



DEPARTMENT OF TRANSPORTATION

[4910-22-P]

**Notice of Final Federal Agency Actions on SH 205 from North of John King
(Rockwall County Line) to SH 78 in Collin County, Texas**

AGENCY: Texas Department of Transportation (TxDOT), Federal Highway Administration (FHWA), U.S. Department of Transportation.

ACTION: Notice of limitation on claims for judicial review of actions by TxDOT and federal agencies.

SUMMARY: This notice announces actions taken by TxDOT and Federal agencies that are final. 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 statute and a Memorandum of Understanding dated December 16, 2014, and executed by FHWA and TxDOT. The actions relate to a proposed highway project, SH 205 from North of John King (Rockwall County Line) to SH 78 in Collin County, in the State of Texas. These actions grant licenses, permits, and approvals for the project.

DATES: By this notice, TxDOT is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of TxDOT and Federal agency actions on the highway project will be barred unless the claim is filed on or before October 15, 2018. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such a claim, then that shorter time period still applies.

FOR FURTHER INFORMATION CONTACT: Carlos Swonke, Environmental Affairs Division, Texas Department of Transportation, 125 East 11th Street, Austin, Texas 78701; telephone: (512) 416-2734; email: *carlos.swonke@txdot.gov*. TxDOT's normal business hours are 8:00 a.m.—5:00 p.m. (central time), Monday through Friday.

SUPPLEMENTARY INFORMATION: Notice is hereby given that TxDOT and Federal agencies have taken final agency actions by issuing licenses, permits, and approvals for the following highway project in the State of Texas: SH 205 from North of John King (Rockwall County Line) to SH 78 in Collin County, Texas. The proposed improvements would widen the existing facility from a two-lane rural to an ultimate six-lane urban divided highway. Interim improvements would include constructing a four-lane urban roadway with an inside 12-foot wide travel lane in each direction and an outside 14-foot travel lane in each direction for shared use by bicycles and vehicles. A 42-foot wide median would divide the northbound and southbound lanes. In the ultimate phase of construction, inside widening would occur within the 42-foot wide median and an additional 12-foot wide lane would be constructed in each direction with an 18-foot median remaining. The length of the proposed project is approximately 2.9 miles. The purpose of the proposed project is to improve mobility and safety within the SH 205 corridor.

The actions by TxDOT and Federal agencies and the laws under which such actions were taken are described in the documentation supporting the Categorical Exclusion (CE) Determination approved on April 24, 2018, and other documents in the TxDOT project file. The CE Determination and other documents are available by contacting TxDOT at

the address provided above or the TxDOT Dallas District Office at 4777 E. Highway 80, Mesquite, TX 75150; telephone: (214) 320-6244.

This notice applies to all TxDOT and Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. General: National Environmental Policy Act (NEPA) [42 U.S.C. 4321-4351]; Federal-Aid Highway Act [23 U.S.C. 109].
2. Air: Clean Air Act, 42 U.S.C. 7401-7671(q).
3. Land: Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303]; Landscaping and Scenic Enhancement (Wildflowers), 23 U.S.C. 319.
4. Wildlife: Endangered Species Act [16 U.S.C. 1531-1544 and Section 1536], Marine Mammal Protection Act [16 U.S.C. 1361], Fish and Wildlife Coordination Act [16 U.S.C. 661-667(d)], Migratory Bird Treaty Act [16 U.S.C. 703-712].
5. Historic and Cultural Resources: Section 106 of the National Historic Preservation Act of 1966, as amended [54 U.S.C. 300101 et seq.]; Archeological Resources Protection Act of 1977 [16 U.S.C. 470(aa)-11]; Archeological and Historic Preservation Act [54 U.S.C. 312501 et seq.]; Native American Grave Protection and Repatriation Act (NAGPRA) [25 U.S.C. 3001-3013].
6. Social and Economic: Civil Rights Act of 1964 [42 U.S.C. 2000(d)-2000(d)(1)]; American Indian Religious Freedom Act [42 U.S.C. 1996]; Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201-4209].

7. Wetlands and Water Resources: Clean Water Act, 33 U.S.C. 1251-1377
(Section 404, Section 401, Section 319); Land and Water Conservation Fund
(LWCF), 16 U.S.C. 4601-4604; Safe Drinking Water Act (SDWA), 42 U.S.C.
300(f)-300(j)(6); Rivers and Harbors Act of 1899, 33 U.S.C. 401-406; Wild and
Scenic Rivers Act, 16 U.S.C. 1271-1287; Emergency Wetlands Resources Act,
16 U.S.C. 3921, 3931; TEA-21 Wetlands Mitigation, 23 U.S.C. 103(b)(6)(m),
133(b)(11); Flood Disaster Protection Act, 42 U.S.C. 4001-4128.
8. Executive Orders: E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain
Management; E.O. 12898, Federal Actions to Address Environmental Justice in
Minority Populations and Low Income Populations; E.O. 11593 Protection and
Enhancement of Cultural Resources; E.O. 13007 Indian Sacred Sites; E.O. 13287
Preserve America; E.O. 13175 Consultation and Coordination with Indian Tribal
Governments; E.O. 11514 Protection and Enhancement of Environmental Quality;
E.O. 13112 Invasive Species. (Catalog of Federal Domestic Assistance Program
Number 20.205, Highway Planning and Construction.)

Authority: 23 U.S.C. 139(l)(1)

Issued on: May 3, 2018.

Michael T. Leary,

Director, Planning and Program Development,

Federal Highway Administration.

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