



## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on Proposed Highway Projects in 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 these projects are being, or have been, carried out by TxDOT pursuant to an assignment agreement executed by FHWA and TxDOT. The actions relate to various proposed highway projects in the State of Texas. These actions grant licenses, permits, and approvals for the projects.

**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 projects will be barred unless the claim is filed on or before the deadline. For the projects listed below, the deadline is [INSERT DATE 150 DAYS AFTER DATE OF PUBLICATION IN THE **FEDERAL REGISTER**]. 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:** Patrick Lee, Environmental Affairs Division, Texas Department of Transportation, 125 East 11<sup>th</sup> Street, Austin, Texas 78701; telephone: (512) 416-2358; email: [Patrick.Lee@txdot.gov](mailto:Patrick.Lee@txdot.gov). TxDOT's normal business hours are 8 a.m.–5 p.m. (central time), Monday through Friday.

**SUPPLEMENTARY INFORMATION:** The environmental review, consultation, and other actions required by applicable Federal environmental laws for these projects are being, or have been, carried out by TxDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 9, 2019, and executed by FHWA and TxDOT.

Notice is hereby given that TxDOT and Federal agencies have taken final agency actions by issuing licenses, permits, and approvals for the highway projects in the State of Texas that are listed below.

The actions by TxDOT and Federal agencies and the laws under which such actions were taken are described in the Categorical Exclusion (CE), Environmental Assessment (EA), or Environmental Impact Statement (EIS) issued in connection with the projects and in other key project documents. The CE, EA, or EIS and other key documents for the listed projects are available by contacting the local TxDOT office at the address or telephone number provided for each project below.

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.)

The projects subject to this notice are:

1. FM 236 from US 77 to FM 237, Victoria County, Texas. The project will widen FM 236 to an undivided four-lane highway with two 12-foot lanes in each direction. The project will also provide a 10-foot shoulder in each direction, and a continuous 12-foot turn lane. The length of the project is approximately 10.2 miles. The actions by TxDOT and Federal agencies and the laws under which such actions were taken are

described in the Categorical Exclusion Determination issued on December 14, 2023, and other documents in the TxDOT project file. The Categorical Exclusion Determination and other documents in the TxDOT project file are available by contacting the TxDOT Yoakum District Office at 403 Huck Street, Yoakum, Texas 77995; telephone: (361) 293-4300.

2. IH-45 from south of Causeway to south of 61st Street, Galveston County, Texas. The proposed I-45 improvements will include reconstructing and widening I-45 from the Galveston Causeway Bridge to 61st Street and adding a direct connector from northbound 61st Street to northbound I-45. The project is approximately 2.5 miles in length. The actions by TxDOT and Federal agencies and the laws under which such actions were taken are described in the Categorical Exclusion Determination issued on January 11, 2024, and other documents in the TxDOT project file. The Categorical Exclusion determination and other documents in the TxDOT project file are available by contacting the TxDOT Houston District Office at 7600 Washington Avenue, Houston, Texas 77007; telephone: (713) 802-5076.
3. US 277 Relief Route, from US 67 to 0.93 mile north of FM 2105, Tom Green County, Texas. The project will take place in the vicinity of San Angelo and will convert the existing US 277 to a rural highway section with frontage roads, increase capacity from two lanes to four lanes (two in each direction), add a vegetated median with cable traffic barrier between main lanes, and will include turn-around lanes at grade-separated intersections. The length of the project is approximately 2.9 miles. The actions by TxDOT and Federal agencies and the laws under which such actions were taken are described in the Categorical Exclusion Determination issued on February 27, 2024, and other documents in the TxDOT project file. The Categorical Exclusion Determination and other documents in the TxDOT project file are available by

contacting the TxDOT San Angelo District Office at 4502 Knickerbocker Road, San Angelo, Texas 76904; telephone: (325) 944-1501.

4. Inspiration Road/Military Parkway Loop from IH-2 to Military Parkway, and from Inspiration Road to FM 1016, Hidalgo County, Texas. The project will widen and reconstruct Inspiration Road and Military Parkway. Inspiration Road, from approximately 200 feet south of IH-2 to Military Parkway, would be widened to provide four 11 to 14-foot-wide travel lanes, two 10-foot-wide shoulders, a 12 to 16-foot-wide continuous left turn lane, and 5 to 6-foot-wide sidewalks on both sides of the roadway; a length of 2.5 miles. On Military Parkway, west of Inspiration Road, from CR 2791 to Inspiration Road, a transition would be provided. Military Parkway, from Inspiration Road to FM 1016, would be widened and reconstructed to include four 12-foot-wide travel lanes, one 16-foot-wide continuous left turn lane, two 10-foot-wide shoulders, and a 6-foot-wide sidewalk on both sides of the roadway with the exception of the section of the levees which would be a 5-foot-wide sidewalk along the north side only; a length of 2.0 miles. The actions by TxDOT and Federal agencies and the laws under which such actions were taken are described in the Final Environmental Assessment (EA), the Finding of No Significant Impact (FONSI) issued on January 4, 2024, and other documents in the TxDOT project file. The EA, FONSI and other documents in the TxDOT project file are available by contacting the TxDOT Pharr District Office at 600 West Interstate 2, Pharr, Texas 78577; telephone: (956) 702-6102.

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

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