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July 07, 2015

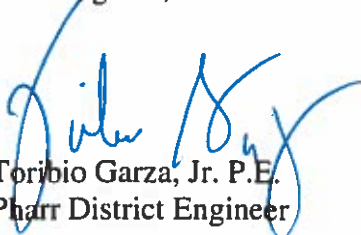
Mr. Pilar Rodriguez, P.E.  
HCRMA Executive Director  
118 S. Cage Blvd, 4th Floor  
Pharr, TX 78577

**RE: SH 365/US 281 – Finding of No Significant Impact (FONSI) & ROW Release**  
**SH 365 - From FM 1016 to US 281**  
**US 281 – From 0.47 mi. E. of SP 600 to FM 2557**  
**CSJ: 3627-01-001, 3627-01-002, 0220-01-023, and 0921-02-337**

Attached is the signed Finding of No Significant Impact (FONSI) for the subject projects. The acquisition of ROW for SH 365 can begin pursuant to compliance with all the requirements of Title II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, title 42 U.S.C.A Section 4601 et seq., including those provisions relating to incidental expense incurred by the property owners in conveying the real property to the Local Government, and benefits applicable to the relocation of any displaced person as defined in 49 CFR Section 24.2(g).

If you have any further questions or concerns regarding ROW, please contact Silverio “Silver” Salas Jr. at (956) 702-6148. All other general project questions or concerns should be addressed to Norma Garza, P.E. at (956) 702- 6180 or Project Manager Eduardo Saenz at (956) 702-6170.

Best Regards,



Toribio Garza, Jr. P.E.  
Pharr District Engineer

cc: Homero Bazan, Jr., P.E., Director of Transportation Planning & Development  
Norma Garza, P.E. Advance Planning and Project Management Supervisor  
Silverio “Silver” Salas, Jr., ROW Agent  
Eduardo Saenz, P.E., Project Manager





# **Finding of No Significant Impact for a NEPA Assigned Federal Aid Project**

**Proposed Action:** To construct a controlled access tolled facility

**Project Limits:** SH 365 from FM 1016/Conway Avenue to US 281/Military Highway

**Cities:** Granjeno, Hidalgo, McAllen, Mission, Pharr and San Juan  
**County:** Hidalgo  
**State:** Texas

**TxDOT CSJ(s):** 3627-01-001, 3627-01-002, 0921-02-337, and 0220-01-023

In accordance with 23 CFR Section 771.119 and Section 771.121, the Texas Department of Transportation (TxDOT) has determined that State Highway 365 will not have a significant impact on the human or natural environment.

This Finding of No Significant Impact (FONSI) for the Preferred Alternative is based on the final Environmental Assessment dated June 2015 and the entire project record. This decision documents the selection of Alternative A, presented in the final EA as the Preferred Alternative, which is described as:

*Construct an interim four-lane divided controlled access toll facility divided by a grassy median with right-of-way (ROW) reserved for future widening for the ultimate facility when necessary. The ultimate facility would consist of six travel lanes divided by a flushed median with a concrete barrier. The 16.53 mile long proposed tolled facility is primarily on new location within a typical 300-foot ROW, which varies in width from 160 feet to 400 feet. This alternative includes Non-toll improvements along US 281/Military Highway and a 0.70-mile one-lane connector to the Pharr Border Safety Inspection Facility (BSIF).*

A Notice of Availability of the draft EA was issued on April 26, 2015.

A public hearing for this project was held on May 26, 2015.

No changes to the draft EA were made as a result of comments received on the draft EA during the posted comment period or from comments made at the public hearing; however, the construction phasing in the draft EA was revised in the Final EA and correctly presented at the Public Hearing.

A Public Hearing Summary and Analysis report and certification that the required hearing was held has been prepared and is available for review on request.

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

Based upon TxDOT's review and consideration of the analysis and evaluation contained in the EA for this project, and after careful consideration of all social, economic, and environmental factors, including input from the public involvement process, TxDOT hereby issues this Finding of No Significant Impact for the State Highway SH 365 project from FM 1016/Conway Avenue to US 281/Military.

TxDOT will ensure adherence and completion of all project commitments described in the final EA, June



**Finding of No Significant Impact for a NEPA Assigned Federal Aid Project**

2015, Section 9.0. TxDOT will ensure that any and all local, state, or federal permit requirements and conditions are met and otherwise complied with.

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried-out by TxDOT pursuant to 23 U.S.C. 327 and the Memorandum of Understanding dated December 16, 2014, and executed by FHWA and TxDOT.

  
\_\_\_\_\_  
TxDOT Environmental Affairs Division Director

  
\_\_\_\_\_  
Date



# Environmental Document Review Checklist

Project Name: SH 365			<input type="checkbox"/> State <input checked="" type="checkbox"/> Federal - Assigned <input type="checkbox"/> Federal - Not Assigned	
CSJ No.: 3627-01-001, 3627-01-002, 0921-02-337, and 0220-01-023		Federal-Aid No. (if applicable):		Date of Administrative Completeness: 2/14/14
District / County: Pharr/Hidalgo			Project Sponsor: HCRMA	
Document Type: <input checked="" type="checkbox"/> EA <input type="checkbox"/> EIS		Document Stage: <input type="checkbox"/> Draft <input checked="" type="checkbox"/> Final		

Preparer identify	Preparer check if content is:		Core Team check if content is:	Major Required Content
	Included	Not Applicable		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Cover Sheet
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Follows TxDOT/FHWA approved format
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Includes 23 U.S.C. 327 assignment language
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Title including any cooperating agencies
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Legal citations, including 49 USC 303 for Section 4(f) if applicable
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Signature block and contacts (only required for EIS)
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Abstract (only required for EIS)
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ROD (for Final Environmental Impact Statement)
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Executive Summary (optional for EA, but required for EIS)
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Includes 23 U.S.C. 327 assignment language
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Identify lead agency under NEPA
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Summary of major conclusions (table recommended)
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Table of Contents: include list of tables figures and appendices
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	List of Acronyms
4.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Proposed Project
1.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Introduction: Brief introduction including appropriate figures
4.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Existing Facility Description
1.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description
4.3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Logical termini and independent utility
4.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Includes location, length, type of improvements, ROW / Easements needed
3.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Purpose and Need
3.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Purpose statements
3.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Need statements
2.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Planning and Programming Status
1.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Consistent with current Plan and Program (required for Final Environmental Document)
4.2.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Reference to plan sheet in appendix (required for Final Environmental Document)
5.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Alternatives
5.4.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Discussion of build alternative(s)
1.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Estimated cost information
5.4.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No-build alternative
5.3.2.5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Identification of preferred alternative (required for Final Environmental Document)
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Locally preferred alternative, if one has been identified
5.3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Alternatives Considered But Eliminated From Further Consideration
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Avoidance, Minimization and/or Mitigation Measures (see page 2 for further information)
10.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Comments and Coordination (Public Involvement and Agency Coordination)
9.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Permits and Approvals Needed
9.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Commitments (table recommended)
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	List of Preparers (EIS only)
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Distribution List (EIS only)
12.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	References Cited

Comments:

★ Environmental Document Review Checklist

Preparer Identify	Preparer check if content is			Core Team check if content is:	Affected Environment / Impacts / Avoidance, Minimization and Mitigation Measures
	Included	Subject of Technical Report	Not Applicable		
Summarize investigation outcomes and project effects as appropriate for each topic. Summary may be presented in table format with expanded discussions of topics with project effects. Address applicable avoidance, minimization, and mitigation measures for each topic.					
6.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Right of way/Displacements
6.5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use
6.10	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Farmlands
6.3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Community Impacts (EJ, LEP, ROW/Displacements)
4.2.7	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Utilities/Emergency Services
4.2.5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Traffic and Transportation/Pedestrian and Bicycle Facilities
6.25	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Visual/Aesthetics
6.23	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Historic Resources
6.23	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Archeological Resources
6.18	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water Quality
6.19	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Floodplain
6.22	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Hazardous Materials
6.20	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Air
6.21	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Noise
6.11-6.17	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Biological Environment (Wetland, Wildlife, T&E Species, Natural Communities)
6.27	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Construction Impacts
7.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Indirect Impacts
8.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Cumulative Impacts
6.23	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Section 4(f) / 8(f) - if applicable
Comments: 4(f) discussion of de minimis is included in cultural resources section					
Core Team check if information is			Supporting Documentation		
Included as Appendix	Not applicable	Present in File			
The appendices and/or file of record must contain the following items/documents					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Exhibits		
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Technical Reports: all technical reports as identified above have been completed, approved, and are present in the project file		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Agency coordination/consultation documentation in appendices and/or file		
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Section 4(f) Evaluation, Programmatic Section 4(f) Evaluation, Section 4(f) De Minimis Determination, or Section 8(f) Evaluation		
Comments:					
Yes	No	Not applicable	Document Consistency (Core Team Completes)		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Quantitative consistency between technical reports and Environmental Document (traffic, ROWs, etc.)		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Quantitative consistency within Environmental Document		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Map and figure consistency (project limits, street names, key, etc.)		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Referenced documents located in File of Record and/or Appendices		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Acronym identification and consistency		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Exhibits and appendices listed in the Table of Contents are present in the Environmental Document		
Comments:					

Completed By:

SHARON G. BECCA  
Preparer (Print Name)

Signature

MARIA COTTAGOMA  
District Core Team Member (Print Name)

Maria Cottagoma  
Signature

6/26/15  
Date

MICHAEL CHAPPEL  
ENV Core Team Member (Print Name)

Signature

6/26/15  
Date



# Environmental Document Certification Form

Project Name:

Control Section Job Number (CSJ): 3627-01-001, 3627-01-002, 0921-02-337, and 0220-01-023

Document Type:  EA  EIS  FONSI  ROD

Document Stage:  Draft  Final

This checklist shall be used to certify that an environmental document is ready for public review (draft documents) or approval (final documents).

When all required items are satisfactorily completed, the District and ENV representatives will sign this form indicating the environmental document is certified and may proceed to public review or is ready for final approval.

This project meets all the following requirements:

- A. A project scope has been completed for the project.
- B. The document has been determined to be administratively complete.
- C. The document meets the requirements of technical review (43 TAC §2.49) as required to date.
- D. The required public participation has been completed as required to date.
- E. All consultation and coordination required for the environmental decision is complete and appropriately documented (for final environmental documents).
- F. Legal Review or Legal Sufficiency Review has been completed, as required.
- G. Current funding has been reviewed, and is as follows:

Mix of Federal/State/Local funding  State-only funding Date Verified: 6-23-2015

Comments:

Signed: Maria Cottagoma Date: 6/23/15  
District Core Team Member

Print Name: MARIA COTTAGOMA

6/26/15

Signed: Michael Chavez Date: 6/26/15  
ENV Core Team Member

Print Name: MICHAEL CHAVEZ

Approved for Circulation (EAs only):

Signed: Jenise Walton Date: 7/1/15  
Project Delivery Director

Print Name: Jenise Walton



[Log Out](#) Jenise Walton

[P1](#) [P2](#) [P2C](#) [P3](#) [P3B](#) [P3](#) [P7](#) [P9](#) [STIP View Only](#) [P10](#)

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**DCIS - P2C Project Finance Percentages of Participation**

**English Project**

Control Section Job: 362701001

Estimated Construction Cost: 139682733

Part Waived:

Econo Dis Co Proj:

**PARTICIPATION**

Fed %	Federal	State or Bond %	State or Bond	Bond Appn	Local %	Local	Local Contribution
80	31472	20	7858			0	0
80	10446	20	2611			0	0
80	135267	20	33817			0	0
80	11509350	20	2877338			0	0
	0		0		100	122017403	0
<b>Totals:</b>	<b>11686535</b>		<b>2921634</b>			<b>0</b>	