Scope of Work**
   The engineering and construction of the extension of FM 1301 from SH 60 to US 59, in the City of Wharton, as shown on Attachment "B".

3. **Local Project Sources and Uses of Funds**
   A. The total estimated cost of the Project is shown in the Project Budget – Attachment "C", which is attached to and made a part of this agreement. The expected cash contributions from the Federal or State government, the Local Governments, or other parties is shown in Attachment "C". The State will pay for only those project costs that have been approved by the Texas Transportation Commission. The State and the Federal Government will not reimburse the Local Government for any work performed before the federal spending authority is formally obligated to the Project by the Federal Highway Administration. After federal funds have been obligated, the State will send to the Local Government a copy of the formal documentation showing the obligation of funds including federal award information. The Local Government is responsible for 100% of the cost of any work performed under its direction or control before the federal spending authority is formally obligated.
   B. If the Local Government will perform any work under this contract for which reimbursement will be provided by or through the State, the Local Government must complete training before federal spending authority is obligated. Training is complete when at least one individual who is working actively and directly on the Project successfully completes and receives a certificate for the course entitled *Local Government Project Procedures Qualification for the Texas Department of Transportation*. The Local Government shall provide the certificate of qualification to the State. The individual who receives the training certificate may be an employee of the Local Government or an employee of a firm that has been contracted by the Local Government to perform oversight of the Project. The State in its discretion may deny reimbursement if the Local Government has not designated a qualified individual to oversee the Project.
   C. This Project cost estimate shows how necessary resources for completing the Project will be provided by major cost categories. These categories may include but are not limited to: (1) costs of real property; (2) costs of utility work; (3) costs of environmental assessment and remediation; (4) cost of preliminary engineering and design; (5) cost of construction and construction management; and (6) any other local project costs.
   D. The State will be responsible for securing the Federal and State share of the funding required for the development and construction of the local Project. If the Local Government is due funds for expenses incurred, these funds will be reimbursed to the Local Government on a cost basis.

E. The Local Government will be responsible for all non-federal or non-state participation costs associated with the Project, including any overruns in excess of the approved local project budget unless otherwise provided for in this agreement or approved otherwise in an amendment to this agreement.

F. Prior to the performance of any engineering review work by the State, the Local Government will pay to the State the amount specified in Attachment C. At a minimum, this amount shall equal the Local Government's funding share for the estimated cost of preliminary engineering for the Project. At least sixty (60) days prior to the date set for receipt of the construction bids, the Local Government shall remit its remaining financial share for the State's estimated construction oversight and construction cost.

G. In the event that the State determines that additional funding by the Local Government is required at any time during the Project, the State will notify the Local Government in writing. The Local Government shall make payment to the State within thirty (30) days from receipt of the State's written notification.

H. Whenever funds are paid by the Local Government to the State under this agreement, the Local Government shall remit a check or warrant made payable to the "Texas Department of Transportation Trust Fund." The check or warrant shall be deposited by the State in an escrow account to be managed by the State. Funds in the escrow account may only be applied to the State Project.

I. Upon completion of the Project, the State will perform an audit of the Project costs. Any funds due by the Local Government, the State, or the Federal government will be promptly paid by the owing party. If, after final Project accounting, excess funds remain in the escrow account, those funds may be applied by the State to the Local Government's contractual obligations to the State under another advance funding agreement with approval by appropriate personnel of the Local Government.

J. The State will not pay interest on any funds provided by the Local Government.

K. If a waiver has been granted, the State will not charge the Local Government for the indirect costs the State incurs on the local Project, unless this agreement is terminated at the request of the Local Government prior to completion of the Project.

L. If the Project has been approved for a "fixed price" or an "incremental payment" non-standard funding or payment arrangement under 43 TAC §15.52, the budget in Attachment C will clearly state the amount of the fixed price or the incremental payment schedule.

M. If the Local government is an Economically Disadvantaged County and if the State has approved adjustments to the standard financing arrangement, this agreement reflects those adjustments.

N. The state auditor may conduct an audit or investigation of any entity receiving funds from the State directly under this contract or indirectly through a subcontract under this contract. Acceptance of funds directly under this contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

O. Payment under this contract beyond the end of the current fiscal biennium is subject to availability of appropriated funds. If funds are not appropriated, this contract shall be terminated immediately with no liability to either party.

P. The Local Government is authorized to submit requests for reimbursement by submitting the original of an itemized invoice in a form and containing all items required by the State no more frequently than monthly, and no later than ninety (90) days after costs are incurred. If the Local Government submits invoices more than ninety (90) days after the costs are incurred, and if federal funding is reduced as a result, the State shall have no responsibility to reimburse the Local Government for those costs.

Q. The State will not execute the contract for the construction of the Project until the required funding has been made available by the Local Government in accordance with this agreement.

4. Termination of this Agreement

This agreement shall remain in effect until the project is completed and accepted by all parties, unless:

A. The agreement is terminated in writing with the mutual consent of the parties;

B. The agreement is terminated by one party because of a breach, in which case any cost incurred because of the breach shall be paid by the breaching party;

C. The Local Government elects not to provide funding after the completion of preliminary engineering, specifications, and estimates (PS&E) and the Project does not proceed because of insufficient funds, in which case the Local Government agrees to reimburse the State for its reasonable actual costs incurred during the Project; or

D. The Project is inactive for thirty-six (36) months or longer and no expenditures have been charged against federal funds, in which case the State may in its discretion terminate this agreement.

5. Amendments

Amendments to this agreement due to changes in the character of the work, terms of the agreement, or responsibilities of the parties relating to the Project may be enacted through a mutually agreed upon, written amendment.

6. Remedies

This agreement shall not be considered as specifying the exclusive remedy for any agreement default, but all remedies existing at law and in equity may be availed of by either party to this agreement and shall be cumulative.

7. Utilities

The Local Government shall be responsible for the adjustment, removal, or relocation of utility facilities in accordance with applicable State laws, regulations, rules, policies, and procedures, including any cost to the State of a delay resulting from the Local Government's failure to ensure that utility facilities are adjusted, removed, or relocated before the scheduled beginning of construction. The Local Government will not be reimbursed with federal or state funds for the cost of required utility work. The Local Government must obtain advance approval for any variance from established procedures. Before a construction contract is let, the Local Government shall provide, at the State's request, a certification stating that the Local

Government has completed the adjustment of all utilities that must be adjusted before construction is completed.

8. **Environmental Assessment and Mitigation**
Development of a transportation project must comply with the National Environmental Policy Act and the National Historic Preservation Act of 1966, which require environmental clearance of federal-aid projects.
   A. The State is responsible for the identification and assessment of any environmental problems associated with the development of a local project governed by this agreement.
   B. The State is responsible for the cost of any environmental problem's mitigation and remediation.
   C. The State is responsible for providing any public meetings or public hearings required for development of the environmental assessment. Public hearings will not be held prior to the approval of project schematic.
   D. The State is responsible for the preparation of the NEPA documents required for the environmental clearance of this Project.

9. **Compliance with Texas Accessibility Standards and ADA**
All parties to this agreement shall ensure that the plans for and the construction of all projects subject to this agreement are in compliance with the Texas Accessibility Standards (TAS) issued by the Texas Department of Licensing and Regulation, under the Architectural Barriers Act, Article 9102, Texas Civil Statutes. The TAS establishes minimum accessibility requirements to be consistent with minimum accessibility requirements of the Americans with Disabilities Act (P.L. 101-336) (ADA).

10. **Architectural and Engineering Services**
The Local Government has responsibility for the performance of architectural and engineering services. The engineering plans shall be developed in accordance with the applicable *State's Standard Specifications for Construction and Maintenance of Highways, Streets and Bridges* and the special specifications and special provisions related to it. For projects on the state highway system, the design shall, at a minimum conform to applicable State manuals. For projects not on the state highway system, the design shall, at a minimum, conform to applicable *American Association of State Highway and Transportation Officials* design standards. In procuring professional services, the parties to this agreement must comply with federal requirements cited in 23 CFR Part 172 if the project is federally funded and with Texas Government Code 2254, Subchapter A, in all cases. Professional contracts for federally funded projects must conform to federal requirements, specifically including the provision for participation by Disadvantaged Business Enterprises (DBEs), ADA, and environmental matters.

11. **Construction Responsibilities**
   A. The State shall advertise for construction bids, issue bid proposals, receive and tabulate the bids, and award and administer the contract for construction of the Project. Administration of the contract includes the responsibility for construction engineering and for issuance of any change orders, supplemental agreements, amendments, or additional work orders that may become necessary subsequent to the award of the construction

contract. In order to ensure federal funding eligibility, projects must be authorized by the State prior to advertising for construction.

B. The State will use its approved contract letting and award procedures to let and award the construction contract.

C. Prior to their execution, the Local Government will be given the opportunity to review contract change orders that will result in an increase in cost to the Local Government.

D. Upon completion of the Project, the party constructing the Project will issue and sign a "Notification of Completion" acknowledging the Project's construction completion.

E. For federally funded contracts, the parties to this agreement will comply with federal construction requirements cited in 23 CFR Part 635 and with requirements cited in 23 CFR Part 633, and shall include the latest version of Form "FHWA-1273" in the contract bidding documents. If force account work will be performed, a finding of cost effectiveness shall be made in compliance with 23 CFR 635, Subpart B.

12. Project Maintenance

The Local Government shall be responsible for maintenance of locally owned roads after completion of the work and the State shall be responsible for maintenance of state highway system after completion of the work if the work was on the state highway system, unless otherwise provided for in existing maintenance agreements with the Local Government.

13. Right of Way and Real Property

The Local Government is responsible for the provision and acquisition of any needed right of way or real property.

14. Notices

All notices to either party by the other required under this agreement shall be delivered personally or sent by certified or U.S. mail, postage prepaid, addressed to such party at the following addresses:

Local Government:	**State:**
City of Wharton Attn: Mayor 120 East Caney Street Wharton, Texas 77488	Director of Contract Services Texas Department of Transportation 125 E. 11th Street Austin, Texas 78701

All notices shall be deemed given on the date so delivered or so deposited in the mail, unless otherwise provided by this agreement. Either party may change the above address by sending written notice of the change to the other party. Either party may request in writing that such notices shall be delivered personally or by certified U.S. mail and such request shall be honored and carried out by the other party.

15. Legal Construction

If one or more of the provisions contained in this agreement shall for any reason be held invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions and this agreement shall be construed as if it did not contain the invalid, illegal, or unenforceable provision.

16. Responsibilities of the Parties

The State and the Local Government agree that neither party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

17. Ownership of Documents

Upon completion or termination of this agreement, all documents prepared by the State shall remain the property of the State. All data prepared under this agreement shall be made available to the State without restriction or limitation on their further use. All documents produced or approved or otherwise created by the Local Government shall be transmitted to the State in the form of photocopy reproduction on a monthly basis as required by the State. The originals shall remain the property of the Local Government. At the request of the State, the Local Government shall submit any information required by the State in the format directed by the State.

18. Compliance with Laws

The parties shall comply with all federal, state, and local laws, statutes, ordinances, rules and regulations, and the orders and decrees of any courts or administrative bodies or tribunals in any manner affecting the performance of this agreement. When required, the Local Government shall furnish the State with satisfactory proof of this compliance.

19. Sole Agreement

This agreement constitutes the sole and only agreement between the parties and supersedes any prior understandings or written or oral agreements respecting the agreement's subject matter.

20. Cost Principles

In order to be reimbursed with federal funds, the parties shall comply with the Cost Principles established in OMB Circular A-87 that specify that all reimbursed costs are allowable, reasonable, and allocable to the Project.

21. Procurement and Property Management Standards

The parties shall adhere to the procurement standards established in Title 49 CFR §18.36 and with the property management standard established in Title 49 CFR §18.32.

22. Inspection of Books and Records

The parties to this agreement shall maintain all books, documents, papers, accounting records, and other documentation relating to costs incurred under this agreement and shall make such materials available to the State, the Local Government, and, if federally funded, the Federal

Highway Administration (FHWA), and the U.S. Office of the Inspector General, or their duly authorized representatives for review and inspection at its office during the contract period and for four (4) years from the date of completion of work defined under this contract or until any impending litigation, or claims are resolved. Additionally, the State, the Local Government, and the FHWA and their duly authorized representatives shall have access to all the governmental records that are directly applicable to this agreement for the purpose of making audits, examinations, excerpts, and transcriptions.

23. Civil Rights Compliance

The Local Government shall comply with the regulations of the United States Department of Transportation as they relate to non-discrimination (49 CFR Part 21 and 23 CFR Part 200), and Executive Order 11246 titled "Equal Employment Opportunity," as amended by Executive Order 11375 and supplemented in the Department of Labor Regulations (41 CFR Part 60).

24. Disadvantaged Business Enterprise (DBE) Program Requirements

A. The parties shall comply with the Disadvantaged Business Enterprise Program requirements established in 49 CFR Part 26.

B. The Local Government shall adopt, in its totality, the State's federally approved DBE program.

C. The Local Government shall set an appropriate DBE goal consistent with the State's DBE guidelines and in consideration of the local market, project size, and nature of the goods or services to be acquired. The Local Government shall have final decision-making authority regarding the DBE goal and shall be responsible for documenting its actions.

D. The Local Government shall follow all other parts of the State's DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas Department of Transportation's Federally-Approved Disadvantaged Business Enterprise by Entity, and attachments found at web address http://txdot.gov/business/business_outreach/mou.htm.

E. The Local Government shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any U.S. Department of Transportation (DOT)-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Local Government shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of DOT-assisted contracts. The State's DBE program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this LPAFA. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this LPAFA. Upon notification to the Local Government of its failure to carry out its approved program, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

F. Each contract the Local Government signs with a contractor (and each subcontract the prime contractor signs with a sub-contractor) must include the following assurance: *The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-*

Highway Administration (FHWA), and the U.S. Office of the Inspector General, or their duly authorized representatives for review and inspection at its office during the contract period and for four (4) years from the date of completion of work defined under this contract or until any impending litigation, or claims are resolved. Additionally, the State, the Local Government, and the FHWA and their duly authorized representatives shall have access to all the governmental records that are directly applicable to this agreement for the purpose of making audits, examinations, excerpts, and transcriptions.

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F. Each contract the Local Government signs with a contractor (and each subcontract the prime contractor signs with a sub-contractor) must include the following assurance: *The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-*

assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this agreement, which may result in the termination of this agreement or such other remedy as the recipient deems appropriate.

25. Debarment Certifications

The parties are prohibited from making any award at any tier to any party that is debarred or suspended or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549, "Debarment and Suspension." By executing this agreement, the Local Government certifies that it is not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Programs under Executive Order 12549 and further certifies that it will not do business with any party that is currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549. The parties to this contract shall require any party to a subcontract or purchase order awarded under this contract to certify its eligibility to receive federal funds and, when requested by the State, to furnish a copy of the certification.

26. Lobbying Certification

In executing this agreement, each signatory certifies to the best of that signatory's knowledge and belief, that:

A. No federal appropriated funds have been paid or will be paid by or on behalf of the parties to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with federal contracts, grants, loans, or cooperative agreements, the signatory for the Local Government shall complete and submit the Federal Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

C. The parties shall require that the language of this certification shall be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and all sub-recipients shall certify and disclose accordingly. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Title 31 U.S.C. §1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

27. Insurance

If this agreement authorizes the Local Government or its contractor to perform any work on State right of way, before beginning work the entity performing the work shall provide the State with a fully executed copy of the State's Form 1560 Certificate of Insurance verifying the

existence of coverage in the amounts and types specified on the Certificate of Insurance for all persons and entities working on State right of way. This coverage shall be maintained until all work on the State right of way is complete. If coverage is not maintained, all work on State right of way shall cease immediately, and the State may recover damages and all costs of completing the work.

28. Federal Funding Accountability and Transparency Act Requirements

A. Any recipient or sub-recipient of funds under this agreement agrees to comply with the Federal Funding Accountability and Transparency Act (FFATA) and implementing regulations at 2 CFR Part 170, including Appendix A. This agreement is subject to the following award terms: http://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf and http://edocket.access.gpo.gov/2010/pdf/2010-22706.pdf.

B. For sub-awards greater than $25,000, the Local Government, as a recipient of federal funding, shall:

1. Obtain and provide to the State and the Federal government, a Central Contracting (CCR) number with the Federal government (Federal Acquisition Regulation, Part 4, Sub-part 4.1100). The CCR number may be obtained by visiting the CCR website whose address is: https://www.bpn.gov/ccr/default.aspx;
2. Obtain and provide to the State and the Federal government, a Data Universal Numbering System or DUNS number, a unique nine-character number that allows Federal government to track the distribution of federal money. The DUNS may be requested free of charge for all businesses and entities required to do so by visiting the Dun & Bradstreet (D&B) on-line registration website http://fedgov.dnb.com/webform; and
3. Report the total compensation and names of its top executives to the State and Federal government if:
   i. More than 80% of annual gross revenues are from the Federal government, and those revenues are greater than $25,000,000 annually; and
   ii. Compensation information is not already available through reporting to the U.S. Securities and Exchange Commission (SEC).

29. Single Audit Report

A. The parties shall comply with the requirements of the Single Audit Act of 1984, P.L. 98-502, ensuring that the single audit report includes the coverage stipulated in OMB Circular A-133.

B. If threshold expenditures of $500,000 or more are met during the Local Government's fiscal year, the Local Government must submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Audit Office, 125 E. 11th Street, Austin, TX 78701 or contact TxDOT's Audit Office at http://www.txdot.gov/contact_us/audit.htm.

C. If expenditures are less than $500,000 during the Local Government's fiscal year, the Local Government must submit a statement to TxDOT's Audit Office as follows: "We did not meet the $500,000 expenditure threshold and therefore, are not required to have a single audit performed for FY _____."

D. For each year the project remains open for federal funding expenditures, the Local Government will be responsible for filing a report or statement as described above. The

required annual filing shall extend throughout the life of the agreement, unless otherwise amended or the project has been formally closed out and no charges have been incurred within the current fiscal year.

30. Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

THIS AGREEMENT IS EXECUTED by the State and the Local Government in duplicate.

THE LOCAL GOVERNMENT

Signature

Domingo Montalvo, Jr.
Typed or Printed Name

Mayor
Title

July 11, 2011
Date

THE STATE OF TEXAS

Janice Mullenix
Director of Contract Services
Texas Department of Transportation

Date

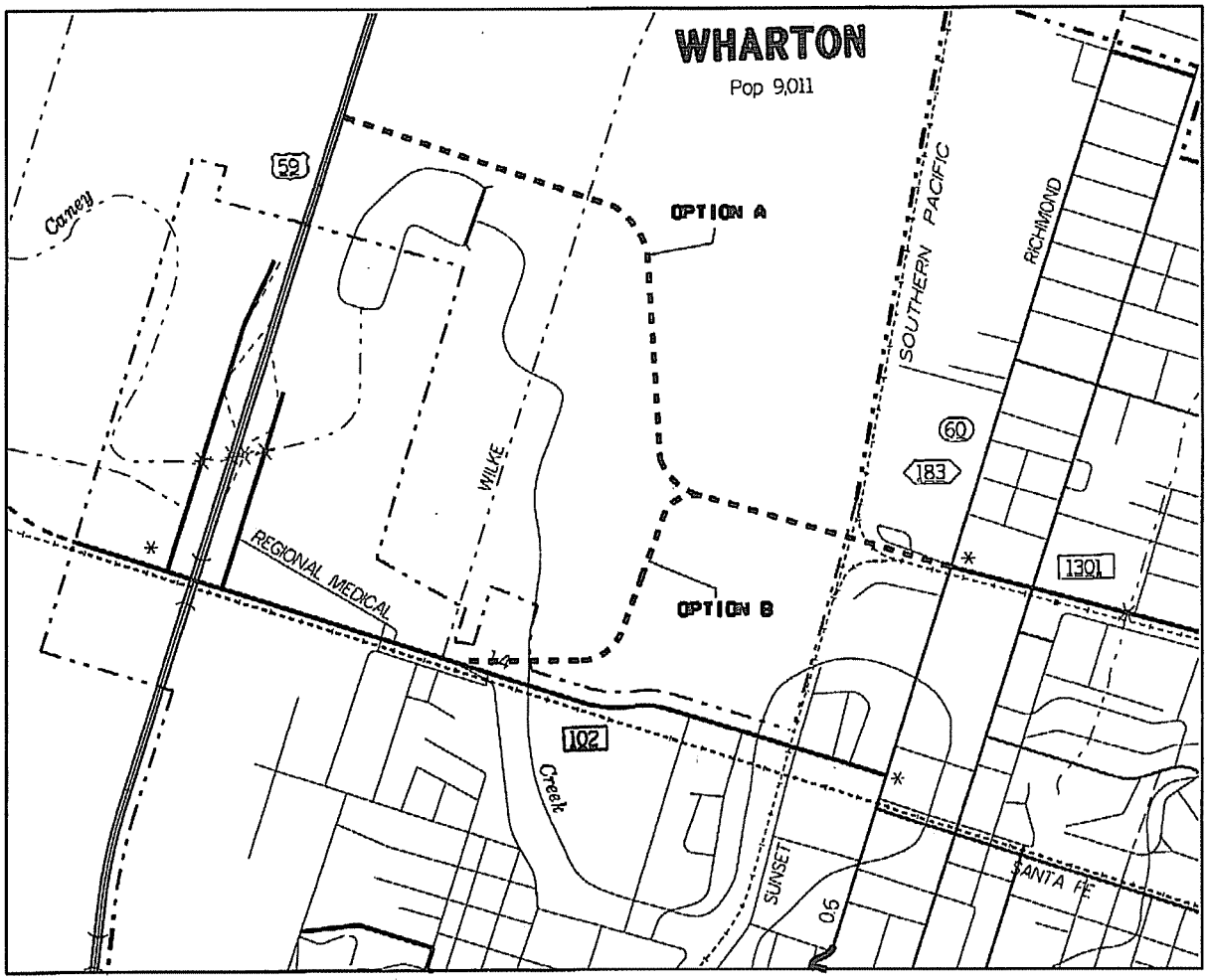
CSJ # 1412-03-038
District # 13 - Yoakum
Code Chart 64 # 45500
Project: The extension of FM 1301 from SH 60
To US 59 in Wharton
Federal Highway Administration
CFDA # 20.205
Not Research and Development

ATTACHMENT A
RESOLUTION OR ORDINANCE

CSJ # 1412-03-038
District # 13 - Yoakum
Code Chart 64 # 45500
Project: The extension of FM 1301 from SH 60
To US 59 in Wharton
Federal Highway Administration
CFDA # 20.205
Not Research and Development

ATTACHMENT B

Location Map Showing Project



CSJ # 1412-03-038
District # 13 - Yoakum
Code Chart 64 # 45500
Project: The extension of FM 1301 from SH 60 To US 59 in Wharton
Federal Highway Administration
CFDA # 20.205
Not Research and Development

ATTACHMENT C
PROJECT BUDGET
Payment Provision and Work Responsibilities

The Local Government has estimated the project to be as follows for the extension of FM 1301 from 0.5 mi East of US 59 to SH 60 in Wharton to install grading to create a separation at the railroad:

Description	Total Estimated Cost	Federal Participation		State Participation		Local Participation	
		%	Cost	%	Cost	%	Cost
Engineering	$633,000	0%	$0	0%	$0	100%	$633,000
Construction	$6,327,000	44%	$2,800,000	11%	$700,000	45%	$2,827,000
Subtotal	$6,960,000		$2,800,000		$700,000		$3,460,000
Engineering Phase Direct State Costs 5%	$31,650	0%	$0	100%	$31,650	0%	$0
Construction Phase Direct State Costs 11.5%	$727,605	0%	$0	100%	$727,605	0%	$0
Indirect State Costs 6.2%	$431,520	0%	$0	100%	$431,520	0%	$0
Total	$8,150,775		$2,800,000		$1,890,775		$3,460,000

The maximum amount of Federal funds available for this project is $2,800,000.00. The Local Government is responsible for its share of the match as noted as well as 100% of all construction costs exceeding the approved funding amount.

Estimated Local Government's Participation = **$3,460,000.00**

The Local Government shall remit **$2,827,000.00** 60 days prior to letting of the project.

Direct State Cost will be based on actual charges.

This is an estimate only; final participation amounts will be based on actual charges to the project.

City of Wharton
120 E. Caney Street • Wharton, Texas 77488
Phone (979) 532-2491 • Fax (979) 532-0181

January 31, 2011 *Certified Letter No.: 7005 3110 0004 2461 3030*

Mr. Lonnie Gregorcyk, P.E.
District Engineer
Texas Department of Transportation
P O Box 757
Yoakum, Texas 77995

RE: Local Transportation Project, Advance Funding Agreement to a Category 11 Project, On-System

Dear Gregorcyk:

During the regular January 10, 2011 Wharton City Council meeting, the City Council approved Resolution No. 2011-04 approving the Local Transportation Project, Advance Funding Agreement to a Category 11 Project, On-System for the City of Wharton FM 102 Relocation and Overpass Project. Enclosed are two (2) original agreements that have been executed by the City of Wharton. A copy of the resolution is included and made part of the agreement as the Attachment A.

Please complete the signature process and forward one (1) fully executed agreement to my attention at the City of Wharton, 120 East Caney Street, 120 East Caney Street, Wharton, TX 77488

If additional information is needed, please feel free to contact me at City Hall (979) 532-2491.

Sincerely,

CITY OF WHARTON

By:

Andres Garza, Jr.
City Manager

AGJ:jj

Enclosures

CSJ # 0709-02-048
District # 13 – Yoakum
Code Chart 64 # 45500
Project: FM 102 from 0.5 mi E of US 59 to SH 60 in Wharton
Federal Highway Administration
CFDA # 20.205

STATE OF TEXAS §

COUNTY OF TRAVIS §

LOCAL TRANSPORTATION PROJECT ADVANCE FUNDING AGREEMENT TO A CATEGORY 11 PROJECT ON-SYSTEM

THIS AGREEMENT (the Agreement) is made by and between the State of Texas, acting by and through the Texas Department of Transportation hereinafter called the "State", and the City of Wharton, acting by and through its duly authorized officials, hereinafter called the "Local Government."

WITNESSETH

WHEREAS, federal law establishes federally funded programs for transportation improvements to implement its public purposes; and

WHEREAS, the Texas Transportation Code, Sections 201.103 and 222.052 establish that the State shall design, construct and operate a system of highways in cooperation with local governments; and

WHEREAS, federal and state laws require local governments to meet certain contract standards relating to the management and administration of State and federal funds; and

WHEREAS, the Texas Transportation Commission passed Minute Order 112237, authorizing the State to undertake and complete a highway improvement generally described as constructing two lanes in a new location at FM 102 from 0.5 mi E of US 59 to SH 60 in Wharton; and,

WHEREAS, the Governing Body of the Local Government has approved entering into this Agreement by resolution or ordinance dated January 10, 2011 which is attached hereto and made a part hereof as Attachment "A" for construction of traffic signals at the location shown on the Map in Attachment "B" hereinafter referred to as the Project.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, to be by them respectively kept and performed as hereinafter set forth, it is agreed as follows:

AGREEMENT

1. **Period of the Agreement**
   This Agreement becomes effective when signed by the last party whose signing makes the Agreement fully executed. This Agreement shall remain in effect until the Project is completed or unless terminated as provided below.

2. **Scope of Work**
   The Local Government has requested that the State allow the Local Government to participate in said improvement by funding that portion of the improvement described as the Engineering and Construction of the Realignment of FM 102 to install grading to create a separation at the railroad.

3. **Local Project Sources and Uses of Funds**
   a. The total estimated cost of the Project is shown in the Project Budget - Attachment "C" which is attached hereto and made a part hereof. The expected cash contributions from the federal or State government, the Local Governments, or other parties is shown in Attachment "C". The State will pay for only those project costs that have been approved by the Texas Transportation Commission. The State and the Federal Government will not reimburse the Local Government for any work performed before the issuance of a formal Letter of Authority by the Federal Highway Administration. The Local Government is responsible for 100% of the cost of any work performed under its direction or control before the federal Letter of Authority is formally issued.

   If the Local Government will perform any work under this contract for which reimbursement will be provided by or through the State, the Local Government must complete training before a letter of authority is issued. Training is complete when at least one individual who is working actively and directly on the Project successfully completes and receives a certificate for the course entitled *Local Government Project Procedures Qualification for the Texas Department of Transportation*. The Local Government shall provide the certificate of qualification to the State. The individual who receives the training certificate may be an employee of the Local Government or an employee of a firm that has been contracted by the Local Government to perform oversight of the Project. The State in its discretion may deny reimbursement if the Local Government has not designated a qualified individual to oversee the Project.

   b. This project cost estimate shows how necessary resources for completing the project will be provided by major cost categories. These categories may include but are not limited to: (1) costs of real property; (2) costs of utility work; (3) costs of environmental assessment and remediation; (4) cost of preliminary engineering and design; (5) cost of construction and construction management; and (6) any other local project costs.

   c. The State will be responsible for securing the Federal and State share of the funding required for the development and construction of the local project. If the Local Government is due funds for expenses incurred, these funds will be reimbursed to the Local Government on a cost basis.

d. The Local Government will be responsible for all non-federal or non-State participation costs associated with the Project, including any overruns in excess of the approved local project budget unless otherwise provided for in this Agreement or approved otherwise in an amendment to this Agreement.

e. Prior to the performance of any engineering review work by the State, the Local Government will pay to the State the amount specified in Attachment C. At a minimum, this amount shall equal the Local Government's funding share for the estimated cost of preliminary engineering for the project. At least sixty (60) days prior to the date set for receipt of the construction bids, the Local Government shall remit its remaining financial share for the State's estimated construction oversight and construction cost.

f. In the event that the State determines that additional funding by the Local Government is required at any time during the Project, the State will notify the Local Government in writing. The Local Government shall make payment to the State within thirty (30) days from receipt of the State's written notification.

g. Whenever funds are paid by the Local Government to the State under this Agreement, the Local Government shall remit a check or warrant made payable to the "Texas Department of Transportation Trust Fund." The check or warrant shall be deposited by the State in an escrow account to be managed by the State. Funds in the escrow account may only be applied to the State Project.

h. Upon completion of the Project, the State will perform an audit of the Project costs. Any funds due by the Local Government, the State, or the Federal government will be promptly paid by the owing party. If, after final Project accounting, excess funds remain in the escrow account, those funds may be applied by the State to the Local Government's contractual obligations to the State under another advance funding agreement.

i. The State will not pay interest on any funds provided by the Local Government.

j. If a waiver has been granted, the State will not charge the Local Government for the indirect costs the State incurs on the local project, unless this Agreement is terminated at the request of the Local Government prior to completion of the project.

k. If the project has been approved for a "fixed price" or an "incremental payment" non-standard funding or payment arrangement under 43 TAC §15.52, the budget in Attachment "C" will clearly state the amount of the fixed price or the incremental payment schedule.

l. If the Local government is an Economically Disadvantaged County and if the State has approved adjustments to the standard financing arrangement, this Agreement reflects those adjustments.

m. The state auditor may conduct an audit or investigation of any entity receiving funds from the state directly under the contract or indirectly through a subcontract under the contract. Acceptance of funds directly under the contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or

investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

n. Payment under this contract beyond the end of the current fiscal biennium is subject to availability of appropriated funds. If funds are not appropriated, this contract shall be terminated immediately with no liability to either party.

The State will not execute the contract for the construction of the project until the required funding has been made available by the Local Government in accordance with this Agreement.

4. Termination of this Agreement

This Agreement shall remain in effect until the project is completed and accepted by all parties, unless:

a. the Agreement is terminated in writing with the mutual consent of the parties;
b. the Agreement is terminated by one party because of a breach, in which case any cost incurred because of the breach shall be paid by the breaching party; or
c. the Local Government elects not to provide funding after the completion of preliminary engineering, specifications and estimates (PS&E) and the Project does not proceed because of insufficient funds, in which case the Local Government agrees to reimburse the State for its reasonable actual costs incurred during the Project.

5. Amendments

Amendments to this Agreement due to changes in the character of the work or terms of the Agreement, or responsibilities of the parties relating to the Project may be enacted through a mutually agreed upon, written amendment.

6. Remedies

This Agreement shall not be considered as specifying the exclusive remedy for any agreement default, but all remedies existing at law and in equity may be availed of by either party to this Agreement and shall be cumulative.

7. Utilities

The Local Government shall be responsible for the adjustment, removal, or relocation of utility facilities in accordance with applicable State laws, regulations, rules, policies, and procedures, including any cost to the State of a delay resulting from the Local Government's failure to ensure that utility facilities are adjusted, removed, or relocated before the scheduled beginning of construction. The Local Government will not be reimbursed with federal or state funds for the cost of required utility work. The Local Government must obtain advance approval for any variance from established procedures. Before a construction contract is let, the Local Government shall provide, at the State's request, a certification stating that the Local Government has completed the adjustment of all utilities that must be adjusted before construction is completed.

8. **Environmental Assessment and Mitigation**
   Development of a transportation project must comply with the National Environmental Policy Act and the National Historic Preservation Act of 1966, which require environmental clearance of federal-aid projects.
   a. The State is responsible for the identification and assessment of any environmental problems associated with the development of a local project governed by this Agreement.
   b. The State is responsible for the cost of any environmental problem's mitigation and remediation.
   c. The State is responsible for providing any public meetings or public hearings required for development of the environmental assessment. Public hearings will not be held prior to the approval of project schematic.
   d. The State is responsible for the preparation of the NEPA documents required for the environmental clearance of this project.

9. **Compliance with Texas Accessibility Standards and ADA**
   All parties to this Agreement shall ensure that the plans for and the construction of all projects subject to this Agreement are in compliance with the Texas Accessibility Standards (TAS) issued by the Texas Department of Licensing and Regulation, under the Architectural Barriers Act, Article 9102, Texas Civil Statutes. The TAS establishes minimum accessibility requirements to be consistent with minimum accessibility requirements of the Americans with Disabilities Act (P.L. 101-336) (ADA).

10. **Architectural and Engineering Services**
    The Local Government has responsibility for the performance of architectural and engineering services.

    The engineering plans shall be developed in accordance with the applicable State's *Standard Specifications for Construction and Maintenance of Highways, Streets and Bridges*, and the special specifications and special provisions related thereto.

    For projects on the state highway system, the design shall, at a minimum conform to applicable State manuals. For projects not on the state highway system, the design shall, at a minimum conform to applicable *American Association of State Highway and Transportation Officials* design standards.

    In procuring professional services, the parties to this Agreement must comply with federal requirements cited in 23 CFR Part 172 if the project is federally funded and with Texas Government Code 2254, Subchapter A, in all cases.

    Professional services contracts for federally funded projects must conform to federal requirements, specifically including the provision for participation by Disadvantaged Business Enterprises (DBEs), ADA, and environmental matters.

11. **Construction Responsibilities**

a. The State shall advertise for construction bids, issue bid proposals, receive and tabulate the bids and award and administer the contract for construction of the Project. Administration of the contract includes the responsibility for construction engineering and for issuance of any change orders, supplemental agreements, amendments, or additional work orders, which may become necessary subsequent to the award of the construction contract. In order to ensure federal funding eligibility, projects must be authorized by the State prior to advertising for construction.
b. The State will use its approved contract letting and award procedures to let and award the construction contract.
c. Prior to their execution, the Local Government will be given the opportunity to review contract change orders that will result in an increase in cost to the Local Government.
d. Upon completion of the Project, the party constructing the project will issue and sign a "Notification of Completion" acknowledging the Project's construction completion.
e. For federally funded contracts, the parties to this Agreement will comply with federal construction requirements cited in 23 CFR Part 635 and with requirements cited in 23 CFR Part 633, and shall include the latest version of Form "FHWA-1273" in the contract bidding documents. If force account work will be performed, a finding of cost effectiveness shall be made in compliance with 23 CFR 635, Subpart B.

12. Project Maintenance

The Local Government shall be responsible for maintenance of locally owned roads after completion of the work and the State shall be responsible for maintenance of state highway system after completion of the work if the work was on the state highway system, unless otherwise provided for in existing maintenance agreements with the Local Government.

13. Right of Way and Real Property

The Local Government is responsible for the provision and acquisition of any needed right of way or real property.

14. Notices

All notices to either party by the other required under this Agreement shall be delivered personally or sent by certified or U.S. mail, postage prepaid, addressed to such party at the following addresses:

Local Government:	State:
City of Wharton 120 East Caney Street Wharton, Texas 77488	Director of Contract Services Texas Department of Transportation 125 E. 11th Austin, Texas 78701

All notices shall be deemed given on the date so delivered or so deposited in the mail, unless otherwise provided herein. Either party may change the above address by sending written notice of the change to the other party.
Either party may request in writing that such notices shall be delivered personally or by certified U.S. mail and such request shall be honored and carried out by the other party.

15. Legal Construction
If one or more of the provisions contained in this Agreement shall for any reason be held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions and this Agreement shall be construed as if it did not contain the invalid, illegal or unenforceable provision.

16. Responsibilities of the Parties
The State and the Local Government agree that neither party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

17. Ownership of Documents
Upon completion or termination of this Agreement, all documents prepared by the State shall remain the property of the State. All data prepared under this Agreement shall be made available to the State without restriction or limitation on their further use. All documents produced or approved or otherwise created by the Local Government shall be transmitted to the State in the form of photocopy reproduction on a monthly basis as required by the State. The originals shall remain the property of the Local Government. At the request of the State, the Local Government shall submit any information required by the State in the format directed by the State.

18. Compliance with Laws
The parties shall comply with all Federal, State, and Local laws, statutes, ordinances, rules and regulations, and the orders and decrees of any courts or administrative bodies or tribunals in any manner affecting the performance of this Agreement. When required, the Local Government shall furnish the State with satisfactory proof of this compliance.

19. Sole Agreement
This Agreement constitutes the sole and only agreement between the parties and supersedes any prior understandings or written or oral agreements respecting the Agreement's subject matter.

20. Cost Principles
In order to be reimbursed with federal funds, the parties shall comply with the Cost Principles established in OMB Circular A-87 that specify that all reimbursed costs are allowable, reasonable and allocable to the Project.

21. Procurement and Property Management Standards

The parties shall adhere to the procurement standards established in Title 49 CFR §18.36 and with the property management standard established in Title 49 CFR §18.32.

22. Inspection of Books and Records

The parties to this Agreement shall maintain all books, documents, papers, accounting records and other documentation relating to costs incurred under this Agreement and shall make such materials available to the State, the Local Government, and, if federally funded, the Federal Highway Administration (FHWA), and the U.S. Office of the Inspector General, or their duly authorized representatives for review and inspection at its office during the contract period and for four (4) years from the date of completion of work defined under this contract or until any impending litigation, or claims are resolved. Additionally, the State, the Local Government, and the FHWA and their duly authorized representatives shall have access to all the governmental records that are directly applicable to this Agreement for the purpose of making audits, examinations, excerpts, and transcriptions.

Whenever American Recovery and Reinvestment Act of 2009 (ARRA) funds are used and the Local Government is performing any work, either directly or through a contractor, it must comply with the following provisions. If a Local Government is receiving ARRA funds, but is not performing any work, the following provisions apply, if appropriate, and to the extent necessary to comply with ARRA regulations.

In accordance with Section 902 ARRA, should this agreement involve the expenditure of ARRA funds, then the U.S. Comptroller General and its representatives shall have the authority to:

- **a.** examine any records of the contractor or any of its subcontractors, or any State or local agency administering such contract, that directly pertain to, and involve transactions relating to the contract or subcontract; and
- **b.** interview any officer or employee of the contractor or any of its subcontractors, or any State or local agency administering the contract regarding such contracts.

Nothing in the section previously mentioned shall be interpreted to limit or restrict in any way the existing authority of the Comptroller General.

In accordance with Section 1515(a) of the ARRA, with respect to each contract or grant awarded using covered funds, any representative of an appropriate inspector general appointed under Section 3 or 8G of the Inspector General Act of 1978 (5 U.S.C. App.), is authorized:

- **a.** to examine any records of the contractor or grantee, any of its subcontractors or subgrantees, or any State or local agency administering such contract that pertain to and involve transactions relating to the contract, subcontract, grant, or subgrant; and
- **b.** to interview any officer or employee of the contractor, grantee or subgrantee, or agency regarding such transactions.

Section 1515(b) further provides that nothing in the section previously mentioned shall be interpreted to limit or restrict in any way the existing authority of an inspector general.

The ARRA requires that the Contractor report monthly employment information for its firm as well as that of all of its subcontractors. The Contractor, similarly, shall include this reporting requirement in all of its subcontracts. Failing to include the requirement in agreements with subcontractors can serve as grounds for contract termination.

Form FHWA-1589, Monthly Employment Report, promulgated by the Federal Highway Administration (FHWA), captures the necessary monthly employment information and shall be submitted by the Contractor on a regular basis to the LG (Local Government). It is the responsibility of the LG to obtain this form from the prime Contractor and any subcontractors and, the LG shall verify the accuracy, completeness, and reasonableness of the data contained in the form. The LG shall ensure that this form is submitted by the LG to the State according to the policies and at the direction of the State.

In order to meet any other FHWA and ARRA reporting requirements, the LG shall provide to the State all information requested by the State, including data or information in possession of contractors and subcontractors for completing other necessary reporting forms, and the information shall be submitted in the manner required and according to all due dates as set by the State.

Furthermore, the ARRA mandates that the U.S. Comptroller General's Office shall have authority to examine the records of the contractor, subcontractor, or local agency relating to the project at any time.

23. Office of Management and Budget (OMB) Audit Requirements

The parties shall comply with the requirements of the Single Audit Act of 1984, P.L. 98-502, ensuring that the single audit report includes the coverage stipulated in OMB Circular A-133.

Whenever funds from the American ARRA are distributed to a Local Government, the Local Government must complete its Schedule of Expenditures of Federal Awards (SEFA) and the Data Collection Form (SF-SAC), as required by OMB Circular A-133, and separately identify any ARRA expenditures for Federal Awards.

24. Civil Rights Compliance

The Local Government shall comply with the regulations of the Department of Transportation as they relate to nondiscrimination (49 CFR Chapter 21 and 23 CFR §710.405(B)), and Executive Order 11246 titled "Equal Employment Opportunity," as amended by Executive Order 11375 and supplemented in the Department of Labor Regulations (41 CFR Part 60).

25. Disadvantaged Business Enterprise Program Requirements

The parties shall comply with the Disadvantaged/Minority Business Enterprise Program requirements established in 49 CFR Part 26.

26. Debarment Certifications

The parties are prohibited from making any award at any tier to any party that is debarred or suspended or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549, "Debarment and Suspension." By executing this agreement, the Local Government certifies that it is not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549. The parties to this contract shall require any party to a subcontract or purchase order awarded under this contract to certify its eligibility to receive Federal funds and, when requested by the State, to furnish a copy of the certification.

27. Lobbying Certification

In executing this Agreement, the signatories certify to the best of his or her knowledge and belief, that:

a. No federal appropriated funds have been paid or will be paid by or on behalf of the parties to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
b. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with federal contracts, grants, loans, or cooperative agreements, the signatory for the Local Government shall complete and submit the federal Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
c. The parties shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

By executing this Agreement, the parties affirm this lobbying certification with respect to the individual projects and affirm this certification of the material representation of facts upon which reliance will be made. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Title 31 U.S.C. §1352.

Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

28. Insurance

If this agreement authorizes the Local Government or its contractor to perform any work on State right of way, before beginning work the entity performing the work shall provide the State with a fully executed copy of the State's Form 1560 Certificate of Insurance verifying the existence of coverage in the amounts and types specified on the Certificate of Insurance for all persons and entities working on State right of way. This coverage shall be maintained until all work on the State right of way is complete. If coverage is not maintained, all work on State right of way shall cease immediately, and the State may recover damages and all costs of completing the work.

29. Signatory Warranty
The signatories to this Agreement warrant that each has the authority to enter into this Agreement on behalf of the party represented.

IN TESTIMONY HEREOF, the parties hereto have caused these presents to be executed in duplicate counterparts.

THE LOCAL GOVERNMENT

Name

Domingo Montalvo, Jr.
Printed Name

Mayor
Title

January 10, 2011
Date

THE STATE OF TEXAS
Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

Janice Mullenix
Director of Contract Services
Texas Department of Transportation

Date

CSJ # 0709-02-048
District # 13 – Yoakum
Code Chart 64 # 45500
Project: FM 102 from 0.5 mi E of US 59 to SH 60 in Wharton
Federal Highway Administration
CFDA # 20.205

ATTACHMENT A

Resolution or Ordinance

CITY OF WHARTON

RESOLUTION NO. 2011-04

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING A LOCAL TRANSPORTATION PROJECT ADVANCE FUNDING AGREEMENT TO A CATEGORY 11 PROJECT – ON SYSTEM, NAMELY THE CITY OF WHARTON FM 102 RELOCATION AND OVERPASS PROJECT, BETWEEN THE CITY OF WHARTON AND THE TEXAS DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE THE AGREEMENT.

WHEREAS, the Wharton City Council has determined that it is in the best interest of the citizens of Wharton and those traveling through the community to conduct the FM 102 Relocation and Overpass Project; and

WHEREAS, the City of Wharton and the Texas Department of Transportation has partnered together and developed an agreement to conduct said project; and

WHEREAS, the City of Wharton and the Texas Department of Transportation wishes to enter into the Local Transportation Project Advance Funding Agreement to a Category 11 Project – On System for the City of Wharton FM 102 Relocation and Overpass Project; and

WHEREAS; the City of Wharton and the Texas Department of Transportation wishes to be bound by the conditions set forth in said agreement; and

WHEREAS, the Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute the Local Transportation Project Advance Funding Agreement to a Category 11 Project – On System for the City of Wharton FM 102 Relocation and Overpass Project.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHARTON, TEXAS THAT:

Section 1: The Wharton City Council hereby approves the Local Transportation Project Advance Funding Agreement to a Category 11 Project – On System for the City of Wharton FM 102 Relocation and Overpass Project.

Section II: The Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute the Local Transportation Project Advance Funding Agreement to a Category 11 Project – On System for the City of Wharton FM 102 Relocation and Overpass Project.

Section III: This resolution will become effective immediately upon its passage.

Passed, Approved and Adopted this 10th day of January 2011.

CITY OF WHARTON, TEXAS

By: _____
DOMINGO MONTALVO, JR.
Mayor

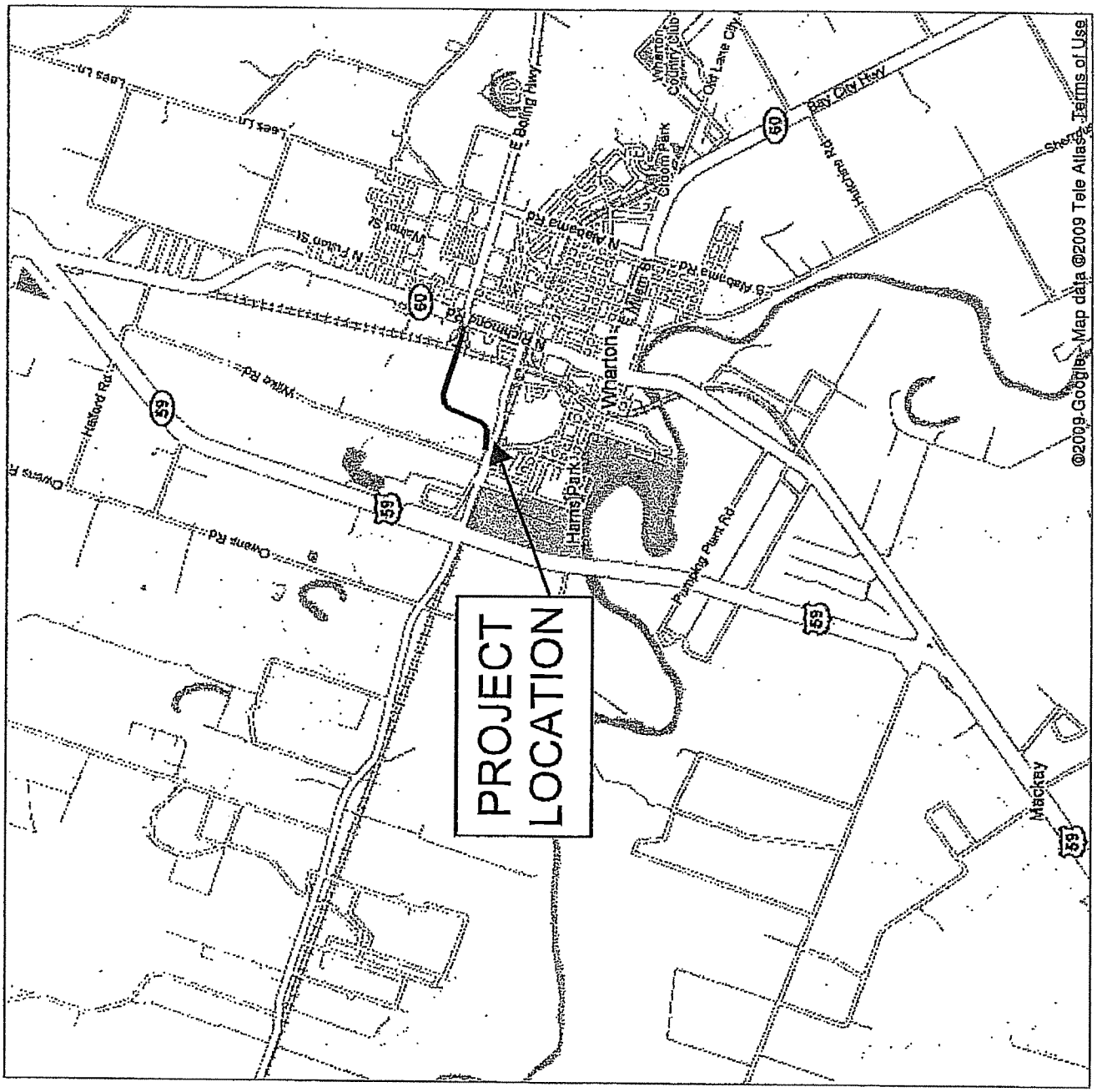
ATTEST:

_____
PAULA FAVORS
City Secretary

CSJ # 0709-02-048
District # 13 – Yoakum
Code Chart 64 # 45500
Project: FM 102 from 0.5 mi E of US 59 to SH 60 in Wharton
Federal Highway Administration
CFDA # 20.205

ATTACHMENT B

Location Map Showing Project



CSJ # 0709-02-048
District # 13 – Yoakum
Code Chart 64 # 45500
Project: FM 102 from 0.5 mi E of US 59 to SH 60 in Wharton
Federal Highway Administration
CFDA # 20.205

ATTACHMENT C

Project Budget
Payment Provision and Work Responsibilities

The Local Government has estimated the project to be as follows for the realignment of FM 102 from 0.5 mi East of US 59 to SH 60 in Wharton to install grading to create a separation at the railroad:

Description	Total Estimated Cost	Federal Participation		State Participation		Local Participation	
		%	Cost	%	Cost	%	Cost
Engineering	$633,000	0%	$0	0%	$0	100%	$633,000
Construction	$6,327,000		$2,800,000		$700,000		$2,827,000
Subtotal	$6,960,000		$2,800,000		$700,000		$3,460,000
Engineering Phase Direct State Costs 14.5%	$91,785	0%	$0	100%	$91,785	0%	$0
Construction Phase Direct State Costs 11.5%	$727,605	0%	$0	100%	$727,605	0%	$0
Indirect State Costs 6.2%	$431,520	80%	$345,216	20%	$86,304	0%	$0
Total	$8,210,910		$3,145,216		$1,605,694		$3,460,000

Federal funds are capped at $2,800,000.00 and State funds are capped at $700,000.00 for construction costs. The Local Government is responsible for its share of the match as noted as well as 100% of all construction costs exceeding the approved funding amount.

Direct State Cost will be based on actual charges.

This is an estimate only; final participation amounts will be based on actual charges to the project.

CSJ	District	WHARTON	MPO	City		Letting FY
0913-09-068	YOAKUM	COUNTY			Cnty Rd	2017

Limits From AT BLUE CREEK CR 441

Limits To (CR 406) STR # AA04-41-001 Ranking Tier 2

Project Description REPLACE BRIDGE AND APPROACHES

Total Project Cost Information *INFORMATIONAL PURPOSES ONLY*	
Preliminary Engineering	$25,785
ROW & Utilities	$0
Construction	$526,219
Construction Engineering	$39,203
Contingencies	$0
Indirect Costs	$28,153
Potential Change Orders	$12,577
Total Project Cost	$631,936

Programmed Funding

Category	Description	Authorized	Other	Local	Total
6	BRIDGE PROGRAM	$447,000	$0	$0	$447,000
	Total	$447,000	$0	$0	$447,000

CSJ	District	WHARTON	MPO	City		Letting FY
0913-09-070	YOAKUM	COUNTY			Cnty Rd	2017

Limits From AT BOSQUE SLOUGH CR 645

Limits To (CR 467) STR # AA06-45-001 Ranking Tier 2

Project Description REPLACE BRIDGE AND APPROACHES

Total Project Cost Information *INFORMATIONAL PURPOSES ONLY*	
Preliminary Engineering	$9,922
ROW & Utilities	$0
Construction	$202,482
Construction Engineering	$15,085
Contingencies	$0
Indirect Costs	$10,833
Potential Change Orders	$4,839
Total Project Cost	$243,161

Programmed Funding

Category	Description	Authorized	Other	Local	Total
6	BRIDGE PROGRAM	$172,000	$0	$0	$172,000
	Total	$172,000	$0	$0	$172,000

CSJ	District	WHARTON	MPO	City		Letting FY
1412-03-038	YOAKUM	COUNTY			FM 1301	2017

Limits From SH 60 IN WHARTON

Limits To US 59 Ranking Tier 2

Project Description EXTEND ROAD ON NEW LOCATION

Total Project Cost Information *INFORMATIONAL PURPOSES ONLY*	
Preliminary Engineering	$636,286
ROW & Utilities	$0
Construction	$12,985,430
Construction Engineering	$636,286
Contingencies	$162,318
Indirect Costs	$694,721
Potential Change Orders	$709,004
Total Project Cost	$15,824,045

Programmed Funding

Category	Description	Authorized	Other	Local	Total
3	LOCAL	$0	$0	$6,400,000	$6,400,000
11	DISTRICT DISCRETIONARY	$3,700,000	$0	$0	$3,700,000
	Total	$3,700,000	$0	$6,400,000	$10,100,000

Appendix G

Public Comment Summary Section

MAY 8TH, 2012 PUBLIC MEETING COMMENT SUMMARY

***Comment** 1: I believe it is possible that FM 1301 Extension is needed, but I don't believe that a railroad overpass is warranted*.

Response: Rail traffic associated with the new railroad switching yard in Kendleton will continue to increase and impede traffic. The overpass will eliminate this bottleneck and will also function as a more direct evacuation route during hurricane season and other emergency response activities.

Comment 2: I have lived in Wharton for 47 years and this is the best project to come along. I want to see it completed as soon as possible.

Response: Noted.

Comment 3: Several options were shown, all basically the same. Who will profit from this – I don't see the benefit from such a large project and expense.

Response: Several design options were proposed and evaluated. The goal of providing unfettered access and avoiding an at grade railroad intersection is the considered a benefit to the community and region.

Comment 4: For safety reasons, I support extending FM 1301 to Highway 59. FM 102 is too congested. TxDOT needs to help fund the entire project.

Response: Noted. The new roadways will reduce congestion and the at grade interchange with the railroad, thus enhancing safe travel. TxDOT funding will be acquired where at all possible.

Comment 5: Alternative B &C are poor choices as it would displace residents in the mobile home park. Otherwise, the project would benefit the community.

Response: Noted. A number of Alternatives were evaluated and Alternative G is the locally preferred alternative. It is anticipated that no displacement within the existing communities will result from the project.

Comment 6: The only reason the road should be built is for job growth and new housing / businesses. Extending just for the railroad overpass is a waste of money.

Response: Noted. The project serves emergency services / emergency evacuation as well as providing another route to access the city. It is anticipated that the roadways will support the growth in the region.

Comment 7: The money should be spend fixing existing roads, or building an overpass at FM 102, or have the railroad build an overpass at FM 102, or equip emergency vehicles with sensors that tell them to reroute in case of a train is coming to the existing at grade interchange. The county has only grown by 93 people in the last decade. Why burden taxpayers with more taxes. Unless the project brings in more business to Wharton, why spend the money. The people want job growth, not more taxes

Response: The locally preferred alternative provides enhanced emergency access / transit for the public and first responders. Additionally, the FM 1301 project will provide an additional crossing point of the railroad and more direct access to Highway 59. Based on available population projections for Wharton County, population growth in the area is anticipated.

Comment 8: A three page photocopy of the City ordinance of the Elected Official Recall provision was included in the response document. The ordinance lays out the steps necessary and the timeline applicable for recall processes.

Response: Noted.

Comment 9: I support FM 1301 extension going to Highway 59 because of the hurricane evacuees need to get to 59, versus being bottlenecked at FM 102. TxDOT should fund this total project.

Response: Noted. TxDOT funding will be acquired where at all possible.

Comment 10: I support TxDOT funding all of the expansions of FM 1301 to Highway 59. Safe access for transportation and moving cars in the region should be TxDOT's priority in Wharton, Texas.

Response: Noted. TxDOT funding will be acquired where at all possible.

Comment 11: Concern about logical reasons as to why the expansion needs to be built. A 4 lane road appears to be overkill and unnecessary.

Response: The locally preferred alternative provides enhanced emergency access / transit for the public and first responders. Additionally, the FM 1301 project will provide an additional crossing point of the railroad and more direct access to Highway 59. Additionally, it will result in reduction of traffic congestion. The roadway is designed for current and future traffic patterns.

Comment 12: The engineer built in only ditches for drainage, considering floodplain and recent flooding history, considerable extra drainage is called for. 3" asphalt is not sufficient for the type of loads being discussed.

Response: Final design plans will be developed in accordance with all State guidelines and requirements – including all drainage and roadway loading / cross section requirements.

Comment 13: Farms will be transected, making working fields and moving equipment more difficult.

Response: Noted. Moderate interruption in the transfer of farm equipment across the roadway, will likely be more than offset by the ease of access afforded by the new roadway to the fields.

Comment 14: Where is the evidence that the road will create new development and housing? Only 93 new residents moved into the area in the last 5 years. If this road is for HUD projects, the community will not support it, and will vote out official supporting HUD project.

Response: Noted. The project serves emergency services / emergency evacuation as well as providing another route to access the city. Based on available population projections for Wharton County, population growth in the area is anticipated.

Comment 15: Concern is expressed about the lack of commitment of the price of the project. As shown, the project is stripped down and many "add ons" will be necessary to make the project be of any use.

Response: The project is still in the preliminary stages of design. During the final design process, the specifics of the project will be identified. Upon identification of the final design, cost values can be better established.

Comment 16: Bonds will be sold for the project; however, the working class always pays the taxes. Council needs to have open meetings about this project, to explain all the reasons it is worthwhile.

Response: Noted. The public meeting held on May 8th 2012, was one of many public discussions about this project. In fact, the project has been discussed publically in dozens of meetings over the last approximate 10 years.

Comment 17: I believe that the project is a waste of taxpayer dollars, and that the money being spent on this project should be used to repair existing roads, sewers, waterlines. Citizens have to budget for repair work, why doesn't the city. It doesn't make sense to build a new road, when so much existing infrastructure needs repair.

Response: Noted. The funding for the roadway project will partially be provided by TxDOT and that money is not available to be used on city streets, waterlines or sewer lines.

Comment 18: With the tight City budget, we cannot afford this project. This is a wish and not a must or need. If the project goes forward, I would be in support of a recall election.

Response: Noted.

Comment 19: I strongly support the extension of FM 1301 to US 59. I do not agree to take the extension to FM 102, because it is a waste of money and will only add to the congestion and increase safety risks. If the FM 1301 extension project exceeds funds, I recommend eliminating the overpass.

Response: Noted.

Comment 20: I believe that FM 1301 extension project to Highway 59 is the best project for Wharton. I believe that just because you have adequate funding for the lesser project (merging FM 1301 with FM 102) does not mean it is the right thing to do. Taking FM 1301 to Highway 59 is the only reasonable project for Wharton. If you don't want to take FM 1301 to Highway 59, don't do anything at all.

Response: Noted.

Comment 21: To extend FM 1301 to FM 102 makes no sense and would be a waste of money. I recommend that FM 1301 go to Highway 59 – which has been Wharton's master plan for years.

Response: Noted.

Comment 22: As a property owner, I would prefer that the road not cross my land, although I am thankful that the route was re-done to just "clip" a far corner.

Response: Noted.

Comment 23: I do not see the need to spend millions of dollars that the City does not have on this project. The city is in desperate need of road repair.

Response: Noted.

Comment 23: Since funds for FM 102 are available now, the city should construct an overpass over the railroad track at FM 102, which would relieve congestion and provide unhindered passage to the hospital and perhaps encourage businesses at the intersection of FM 102 and Highway 59.

Response: Noted.

Comment 24: I prefer alternative F for the extension of FM1301. Additionally, due to slow economic times, pricing is down and the work should happen now. I don't think doing FM 102 work now is a good idea, as it would delay the connection of FM 1301 to Highway 59 for a number of years. Additionally, it seems reasonable to anticipate some real estate development along FM 1031 route soon after completion, which would enhance the tax base for Wharton.

Response: Noted.

Comment 25: I prefer FM 1301 to Highway 59. The city needs another entrance from US 59. The intersection of FM 102 and Richmond Road is crowded and dangerous and does not need more traffic.

Response: Noted.

Comment 26: The FM 1301 project is nice to have, but not a necessity. City streets, water lines, and sidewalks are failing and the money should be used for those repairs.

Response: Noted. The funding for the roadway project will partially be provided by TxDOT and that money is not available to be used on city streets, waterlines or sewer lines.

Comment 27: The money is being used to build a road through the County, and the County is not funding the road. The city should cancel the project and use the money to address the critical deterioration of the City infrastructure.

Response: Noted. The funding for the roadway project will partially be provided by TxDOT and that money is not available to be used on city streets, waterlines or sewer lines.

Comment 28: Recognize the need & agree with RR overpass, and agree with connecting to FM 102. Do not support FM 1301 Project to Highway 59, unless it also includes an overpass at that intersection. Question why FM 1301 needs to be 4 lanes.

Response: Noted. Traffic design based on current and projected usages has guided the design process.

Comment 29: Question FM 1301 to Highway 59 dividing property and leaving some land unusable for farming

Response: Noted. Only minor amounts of land will be divided in a manner which would make the continued farming of the property difficult.

Appendix H

NRCS Farmland Protection Policy Act (FPPA) Form

United States Department of Agriculture
NRCS
Natural Resources Conservation Service

101 S. Main Street
Temple, TX 76501-6624
Phone: 254-742-9826
FAX: 254-742-9859

September 3, 2013

SMC Consulting, Inc.
3418 Pickering Lane
Pearland, Texas 77584

Attention: Steve McElyea

Subject: LNU-Farmland Protection
Proposed FM 1301 Roadway Extension Project
Wharton County, Texas

We have reviewed the information provided in your correspondence dated August 23, 2013 concerning the proposed roadway extension project in Wharton County, Texas. This review is part of the National Environmental Policy Act (NEPA) evaluation for Federal Highway Administration (FHWA). We have evaluated the proposed site as required by the Farmland Protection Policy Act (FPPA).

The proposed project does contain soils classified as Important Farmland Soils. We have completed Parts II, IV, and V of the Farmland Conversion Impact Rating (Form AD-1006). The relative value of farmland in Part V should be used in your calculation for Part VII.

To meet reporting requirements of section 1546 of the Act, 7 U.S.C 4207, and for data collection purposes, after your agency has made a final decision on a project in which one or more of the alternative sites contain farmland subject to the FPPA, NRCS is requesting a return copy of the (Form AD-1006), which indicates the final decision. We encourage the use of accepted erosion control methods during the construction of this project.

If you have any questions, please contact me at (254) 742-9854, Fax (254) 742-9859 or by email at drew.kinney@tx.usda.gov.

Sincerely,

Drew Kinney

Drew Kinney
NRCS GIS Specialist

Attachment

U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I *(To be completed by Federal Agency)*	Date Of Land Evaluation Request 8/22/13
Name Of Project FM 1301 Extension Project	Federal Agency Involved TxDOT/ FHWA
Proposed Land Use Roadway	County And State Wharton, Texas
PART II *(To be completed by NRCS)*	Date Request Received By NRCS

Does the site contain prime, unique, statewide or local important farmland? *(If no, the FPPA does not apply – do not complete additional parts of this form).*	Yes ☑	No ☐	Acres Irrigated 39,200	Average Farm Size 415
Major Crop(s) ~~Hay~~ Grain Sorghum	Farmable Land In Govt. Jurisdiction Acres: 676,422	% 97	Amount Of Farmland As Defined In FPPA Acres: 654,321	% 94
Name Of Land Evaluation System Used LESA	Name Of Local Site Assessment System NA		Date Land Evaluation Returned By NRCS 9-3-2013	

PART III *(To be completed by Federal Agency)*	Alternative Site Rating			
	Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly	40.0			
B. Total Acres To Be Converted Indirectly	0.0			
C. Total Acres In Site	40.0	0.0	0.0	0.0
PART IV *(To be completed by NRCS)* Land Evaluation Information				
A. Total Acres Prime And Unique Farmland	18.5			
B. Total Acres Statewide And Local Important Farmland	0.2			
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted	0.0029			
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value	10			
PART V *(To be completed by NRCS)* Land Evaluation Criterion Relative Value Of Farmland To Be Converted *(Scale of 0 to 100 Points)*	~~100~~ 85	0	0	0

PART VI *(To be completed by Federal Agency)* Site Assessment Criteria *(These criteria are explained in 7 CFR 658.5(b)*	Maximum Points				
1. Area In Nonurban Use	15	8			
2. Perimeter In Nonurban Use	10	5			
3. Percent Of Site Being Farmed	20	10			
4. Protection Provided By State And Local Government	20	0 0			
5. Distance From Urban Builtup Area	15	0 0			
6. Distance To Urban Support Services	15	0 0			
7. Size Of Present Farm Unit Compared To Average	10	5			
8. Creation Of Nonfarmable Farmland	10	0 3			
9. Availability Of Farm Support Services	5	5			
10. On-Farm Investments	20	5			
11. Effects Of Conversion On Farm Support Services	10	0			
12. Compatibility With Existing Agricultural Use	10	0 7			
TOTAL SITE ASSESSMENT POINTS	160	~~0~~ 48	0	0	0
PART VII *(To be completed by Federal Agency)*					
Relative Value Of Farmland *(From Part V)*	100	~~100~~ 85	0	0	0
Total Site Assessment *(From Part VI above or a local site assessment)*	160	~~0~~ 48	0	0	0
TOTAL POINTS *(Total of above 2 lines)*	260	~~100~~ 133	0	0	0

Site Selected:	Date Of Selection 9-7-2013	Was A Local Site Assessment Used? Yes ☐ No ☐

Reason For Selection: Not prime or unique farm land. SMC 8-22-2013. The project is planned for 4 phases.

Phase 1 - Fm 1301 on Abandoned RR track, crossing over Track and heading south across open field to FM 102

Phase 2- Nanya Exit Ramp -off of Fm 59 north to FM 102 - within existing ROW for highway 59

Phase 3 - new local road from the new FM 1301 to US highway 59 & improving existing north 59 feeder roads

Phase 4 - new overpass for highway 59 and improving south bound feeder roads along 59

(See Instructions on reverse side)

This form was electronically produced by National Production Services Staff

Form AD-1006 (10-83)