U.S. Department of Transportation
Federal Highway Administration

# Final Environmental Assessment

## Pharr-Reynosa International Bridge Expansion, Pharr District

At Pharr International Bridge

CSJ: 0921-02-479

Hidalgo County, Texas

September 2023

# TABLE OF CONTENTS

1.0 INTRODUCTION ..... 1
2.0 PROJECT DESCRIPTION ..... 2
2.1 Existing Facility ..... 2
2.2 Proposed Facility ..... 2
2.3 Logical Termini and Independent Utility ..... 2
2.4 Planning Consistency ..... 3
3.0 PURPOSE AND NEED ..... 4
3.1 Need ..... 4
3.2 Supporting Facts and Data ..... 4
3.3 Purpose ..... 5
3.4 Additional Benefits ..... 5
4.0 ALTERNATIVES ..... 6
4.1 Build Alternative (Preferred) ..... 6
4.2 No-Build Alternative ..... 6
4.3 Preliminary Alternatives Considered but Eliminated from Further Consideration ..... 6
5.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES ..... 7
5.1 Right-of-Way/Displacements ..... 7
5.2 Land Use ..... 7
5.3 Farmlands ..... 8
5.4 Utility Relocation ..... 8
5.5 Bicycle and Pedestrian Facilities ..... 9
5.6 Community Impacts ..... 9
5.7 Visual/Aesthetic Impacts ..... 9
5.8 Cultural Resources ..... 9
5.8.1 Archeology ..... 10
5.8.2 Historic Properties ..... 11
5.9 Protected Lands ..... 12
5.9.1 Section 4(f), U.S. Department of Transportation Act ..... 12
5.9.2 Section 6(f), Land and Water Conservation Fund Act ..... 12
5.9.3 Chapter 26 of the Parks and Wildlife Code ..... 12
5.10 Water Resources ..... 12
5.10.1 Clean Water Act (CWA) Section 404 ..... 12
5.10.2 Clean Water Act (CWA) Section 401 ..... 13
5.10.3 Executive Order (EO) 11990 Wetlands ..... 13
5.10.4 Rivers and Harbors Act ..... 13
5.10.5 Clean Water Act (CWA) Section 303(d) ..... 15
5.10.6 Clean Water Act (CWA) Section 402 ..... 15
5.10.7 Floodplains ..... 16
5.10.8 Wild and Scenic Rivers ..... 16
5.10.9 Coastal Barrier Resources ..... 16
5.10.10 Coastal Zone Management ..... 16
5.10.11 Edwards Aquifer ..... 16
5.10.12 International Boundary and Water Commission (IBWC) ..... 16
5.10.13 Drinking Water Systems ..... 16
5.11 Biological Resources ..... 17
5.11.1 Impacts to Vegetation ..... 17
5.11.2 Executive Order (EO) 13112 on Invasive Species ..... 18
5.11.3 Executive Memorandum on Environmentally and Economically Beneficial Landscaping ..... 18
5.11.4 Impacts to Wildlife ..... 18
5.11.5 Migratory Bird Protections ..... 18
5.11.6 Fish and Wildlife Coordination Act ..... 19

5.11.7 Bald and Golden Eagle Protection Act of 2007 ..... 19
5.11.8 Magnuson-Stevens Fishery Conservation Management Act ..... 19
5.11.9 Marine Mammal Protection Act ..... 19
5.11.10 Threatened, Endangered Species, and Candidate Species ..... 19
5.12 Air Quality ..... 20
5.12.1 Carbon Monoxide Traffic Air Quality Analysis ..... 20
5.12.2 Mobile Source Air Toxics (MSAT) Background ..... 20
5.12.3 Motor Vehicle Emissions Simulator (MOVES) ..... 21
5.12.4 MSAT Research ..... 22
5.12.5 Project Specific MSAT Information ..... 22
5.12.6 Incomplete or Unavailable Information for Project-Specific MSAT Health Impacts Analysis .. 22
5.12.7 Construction and Post-Construction Emissions ..... 24
5.13 Hazardous Materials ..... 24
5.14 Traffic Noise ..... 25
5.15 Induced Growth ..... 25
5.16 Cumulative Impacts ..... 26
5.17 Construction Phase Impacts ..... 29
5.17.1 Air Quality ..... 29
5.17.2 Noise Impacts ..... 29
5.17.3 Traffic Control ..... 29
5.18 Greenhouse Gas and Climate Change ..... 30
5.18.1 Statewide On-Road GHG ..... 30
5.18.2 Mitigation Measures ..... 30
5.18.3 TxDOT and a Changing Climate ..... 31
6.0 AGENCY COORDINATION ..... 32
7.0 PUBLIC INVOLVEMENT ..... 34
8.0 POST-ENVIRONMENTAL CLEARANCE ACTIVITIES AND CONTRACTOR COMMUNICATIONS ..... 36
8.1 Post-Environmental Clearance Activities ..... 36
8.2 Design/Construction Commitments ..... 36
9.0 CONCLUSION ..... 37
10.0 REFERENCES ..... 38
11.0 NAMES AND QUALIFICATIONS OF PERSONS PREPARING THE EA ..... 42

## TABLES

Table 1: Right-of-Way Summary ..... 7
Table 2: Soils within the Project Area ..... 8
Table 3: Section 404 Water Features within the Project Area ..... 13
Table 4: Section 10 Water Features within the Project Area ..... 14
Table 5: TCEQ Section 303(d) Impaired Waters ..... 15
Table 6: Mapped EMST Vegetation - Acreage of Impacts within the Project Area ..... 17
Table 7: Resources Not Carried Forward to Cumulative Impacts Analysis ..... 27
Table 8: Overall Effect of the Proposed Project ..... 28
Table 9: Summary of Agency Coordination (Completed) ..... 32

## APPENDICES

Appendix A Project Location Map
Appendix B Project Photographs
Appendix C Schematics
Appendix D Typical Sections
Appendix E Resource-Specific Maps
Figure 1 – USDA Soils
Figure 2 – Archeological Resources
Figure 3 – Historic Resources
Figure 4 – Potential Waters of the U.S.
Figure 5 – FEMA Floodplain
Figure 6 – EMST Mapped Vegetation Types
Figure 7 – Hazardous Materials
Figure 8 – Noise Receivers
Appendix F Resources Agency Correspondence
Appendix G Public Meeting Comment Response Matrix
Appendix H Notice of Availability and Opportunity for Public Hearing Documentation

## LIST OF ACRONYMS

| | |
|---|---|
| AADT | Average Annual Daily Traffic |
| AOI | Area of Influence |
| APE | Area of Potential Effect |
| ASTM | American Society for Testing and Materials |
| BCIS | Border Crossing Information System |
| BMP | Best Management Practices |
| CAAA | Clean Air Act Amendments |
| CBRA | Coastal Barrier Resources Act |
| CBRS | Coastal Barrier Resources System |
| CFR | Code of Federal Regulations |
| CGP | Construction General Permit |
| CO | Carbon Monoxide |
| CWA | Clean Water Act |
| EA | Environmental Assessment |
| EIS | Environmental Impact Statement |
| EMST | Ecological Mapping System of Texas |
| ENV | TxDOT Environmental Affairs Division |
| EO | Executive Order |
| ETC | Estimated Time of Completion |
| FAST | Free and Secure Trade |
| FHWA | Federal Highway Administration |
| FONSI | Finding of No Significant Impact |
| FPPA | Farmland Protection Policy Act |
| FR | Federal Register |
| GDP | Gross Domestic Product |
| GHG | Greenhouse Gas |
| HEI | Health Effects Institute |
| HIST TANK | Historical Tank Construction Notification |
| IBWC | International Boundary and Water Commission |
| IPCC | Intergovernmental Panel on Climate Change |
| IRIS | Integrated Risk Information System |
| ISA | Initial Site Assessment |
| LEP | Limited English Proficiency |
| LWCF | Land and Water Conservation Fund |
| MBTA | Migratory Bird Treaty Act |
| MMT | Million Metric Tons |
| MOU | Memorandum of Understanding |
| MOVES | Motor Vehicle Emissions Simulator |
| MSAT | Mobile Source Air Toxic |
| NAAQS | National Ambient Air Quality Standards |
| NATA | National Air Toxics Assessment |
| NEPA | National Environmental Policy Act |
| NHPA | National Historic Preservation Act |
| NO2 | Nitrogen Dioxide |
| NOI | Notice of Intent |
| NRCS | Natural Resources Conservation Service |
| NRHP | National Register of Historic Places |
| PA | Programmatic Agreement |
| PM | Particulate Matter |
| POE | Port of Entry |
| PRIB | Pharr-Reynosa International Bridge |

| | |
|---|---|
| PS&E | Plans, Specifications, and Estimates |
| RGVMPO | Rio Grande Valley Metropolitan Planning Organization |
| RHA | Rivers and Harbors Act |
| RSA | Resource Study Area |
| RTHL | Recorded Texas Historic Landmark |
| SAL | State Antiquities Landmark |
| SENTRI | Secure Electronic Network for Travelers Rapid Inspection |
| SGCN | Species of Greatest Conservation Need |
| SHPO | State Historic Preservation Officer |
| SW3P | Storm Water Pollution Prevention Plan |
| TCAP | Texas Conservation Action Plan |
| TCEQ | Texas Commission on Environmental Quality |
| TCMP | Texas Coastal Management Plan |
| TDM | Travel Demand Management |
| TERP | Texas Emissions Reduction Plan |
| THC | Texas Historical Commission |
| TIP | Transportation Improvement Program |
| TMDL | Total Maximum Daily Load |
| TPDES | Texas Pollutant Discharge Elimination System |
| TPWD | Texas Parks and Wildlife Department |
| TSM | Traffic Systems Management |
| TxDOT | Texas Department of Transportation |
| USACE | U.S. Army Corps of Engineers |
| USC | United States Code |
| USCBP | U.S. Customs and Border Protection |
| USCG | U.S. Coast Guard |
| USDA | U.S. Department of Agriculture |
| USDOT | U.S. Department of Transportation |
| USEPA | U.S. Environmental Protection Agency |
| USFWS | U.S. Fish and Wildlife Service |
| USGSA | U.S. General Services Administration |
| UST | Underground Storage Tank |
| VMT | Vehicle Miles Traveled |
| WMA | Wildlife Management Area |
| WOUS | Waters of the U.S. |

## 1.0 INTRODUCTION

The City of Pharr, in cooperation with the Texas Department of Transportation (TxDOT) and the Federal Highway Administration (FHWA), proposes to construct an approximate 1.35-mile long twin bridge adjacent to and west of the existing Pharr-Reynosa International Bridge (PRIB). The project is located between the international boundary with Mexico (Rio Grande) and the existing Pharr Port of Entry (POE). The proposed project is located in a rural area of South Texas in the Rio Grande Valley and is perpendicular to the Mexico border. The Rio Grande is located within the southern portion of the project area. The general location of the proposed improvements is shown in **Appendix A** and in the inset graphic to the right. Photographs of the project area are included in **Appendix B**.

The purpose of this Environmental Assessment (EA) is to study the potential environmental consequences of the proposed project and determine if the consequences warrant the preparation of an Environmental Impact Statement (EIS). This EA was prepared to comply with environmental review rules established by both TxDOT and the National Environmental Policy Act (NEPA). It will be made available for public review after TxDOT and FHWA consider all comments submitted regarding the proposed project. If it is determined that there are no significant adverse effects, FHWA will prepare and sign a Finding of No Significant Impact (FONSI), which will be made available for public viewing.

# 2.0 PROJECT DESCRIPTION

## 2.1 Existing Facility

The Pharr International Bridge is a tolled bridge that contains four 12-foot travel lanes, with three travelling north and one travelling south. There is no median located between the north bound and south bound main lanes. A former sidewalk converted into a three-foot safety refuge for drivers of disabled vehicles is located on the eastern side of the bridge. Near the northern project terminus, the roadway separates into three processing lanes inside the POE, to and from Mexico, for the U.S. Customs and Border Protection (USCBP). The southern terminus of the project is located at the U.S. and Mexico border (Rio Grande).

There are no shoulders on the existing bridge. The existing bridge includes standard deck drains.

Representative photographs of the proposed project area are included in **Appendix B**. The existing typical sections are included in **Appendix D**.

## 2.2 Proposed Facility

The proposed facility includes a new tolled bridge with four 12-foot travel lanes identical in configuration to the existing bridge. The new bridge would accommodate commercial and noncommercial traffic in both directions of travel. A seven-foot striped shoulder is proposed on the west side of the bridge.

The proposed bridge would tie into the Pharr International POE at the north end of the project. An overhead sign bridge is proposed at this location. It may provide a dynamic message sign, as well as lane control signals to guide motorists. Two additional overhead sign bridges are proposed between the north and south ends of the project. These signs may have lane control signals and dynamic message signs for both north bound and south bound traffic. The south end of the project is at the International Border with Mexico (Rio Grande). At this location, long mast arm poles with lane control signals are proposed for both northbound and southbound traffic. Project schematics are included in **Appendix C**.

The proposed roadway typical sections are included in **Appendix D**.

The project would extend for a total of 1.35 miles adjacent to and west of the existing Pharr International Bridge, from the international boundary with Mexico (Rio Grande) to the Pharr POE. The project would take place within the western portion of the existing 140-foot bridge right-of-way. A total of approximately 0.06 acres of right-of-way along with east side of the existing bridge at two separate locations would be required for the foundations of two of the overhead sign bridges. The estimated total project cost is $63.25 million dollars and would be split between federal, state, and local funds.

## 2.3 Logical Termini and Independent Utility

Federal regulations require that federally funded transportation projects have logical termini (23 Code of Federal Regulations [CFR] 771.111[f][1]). Simply stated, this means that a project must have rational beginning and endpoints. Those endpoints may not be created simply to avoid proper analysis of environmental impacts. The proposed project would construct a second bridge adjacent to and west of the existing PRIB between the Pharr POE and the International Boundary with Mexico (Rio Grande) which would match the previously established limits of the existing bridge.

Federal regulations require that a project have independent utility and be a reasonable expenditure even if no other transportation improvements are made in the area (23 CFR 771.111[f][2]). This means a project must be able to provide benefit by itself, and that the project not compel further expenditures to make the project useful. Stated another way, a project must be able to satisfy its purpose and need with no other projects being built. The proposed project would have independent utility as the construction of the second adjacent bridge would provide congestion relief between the logical termini and is a reasonable expenditure of funds even if no additional transportation improvements are made in the general project area. The project adds capacity, which satisfies the project need. The project cannot and does not irretrievably or irreversibly commit federal funds for other future transportation project.

Federal law prohibits a project from restricting consideration of alternatives for other reasonably foreseeable transportation improvements (23 CFR 771.111[f][3]). This means that a project must not dictate or restrict any future roadway alternatives. The proposed project would occur in a rural area between the Pharr POE and the International Boundary with Mexico (Rio Grande) and would not restrict the consideration of future transportation improvements.

## 2.4 Planning Consistency

The project is consistent with the Rio Grande Valley Metropolitan Planning Organization's (RGVMPO) 2020-2045 and the 2023-2026 Transportation Improvement Program (TIP).

# 3.0 PURPOSE AND NEED

## 3.1 Need

The proposed project is needed because northbound traffic, particularly rapidly growing commercial traffic on the existing PRIB, has become increasingly congested, creating a bottleneck as it enters the Pharr POE.

The steady increase in commercial traffic across the existing PRIB has resulted in long queues at the approach to the POE. The existing PRIB has had to close to non-commercial traffic for much of the workday to cope with the high volume of truck traffic.

## 3.2 Supporting Facts and Data

The existing PRIB is a four-lane facility, and it is one of the busiest commercial crossings on the southern border. In 2021, the total value of trade through the Pharr POE increased to $41.77 billion[1], a 26.39% increase from total trade in 2020.

Commercial traffic across the existing PRIB has been growing rapidly. Between 2008 and 2019, northbound commercial traffic volume increased by almost 176,000.[2] The existing PRIB experienced a 144 percent increase in southbound commercial crossings between 2000 and 2019, with an additional 369,722 crossings.[3]

The existing PRIB handles more than 90 percent of cross-border commercial traffic in the Hidalgo County area. In 2019, it processed more than 651,000 northbound trucks. It is projected to cross more than 2 million trucks per year by 2050.[4]

In 2019, the existing PRIB was closed to passenger vehicles during the workday to facilitate commercial traffic to allow for a third northbound lane for commercial traffic.[5] USCBP has resorted to using a non-commercial inspection lane to inspect commercial vehicles within the POE. These short-term measures to increase truck throughput and maximize efficiency have been exhausted.

This increase in commercial volume has resulted in a dramatic increase in commercial wait times at the existing PRIB in recent years. The Border Crossing Information System (BCIS) data source tracks total border crossing times for the existing PRIB northbound movements. Highest expected northbound commercial vehicle crossing times at the existing PRIB exceed 1 hour at most times of the day, with crossing times reaching 168 minutes in the evening.[6]

Since 2013, the existing PRIB has had the longest peak-hour wait times in the Rio Grande Valley Region, with worsening congestion. By 2050, unless improvements are made, average commercial border crossing times at Pharr will reach a staggering 849 minutes, by far the worst of any Texas bridge.[7] The existing PRIB is currently operating at 114 percent utilization, and it is forecasted to increase to 356 percent by 2050.[8]

---

[1] World City, 2022 Pharr Trade Numbers
[2] TxDOT Texas-Mexico Border Transportation Master Plan 2021, page 3-26
[3] TxDOT Texas-Mexico *Border Transportation Master Plan 2021*, page 3-27
[4] TxDOT Texas-Mexico Border Transportation Master Plan 2021, page 6-19
[5] City of Pharr, Pharr-Reynosa International Bridge Department
[6] TxDOT Texas-Mexico Border Transportation Master Plan 2021, page 3-58
[7] TxDOT Texas-Mexico Border Transportation Master Plan 2021, page 6-30
[8] TxDOT Texas Delivers 2050 Texas Freight Mobility Plan. page 88

The City of Pharr is partnering with CBP and the U.S. General Services Administration (USGSA) to fund major projects that will improve the throughput of the POE. The proposed project is needed to ensure that the existing PRIB itself is not a bottleneck that prevents these improvements from achieving their full potential.

The City of Pharr, located in Hidalgo County along the Texas/Mexico border, has an estimated population of 79,715 residents. Hidalgo County is one of the fastest growing counties in Texas, with the population increasing from 774,669 in 2010 to 870,781 in 2020.[9] As the primary commercial route to and from Reynosa, Mexico, and Pharr, Texas, the existing PRIB must have the capacity to provide safe passage for large commercial vehicles and cars without major congestion along the right-of-way.

## 3.3 Purpose

The purpose of the proposed project is to accommodate increasing traffic volume, improve mobility, reduce congestion and wait times, enhance safety, and allow for efficient separation of different types of traffic at the approach to the POE.

Congestion and Mobility

The proposed project would add a second twin four-lane structure that would significantly enhance mobility by reducing long wait times and heavy congestion of both commercial and passenger vehicles. The project would include one crossover linking the two bridges. It is anticipated that the number of northbound lanes would transition from four up to possibly six lanes, with the four lanes on the existing PRIB being used solely for commercial traffic. The six lanes entering the POE would allow for proper separation of northbound traffic (e.g., Free and Secure Trade [FAST], non-FAST, and empty trucks on the existing structure; and Secure Electronic Network for Travelers Rapid Inspection [SENTRI], Ready Lane and other passenger vehicles on the new structure).

## 3.4 Additional Benefits

In addition to improving mobility, reducing congestion, and promoting safety, the proposed project would also provide a substantial economic benefit. According to TxDOT's Texas-Mexico Border Transportation Master Plan 2021, cross-border trade between Texas and Mexico generates more than $268 billion annually in Gross Domestic Product (GDP) growth. An estimated 97% of that is due to movement of goods. Another economic benefit associated with the proposed project is job creation. Currently, TxDOT estimates the movement of goods and people across the Texas-Mexico border generates approximately five million jobs (3.4 million in Mexico and 1.5 million in the U.S.). TxDOT predicts that by 2050, without improvements, delays to goods movement through the PRIB would reduce GDP by $594.1 million ($209.4 million to the U.S., $384.7 million to Mexico).[10]

Additionally, the proposed project would improve safety by adding additional northbound lanes to separate the FAST and empty trucks from other types of commercial vehicles and to have dedicated lanes for passenger vehicles at the approach to the POE. The additional lanes would also greatly reduce the time needed to respond to any problems on the Bridge, such as accidents, mechanical breakdowns, or medical emergencies.

[9] United States Census Bureau, April 2020
[10] TxDOT Texas-Mexico Border Transportation Master Plan 2021, page 7-29

# 4.0 ALTERNATIVES

## 4.1 Build Alternative (Preferred)

Due to the location of the project between the existing POE and a corresponding bridge project in Mexico that would directly connect to the proposed project, as well as the City of Pharr's desire to complete the original plan of constructing a twin structure (the proposed project would mirror the existing PRIB) primarily within the existing right-of-way, only one build alternative was considered.

The Build Alternative would add a second adjacent "twin" structure, which would consist of a 1.35-mile-long structure adjacent to and west of the existing PRIB, built primarily within City of Pharr-owned right-of-way. A total of approximately 0.06 acres of right-of-way along the east side of the existing bridge would be acquired. Construction would include four 12-foot travel lanes with a seven-foot-wide striped shoulder on the west side with features that would include one crossover, additional lighting and electronic signage that would facilitate the flow of traffic, reduce wait times and enhance safety.

## 4.2 No-Build Alternative

Under the No-Build Alternative, the proposed project would not be constructed. Within the project limits, no activity would occur. Although the No-Build Alternative would avoid the impacts associated with new construction, with continued regional growth, the mobility and safety issues identified can reasonably be expected to worsen considerably.

Although the No-Build Alternative does not meet the need and purpose of the proposed project, it will be carried forward in the EA.

## 4.3 Preliminary Alternatives Considered but Eliminated from Further Consideration

No other alternatives were considered for this project due to the need to efficiently connect the existing POE in the U.S. to a corresponding bridge project in Mexico.

## 5.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

In support of this EA, the following technical documentation was prepared:

- Air Quality Technical Report (TxDOT 2022a)
- Archeological Background Study (TxDOT 2022b)
- Archeological Pedestrian Survey (TxDOT 2022c)
- Community Impacts Technical Report (TxDOT 2022d)
- Cumulative Impacts Analysis Technical Report (TxDOT 2022e)
- Farmland Conversion Impact Rating Form (USDA 2022)
- Hazardous Materials Initial Site Assessment (ISA) (TxDOT 2022f)
- Indirect Impacts Technical Report (TxDOT 2022g)
- Project Coordination Request for Historic Studies (TxDOT 2022h)
- Public Meeting Summary Report (TxDOT 2022i)
- Species Analysis Form and Spreadsheet (TxDOT 2022j)
- Surface Water Analysis Form (TxDOT 2022k)
- Traffic Noise Memorandum (TxDOT 2022l)
- Underwater Archeological Survey (TxDOT 2022m)
- Water Features Delineation Report (TxDOT 2022n)

The reports may be inspected and copied upon request at the City of Pharr and TxDOT's Pharr District Offices.

The following sections summarize technical studies and topics as outlined in TxDOT's *Environmental Handbook: Preparing an Environmental Assessments* (TxDOT 2023a) and *Environmental Assessment Outline* (TxDOT 2021c), and FHWA has approved using for development of this document.

### 5.1 Right-of-Way/Displacements

The proposed project would require a total of approximately 0.06 acres of new right-of-way from two parcels along the east side of the existing bridge to construct the foundation of two overhead sign bridges (**Table 1**). Schematics of the proposed project are shown in **Appendix C**. No displacements or relocations would occur.

**Table 1: Right-of-Way Summary**

| Parcel ID | Total Parcel Size (acres) | Right-of-Way Required (acres) | % of Parcel Required |
|---|---|---|---|
| 1274051 | 4.09 | 0.03 | 0.73 |
| 101786 | 275.76 | 0.03 | 0.01 |

No right-of-way acquisition would occur under the No-Build Alternative.

### 5.2 Land Use

The proposed project is in a rural area of South Texas. The transportation right-of-way is a toll bridge connecting vehicles from Pharr, Texas to Reynosa, Mexico. Surrounding land uses include agricultural cropland, POE facilities for the USCBP, wildlife refuge, and the Rio Grande. The proposed project would not substantially alter the existing land use in the area.

Under the No-Build Alternative there would be no impact, adverse or beneficial, to land use in the area.

## 5.3 Farmlands

The Farmland Policy Protection Act (FPPA) was established in 1981 to minimize the impact federal programs have on the irreversible conversion of farmland to other non-agricultural land uses (TxDOT 2021b). This project is subject to the FPPA. Area soils were evaluated in accordance with the TxDOT Environmental Handbook titled *Farmland Protection Policy Act* (FPPA) (740.01 GUI, May 2018). Six different soils are within the proposed project area, and only one is considered prime farmland soil. These soils are Camargo silty clay loam, 0 to 1 percent slopes, rarely flooded; Grulla clay, frequently flooded and ponded; Harlingen clay; Matamoros silty clay; Rio Grande silt loam; and Levee. The Camargo silty clay loam, 0 to 1 percent slopes, rarely flooded is considered prime farmland soil.

Natural Resources Conservation Service (NRCS) Form CPA-106 was completed to determine whether the loss of farmland soils would have a negative impact on agriculture in the vicinity of the proposed project. The form requires analysis of existing agriculture, presence of agricultural support services, the amount of on farm investments, and other relevant information to formulate a score out of 160. If the outcome of the conversion in *Part VI - Corridor Assessment Criteria* is less than 160 then no additional coordination with NRCS is required.

The Build Alternative would impact 0.01 acres of prime farmland soil through acquisition of right-of-way and construction. Based on a review of NRCS, aerial imagery, and other sources it scores high on CPA-106 in six of the ten categories based on its primarily rural location. All parcels along the Build Alternative, with the exception of the three northern parcels within the Pharr POE, are actively used for agricultural production. Of the total 35.50 acres of land within the proposed project area, which consists of nine parcels, only 0.01 acres (0.03 percent) would be converted to transportation use. Based on this information, the Build Alternative scored a 72 out of 160 points on the CPA-106 form and will not require additional coordination with the NRCS (USDA 2022b). A complete list of the soils within the project area is shown in **Table 2** below, as well as **Appendix E - Figure 1**.

**Table 2: Soils within the Project Area**

| Soil Type | Area (Acres) | Percent of Project Footprint | Prime Farmland[1] |
|---|---|---|---|
| Camargo silty clay loam, 0 to 1 percent slopes, rarely flooded | 4.30 | 12.0 | Yes |
| Grulla clay, frequently flooded and ponded | 1.80 | 5.2 | No |
| Harlingen clay | 10.30 | 28.9 | No |
| Matamoros silty clay | 13.70 | 38.6 | No |
| Rio Grande silt loam | 4.30 | 12.2 | No |
| Levee | 1.00 | 2.9 | No |
| **Total** | **35.50** | **100.0** | |

1. 0.01 acres of prime farmland soils would be impacted.
Source: USDA Natural Resources Conservation Service (2022a).

Under the No-Build Alternative there would be no impact, adverse or beneficial, to farmland soils in the area.

## 5.4 Utility Relocation

It is expected that the displaced utilities will be re-installed within the highway right-of-way. The current buried electric distribution line under the existing bridge between interior bents # 190 and # 191 will

need the buried portion extended to the western right-of-way line. The potential impacts resulting from re-installation of the displaced utilities within the highway right-of-way have been considered as part of the overall project footprint impacts (e.g., construction noise, potential disturbance to archeological resources, and potential impacts to species habitat) within this EA.

Under the No-Build Alternative, no impacts to utilities would occur.

## 5.5 Bicycle and Pedestrian Facilities

The proposed project would not accommodate bicycle or pedestrian facilities. USCBP currently prohibits pedestrians and bicyclists from using the existing bridge, and these restrictions would apply to the proposed bridge.

## 5.6 Community Impacts

A Community Impacts Assessment Technical Report (TxDOT 2022d) was completed in accordance with TxDOT's Community Impacts, Environmental Justice, Limited English Proficiency (LEP), and Title VI Compliance Handbook (TxDOT 2020b). The Community Impacts Assessment Technical Form is on file at the City of Pharr and TxDOT Pharr District and is available upon request.

Land use activities within the proposed project include agriculture and an active international POE facility in a rural area of Hidalgo County. There are no residential or community facilities located near the proposed project. The nearby Lower Rio Grande Valley National Wildlife Refuge properties (Las Palomas Wildlife Management Area [WMA]) are not open to the public (Personal Communication, Jimmy Stout, TPWD Las Palomas WMA, 956-498-4791). U.S. Census Bureau data show the presence of minority, low-income, and LEP populations within the census geographies surrounding the project. No disproportionately high and adverse community impacts are anticipated. Any adverse impacts are anticipated to be temporary in nature as the truck traffic moves out of the POE facility to the regional travel corridors due to the rural nature of the project area and lack of residential and community development in the project vicinity.

See **Section 7.0** for a summary of completed and anticipated future public involvement activities. The City of Pharr and TxDOT will continue to provide meaningful access to public information during the public involvement process, including providing meeting materials in both English and Spanish.

## 5.7 Visual/Aesthetic Impacts

The proposed project is located in a primarily rural area. It would be located immediately adjacent to an existing bridge, which should minimize any "new" visual impacts. The project is bordered on both sides by agricultural land and is located north of the Rio Grande. Any bridge lighting would be located on the deck of the bridge and would not be directed beneath the bridge surface per an agreement between the City of Pharr and USCBP. Temporary lighting under the bridge would only be allowed as needed. No landscaping is proposed.

Under the No-Build Alternative, there would be no impact (adverse of beneficial) to the visual aesthetics of the area.

## 5.8 Cultural Resources

Evaluation of impacts to cultural resources has been conducted under Section 106 of the National Historic Preservation Act (NHPA) in accordance with the Programmatic Agreement (PA) among FHWA, TxDOT, the Texas State Historic Preservation Officer (SHPO) and the Advisory Council on Historic Preservation Regarding the Implementation of Transportation Undertakings.

### 5.8.1 Archeology

The proposed project is subject to review under the Antiquities Code of Texas (ACT) (Texas Natural Resource Code, Title 9, Chapter 191), by virtue of it being a public undertaking. Additionally, as funding is being provided by the FHWA through the TxDOT, the proposed project is subject to review under Section 106 of the NHPA (16 United States Code [USC] 470) and its implementing regulations (36 Code of Federal Regulation 800). Oversight of compliance with the ACT is provided by the Texas Historical Commission (THC), while compliance with Section 106 of the NHPA is administered by the FHWA.

A review of the Texas Archeological Site Atlas shows that the entire Area of Potential Effects (APE) has been previously surveyed by Prewitt and Associates in 1992. Additionally two previously recorded sites (41HG230 and 41HG163) intersect the APE and one previously recorded site (41HG295), located south of the levee, is immediately adjacent to the APE Site 41HG163 (Luca Gonzalez #2 site) is house site located near the northern terminus of the APE (**Appendix E – Figure 2**). 41HG163 was determined INELIGIBLE for listing on the National Register of Historic Places (NRHP) in 1994 by the THC. Site 41HG230 intersects the APE approximately 155m (509 feet) south of the intersection of Doffin Canal Road and the existing PRIB, paralleling the levee within the APE. 41HG230 is the remains of the Old Military Road that was used to supply United States troops during the Mexican-American War (1846-1848). Some areas of the road remain unpaved, but much of it was paved in the 1960s. Currently, no determination if eligibility of has been made by the THC. Site 41HG295 was recorded as historic scatter that was recommended INELIGIBLE for listing on the NRHP, however no determination of eligibility has been made by the THC.

*Terrestrial Archeology Survey*

From July 12 to 20, and July 25 to 30, 2022, Archeologists from RKI and a Geoarcheologist from SWCA Environmental Consultants conducted archeological and geoarcheological investigations within the 35.27acre APE (TxDOT 2022c). All work was conducted in accordance with the Archeological Survey Standards for Texas as set forth by the Council of Texas Archeologists and THC under Texas Antiquities Committee permit number 30686.

The pedestrian survey showed that the APE largely consisted of relatively level terrain with a natural terrace bordered by the Rio Grande to the south and both the City of Pharr and USCBP facilities to the north. During the pedestrian survey no surface exposed historic or prehistoric cultural features were observed. Numerous cultural disturbances were observed, which consisted of bridge, road, levee, canal, detention pond, and border fence, as well as industrial development, utility installation, land clearing, and plowing. The pedestrian survey revealed that previously recorded archeological sites 41HG163, 41HG230, and 41HG295 have been destroyed either by land clearing, agricultural activities, drainage installations, or construction activities and maintenance of a road used by municipal, state, and federal authorities to access the area for various purposes.

Throughout the course of the archeological and geoarcheological investigations 32 backhoe trenches (BHTs P1–P32) were systematically spread across two landforms consisting of the modern floodplain (T0 terrace) and an older terrace (T1 landform) of the Rio Grande. During the excavation of the trenches burned earth and charcoal scatters were observed within BHT P14, BHT P22, and BHT P26. Further examination of the burned earth and scattered charcoal encountered within BHT P14 and BHT P26 determined that these events were associated with twentieth century agricultural maintenance (crop burning and tilling). The additional investigations of the deeply buried scatter of charcoal encountered within BHT P22, indicates that the charcoal may be attributed to older historic crop burning and may have been redeposited during previous paleochannel lateral migration of the Rio Grande drainage.

During the excavation of BHT P21 and BHT P32, isolated finds (IFs) were encountered. A middle stage chert flake identified as IF1 was encountered in BHT P21 and unidentifiable metal fragments, a fragment of an end of a tin canister, and a brick fragment, identified as IF2 was encountered in BHT P32. Due to the lack of additional cultural materials associated with the IFs, they were deemed insufficient for designation as an archeological site. As such, a trinomial was not assigned for either of the isolated finds. Neither of the isolated finds are recommended as eligible for inclusion in the NRHP or designation as a State Antiquities Landmark (SAL), and no further work is recommended.

The 32 backhoe trenches afforded sufficient data to adequately assess the project APE. Although two isolated finds (IFs1 and 2) were recorded, they lack significance and are recommend as NOT ELIGIBLE for inclusion on the NRHP or as a SAL. TxDOT has determined that the proposed project will not impact significant archeological resources, and no further work is recommended. The THC accepted the report and concurred that no historic properties would be affected on December 5, 2022 (**Appendix F**). However, should changes be made to the APE, further work may be required.

All field records and photographs produced during investigations will be permanently housed at the Center for Archeological Research at the University of Texas at San Antonio.

*Underwater Archeology Survey*

On October 19, 2022, an archeologist from Coastal Environments, Inc. (CEI) and a technician from NVisions, Inc. conducted an underwater archeological survey over a 2.4-acre area within the Rio Grande (TxDOT 2022m). Due to the project being located in the Rio Grande, a Texas Antiquities Permit was not required. However, the remote sensing survey adhered to the standards published in Texas Administrative Code (TAC) Title 13, Chapter 28. Additionally, a Archeological Resources Protection Act (ARPA) permit (39-2022) by the International Boundary and Water Commission United States Section (USIBWC).

The survey included the use of a multi-beam sonar, dual frequency side scan sonar, and total field magnetometer. Throughout the course of the survey, several side scan sonar contacts were recorded, all of which were recorded as natural objects, or associated with the standing bridge structure, or riprap along the bank of the river. None of the side scan are interpreted as representing potentially historically significant features. Additionally, no magnetic anomalies of interest were recorded during the survey. TxDOT has determined that the proposed project will not impact significant underwater resources, and no further work is recommended. The THC concurred with these findings on December 29, 2022. However, should changes be made to the APE, further work may be required (**Appendix F**).

*Tribal Coordination*

TxDOT coordinated with the following federally recognized tribes on November 16, 2022: Apache Tribe of Oklahoma, Comanche Nation of Oklahoma, Kiowa Indian Tribe of Oklahoma, and the Mescalero Apache Tribe. The Comanche Nation of Oklahoma responded on December 6, 2022 that the project would not affect prehistoric or historic archeological materials associated with the Comanche Nation of Oklahoma (**Appendix F**).

### 5.8.2 Historic Properties

A review of the NRHP, the SAL, and the list of Recorded Texas Historic Landmarks (RTHL) indicated that three historically significant resources have been previously documented within 0.25 miles of the APE. One resource is the Louisiana-Rio Grande Canal Company Irrigation System National Register District. The project area extends into this district. Specifically, the APE straddles the Doffin Canal, one of the contributing canals of the NRHP district. There is also the Louisiana-Rio Grande Company state historical marker (No. 3140) within one-quarter mile of the APE (**Appendix E – Figure 3**). The marker

will not be moved as a result of the project. The project also includes extending an existing retaining wall that runs parallel to the HCID2 canal under the existing bridge.

TxDOT determined the project will have no adverse effect to non-archeological historic properties. TxDOT determined the project will have no adverse effect on the IBWC levee, which will not be impaired or modified in its functionality, design, or any other characteristics that convey its historic significance. The project will also have no adverse effect on the HCID2 Doffin Canal. It will not alter any aspects of the canal, which will be completely spanned by the new structure. The project will also not impede the canal's function or the irrigation system as a whole. TxDOT determined the project will have no adverse effect on HCID2. Under the No-Build Alternative, no effects to historic resources would occur, and coordination with SHPO/THC would not be required (TxDOT 2022h). See Section 106 consultation with the Texas SHPO in **Appendix F** (pp 84-86 of PDF).

## 5.9 Protected Lands

### 5.9.1 Section 4(f), U.S. Department of Transportation Act

Section 4(f) of the 1966 U.S. Department of Transportation Act is codified in the USC in 23 USC 138 and 49 USC 303. It protects (a.) publicly-owned, significant and accessible parks, recreation areas, and wildlife and waterfowl refuges and (b.) significant historic and archeological sites.

TxDOT determined the project would have no adverse effect on three non-archeological historic properties, the IBWC levee, the HCID2 irrigation system components, and an existing retaining wall that runs parallel to the HCID2 canal under the existing bridge. With concurrence from the SHPO, the Official with Jurisdiction under Section 4(f), TxDOT determined that the project meets the requirements for a Section 4(f) de minimis impact finding under 23 CFR 774. TxDOT based its determination on the fact that the work is minimal, and the project will have no adverse effect on the historic properties.

The No-Build Alternative would not impact Section 4(f) properties.

### 5.9.2 Section 6(f), Land and Water Conservation Fund Act

The Land and Water Conservation Fund (LWCF) Act of 1965 established a funding source assisting states and federal agencies to meet present and future outdoor recreation demands and needs. Section 6(f) ensures federal investments in LWCF assistance are maintained for public outdoor recreation use (TxDOT 2014). There are no Section 6(f) properties present within the project area.

### 5.9.3 Chapter 26 of the Parks and Wildlife Code

Chapter 26 of the Parks and Wildlife Code applies to any project that requires the use or taking of any public land designated and used prior to the arrangement of the project as a park, recreation area, scientific area, wildlife refuge, or historic site (TxDOT 2021d). There are no Chapter 26 properties present within the project area.

## 5.10 Water Resources

### 5.10.1 Clean Water Act (CWA) Section 404

This project will involve a regulated activity in jurisdictional waters and will require authorization under Section 404 of the CWA (**Appendix E – Figure 4**). The following table shows waters that are anticipated to be jurisdictional in which regulated activity is anticipated. It also indicates whether the impacts are anticipated to be authorized under Section 404 by a non-reporting nationwide permit (i.e., no pre-construction notification required).

Table 3: Section 404 Water Features within the Project Area

| Name of water feature | Type of water feature | Location of water feature | Covered by non- reporting nationwide permit under Section 404? | Nationwide permit with pre-construction notification, individual standard permit, letter of permission, or regional general permit required under Section 404? |
|---|---|---|---|---|
| Rio Grande | Perennial Stream | Southern portion of the project area, along the US-Mexico international border | Y | N |

It is anticipated a non-reporting Nationwide Permit 15 under Section 404 of the CWA would be required. Impacts to waters of the U.S. (WOUS) would be minimized to the extent practicable under the Build Alternative. The need for an individual standard permit under Section 404 is not anticipated. If it is later determined that an individual standard permit under Section 404 is needed, compliance with EPA's Section 404(b)(1) Guidelines will be confirmed prior to submittal of the individual standard permit application.

Under the No-Build Alternative, no impacts to WOUS would occur, and no U.S. Army Corps of Engineers (USACE) permitting would be required.

5.10.2 Clean Water Act (CWA) Section 401

Projects that require a NWP under Section 404 are covered by Texas Commission on Environmental Quality (TCEQ) blanket 401 water quality certification, regardless of whether the NWP is non-reporting, or requires the submission of a PCN, TxDOT complies with Section 401 of the CWA by implementing TCEQ conditions for NWPs. Projects that require authorization under a NWP under Section 404 that are not covered by TCEQ's blanket 401 water quality certification, or under an Individual Standard Permit, Letter of Permission, or Regional General Permit under Section 404, TxDOT will coordinate the Section 401 water quality certification with TCEQ. TCEQ will either approve or deny the Section 401 water quality certification, or issue a waiver. The TCEQ Section 401 water quality certification decision must be submitted to the USACE before use of the NWP can be confirmed, or an Individual Standard Permit, Letter of Permission, or Regional General Permit decision can be made.

Under the No-Build Alternative, no impacts to WOUS would occur and, as a result, no 401 Certification would be required.

5.10.3 Executive Order (EO) 11990 Wetlands

Executive Order (EO) 11990 Protection of Wetlands (issued in 1977) requires federal agencies to minimize the destruction or modification of wetlands. A water features delineation conducted on August 6, 2020 with a second delineation on January 10, 2022 did not reveal wetlands within the proposed project area.

5.10.4 Rivers and Harbors Act

Section 9 of the Rivers and Harbors Act (RHA) prohibits the construction of any bridge or causeway over or in navigable waterways of the U.S. without Congressional consent and approval through the Secretary of Transportation. The typical permitting process for bridges and causeways, however, was

modified by the General Bridge Act of 1946, which granted the consent of Congress for any construction, maintenance, and operation of bridges and approaches over navigable WOUS that are approved by the U.S. Coast Guard (USCG). The General Bridge Act, therefore, is the relevant regulation for construction of bridges over navigable waters. Under 33 CFR § 2.36, the definition of navigable waters to be used for USCG permitting purposes is as follows:

1. Territorial seas of the United States;
2. Internal WOUS that are subject to tidal influence; and
3. Internal WOUS not subject to tidal influence that:
   i. are or have been used, or are or have been susceptible for use, by themselves or in connection with other waters, as highways for substantial interstate or foreign commerce, notwithstanding natural or man-made obstructions that require portage; or
   ii. a governmental or non-governmental body, having expertise in waterway improvement, determines to be capable of improvement at a reasonable cost (a favorable balance between cost and need) to provide, by themselves or in connection with other waters, as highways for substantial interstate or foreign commerce.

This project would involve regulated activity in a navigable waterway and therefore would require authorization under Sections 9 and 10 of the RHA. The following table shows the waters that are anticipated to be navigable waters in which regulated activity is anticipated to take place. It also indicates whether the impacts are anticipated to be authorized under Section 10 by a non-reporting nationwide permit (i.e., no pre-construction notification required).

**Table 4: Section 10 Water Features within the Project Area**

| Name of water feature | Type of water feature | Location of water feature | Covered by non-reporting nationwide permit under Section 10? | Nationwide permit with pre-construction notification, individual standard permit under both Section 404 and Section 10, individual permit under Section 10 letter of permission or regional general permit required under Section 10? |
|---|---|---|---|---|
| Rio Grande | Perennial Stream | Southern portion of the project area, along the Texas-Mexico international border | Y | N |

The Rio Grande has been determined to be a navigable waterway pursuant to Section 10 of the RHA. Sections 9 and 10 of the RHA would apply, and the City of Pharr would need to coordinate with the USCG pursuant to the General Bridge Act. The proposed project would be covered under a non-reporting NWP under Section 10. Therefore, the City of Pharr would not be required to coordinate with the USACE.

Under the No-Build Alternative, no impacts to navigable waterways would occur; therefore, the RHA would not apply.

### 5.10.5 Clean Water Act (CWA) Section 303(d)

The project area is located within the Rio Grande Basin in the Lake Tropicana watershed. This portion of the Rio Grande is listed on the TCEQ Section 303(d) list as impaired.

**Table 5: TCEQ Section 303(d) Impaired Waters**

| Watershed | Segment Name | Segment Number | Assessment Unit Number |
|---|---|---|---|
| Lake Tropicana-Rio Grande | Rio Grande Below Falcon Reservoir | 2302 | 2302_03 |

The proposed project is not anticipated to contribute to the constituents of concern for impaired waters. The TCEQ 2022 303(d) list, approved by the TCEQ and USEPA on June 1, 2022 and July 7, 2022, respectively, was utilized in this assessment.

To date, TCEQ has not identified (through either a total maximum daily load (TMDL) or the review of projects under the TCEQ Memorandum of Understanding (MOU) a need to implement control measures beyond those required by the construction general permit (CGP) on road construction projects. Therefore, compliance with the project's CGP, along with coordination under the TCEQ MOU for certain transportation projects, collectively meets the need to address impaired waters during the environmental review process. As required by the CGP, the project and associated activities will be implemented, operated, and maintained using best management practices (BMP) to control the discharge of pollutants from the project site.

Under the No-Build Alternative, no impacts to impaired water segments would occur, and coordination with the TCEQ would not be required. Compliance with a Texas Pollutant Discharge Elimination System (TPDES) permit would not be required.

### 5.10.6 Clean Water Act (CWA) Section 402

Since TPDES CGP authorization and compliance (and the associated documentation) occur outside of the environmental clearance process, compliance is ensured by the policies and procedures that govern the design and construction phases of the project. The Project Development Process Manual and the Plans, Specifications, and Estimates (PS&E) Preparation Manual require a storm water pollution prevention plan (SWP3) be included in the plans of all projects that disturb one or more acres. The Construction Contract Administration Manual requires that the appropriate CGP authorization documents (Notice of Intent [NOI] or site notice) be completed, posted, and submitted, when required by the CGP, to TCEQ and the municipal separate storm sewer system (MS4) operator. It also requires that projects be inspected to ensure compliance with the CGP (TxDOT 2022n).

The PS&E Preparation Manual requires that all projects include Standard Specification Item 506 (Temporary Erosion, Sedimentation, and Environmental Controls), and the "Required Specification Checklists" require the current version of Special Provision 506 on all projects that need authorization under the CGP. These documents require the project contractor to comply with the CGP and SWP3, and to complete the appropriate authorization documents (TxDOT 2022n).

Under the No-Build Alternative, there would be no earth disturbance and compliance with the TPDES CGP would not be required.

5.10.7 Floodplains

This project is federally funded and therefore is subject to EO 11988, Floodplain Management. However, the project will not involve a significant encroachment in the floodplain. Refer to **Appendix E – Figure 5**.

5.10.8 Wild and Scenic Rivers

The proposed project would not involve work within a segment of any river designated as a Wild and Scenic River, and it would not harm the free-flowing condition, water quality, or outstanding resource values of any designated Wild and Scenic Rivers (NWSRS 2015).

5.10.9 Coastal Barrier Resources

The proposed project is located within Hidalgo County and is not located within a Coastal Barrier Resources System (CBRS) unit or otherwise protected area; therefore, the Coastal Barrier Resources Act (CBRA) does not apply.

5.10.10 Coastal Zone Management

The project is located within Hidalgo County. The project is not located within the Texas Coastal Management Plan (TCMP) boundary. Therefore, a consistency determination is not required.

5.10.11 Edwards Aquifer

This project will not be constructed over the recharge, contributing, or transition zones of the Edwards Aquifer. The TCEQ Edwards Aquifer Rules do not apply. The EPA Edwards Aquifer MOU does not apply.

5.10.12 International Boundary and Water Commission (IBWC)

This project involves activities crossing and/or encroaching upon the Rio Grande floodplain and requires a license from the United States Section of the International Boundary Water Commission (USIBWC). In accordance with the *Criteria for Construction Activities within the Limits of USIBWC Floodways* (*Section VIII, Bridge Crossing of Floodways and Rivers*), after the issuance of a Presidential Permit and prior to USCG action on a bridge permit application, approval of any proposed structure to be constructed within an international river floodplain is required from USIBWC to assure compliance with Article IV, B of the 1970 Boundary Treaty (IBWC 2000).

Based on the project scoping analysis, it was determined that the proposed project would construct within and adjacent to the Rio Grande floodplain. Approval from USIBWC must be received prior to commencement of bridge construction activities.

The project will not proceed without obtaining a license from USIBWC.

5.10.13 Drinking Water Systems

The City of Pharr would comply with TxDOT's *Standard Specifications for Construction and Maintenance of Highways, Streets and Bridges (Item 103, Disposal of Wells)*, that any drinking water wells would need to be properly removed and disposed of during construction of the project.

The No-Build Alternative would have no impacts to drinking water systems.

## 5.11 Biological Resources

### 5.11.1 Impacts to Vegetation

The proposed project is located within the Western Gulf Coastal Plains ecoregion of Texas (ArcGIS 2016). The Ecological Mapping System of Texas (EMST) identified several vegetation types within the project area. Qualified biologists conducted field reconnaissance in August 2020 and January 2022. Refer to **Table 6** for the mapped EMST vegetation and the total acreage of impacts within the project area. Refer to **Appendix E – Figure 6** for additional information.

**Table 6: Mapped EMST Vegetation - Acreage of Impacts within the Project Area**

| MOU Habitat Type | EMST Vegetation Type | Acreage of Impacts | Threshold Value (acres) | Threshold Exceeded? |
|---|---|---|---|---|
| Agriculture | Row Crops | 15.24 | 10 | Y |
| | Barren | 1.16 | | |
| Disturbed Prairie | Native Invasive: Prickly pear | 0.41 | 3 | Y |
| | South Texas: Clayey Blackbrush Mixed Shrubland | 0.16 | | |
| | South Texas: Disturbed Grassland | 4.76 | | |
| Urban | Urban Low Intensity | 8.77 | N/A | N/A |
| | Urban High Intensity | 4.73 | | N/A |
| Water | | 0.27 | N/A | N/A |
| | **Total Acreage** | **35.50** | | |

Source: TxDOT 2022j

Approximately 16.40 acres of Agriculture, 5.32 acres of Disturbed Prairie, and 13.50 acres of Urban habitat are mapped within the proposed project area. These findings are consistent with observations made during field reconnaissance. Between the August 2020 and January 2022 field visits, the Pharr POE developed a border wall within the existing right-of-way, removing an unpaved roadway west adjacent to the Pharr International Bridge in the process. Vegetation located under the northern section of the bridge was removed as well, altering the previous observed vegetation types. This area is now considered Urban Low Intensity as it is presently maintained grasses. The Urban vegetation type was observed within areas of maintained vegetation in the existing right-of-way within the Pharr POE. The dominant species included Bermuda grass (*Cynodon dactylon*).

The Agriculture vegetation type was observed adjacent to the right-of-way, west and east of the existing Pharr International Bridge. Vegetation consisted primarily of an orange orchard east of the existing bridge. West of the bridge, no vegetation was present within the tilled agricultural fields; previously, these fields were used to grow watermelons.

The Disturbed Prairie vegetation type was observed in unmaintained portions of the project area, including the right-of-way under the existing Pharr International Bridge. Vegetation consisted primarily of grasses such as Bermuda grass (*Cynodon dactylon*) and Johnson grass (*Sorghum halepense*), as well as pigweed (*Amaranthus spp.*). Additionally, giant reed (*Arundo donax*) and honey mesquite (*Prosopis glandulosa*) was present along the Rio Grande.

These habitat types are not considered rare or important remnant vegetation as mapped by the Texas Conservation Action Plan (TCAP). The project area was investigated for the presence of unusual vegetation and special habitat features, as described by the TxDOT-TPWD MOU, and none were identified. No noteworthy trees are located within the proposed project area and no trees would be removed as part of this project.

Under the No-Build Alternative, the existing vegetation would remain as it is presently. The No-Build Alternative would not require any conversion of vegetation to a transportation facility, nor would it impact unusual vegetation or special habitat features.

### 5.11.2 Executive Order (EO) 13112 on Invasive Species

This project is subject to and will comply with federal EO 13112 on Invasive Species. The department implements this EO on a programmatic basis through its *Roadside Vegetation Management Manual* and *Landscape and Aesthetics Design Manual*.

The No-Build Alternative would not be subject to the EO 13112 on Invasive Species.

### 5.11.3 Executive Memorandum on Environmentally and Economically Beneficial Landscaping

This project is subject to and will comply with the federal Executive Memorandum on Environmentally and Economically Beneficial Landscaping, effective April 26, 1994. The City of Pharr will comply with this Executive Memorandum by implementing TxDOT's *Roadside Vegetation Management Manual and Landscape and Aesthetics Design Manual* should any temporary grass seeding for erosion control be needed.

The No-Build Alternative would not be subject to the Executive Memorandum on Environmentally and Economically Beneficial Landscaping.

### 5.11.4 Impacts to Wildlife

The vegetation of the Western Gulf Coastal Plains ecoregion provides habitat for a wide range of reptilian, avian, and mammalian species that are common to the environment.

It is anticipated that some wildlife species could occur within undeveloped portions of the existing and proposed right-of-way and adjacent land. Required clearing or other construction-related activities may directly or indirectly affect animals that reside on or adjacent to the project area right-of-way. Heavy machinery could kill small, low-mobility animals or could cause soil compaction, impacting animals that live underground. Larger, more-mobile species will typically avoid construction activities and move into adjacent areas.

Under the No-Build Alternative, no impacts to wildlife species or their habitats would occur.

### 5.11.5 Migratory Bird Protections

This project will comply with applicable provisions of the Migratory Bird Treaty Act (MBTA) and Texas Parks and Wildlife Code Title 5, Subtitle B, Chapter 64, Birds. It is the department's policy to avoid removal and destruction of active bird nests except through federal or state approved options. In addition, it is the department's policy to, where appropriate and practicable:

- Use measures to prevent or discourage birds from building nests on man-made structures within portions of the project area planned for construction, and
- Schedule construction activities outside the typical nesting season.

The No-Build Alternative would not require any removal or disturbance of migratory birds, their nests, or their young, and there would be no impacts to migratory birds.

### 5.11.6 Fish and Wildlife Coordination Act

The project is anticipated to require a non-reporting nationwide permit issued by the USACE. Compliance with the Fish and Wildlife Coordination Act will be accomplished by complying with the terms and conditions of the nationwide permit.

The No-Build Alternative would not be required to comply with the Fish and Wildlife Coordination Act.

### 5.11.7 Bald and Golden Eagle Protection Act of 2007

Bald and Golden Eagles are protected by the Bald and Golden Eagle Protection Act of 2007. This project is not within 660 feet of an active or inactive Bald or Golden Eagle nest. Therefore, no coordination with U.S. Fish and Wildlife Service (USFWS) is required.

The No-Build Alternative would have no impact on Bald or Golden Eagles.

### 5.11.8 Magnuson-Stevens Fishery Conservation Management Act

The Essential Fish Habitat (EFH)/Magnuson-Stevens Fishery Conservation and Management Act (MSA) does not apply.

### 5.11.9 Marine Mammal Protection Act

The project area does not contain suitable habitat for marine mammals.

### 5.11.10 Threatened, Endangered Species, and Candidate Species

The USFWS Information, Planning and Conservation System (Project Code 2023-0058029) identified several federally-listed species within range of the proposed project, including: piping plover (*Charadrius melodus*), Red Knot (*Calidris canutus rufa*), Northern Aplomado Falcon (*Falco femoralis septentrionalis*), Gulf Coast Jaguarundi (*Herpailurus yagouaroundi cacomitli*), Ocelot (*Leopardus pardalis*), Star Cactus (*Astrophytum asterias*), Texas Ayenia (*Ayenia limitaris*), and Walker's Manioc (*Manihot walkerae*). For the Piping Plover and Red Knot, potential effects are only considered in cases of wind energy projects. No habitat was identified in the project area for the Northern Aplomado Falcon, Gulf Coast Jaguarundi, Ocelot, Star Cactus, Texas Ayenia, or Walker's Manioc; therefore, the project would have no effect on these species. .

The project is located within the range of, and contains suitable habitat, for one federal-candidate species, five state-listed threatened or endangered species, and five Species of Greatest Conservation Need (SGCNs), as listed below. No critical habitat was identified within the project area.

The Monarch Butterfly (*Danaus plexippus*) is a federally listed candidate species, and no consultation with USFWS is required at this time. TxDOT is a partner in the Nationwide Candidate Conservation Agreement with Assurances/Candidate Conservation Agreement for Monarch Butterfly on Energy and

Transportation Lands (Agreement). The Agreement authorizes incidental take for all activities included in the proposed project should the monarch butterfly be listed as endangered or threatened.

The Black-spotted Newt (*Notophthalmus meridionalis)*, South Texas Siren (*Siren sp.),* White-lipped Frog (*Leptodactylus fragilis*), Wood Stork (*Mycteria americana*), and Rio Grande Shiner (*Notropis jemezanus*) are all state listed threatened species.

The Sprague's pipit (*Anthus spragueii*), Tamaulipan clubtail dragonfly (*Gomphus gonzalezi),* Alligator Gar (*Atractosteus spatula*), insect with no accepted common name (*Bombus variabilis*), and the Cave Myotis Bat (*Myotis velifer*) are all SGCN.

Although the proposed project may result in the removal of potentially suitable habitat or the temporary disturbance of individuals of these species, it is not anticipated to substantially impact any federal-listed species, state-listed species, or SGCNs. Any impact to individuals would be incidental in nature. TPWD recommended BMPs would be implemented in an effort to avoid impacts to these species (Appendix F).

Under the No-Build Alternative, no impacts to SGCNs or threatened or endangered species or their habitats would occur, and no coordination would be required.

## 5.12 Air Quality

The project area is not located within an area that is currently designated by the United States Environmental Protection Agency (USEPA) as a Nonattainment or Maintenance Area for the ozone, carbon monoxide (CO), particulate matter (PM), or nitrogen dioxide (NO2) National Ambient Air Quality Standards (NAAQS). The project is located in an area in Attainment or Unclassifiable for all NAAQS; therefore, the transportation conformity rules do not apply.

### 5.12.1 Carbon Monoxide Traffic Air Quality Analysis

Traffic data for the estimated time of completion (ETC) year, 2025, and design year, 2045, is 8,750 vehicles per day and 11,900 vehicles per day, respectively. A prior TxDOT modeling study and previous analyses of similar projects demonstrated that it is unlikely that the 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.

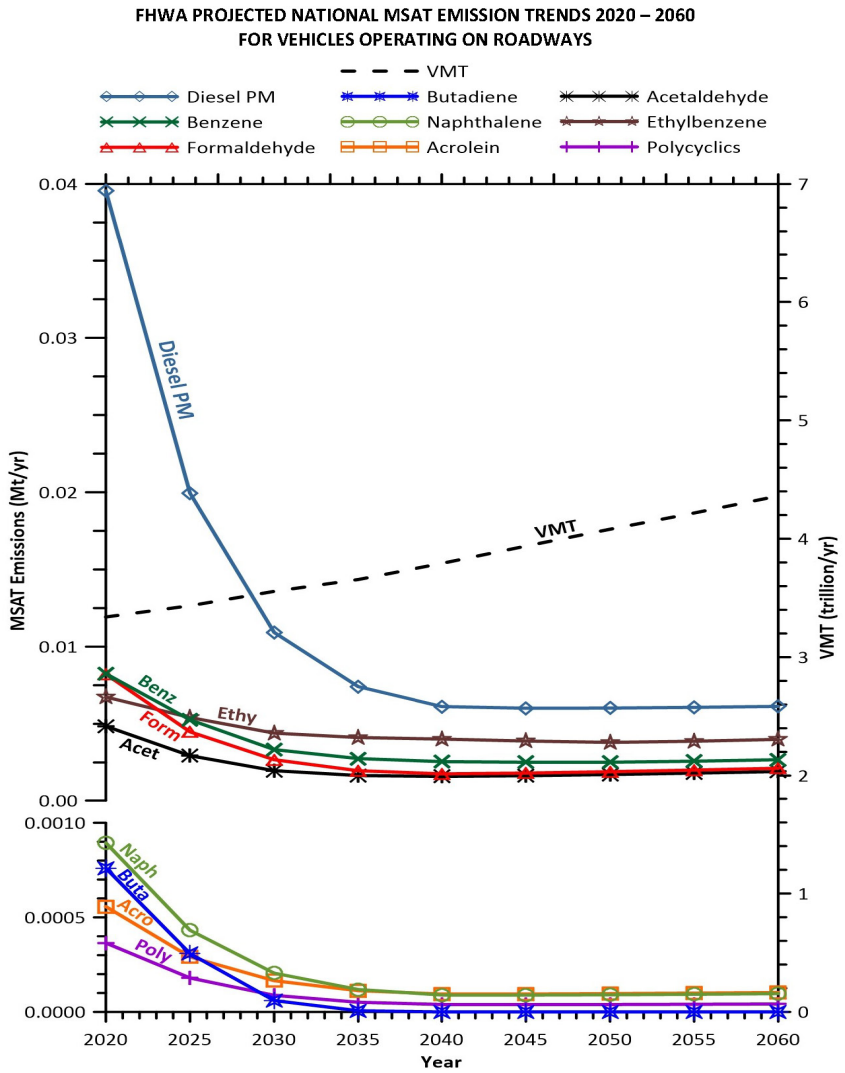
### 5.12.2 Mobile Source Air Toxics (MSAT) Background

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 USEPA 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 [FR], 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)(IRIS 2021). In addition, EPA identified nine compounds with significant contributions from mobile sources that are among the national and regional-scale cancer risk drivers or contributors and non-cancer hazard contributors from the 2011 National Air Toxics Assessment (NATA) (NATA 2018). These are 1,3-butadiene, acetaldehyde, acrolein, benzene, diesel particulate matter (diesel PM), ethylbenzene, formaldehyde, naphthalene, and polycyclic organic matter. While FHWA considers these the priority MSATs, the list is subject to change and may be adjusted in consideration of future EPA rules.

5.12.3 Motor Vehicle Emissions Simulator (MOVES)

According to EPA, MOVES3 is a major revision to MOVES2014 and improves upon it in many respects. MOVES3 includes new data, new emissions standards, and new functional improvements and features. It incorporates substantial new data for emissions, fleet, and activity developed since the release of MOVES2014. These new emissions data are for light- and heavy-duty vehicles, exhaust and evaporative emissions, and fuel effects. MOVES3 also adds updated vehicle sales, population, age distribution, and vehicle miles traveled (VMT) data. In the November 2020 EPA issued MOVES3 Mobile Source Emissions Model Questions and Answers EPA states that for on-road emissions, MOVES3 updated heavy-duty (HD) diesel and compressed natural gas (CNG) emission running rates and updated HD gasoline emission rates. They updated light-duty (LD) emission rates for hydrocarbon (HC), carbon monoxide (CO) and nitrogen oxide (NOx) and updated light-duty (LD) PM rates, incorporating new data on Gasoline Direct Injection (GDI) vehicles. Using EPA's MOVES3 model, as shown in the figure below, FHWA estimates that even if VMT increases by 31 percent from 2020 to 2060 as forecast, a combined reduction of 76 percent in the total annual emissions for the priority MSAT is projected for the same time period.

FHWA PROJECTED NATIONAL MSAT EMISSION TRENDS 2020 – 2060
FOR VEHICLES OPERATING ON ROADWAYS




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.
Source: EPA MOVES3 model runs conducted by FHWA, March 2021.

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, meteorological, and other factors. Source: EPA MOVES3 model runs conducted by FHWA, March 2021.

Diesel PM is the dominant component of MSAT emissions, making up 36 to 56 percent of all priority MSAT pollutants by mass, depending on calendar year. Users of MOVES3 will notice some differences in emissions compared with MOVES2014. MOVES3 is based on updated data on some emissions and pollutant processes compared to MOVES2014, and also reflects the latest Federal emissions standards in place at the time of its release. In addition, MOVES3 emissions forecasts are based on slightly higher VMT projections than MOVES2014, consistent with nationwide VMT trends.

### 5.12.4 MSAT Research

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 potential public health risks posed by MSAT exposure should be factored into project-level decision-making within the context of NEPA.

### 5.12.5 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 FHWA entitled A Methodology for Evaluating Mobile Source Air Toxic Emissions Among Transportation Project Alternatives (Claggett 2006).

*Widening Projects*

For each Alternative, the amount of MSAT emitted would be proportional to the VMT assuming that other variables such as fleet mix are the same for each alternative. The VMT estimated for each of the Build Alternatives is slightly higher than that for the No Build Alternative, because the additional capacity increases the efficiency of the roadway and attracts rerouted trips from elsewhere in the transportation network. The emissions increase from the additional VMT is offset somewhat by lower MSAT emission rates due to increased speeds; according to the EPA's MOVES3 model, emissions of all of the priority MSAT decrease as speed increases. The additional travel lanes contemplated as part of the project alternatives will have the effect of moving some traffic closer to nearby homes, schools, and businesses; therefore, under each alternative there may be localized areas where ambient concentrations of MSAT could be higher under certain Build Alternatives than the No Build Alternative. The localized increases in MSAT concentrations would likely be most pronounced along the expanded roadway sections that would be built at the Pharr POE. However, the magnitude and the duration of these potential increases compared to the No Build alternative cannot be reliably quantified due to incomplete or unavailable information in forecasting project-specific MSAT health impacts. Also, MSAT will be lower in other locations when traffic shifts away from them; therefore, on a regional basis, EPA's vehicle and fuel regulations, coupled with fleet turnover, will over time cause substantial reductions that, in almost all cases, will cause region- wide MSAT levels to be significantly lower than today.

### 5.12.6 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 USEPA 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 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). A number of HEI studies are summarized in Appendix D of FHWA's Updated Interim Guidance on Mobile Source Air Toxic Analysis in NEPA Documents (Biondi 2016). 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 2007) or in the future as vehicle emissions substantially decrease.

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 (HEI 2007). 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 states that with respect to diesel engine exhaust, "[t]he absence of adequate data to develop a sufficiently confident dose-response relationship from the epidemiologic studies has prevented the estimation of inhalation carcinogenic risk" (USEPA 2003).

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 (NRDC 2008).

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.

#### 5.12.7 Construction and Post-Construction Emissions

During the construction phase of this project, temporary increases in PM and MSAT emissions may occur from construction activities. The primary construction-related emissions of PM are fugitive dust from site preparation, and the primary construction-related emissions of MSAT are diesel PM from diesel powered construction equipment and vehicles.

The potential impacts of PM emissions will be minimized by using fugitive dust control measures contained in standard specifications, as appropriate. The Texas Emissions Reduction Plan (TERP) provides financial incentives to reduce emissions from vehicles and equipment. TxDOT encourages construction contractors to use this and other local and federal incentive programs to the fullest extent possible to minimize diesel emissions. Information about the TERP program can be found on TCEQ's TERP website (TCEQ 2021).

However, considering the temporary and transient nature of construction-related emissions, the use of fugitive dust control measures, the encouragement of the use of TERP, and compliance with applicable regulatory requirements; it is not anticipated that emissions from construction of this project will have any significant impact on air quality in the area.

Under the No-Build Alternative, there will be no change in air quality impacts (adverse or beneficial) relative to the existing condition.

The Air Quality Technical Report (TxDOT 2022a) is on file at the TxDOT Pharr District and is available for review upon request.

### 5.13 Hazardous Materials

A review of environmental regulatory databases along with a Hazardous Materials Initial Site Assessment (ISA) were conducted in accordance with American Society for Testing and Materials (ASTM) Standard Practice for Environmental Site Assessments and TxDOT standards to identify potential hazardous material sources within or adjacent to the PRIB. The ISA revealed no unresolved concerns (TxDOT 2022f). The regulatory database review was obtained from ERIS and includes a review area within one mile of the proposed project. The following is a summary of the resolved regulatory database findings:

- One Historical Tank Construction Notification (HIST TANK) was identified 0.05 miles north of the proposed project area, associated with a convenience store (Aziz Quick Stop #19, HIST

TANK NL93299). A construction notification form is submitted for the installation, replacement, removal, repair, or permanent abandonment of an underground storage tank (UST). Notification status was reported as late. Construction began April 13, 2004. No other information is provided. There are no reported releases or violations associated with this facility; therefore, this facility is not a concern to the proposed project.

- Two SPILLS were identified from the TCEQ Spills Database 0.10 miles northeast of the proposed project area. Incident number 104739 was reported as a diesel/gasoline/water mixture spill caused by an explosion of colliding box trailers; the amount spilled is unknown. The incident occurred January 10, 2008 and was closed January 11, 2008. Incident number 43126 was reported as a five-gallon naphthalene spill near the Pharr POE. The minor release of material was contained with absorbents and a bucket. The incident occurred and was closed on July 21, 2004 (**Appendix E** - **Figure 7**). Both spills were contained and cleaned. There was no impact to the Rio Grande.

No unresolved hazardous materials concerns were identified in the Hazardous Materials ISA (TxDOT 2022f). No further hazardous materials action is required. Any unanticipated hazardous materials impacts encountered during the project construction phase shall be addressed in accordance with regulatory requirements and TxDOT standard specifications.

Under the No-Build Alternative, there will be no potential to encounter hazardous materials related to construction or property acquisition, and no need to affect the existing groundwater recovery system.

The Hazardous Materials ISA (TxDOT 2022f) is on file at the TxDOT Pharr District and is available for review upon request.

## 5.14 Traffic Noise

Although this is a Type I project as defined by 23 CFR 772.5, land use activities within the proposed project include agriculture and an active international POE facility. These land uses most appropriately fall under Activity Category F, which is described as "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." According to 23 CFR 772.11:

> **(vi) Activity Category F**. This activity category includes developed lands that are not sensitive to highway traffic noise. There is no impact criteria for the land use facilities in this activity category and no analysis of noise impacts is required.

In addition, the project area is zoned for and used as agricultural land and is located almost entirely within the 100-year floodplain (**Appendix E** – **Figure 5**). TxDOT (2019a) recommends using a 500-foot buffer to determine noise impacts from a major freeway. There are no sensitive receptors within a 500-foot buffer of the proposed project (**Appendix E** – **Figure 8**). Therefore, no traffic noise analysis is required.

The Traffic Noise Memorandum (TxDOT 2022l) is on file at the TxDOT Pharr District and is available for review upon request.

## 5.15 Induced Growth

An *Indirect Impacts Technical Report* was prepared for the proposed project in accordance with TxDOT's *Indirect Impacts Analysis Guidance* (TxDOT 2019b). The following steps were followed for the analysis.

1. Define methodology
2. Define Area of Influence (AOI) and study time frame
3. Identify areas subject to induced growth in the AOI
4. Determine if growth is likely to occur in the induced growth areas
5. Identify resources subject to induced growth impacts
6. Identify mitigation

The AOI for the proposed PRIB project consists of 47 square miles (29,979 acres) in Hidalgo County. Based on analysis of the land use, population projections, and collaboration with the City of Pharr and RGVMPO representatives, the proposed project is likely to induce growth within the AOI. Approximately 35 percent of land is available for development. Input from the local planning officials noted that several high priority transportation projects and developments are planned or are currently underway. For a detailed analysis of how the proposed project, in addition to other similar projects, will contribute to regional economic growth, see the Texas-Mexico Border Master Plan (2021). The proposed project would relieve congestion within the project area; however, there is potential that the area of congestion could shift northward away from the project area.

The proposed project would provide economic benefits through the increase in total value of trade through the Pharr POE. In 2021, the total value of trade through the Pharr POE increased to $41.77 billion[11], a 26.39% increase from total trade in 2020. It is anticipated that the total value of trade will continue to increase after the proposed project is constructed, which would lead to more job creation. The economic impact of cross-border trade is estimated to increase to over 20 million jobs and nearly $1.2 trillion in GDP, a significant increase over the 2019 estimate of cross-border trade generating over seven million jobs and $350 billion in GDP[12].

Encroachment-alternation impacts to water resources, biological resources, and the human environment are not anticipated.

Under the No-Build Alternative, current development rates and patterns would remain constant and no induced growth would occur.

The Indirect Impacts Technical Report (TxDOT 2022g) is on file at the TxDOT Pharr District and is available for review upon request.

## 5.16 Cumulative Impacts

A cumulative impacts analysis (TxDOT 2022e) was conducted in accordance with TxDOT's Cumulative Impacts Analysis Guidelines (TxDOT 2019c). Based on TxDOT's guidance, the cumulative impacts analysis considered the following five steps.

1. Resource Study Area (RSA), Conditions and Trends
2. Direct and Indirect Effects on each Resource from the Proposed Project
3. Other Actions – Past, Present and Reasonably Foreseeable – and their Effect on each Resource
4. The Overall Effects of the Proposed Project Combined with other Actions
5. Mitigation of Cumulative Effects

[11] World City, 2022 Pharr Trade Numbers
[12] Texas-Mexico Border Transportation Master Plan 2021.

Some resources were not carried forward in an effort to narrow the focus of the cumulative impacts analysis. The table below briefly summarizes the rationale for why they were not carried through to the cumulative impacts analysis.

**Table 7: Resources Not Carried Forward to Cumulative Impacts Analysis**

| Resource | Rationale |
|---|---|
| Air Quality | The proposed project is in an area considered to be in attainment for all the NAAQS. Potential minor increases in MSAT emissions under the Build Alternative would be offset by an overall decline in MSAT emissions anticipated to occur over the next several decades as a result of federal regulations for vehicle engines and fuels. Temporary increases in air pollution emissions (including MSAT emissions) during construction would be minimized through emission control measures and are not anticipated to result in substantial adverse effects to air quality. |
| Archeological Resources | An archeological background study was performed on February 16, 2022. Additional subsurface terrestrial and underwater archeological assessments were conducted. TxDOT determined that the proposed project would not impact any archeological resources, and no further work is recommended. The THC concurred with these findings on December 5, 2022 (Terrestrial) and December 29, 2022 (Underwater). TxDOT also coordinated with the following federally recognized tribes on November 16, 2022: Apache Tribe of Oklahoma, Comanche Nation of Oklahoma, Kiowa Indian Tribe of Oklahoma, and the Mescalero Apache Tribe. The Comanche Nation of Oklahoma responded on December 6, 2022 that the project would not affect prehistoric or historic archeological materials associated with the Comanche Nation of Oklahoma. |
| Farmland | The proposed project area contains areas of Prime Farmland; therefore, the Farmland Conversion Impact Rating for Corridor Type Projects form (NRCS-CPA-106) was completed for the project by the U.S. Department of Agriculture (USDA). Based on the USDA's assessment, the combined rating of the site is 72. The FPPA law states that sites with a rating less than 160 will need no further consideration for protection, and no additional evaluation is necessary. |
| Historic Resources | The project area extends into the Louisiana-Rio Grande Canal Company Irrigation System NRHP District. The Louisiana-Rio Grande Canal Company historical marker (No. 3140) is within one-quarter mile of the project area; however, the marker will not be moved as a result of the project. The project area also straddles the Doffin Canal, a contributing canal to the referenced NRHP District. The proposed project would not adversely impact the historic fabric of the above canals, as the new bridge would be elevated, similar to the existing adjacent Pharr International Bridge. |
| Wetlands | There are no wetlands located within the proposed project area, no impacts on any of these resources is anticipated. Therefore, this resource was not carried forward. |

Source: Project Consultant Team, 2023

**Table 8** summarizes the overall effects of the proposed project on the resources carried forward.

**Table 8: Overall Effect of the Proposed Project**

| Resource | Past Impacts | Present Impacts | Reasonable Foreseeable Impacts | Cumulative Impacts |
|---|---|---|---|---|
| Floodplains | Of the approx. 9,592 acres of floodplain within the RSA, development has impacted approx. 418 acres. | The proposed project would impact approx. 0.16 acres of floodplain. Projects within the RSA could have an impact on approx. 168 acres of floodplain. | Future development projects reported by the City of Pharr and the RGVMPO could impact approx. 43 acres of floodplains. | The cumulative impacts to the floodplain in the RSA are approx. 629 acres from past, present, and reasonably foreseeable development. This is approx. 6.55 percent of the total existing floodplain in the RSA. |
| State Listed Threatened Species & SGCN | Urban development has occurred in approx. 5,000 acres of the RSA. | The proposed project would impact approx. 0.16 acres of agricultural land and streams. Projects currently under construction or review occur on approx. 161.61 acres of agricultural land. | Future development potential reported by the City of Pharr, impacts to protected wildlife or rare species may occur within 723.31 acres of agricultural land. | The cumulative impacts to State Listed Threatened Species & SGCN within the RSA are approx. 5,885.08 acres of potential habitat. This is approx. 22.4 percent of the RSA. |
| Streams | Since 1996, 68,719 linear feet of the Rio Grande Below Falcon Reservoir and Arroyo Colorado Above Tidal have been listed as impaired waters on the Texas 303d list due to bacteria in the water. | The proposed project would impact approx. 20 linear feet of jurisdictional streams. Transportation and non-transportation Projects reported by the City of Pharr and the RGVMPO as under construction, or | Future development potential reported by the City of Pharr may impact approx. 2,939 linear feet of streams within the RSA. | The cumulative impacts to streams within the RSA are approx. 73,981 linear feet. This is approx. 12 percent of mapped streams within the RSA. |

| Resource | Past Impacts | Present Impacts | Reasonable Foreseeable Impacts | Cumulative Impacts |
|---|---|---|---|---|
| | | under review may impact approx. 2,303 linear feet of streams. | | |

Source: Project Consultant Team, 2022

The complete Cumulative Impacts Analysis Technical Report is on file at the City of Pharr and TxDOT Pharr District, and is available upon request.

## 5.17 Construction Phase Impacts

Temporary construction-related impacts may occur as a result of the proposed project. These are typically short-term and only occur during actual construction.

### 5.17.1 Air Quality

During the construction phase of this project, temporary increases in PM and MSAT emissions may occur from construction activities. The primary construction-related emissions of PM are fugitive dust from site preparation, and the primary construction-related emissions of MSAT are diesel from diesel powered construction equipment and vehicles. The potential impacts of PM emissions will be minimized by using fugitive dust control measures contained in standard specifications, as appropriate. Considering the temporary and transient nature of construction-related emissions, as well as the mitigation actions to be utilized including compliance with applicable regulatory requirements, it is not anticipated that emissions from construction of this project will have a significant impact on air quality in the area

### 5.17.2 Noise Impacts

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 receptors is expected to be exposed to construction noise for a long duration; therefore, any extended disruption of normal activities is not expected. Provisions will 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

### 5.17.3 Traffic Control

The portion of the project which coincides with existing roads and/or private drives shall be kept open at all times, unless otherwise provided for or approved by the engineer. The contractor will be required to maintain, at all times, two lanes of northbound and southbound mainlane traffic. Construction requiring temporary land closures resulting in less than the minimum lanes as previously specified shall occur during off-peak hours. During the peak hours, the contractor shall maintain the minimum required number of lanes open to traffic.

Under the No-Build Alternative, there would be no impacts related to construction.

## 5.18 Greenhouse Gas and Climate Change

TxDOT has prepared a Statewide On-Road Greenhouse Gas (GHG) Analysis and Climate Change Assessment technical report (TxDOT 2021). The report discloses: 1) an analysis of available data regarding statewide GHG emissions for on-road GHG emissions,18 2) TxDOT actions and funding that support reducing GHG emissions, 3) projected climate change effects for the state of Texas and 4) TxDOT's current strategies and plans for addressing the changing climate. A summary of key issues in this technical report is provided below. Please refer to the technical report for more details. The Earth has gone through many natural changes in climate over time. However, since the industrial revolution began in the 1700s, atmospheric concentration of GHG emissions have continued to climb, primarily due to humans burning fossil fuel (e.g., coal, natural gas, gasoline, oil and/or diesel) to generate electricity, heat and cool buildings, and power industrial processes, vehicles, and equipment. According to the Intergovernmental Panel on Climate Change (IPCC), this increase in GHG emissions is projected to contribute to future changes in climate (Solomon 2007, Stocker 2013).

### 5.18.1 Statewide On-Road GHG

TxDOT prepared a GHG analysis for the statewide on-road transportation system and associated emissions generated by motor vehicle fuels processing called "fuel-cycle emissions." EPA's MOVES2014 version emissions model was used to estimate emissions. Texas on-road and fuel cycle GHG emissions are estimated to be 186 million metric tons (MMT) in 2050 and reach a minimum in 2032 at 161 MMT. Future on-road GHG emissions may be affected by changes that may alter where people live and work and how they use the transportation system, including but not limited to: 1) the results of federal policy including tailpipe and fuel controls, 2) market forces and economics, 3) individual choice decisions, 4) acts of nature (e.g., pandemic) or societal changes, and 5) other technological advancements. Such changes cannot be accurately predicted due to the inherent uncertainty in future projections related to demographics, social change, technology, and inability to accurately forecast where people work and live.

### 5.18.2 Mitigation Measures

Strategies that reduce on-road GHG emissions fall under four major categories:

- Federal engine and fuel controls under the Clean Air Act implemented jointly by EPA and U.S. Department of Transportation (USDOT), which includes CAFE standards;
- "Cash for clunker" programs which remove older, higher-emitting vehicles from roads;
- Traffic systems management (TSM) which improves the operational characteristics of the transportation network (e.g., traffic light timing, pre-staged wrecker service to clear accidents faster, or traveler information systems); and
- Travel demand management (TDM) which provides reductions in VMT (e.g., transit, rideshare, and bicycle and pedestrian facilities) and requires personal choice decisions.

TxDOT has implemented programmatic strategies that reduce GHG emissions including: 1) TDM projects and funding to reduce VMT, such as bicycle and pedestrian facilities, 2) TSM projects and funding to improve the operation of the transportation system, 3) participation in the national alternative fuels corridor program, 4) clean construction activities, 5) clean fleet activities, 6) CMAQ funding, 7) transit funding, and 8) two statewide campaigns to reduce tailpipe emissions.

### 5.18.3 TxDOT and a Changing Climate

TxDOT has strategies that address a changing climate in accordance with TxDOT and FHWA design, asset management, maintenance, emergency response, and operational policies and guidance. The flexibility and elasticity in TxDOT transportation planning, design, emergency response, maintenance, asset management, and operation and maintenance of the transportation system are intended to consider any number of changing scenarios over time. Additional detail is in the statewide Technical Report.

## 6.0 AGENCY COORDINATION

The City of Pharr, in cooperation with TxDOT and FHWA, has planned and developed the proposed project in coordination with several agencies.

**Table 9: Summary of Agency Coordination (Completed)**

| Agency Contacted | Contact Date | Nature of Discussion |
|---|---|---|
| THC | June 9, 2022<br>August 11, 2023 | On June 9, 2022, Justin Kockritz reached concurrence with the non-archeological section 106 findings of historic properties present: NRHP-listed HCID no 2, NRHP-eligible IBWC floodway levee. No adverse effect to historic properties. There were no comments on determination of de minimis impact under section 4(f) regulations. On August 11, 2023, TxDOT communicated with the THC, the initial submittal/coordination of the proposed project did not include an area extending an existing retaining wall that runs parallel to the HCID2 canal under the existing bridge. This retention wall extension does not change original determinations that the project will have no adverse effect on the historic properties. On August 21, 2023, the THC concurred with these findings. |
| Apache Tribe of Oklahoma, Comanche Nation of Oklahoma, Kiowa Indian Tribe of Oklahoma, and the Mescalero Apache Tribe. | November 16, 2022 | On November 16, 2022, TxDOT coordinated with federally recognized tribes with an interest in the project area. The Comanche Nation of Oklahoma provided a response on December 6, 2022 stating the project would not affect prehistoric or historic archeological materials associated with the Comanche Nation of Oklahoma. |
| TPWD | February 12, 2022<br>May 25, 2022 | During the inter-agency coordination call on February 12, 2022, Ms. Suzanne Walsh (TPWD) noted that TxDOT has agreed to follow the new MOU process, so they would review the early analysis for species and waters impacts, and the Draft EA. Ms. Walsh asked for the Presidential Permit and further noted that the TPWD would review the project in phases, the first being the early documentation (biological/waters) and then the Draft EA. She noted TPWD would have a 40-day review timeline and that everything should come from the TxDOT Pharr District. On February 15, 2022, TPWD requested a revision to the meeting notes. This revision included updating the review period from a 40-day review to a 45-day review. Coordination with TPWD in accordance with the 2021 MOU between TxDOT and TPWD was initiated on May 25, 2022. |
| TCEQ | July 31, 2023 | On July 31, 2023, a response for environmental review was received from the TCEQ. It states "the proposed action is located in Hidalgo County, which is currently designated attainment/unclassifiable for the NAAQS for all six criteria air pollutants. Federal Clean Air Act, §176(c) general conformity requirements do not apply for this action. We are in support of the project. The EA addresses issues related to surface and groundwater quality. TxDOT will still need to follow all other applicable laws related to this project, including applying for applicable permits. |
| USFWS | February 12, 2022 | During the inter-agency coordination call on February 12, 2022, Mr. Ernesto Reyes (USFWS) asked to see the biological deliverables and the Draft EA. He also requested the Presidential Permit. Mr. Reyes |

| Agency Contacted | Contact Date | Nature of Discussion |
|---|---|---|
| | | said to not shine lights from construction or the bridge toward the refuge areas. Lighting should only aim toward the structure or shielded down. |
| USACE | February 12, 2022 | During the inter-agency coordination call on February 12, 2022, Mr. Matt Kimmel (USACE) requested a copy of the Presidential Permit when it is available and WOUS delineation report as part of the PCN application. |
| USCG | February 12, 2022 | During the inter-agency coordination call on February 12, 2022, Mr. Doug Blakemore (USCG) stated that his office does not need to review any deliverables prior to the Section 9 permit application. Mr. Mielke (SEA) informed Mr. Blakemore that he would like to set up a meeting with the USCG about six months prior to receiving the anticipated FONSI so he can have the permit application prepared and then submitted as soon as possible after the anticipated FONSI. USCG does not need to be directly involved until after project has been given an anticipated FONSI. |
| City of Pharr Clerk/Assistant City Manager | August 18, 2020<br>June 1, 2021 | The Pharr City Clerk's Office was contacted via email at hilda.pedraza@pharr-tx.gov. The City Clerk notified RKI that records exist for 28 fire incidents within and/or adjacent to the proposed project area. The incidents identified are not associated with any hazardous material spills or issues; therefore, did not result in the release of hazardous substances to soils in the area. These concerns are determined to be resolved. |
| Pharr Fire Department | August 18, 2020<br>June 1, 2021 | The Pharr Fire Department was contacted via email at jessica.delarosa@fd.pharr-tx.gov, alessandra.garcia@fd.pharr-tx.gov, and orfelinda.zapata@fd.pharr-tx.gov. The response was that the fire department does not provide information on hazardous/environmental concerns. This information is solely provided by the City Clerk's Office by records request. |

Source: Project Consultant Team 2023.

In accordance with the MOU between TxDOT and TPWD, TPWD has provided a set of recommended BMPs in a document titled, "Best Management Practices – Avoiding, Minimizing, and Mitigating Impacts of Transportation Projects on State Natural Resources," which is available on TxDOT's Natural Resources Toolkit at https://www.txdot.gov/inside-txdot/division/environmental/compliance-toolkits/natural-resources.html. The MOU provides that application of specific BMPs to individual projects will be determined by TxDOT at its discretion. The TPWD-recommended BMPs that will be applied to this project are indicated in the Form – Documentation of Texas Parks and Wildlife Department (TPWD) BMPs prepared for the project, which is included in **Appendix F**.

Documentation of agency coordination is included in **Appendix F.**

## 7.0 PUBLIC INVOLVEMENT

TxDOT's *Environmental Handbook: Public Involvement* (TxDOT 2021d) approved by FHWA for use on federal aid undertakings, was used as a guide during this assessment.

Public Meeting (May 3, 2022)

The City of Pharr, in cooperation with TxDOT and FHWA, conducted a virtual meeting with an in person option on Tuesday, May 3, 2022 from 5:30 p.m. to 7:30 p.m. at Pharr City Hall, Commissioners' Room, 118 S. Cage Blvd., 2nd Floor, Pharr, Texas 78577. The purpose of this meeting was to gather public input on the proposed twin bridge structure. The "open house" meeting format allowed the public to come and go at their convenience. A formal presentation was not delivered. The meeting was entirely interactive and provided a two-hour window of opportunity for attendees to visit with and ask questions of Project Consultant Team and TxDOT Staff. A welcome table was located at the main door with sign in sheets as well as project specific fact sheet and schedule for guests to take with them. Exhibit boards were placed around the room in both English and Spanish. These boards included Project Overview, Typical Sections, Purpose and Need, Environmental Resources Map, Anticipated Project Schedule, and How to Submit Comments. A schematic was available in the center of the room. Also included was a station for viewing the virtual presentation with all approved environmental reports and a station for guests to submit in person comments. Attendees began arriving at approximately 5:30 p.m., and were immediately greeted by project staff who introduced them to the various meeting resources and information.

In addition to City of Pharr, TxDOT and Project Consultant Team members, a total of four individuals attended the open house. These included two members of the public, one county judge representative, and a local newspaper journalist. No written comments were received during the meeting. Several emailed comments were received by an adjacent landowner who had questions regarding (a) the potential need for additional right-of-way; (b) measures to keep all construction materials, debris, equipment, within the city-owned right-a-way; (c) construction impeding harvesting of crops on adjacent land; (d) disturbance to an existing service road between the levee to the river; and (e) prevention of project-related trespassing and destruction of property on adjacent land (**Appendix G**). The City of Pharr responded to these comments via e-mail, which appeared to satisfy the commenter. The Public Meeting Summary Report is available for review at the TxDOT Pharr District (TxDOT 2022i).

Notice of Availability and Opportunity for a Public Hearing

The Notice of Avaibility and Opportunity for a Public Hearing (NOA-OPH) was provided to government officials, the public and adjacent landowners on July 26, 2023. The notice was mailed to government officials and landowners, published in El Periodico and The Monitor newspapers, andposted on TxDOT

and the City of Pharr's web pages. Any interested person could submit a comment on the Draft EA or request a public hearing on this project. All hearing requests and comments were due on or before Friday, August 25, 2023. No comments or requests for a public hearing were received during this time. The NOA-OPH and Public Hearing Certification are included in **Appendix H**.

# 8.0 POST-ENVIRONMENTAL CLEARANCE ACTIVITIES AND CONTRACTOR COMMUNICATIONS

## 8.1 Post-Environmental Clearance Activities

This section lists unresolved environmental activities that are required, and the timing (e.g., prior to construction, during construction, or post-construction).

1. Water Resources:
    a. The proposed project would require compliance with Section 404 of the CWA and Sections 9 and 10 of the RHA. Based on anticipated impacts, the proposed project would be covered under a non-reporting Section 404/10 permit. Therefore, a PCN from the USACE would not be required. Coordination with the USCG for a Section 9 permit would be required.
    b. Since the project will disturb one or more acres of land, a TPDES permit will be required, along with a NOI to the TCEQ. The plans and specifications will include a SW3P. BMPs will be incorporated in the construction plans to minimize potential sedimentation effects in the storm water system. These measures will be in place before construction begins and would be inspected on a regular basis.

2. TCEQ 401 Certification: The project would require compliance with TCEQ's Water Quality Certification Program for Tier I projects (those that affect less than 1,500 linear feet of stream and/or 3 acres of WOUS). This would include incorporating water quality BMPs (erosion, sedimentation, and post-construction total suspended solids) in the project EPIC sheet.

3. Floodplains: The proposed project includes work within the 100-year floodplain; therefore, coordination with the local floodplain administrator is required.

## 8.2 Design/Construction Commitments

This section lists project-specific avoidance measures or special instructions that would be conveyed to the design or construction contractor as a result of the environmental review.

1. Biological Resources: As indicated above in **Section 6.0**, the TPWD-recommended BMPs that will be applied to this project are indicated in the Form – Documentation of Texas Parks and Wildlife Department BMPs prepared for the project, which is included in **Appendix F**. In addition, as summarized in **Table 9**, USFWS requested that bridge lighting be directed away from refuge areas, and should only aim or be shielded down toward the structure.

2. SW3P: The contractor would comply with TxDOT's BMPs outlined in the Storm Water Management Program.

3. Archeological Resources: In the event unanticipated archeological deposits during construction, cease work in the immediate area, and contact archeological staff to initiate post-review discovery procedures.

4. Vegetation: Documentation of TPWD BMP related to vegetation is included in **Appendix F**.

## 9.0 CONCLUSION

An EA is prepared when the significance of the environmental impact of a proposed project is not clearly established. To determine significance, the intensity that is severity of the impact was examined in terms of the type, quality, and sensitivity of the resources involved; the location of the proposed project; the duration of the effect (short-term/long-term); and other "context" considerations. If a significant impact is determined for the proposed project, the preparation of an EIS would be recommended.

This EA and supporting technical reports analyzed the potential direct impacts that may result to the environmental, social, and cultural environments surrounding and within the proposed project location.

NEPA is about analyses of best available data and disclosure. This EA also discloses anticipated benefits from the proposed project. Implementation of the proposed project would not result in a significant impact on the human or natural environment. Therefore, a FONSI is recommended.

## 10.0 REFERENCES

ArcGIS. 2016. Texas Ecoregion EMS Data Download Map. [https://www.arcgis.com/apps/mapviewer/index.html?webmap=8573e5c6045b48429833565746e7918a] (Accessed September 2022)

Biondi, Emily. 2016. *Update Interim Guidance on Mobile Source Air Toxic Analysis in NEPA Documents*. Published October 18, 2016. https://www.fhwa.dot.gov/environment/air_quality/air_toxics/policy_and_guidance/msat/index.cfm (Accessed September 15, 2023).

Claggett, Michael and Terry L. Miller. 2006. *A Methodology for Evaluating Mobile Source Air Toxic Emissions Among Transportation Project Alternatives*. Published January 1, 2006. https://www.fhwa.dot.gov/environment/air_quality/air_toxics/research_and_analysis/methodology/msatemissions.pdf (Accessed June 4, 2021).

Federal Emergency Management Agency (FEMA). 1981. Federal Insurance Rate Maps (FIRMs) – Map No. 4803340500B Effective January 2, 1981 (Accessed June 2021).

Health Effects Institute (HEI). 2007. Mobile-Source Air Toxics: A Critical Review of the Literature on Exposure and Health Effects. Published November 2007. https://www.healtheffects.org/publication/mobile-source-air-toxics-critical-review-literature-exposure-and-health-effects (Accessed June 4, 2021).

Integrated Risk Information System (IRIS). 2021. https://www.epa.gov/iris (Accessed June 2, 2021).

International Boundary and Water Commission (IBWC) United States and Mexico. 2000. *Criteria for Construction Activities within the Limits of USIBWC Floodways*. Published July 27, 2000.

National Air Toxics Assessment (NATA). 2018. https://www.epa.gov/national-air-toxics-assessment (Accessed June 2, 2021).

*National Resources Defense Council (NRDC) v. EPA*, 529 F.3d 1077 (2008).

National Wild and Scenic Rivers System (NWSRS). 2015. *Texas*. https://www.rivers.gov/texas.php (Accessed June 1, 2021).

Pharr County Appraisal District 2021.

Texas Commission on Environmental Quality. 2022. 2022 Texas Integrated Report—Texas 303(d) List (Category 5). https://www.tceq.texas.gov/downloads/water-quality/assessment/integrated-report-2022/2022-303d.pdf. Accessed March 2023.

- 2021. *Texas Emissions Reduction Plan (TERP)*. https://www.tceq.texas.gov/airquality/terp (Accessed June 4, 2021).

Texas Department of Transportation. 2014. Section 6(f) Land and Water Conservation Fund Act Compliance. 820.01 GUI. April 2014.

- 2019a. Standard Language for Documenting Traffic Noise Analysis. TxDOT Environmental Affairs Division (ENV). Release Date: 12/2019, 730.02.DS, Version 1.

- 2019b. *Environmental Handbook: Guidance: Indirect Impacts Analysis.* 720.02 GUI. Version 3. January 2019.

- 2019c. *Environmental Handbook: Cumulative Impacts Analysis Guidelines. 720.03.GUI. Version 3.* TxDOT Environmental Affairs Division. January 2019

- 2020b. *Environmental Handbook: Community Impacts, Environmental Justice, Limited English Proficiency, and Title VI Compliance.* 710-01 GUI. Version 3. TxDOT Environmental Affairs Division. Effective Date: December 2020

- 2021a. *Environmental Handbook: Air Quality*. 210.01.GUI. Version 6. Effective Date: July 2021.

- 2021b. *Environmental Handbook*: *Farmland Protection Policy Act*. 740.01 GUI. Version 4. TxDOT Environmental Affairs Division. Effective Date: June 2021.

- 2021c. *Environmental Handbook: Environmental Assessment Outline*. 620.01.DS. Version 10. TxDOT Environmental Affairs Division. Effective Date: November 2021.

- 2021d. *Environmental Handbook: Public Involvement*. 760.01 GUI. Version 15.2. TxDOT Environmental Affairs Division. Effective Date: December 2021.

- 2021e. Texas-Mexico Border Transportation Master Plan 2021. https://www.txdot.gov/projects/planning/international-trade-border-planning/btmp.html Published Match 19, 2021.

- 2021f. TxDOT AADT Annuals. https://gis-txdot.opendata.arcgis.com/datasets/txdot-aadt-annuals/explore?location=26.080511%2C-98.191123%2C14.83 (Accessed June 2, 2021).

- 2022a. *Air Quality Technical Report: Pharr-Reynosa International Bridge Expansion, Pharr District, Hidalgo County, Texas, CSJ: 0921-02-479.* Prepared for the TxDOT Environmental Affairs Division. Prepared by Raba Kistner, Inc. Approved October 2022.

- 2022b. *Archeology Background Study: Pharr-Reynosa International Bridge Expansion, Pharr District, Hidalgo County, Texas, CSJ: 0921-02-479.* Prepared for the TxDOT Environmental Affairs Division. Prepared by Raba Kistner, Inc. Approved March 2022.

- 2022c. Archeology Pedestrian Survey: Pharr-Reynosa International Bridge Expansion, Hidalgo County, Texas, CSJ: 0921-02-479. Prepared for the TxDOT Environmental Affairs Division. Prepared by Raba Kistner, Inc. Approved December 2022.

- 2022d. *Community Impacts Technical Report: Pharr-Reynosa International Bridge Expansion, Hidalgo County, Texas, CSJ: 0921-02-479.* Prepared for the TxDOT Environmental Affairs Division. Prepared by Raba Kistner, Inc. Approved March 2022.

- 2022e. *Cumulative Impacts Analysis Technical Report: Pharr-Reynosa International Bridge Expansion, Hidalgo County, Texas, CSJ: 0921-02-479.* Prepared for the TxDOT Environmental Affairs Division. Prepared by Raba Kistner, Inc. Approved July 2022.

- 2022f. *Hazardous Materials Initial Site Assessment: Pharr-Reynosa International Bridge Expansion, Hidalgo County, Texas, CSJ: 0921-02-479*. Prepared for the TxDOT Environmental Affairs Division. Prepared by Raba Kistner, Inc. Approved April 2022.

- 2022g. *Indirect Impacts Technical Report: Pharr-Reynosa International Bridge Expansion, Hidalgo County, Texas, CSJ: 0921-02-479.* Prepared for the TxDOT Environmental Affairs Division. Prepared by Raba Kistner, Inc. Approved July 2022.

- 2022h. *Project Coordination Request for Historic Studies: Pharr-Reynosa International Bridge Expansion, Hidalgo County, Texas, CSJ: 0921-02-479.* Prepared for the TxDOT Environmental Affairs Division. Prepared by Raba Kistner, Inc. Approved April 2022.

- 2022i. *Public Meeting Summary Report: Pharr-Reynosa International Bridge Expansion, Hidalgo County, Texas, CSJ: 0921-02-479.* Prepared for the TxDOT Environmental Affairs Division. Prepared by Raba Kistner, Inc. Approved July 2022.

- 2022j. *Species Analysis Spreadsheet and Form: Pharr-Reynosa International Bridge Expansion, Pharr District, Hidalgo County, Texas, CSJ: 0921-02-479.* Prepared for the TxDOT Environmental Affairs Division. Prepared by Raba Kistner, Inc. Approved May 2022.

- 2022k. *Surface Waters Analysis Form: Pharr-Reynosa International Bridge Expansion, Hidalgo County, Texas, CSJ: 0921-02-479.* Prepared for the TxDOT Environmental Affairs Division. Prepared by Raba Kistner, Inc. Approved March 2022.

- 2022l. *Traffic Noise Technical Report: Pharr-Reynosa International Bridge Expansion, Hidalgo County, Texas, CSJ: 0921-02-479.* Prepared for the TxDOT Environmental Affairs Division. Prepared by Raba Kistner, Inc. Approved March 2022.

- 2022m. Underwater Archeological Survey: Pharr-Reynosa International Bridge Expansion, Hidalgo County, Texas, CSJ: 0921-02-479. Prepared for the TxDOT Environmental Affairs Division. Prepared by Coastal Environments, Inc. Approved December 2022.

- 2022n. *Water Features Delineation Report: Pharr-Reynosa International Bridge Expansion, Hidalgo County, Texas, CSJ: 0921-02-479.* Prepared for the TxDOT Environmental Affairs Division. Prepared by Raba Kistner, Inc. Approved March 2022.

- 2023a. *Environmental Handbook: Preparing an Environmental Assessment*. 620.05GUI. Version 21. TxDOT Environmental Affairs Division. Effective Date: January 2023.

- 2023b. Texas Delivers 2050 Texas Freight Mobility Plan. https://www.txdot.gov/projects/planning/freight-planning/texas-delivers-2050.html. Published March 2023.

Texas Parks and Wildlife Department. 2023. Annotated County Lists of Rare Species: Hidalgo County. Last revision January 4, 2023. (Accessed March 21, 2023).

U.S. Department of Agriculture. 2022a. Natural Resources Conservation Service Soil Data. https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx (Accessed March 21, 2023).

- 2022b. NRCS CPA-106 Form. Farmland Conversion Impact Rating for Corridor Type Projects. March 2022. Approved April 2022.

U.S. Environmental Protection Agency (USEPA) Office of Transportation and Air Quality. 2015. *EPA Releases MOVES2014a Mobile Source Emissions Model: Questions and Answers*. Published November 2015.

- 2003. Chemical Assessment Summary: Diesel Engine Exhaust; CASRN N.A. https://cfpub.epa.gov/ncea/iris/iris_documents/documents/subst/0642_summary.pdf (Accessed June 4, 2021).

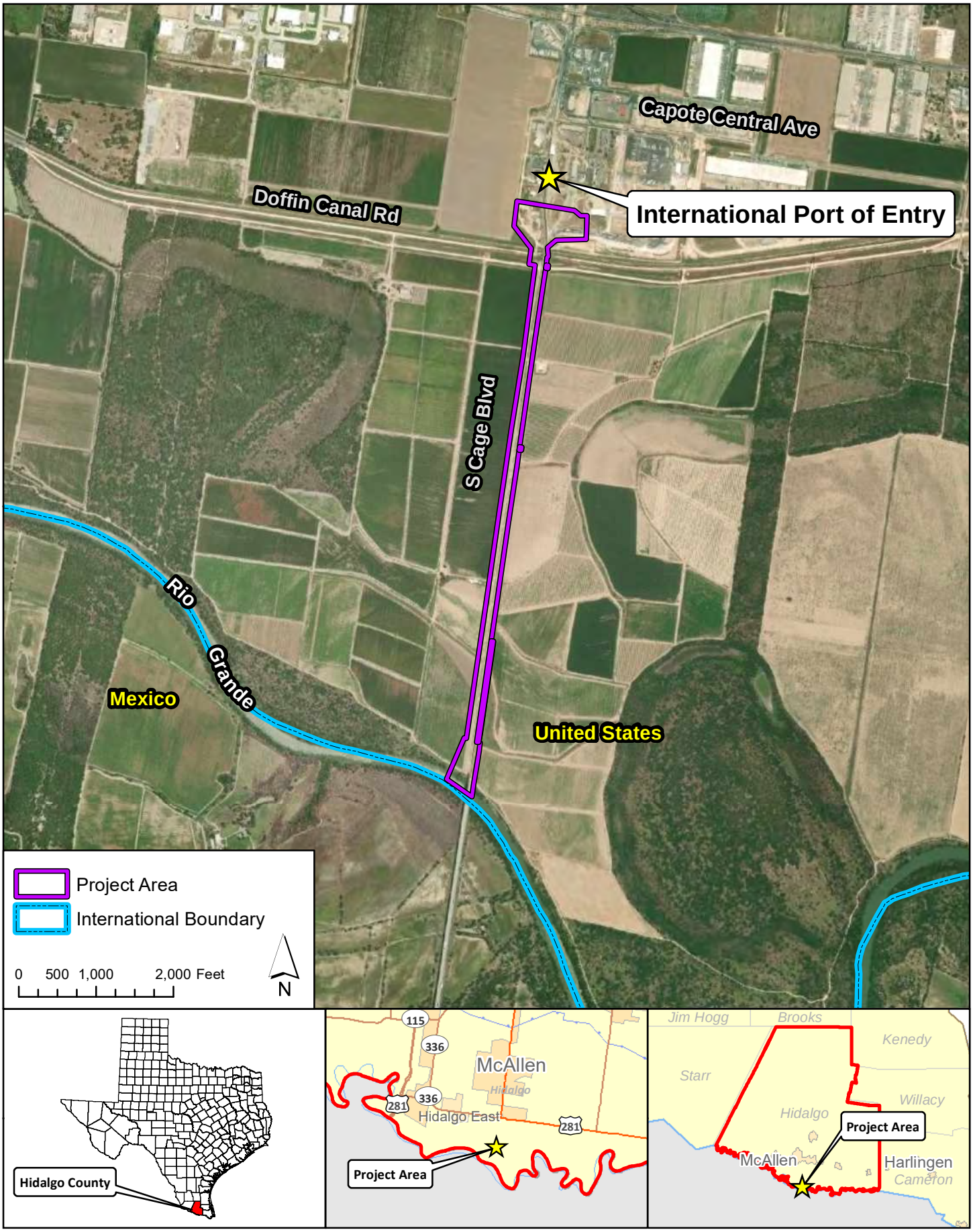
U.S. Fish and Wildlife Service. 2023. Information, Planning, and Conservation (IPAC) Report. (Accessed March 21, 2023).

## 11.0 NAMES AND QUALIFICATIONS OF PERSONS PREPARING THE EA

| Name | Title | Employer | Years of Experience |
|---|---|---|---|
| Sam Blanco, AICP, PMP | Vice President | Raba Kistner, Inc. | 22 years |
| Brittney Davis, AICP, ENV SP | Director, Environmental Planning and Permitting | | 15 years |
| Antonio Padilla, M.A., RPA | Assistant Director Cultural Resources | | 21 years |
| Jaimie Galm, AWB® | Environmental Scientist | | 7 years |
| Brady O'Neal, CPESC | Senior Project Manager | | 7 years |
| Tom Bruechert | Programs Team Leader | FHWA Texas Division | 33 years |
| Nolan Nicolas | Environmental Supervisor | TxDOT Pharr District | 20 years |
| Jubal Grubb | Project Delivery Manager | TxDOT Environmental Affairs Division | 22 years |

# APPENDICES

# Appendix A
# Project Location Map




SOURCE: Aerial imagery provided by Google Earth Pro - 2019

**PROJECT LOCATION**
Pharr Reynosa International Bridge Expansion Project
Hidalgo County, Texas
CSJ # 0921-02-479

# Appendix A

# Appendix B
# Project Photographs

**Photo 1: [August 6, 2020] View of Pharr International Bridge spanning the Rio Grande facing southeast.**

**Photo 2: [August 6, 2020] View underneath Pharr International Bridge facing south.**

**Photo 3: [August 6, 2020] View of Rio Grande adjacent west of Pharr International Bridge.**

**Photo 4: [January 10, 2022] Example of soil sampling point (26.067088°N, -98.205241°W).**

**Photo 5: [August 6, 2020] View of adjacent agricultural property east of Pharr International Bridge facing northeast.**

**Photo 6: [August 6, 2020] View of adjacent agricultural property west of Pharr International Bridge facing northwest.**

**Photo 7: [August 6, 2020] View of adjacent agricultural property east of Pharr International Bridge facing northeast.**

**Photo 8: [January 10, 2022] View of existing right-of-way in northern portion of project area facing north.**

**Photo 9: [January 10, 2022] View of newly constructed easement under Pharr International Bridge facing northwest.**

**Photo 10: [August 6, 2020] View of northwest portion of the project area facing northwest. During January 10, 2022 field reconnaissance, area was used for construction staging for border wall project.**

**Photo 11: [August 6, 2020] View of the elevated concrete-lined irrigation channel facing east.**

**Photo 12: [August 6, 2020] View of the elevated concrete-lined irrigation canal facing west.**

**Photo 13: [August 6, 2020] An overview of the agricultural properties west of Pharr International Bridge facing south.**

**Photo 14: [August 6, 2020] An overview of the agricultural properties east of Pharr International Bridge facing south.**

**Photo 15: [August 6, 2020] View of the convenience store north adjacent of the project area.**

**Photo 16: [January 10, 2022] View of modified drainage channel (MDC-1) within the northern portion of the project area.**

**Photo 17: [January 10, 2022] View of mowed and maintained grasses between the entrance and exit of the Port of Entry within the north central portion of the project area facing southwest.**

**Photo 18: [January 10, 2022] View of mowed and maintained grasses southeast of S. Cage Blvd. between the two Port of Entry exits within northeastern portion of the project area facing southeast.**

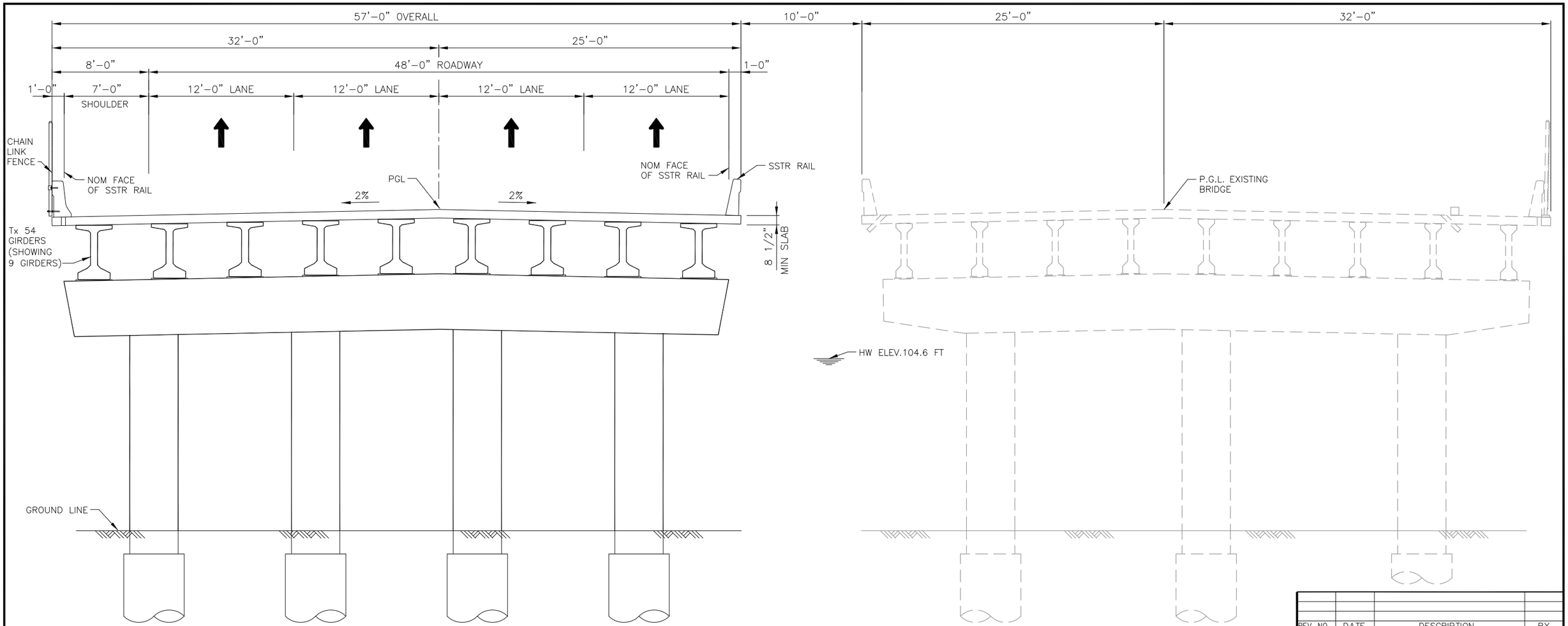
**Photo 19: [August 6, 2020] View of the Port of Entry north adjacent to the northern terminus of the project area facing east.**

**Photo 20: [August 6, 2020] View of the Port of Entry north of the project area facing south.**

# Appendix C
# Schematics

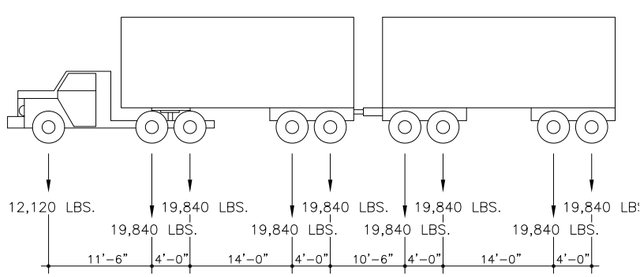
PHASE 1
PHASE 2
PHASE 3
PHASE 4
PHASE 5
PHASE 6
PHASE 7
PHASE 8
PHASE 9
PHASE 10
PHASE 11
PHASE 12
PHASE 13
PHASE 14
PHASE 15
PHASE 16
PHASE 17
PHASE 18
PHASE 19
PHASE 20
PHASE

# Appendix D
# Typical Sections




TYPICAL SECTION (PHASE 1)

(SHOWING 4 COLUMNS)




MEXICO T3-S2-R4 = 170,840 LBS

OR

AASHTO HL-93

BRIDGE DESIGN LOADING

DESIGN: HL93 LOADING IN ACCORDANCE WITH AASHTO 2020, 9TH EDITION LRFD BRIDGE DESIGN SPECIFICATIONS OR THE ABOVE DETAILED T3-S2-R4 TRUCK, WHICHEVER CONTROLS. SURVEY CONTROL HAS BEEN ESTABLISHED IN THE FIELD. CONTRACTOR SHALL BASE PGL ON ESTABLISHED CONTROL. BENTS/ABUTMENTS SHALL BE LAYED OUT BASED ON PROVIDED SKEW ANGLES.

PRELIMINARY
INTERIM REVIEW ONLY
This document is released for the purpose of interim review under the authority of
MARTIN COVARRUBIAS P.E. #87673
Jun 01, 2022
It is not to be used for permit, bidding or construction purposes.
Structural Engineering Associates, Inc.
Firm Registration No. F-199

| REV. NO. | DATE | DESCRIPTION | BY |
|---|---|---|---|
| | | | |
| | | | |
| | | | |

STRUCTURAL ENGINEERING ASSOCIATES
TEXAS REGISTERED ENGINEERING FIRM F-199

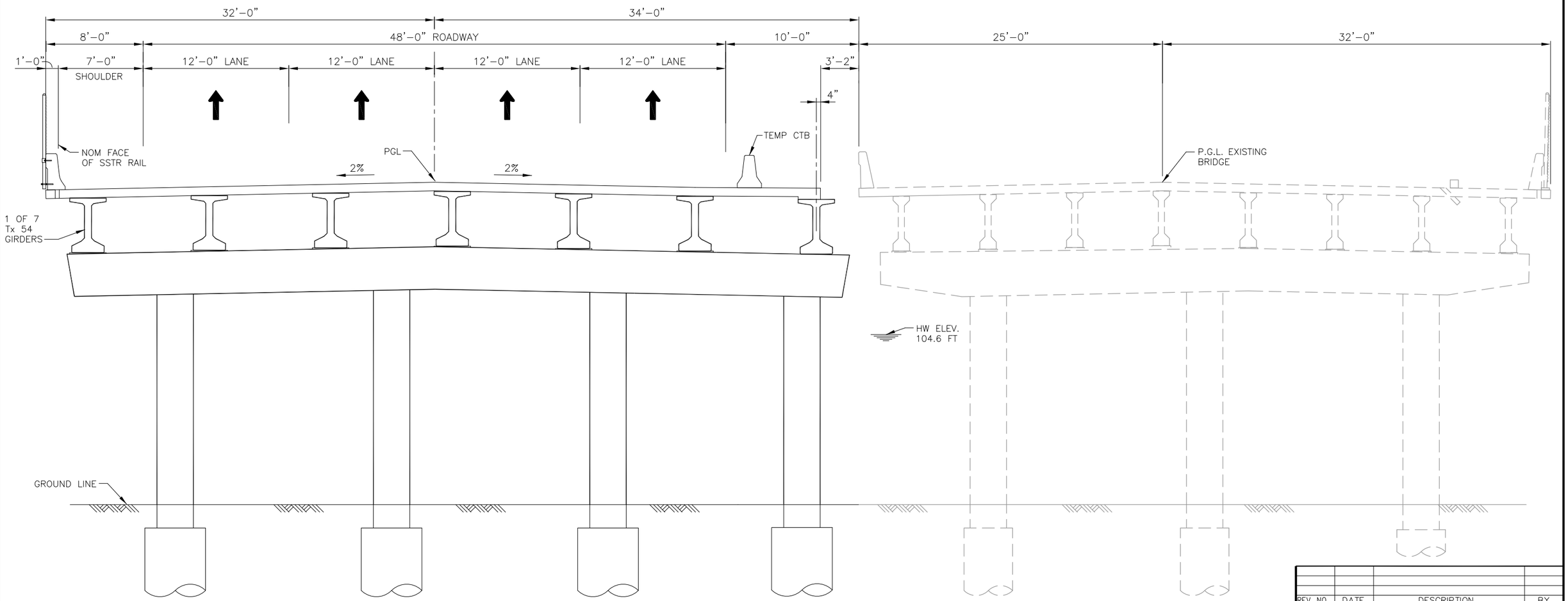
60% REVIEW SET

Pharr International Bridge

CITY OF PHARR – REYNOSA INTERNATIONAL BRIDGE EXPANSION PROJECT

TYPICAL CROSS SECTION (PHASE 1)

| | | | | | | |
|---|---|---|---|---|---|---|
| DGN: JW | FED. RD. DIV. NO. | STATE | FEDERAL AID PROJECT NO. | | | HIGHWAY NO. |
| CHK DGN: MRC | | TEXAS | N/A | | | N/A |
| DWG: AMH | DIST. | COUNTY | CONT. NO. | SECT. NO. | JOB NO. | SHEET NO. |
| CHK DWG: MRC | PHR | HIDALGO | 0921 | 02 | 479 | |




TYPICAL SECTION (PHASE 1)

(AT CROSSOVER SPANS)

PRELIMINARY
INTERIM REVIEW ONLY
This document is released for the purpose of interim review under the authority of
MARTIN COVARRUBIAS P.E. #87673
Jun 01, 2022
It is not to be used for permit, bidding or construction purposes.
Structural Engineering Associates, Inc.
Firm Registration No. F-199

| REV. NO. | DATE | DESCRIPTION | BY |
|---|---|---|---|
| | | | |

STRUCTURAL ENGINEERING ASSOCIATES
TEXAS REGISTERED ENGINEERING FIRM F-199

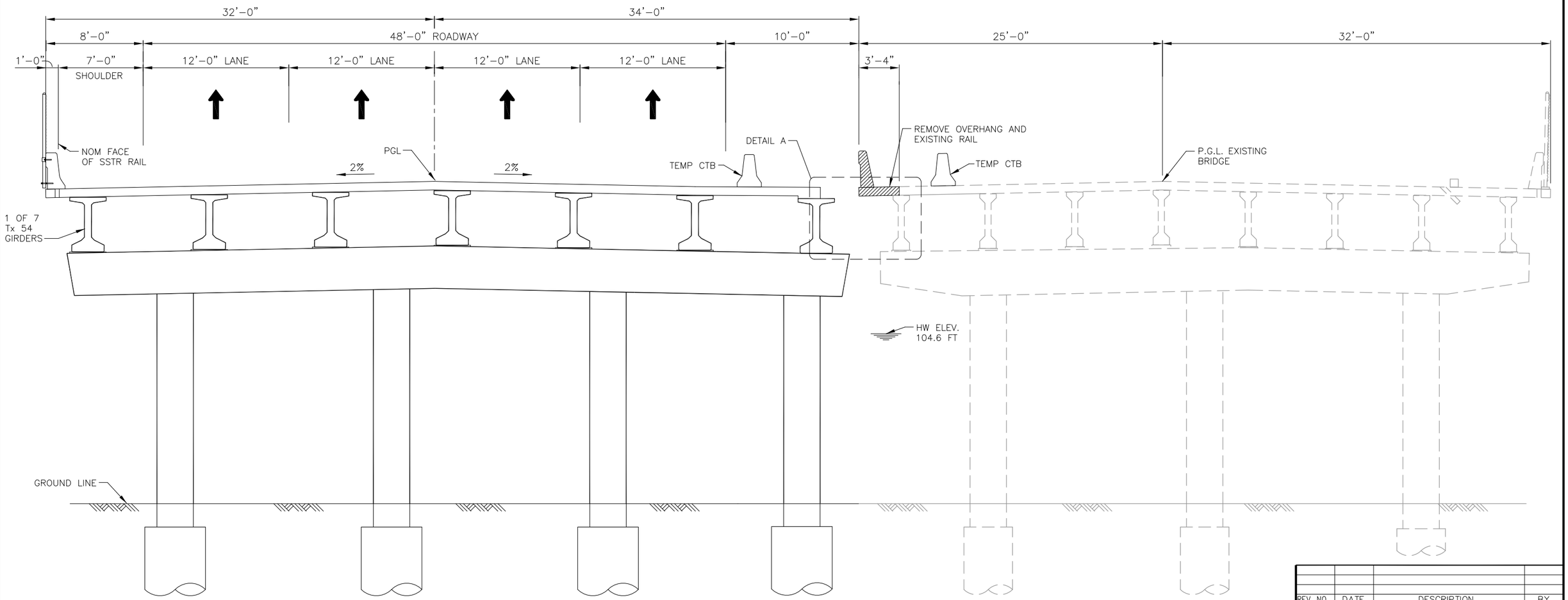
60% REVIEW SET

Pharr International Bridge

CITY OF PHARR – REYNOSA
INTERNATIONAL BRIDGE
EXPANSION PROJECT

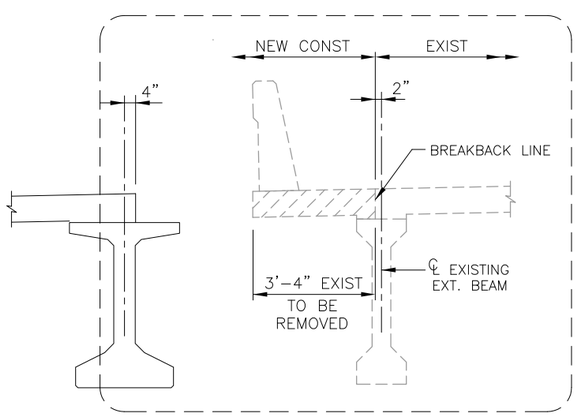
TYPICAL CROSS SECTION
CROSSOVER SPANS
(PHASE 1)

| DGN: JW | FED. RD. DIV. NO. | STATE | FEDERAL AID PROJECT NO. | | | HIGHWAY NO. |
|---|---|---|---|---|---|---|
| CHK DGN: MRC | | TEXAS | | | | N/A |
| DWG: AMH | DIST. | COUNTY | CONT. NO. | SECT. NO. | JOB NO. | SHEET NO. |
| CHK DWG: MRC | PHR | HIDALGO | 0921 | 02 | 479 | |




TYPICAL SECTION (PHASE 2)

(AT CROSSOVER SPANS)




DETAIL A

PRELIMINARY
INTERIM REVIEW ONLY
This document is released for the purpose of interim review under the authority of
MARTIN COVARRUBIAS P.E. #87673
Jun 01, 2022
It is not to be used for permit, bidding or construction purposes.
Structural Engineering Associates, Inc.
Firm Registration No. F-199

| REV. NO. | DATE | DESCRIPTION | BY |
|---|---|---|---|

STRUCTURAL ENGINEERING ASSOCIATES
TEXAS REGISTERED ENGINEERING FIRM F-199

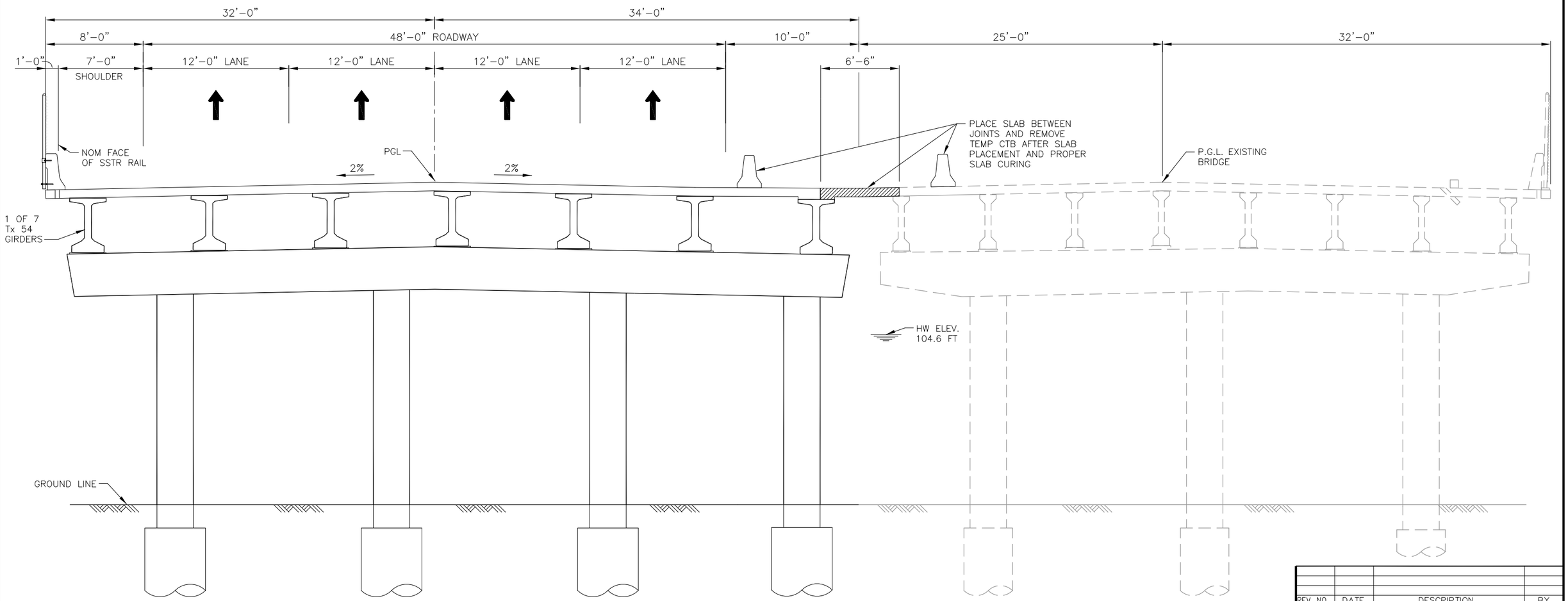
60% REVIEW SET

Pharr International Bridge

CITY OF PHARR – REYNOSA INTERNATIONAL BRIDGE EXPANSION PROJECT

TYPICAL CROSS SECTION CROSSOVER SPANS (PHASE 2)

| DGN: JW | FED. RD. DIV. NO. | STATE | FEDERAL AID PROJECT NO. | | | HIGHWAY NO. |
|---|---|---|---|---|---|---|
| CHK DGN: MRC | | TEXAS | | | | N/A |
| DWG: AMH | DIST. | COUNTY | CONT. NO. | SECT. NO. | JOB NO. | SHEET NO. |
| CHK DWG: MRC | PHR | HIDALGO | 0921 | 02 | 479 | |




TYPICAL SECTION (PHASE 2A)

(AT CROSSOVER SPANS)

PRELIMINARY
INTERIM REVIEW ONLY
This document is released for the purpose of interim review under the authority of
MARTIN COVARRUBIAS P.E. #87673
Jun 01, 2022
It is not to be used for permit, bidding or construction purposes.
Structural Engineering Associates, Inc.
Firm Registration No. F-199

| REV. NO. | DATE | DESCRIPTION | BY |
|---|---|---|---|
| | | | |

STRUCTURAL ENGINEERING ASSOCIATES
TEXAS REGISTERED ENGINEERING FIRM F-199

60% REVIEW SET

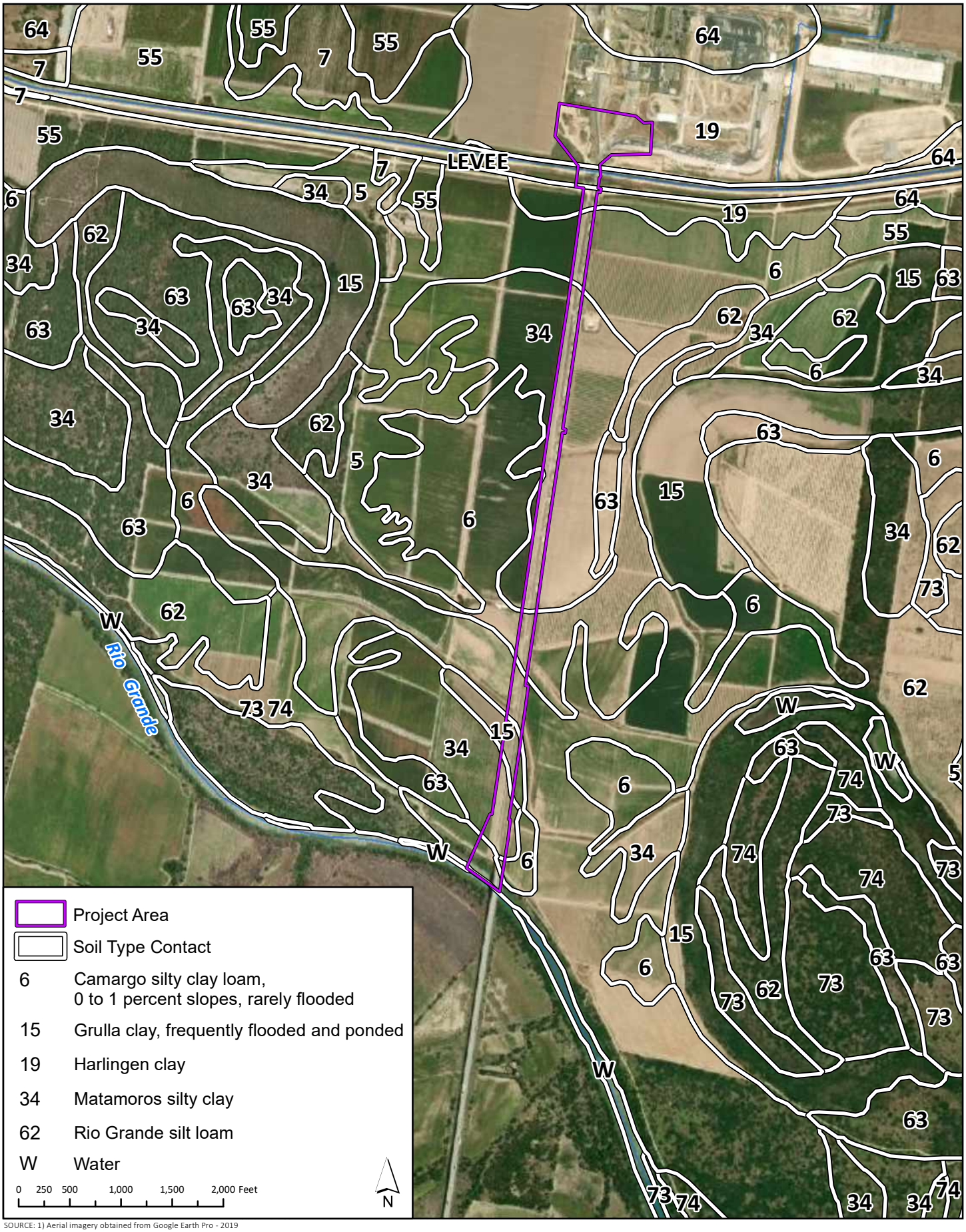
Pharr International Bridge

CITY OF PHARR – REYNOSA INTERNATIONAL BRIDGE EXPANSION PROJECT

TYPICAL CROSS SECTION CROSSOVER SPANS (PHASE 2A)

| DGN: JW | FED. RD. DIV. NO. | STATE | FEDERAL AID PROJECT NO. | | | HIGHWAY NO. |
|---|---|---|---|---|---|---|
| CHK DGN: MRC | | TEXAS | | | | N/A |
| DWG: AMH | DIST. | COUNTY | CONT. NO. | SECT. NO. | JOB NO. | SHEET NO. |
| CHK DWG: MRC | PHR | HIDALGO | 0921 | 02 | 479 | |

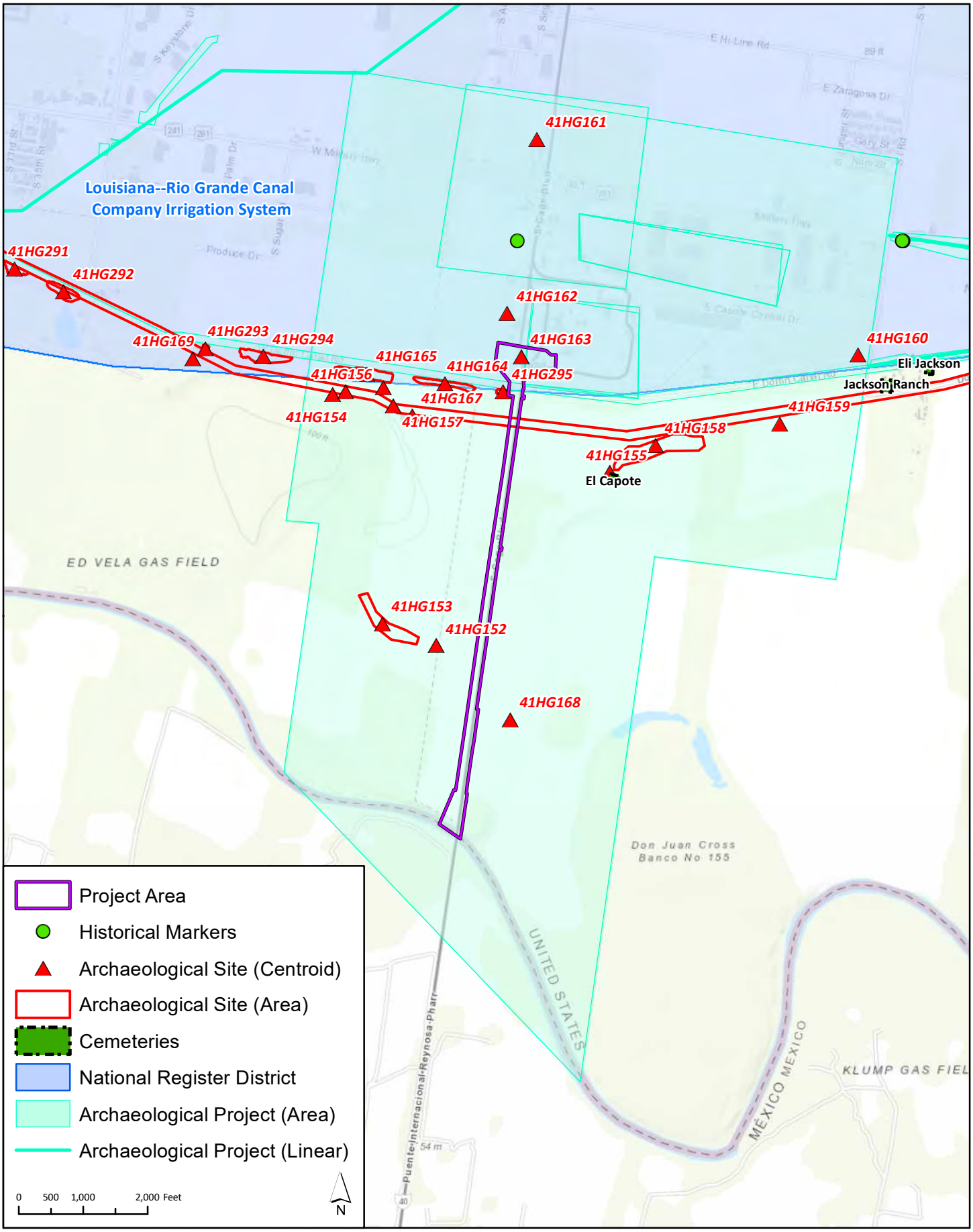
# Appendix E
# Resource-Specific Maps




SOURCE: 1) Aerial imagery obtained from Google Earth Pro - 2019
2) USDA soils data obtained from the Natural Resources Conservation Service (NRCS) - Version 3, Sept. 12, 2019

**USDA SOILS**
Pharr Reynosa International Bridge Expansion Project
Hidalgo County, Texas
CSJ # 0921-02-479

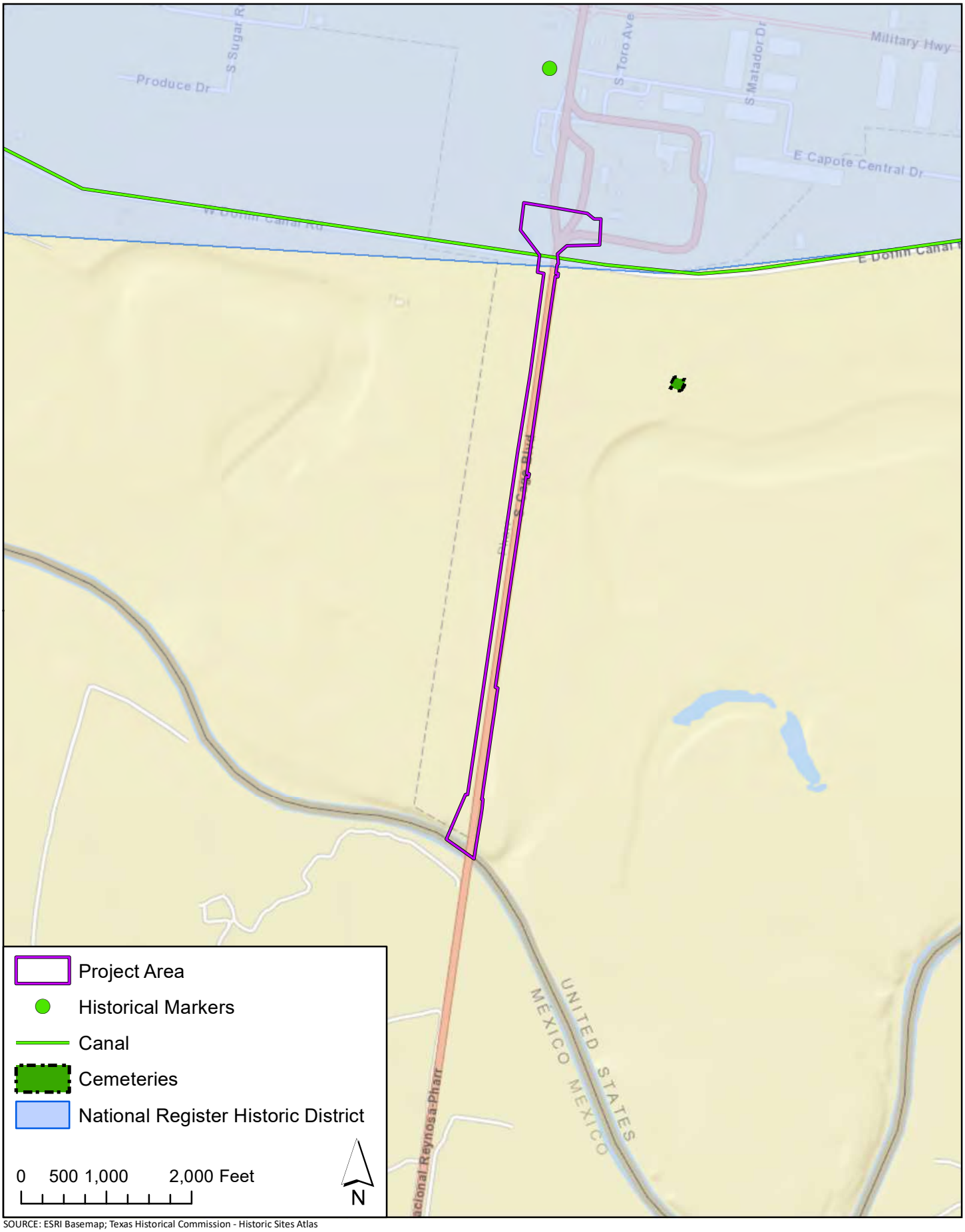
**FIGURE 1**




ESRI Topographic Basemap (USGS); Texas Historical Commission Site Atlas (4/1/21)
SENSITIVE ARCHAEOLOGICAL INFORMATION – NOT FOR PUBLIC DISTRIBUTION

**ARCHEOLOGICAL RESOURCES**
Pharr Reynosa International Bridge Expansion Project
Hidalgo County, Texas
CSJ # 0921-02-479

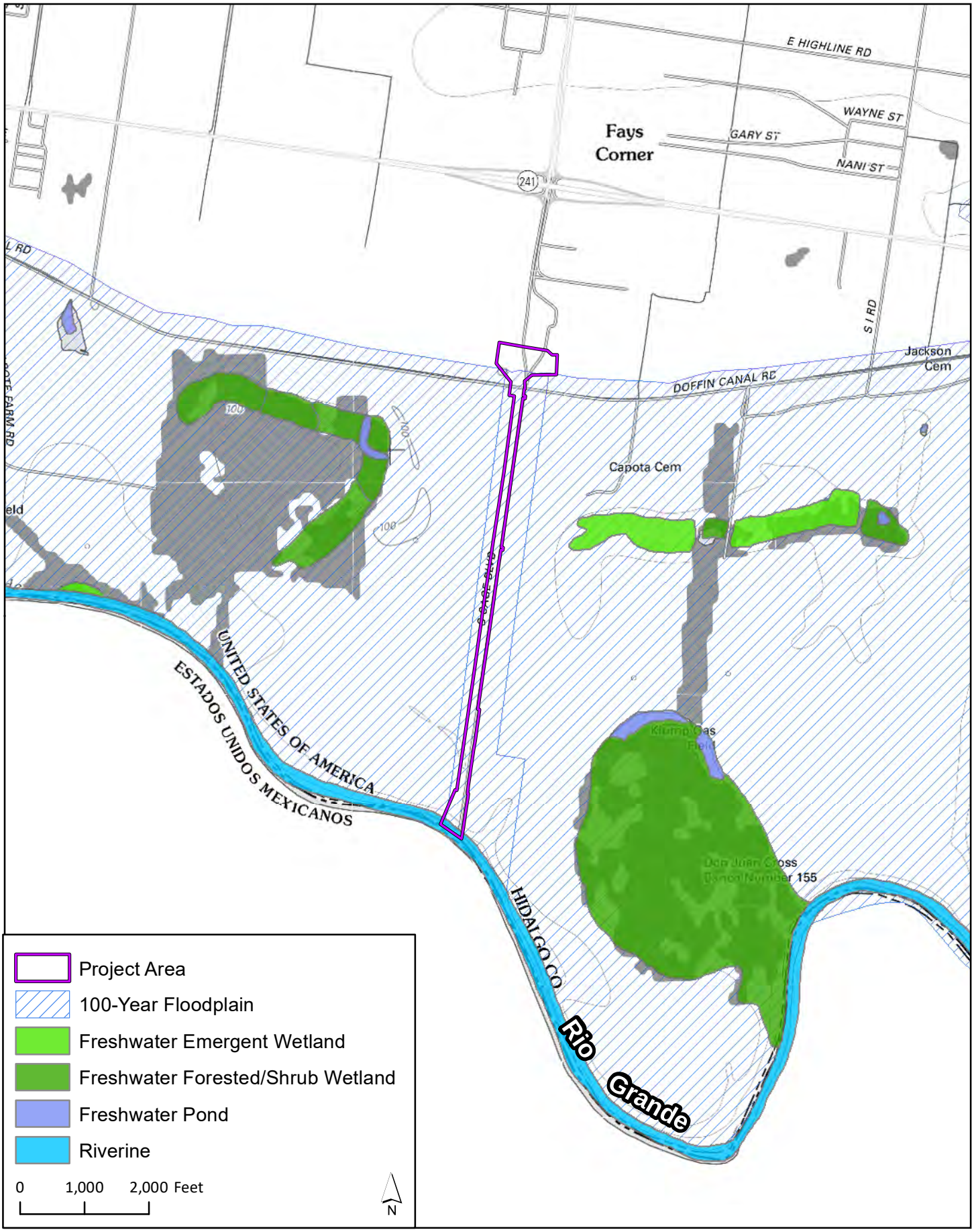
**FIGURE 2**




SOURCE: ESRI Basemap; Texas Historical Commission - Historic Sites Atlas

**HISTORIC RESOURCES**
Pharr Reynosa International Bridge Expansion Project
Hidalgo County, Texas
CSJ # 0921-02-479

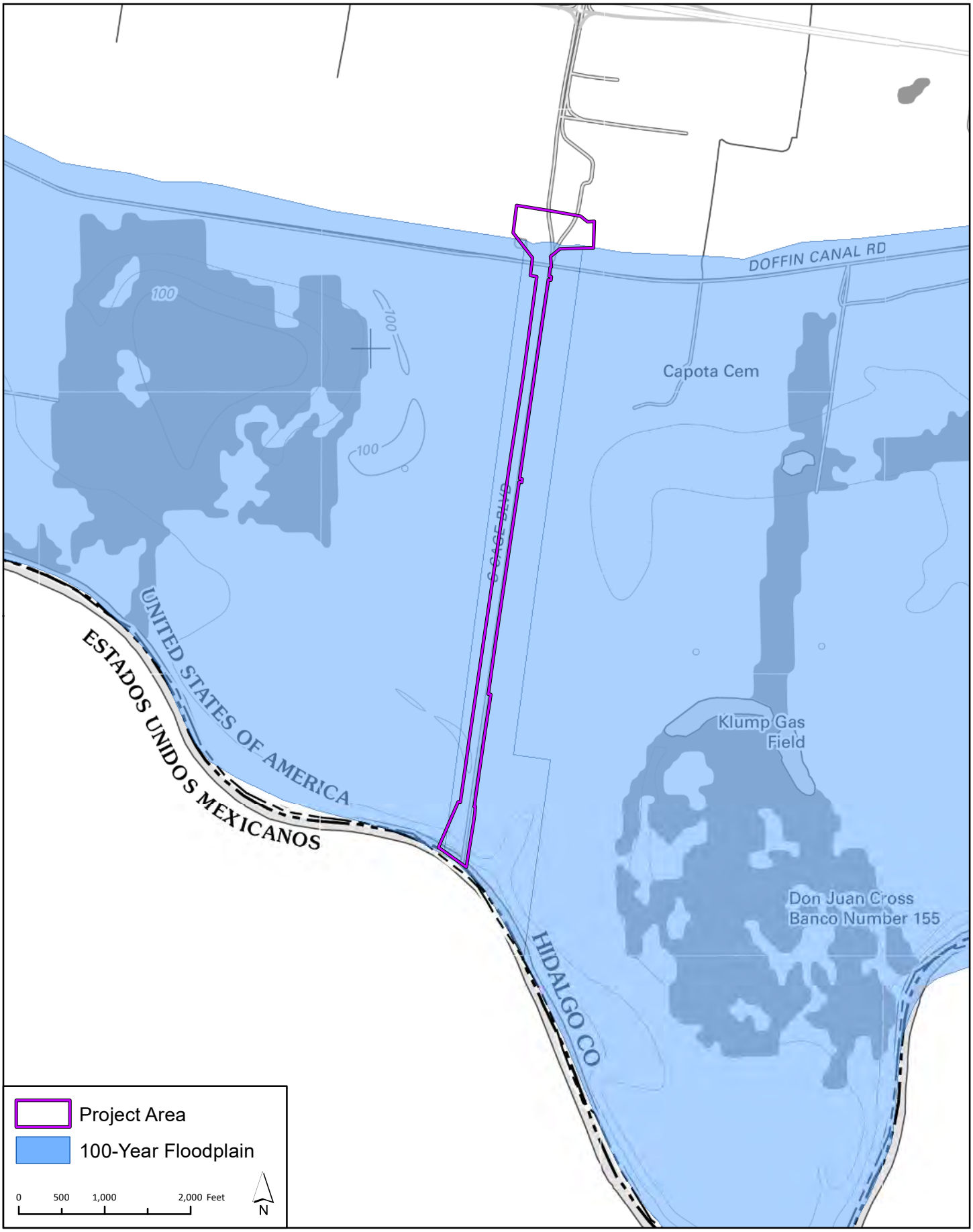
**FIGURE 3**




SOURCE: 1) USGS Topographic 7.5 Minute Quadrangles Las Milpas, Texas
Obtained from the Perry -Casteneda Map Collection, University of Texas at Austin - 2013
2) FEMA Floodplain Data. Panel No. 4803340500B, effective 1/2/1981.
3) National Wetland Inventory data obtained from the
United States Fish & Wildlife Service (USFWS)
Lower Rio Grande Watershed (Downloaded 5/26/21)

**POTENTIAL WATERS OF THE U.S.**
Pharr Reynosa International Bridge Expansion Project
Hidalgo County, Texas
CSJ # 0921-02-479

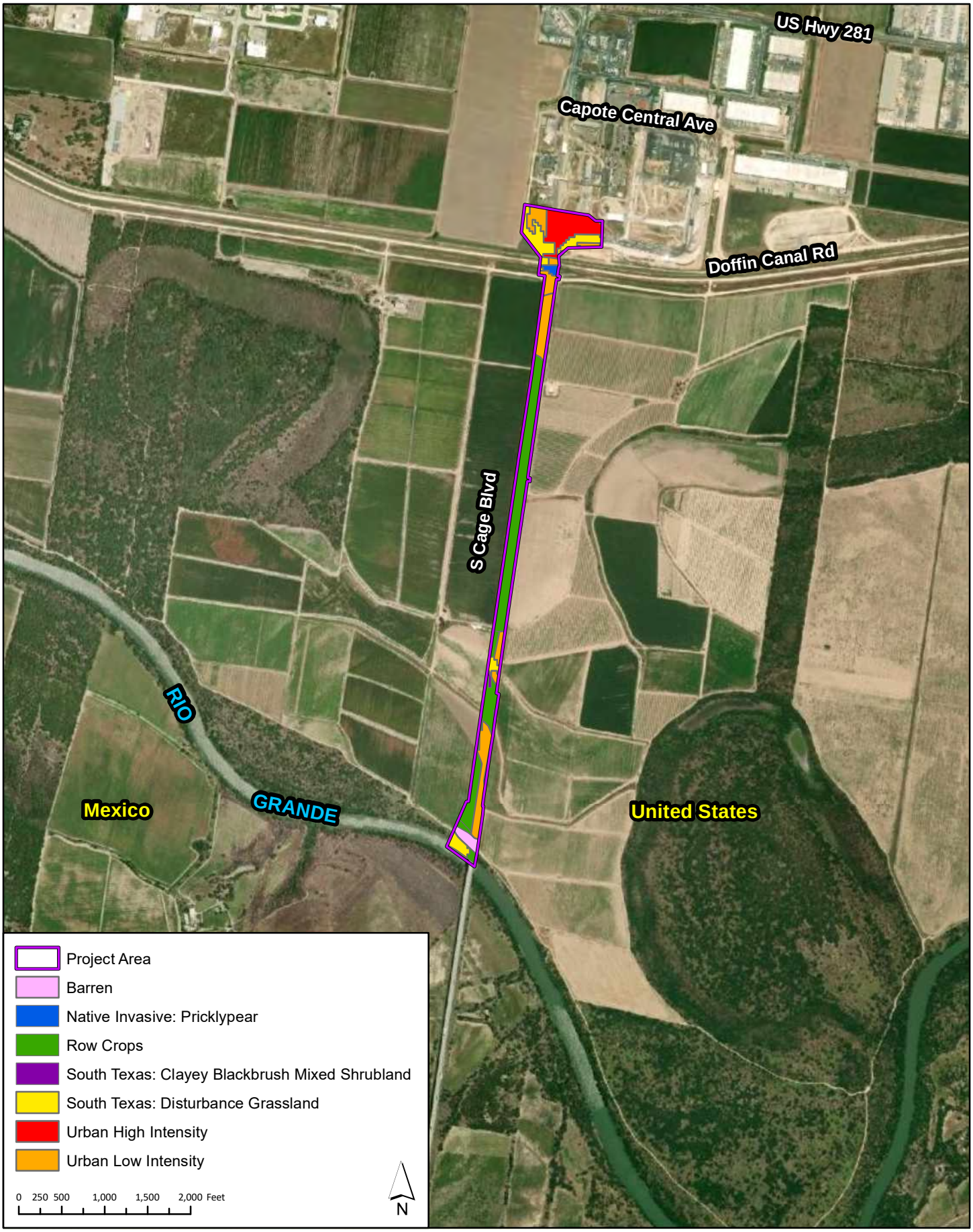
**FIGURE 4**




SOURCE: 1) USGS Topographic 7.5 Minute Quadrangles Las Milpas, Texas
Obtained from the Perry -Casteneda Map Collection, University of Texas at Austin - 2013
2) FEMA Floodplain Data. Panel No. 4803340500B, effective 1/2/1981.

**FEMA FLOODPLAIN**
Pharr Reynosa International Bridge Expansion Project
Hidalgo County, Texas
CSJ # 0921-02-479

**FIGURE 5**




SOURCES: 1) ESRI Imagery Basemap; 2) TPWD Texas Ecological Systems Classification – 2018

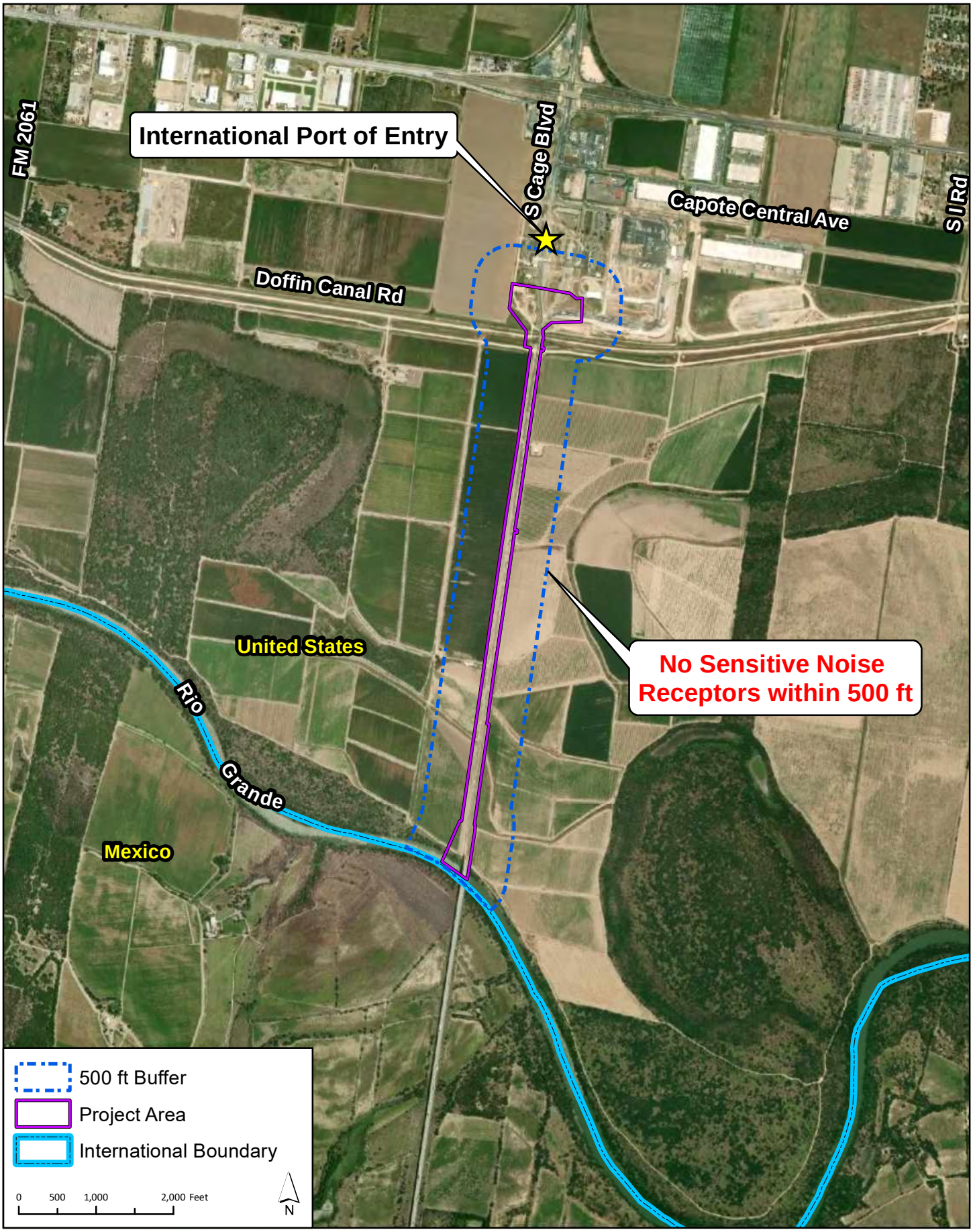
**EMST MAPPED VEGETATION TYPES**
Pharr Reynosa International Bridge Expansion Project
Hidalgo County, Texas
CSJ # 0921-02-479

**FIGURE 6**

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

**HAZARDOUS MATERIALS**
Pharr Reynosa International Bridge Expansion Project
Hidalgo County, Texas
CSJ # 0921-02-479

**FIGURE 7**




SOURCE: Aerial imagery provided by Google Earth Pro - 2019

**NOISE RECEPTORS**
Pharr Reynosa International Bridge Expansion Project
Hidalgo County, Texas
CSJ # 0921-02-479

**FIGURE 8**

# Appendix F
# Resources Agency Correspondence

# COMANCHE NATION

Texas Department of Transportation
Attn: Mr. Chris Ringstaff
118 E. Riverside
Texas 78704

December 6, 2022

Re: TXDOT Sec. 106 Consultation Request – CSJ-0921-02-479, Pharr-Reynosa International Bridge, Hidalgo County, Pharr District

Dear Mr. Ringstaff,

In response to your request, the above reference project has been reviewed by staff of this office to identify areas that may potentially contain prehistoric or historic archeological materials. The location of your project has been cross referenced with the Comanche Nation site files, where an indication of ***"No Properties"*** have been identified. (IAW 36 CFR 800.4(d)(1)).

Please contact this office at (580) 595-9960/9618) if you require additional information on this project.

This review is performed in order to identify and preserve the Comanche Nation and State cultural heritage, in conjunction with the State Historic Preservation Office.

Regards

Comanche Nation Historic Preservation Office
Theodore E. Villicana , Technician
#6 SW "D" Avenue, Suite C
Lawton, OK. 73502

Consult Response delayed due to Covid-19 work conditions.

Back To List

Assignment Details ★ Activity

Print this Page

## Coordinate Archeology Survey

**Associated Activity:** Perform Archeology Survey

**Agency Name:** Native American Tribal Coordination(NA)

**Coordination Status:** Completed

**Are Correspondence Details Included:** Yes

### Add Correspondence

**Correspondence Status:**

**Correspondence Method:**

**Correspondence Date :**

**Correspondence From:**

**Correspondence To:**

**Comments:**

| Correspondence For | Correspondence Type | Date | Correspondence From | Correspondence To | Comments | Actions |
|---|---|---|---|---|---|---|
| Sent Information | Email | 11/16/2022 | TxDOT | Tribes | Sent to Apache Tribe of Oklahoma, Comanche Nation of Oklahoma, Kiowa Indian Tribe of Oklahoma, Mescalero Apache Tribe | |
| Response received - no futher action | Email | 12/06/2022 | Tribes | TxDOT | Response from Comanche Nation. | |
| No Response received - review time expired | Email | 12/16/2022 | Tribes | TxDOT | No comments received. | |

**Comments:** Spell

**Last Updated By:** Christopher Ringstaff **Last Updated Date:** 12/22/2022 03:33:48

C

# PHARR-REYNOSA INTERNATIONAL BRIDGE
# CSJ: 0921-02-479
## Early Agency Coordination Meeting Minutes

**PURPOSE:** The purpose of meeting was introduce the proposed project to the various agencies who may have a review or permitting role to environmentally clear this project.

**DATE/TIME:** 2/12/22; 1:00pm CST

**ORGANIZER:** Sam Blanco

**LOCATION:** Virtual (MS Teams)

**Attendees:**

**TxDOT**
- Mario Mata, Jr.
- Nolan Nicolas
- Susan Schuffield
- John Young, Jr.

**FHWA**
- Tom Bruechert

**City of Pharr**
- Maria Rangel

**TPWD**
- Suzanne Walsh

**USACE**
- Matt Kimmel

**USCG**
- Doug Blakemore
- Geri Robinson
- Terry Webster
- Brittani Beckem

**USFWS**
- Laura de la Garza
- Ernesto Reyes

**SEA**
- Sid Mielke

**Raba Kistner**
- Sam Blanco
- Brittney Davis

---

Sam Blanco with Raba Kistner (RKI) kicked off the meeting by noting this is a Federal Highway Administration (FHWA) project because it crosses an international boundary. RKI is managing the environmental process. He mentioned FHWA suggested we hold an early coordination meeting with this group to put the project on everyone's radar.

Brief introductions followed.

Mr. Blanco stated the proposed project would add a second adjacent 'twin' structure, which would consist of a 1.35-mile-long structure upriver (west) of the existing PRIB, built within City of Pharr-owned right-of-way. Construction would include four 12-foot travel lanes with a six-foot sidewalk on the west side with features that would include two crossovers, additional lighting and electronic signage. He noted RKI has conducted a couple of site visits for the environmental studies and that we are in the early stages of the NEPA process. He informed the group that TxDOT Pharr District requested to receive no more than two to three deliverables per month, so we are submitting items in batches. We have submitted Batch 1, which included the Purpose and Need Memorandum, Environmental Classification Letter (approved by FHWA), and the

Archeology Background Study. We are currently working on Batch 2 deliverables, and plan to hold a public meeting for the project on May 3, 2022.

Mr. Tom Bruechert (FHWA) inquired about the groups' interested in reviewing technical reports and Draft Environmental Assessment. The agencies responded as follows:

- Mr. Doug Blakemore (USCG) said they do not need to review anything until they receive the permit application.
- Ms. Suzanne Walsh (TPWD) noted that TxDOT has agreed to follow the new MOU process, so they would review the early analysis for species and waters impacts, and the Draft EA.
- Mr. Matt Kimmel (USACE) said he will need a copy of the Presidential Permit when it is available and Water of the U.S. Delineation report as part of the PCN application. Mr. Kimmel noted that all 106 and ESA coordination will be handled through TxDOT. Mr. Bruechert clarified that FHWA is the lead agency for the project, and the project has already received the Presidential Permit. However, FHWA relies on TxDOT to make sure we are following the rules.
- Mr. Ernesto Reyes (USFWS) asked to see the biological deliverables and the Draft EA. Mr. Nolan Nicolas (TxDOT) asked if USFWS wants to review these deliverables concurrently. Mr. Reyes responded yes.

Mr. Bruechert noted our project only consists of the bridge from the Port of Entry to the international boundary at the Rio Grande, where the project will tie into construction with Mexico's bridge. He mentioned coordination with, including that GSA requested copies of the approved technical reports. GSA does not have a reviewing role since the construction would not impact any GSA-owned facilities. The City of Pharr owns all project right-of-way.

Mr. Bruechert asked if there are any red flags that we should be aware of in the project vicinity. Mr. Blanco noted the nearby National Wildlife Refuge area and asked if there are any special considerations. Mr. Reyes said to not shine lights from construction or the bridge toward the refuge areas. Lighting should only aim toward the structure or shielded down. Mr. Bruechert said we will include that in the environmental commitments and commented that this is why early coordination is important.

Mr. Blakemore asked if the project was funded since the USCG has constraints for reviewing and processing international bridge permits. Mr. Sid Mielke (SEA) answered yes, the City of Pharr has already processed the bond and is receiving revenue. He then asked Mr. Blanco when we anticipate receiving the FONSI. Mr. Blanco responded in September of 2023. Mr. Mielke informed Mr. Blakemore that he would like to set up a meeting with the USCG about six months prior to receiving the FONSI so he can have the permit application prepared and then submitted as soon as possible after the FONSI. The construction period is scheduled to begin approximately four months after the FONSI, but is dependent on the USCG permit. Mr. Blakemore expressed interest in attending the public meeting.

Ms. Laura de la Garza (USFWS) inquired about the timeline for construction. Mr. Mielke responded that assuming it starts in early 2024, he anticipates it taking approximately 16 months to complete.

Mr. Bruechert asked the group if it would be helpful to have a copy of the environmental schedule for the project. The agencies responded yes. Mr. Blanco informed the group that RKI would update the project schedule with the anticipated public meeting date and distribute after the meeting.

Mr. Bruechert acknowledged the busy schedules of the meeting attendees, but offered to schedule additional follow up meetings at the request of the agencies in an effort to keep everyone informed of the project status. Mr. Blakemore noted that would not be necessary, but the USCG anticipates attending the public meeting and until the project has a FONSI, USCG does not need to be directly involved. Mr. Bruechert responded that FHWA would provide USCG with the Draft EA, FONSI, and other meeting invites in case he wants to attend.

Mr. Kimmel noted that the USACE only needs the PCN application but requested that FHWA verifies all required information is included in the permit application. Mr. Bruechert responded that in the interim, we would send the Presidential Permit to the USACE. Mr. Blakemore stated the USCG would also need the permit. Mr. Reyes also requested a copy of the permit. Mr. Walsh asked for the Permit as well, and further noted that the TPWD would review the project in phases, the first being the early documentation (biological/waters) and then the Draft EA. She noted TPWD would have a 40-day review timeline and that everything should come from the TxDOT Pharr District.

Mr. Nicolas and Mr. Bruechert thanked everyone for their time and participation in the meeting.

Mr. Blanco closed out the meeting by inviting the agencies to reach out if they have any questions.

**Action Items:**

- Raba Kistner
  - Prepare Meeting Minutes
  - Update and send Environmental Project Schedule **(completed 2/15/22)**
  - Send copy of Presidential Permit **(completed 2/15/22)**

DocuSign Envelope ID: EDCB6152-7474-4BDF-B82D-E1445689AD22

Texas Department of Transportation

125 EAST 11TH STREET, AUSTIN, TEXAS 78701-2483 | 512.463.8588 | WWW.TXDOT.GOV

June 9, 2022

**SECTION 106 REVIEW: DETERMINATION OF NO ADVERSE EFFECT**
**SECTION 4(f) REVIEW: NOTIFICATION OF INTENT TO RENDER *DE MINIMIS* SECTION 4(f) FINDING**

District: Pharr
County: Hidalgo
CSJ#: 0921-02-479
Highway: Pharr International Bridge
Project Limits: US-Mexico border (Rio Grande) to Pharr Port of Entry
Section 4(f) Properties: HCID No. 2, IBWC South Levee

Mr. Justin Kockritz
History Programs
Texas Historical Commission
Austin, Texas 78711

Dear Mr. Kockritz:

In accordance with 36 CFR 800 and our December 2015 Section 106 Programmatic Agreement for Transportation Undertakings (PA), this letter initiates Section 106 consultation on the effect the proposed undertaking will have on historic properties. Because this project occurs at the international border, the Federal Highway Administration (FHWA) is the lead federal agency for the project. It is not a NEPA-delegated TxDOT-led project.

## Project Description

See the attachment from TxDOT's Environmental Compliance Oversight System (ECOS) that describes the project, setting, and amount of right-of-way (ROW) and easements necessary for the project. Figure 1 shows the project location.

## Determinations of Eligibility

TxDOT historians reviewed the National Register of Historic Places (NRHP), the list of State Antiquities Landmarks (SAL), the list of Recorded Texas Historic Landmarks (RTHL), and TxDOT files to identify historically significant resources previously documented within the Area of Potential Effect (APE). Per our PA, TxDOT historians established the project's APE as existing ROW.

Within that APE, TxDOT identified two historic properties, the NRHP-listed Louisiana-Rio Grande Canal Company, known also as Hidalgo County Irrigation District Number 2 (HCID2), and the International Boundary and Water Commission (IBWC) Floodway system's levee, previously determined to be NRHP-eligible. On the northern end of the project limits, the Pharr Port of Entry (POE) is just beyond the levee, which is crossed by the existing Pharr-Reynosa International Bridge. The existing bridge also spans the concrete-lined Doffin Canal, a component of HCID2. There are no other historic-age properties within the project APE. See attached figures for APE and images of canal, levee, and existing bridge.

DocuSign Envelope ID: EDCB6152-7474-4BDF-B82D-E1445689AD22



## Determination of No Adverse Effect

The project requires no new ROW from the IWBC levee and does not include putting piers into the levee. New piers will be placed in the river floodway between the levees. The new bridge will be similar to the existing bridge. The changes are minimal compared to the overall size of the IBWC Floodway system, and the new bridge will traverse the floodway and levee in the same way that the existing bridge does. See Figure 9 for design information. TxDOT determined the project will have **no adverse effect** on the IBWC levee, which will not be impaired or modified in its functionality, design, or any other characteristics that convey its historic significance.

The new bridge will also span the HCID2 Doffin Canal, a concrete-lined canal that runs parallel to the levee for nearly the entire southern edge of the irrigation district. It is the blue line shown in Figure 3. The project will not have any direct effects on the canal. It will also not alter any aspects of the canal, which will be completely spanned by the new structure. The project will also not impede the canal's function or the irrigation system as a whole. TxDOT determined the project will have **no adverse effect** on HCID2.

## Determination of *De Minimis* Finding

As part of this coordination, TxDOT determined that the proposed project meets the requirements for a Section 4(f) *de minimis* impact finding under 23 CFR 774. TxDOT based its determination on the fact that the work is minimal, and the project will have **no adverse effect** on the NRHP-listed district or on the IBWC Floodway's levee. The function of the two engineered systems will not be impaired, and the changes are in keeping with other no adverse effect determinations in the past.

## Conclusion

In accordance with 36 CFR 800 and our Section 106 Programmatic Agreement for Transportation Undertakings (December 2015), I hereby request your signed concurrence with TxDOT's finding of **no adverse effect** to the NRHP-listed HCID No. 2 and IBWC Floodway levee. We additionally notify you that SHPO is the designated official with jurisdiction over Section 4(f) resources protected under the provisions of 23 CFR 774 and that your comments on our Section 106 findings will be integrated into decision-making regarding prudent and feasible alternatives for purposes of Section 4(f) evaluations. Final determinations for the Section 4(f) process will be rendered by FHWA.

We look forward to further consultation with your staff and hope to maintain a partnership that will foster effective and responsible solutions for improving transportation, safety and mobility in the state of Texas. Thank you for your cooperation in this federal review process. If you have any questions or comments concerning these evaluations, please contact me at 512/416-2770 or linda.henderson@txdot.gov.

Sincerely,

DocuSigned by:
BCD2B2E1F7EF495...

Linda Henderson

thru : Rebekah Dobrasko, Environmental Program Manager Lead: DS RD

DocuSign Envelope ID: EDCB6152-7474-4BDF-B82D-E1445689AD22



**CONCURRENCE WITH NON-ARCHEOLOGICAL SECTION 106 FINDINGS:**

**HISTORIC PROPERTIES PRESENT:**
**NRHP-LISTED HCID NO 2**
**NRHP-ELIGIBLE IBWC FLOODWAY LEVEE**

**NO ADVERSE EFFECT TO HISTORIC PROPERTIES**

NAME: _____ DATE:_____
*for* Mark Wolfe, State Historic Preservation Officer

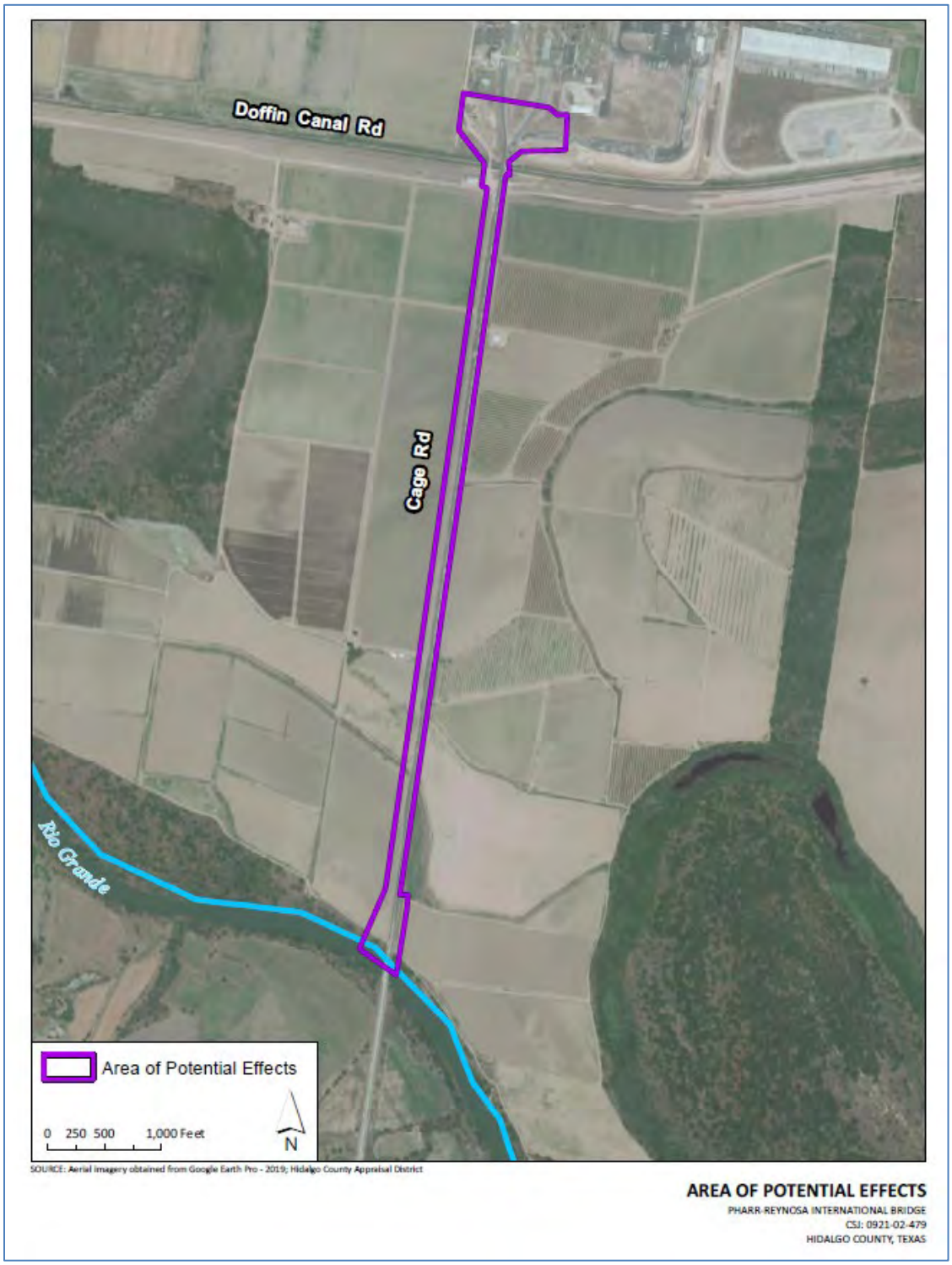
**NO COMMENTS ON DETERMINATION OF DE MINIMIS IMPACT UNDER SECTION 4(F) REGULATIONS**

NAME: _____ DATE:_____
*for* Mark Wolfe, State Historic Preservation Officer

DocuSign Envelope ID: EDCB6152-7474-4BDF-B82D-E1445689AD22



Figure 1: Project Location and APE

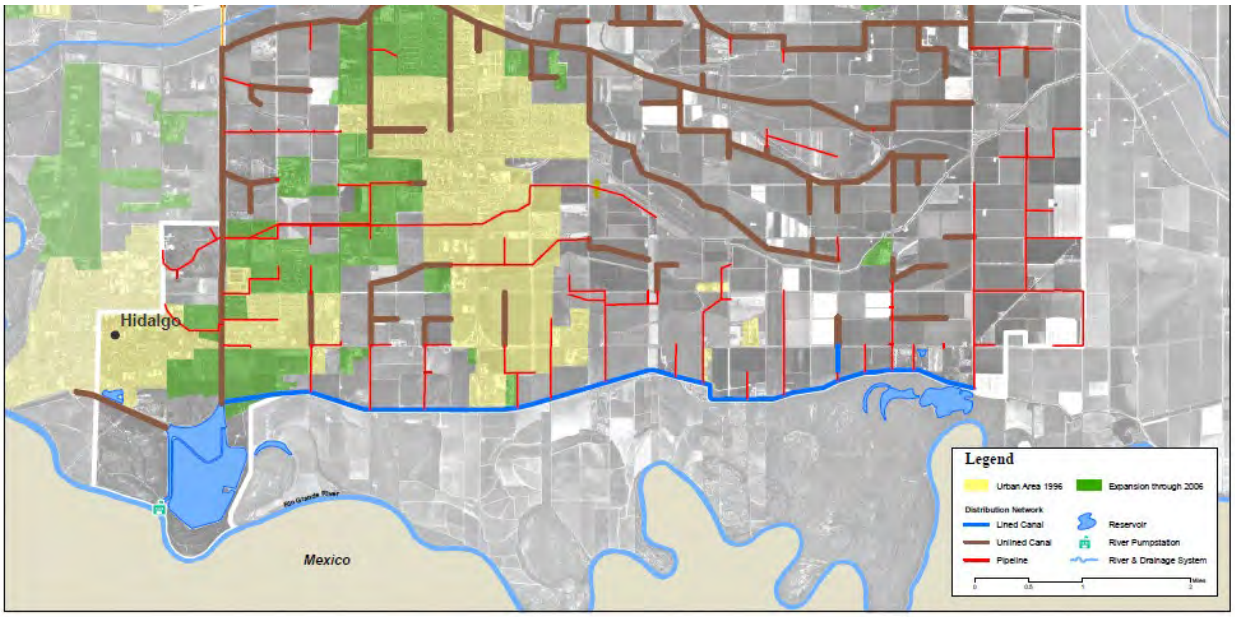


DocuSign Envelope ID: EDCB6152-7474-4BDF-B82D-E1445689AD22



**Figure 2: Official IBWC map showing levee as red dashed line and the existing Pharr-Reynosa International Bridge.** The new bridge will be built to the west or upriver from the existing bridge.

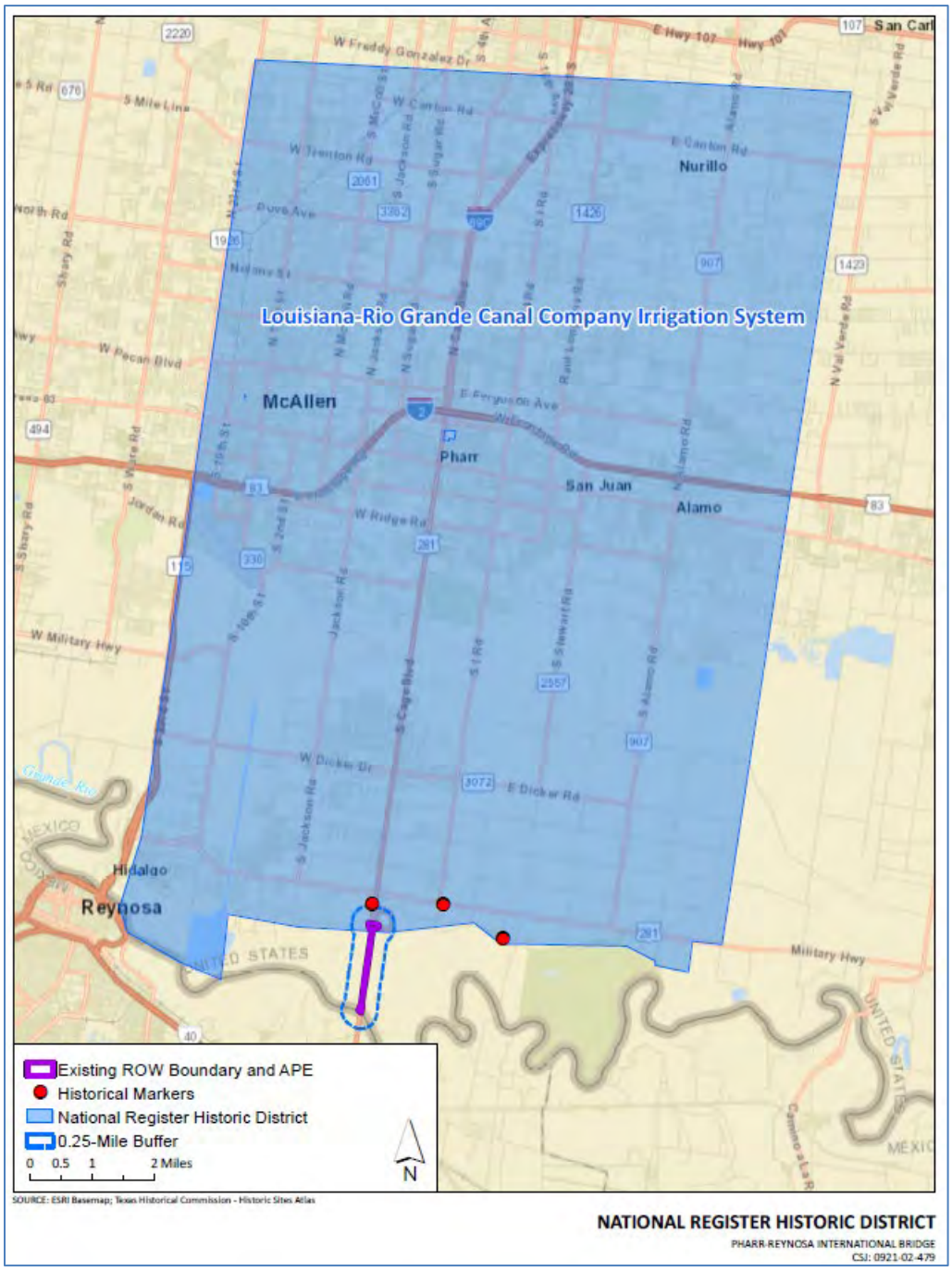
**Figure 3: HCID2** Doffin Canal is the blue canal shown in blue on this excerpt of the irrigation district map from Texas A&M's Irrigation District Engineering & Assistance program.



DocuSign Envelope ID: EDCB6152-7474-4BDF-B82D-E1445689AD22



**Figure 4: Project APE overlaying THC's Historic Sites Atlas map.** HCID2 is the blue polygon. Red dots are historical markers (subject markers only, not designated properties).

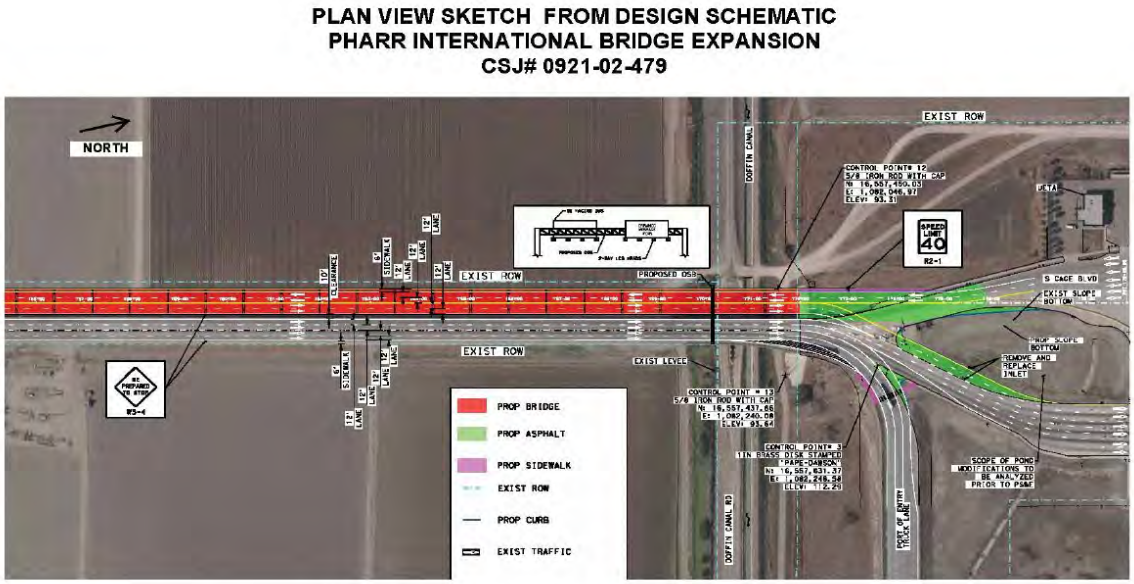


DocuSign Envelope ID: EDCB6152-7474-4BDF-B82D-E1445689AD22



**Figure 5: Aerial view of northern end of project.** The new bridge will be to the left of the existing bridge. North is to the upper left of this image. The Doffin Canal runs parallel to the levee, which effectively is the canal slopes. Both cross underneath the north end of the existing bridge.

**Figure 6: Design schematic from April 2022.** The new bridge abutment will be on the existing concrete riprap, as is the configuration of the existing bridge. North is to the right in this image.



DocuSign Envelope ID: EDCB6152-7474-4BDF-B82D-E1445689AD22



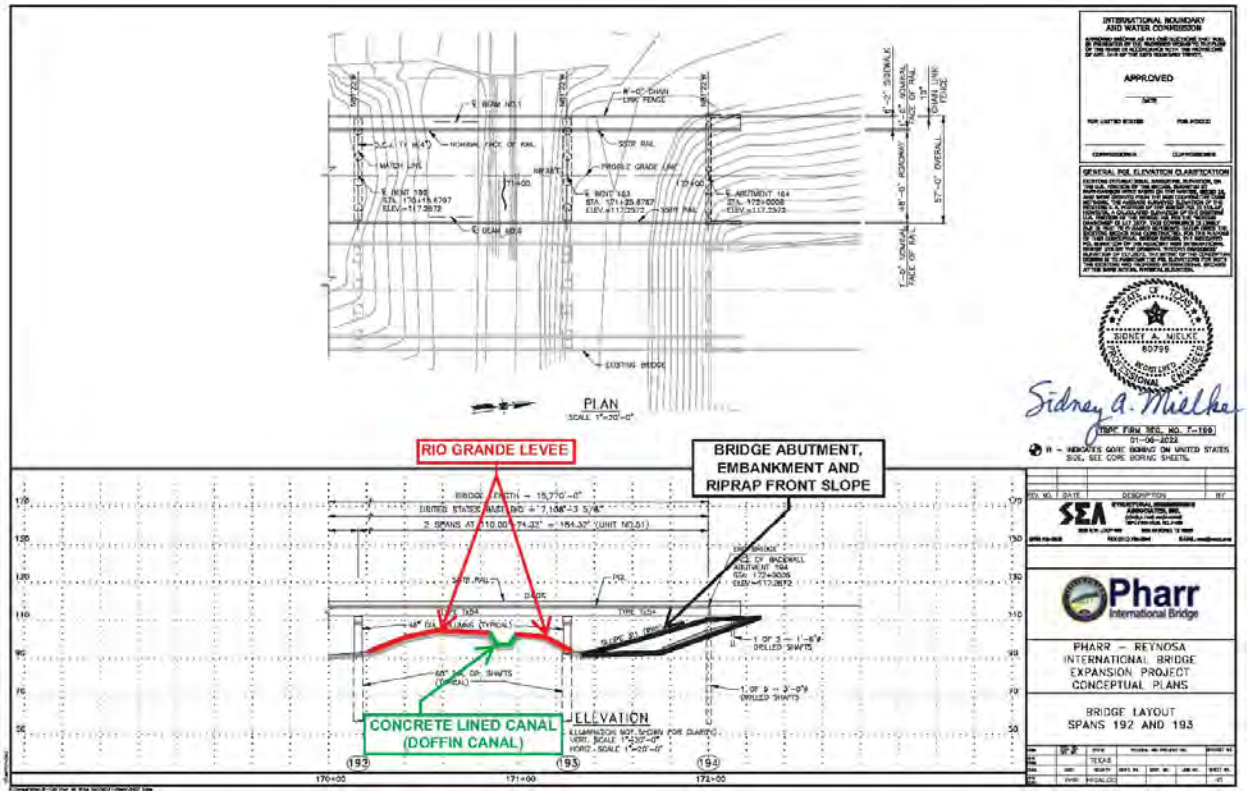
**Figure 7: View of existing bridge, April 2022.** This image is taken facing east at the existing bridge, with the IBWC levee topped by the gravel road; the Doffin Canal is parallel to it. New bridge will be adjacent to it and on this side of it (west). The new bridge will span the levee, as does the existing bridge. North is to the left in this image.

**Figure 8: View of existing bridge, May 2022.** Looking North Toward Riverside of Levee, approximately looking North along proposed bridge alignment

DocuSign Envelope ID: EDCB6152-7474-4BDF-B82D-E1445689AD22



**Figure 9: Schematics.** The new bridge abutment will be on the existing concrete riprap on the southern edge of the Port of Entry, and the new bridge will span the levee, as does the existing bridge. Both bridges will span the Doffin Canal. North is to the right in the drawings.



Back To List

- WPD Section I - Project Definition
- WPD Section II - Tool
- WPD Section III - Project Work Plan
- WPD Section IV - Findings

Print this Page

## Project Definition

Project Name: Pharr Bridge Expansion

CSJ: 0921 - 02 - 479

Anticipated Environmental Classification: EA

Yes — Is this an FHWA project that normally requires an EIS per 23 CFR 771.115(a)?

### Project Association(s)

Auto Associate CSJ from DCIS

Manually Associate CSJ:

| CSJ | DCIS Funding | DCIS Number | Env Classification | DCIS Classification | Main or Associate | Doc Tracked In | Actions |
|---|---|---|---|---|---|---|---|

There are currently no Project Associations added to this project.

### DCIS Project Funding and Location

Funding

DCIS Funding Type:

☑ Federal ☑ State ☑ Local ☐ Private

Location

DCIS Project Number:

Highway: TL

District: PHARR

County: HIDALGO

Project Limit -- From: @ PHARR INTERNATIONAL BRIDGE

Project Limit -- To: .

Begin Latitude: + 26 . 0785195

Begin Longitude: - 98 . 2031793

End Latitude: + 26 . 0785195

End Longitude: - 98 . 2031793

### DCIS & P6 Letting Dates

DCIS District: 08/24

DCIS Approved:

DCIS Actual:

P6 Ready To Let:

P6 Proposed Letting:

### DCIS Project Description

Type of Work: Spell

Layman's Description:

CONSTRUCT BRIDGE

DCIS Project Classification: BCF - BORDER CROSSING FACILITY

Design Standard:

Roadway Functional Classification: 3 - Rural principal arterial

### Jurisdiction

Yes — Does the project cross a state boundary, or require a new Presidential Permit or modification of an existing Presidential Permit?

Who is the lead agency responsible for the approval of the entire project?

☐ FHWA - Assigned to TxDOT ☐ TxDOT - No Federal Funding ☑ FHWA - Not Assigned to TxDOT

Note: This project is not assigned to TXDOT. Please select another lead agency.

Local Government — Who is the project sponsor as defined by 43 TAC 2.7?

Yes — Is a local government's or a private developer's own staff or consultant preparing the CE documentation, EA or EIS?

Yes — Does the project require any federal permit, license, or approval?

☑ USACE ☑ IBWC ☑ USCG ☑ NPS ☐ IAJR ☐ Other

Yes — Does the project occur, in part or in total, on federal or tribal lands?

## Environmental Clearance Project Description

### Project Area

Typical Depth of Impacts: 100 (Feet) Maximum Depth of Impacts: 100 (Feet)

New ROW Required: 0 (Acres)

New Perm. Easement Required: 0 (Acres) New Temp. Easement Required: 0 (Acres)

### Project Description

Describe Limits of All Activities:

The project will extend for a total of 1.35 miles adjacent west of the existing Pharr International Bridge, from the international boundary with Mexico (Rio Grande) to the Pharr Port-of-Entry (POE). The project will take place within the western portion of the existing 140-foot bridge right-of-way. No right-of-way acquisition would be required.

Describe Project Setting:

The transportation right-of-way is a toll bridge connecting vehicles from Pharr, Texas to Reynosa, Mexico located in a rural area.

Surrounding land uses include agricultural cropland, POE facilities for the U.S. Customs and Border Protection, and the Rio Grande.

Describe Existing Facility:

Pharr International Bridge is a tolled bridge with four 12-foot travel lanes, with three travelling north and one travelling south. There is no median located between the north bound and south bound main lanes. A former sidewalk converted into a three-foot safety refuge for drivers of disabled vehicles is located on the eastern side of the bridge. Near the northern project terminus, the roadway separates into three processing lanes inside the POE, to and from Mexico, for the U.S. Customs and Border Protection. The southern terminus of the project is located at the U.S. and Mexico border (Rio Grande).

There are no shoulders on the existing bridge. The existing bridge includes standard deck drains.

Describe Proposed Facility:

The proposed facility includes a new tolled bridge with four 12-foot mainlanes identical in configuration to the existing bridge. The new bridge would accommodate commercial and non-commercial traffic in both directions of travel. A six-foot sidewalk is proposed on the west side of the bridge.

There are no shoulders proposed on the new bridge, and it would include standard deck drains.

## Transportation Planning

Yes Is the project within an MPO's boundaries?

No Does the project meet the definition for a grouped category for planning and programming purposes?

The project is located in Attainment/Unclassified area.

This status applies to:

- CO - Carbon Monoxide
- O3 - Ozone
- NO2 - Nitrogen Dioxide
- PM10 - Particulate
- PM2.5 - Particulate

## Environmental Clearance Information

Environmental Clearance Date:

Environmental LOA Date:

Closed Date:

Archived Date:

Approved Environmental Classification:

## Project Contacts

Created By: Nolan Nicolas

Date Created: 04/27/2021

Project Sponsor: TXDOT (Or) Local Government

Sponsor Point Of Contact: Nolan Nicolas - Environmental Specialist

ENV Core Team Member: Jubal Grubb - Environmental Specialist

District Core Team Member: Janet Gelston - Environmental Supervisor

Other Point of Contact(s): Spell

Tom Bruechert - FHWA, Luis Bazan, Maria Rangel - City of Pharr, Sid Mielke, Structural Engineering Associates, Inc.
Sam Blanco & Brittney Davis - RKI, Eddie Saenz - PM

Last Updated By: Nolan Nicolas

Last Updated Date: 01/26/2022 09:33:13

Texas Department of Transportation

125 EAST 11TH STREET, AUSTIN, TEXAS 78701-2483 | 512.463.8588 | WWW.TXDOT.GOV

November 16, 2022

RE: CSJ: 0921-02-479; Pharr Reynosa International Bridge, Hidalgo County, Pharr District; Section 106 Consultation and Antiquities Code Coordination; Texas Antiquities Permit No. 30386

Mr. Mark Wolfe
Texas Historical Commission
P.O. Box 12276
Austin, Texas 78711

Dear Mr. Wolfe:

As required by the Programmatic Agreement and the Memorandum of Understanding with your agency, we are initiating consultation on this project. Environmental studies are in the process of being conducted for this project. 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 a Memorandum of Understanding dated December 9, 2019 and executed by FHWA and TxDOT. We have enclosed for your review a draft report of archeological investigations for this undertaking.

*Undertaking Description*

The proposed project will be undertaken with federal funds and will occur in part or in whole on non-federal public lands. City of Pharr is proposing to build a bridge expansion. The proposed new bridge will be constructed parallel to the existing bridge and measures approximately 1.35 miles (2.17 kilometers [km]), extending from the IBWC international water marker in the Rio Grande to the existing U.S. Customs and Border Protection Port of Entry. The average width of the APE is 147 feet (44.8 meters); it widens to approximately 950.4 feet (290 m) in the area adjacent to and north of Doffin Canal Road and approximately 280.7 feet (85.6 m) near the APE's southern terminus. No new right-of-way will be acquired for the project.

*Area of Potential Effects*

The project's area of potential effects (APE) comprises the following area.

- The project limits extend from approximately 1.35 miles (2.17 kilometers), extending from the IBWC international water marker in the Rio Grande to the existing U.S.

Customs and Border Protection Port of Entry, and the APE includes any existing ROW within these limits.

- The existing ROW comprises approximately 35.27 acres.
- Existing easements comprise approximately 0 acres.
- The proposed project would require 0 acres of new right of way.
- The proposed project would require 0 acres of new easements.
- The proposed project would require 0 acres of additional project specific locations and/or utility installations specified by the project sponsor.
- The estimated depth of impacts is typically 100 feet with a maximum depth of impacts of 100 feet.
- The APE is further detailed and illustrated in the attached report.

*Identification Efforts*

For this project, City of Pharr has conducted a survey. The enclosed report of investigations has more details regarding this work. The following bullets summarize the identification efforts.

- The investigations reported here concern the entire APE.
- Archeologists undertook a survey. For this survey,
    - 35.27 acres had been previously surveyed or otherwise evaluated for this project;
    - 0 acres were identified as not requiring field survey, due to existing conditions of the setting identified through background research and described in the attached report;
    - 35.27 acres were surveyed to increase trench coverage from the prior 1993 survey and is described in the attached report;
    - 0 acres still require survey due to access issues;
    - previous investigation within the APE identified three archeological sites that are not eligible for inclusion in the National Register of Historic Places and/or that do not warrant formal designation as State Antiquities Landmarks include: 41HG163, 41HG230, and 41HG295.; and
    - the current identified no additional sites and included an assessment of the three previously recorded sites. Archaeological site 41HG163, a former house site, was recorded in 1993 as a thin scatter of early twentieth century cultural materials with no extant structural remains. Archaeological site 41HG230 is located in an active agricultural field and no evidence of the Old Military Road was observed within the boundaries of the APE. Archaeological site 41HG295 intersects with the APE's western boundary and was recorded as a thin scatter of glass, brick, concrete fragments, and stone tile. Observations during the pedestrian survey showed that the site was no longer in existence and the surrounding area had been impacted through both drainage construction and culvert installation.

*Effects Determination*

The proposed project would have direct effects resulting from ground-disturbing construction activities within the APE. Given the results of the identification efforts, TxDOT proposes that the project will have no effect on archeological historic properties as the APE does not contain sites that are eligible for inclusion in the National Register of Historic Places or that warrant formal designation as State Antiquities Landmarks. The next section identifies the steps recommended by TxDOT based on the results of the identification efforts and this effects analysis.

*Recommendations*

TxDOT seeks your concurrence on the following points:

- The identification efforts and analysis of effects completed to date are adequate.
- No further work or consultation with your office is required.
- The attached draft report meets the reporting requirements of the Texas Antiquities Permit issued for the investigation.

Thank you for your consideration of this matter. If you have any questions or have need of further information, please contact me at 512-853-0730.

Sincerely,

Christopher Ringstaff
Archeological Studies Branch
Environmental Affairs Division

Cc w/o attachments: ECOS Scan

## Chris Ringstaff

**From:** noreply@thc.state.tx.us
**Sent:** Monday, December 5, 2022 9:26 AM
**To:** Scott Pletka; reviews@thc.state.tx.us
**Subject:** Section 106 Submission

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

TEXAS HISTORICAL COMMISSION
*real places telling real stories*

**Re:** Project Review under Section 106 of the National Historic Preservation Act and/or the Antiquities Code of Texas
**THC Tracking #202302526**
**Date:** 12/05/2022
092102479 Pharr Reynosa International Bridge (Permit 30386)
US 281 at Pharr Reynosa International Bridge
Pharr,TX 78577

**Description:** TxDOT proposes to expand the Pharr Reynosa International Bridge. The submitted report is the draft/final archeological survey report for this project.

Dear TxDOT Staff:
Thank you for your submittal regarding the above-referenced project. This response represents the comments of the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission (THC), pursuant to review under Section 106 of the National Historic Preservation Act and the Antiquities Code of Texas.

The review staff, led by Bill Martin, has completed its review and has made the following determinations based on the information submitted for review:

### Archeology Comments

- No historic properties affected. However, if cultural materials are encountered during construction or disturbance activities, work should cease in the immediate area; work can continue where no cultural materials are present. Please contact the THC's Archeology Division at 512-463-6096 to consult on further actions that may be necessary to protect the cultural remains.
- THC/SHPO concurs with information provided.
- This draft report is acceptable. To facilitate review and make project information and final reports available through the Texas Archeological Sites Atlas, we appreciate submission of tagged pdf copies of the final report including one restricted version with all site location information (if applicable), and one public version with all site location information redacted; an online abstract form submitted via the abstract tab on eTRAC; and survey area shapefiles submitted via the shapefile tab on eTRAC. For questions on how to submit these please visit our

video training series at: https://www.youtube.com/playlist?list=PLONbbv2pt4cog5t6mCqZVaEAx3d0MkgQC
Please note that these steps are required for projects conducted under a Texas Antiquities Permit.

We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. Thank you for your cooperation in this review process, and for your efforts to preserve the irreplaceable heritage of Texas. If the project changes, or if new historic properties are found, please contact the review staff. If you have any questions concerning our review or if we can be of further assistance, please email the following reviewers: bill.martin@thc.texas.gov.

This response has been sent through the electronic THC review and compliance system (eTRAC). Submitting your project via eTRAC eliminates mailing delays and allows you to check the status of the review, receive an electronic response, and generate reports on your submissions. For more information, visit http://thc.texas.gov/etrac-system.

Sincerely,

for Mark Wolfe, State Historic Preservation Officer
Executive Director, Texas Historical Commission

**Please do not respond to this email.**

# COMANCHE NATION

Texas Department of Transportation
Attn: Mr. Chris Ringstaff
118 E. Riverside
Texas 78704

December 6, 2022

Re: TXDOT Sec. 106 Consultation Request – CSJ-0921-02-479, Pharr-Reynosa International Bridge, Hidalgo County, Pharr District

Dear Mr. Ringstaff,

In response to your request, the above reference project has been reviewed by staff of this office to identify areas that may potentially contain prehistoric or historic archeological materials. The location of your project has been cross referenced with the Comanche Nation site files, where an indication of ***"No Properties"*** have been identified. (IAW 36 CFR 800.4(d)(1)).

Please contact this office at (580) 595-9960/9618) if you require additional information on this project.

This review is performed in order to identify and preserve the Comanche Nation and State cultural heritage, in conjunction with the State Historic Preservation Office.

Regards

Comanche Nation Historic Preservation Office
Theodore E. Villicana , Technician
#6 SW "D" Avenue, Suite C
Lawton, OK. 73502

Consult Response delayed due to Covid-19 work conditions.

Texas Department of Transportation

125 EAST 11TH STREET, AUSTIN, TEXAS 78701-2483 | 512.463.8588 | WWW.TXDOT.GOV

November 16, 2022

RE: CSJ: 0921-02-479; Pharr Reynosa International Bridge, Hidalgo County, Pharr District; Section 106 Consultation and Antiquities Code Coordination; Texas Antiquities Permit No. 30386

Mr. Mark Wolfe
Texas Historical Commission
P.O. Box 12276
Austin, Texas 78711

Dear Mr. Wolfe:

As required by the Programmatic Agreement and the Memorandum of Understanding with your agency, we are initiating consultation on this project. Environmental studies are in the process of being conducted for this project. 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 a Memorandum of Understanding dated December 9, 2019 and executed by FHWA and TxDOT. We have enclosed for your review a draft report of archeological investigations for this undertaking.

*Undertaking Description*

The proposed project will be undertaken with federal funds and will occur in part or in whole on non-federal public lands. City of Pharr is proposing to build a bridge expansion. The proposed new bridge will be constructed parallel to the existing bridge and measures approximately 1.35 miles (2.17 kilometers [km]), extending from the IBWC international water marker in the Rio Grande to the existing U.S. Customs and Border Protection Port of Entry. The average width of the APE is 147 feet (44.8 meters); it widens to approximately 950.4 feet (290 m) in the area adjacent to and north of Doffin Canal Road and approximately 280.7 feet (85.6 m) near the APE's southern terminus. No new right-of-way will be acquired for the project.

*Area of Potential Effects*

The project's area of potential effects (APE) comprises the following area.

- The project limits extend from approximately 1.35 miles (2.17 kilometers), extending from the IBWC international water marker in the Rio Grande to the existing U.S.

Customs and Border Protection Port of Entry, and the APE includes any existing ROW within these limits.

- The existing ROW comprises approximately 35.27 acres.
- Existing easements comprise approximately 0 acres.
- The proposed project would require 0 acres of new right of way.
- The proposed project would require 0 acres of new easements.
- The proposed project would require 0 acres of additional project specific locations and/or utility installations specified by the project sponsor.
- The estimated depth of impacts is typically 100 feet with a maximum depth of impacts of 100 feet.
- The APE is further detailed and illustrated in the attached report.

*Identification Efforts*

For this project, City of Pharr has conducted a survey. The enclosed report of investigations has more details regarding this work. The following bullets summarize the identification efforts.

- The investigations reported here concern the entire APE.
- Archeologists undertook a survey. For this survey,
    - 35.27 acres had been previously surveyed or otherwise evaluated for this project;
    - 0 acres were identified as not requiring field survey, due to existing conditions of the setting identified through background research and described in the attached report;
    - 35.27 acres were surveyed to increase trench coverage from the prior 1993 survey and is described in the attached report;
    - 0 acres still require survey due to access issues;
    - previous investigation within the APE identified three archeological sites that are not eligible for inclusion in the National Register of Historic Places and/or that do not warrant formal designation as State Antiquities Landmarks include: 41HG163, 41HG230, and 41HG295.; and
    - the current identified no additional sites and included an assessment of the three previously recorded sites. Archaeological site 41HG163, a former house site, was recorded in 1993 as a thin scatter of early twentieth century cultural materials with no extant structural remains. Archaeological site 41HG230 is located in an active agricultural field and no evidence of the Old Military Road was observed within the boundaries of the APE. Archaeological site 41HG295 intersects with the APE's western boundary and was recorded as a thin scatter of glass, brick, concrete fragments, and stone tile. Observations during the pedestrian survey showed that the site was no longer in existence and the surrounding area had been impacted through both drainage construction and culvert installation.

*Effects Determination*

The proposed project would have direct effects resulting from ground-disturbing construction activities within the APE. Given the results of the identification efforts, TxDOT proposes that the project will have no effect on archeological historic properties as the APE does not contain sites that are eligible for inclusion in the National Register of Historic Places or that warrant formal designation as State Antiquities Landmarks. The next section identifies the steps recommended by TxDOT based on the results of the identification efforts and this effects analysis.

*Recommendations*

TxDOT seeks your concurrence on the following points:

- The identification efforts and analysis of effects completed to date are adequate.
- No further work or consultation with your office is required.
- The attached draft report meets the reporting requirements of the Texas Antiquities Permit issued for the investigation.

Thank you for your consideration of this matter. If you have any questions or have need of further information, please contact me at 512-853-0730.

Sincerely,

Christopher Ringstaff
Archeological Studies Branch
Environmental Affairs Division

Cc w/o attachments: ECOS Scan

## Chris Ringstaff

**From:** noreply@thc.state.tx.us
**Sent:** Monday, December 5, 2022 9:26 AM
**To:** Scott Pletka; reviews@thc.state.tx.us
**Subject:** Section 106 Submission

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

TEXAS HISTORICAL COMMISSION
*real places telling real stories*

**Re:** Project Review under Section 106 of the National Historic Preservation Act and/or the Antiquities Code of Texas
**THC Tracking #202302526**
**Date:** 12/05/2022
092102479 Pharr Reynosa International Bridge (Permit 30386)
US 281 at Pharr Reynosa International Bridge
Pharr,TX 78577

**Description:** TxDOT proposes to expand the Pharr Reynosa International Bridge. The submitted report is the draft/final archeological survey report for this project.

Dear TxDOT Staff:
Thank you for your submittal regarding the above-referenced project. This response represents the comments of the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission (THC), pursuant to review under Section 106 of the National Historic Preservation Act and the Antiquities Code of Texas.

The review staff, led by Bill Martin, has completed its review and has made the following determinations based on the information submitted for review:

### Archeology Comments

- No historic properties affected. However, if cultural materials are encountered during construction or disturbance activities, work should cease in the immediate area; work can continue where no cultural materials are present. Please contact the THC's Archeology Division at 512-463-6096 to consult on further actions that may be necessary to protect the cultural remains.
- THC/SHPO concurs with information provided.
- This draft report is acceptable. To facilitate review and make project information and final reports available through the Texas Archeological Sites Atlas, we appreciate submission of tagged pdf copies of the final report including one restricted version with all site location information (if applicable), and one public version with all site location information redacted; an online abstract form submitted via the abstract tab on eTRAC; and survey area shapefiles submitted via the shapefile tab on eTRAC. For questions on how to submit these please visit our

video training series at: https://www.youtube.com/playlist?list=PLONbbv2pt4cog5t6mCqZVaEAx3d0MkgQC
Please note that these steps are required for projects conducted under a Texas Antiquities Permit.

We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. Thank you for your cooperation in this review process, and for your efforts to preserve the irreplaceable heritage of Texas. If the project changes, or if new historic properties are found, please contact the review staff. If you have any questions concerning our review or if we can be of further assistance, please email the following reviewers: bill.martin@thc.texas.gov.

This response has been sent through the electronic THC review and compliance system (eTRAC). Submitting your project via eTRAC eliminates mailing delays and allows you to check the status of the review, receive an electronic response, and generate reports on your submissions. For more information, visit http://thc.texas.gov/etrac-system.

Sincerely,

for Mark Wolfe, State Historic Preservation Officer
Executive Director, Texas Historical Commission

**Please do not respond to this email.**

# COMANCHE NATION

Texas Department of Transportation
Attn: Mr. Chris Ringstaff
118 E. Riverside
Texas 78704

December 6, 2022

Re: TXDOT Sec. 106 Consultation Request – CSJ-0921-02-479, Pharr-Reynosa International Bridge, Hidalgo County, Pharr District

Dear Mr. Ringstaff,

In response to your request, the above reference project has been reviewed by staff of this office to identify areas that may potentially contain prehistoric or historic archeological materials. The location of your project has been cross referenced with the Comanche Nation site files, where an indication of ***"No Properties"*** have been identified. (IAW 36 CFR 800.4(d)(1)).

Please contact this office at (580) 595-9960/9618) if you require additional information on this project.

This review is performed in order to identify and preserve the Comanche Nation and State cultural heritage, in conjunction with the State Historic Preservation Office.

Regards

Comanche Nation Historic Preservation Office
Theodore E. Villicana , Technician
#6 SW "D" Avenue, Suite C
Lawton, OK. 73502

Consult Response delayed due to Covid-19 work conditions.

# Form
## Documentation of Texas Parks and Wildlife Department Best Management Practices

Project Name: **Pharr-Reynosa International Bridge Expansion**

CSJ(s): **0921-02-479**

County(ies): **Hidalgo**

Date Form Completed: **September 26, 2022**

Prepared by: **Jaimie Galm, AWB®**

***Information on state-listed species, SGCN, water resources, and other natural resources can be found in the ECOS documents tab under the filenames specified in the e-mail sent to WHAB_TXDOT@tpwd.texas.gov.***

1. Does the project impact any state parks, wildlife management areas, wildlife refuges, or other designated protected areas?

   ☒ No

   ☐ Yes

2. Does TxDOT need TPWD assistance in identifying and locating Section 404 mitigation opportunities for this project?

   ☒ No / N/A / Not yet determined

   ☐ Yes

3. Is there a species or resource challenge that TPWD can assist with additional guidance? If so, describe below:

   **Initial collaboration review.**

4. List all BMP that will be applied to this project per the document *Beneficial Management Practices: Avoiding, Minimizing, and Mitigating Impacts of Transportation Projects on State Natural Resources*.

   ***Note, these are BMP that TxDOT commits to implement at the time this form is completed. This list may change prior to or during construction based on changes to project impacts, design, etc.**

**BMP to be Implemented:**

## 1.2 Vegetation BMP

- The use of any non-native vegetation in landscaping and revegetation is discouraged. Locally adapted native species should be used.
- The use of seed mix that contains seeds from only regional ecotype native species is recommended.

## 1.4 Water Quality BMP

In addition to BMP required for a TCEQ Storm Water Pollution Prevention Plan and/or 401 Water Quality Certification:

- Minimize the use of equipment in streams and riparian areas during construction. When possible, equipment access should be from banks, bridge decks, or barges.
- Rubbish found near bridges on City ROW should be removed and disposed of properly to minimize the risk of pollution. Rubbish does not include brush piles or snags.

## 2.2.1 Bird BMP

The following Bird BMP apply to projects within the range and in suitable habitat for all bird SGCN listed on TPWD's RTEST application.

In addition to complying with the Migratory Bird Treaty Act (MBTA) and Chapter 64 of the Parks and Wildlife Code (PWC) regarding nongame bird protections, perform the following BMP:

- Avoid vegetation clearing activities during the general bird nesting season, March through August, to minimize adverse impacts to birds.
- Prior to construction, perform daytime surveys for nests including under bridges and in culverts to determine if they are active before removal. Nests that are active should not be disturbed. If active nests are observed during surveys, TPWD recommends a 150-foot buffer of vegetation remain around the nests until the young have fledged or the nest is abandoned.
- Do not disturb, destroy, or remove active nests, including ground nesting birds, during the nesting season.
- If unoccupied, inactive nests will be removed, ensure that nests are not protected under the Endangered Species Act (ESA), MBTA, or BGEPA.
- Prevent the establishment of active nests during the nesting season on City owned and operated facilities and structures proposed for replacement or repair.
- Do not collect, capture, relocate, or transport birds, eggs, young, or active nests without a permit.
- Minimize extended human presence near nesting birds during construction and maintenance activities. Protect sensitive habitat areas with temporary barriers or fencing to limit human foot-traffic and off-road vehicle use to alert and discourage contractors from causing any unintentional impacts.
- Minimize construction lighting during the general bird nesting season by scheduling work activities between dawn and dusk.

## 2.3 Fish BMP

The following Fish BMP apply to projects for all fish species in waters of the state to minimize impacts to water quality and aquatic passage from transportation projects.

- For projects in waters of the state and work is adjacent to water: Water Quality BMP.
- For projects in waters of the state and work is in the water: Water Quality BMP.

## 2.5.3 Bat BMP

The following Bat BMP apply to projects within the range and in suitable habitat for all bat SGCN and that are also listed on TPWD's RTEST online application. Review the habitat descriptions for species of interest on RTEST and other trusted resources to determine the appropriate beneficial management practice to avoid or minimize impacts to bats. All bat surveys and other activities that include direct contact with bats shall comply with TPWD recommended white-nose syndrome protocols located on the TPWD Wildlife Habitat Assessment Program website under "Project Design and Construction".

The following survey and exclusion protocols should be followed prior to commencement of construction activities. For the purposes of this document, structures are defined as bridges, culverts (concrete or metal), wells, and buildings.

- Inform TPWD WHAB during initial collaborative review phase since the project may impact a Myotis species.
- If identification of a bat species is in question, consult with TPWD or a qualified TxDOT biologist during initial collaborative review phase.
- For activities that have the potential to impact structures, cliffs or caves, or trees; a qualified biologist will perform a habitat assessment and occupancy survey of the feature(s) with roost potential as early in the planning process as possible or within one year before project letting.
- For roosts where occupancy is strongly suspected but unconfirmed during the initial survey, revisit feature(s) at most four weeks prior to scheduled disturbance to confirm absence of bats.
- If bats are present or recent signs of occupation (i.e., piles of guano, distinct musky odor, or staining and rub marks at potential entry points) are observed, take appropriate measures to ensure that bats are not harmed, such as implementing non-lethal exclusion activities or timing or phasing of construction.
- Exclusion devices can be installed by a qualified individual between September 1 and March 31. Exclusion devices should be used for a minimum of seven days when minimum nighttime temperatures are above 50°F AND minimum daytime temperatures are above 70°F. Prior to exclusion, ensure that alternate roosting habitat is available in the immediate area. If no suitable roosting habitat is available, installation of alternate roosts is recommended to replace the loss of an occupied roost. If alternate roost sites are not provided, bats may seek shelter in other inappropriate sites, such as buildings, in the surrounding area.
- If feature(s) used by bats are removed as a result of construction, replacement structures should incorporate bat-friendly design or artificial roosts should be constructed to replace these features.
- Conversion of property containing cave or cliff features to transportation purposes should be avoided.
- In all instances, avoid harm or death to bats. Bats should only be handled as a last resort and after communication with TPWD.
- Coordinate with TPWD about the latest bat handling restrictions and protocols involving COVID-19 and bat handling. In general, all staff must follow the guidelines listed below:
    - Do not handle bats if not part of a critical or time-sensitive research project.
    - All participants must follow CDC social-distancing guidelines.
    - Wear a face mask to minimize the exchange of respiratory droplets such as a surgical mask, dust mask, or cloth mask when within 6 feet of a living bat.
    - Use disposable exam gloves or other reusable gloves (e.g., rubber dish-washing gloves) that can be decontaminated to prevent spread of pathogens. Do not touch your face or other potentially contaminated surfaces with your gloves prior to handling bats.
    - Limit handling to as few handlers as possible.
    - Do not blow on bats for any reason.
    - Use separate temporary holding containers for each bat such as disposable paper bags.

    - Implement additional disinfection, quarantine, and cleaning procedures.
- Bat surveys of structures should include visual inspections of structural fissures (cracked or spalled concrete, damaged or split beams, split or damaged timber railings), crevices (expansion joints, space between parallel beams, spaces above supports piers), and alternative structures (drainage pipes, bolt cavities, open sections between support beams, swallow nests) for the presence of bats.
- Before excluding bats from any occupied structure, bat species, weather, temperature, season, and geographic location must be incorporated into any exclusion plans to avoid unnecessary harm or death to bats. Winter exclusion must entail a survey to confirm either, 1) bats are absent or 2) present but active (i.e., continuously active – not intermittently active due to arousals from hibernation).
    - Avoid using materials that degrade quickly, like paper, steel wool or rags, to close holes.
    - Avoid using products or making structural modifications that may block natural ventilation, like hanging plastic sheeting over an active roost entrance, thereby altering roost microclimate.
    - Avoid using chemical and ultrasonic repellents.
    - Avoid use of silicone, polyurethane or similar non-water-based caulk products.
    - Avoid use of expandable foam products at occupied sites.
    - Avoid the use of flexible netting attached with duct tape.
- In order to avoid entombing bats, exclusion activities should be only implemented by a qualified individual. A qualified individual or company should possess at least the following minimum qualifications:
    - Experience in bat exclusion (the individual, not just the company).
    - Proof of rabies pre-exposure vaccinations.
    - Demonstrated knowledge of the relevant bat species, including maternity season date range and habitat requirements.
    - Demonstrated knowledge of rabies and histoplasmosis in relation to bat roosts.
- Contact TPWD for additional resources and information to assist in executing successful bat exclusions that will avoid unnecessary harm or death in bats.

### 2.6.1 Aquatic Amphibian and Reptile BMP

The following Aquatic Amphibian and Reptile BMP apply to projects within the range and in suitable habitat for herpetofauna SGCN listed below and that are also listed on TPWD's RTEST online application. Please note that some species may require both aquatic and terrestrial BMP. It is difficult to confirm absence for most species of amphibians and reptiles; therefore, assume presence in suitable habitat and implement the following BMP.

- Inform TPWD WHAB during initial collaborative review phase since the project may impact the Black-spotted newt (*Notophthalmus meridionalis*).
- For projects within existing right-of-way (ROW) when work is in water or will permanently impact a water feature and potential habitat exists for the target species complete the following:
    - Minimize impacts to wetlands, temporary and permanent open water features, including depressions, and riverine habitats.
    - Maintain the existing hydrologic regime and any connections between wetlands and other aquatic features.
    - Apply hydromulching and/or hydroseeding in areas for soil stabilization and/or revegetation of disturbed areas around wetlands and in riparian areas. If erosion control blankets or mats will be used, the product should not contain netting, but should only contain loosely woven natural fiber netting in which the mesh design allows the threads to move, therefore allowing expansion of the mesh openings. Plastic netting should be avoided.

- When work is directly adjacent to the water, minimize impacts to shoreline basking sites (e.g., downed trees, sand bars, exposed bedrock) and refugia/overwinter sites (e.g., brush and debris piles, crayfish burrows, aquatic logjams, and leaf packs).

## 2.6.2 Terrestrial Amphibian and Reptile BMP

The following Terrestrial Amphibian and Reptile BMP apply to projects within the range and in suitable habitat for herpetofauna SGCN listed below and that are also listed on TPWD's RTEST online application. Please note that some species may require both aquatic and terrestrial BMP. It is difficult to confirm absence for most species of amphibians and reptiles; therefore, assume presence in suitable habitat and implement the following BMP.

- Inform TPWD WHAB during initial collaborative review phase since the project may impact the Black-spotted newt (*Notophthalmus meridionalis*).
- Avoid or minimize disturbing or removing cover objects, such as downed trees, rotting stumps, brush piles, and leaf litter. If avoidance or minimization is not practicable, consider removing cover objects prior to the start of the project and replace them at project completion.
- Examine heavy equipment stored on site before use, particularly after rain events when reptile and amphibian movements occur more often, to ensure use will not harm individuals that might be seeking temporary refuge.
- Due to increased activity (mating) of reptiles and amphibian during the spring, construction activities like clearing or grading should attempt to be scheduled outside of the spring (March-May) season. Also, timing ground disturbing activities before October when reptiles and amphibians become less active and may be using burrows in the project area is also encouraged.
- After project is complete, revegetate disturbed areas with an appropriate locally sourced native seed mix. If erosion control blankets or mats will be used, the product should not contain netting, but should only contain loosely woven natural fiber netting in which the mesh design allows the threads to move, therefore allowing expansion of the mesh openings. Plastic netting should be avoided.

TPWD recommends that the district implement the following General Design and Construction BMP:

- Employees and contractors will be provided information prior to start of construction to educate personnel of the potential for all state-listed threatened species or other SGCN to occur within the project area and should be advised of relevant rules and regulations to protect plants, fish, and wildlife.
- Contractors will be informed to avoid harming all wildlife species if encountered and allow them to safely leave the project site. Due diligence should be used to avoid killing or harming any wildlife species in the implementation of transportation projects.
- Project staging areas, stockpiles, temporary construction easements, and other project related sites should be situated in previously disturbed areas to avoid or minimize impacts to sensitive or unique habitats including intact native vegetation, floodplains, riparian corridors, wetlands, playa lakes, and habitat for wildlife species.
- When lighting is added, consider wildlife impacts from light pollution and incorporating dark-sky practices into design strategies. Minimize sky glow by focusing light downward, with full cutoff luminaries to avoid light emitting above the horizontal. The minimum amount of night-time lighting needed for safety and security should be used. Illumination will be based on TxDOT standards and security/safety needs.

TPWD recommends BMPs in and near the stream channel to minimize impacts on fish species:

- Pier construction within and around the river will be dependent upon varying factors and may occur at any point in the year; however, where feasible, construction during fish spawning periods (generally spring to late summer) will be avoided.
- Utilization of double silt fences and double soil stabilization measures along banks to avoid increasing stream turbidity.

TPWD recommends the district implement the following Stream Crossing BMP:

- Avoid placing riprap across stream channels and instead use alternative stabilization such as biotechnical stream bank stabilization methods including live native vegetation or a combination of vegetative and structural materials. When riprap or other bank stabilization devices are necessary, and determined to be appropriate based on construction scope, their placement should not impede the movement of aquatic and terrestrial wildlife underneath the bridge. In some instances, rip rap may be buried, back-filled with topsoil and planted with native vegetation.

TPWD recommends the district implement the following Dewatering BMP:

- Follow most recent TPWD Aquatic Resources Relocation Plan Guidelines (PWD LF T3200-1956)
- Impact avoidance measures for aquatic organisms, including all native fish and freshwater mussel species, regardless of state-listing status, should be considered during project planning and construction activities.

If temporary stream crossings are needed for the project, TPWD recommends that stream crossings be removed once they are no longer needed and stabilize banks and soils around the crossing.

5. List all TxDOT species protection specifications that will be applied to this project (e.g., Amphibian and Reptile Exclusion Fence, Bat Houses, etc.)

**Species protection specifications to be Implemented:**

Texas Department of Transportation

125 EAST 11TH STREET, AUSTIN, TEXAS 78701-2483 | 512.463.8588 | WWW.TXDOT.GOV

December 5, 2022

RE: CSJ: 0921-02-479; Pharr Reynosa International Bridge, Hidalgo County, Pharr District; Section 106 Consultation Coordination; ARPA Permit 39-2022

Mr. Mark Wolfe
Texas Historical Commission
P.O. Box 12276
Austin, Texas 78711

Dear Mr. Wolfe:

As required by the Programmatic Agreement with your agency, we are initiating consultation on this project. Environmental studies are in the process of being conducted for this project. 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 a Memorandum of Understanding dated December 9, 2019 and executed by FHWA and TxDOT. We have enclosed for your review a draft report of archeological investigations, focusing on the underwater survey of federal lands.

*Undertaking Description*

The proposed project will be undertaken with federal funds and will occur in part on federal public lands. City of Pharr is proposing to build a bridge expansion for the Pharr-Reynosa International Bridge. The proposed bridge expansion will be constructed parallel to the existing bridge and measures approximately 1.35 miles (2.17 kilometers [km]), extending from the IBWC international water marker in the Rio Grande to the existing U.S. Customs and Border Protection Port of Entry. The average width of the APE is 147 feet (44.8 meters); it widens to approximately 950.4 feet (290 m) in the area adjacent to and north of Doffin Canal Road and approximately 280.7 feet (85.6 m) near the APE's southern terminus. No new right-of-way will be acquired for the project.

*Area of Potential Effects*

The project's area of potential effects (APE) comprises the following area.

- The project limits extend from approximately 1.35 miles (2.17 kilometers), extending from the IBWC international water marker in the Rio Grande to the existing U.S. Customs and Border Protection Port of Entry, and the APE includes any existing ROW within these limits.

- The existing ROW comprises approximately 35.27 acres.
- Existing easements comprise approximately 0 acres.
- The proposed project would require 0 acres of new right of way.
- The proposed project would require 0 acres of new easements.
- The proposed project would require 0 acres of additional project specific locations and/or utility installations specified by the project sponsor.
- The estimated depth of impacts is typically 100 feet with a maximum depth of impacts of 100 feet.
- The APE is further detailed and illustrated in the attached report.

*Identification Efforts*

For this project, City of Pharr has conducted an underwater survey, which occurs on federal lands. (The terrestrial survey is addressed under Texas Antiquities Permit number 30386.) The enclosed report of investigations has more details regarding the underwater work. The following bullets summarize the identification efforts.

- The investigations reported here concern the portion of the APE from the Unites States shoreline of the Rio Grande to the International Water Marker.
- Archeologists undertook an underwater remote sensing survey. For this survey,
    - 2.4 acres were investigated within the Rio Grande River (US waters);
    - 0 acres still require survey due to access issues;
    - previous investigation within the overall APE (terrestrial) identified three archeological sites that are not eligible for inclusion in the National Register of Historic Places and/or that do not warrant formal designation as State Antiquities Landmarks include: 41HG163, 41HG230, and 41HG295.; and
    - the current survey identified no additional sites and included an assessment of the 2.4 acre underwater segment of the APE.

*Effects Determination*

The proposed project would have direct effects resulting from ground-disturbing construction activities within the APE. Given the results of the identification efforts, TxDOT proposes that the project will have no effect on archeological historic properties as the APE does not contain sites that are eligible for inclusion in the National Register of Historic Places. The next section identifies the steps recommended by TxDOT based on the results of the identification efforts and this effects analysis.

*Recommendations*

TxDOT seeks your concurrence on the following points:

- The identification efforts and analysis of effects completed to date are adequate.
- No further work or consultation with your office is required.

.

Thank you for your consideration of this matter. If you have any questions or have need of further information, please contact me at 512-853-0730.

Sincerely,

Christopher Ringstaff
Archeological Studies Branch
Environmental Affairs Division

Cc w/o attachments: ECOS Scan

## Chris Ringstaff

**From:** noreply@thc.state.tx.us
**Sent:** Thursday, December 29, 2022 11:46 AM
**To:** Scott Pletka; reviews@thc.state.tx.us
**Subject:** 092102479 Pharr Reynosa International Bridge

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

TEXAS HISTORICAL COMMISSION
*real places telling real stories*

**Re:** Project Review under Section 106 of the National Historic Preservation Act
**THC Tracking #202303023**
**Date:** 12/29/2022
092102479 Pharr Reynosa International Bridge
Pharr Reynosa International Bridge
Pharr,TX 78577

**Description:** TxDOT proposes to expand the Pharr Reynosa International Bridge. The submitted report is the draft underwater survey report for the portion of Area of Potential Effects in the Rio Grande.

Dear TxDOT Staff:
Thank you for your submittal regarding the above-referenced project. This response represents the comments of the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission (THC), pursuant to review under Section 106 of the National Historic Preservation Act.

The review staff, led by Amy Borgens, has completed its review and has made the following determinations based on the information submitted for review:

### Archeology Comments

- No identified underwater archeological sites, historic shipwrecks, and/or significant remote-sensing targets present or affected. However, if buried cultural materials are encountered during project activities, work should cease in the immediate area; work can continue where no cultural materials are present. Please contact the THC's Archeology Division at 512-463-6096 to consult on further actions that may be necessary to protect the cultural remains.
- THC/SHPO concurs with information provided for the underwater project area.
- This draft report is acceptable. To facilitate review and make project information and final reports available through the Texas Archeological Sites Atlas, we appreciate submission of tagged pdf copies of the final report including one restricted version with all site location information (if applicable), and one public version with all site location information redacted; an online abstract form submitted via the abstract tab on eTRAC; and survey area shapefiles submitted via the shapefile tab on eTRAC. For questions on how to submit these please visit our

video training series at: https://www.youtube.com/playlist?list=PLONbbv2pt4cog5t6mCqZVaEAx3d0MkgQC
Please note that these steps are required for projects conducted under a Texas Antiquities Permit.

We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. Thank you for your cooperation in this review process, and for your efforts to preserve the irreplaceable heritage of Texas. If the project changes, or if new historic properties are found, please contact the review staff. If you have any questions concerning our review or if we can be of further assistance, please email the following reviewers: amy.borgens@thc.texas.gov.

This response has been sent through the electronic THC review and compliance system (eTRAC). Submitting your project via eTRAC eliminates mailing delays and allows you to check the status of the review, receive an electronic response, and generate reports on your submissions. For more information, visit http://thc.texas.gov/etrac-system.

Sincerely,

for Mark Wolfe, State Historic Preservation Officer
Executive Director, Texas Historical Commission

**Please do not respond to this email.**

## Suzanne Walsh

**From:** Suzanne Walsh
**Sent:** Monday, August 29, 2022 5:05 PM
**To:** Nolan Nicolas
**Subject:** RE: TPWD Initial Collaborative Review for an EA project - Pharr-Reynosa Int'l Bridge Expansion Project

Hi Nolan,

Per our phone call today, if you have any questions about the coordination process, please feel free to email or call me at (512) 389-4579.

Thanks,
Suzanne

---

**From:** Nolan Nicolas <Nolan.Nicolas@txdot.gov>
**Sent:** Monday, August 29, 2022 1:15 PM
**To:** Suzanne Walsh <Suzanne.Walsh@tpwd.texas.gov>
**Subject:** RE: TPWD Initial Collaborative Review for an EA project - Pharr-Reynosa Int'l Bridge Expansion Project

ALERT: This email came from an external source. Do not open attachments or click on links in unknown or unexpected emails.

Hi Suzanne

With your last email is that complete the TPWD Initial Collaborative Review for the -Pharr-Reynosa Int'l Bridge Expansion Project?

Thanks.

**Nolan Nicolas**
Environmental Supervisor
TxDOT– Pharr District
600 W. Interstate 2, Pharr, TX. 78577
Office Phone: (956) 702-6182
Mobile Phone: (956) 357-4814

Work Hours: Mon-Thurs: 7:30-5:30 pm
Friday: 8:00 – noon

*"The purpose of our lives is to be happy"*

---

**From:** Suzanne Walsh <Suzanne.Walsh@tpwd.texas.gov>
**Sent:** Monday, August 29, 2022 8:40 AM
**To:** Nolan Nicolas <Nolan.Nicolas@txdot.gov>

**Cc:** Norma Garza <Norma.Garza@txdot.gov>; Eduardo Saenz <Eduardo.Saenz@txdot.gov>
**Subject:** Re: TPWD Initial Collaborative Review for an EA project - Pharr-Reynosa Int'l Bridge Expansion Project

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Nolan,

Thank you for your response and considering my comments. Please feel free to reach out to me if you need any further assistance. We would also appreciate being notified about any upcoming scoping or public meetings for this project. TPWD looks forward to reviewing the draft EA when it is available.

Thanks,
Suzanne

Suzanne Walsh
Transportation Conservation Coordinator
Wildlife Division – Wildlife Habitat Assessment Program
Phone: (512) 389-4579

---

**From:** Nolan Nicolas <Nolan.Nicolas@txdot.gov>
**Sent:** Monday, August 29, 2022 7:54 AM
**To:** Suzanne Walsh <Suzanne.Walsh@tpwd.texas.gov>
**Cc:** Norma Garza <Norma.Garza@txdot.gov>; Eduardo Saenz <Eduardo.Saenz@txdot.gov>
**Subject:** RE: TPWD Initial Collaborative Review for an EA project - Pharr-Reynosa Int'l Bridge Expansion Project

ALERT: This email came from an external source. Do not open attachments or click on links in unknown or unexpected emails.

Suzanne,

TxDOT agrees to all TPWD BMP's recommendations highlighted green in the email below for the Pharr-Reynosa Int'l Bridge Expansion Project

Please let me know if you have any questions.

Thanks.

**Nolan Nicolas**
Environmental Supervisor
TxDOT– Pharr District
600 W. Interstate 2, Pharr, TX. 78577
Office Phone: (956) 702-6182
Mobile Phone: (956) 357-4814

Work Hours: Mon-Thurs: 7:30-5:30 pm
Friday: 8:00 – noon

*"The purpose of our lives is to be happy"*

---

**From:** Suzanne Walsh <Suzanne.Walsh@tpwd.texas.gov>
**Sent:** Friday, August 26, 2022 4:22 PM
**To:** Nolan Nicolas <Nolan.Nicolas@txdot.gov>
**Cc:** Norma Garza <Norma.Garza@txdot.gov>; Eduardo Saenz <Eduardo.Saenz@txdot.gov>
**Subject:** RE: TPWD Initial Collaborative Review for an EA project - Pharr-Reynosa Int'l Bridge Expansion Project

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Nolan,

To clarify, will TxDOT implement the last three recommendations highlighted below? It would be helpful if you could indicate below each to whether TxDOT agrees or not.

Thanks,
Suzanne

---

**From:** Nolan Nicolas <Nolan.Nicolas@txdot.gov>
**Sent:** Friday, August 26, 2022 8:10 AM
**To:** Suzanne Walsh <Suzanne.Walsh@tpwd.texas.gov>
**Cc:** Norma Garza <Norma.Garza@txdot.gov>; Eduardo Saenz <Eduardo.Saenz@txdot.gov>
**Subject:** RE: TPWD Initial Collaborative Review for an EA project - Pharr-Reynosa Int'l Bridge Expansion Project

ALERT: This email came from an external source. Do not open attachments or click on links in unknown or unexpected emails.

Hi Suzanne,

The Pharr District in coordination with the City of Pharr agreed to implement TPWD's recommends General Design and Construction BMP for the proposed Pharr-Reynosa Int'l Bridge Expansion Project
Also additional information and revision to your recommendations are added in red. See email below

Please let me know if these added information's are acceptable and TPWD Initial Collaborative Review is complete and approved.

Thanks for all your help.

**Nolan Nicolas**
Environmental Supervisor
TxDOT– Pharr District
600 W. Interstate 2, Pharr, TX. 78577
Office Phone: (956) 702-6182
Mobile Phone: (956) 357-4814

Work Hours: Mon-Thurs: 7:30-5:30 pm
Friday: 8:00 – noon

*"The purpose of our lives is to be happy"*

---

**From:** Suzanne Walsh <Suzanne.Walsh@tpwd.texas.gov>
**Sent:** Monday, July 18, 2022 6:41 PM
**To:** Nolan Nicolas <Nolan.Nicolas@txdot.gov>
**Cc:** Norma Garza <Norma.Garza@txdot.gov>; Eduardo Saenz <Eduardo.Saenz@txdot.gov>
**Subject:** RE: TPWD Initial Collaborative Review for an EA project - Pharr-Reynosa Int'l Bridge Expansion Project

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Nolan,

Thank you for providing additional information on the proposed project. Please comments below and let me know if you have any questions.

Thanks,
Suzanne

- TPWD recommends that the district implement the following General Design and Construction BMP: TxDOT agrees to all these recommendations
  - Employees and contractors will be provided information prior to start of construction to educate personnel of the potential for all state-listed threatened species or other SGCN to occur within the project area and should be advised of relevant rules and regulations to protect plants, fish, and wildlife.
  - Contractors will be informed to avoid harming all wildlife species if encountered and allow them to safely leave the project site. Due diligence should be used to avoid killing or harming any wildlife species in the implementation of transportation projects.
  - Project staging areas, stockpiles, temporary construction easements, and other project related sites should be situated in previously disturbed areas to avoid or minimize impacts to sensitive or unique habitats including intact native vegetation, floodplains, riparian corridors, wetlands, playa lakes, and habitat for wildlife species.
  - When lighting is added, consider wildlife impacts from light pollution and incorporating dark-sky practices into design strategies. Minimize sky glow by focusing light downward, with full cutoff luminaries to avoid light emitting above the horizontal. The minimum amount of night-time lighting needed for safety and security should be used. Illumination will be based on TxDOT standards and security/safety needs.

- TPWD recommends BMPs in and near the stream channel to minimize impacts on fish species: TxDOT agrees to all these recommendations
  - Avoidance of construction during fish spawning periods (generally spring to late summer) where feasible.

  - Pier construction within and around the river will be dependent upon varying factors and may occur at any point in the year;
    however, where feasible, construction during fish spawning periods (generally spring to late summer) will be avoided.

- Utilization of double silt fences and double soil stabilization measures along banks to avoid increasing stream turbidity.

- TPWD recommends the district implement the following Stream Crossing BMP: TxDOT agrees to all these recommendations
  - Avoid placing riprap across stream channels and instead use alternative stabilization such as biotechnical stream bank stabilization methods including live native vegetation or a combination of vegetative and structural materials. When riprap or other bank stabilization devices are necessary, their placement should not impede the movement of aquatic and terrestrial wildlife underneath the bridge. In some instances, rip rap may be buried, back-filled with topsoil and planted with native vegetation.

- TPWD recommends the district implement the following Dewatering BMP: TxDOT agrees to all these recommendations
  - Follow most recent TPWD Aquatic Resources Relocation Plan Guidelines (PWD LF T3200-1956)
  - Impact avoidance measures for aquatic organisms, including *all native fish and freshwater mussel species, regardless of state-listing status*, should be considered during project planning and construction activities.

- If temporary stream crossings are needed for the project, TPWD recommends that stream crossings be removed once they are no longer needed and stabilize banks and soils around the crossing. TxDOT agrees to all these recommendations

---

**From:** Nolan Nicolas <Nolan.Nicolas@txdot.gov>
**Sent:** Thursday, July 14, 2022 12:01 PM
**To:** Suzanne Walsh <Suzanne.Walsh@tpwd.texas.gov>
**Cc:** Norma Garza <Norma.Garza@txdot.gov>; Eduardo Saenz <Eduardo.Saenz@txdot.gov>
**Subject:** TPWD Initial Collaborative Review for an EA project - Pharr-Reynosa Int'l Bridge Expansion Project

ALERT: This email came from an external source. Do not open attachments or click on links in unknown or unexpected emails.

Hi Suzanne,

Any update on this project?
I've attached the requested document again to make sure you have received it.

Thanks.

**Nolan Nicolas**
Environmental Supervisor
TxDOT– Pharr District
600 W. Interstate 2, Pharr, TX. 78577

Office Phone: (956) 702-6182
Mobile Phone: (956) 357-4814

Work Hours: Mon-Thurs: 7:30-5:30 pm
Friday: 8:00 – noon

*"The purpose of our lives is to be happy"*

---

**From:** Nolan Nicolas
**Sent:** Tuesday, June 21, 2022 10:54 AM
**To:** Suzanne Walsh <Suzanne.Walsh@tpwd.texas.gov>
**Subject:** TPWD Initial Collaborative Review for an EA project - Pharr-Reynosa Int'l Bridge Expansion Project

Suzanne,

Per your request, please see attached document

Let me know if you need anything else or have any questions.

Thanks

**Nolan Nicolas**
Environmental Supervisor
Texas Dept. of Transportation – Pharr District
600 W. Interstate 2, Pharr, TX. 78577
Office Phone: (956) 702-6182
Mobile Phone: (956) 357-4814

Work Hours: Mon-Thurs: 7:30-5:30 pm
Friday: 8:00 – noon
Please consider the environment before printing this email

---

**From:** Suzanne Walsh <Suzanne.Walsh@tpwd.texas.gov>
**Sent:** Monday, June 6, 2022 9:10 AM
**To:** Nolan Nicolas <Nolan.Nicolas@txdot.gov>
**Subject:** RE: TPWD Initial Collaborative Review for an EA project - Pharr-Reynosa Int'l Bridge Expansion Project

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Nolan,

TPWD is interested in the specific measures that TxDOT will implement for this project. Could you send me the full BMP language that the district will implement (i.e. a bulleted list of individual BMP within a category).

Thanks,
Suzanne

---

**From:** WHAB_TxDOT <WHAB_TxDOT@tpwd.texas.gov>
**Sent:** Wednesday, May 25, 2022 3:08 PM

**To:** Nolan Nicolas <Nolan.Nicolas@txdot.gov>; WHAB_TxDOT <WHAB_TxDOT@tpwd.texas.gov>
**Cc:** Suzanne Walsh <Suzanne.Walsh@tpwd.texas.gov>
**Subject:** RE: TPWD Initial Collaborative Review for an EA project - Pharr-Reynosa Int'l Bridge Expansion Project

The TPWD Wildlife Habitat Assessment Program has received your request and has assigned it project ID # 48575. The Habitat Assessment Biologist who will complete your project review is copied on this email.

Thank you,

John Ney
Administrative Assistant
Texas Parks & Wildlife Department
Wildlife Diversity Program – Habitat Assessment Program
4200 Smith School Road
Austin, TX 78744
Office: (512) 389-4571

---

**From:** Nolan Nicolas <Nolan.Nicolas@txdot.gov>
**Sent:** Wednesday, May 25, 2022 2:03 PM
**To:** WHAB_TxDOT <WHAB_TxDOT@tpwd.texas.gov>
**Subject:** TPWD Initial Collaborative Review for an EA project - Pharr-Reynosa Int'l Bridge Expansion Project

ALERT: This email came from an external source. Do not open attachments or click on links in unknown or unexpected emails.

To whom it may concern,

The City of Pharr, in cooperation with the Texas Department of Transportation (TxDOT) and the Federal Highway Administration (FHWA),
proposes to construct an approximately 1.35-mile long twin bridge west of and adjacent to the existing Pharr International Bridge (PRIB).

The project is located between the international boundary with Mexico (Rio Grande River) and the existing Pharr Port of Entry (POE).
The proposed project is classified as an EA

Per TxDOT and TPWD MOU, TxDOT is requesting for an Initial Collaborative review of the proposed project.

See below.

- Type of Request: Initial collaborative review for an EA project
- CSJ Number: 0921-02-479

- Project Name: Pharr -Reynosa International Bridge Expansion
- Project Location: The project is located between the international boundary with Mexico (Rio Grande River) and the existing Pharr Port of Entry (POE)

Below are the file names for relevant documents in ECOS:

- PRIB (0921-02-479) Species Analysis Form
- PRIB (0921-02-479) Species Analysis Spreadsheet
- PRIB (0921-02-479) TPWD BMP Form
- PRIB(0921-02-479) USFWS IPaC Report
- PRIB (0921-02-479) TPWD List of Rare Species 2022 Hidalgo County
- PRIB (0921-02-479) EMST and TXNDD
- PRIB (0921-02-479) Photos
- PRIB (0921-02-479) Surface Waters Analysis (v2).pdf

Attached is the whole biology resources packet and the Surface Water Analysis for your convenience.

Please let me know if you have any questions.

Thanks.

**Nolan Nicolas**
Environmental Specialist
Texas Dept. of Transportation – Pharr District
600 W. Interstate 2, Pharr, TX. 78577
Office Phone: (956) 702-6182
Mobile Phone: (956) 357-4814

Work Hours: Mon-Thurs: 7:30-5:30 pm
Friday: 8:00 – noon

Please consider the environment before printing this email

A Texas Department of Transportation message

A Texas Department of Transportation message

HELP
#EndTheStreakTX

End the streak of daily deaths
on Texas roadways.

A Texas Department of Transportation message

HELP
#EndTheStreakTX

End the streak of daily deaths
on Texas roadways.

A Texas Department of Transportation message

HELP
#EndTheStreakTX

End the streak of daily deaths
on Texas roadways.

A Texas Department of Transportation message

**From:** Nolan Nicolas <Nolan.Nicolas@txdot.gov>
**Sent:** Monday, August 21, 2023 4:58 PM
**To:** Brittney Davis <bdavis@rkci.com>
**Cc:** smielke@seatx.com; Nolan Nicolas <Nolan.Nicolas@txdot.gov>
**Subject:** Pharr-Reynosa International Bridge updates

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Brittney,

This coordination is for the Levee Retaining Wall Extension
See email below.

Let me know if you have any questions.

Thanks.
Nolan

---

**From:** Justin Kockritz <Justin.Kockritz@thc.texas.gov>
**Sent:** Monday, August 21, 2023 4:43 PM
**To:** Linda Henderson <Linda.Henderson@txdot.gov>
**Subject:** RE: Pharr-Reynosa International Bridge updates

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Linda,

Thank you for the update on the Pharr-Reynosa International Bridge project.

Based on these revised project plans, we continue to concur that the project will have no adverse effect on historic properties under Section 106 and we have no comments on the updated finding of de minimis impact under Section 4(f).

I will add these revised plans and this correspondence to our existing files for the project.

If you have any questions, or if there are any additional changes to the project, please let us know.

Thank you

**Justin Kockritz**
Lead Project Reviewer, Federal Programs
History Programs Division
P.O. Box 12276, Austin, Texas 78711-2276
Phone: +1 512 936 7403
Fax: +1 512 463 5750
thc.texas.gov

**From:** Linda Henderson <Linda.Henderson@txdot.gov>
**Sent:** Friday, August 11, 2023 8:59 AM
**To:** Justin Kockritz <Justin.Kockritz@thc.texas.gov>
**Subject:** Pharr-Reynosa International Bridge updates

**CAUTION:** External Email – This email originated from outside the THC email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Justin,

As promised in our conversation earlier this week, I'm sending you the updated information on a previously cleared project—the construction of a new bridge alongside the existing Pharr-Reynosa International Bridge in Hidalgo County (CSJ 0921-02-479), which was coordinated with you under THC tracking number 202211178.

As you will recall, the proposed bridge spans a component of the HCID2. It also includes a direct connection to the Pharr Land Port of Entry, the parcel for which is bounded on the south by an IBWC levee. You previously concurred that the project would have no adverse effect to either the HCID2 or IBWC components/systems, both of which are historic properties. We also evaluated the properties under Section 4(f), citing the no adverse effect determination in treating the effects as de minimis.

With this update, we are letting you know that we did not include in our earlier coordination with you that the project also includes extending an existing retaining wall that runs parallel to the HCID2 canal under the existing bridge. As you and I discussed, this retention wall extension does not change our original determinations that the project will have no adverse effect on the historic properties. Please let me know if you need additional information or would like to revisit the project and our determinations.

Thank you,

Linda

Linda Henderson
TxDOT Environmental Affairs Division
Historical Studies Program Manager
125 E. 11th Street
Austin, TX 78701
(mobile) 512/871-9747
(desk) 512/416-2770
linda.henderson@txdot.gov

*Work hours: Monday through Friday, 8:30 to 5:30*

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Kelly Keel, *Interim Executive Director*

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

July 31, 2023

Re: Response to Request for TCEQ Environmental Review

The Texas Commission on Environmental Quality (TCEQ) received a request from the Texas Department of Transportation (TxDOT) regarding the following project:

**PHARR-REYNOSA INTERNATIONAL BRIDGE EXPANSION PHARR PORT OF ENTRY TO THE INTERNATIONAL BOUNDARY WITH MEXICO CSJ: 0921-02-479**

In accordance with the Memorandum of Understanding between TxDOT and TCEQ addressing environmental reviews, which is codified in Chapter 43, Subchapter I of the Texas Administrative Code (TAC) and 30 TAC § 7.119, TCEQ is responding to your request for review by providing the below comments.

The proposed action is located in Hidalgo County, which is currently designated attainment/unclassifiable for the National Ambient Air Quality Standards for all six criteria air pollutants. Federal Clean Air Act, §176(c) general conformity requirements do not apply for this action.

We are in support of the project. The environmental assessment addresses issues related to surface and groundwater quality.

TxDOT will still need to follow all other applicable laws related to this project, including applying for applicable permits.

If you have any questions, please contact the agency NEPA coordinator at (512) 239-0010 or NEPA@tceq.texas.gov

# Appendix G
# Public Meeting Comment Response Matrix

**Comment Response Matrix**

Pharr-Reynosa International Bridge Expansion Public Meeting
CSJ 0921-02-479

| Comment Number | Commenter Name | Date Received | Source | Comment Topic | Response |
|---|---|---|---|---|---|
| 1 | Eric Perez | May 16, 2022 | E-Mail | My family owns the property on the upriver side of the existing bridge, from the river to the main levee. I understand that the expansion of the bridge will take place within the existing 70 feet of Right-of-Way, but we have the following concerns:<br><br>1. Does the City of Pharr plan to purchase additional right-of-way property for the expansion project?<br>2. What safeguards are in place to keep all construction materials, debris, equipment, etc within the city-owned 70 feet of right-a-way?<br>3. Will construction impede the harvesting of crops on the land adjacent to the construction site?<br>4. Will construction interfere, disrupt, or displace the existing service road that extends from the levee to the river?<br>5. What safeguards are in place to prevent trespassing and/or destruction of property adjacent to the current city-owned right-of-way by individuals, equipment, or entities associated with the expansion project? | **Full email response to comment follows as an additional attachment.<br><br>1. No, the City of Pharr does not plan to purchase additional right-of-way (ROW). The necessary ROW for the expansion and long-term maintenance of the twin bridges is already in place.<br>2. The existing ROW is 140 feet wide. The contractor is only allowed to use ROW, and the use of private property is only allowed when permitted by the property owner. Physical safeguards, such as fencing, are not allowed within the river floodway. If you have any issues with the contractor going beyond the ROW, please document and contact us immediately.<br>3. Construction is not expected to impede the harvesting of crops on adjacent land. Construction of the original bridge did not impede harvesting, and the same is expected with the twin bridge.<br>4. Yes, before construction can begin the contractor will need to displace the existing service road to facilitate the construction of the new twin bridge. Please note that the existing service road falls within ROW, and it will be re-constructed on the far western edge of the ROW.<br>5. The contractor is responsible for damage caused by his employees, equipment, and sub-contractors. Physical safeguards, such as fencing, are not allowed within the river floodway. If you have any issues with trespassing and/or destruction of property by the contractor, please document and contact us immediately. |

# Appendix H
# Notice of Availability and Opportunity for Public Hearing Documentation

**Notice**

**Draft Environmental Assessment and Opportunity for a Public Hearing**

**Pharr-Reynosa International Bridge Expansion**
**Pharr Port of Entry (POE) to the International Boundary with Mexico (Rio Grande)**

**CSJ: 0921-02-479**

**Hidalgo County, Texas**

The City of Pharr, in cooperation with the Texas Department of Transportation (TxDOT) and the Federal Highway Administration (FHWA), proposes to construct an approximately 1.35-mile long twin bridge west of and adjacent to the existing Pharr International Bridge (PRIB). The project is located between the international boundary with Mexico (Rio Grande River) and the existing Pharr Port of Entry (POE) in Hidalgo County, Texas. This notice advises the public that a draft environmental assessment (EA) and relevant technical reports are available for public review and that the City of Pharr is affording an opportunity for a public hearing on the proposed project.

The proposed project would add a second adjacent 'twin' structure, which would consist of a 1.35-mile-long structure upriver (west) of the existing PRIB, built primarily within City of Pharr-owned right of way. Construction would include four 12-foot travel lanes with a six-foot (emergency use only) sidewalk on the west side with features that would include two crossovers, additional lighting and electronic signage that would facilitate the flow of traffic, reduce wait times and enhance safety. The proposed project would involve an action in a floodplain and water of the U.S. (Rio Grande).

Although additional minor amounts of right of way would be required, no residential or non-residential structures are anticipated to be displaced at this time. Information concerning services and benefits available to affected property owners and information about the tentative schedule for right-of-way acquisition and construction can be obtained from the City of Pharr by calling (956) 402-4221.

The draft EA, maps and drawings showing the project location and (preliminary) design, tentative construction schedules, and other information regarding the proposed project are on file and available for inspection Monday through Friday between the hours of 8 a.m. and 5 p.m. at The City of Pharr, 118 S. Cage Blvd, Pharr, Texas 78577. Project materials are also available online at https://pharr-tx.gov (scroll down to PUBLIC NOTICE / AVISO PÚBLICO) and at www.txdot.gov keyword "Pharr-Reynosa International Bridge." If you do not have internet access, you may call Maria Rangel, Assistant Director of Engineering for the City of Pharr at (956) 402-4221 to ask questions about the project and access project materials at any time during the project development process.

The project materials are written in English. If you need an interpreter or document translator because English is not your primary language or you have difficulty communicating effectively in English, one will be provided to you. If you have a disability and need assistance, special arrangements can be made to accommodate most needs. If you need interpretation or translation services or you are a person with a disability who requires an accommodation to

review the project materials or submit information, please contact Maria Rangel, Assistant Director of Engineering for the City of Pharr, at (956) 402-4221 no later than 4 p.m. CT, at least three business days before the date on which you would like to review the project materials or submit information. Please be aware that advance notice is required as some services and accommodations may require time for the City of Pharr to arrange.

Any interested person may submit a written request for a public hearing on this project. Written comments from the public regarding the proposed project are also requested. Written hearing requests and comments may be submitted by mail to Raba Kistner, Inc. Attn: Brittney Davis, 12821 West Golden Lane, San Antonio, Texas 78249, or by email to bdavis@rkci.com. All hearing requests and comments must be received on or before Friday, August 25, 2023. A hearing will be held if ten or more individuals submit timely written requests for a hearing, or if an agency with jurisdiction over the project submits a timely written request for a hearing that is supported by reasons why a hearing will be helpful. Responses to comments received will be available online at https://pharr-tx.gov (scroll down to PUBLIC NOTICE / AVISO PÚBLICO) once they have been prepared.

If you have any general questions or concerns regarding the proposed project, please contact Maria Rangel, Assistant Director of Engineering, City of Pharr, at maria.rangel@pharr-tx.gov or if you do not have internet access call (956) 402-4221.

The lead agency under the National Environmental Policy Act for the proposed project is the Federal Highway Administration.

**Aviso**

**El documento de Evaluación Ambiental y Oportunidad para una Audiencia Pública**

**La Expansión del Puente Internacional Pharr-Reynosa Puerto de Entrada (POE) de Pharr a la Frontera Internacional con México (Rio Grande)**

**CSJ: 0921-02-479**

**Condado de Hidalgo, Texas**

La Ciudad de Pharr, en cooperación con el Departamento de Transporte de Texas (TxDOT) y la Administración Federal de Carreteras (FHWA), propone construir un puente gemelo de aproximadamente 1.35 millas de largo al oeste y adyacente al Puente Internacional Pharr existente (PRIB). El proyecto está ubicado entre la frontera internacional con México (Río Grande) y el Puerto de Entrada (POE) Pharr existente en el condado de Hidalgo, Texas. Este es un aviso informal al público para informales que el documento de evaluación ambiental (EA) e informes técnicos relevantes a este proyecto, están disponibles para revisión pública. La Ciudad de Pharr está brindando la oportunidad de una audiencia pública sobre el proyecto propuesto.

El proyecto propuesto agregaría una segunda estructura "gemela" adyacente, que consistiría en una estructura de 1.35 millas de largo río arriba (oeste) del PRIB existente, construida principalmente dentro del derecho de paso de propiedad de la Ciudad de Pharr. La construcción incluiría cuatro carriles de circulación de 12 pies con una acera de seis pies (solo para uso de emergencia) en el lado oeste con características que incluirían dos cruces, iluminación adicional y señalización electrónica que facilitaría el flujo de tráfico, reduciría los tiempos de espera y mejoraría la seguridad. El proyecto propuesto implicaría una acción en una llanura aluvial y agua de los Estados Unidos.  (Río Grande).

Aunque se requerirían cantidades menores adicionales de derecho de paso, en este momento, no se prevé que se desplacen estructuras residenciales o de ningún otro tipo.  La información sobre los servicios y beneficios disponibles para los propietarios afectados y la información sobre el cronograma tentativo para la adquisición y construcción del derecho de paso se puede obtener de la Ciudad de Pharr llamando al (956) 402-4221.

El documento EA, mapas y dibujos que muestran la ubicación del proyecto y el diseño (preliminar), los cronogramas de construcción tentativos y otra información sobre el proyecto propuesto están archivados y disponibles para su inspección de lunes a viernes entre las 8 a.m. y las 5 p.m. en la Ciudad de Pharr, 118 S. Cage Blvd, Pharr, Texas 78577. Los materiales del proyecto también están disponibles en línea en https://pharr-tx.gov (desplácese hacia abajo hasta AVISO PÚBLICO) y en www.txdot.gov palabra clave "Pharr-Reynosa International Bridge".  Si no tiene acceso a Internet, puede llamar a María Rangel, subdirectora de Ingeniería de la Ciudad de Pharr al (956) 402-4221 para hacer preguntas sobre el proyecto y acceder a los materiales del proyecto en cualquier momento durante el proceso de desarrollo del proyecto.

Los materiales del proyecto están escritos en inglés. Si necesita un intérprete o traductor de documentos porque el inglés no es su idioma principal o tiene dificultades para comunicarse de manera efectiva en English, se le proporcionará uno. Si tiene un impedimento físico y necesita ayuda, se pueden hacer arreglos especiales para satisfacer la mayoría de las necesidades.

Si necesita servicios de interpretación o traducción o si es una persona con una discapacidad que requiere una adaptación para revisar los materiales del proyecto o enviar información, comuníquese con María Rangel, subdirectora de Ingeniería de la Ciudad de Pharr, al (956) 402-4221 a más tardar a las 4 p.m. CT, al menos tres días hábiles antes de la fecha en que desea revisar los materiales del proyecto o enviar información. Tenga en cuenta que se requiere notificación anticipada ya que algunos servicios pueden requerir mas tiempo para que la Ciudad de Pharr los organice.

Cualquier persona interesada puede presentar una solicitud por escrito para una audiencia pública sobre este proyecto. También se solicitan comentarios por escrito del público sobre el proyecto propuesto. Las solicitudes de audiencia por escrito y los comentarios pueden enviarse por correo a Raba Kistner, Inc. Attn: Brittney Davis, 12821 West Golden Lane, San Antonio, Texas 78249, o por correo electrónico a bdavis@rkci.com. Todas las solicitudes de audiencia y comentarios deben recibirse en o antes el viernes 25 de agosto de 2023. Se llevará a cabo una audiencia si diez o más personas presentan solicitudes a tiempo por escrito para una audiencia, o si una agencia con jurisdicción sobre el proyecto presenta una solicitud por escrito que esté respaldada por razones por las cuales una audiencia será útil. Las respuestas a los comentarios recibidos estarán disponibles en línea en https://pharr-tx.gov (desplácese hacia abajo hasta PUBLIC NOTICE / AVISO PÚBLICO) una vez que han sido preparados.

Si tiene alguna pregunta o inquietud general con respecto al proyecto propuesto, comuníquese con María Rangel, subdirectora de Ingeniería, Ciudad de Pharr, en maria.rangel@pharr-tx.gov o si no tienes acceso a internet llama (956) 402-4221.

La agencia principal bajo la Ley de Política Ambiental Nacional para el proyecto propuesto es la Administración Federal de Carreteras.

DocuSign Envelope ID: 56DA4313-ABC6-47C5-9AED-8EDFD2BBE469

# Public Hearing Opportunity Certification

**Project Name:** Pharr-Reynosa International Bridge Expansion

**County Name:** Hidalgo

**Control Section Job Numbers (CSJ):** 0921-02-479

**Project Limits From:** International Boundary with Mexico (Rio Grande)

**Project Limits To:** Pharr Port-of-Entry

I certify that the following statements are true and apply to the project identified above.

A. An opportunity has been afforded the public to request a hearing addressing the project location and design.

B. Less than ten public hearing requests were received. ◉

C. No hearing request from an agency with jurisdiction supported with reasons why a hearing will be helpful were received. ◉

D. The economic and social effects of the project location and design and its impacts on the environment have been considered.

E. In determining economic, social, and environmental effects, the statutory provisions of the Civil Rights Act of 1964 have been considered and complied with.

F. The project consistency with the goals and objectives of urban planning, as dictated by the community, has been considered. ◉

G. Requirements of Texas Administrative Code, Title 43, Part 1, Chapter 2, Subchapter E, Section 2.106 have been met.

◯ Select if assigned under NEPA Assignment MOU.

DocuSigned by:
2B9AFAE2F319409...

*TxDOT Representative Name*

August 31, 2023

*Date*