



# Travis County Commissioners Court Agenda Request

**Meeting Date:** October 15, 2013  
**Prepared By/Phone Number:** Christy Moffett (512-854-3460)  
**Elected/Appointed Official/Dept. Head:** Sherri E. Fleming  
County Executive of Travis County Health and Human Services & Veterans Service  
**Commissioners Court Sponsor:** Judge Samuel T. Biscoe

## **AGENDA LANGUAGE:**

Consider and take appropriate action on the following related to the environmental clearance for Lake Oak Estates Roads Improvement Project with funding by the Community Development Block Grant provided by HUD:

- A. Certify the results of the Environmental Assessment;
- B. Approve postings to notify the public of the certification of the Environmental Assessment and of the Notice of Intent to Request Release of Funds;
- C. Authorize the County Judge to sign the required forms; and
- D. Authorize the submission to the HUD San Antonio Region VI field office if no comments are received during the ten day posting period.

## **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

- A. Every CDBG funded project must go through the appropriate level of environmental assessment as required by HUD. The level of environmental review is attributed to the nature of each project and its potential impact on the environment.

Responsible Entities (RE) that receive assistance directly from HUD must assume responsibility for the environmental assessments, decision-making and actions that would otherwise apply to HUD under the National Environmental Policy Act (NEPA) and other provisions of NEPA, as specified in §58.5 and §58.6. Travis County assumes this responsibility through the execution of its grant agreement with HUD. In the HUD grant agreement, which is signed by Travis County, it states:

"The Grantee agrees to assume all of the responsibilities for environmental review, decision making, and actions, as specified and required in regulation issued by the Secretary pursuant to Section 104(g) of Title I and published in 24 CFR Part 58."

The Lake Oak Estates Roads Improvement Project is intended to improve several substandard roads in the Lake Oak Estates neighborhood. The improvements are expected to impact 126 people, of which, 86% are considered low-to-moderate income, based on a primary survey conducted in March 2011. To be accepted into the County's road maintenance program, the roads have to meet the County's standards. Currently, the roads in the Lake Oak Estates neighborhood do not meet Travis County standards. This project proposes to bring the substandard roads up to standard so they can be maintained by the County.

The appropriate level of environmental review for this project is Categorically Excluded Activity Subject to §58.5 per 24 CFR 58.35(a), which means that the activity is categorically excluded from NEPA requirements; however, the grantee must nevertheless demonstrate compliance with the laws, authorities, and Executive Orders listed in 58.5.

The environmental review for this project was completed by Hicks & Company as a part of the architectural and engineering contract with Brown & Gay Engineering. Please find the full report enclosed as Attachment A. Both TNR and CDBG staff have reviewed the report.

- B. For Travis County to be able to move forward with construction, the results of the environmental report and a Notice of Intent/ Request for Release of Funds (NOI/RROF) must be completed. To do this, a notice, Attachment B, must be posted to notify the public of Travis County's 10 day comment period and HUD's 15 day comment period. After satisfactorily meeting both comment periods, HUD can release the funds for construction use. Travis County's comment period is proposed to start October 16, 2013 and last through October 28, 2013. HUD's 15 day comment period begins after receipt of the RROF which staff anticipate will be on or about October 31, 2013.

The posting will be placed on the Travis County website, the seven

Travis County Community Centers, Commissioners Court Members' Offices, and the Ned Granger building. Additionally, notices will be mailed or emailed to neighborhood associations, school districts and other interested parties to notify the public of the County's 10-day comment period regarding the result of the project's environmental review and HUD's 15-day comment period to allow the release of funds.

- C. In 24 CFR Part 58.2(A)(2), it states "Certifying Officer means the official who is authorized to execute the Request for Release of Funds and Certification and has the legal capacity to carry out the responsibilities of Sec. 58.13." In 58.13, it states " Under the terms of the certification required by Sec. 58.71, a responsible entity's certifying officer is the ``responsible Federal official" as that term is used in section 102 of NEPA and in statutory provisions cited in Sec. 58.1(b). The Certifying Officer is therefore responsible for all the requirements of section 102 of NEPA and the related provisions in 40 CFR parts 1500 through 1508, and 24 CFR part 58, including the related Federal authorities listed in Sec. 58.5. The Certifying Officer must also:
- a) Represent the responsible entity and be subject to the jurisdiction of the Federal courts. The Certifying Officer will not be represented by the Department of Justice in court; and
  - b) Ensure that the responsible entity reviews and comments on all EISs prepared for Federal projects that may have an impact on the recipient's program.

In the past, the County Attorney's Office has determined that the County Judge is identified as the Certifying Official; and is therefore responsible for signing the forms on behalf of the County.

D. Typically, no comments are received during the 10 day comment period. In order to be more expeditious, staff would like to refrain from coming back to the Commissioners Court to report that no comments were received prior to the Court authorizing submission to HUD. If any comments are received, staff would bring the item back to the Commissioners Court prior to submission to HUD.

### **STAFF RECOMMENDATIONS:**

- A. Staff recommends approval of the environmental report. Both TNR and CDBG staff have reviewed the report. Please see attachment A for the report.
- B. Staff recommends approval of the the NOI/RROF posting to notify the

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to [agenda@co.travis.tx.us](mailto:agenda@co.travis.tx.us) by **Tuesdays at 5:00 p.m.** for the next week's meeting.

public of the comment periods. Please refer to Attachment B.

- C. If no comments are received during the 10 day posting period, staff recommends, the Court authorize the County Judge, as the Certifying Official, to sign the environmental report documents including those included in the Environmental Report (Attachment "A") and the Request for Release of Funds (Attachment "C"). If comments are received, staff will bring the item back to notify Court members of the comments and responses and request authorization to submit to HUD.
- D. Staff recommends approval of submission to HUD without coming back to Commissioners Court only if no comments are received, and after the County Judge has signed all of the required paperwork.

### **ISSUES AND OPPORTUNITIES:**

Completing this process allows the County to be prepared to submit the required Notice of Intent/Request of Release of Funds (NOI/RROF) to HUD in order to obtain Authority to Use Grant Funds (HUD 7015.16) per Section 58.70 and 58.71 before we can begin to obligate and draw down funds.

Part of the project is located in a buffer zone for the habitat of the Golden Cheek Warbler, an endangered species. Construction practices will occur in accordance with USFWS approved mitigation.

Several mitigation factors were identified in the report:

- a. Wind-blown dust would be suppressed.
- b. USFWS approved mitigation will be undertaken utilizing the infrastructure mitigation program under the Balcones Canyonlands Conservation Plan.
- c. Construction activities would be conducted during acceptable daytime hours and phased to ensure that vegetation clearing and the noisiest operations would be conducted outside of GCWA nesting season.
- d. A SWPPP would be implemented in accordance with the TCEQ TPDES program. The SWPPP and a NOI would be submitted to the TCEQ at least 48 hours prior to construction.
- e. Erosion and sediment controls such as silt fencing, rock berms, sediment traps, tree and natural area protection and soil retention blankets would be utilized.
- f. Erosion-prone, disturbed areas would be revegetated.

The Release of Funds would be expected from HUD on or about November 15, 2013.

### **FISCAL IMPACT AND SOURCE OF FUNDING:**

The posting will not have a cost associated with it.

The Lake Oak Estates construction phases are funded through CDBG funds from Program Years (PY) 2012 and 2013 totaling \$751,598. It is possible that the PY 13 may not be received due to the County's current timeliness ratio, but HUD has not provided that information to the County given the federal government shutdown. If the County should not receive its PY13 award, staff will ask the Commissioners Court to reallocate unspent up to \$425,000 of PY12 funds to complete the project.

### **REQUIRED AUTHORIZATIONS:**

County Attorney

Attachments:

- Attachment A: Environmental Assessment by Hicks & Company
- Attachment B: Public notices regarding the "Combined Notice of Intent of Finding of No Significant Impact and Intent to Request Release of Funds"
- Attachment C: Certification of Categorical Exclusions Subject to 58.5 with required statutory checklists (Statutory Checklist for Compliance with 24 CFR §58.5 – NEPA Related Federal Laws and Authorities, and Compliance Checklist for 24 CFR §58.6, Other Requirements)

**ENVIRONMENTAL ASSESSMENT**

**LAKE OAK ESTATES ROADS IMPROVEMENT**

**TRAVIS COUNTY, TEXAS**

Contract No. 12AE0134JW

*Prepared by:*

Hicks & Company  
1504 West 5<sup>th</sup> Street  
Austin, TX 78703  
512-478-0858

December 2012

# HUD STATUTORY WORKSHEET

## 24 CFR §58.5 STATUTES, EXECUTIVE ORDERS & REGULATIONS

**PROJECT NAME and DESCRIPTION** - Include all contemplated actions, which logically are either geographically or functionally part of the project:

Funding Source: CDBG

Funding Amount: \$805,000 Grant Number: B-11-UC-48-0503, B-12-UC-48-0503, B-13-UC-48-0503

This project is determined to be categorically excluded according to: [Cite section(s)] §50.20.

**DIRECTIONS** - Write "A" in the Status Column when the project, by its nature, does not affect the resources under consideration; OR write "B" if the project triggers formal compliance consultation procedures with the oversight agency, or requires mitigation (see Statutory Worksheet Instructions). Compliance documentation must contain verifiable source documents and relevant base data.

**Compliance Factors:**

Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5

Status  
A/B

Compliance Documentation

Historic Preservation [36 CFR Part 800]	A	The SHPO concurred that archeological survey is not warranted for the proposed project, and that the proposed project would have no effect to historic properties on September 17, 2012 and September 24, 2012, respectively.
Floodplain Management [24 CFR 55, Executive Order 11988]	A	The proposed project does not occur within the 100-year floodplain and does not involve a "critical action," per §55.2(b)(2)(i), located within a 500 year floodplain (Zone B) identified by FEMA maps. No additional coordination is required.
Wetland Protection [Executive Order 11990]	A	A review of National Wetland Inventory (NWI) and National Hydrologic Database (NHD) maps and a site visit by a qualified wetland ecologist concluded that no wetlands occur within the proposed project.
Coastal Zone Management Act [Sections 307(c), (d)]	A	The proposed project is not located in the coastal zone and is outside the Texas Coastal Management Program boundary.
Sole Source Aquifers [40 CFR 149]	A	The proposed project is not located within an EPA-designated sole source aquifer watershed area.
Endangered Species Act [50 CFR 402]	B	The proposed project would affect approximately 3 acres of habitat for the federally-listed endangered Golden-cheeked Warbler. Although it was determined that this project is <b>not likely to adversely affect</b> this species, coordination and potential mitigation needs will be addressed for the project through the Balcones Canyonlands Conservation Plan infrastructure mitigation process. The USFWS

		concurred with this approach for compliance with the ESA on January 10, 2013.
Wild and Scenic Rivers Act [Sections 7(b), and (c)]	A	The proposed project is not located within one mile of a listed Wild and Scenic River.
Clean Air Act - [Sections 176(c), (d), and 40 CFR 6, 51, 93]	A	The proposed project is located within an attainment area.
Farmland Protection Policy Act [7 CFR 658]	A	The proposed project is a roadway improvement project and does not involve the acquisition or conversion of undeveloped land. Additionally, soil series within the proposed project area are not mapped as "prime farmland" by the NRCS.
Environmental Justice [Executive Order 12898]	A	The proposed project will not have a disproportionate environmental impact on low income or minority populations.
<b>HUD ENVIRONMENTAL STANDARDS</b> Noise Abatement and Control [24 CFR 51B]	A	The proposed project does not involve noise sensitive uses.
Explosive and Flammable Operations [24 CFR 51C]	A	The project is located at an Acceptable Separation Distance from any above-ground explosive or flammable fuels or chemical containers.
Toxic Chemicals and Radioactive Materials [24 CFR 58.5(i)(2)]	A	The subject and adjacent properties are free of hazardous materials, contamination, toxic chemicals, gasses and radioactive substances which could affect the health or safety of occupants or conflict with the intended use of the subject property.  One Texas Voluntary Cleanup Program (TXVCP) site is documented to occur within 0.5 miles of the proposed project. This site is listed as a dry cleaner and lies approximately 0.16 miles to the west of the proposed project. A site visit conducted on September 24, 2012, concluded that this potential source of contamination does not pose a hazard which would restrict the intended uses of the proposed project.
Airport Clear Zones and Accident Potential Zones [24 CFR 51D]	A	The project is not located within an FAA-designated civilian airport Runway Clear Zone or Runway Protection Zone, or within the military Airfield Clear Zone or Accident Potential Zone/Approach Protection Zone.



**DETERMINATION:**

- ( ) This project converts to Exempt, per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license (Status "A" has been determined in the status column for all authorities). **Funds may be drawn down** for this (now) EXEMPT project; OR
- ( X ) This project cannot convert to Exempt because one or more statutes/authorities require consultation or mitigation. Complete consultation/mitigation requirements, publish NOI/RROF and obtain Authority to Use Grant Funds (HUD 7015.16) per Section 58.70 and 58.71 before drawing down funds; OR
- ( ) The unusual circumstances of this project may result in a significant environmental impact. This project requires preparation of an Environmental Assessment (EA). Prepare the EA according to 24 CFR Part 58 Subpart E.

PREPARER SIGNATURE: \_\_\_\_\_  \_\_\_\_\_ DATE: 3-20-13

PREPARER NAME: John J. Kuhl \_\_\_\_\_

RESPONSIBLE ENTITY AGENCY OFFICIAL / SIGNATURE: \_\_\_\_\_

NAME, TITLE: Samuel T. Biscoe, County Judge \_\_\_\_\_ DATE: \_\_\_\_\_

## INSTRUCTIONS for completing the STATUTORY WORKSHEET

For HUD funded projects that are categorically excluded per 24 CFR §58.35(a), the Responsible Entity (RE) must determine whether the proposal achieves compliance with each applicable statute, Executive Order or regulation with or without requiring formal consultation, mitigation, permits or having adverse effects on the resources protected by the statute. These instructions are a brief description of the essential findings needed to establish compliance. Please see Northwest Region Checklist Tools for further guidance on these laws and authorities. These instructions are not intended to replace the applicable regulations and applicable regulations take precedence.

The Preparer of the Statutory Worksheet must DOCUMENT OR ATTACH THE SOURCES OF THE DETERMINATION.

**Record the finding status on the STATUTORY WORKSHEET for each listed Federal statute, regulation, authority as follows:**

**Status “A”** applies when compliance with the authority is achieved without adverse effects on the protected resource, without necessary mitigation or attenuation AND when no formal consultation, permit or agreement is required to establish compliance. In these situations, enter “A” in the STATUTORY WORKSHEET status column.

**Status “B”** applies when project compliance with the authority requires formal consultation, a permit or agreement, OR when the proposal may have an adverse effect on the protected resources. Part B summarizes what additional steps or formal procedures must be completed prior to submitting a Request for Release of Funds (RROF) to HUD or to the State. Evidence of completion and implementation of the required procedures or mitigation must be retained in the project Environmental Review Record (ERR).

**Historic Properties** (including archeology): **A)** The RE and SHPO agree that there are No Historic Properties Affected per 36 CFR 800.4, no adverse effects on historic properties per §800.5(b), or SHPO has not objected within 30 days to such fully documented determinations. **B)** The proposal has an adverse effect on historic properties. Consult with SHPO et al., per §800.5 et seq., to resolve or mitigate adverse effects.

**Floodplain Management:** **A)** The project does not involve property acquisition, management, construction or improvements within a 100 year floodplain (Zones A or V) identified by FEMA maps, and does not involve a “critical action” (e.g., emergency facilities, facility for mobility impaired persons, etc.) within a 500 year floodplain (Zone B). If FEMA has not published flood maps, the RE must make a finding based on best available data, e.g. from the City/County Engineer or local Flood Control Agency. **B)** Complete the 8-step decision making process according to 24 CFR Part 55.20 to document that there are no practicable alternatives to the proposal and to mitigate effects of the project in a floodplain.

**Wetlands Protection:** **A)** The project does not involve new construction within or adjacent to wetlands, marshes, wet meadows, mud flats or natural ponds per field observation and maps issued by the U.S. Fish & Wildlife Service or U.S. Corps of Engineers. **B)** Complete the 8-step decision making process in 24 CFR 55.20 to document there are no practicable alternatives and to mitigate effects of the project on wetlands. Such action also requires obtaining a permit from the U.S. Corps of Engineers under Section 404 of the Clean Water Act.

**Coastal Zone Management:** **A)** The project is not located in the coastal zone, **or** the project does not include new construction or major rehabilitation of existing structures, **or** the State Department of Ecology has accepted the RE’s certification that the project is consistent with the Coastal Zone Management Program. **B)** Consult with the relevant State Department of Ecology to bring project into consistency with the CZMP.

**Sole Source Aquifers (Safe Drinking Water Act):** **A)** The project is not located within a U.S. EPA-designated sole source aquifer watershed area (including stream flow source areas), **or** the project need not be referred to EPA for evaluation according to an EPA approved MOU or checklist, **or** the EPA Ground Water Office has concurred that the project is “not likely to affect Sole Source Aquifer quality” in an informal consultation. **B)** Consult with the Water Management Division of EPA to design mitigation measures to avoid contaminating the aquifer and implement appropriate mitigation measures.

**Endangered Species:** **A)** The RE determines that the proposal will have “no effect” **or** “is not likely to adversely affect” any federally protected (listed or proposed) Threatened or Endangered Species (i.e., plants or animals, fish, or invertebrates), nor adversely modify critical habitats. This finding is to be based on contact made with the U.S. Fish and Wildlife Service and NOAA Fisheries, or by special study completed by a professional biologist or botanist. Only a determination of “no effect” does not require being sent to U.S. FWS for concurrence. **B)** The proposal is “likely to adversely affect” any federally protected (listed or proposed) Threatened or Endangered Species. Consult with the U.S. FWS or with NOAA Fisheries, in accordance with procedural regulations contained in 50 CFR Part 402.

**Wild and Scenic Rivers:** **A)** The project is not located within one mile of a listed Wild and Scenic River, **OR** the project will have no effects on the natural, free flowing or scenic qualities of a river in the National Wild and Scenic Rivers system. **B)** Consult with the U.S. Department of Interior, National Park Service for impact resolution and mitigation.

**Air Quality:** **A)** The project is located within an “attainment” area, **OR**, if within a “non-attainment” area, conforms with the EPA approved State Implementation Plan (SIP), per contact with a regional Clean Air Agency, **AND** the project requires no individual NESHAP permit or notification; **B)** Negotiate suitable mitigation measures with the relevant regional Clean Air Agency, obtain necessary permits, issue required notices. (For example, 40 CFR §61.145 requires 10-day prior notification to the Air Quality District Administrator whenever either 260 linear ft., 160 sq.ft., or 35 cubic ft., of asbestos containing material is to be disturbed).

**Farmland Protection:** **A)** The project site does not include prime or unique farmland, or other farmland of statewide or local importance as identified by the U.S. Department of Agriculture, Natural Resources Conservation Service NRCS (formerly the Soil Conservation Service), **OR** the project site includes prime or unique farmland, but is located in an area committed to urban uses; **B)** Request evaluation of land type from the NRCS using Form AD-1006, and consider the resulting rating in deciding whether to approve the proposal, as well as mitigation measures (including measures to prevent adverse effects on adjacent farmlands).

**Noise Abatement and Control:** **A)** The project does not involve development of noise sensitive uses, **OR** the project is not within 5 miles of a civil airport, 15 miles of a military airfield, within 1000 feet of major highways or busy roads, or with 3000 feet of a railroad, **OR** ambient noise level is documented to be 65 LDN (CNEL) or less, based upon the HUD Noise Assessment Guidelines (NAG) for calculating noise levels and Airport Noise Contour map; **B)** Apply the noise standard, per 24 CFR §51.101, to the decision whether to approve the proposal (see §51.104), and implement noise attenuation measures (NAG page 39-40) as applicable.

**Explosive or Flammable Operations:** **A)** The project is located at an Acceptable Separation Distance (ASD) from any above-ground explosive or flammable fuels or chemicals containers according to "Siting of HUD-Assisted Projects Near Hazardous Facilities" (Appendices F & G, pp. 51-52), **OR** the project will expose neither people nor buildings to such hazards; **B)** mitigate the blast overpressure or thermal radiation hazard with the construction of a barrier of adequate size and strength to protect the project (per 24 CFR 51.205).

**Toxic Chemicals and Radioactive Materials:** **A)** The subject and adjacent properties are free of hazardous materials, contamination, toxic chemicals, gasses and radioactive substances which could affect the health or safety of occupants or conflict with the intended use of the subject property. Particular attention should be given to nearby dumps, landfills, industrial sites and other operations with hazardous wastes. The environmental review of multifamily housing with five or more dwelling units (including leasing), or non-residential property, must include the evaluation of previous uses of the site or other evidence of contamination on or near the site, to ensure that the occupants of proposed sites are not adversely affected by any hazards. **B)** Mitigate the adverse environmental condition by removing, stabilizing or encapsulating the toxic substances in accordance with the requirements of the appropriate Federal, state or local oversight agency; **OR** reject the proposal.

**Environmental Justice:** **A)** The proposed site is suitable for its proposed use and will NOT have a disproportionate environmental impact on low income or minority populations; **B)** Site suitability is a concern; the proposal is adversely affected by environmental conditions impacting low income or minority populations. Avoid such impacts or mitigate them to the extent practicable. Address and mitigate the disproportional human health or environmental effects adversely affecting the low income or minority populations **OR** reject the proposal.

**Airport Clear Zones and Accident Potential Zones:** **A)** The project is not located within an FAA-designated civilian airport Runway Clear Zone (RCA) or Runway Protection Zone, or within the military Airfield Clear Zone (CZ) or Accident Potential Zone/Approach Protection Zone (APZ), based upon information from the airport or military airfield administrator identifying the boundaries of such zones, **OR** the project involves only minor rehabilitation, **OR** the project involves only the sale or purchase of an existing property in the RCZ or CZ; **B)** It is HUD policy not to provide any development assistance, subsidy or insurance in RCZs or CZs unless the project will not be frequently used or occupied by people and the airport operator provides written assurances that there are no plans to purchase the project site.





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## 1.0 INTRODUCTION

Travis County, Texas, is proposing to conduct a substandard roads improvement project within Lake Oak Estates, a subdivision located east of Ranch-to-Market (RM) Road 620 and west of Lake Austin in western Travis County. The subdivision is comprised of three east-west streets: Holly Lane, Bowling Lane, and Cavalier Canyon Drive. This subdivision has been identified as a low to moderate income area. The roads in the Lake Oak Estates area do not meet Travis County standards and therefore cannot be accepted into the Travis County maintained roadway system. The lack of an organized and routine roadway maintenance program will cause further deterioration of roadway conditions which will decrease the safety of the roads and jeopardize access to homes. This project is proposed in order to provide improvements required to bring the specified roadways up to minimum county standards so that they can be accepted for maintenance.

The existing roads will be improved by providing hot mix asphalt over a six inch cement treated base. Each roadway will be 20 feet wide with ditches along the sides where necessary. The intersection of Holly Lane and Unnamed 222 will have a roundabout in order to avoid impacts to two large live oak trees. Surface runoff will be collected in area drains and conveyed to the natural water way. There will be no additional right of way necessary for the improvements, but a drainage easement will be necessary to convey the surface runoff downhill on Holly Lane. The construction is programmed to be phased. The first phase will be constructing Bowling Lane, Unnamed 224 and portions of Covenant Trail and Cavalier Canyon in order to accommodate adequate horizontal curve and improve drainage. The second phase will be the construction of Meadowlark, Holly Lane, Unnamed 222 and a seal coat of Covenant Trail and Cavalier Canyon. Existing drainage patterns will not be modified only conveyed in an organized system. Temporary erosion control measures will be implemented during construction and permanent erosion controls will be installed as well.

The proposed project location is depicted on **Figures 1 and 2** in **Appendix A**; project area photographs are provided in **Appendix B**.

The proposed project would be implemented in three phases spanning three funding years for an estimated total of \$805,000.00 budget. The project will be implemented using federal funding from the U.S. Department of Housing and Urban Development (HUD). An environmental review is required of all entities assuming HUD environmental responsibilities. This environmental assessment document follows the review process as described in 24 CFR §58.5.



## 2.0 EXECUTIVE SUMMARY

Travis County, Texas, is proposing to conduct a substandard roads improvement project within Lake Oak Estates, a subdivision located east of RM 620 and west of Lake Austin in western Travis County. In accordance with 24 CFR §58.5, an environmental assessment was conducted for the proposed project. Site visits by qualified cultural resources and ecological professionals took place on August 20 and September 24, 2012.

As further detailed in this report, the proposed project was determined to have no effect on cultural or historical resources and is not located within a 100 or 500-year floodplain. Wetlands or other potential waters of the U.S. would not be impacted by the construction of the proposed project. The proposed project is not located within the Coastal Zone Management boundary and is not within close proximity to a sole-source aquifer or a designated Wild and Scenic River. Additionally, the proposed project is not designated as farmland nor does it occur within 2,500 feet of a civilian airport or within 15,000 feet of a military airfield. Displacements or adverse environmental impacts would not occur to neighborhood residents as a result of the proposed project.

Habitat for the federally-listed endangered Golden-cheeked Warbler is documented to exist adjacent to the proposed project and some areas designated as habitat will be impacted by the project; however, as further detailed in this report it was determined that this project would not adversely affect this species. Coordination and potential mitigation needs will be addressed for the project through the U.S. Fish and Wildlife Service and the Balcones Canyonlands Conservation Plan infrastructure mitigation process. The proposed project will impact a total of 3.12 acres. Of these 3.12 acres, 0.91 acre is mapped as Zone 1 Confirmed Habitat and 2.21 acres are mapped as Zone 3 – Not Known to be Habitat. Coordination with the U.S. Fish and Wildlife Service is ongoing.

Potential air quality, water quality and noise impacts would be of a temporary nature and associated with the construction of the proposed project. Mitigation controls would include dust suppression and conducting construction activities during acceptable daytime hours. A Storm Water Pollution Prevention Plan would be implemented to ensure that construction-related runoff would remain within the proposed project and not infiltrate into surrounding ecologically-sensitive areas. The utilization of erosion and sediment controls such as silt fencing, rock berms, sediment traps, tree and natural area protection and soil retention blankets would be implemented. Additionally, erosion-prone, disturbed areas would be revegetated.

A search of available federal and state environmental data records was obtained from TelALL Corporation. This search identified one Texas Voluntary Cleanup Program site (a dry cleaning facility) that is documented to occur within 0.5 miles of the proposed project. No potential hazardous materials concerns were documented during the site visit.

### 3.0 WORKSHEET FOR PREPARING 24 CFR §58.5 STATUTORY CHECKLIST

#### 3.1 §58.5(a) Historical Properties [36 CFR Part 800] Historic Properties

- a. Does the project include the type of activity that would have the potential to affect historic properties such as acquisition, demolition, disposition, ground disturbance, new construction or rehabilitation?

Yes                       No

*The project includes ground disturbance activities, which have potential to affect archeological resources. Although the project is being constructed entirely within the existing right-of-way (ROW) and would not be the type of activity which could directly affect standing historic structures, the proposed drainage and viewshed easements have the potential to indirectly affect historic structures. Therefore, the project was coordinated with the SHPO for both archeological and historic resources. Please see concurrence letters from SHPO regarding historic resources and archeological resources in **Appendix C**.*

- b. Do the RE and State Historic Preservation Office (SHPO) have a Programmatic Agreement (PA) that does not require consultation for this type of activity?

Yes                       No

- c. Is the project located within or directly adjacent to a historic district?

Yes                       No

*Please see **Figure 3** in **Appendix A**, illustrating the nearest previously identified historic districts to the project, based on data from the Texas Historical Commission's Sites Atlas. The nearest National Register Historic District, the Laguna Gloria Historic District, is approximately 11 miles from the proposed project location.*

- d. Is the structure or surrounding structures listed on or eligible for listing on the National Register of Historic Places (e.g. greater than 45 years old)?

Yes                       No

*Based on data from the Travis County Appraisal District (TCAD), only one of the homes in the project neighborhood is 45 years old or older. A 1965 construction date was listed in the TCAD database for the structure located at 15109 Holly Lane, Austin, Texas (see **Figure 4** in **Appendix A** for location and **Photographs 4** and **5** in **Appendix B**).*

e. Were any properties of historical, architectural, religious or cultural significance identified in the project's Area of Potential Effect (APE)?

Yes  No

*The structure at 15109 Holly Lane appears to have been heavily altered, does not distinctively embody the characteristics of a type, period, or method of construction, and has no known significant associations; it is therefore not eligible for listing in the NRHP.*

f. Have you consulted with the SHPO to determine whether the project will have "No Adverse Effect on Historic Properties?"

Yes  No

*The SHPO concurred that archeological survey is not warranted for the project, and that the project would have no effect to historic properties. Please see concurrence letters from SHPO regarding historic resources and archeological resources in **Appendix C**.*

g. Does the SHPO concurrence letter received for this project require mitigation or have conditions?

Yes  No

### **3.2 §58.5(b) (1) Floodplain Management [24 CFR Part 55]**

a. Does the project include minor repairs or improvements on up to four dwelling units that do not meet the thresholds for "substantial improvement" under §55.2(b)(8)?

Yes  No

b. Is the project located within (or have an impact on) a 100 year floodplain

(Zones A or V) identified by FEMA maps?

Yes  No

c. Does the project involve a "critical action," per §55.2(b)(2)(i), located within a 500 year floodplain (Zone B) identified by FEMA maps?

Yes  No

*A review of Federal Emergency Management Agency (FEMA) flood maps (panel number 48453C0405H dated September 26, 1998) concluded that the proposed project is not located within, nor impacts a designated 100 or 500-year floodplain. The nearest floodplain to the*

proposed project area is approximately 324.4 feet to the southeast (see **Figure 5 in Appendix A**). Therefore, coordination with the floodplain administrator would not be required.

### **3.3 §58.5(b) (2) Wetlands Protection (E.O. 11990)**

a. Does the project involve new construction, land use conversion, major rehabilitation, or substantial improvements?

Yes                       No

b. Is the project within or adjacent to or will it affect wetlands, marshes, wet meadows, mud flats or natural ponds per field observation and maps issued by the US Fish & Wildlife Service (USFWS) or U.S. Army Corps of Engineers (Corps)?

Yes                       No

c. Are there drainage ways, streams, rivers, or coastlines on or near the site?

Yes                       No

d. Are there ponds, marshes, bogs, swamps or other wetlands on or near the site?

Yes                       No

e. Does the project involve new construction and/or filling located within a wetland designated on a USFWS National Wetlands Inventory map?

Yes                       No

If Yes to any of the above, comply with wetlands decision-making process of 24 CFR §55.20. (Use proposed Part 55 published in the Federal Register January 2012 for wetland procedures). Continue.

f. Will the project require a permit from the Corps under Section 404 of the Clean Water Act and/or will USFWS require wetland mitigation?

Yes                       No

If No, compliance with this section is complete. Mark box "B" on the Statutory Checklist for this authority.

*A review of National Wetland Inventory (NWI) and National Hydrologic Database (NHD) maps and a site visit by a qualified wetland ecologist concluded that no wetlands occur within the proposed project. The nearest wetland lies approximately 229.5 feet northeast of the proposed*

project (see **Figure 6** in **Appendix A**). A field visit conducted on September 24, 2012, confirmed the NWI findings. However, one drainage way was noted to exist near the proposed project (**Figure 6, Appendix A**). This drainage way conveys storm water runoff from the surrounding upland areas into a canyon that lies adjacent to the proposed project to the south and west. This conveyance begins just east of North Meadowlark Street where it crosses under the street via an approximately 24-inch triple-barreled culvert and enters into the drainage way. The drainage way would not be impacted by the construction of the proposed project. Since the proposed project would not be located in a wetland, no further compliance with 24 CFR §55.20 is required (see 24 CFR §55.20(a) Step 1. in Federal Register/Vol. 76, No. 238/Monday December 12, 2011/Proposed Rules).

Care would be taken to ensure that runoff from construction would not extend beyond the project area and enter the drainage way or adjacent canyon areas. This would be done through the preparation of a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the Texas Commission on Environmental Quality's (TCEQ) Texas Pollutant Discharge Elimination System (TPDES) program. The SWPPP and a Notice of Intent (NOI) would be submitted to the TCEQ at least 48 hours prior to construction. The utilization of erosion and sediment controls such as silt fencing, rock berms, sediment traps, tree and natural area protection and soil retention blankets would be implemented. Additionally, erosion-prone, disturbed areas would be revegetated.

**3.4 §58.5(c) Coastal Zone Management [Coastal Zone Management Act of 1972, Sections 307(c) & (d)]**

a. Does the project involve new construction, land use conversion, major rehabilitation, or substantial improvements?

Yes                       No

b. Is the project located within a Coastal Zone as defined in your state Coastal Zone Management (CZM) Plan?

Yes                       No

*The proposed project is not located within a Coastal Zone as defined in the Texas Coastal Zone Management Plan (CZM). The nearest Coastal Zone boundary is approximately 126 miles to the southeast in Jackson County, Texas (see **Figure 7** in **Appendix A**).*

**3.5 §58.5(d). Sole Source Aquifers [40 CFR Part 149]**

a. Does the project involve new construction or land use conversion?

Yes                       No

If Yes, continue.

b. Is the project located within a U.S. Environmental Protection Agency (EPA)-designated sole source aquifer watershed area per EPA Ground Water Office?

Yes  No

*The proposed project is not located within the Edwards Aquifer Contributing or Recharge Zones. The nearest zone area is the Contributing Zone, lying approximately three miles to the south of the proposed project area (see **Figure 8** in **Appendix A**).*

### **3.6 §58.5(e) Endangered Species [50 CFR Part 402]**

a. Does the project involve the type of activities that are likely to have "no effect" on endangered species, such as:

- Demolition and construction or placement of a single family residence within a developed lot, and/or any loans or mortgages affiliated with such construction, demolition or placement provided they are not within 750 feet of habitat for federally-listed species or 300 feet of mapped wetlands, wildlife refuges, fish hatcheries, wildlife management areas, or related significant fish and wildlife resources?

Yes  No

- Rehabilitation or renovation activities associated with existing structures (e.g., houses, buildings), including additional structures attached to or associated with the primary structure, and/or any loans or mortgages affiliated with such rehabilitation or renovation?

Yes  No

- Acquisition of existing structures (e.g., houses, buildings), including additional structures attached to or associated with the primary structure, and/or any loans or mortgages affiliated with such acquisition.

Yes  No

- Purchase and placement of playground equipment within existing parks?

Yes  No

- Resurfacing, repairing, or maintaining existing streets, sidewalks, curbs, trails, parking lots and/or any other existing paved surfaces where additional ground disturbance, outside of the existing surface is not necessary?

Yes                       No

- b. Does the project constitute a major construction activity (a major Federal action that modifies the physical environment and would normally require the preparation of an EIS)?

Yes                       No

- c. Have the Services identified federally protected species or critical habitat within the project area?

Yes                       No

*County lists maintained by the U.S. Fish and Wildlife Service (USFWS) and Texas Parks and Wildlife Department (TPWD) were reviewed and it was determined that one threatened or endangered species issue potentially occurs within the project area in relation to the Golden-cheeked warbler (Setophaga chrysoparia).*

*The Golden-cheeked Warbler (GCWA) is a small insectivorous neotropical migratory songbird that nests only in the mixed juniper-oak woodlands occurring on rocky limestone soils. This species, which winters in southern Mexico and the Central American countries of Guatemala, Honduras, and Nicaragua, is the only Texas species whose breeding range is entirely confined to the state's boundaries. The known breeding range of the GCWA includes 37 Texas counties on the Lampasas Cut Plain, Edwards Plateau and Llano Uplift regions of the state (USFWS 1991). Golden-cheeked warblers breed in woodlands characterized by a mix of ashe juniper (Juniperus ashei) and various deciduous trees including Texas oak (Quercus buckleyi), plateau live oak (Quercus fusiformis), cedar elm (Ulmus crassifolia), Texas persimmon (Diospyros texana), hackberry (Celtis spp.), evergreen sumac (Rhus virens), Texas ash (Fraxinus texensis), redbud (Cercis canadensis), and escarpment black cherry (Prunus serotina) (USFWS 1991). Ashe juniper is often the dominant woody plant and occurs at all sites occupied by the GCWA. Female GCWAs construct nests from ashe juniper bark, which exfoliates in the form of strips, especially in more mature trees (Pulich 1976).*

*GCWAs return from their winter range to Texas by mid-March of each year. Most GCWAs leave the breeding grounds by the end of July (Pulich 1976). The principal threat to the golden-cheeked warbler (and the reason for the species emergency listing in 1990) is habitat alteration and fragmentation resulting from urbanization and certain range management practices including brush control. USFWS shows a 35 percent loss of range-wide available habitat since*

1962. Other factors that have been implicated in the decline of this species include low oak regeneration rates, oak wilt disease, nest parasitism by the brown-headed cowbird, and increased urbanization, with resulting brush clearing and habitat loss.

A review of the Balcones Canyonlands Conservation Plan (BCCP) habitat zone data for species covered under the plan concluded that confirmed habitat for the federally-listed endangered Black-capped Vireo (*Vireo atricapilla*) or the federally-listed endangered karst invertebrates does not exist within the proposed project (**Figure 9, Appendix A**); therefore, the proposed project will have no effect on these species. However, according to the BCCP zone maps, habitat for the federally-listed endangered GCWA exists within a portion of the proposed project area. It is important to note that these mapping efforts typically consist of a review of aerial photography and the habitat boundaries are not always field verified. In this case, the inclusion of an existing neighborhood in a habitat zone is not accurate. Additionally, a TPWD Texas Natural Diversity Database (TXNDD) search conducted on August 20, 2012, revealed five Elements of Occurrence (EO)s for the Golden-cheeked Warbler within two miles of the proposed project (see **Figure 10 in Appendix A**). Of these, one EO (ID #1056) was documented to occur within a portion of the proposed project. The overlap of this EO is likely the result of a default inclusion of a buffer on the locality and not representative of actual utilization of the neighborhood by the species.

d. If federally protected species or critical habitat have been identified within the project area, has a special study been conducted by a qualified professional to determine the effects of the project on each species and critical habitat?

Yes                       No

e. Has the RE made a determination based on professional findings that the project is "Not Likely to Adversely Affect" any federally protected (listed or proposed) threatened or endangered species (i.e., plants or animals, fish, or invertebrates), nor adversely modify critical habitats?

Yes                       No

*Section 7(a)(2) of the Endangered Species Act (ESA) requires Federal agencies to consult with the USFWS to ensure that actions they fund, authorize, permit, or otherwise carry out will not jeopardize the continued existence of any listed species or adversely modify designated critical habitats. Federal agencies are not required to contact USFWS if a proposed action will have no effect on listed species, or if no species are present in the action area. However, Federal agencies must initiate consultation with USFWS if a proposed action may affect one or more listed species.*



*Desktop habitat analysis and a site visit conducted by a qualified ecologist on September 24, 2012, concluded that while the GCWA has the potential to occur in habitat adjacent to the proposed project, the likelihood of this species utilizing the neighborhood environment is extremely low due to the lack of suitable habitat as well as the intrusion of human disturbance. The documented occurrence of this specimen is most likely due to the close proximity of the quality habitat associated with the canyon areas adjacent to the proposed project. These areas are a part of the City of Austin-owned Double J&T tract of the Balcones Canyonlands Preserve (BCP).*

*The proposed project is a roadway improvement project that will take place primarily within the existing ROW and one adjacent easement area. The project is not anticipated to impact potential habitat for the GCWA. Some trees within yards within the existing ROW and the adjacent easement area may be cleared during construction; however, these trees are not mature and do not provide quality habitat for this species. If they were to occur, potential impacts to the GCWA would be associated with noise and stormwater runoff onto the preserve that could potentially affect canyon habitat areas off site. The noise impacts would be temporary in nature and can be avoided by performing the noisiest construction activities outside of the nesting season (March-August). The project is expected to be constructed in two phases with the first section consisting of the northern two streets (Cavalier Canyon Drive and Bowling Lane) which are furthest away from the habitat areas and preserve land. The second phase will focus upon Holly Lane to the south. This area is closest to the habitat areas and the construction on this phase will be sequenced to initiate the noisiest project elements (clearing and grading) prior to nesting season. Additionally, implementation of a SWPPP and erosion and sediment controls would ensure that sediment laden runoff from the project would not enter into the adjacent BCP tract and impact habitat for this species. Appropriate permanent engineering measures will be taken to ensure that the stormwater that will come off off Holly Lane after the project is constructed will be clean and appropriately dissipated in flow speed and quantity to prevent erosive influence in the adjacent canyon.*

*Coordination and potential mitigation needs will be addressed for the project through the Balcones Canyonlands Conservation Plan infrastructure mitigation process. The proposed project falls within an established Regional 10(a)(B)(1) permit area and Habitat Conservation Plan (HCP), referred to as the Balcones Canyonlands Conservation Plan (BCCP) and Preserve (BCP). This regional permit, obtained by the City of Austin and Travis County, mitigates the impacts to the T&E species that are listed in the permit and allows a certain amount of habitat take in exchange for the creation of a 30,428 acre preserve and the protection of 62 karst features. The preserve and the karst features provide habitat for the Golden-cheeked Warbler, Black-capped Vireo and six endangered karst invertebrates. Appropriate coordination is ongoing and the pending infrastructure mitigation application will be submitted to the City of*

*Austin once the roadways are accepted by the Travis County Commissioners Court. The USFWS was consulted and their concurrence letter with this approach is included in **Appendix C**.*

If Yes, Service's concurrence with findings is required. Mark box "B" on the Statutory Checklist for this authority.

**3.7 §58.5(f) Wild and Scenic Rivers [36 CFR Part 297]**

a. Does the project involve new construction, land use conversion, major rehabilitation, or substantial improvements?

Yes  No

b. Is the project located within one (1) mile of a designated Wild & Scenic River, or river being studied as a potential component of the Wild & Scenic River system?

Yes  No

*The proposed project is not located within one mile of a designated Wild & Scenic River. The nearest river with this designation is the Rio Grande River which is approximately 186 miles west of the proposed project area (see **Figure 11** in **Appendix A**).*

**3.8 §58.5(g) Air Quality [40 CFR Parts 6, 51, 61 and 93]**

a. Does the project involve demolition or renovation of buildings likely to contain asbestos containing materials?

Yes  No

b. Does the project involve, for five or more dwelling units, acquisition of undeveloped land, a change of land use, demolition, major rehabilitation, or new construction?

Yes  No

**3.9 §58.5(h) Farmlands Protection [7 CFR Part 658]**

a. Does the project involve acquisition of undeveloped land, conversion of undeveloped land, new construction or site clearance?

Yes  No

b. Is project located in an area committed (zoned) to urban uses?

Yes  No

*The proposed project is a roadway improvement project and does not involve the acquisition or conversion of undeveloped land. Additionally, soil series within the proposed project area are not mapped as “prime farmland” by the Natural Resources Conservation Service (NRCS) (see Figure 12 in Appendix A). Therefore, coordination with the NRCS under the Farmlands Protection Act is not required.*

**3.10 §58.5(i) (1) Noise Abatement and Control [24 CFR Part 51B]**

a. Does the project involve a noise sensitive use such as a residential structure, school, hospital, nursing home, library, etc.?

Yes  No

*The proposed project is a road improvement project within a residential area and does not involve a noise sensitive use. Noise levels during and after completion of the proposed project are not expected to vary perceptibly from existing conditions. Noise from construction activities would be of a temporary nature and construction will take place during daytime hours to minimize impacts to residents.*

**3.11 §58.5(i) (1) Explosive and Flammable Operations [24 CFR 51C]**

a. Does the project involve development, construction, rehabilitation, modernization or land use conversion of a property intended for residential, institutional, recreational, commercial, or industrial use?

Yes  No

b. Was a field observation performed by a qualified environmental professional which documents that there are above ground storage tanks within line of site of the project?

Yes  No

c. Is the project site within one mile of current or planned stationary aboveground storage tanks of more than 100 gallon capacity, containing common liquid industrial fuels OR of any capacity, containing hazardous liquids or gases that are not liquid industrial fuels?

Yes  No

- d. Are industrial facilities handling explosive or fire-prone materials such as liquid propane, gasoline or other storage tanks adjacent to or visible from the project site?

Yes  No

*A search of available federal and state environmental data records was obtained from TelALL Corporation. A copy of this search is provided in **Appendix D**. The environmental data search was performed on August 31, 2012 and concluded that four above ground storage tanks exist approximately one mile northwest of the proposed project. All four of these are utilized for gasoline storage and are owned by Hurst Harbor Marina. Individual tank capacity is 8,000 gallons. A site visit was conducted on September 24, 2012 by a qualified ecologist familiar with Phase I site assessments and concluded that no industrial facilities handling explosive or fire-prone materials are adjacent to or within the line of site of the proposed project.*

- e. Is the project located at an Acceptable Separation Distance from any above-ground explosive or flammable fuels or chemicals containers as calculated above?

Yes  No

*An Acceptable Separation Distance (ASD) Assessment was conducted utilizing the ASD Electronic Assessment Tool (HUD 2009). The ASD for thermal radiation for people was calculated to be 146.31 feet. The ASD for thermal radiation for buildings was calculated to be 24.97 feet. The proposed project is located approximately one mile from the nearest above ground gasoline storage tank; therefore the project exceeds the calculated ASD from the storage tanks by 5,133.69 feet for people and 5,255.03 feet for buildings.*

### **3.12 §58.5(i) (1) Airport Hazards [24 CFR 51D]**

- a. Will the project use HUD assistance, subsidy or insurance for construction; land development; community development or redevelopment; substantial modernization and rehabilitation which prolongs the physical or economic life of existing facilities; provide facilities and services which make land available for construction; change the use of a facility; increase the density or number of people at the site?

Yes  No

If Yes, continue.

If No, compliance with this section is complete. Mark box "A" on the Statutory Checklist for this authority.

b. Is the property within 2,500 feet of a civilian airport, the Runway Clear Zone (RCZ)?

Yes  No

c. Is the project is within 15,000 feet of a military airfield, the Clear Zone (CZ) or Accident Potential Zone (APZ)?

Yes  No

*The proposed project is not within 2,500 feet of a civilian airport or within 15,000 feet of a military airfield (see **Figure 13** in **Appendix A**). The closest civilian airport, Lakeway Airfield, is 14,256 feet (2.7 miles) southwest of the proposed project. The closest military airfield, Fort Hood, is 257,136 feet (48.7 miles) north of the proposed project.*

**3.13 §58.5(i) (2) Contamination and Toxic Substances**

a. Is the property located within the search distances of any of the types of environmental contamination sources?

<b>Table 1. Potential Environmental Contamination Sources to the Proposed Project</b>			
<b>Standard Environmental Record Sources</b>	<b>Approximate Minimum Search Distance (mi)</b>	<b>Yes</b>	<b>No</b>
Federal NPL Site List	1	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Federal Delisted NPL Site List	0.5	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Federal CERCLIS List	0.5	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Federal CERCLIS NFRAP Site List 0.5	0.5	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Federal RCRA CORRACTS Facilities List	1	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Federal RCRA Non-CORRACTS TSD Facilities List	0.5	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Federal RCRA Generators List	Property/Adjoining Properties	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Federal Institutional Control/Engineering Control Registeries	Property Only	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Federal ERNS List	Property Only	<input type="checkbox"/>	<input checked="" type="checkbox"/>
State- and Tribal-Equivalent NPL	1	<input type="checkbox"/>	<input checked="" type="checkbox"/>
State- and Tribal-Equivalent CERCLIS	0.5	<input type="checkbox"/>	<input checked="" type="checkbox"/>
State and Tribal Landfill and/or Solid Waste Disposal Site Lists	0.5	<input type="checkbox"/>	<input checked="" type="checkbox"/>
State and Tribal Leaking Storage Tank Lists	0.5	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>Standard Environmental Record Sources</b>	<b>Approximate Minimum Search Distance (mi)</b>	<b>Yes</b>	<b>No</b>
State and Tribal Registered Storage Tank Lists	Property/Adjoining Properties	<input type="checkbox"/>	<input checked="" type="checkbox"/>
State and Tribal Institutional Control/Engineering Control Registries	Property Only	<input type="checkbox"/>	<input checked="" type="checkbox"/>
State and Tribal Voluntary Cleanup Sites	0.5	<input checked="" type="checkbox"/>	<input type="checkbox"/>
State and Tribal Brownfield Sites	0.5	<input type="checkbox"/>	<input checked="" type="checkbox"/>

b. Did a visual inspection of the site show the following?

	<b>Yes</b>	<b>No</b>
Distressed Vegetation	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Vent or Fill Pipes	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Storage Oil Tanks or Questionable Containers	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pits, Ponds, or Lagoons	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Stained Soil or Pavement (other than water stains)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pungent, Foul, or Noxious Odors	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Dumped Material or Soil, Mounds of Dirt, Rubble, Fill, etc.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

c. Has the property ever been used for any of the following types of uses?

	<b>Yes</b>	<b>No</b>		<b>Yes</b>	<b>No</b>
Gas Station	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Vehicle Repair Shop	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Car Dealership	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Auto Garage	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Depot	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Commercial Printing Facility	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Industrial or Commercial Warehouses	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Dry Cleaners	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Photo Developing Laboratory	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Hospital	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Junkyard or Landfill	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Agricultural/Farming Operations	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Tannery	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Live stock Operations	<input type="checkbox"/>	<input checked="" type="checkbox"/>

d. Does the project have an underground storage tank other than a residential fuel tank, or known or suspected to be contaminated by toxic chemicals or radioactive materials?

Yes  No

e. Is the project site near an industry disposing of chemicals or hazardous wastes?

Yes  No

f. Could nearby toxic, hazardous or radioactive substances affect the health and safety of project occupants or conflict with the intended use of the property?

Yes  No

g. Are there unresolved concerns that could lead to the RE being determined to be a Potentially Responsible Party (PRP)?

Yes  No

*As shown above on **Table 1**, one Texas Voluntary Cleanup Program (TXVCP) site is documented to occur within 0.5 miles of the proposed project. This site is listed as a dry cleaner (program ID number 1447) and lies approximately 0.16 miles to the west of the proposed project. The site's soils and groundwater were reported to be contaminated by chlorinated solvents. The phase of this application is listed as completed (see report in **Appendix D**). A site visit conducted on September 24, 2012, concluded that this potential source of contamination does not pose a hazard which would restrict the intended uses of the proposed project.*

### **3.14 §58.5(j) Environmental Justice (E.O. 12898)**

a. Is the project located in or designed to serve a predominantly minority and low-income neighborhood?

Yes  No

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

*Identification of Low-Income Populations*

*In order to be eligible for the proposed project, the community must have at least 51 percent low to moderate income residents living in the area of benefit. Although the proposed project area was not included in an eligible Census tract based on HUD analysis of data from the 2010 Census, the neighborhood and grant staff concurred that this information did not accurately reflect the demographics of the community. Travis County recommended that the residents complete a primary survey of each family to contest the census data.*

*In February and March of 2011, a primary survey was conducted in the Lake Oak Estates neighborhood. A team of neighborhood volunteers was trained by County staff to conduct the survey. A meeting with neighborhood residents was held to explain the CDBG program and complete as many surveys as possible. Forty-three families were identified as living in the neighborhood; thirty-nine of these families (totaling 126 people) responded to the survey. The survey results indicated that 108 people, or 85.7 percent of the area of benefit, were low to moderate income. Therefore, the project area was determined to be eligible for the project as well as determined to be a low-income environmental justice community.*

#### *Identification of Minority Populations*

*As defined by the Council on Environmental Quality (CEQ) report, Environmental Justice Guidance Under the National Environmental Policy Act, a minority population should be identified where either: (a) the minority population of the affected area exceeds 50 percent or (b) the minority population percentage of the affected area is meaningfully greater than the minority population percentage in the general population or other appropriate unit of geographic analysis.*

*A minority person is someone who is:*

- *Black (having origins in any of the black racial groups of Africa);*
- *Hispanic (of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race);*
- *Asian-American (having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands); or*
- *American Indian and Alaskan Native (having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition).*
- *A minority population also exists if there is more than one minority group present and the minority percentage, as calculated by aggregating all minority persons, meets one of the above-stated thresholds.*

*The proposed project intersects or is adjacent to eight populated Census 2010 blocks with a population totaling 455 persons (see **Figure 14** in **Appendix A**). Four of the Census blocks had a minority population (those who identified themselves as anything but “White Alone” in the 2010 Census) of 50 percent or more (see **Table 4** below and **Figure 15** in **Appendix A**).*



**Table 4. Project Area Race and Ethnicity Characteristics, 2010**

CT	BG	Block	Total Population	Not Hispanic or Latino							Hispanic or Latino of Any Race	Total Minority Population	Total % Minority Population
				White	Black or African American	American Indian and Alaska Native	Asian	Pacific Islander	Other Race	Two or More Races			
<b>BLOCK GROUP</b>													
17.4	2		2,905	2,128	26	5	61	1	1	47	636	777	26.7%
<b>PROJECT AREA BLOCKS</b>													
17.42	2	2049	25	23	-	-	-	-	-	-	2	2	8.0%
17.42	2	2022	60	19	-	-	-	-	-	-	41	41	68.3%
17.42	2	2025	43	11	-	-	1	-	-	-	31	32	74.4%
17.42	2	2036	10	8	-	-	2	-	-	-	-	2	20.0%
17.42	2	2024	11	-	-	-	-	-	-	-	11	11	100.0%
17.42	2	2023	266	202	-	1	6	-	1	4	52	64	24.1%
17.42	2	2029	27	26	-	-	-	-	-	-	1	1	3.7%
17.42	2	2021	13	5	-	-	-	-	-	-	8	8	61.5%
<b>Totals</b>			<b>455</b>	<b>294</b>	<b>-</b>	<b>1</b>	<b>9</b>	<b>-</b>	<b>1</b>	<b>4</b>	<b>146</b>	<b>161</b>	<b>35.4%</b>

Source: Census 2010, Table P-2.

Furthermore, 101 of the 126 respondents to the community survey identified themselves as non-White, for a total minority population of approximately 80 percent. Based on this information, as well as the four census blocks with greater than 50 percent minority population, it was determined that there are minority environmental justice populations as well as low-income environmental justice populations in the community.

b. Would there be an adverse environmental impact caused by the proposed action, or would the proposed action be subject to an existing adverse environmental impact?

Yes  No

As the proposed project would improve roadway conditions and safety and ensure long term maintenance by Travis County, the project would be beneficial to the community. No displacements or adverse environmental impacts would occur to neighborhood residents, other than minor inconveniences during construction. The proposed action would not be subject to an existing adverse environmental impact.

### 3.15 Summary of Mitigation Measures

The following mitigation measures and actions may occur during the planning or construction phase of the proposed project.

*Wind-blown dust would be suppressed.*

*USFWS approved mitigation will be undertaken utilizing the infrastructure mitigation program under the Balcones Canyonlands Conservation Plan. Construction activities would be conducted during acceptable daytime hours and phased to ensure that vegetation clearing and the noisiest operations would be conducted outside of GCWA nesting season.*

*A SWPPP would be implemented in accordance with the TCEQ TPDES program. The SWPPP and a NOI would be submitted to the TCEQ at least 48 hours prior to construction.*

*Erosion and sediment controls such as silt fencing, rock berms, sediment traps, tree and natural area protection and soil retention blankets would be utilized.*

*Erosion-prone, disturbed areas would be revegetated.*

## 4.0 REFERENCES

- Environmental Systems Research Institute (ESRI). World Imagery. February 3, 2009.
- Federal Aviation Administration (FAA) Aeronautical Information Services, ATA-100. National Transportation Atlas Database. Public Use Airports. Retrieved from [http://www.bts.gov/publications/national\\_transportation\\_atlas\\_database/2012/](http://www.bts.gov/publications/national_transportation_atlas_database/2012/). January 1, 2011.
- Federal Emergency Management Agency (FEMA). Flood Insurance Rate Map (FIRM) Panel No. 48453C0405H, Travis County, Texas. September 26, 2008.
- Pulich, W.M. 1976. The golden-cheeked warbler: a bioecological study. Texas Parks and Wildlife Department, Austin, Texas.
- Texas Archeological Sites Atlas (Atlas). 2012. <http://nueces.thc.state.tx.us/>. Accessed September 18, 2012.
- Texas Commission on Environmental Equality (TCEQ). Edwards Aquifer Regulatory Boundary. Retrieved from <http://www.tceq.texas.gov/gis/boundary.html>. Updated September 1, 2005.
- Texas General Land Office (TXGLO). Coastal Zone Boundary Map. <http://www.glo.texas.gov/what-we-do/caring-for-the-coast/documents/landing-page-folder/CoastalBoundaryMap.pdf>. Accessed September 20, 2012.
- Travis Central Appraisal District (TCAD). 2012. [http://www.traviscad.org/property\\_search.html](http://www.traviscad.org/property_search.html). Accessed September 19, 2012.
- Travis County. 1996. Endangered Species Habitat and Potential Preserve System. <http://www.co.travis.tx.us/maps/default.asp>. Accessed September 20, 2012.
- Texas Parks and Wildlife Department (TPWD). T/E and Rare Species Elemental Occurrences. Natural Diversity Database, Wildlife Division, Habitat Assessment Program, Austin, Texas. August 20, 2012.
- U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS). Soil Survey Geographic (SSURGO) database for Travis County, Texas. Retrieved from <http://soildatamart.nrcs.usda.gov/>. Updated September 21, 2012.

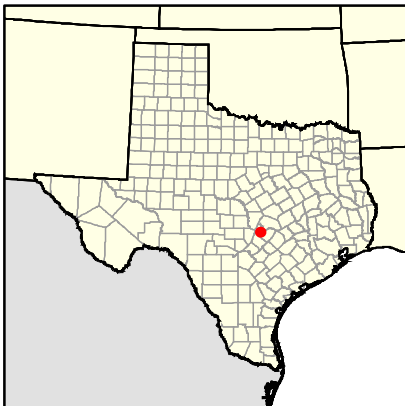
- U.S. Department of Commerce, Census Bureau (Census). 2010a. American FactFinder. Table P-2; Race Alone or in Combination and Hispanic or Latino: 2010.  
<http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml>. Accessed September 17, 2012.
- U.S. Department of Commerce, Census Bureau (Census). 2010b. TIGER/Line Shapefiles. Retrieved from <http://www.census.gov/geo/maps-data/data/tiger-line.html>. Updated March 26, 2012.
- U.S. Department of Housing and Urban Development (HUD). 2009. Acceptable Separation Distance Electronic Assessment Tool.  
<http://www.hud.gov/offices/cpd/environment/asdcalculator.cfm>. Accessed September 28, 2012.
- U.S. Fish and Wildlife Service (USFWS). 1991. Golden-cheeked Warbler recovery plan. Austin, Texas.
- U.S. Fish and Wildlife Service (USFWS). 1993. National Wetland Inventory Map, Bee Cave, Texas.
- U.S. Fish and Wildlife Service (USFWS). 2012. National Wild and Scenic Rivers System.  
<http://www.rivers.gov/rivers/texas.php>. Accessed September 18, 2012.
- U.S. Geological Survey (USGS). 1986. 7.5-minute series topographic maps, Bee Cave, Texas, quadrangle.



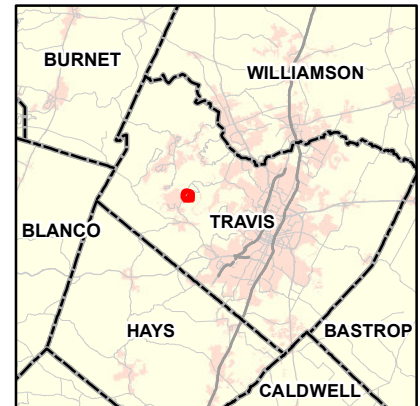
**APPENDIX A**  
**FIGURES**

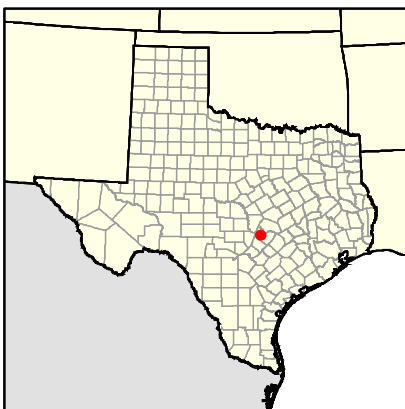
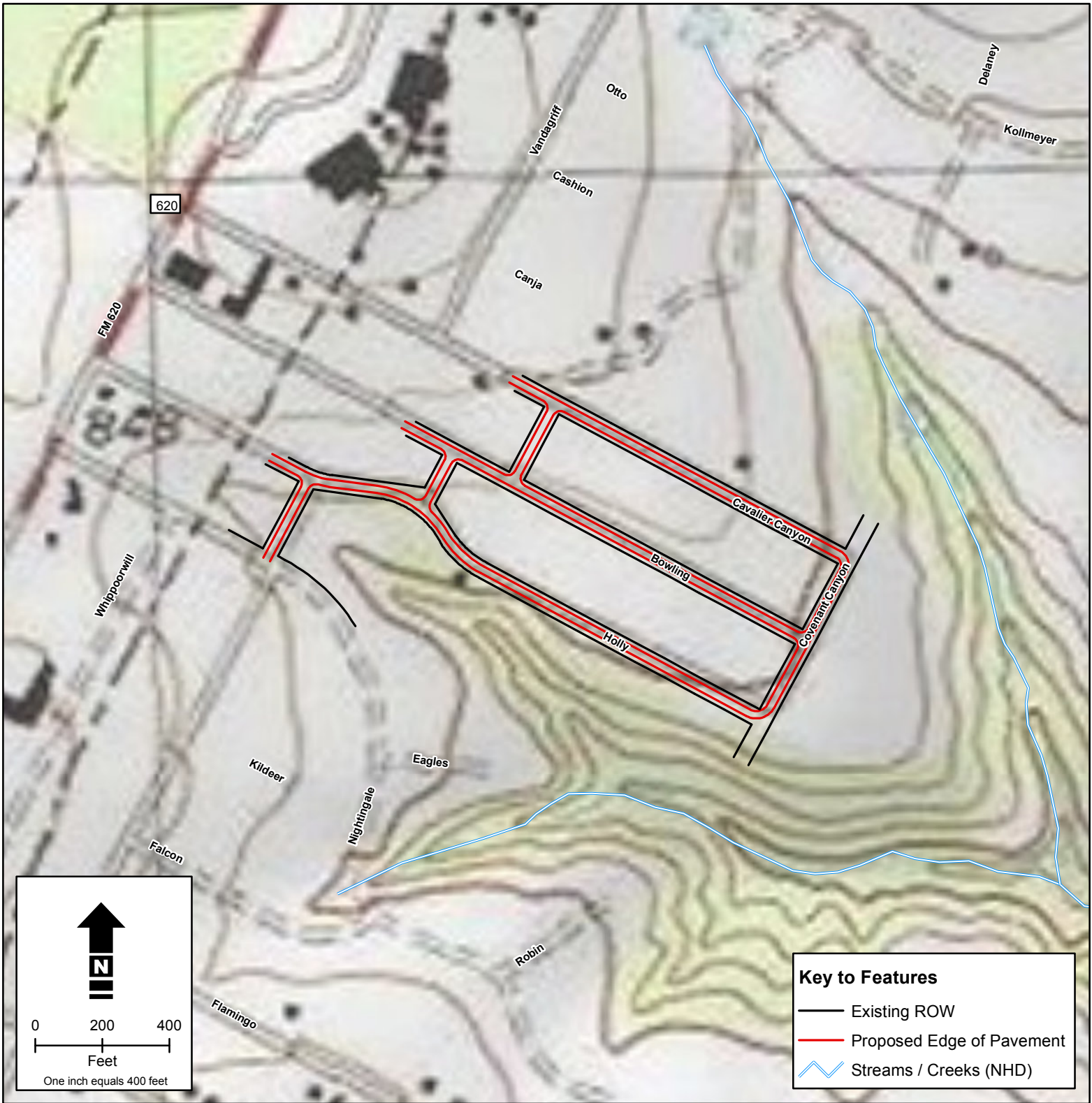


Source: ESRI 2009



**Figure 1**  
Project Location  
Travis County Lake Oaks Subdivision

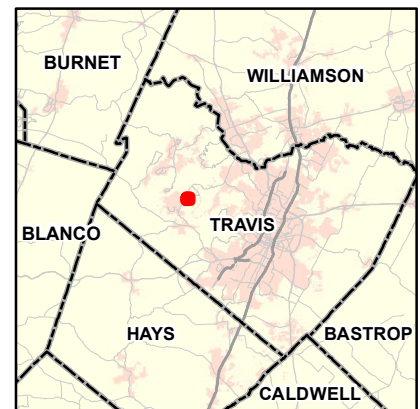




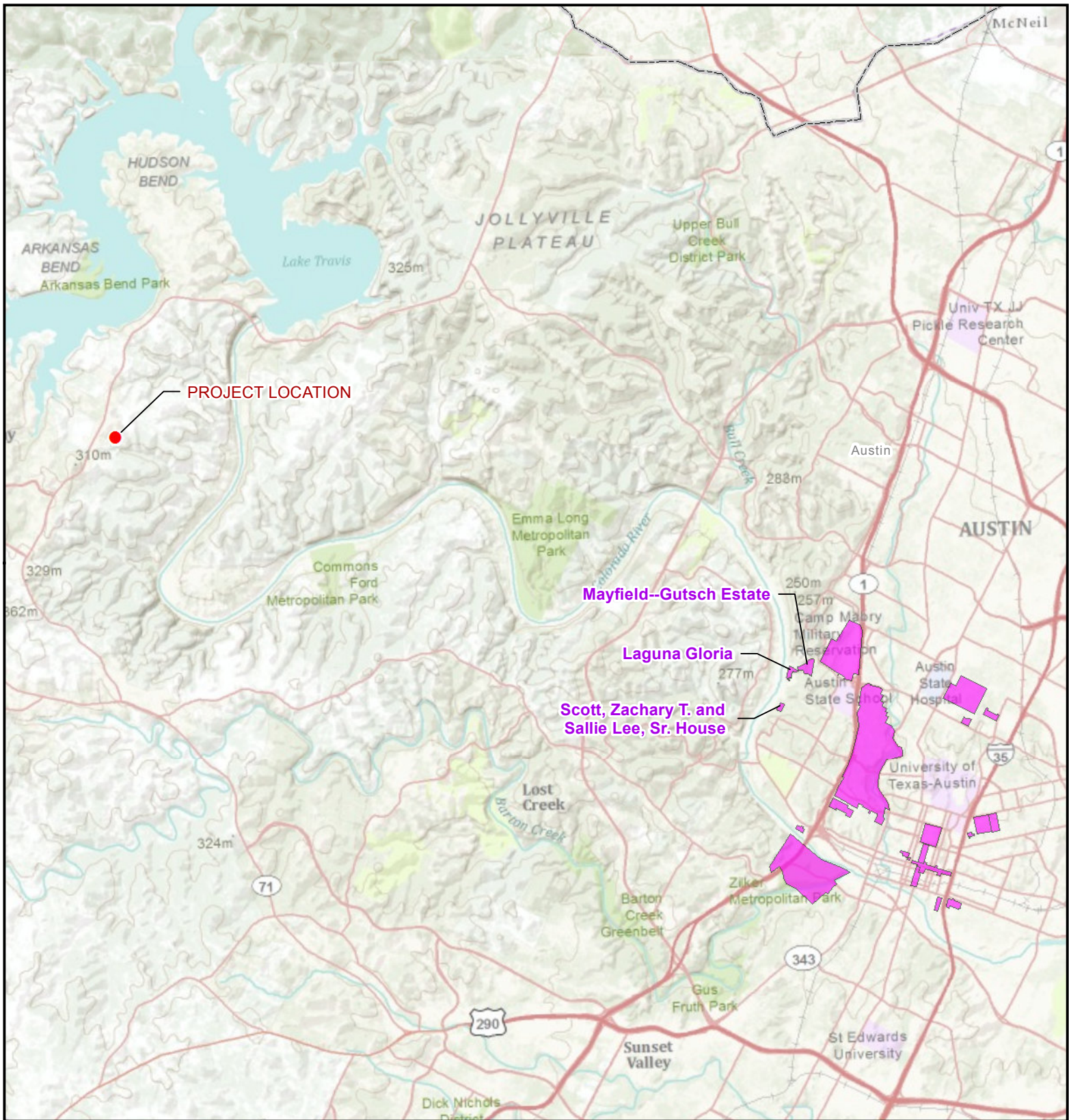
**Figure 2**  
Project Location

Travis County Lake Oaks Subdivision

USGS 7.5-minute Topographic Quadrangle:  
Bee Cave, TX







Source: Atlas 2012

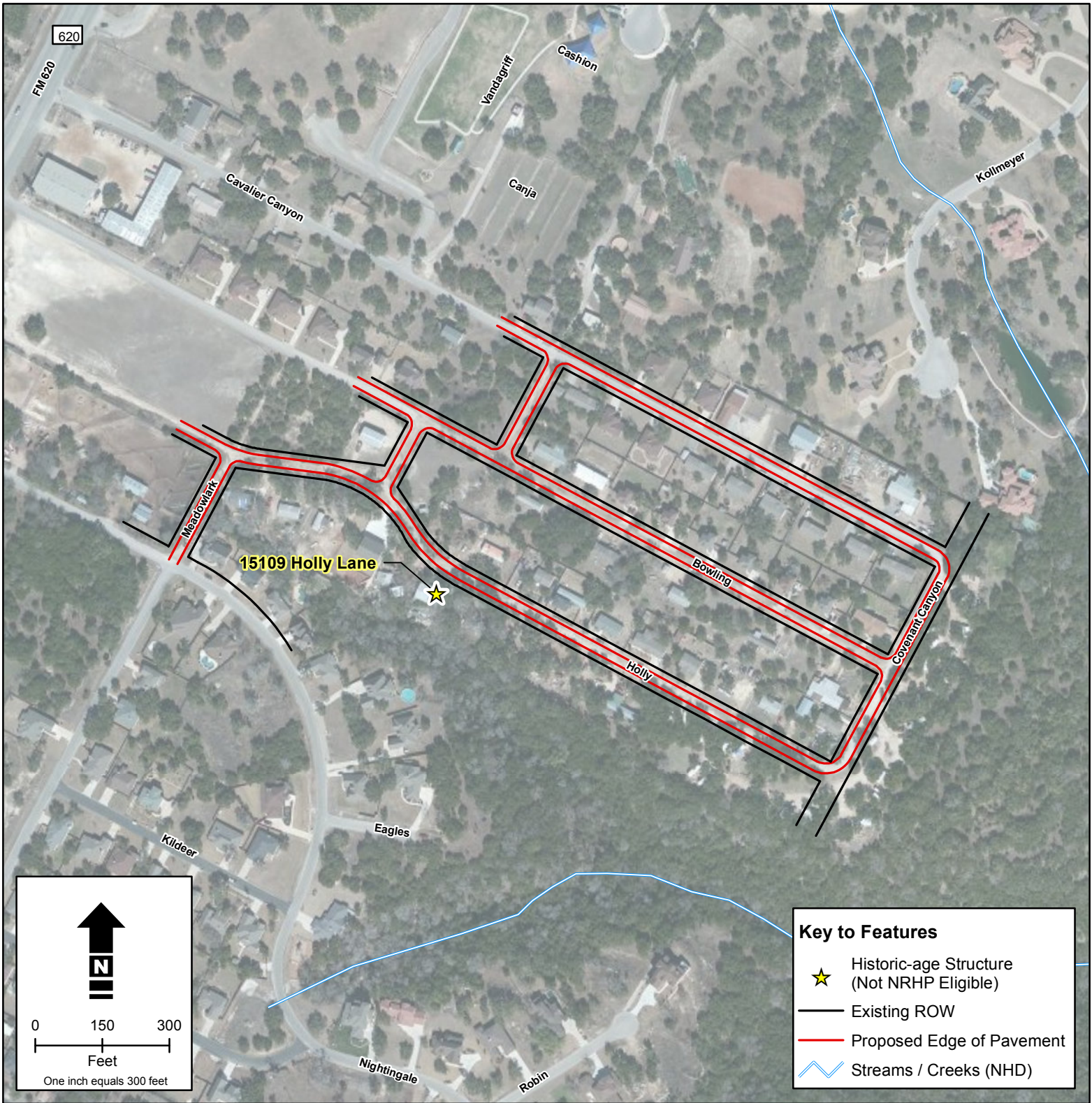
**Figure 3**  
 Nearest National Register  
 Historic Districts  
 Travis County Lake Oaks Subdivision

**Key to Features**

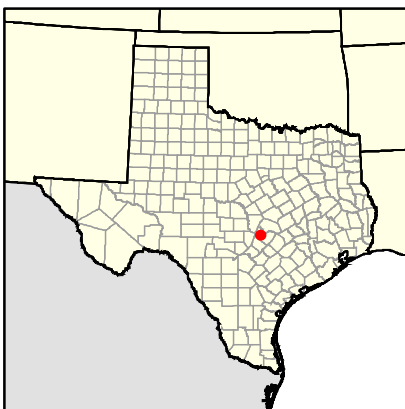
- Project Location
- NRHP Districts



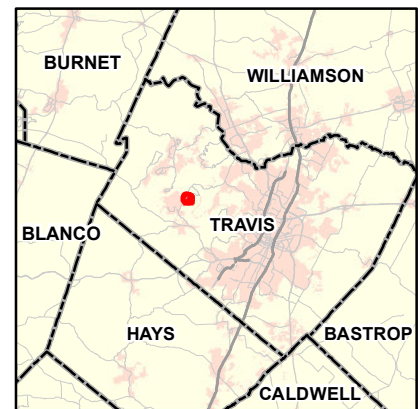
One inch equals 2 miles

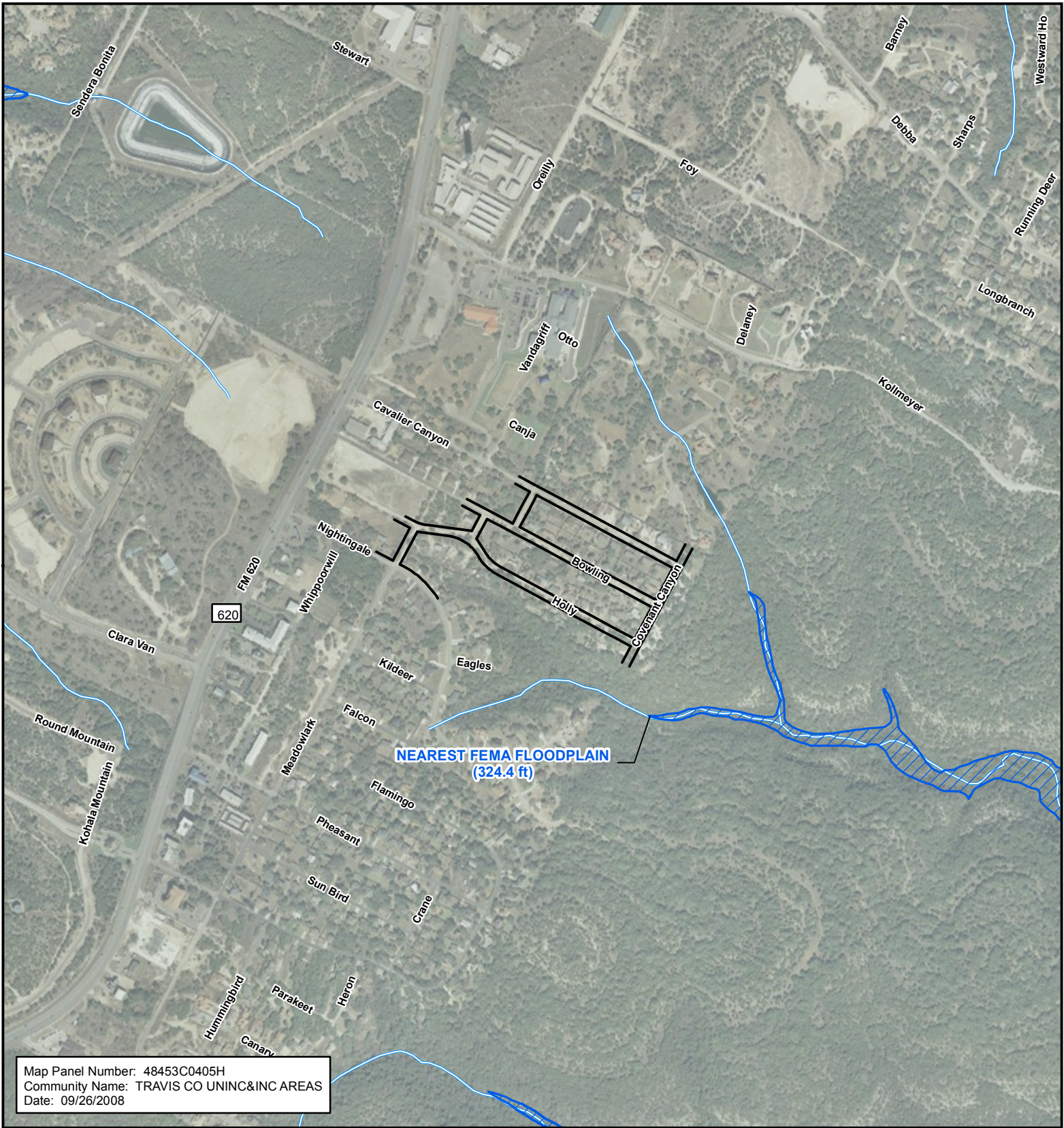


Source: ESRI 2009; TCAD 2012

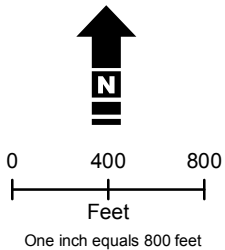


**Figure 4**  
Historic-age Structures in  
Project Area  
Travis County Lake Oaks Subdivision








Source: ESRI 2009; FEMA 2008



**Figure 5**  
**FEMA Floodplain Locations**  
 Travis County Lake Oaks Subdivision

**Key to Features**






-  Existing ROW
-  Streams / Creeks (NHD)
-  FEMA Floodplains (COA 2008)

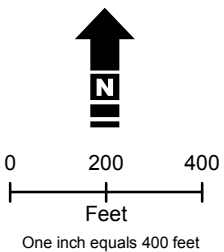


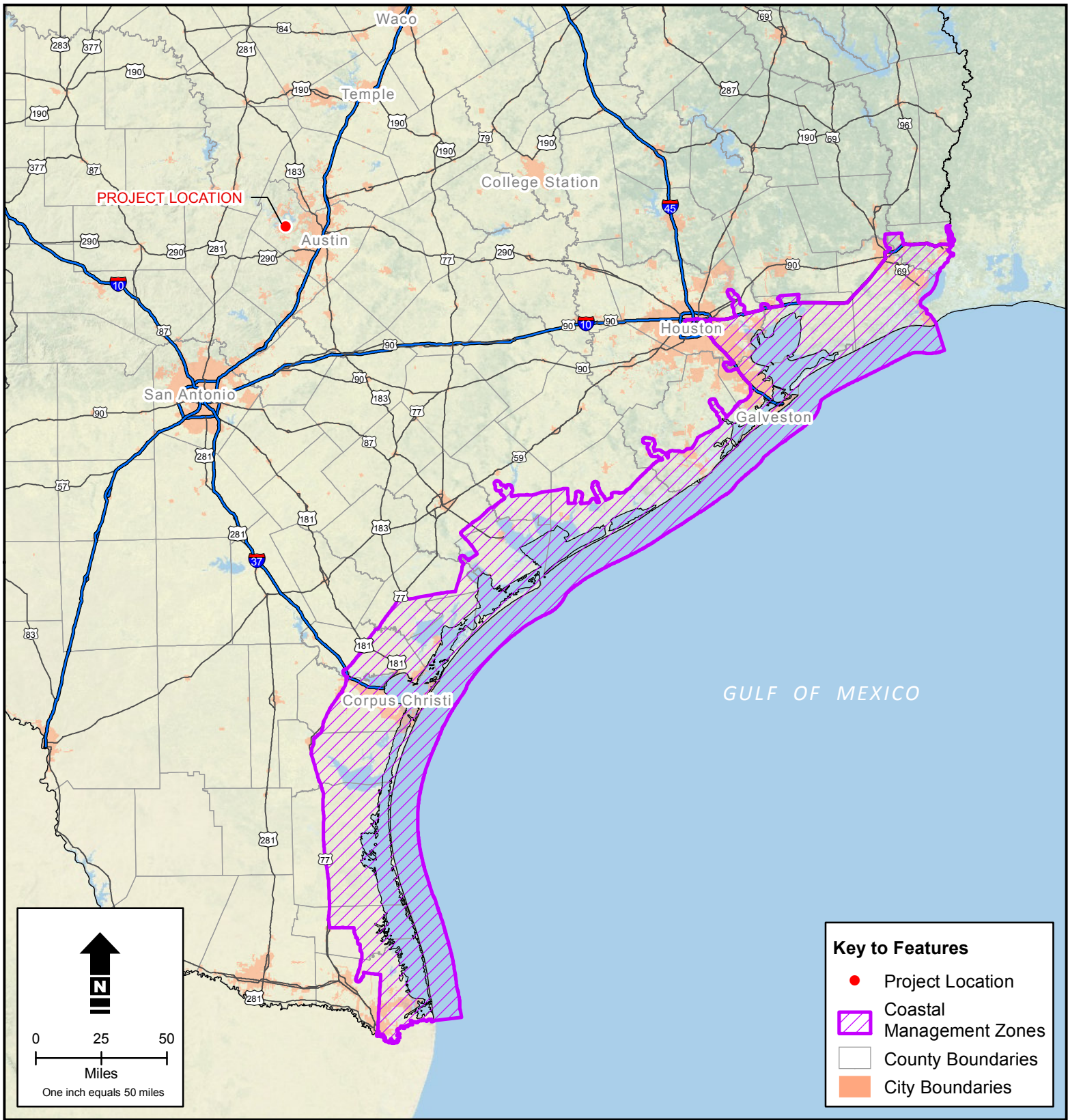
Source: ESRI 2009; USFWS 1993

**Figure 6**  
Wetland (NWI) Locations  
Travis County Lake Oaks Subdivision

**Key to Features**

-  Proposed Edge of Pavement
-  Existing ROW
-  Streams / Creeks (NHD)
-  Drainage Way
-  Wetlands (NWI)

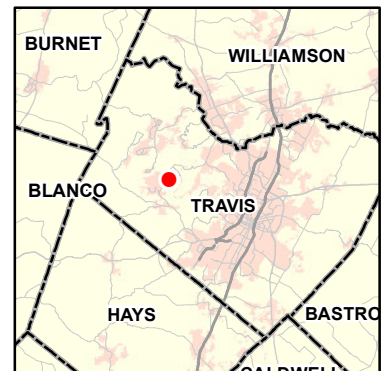




Source: TXGLO 2012



**Figure 7**  
Coastal Zone Management Areas  
Travis County Lake Oaks Subdivision





Source: TCEQ 2005

**Figure 8**  
 Sole Source Aquifers  
 Travis County Lake Oaks Subdivision

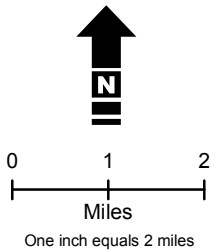
**Key to Features**

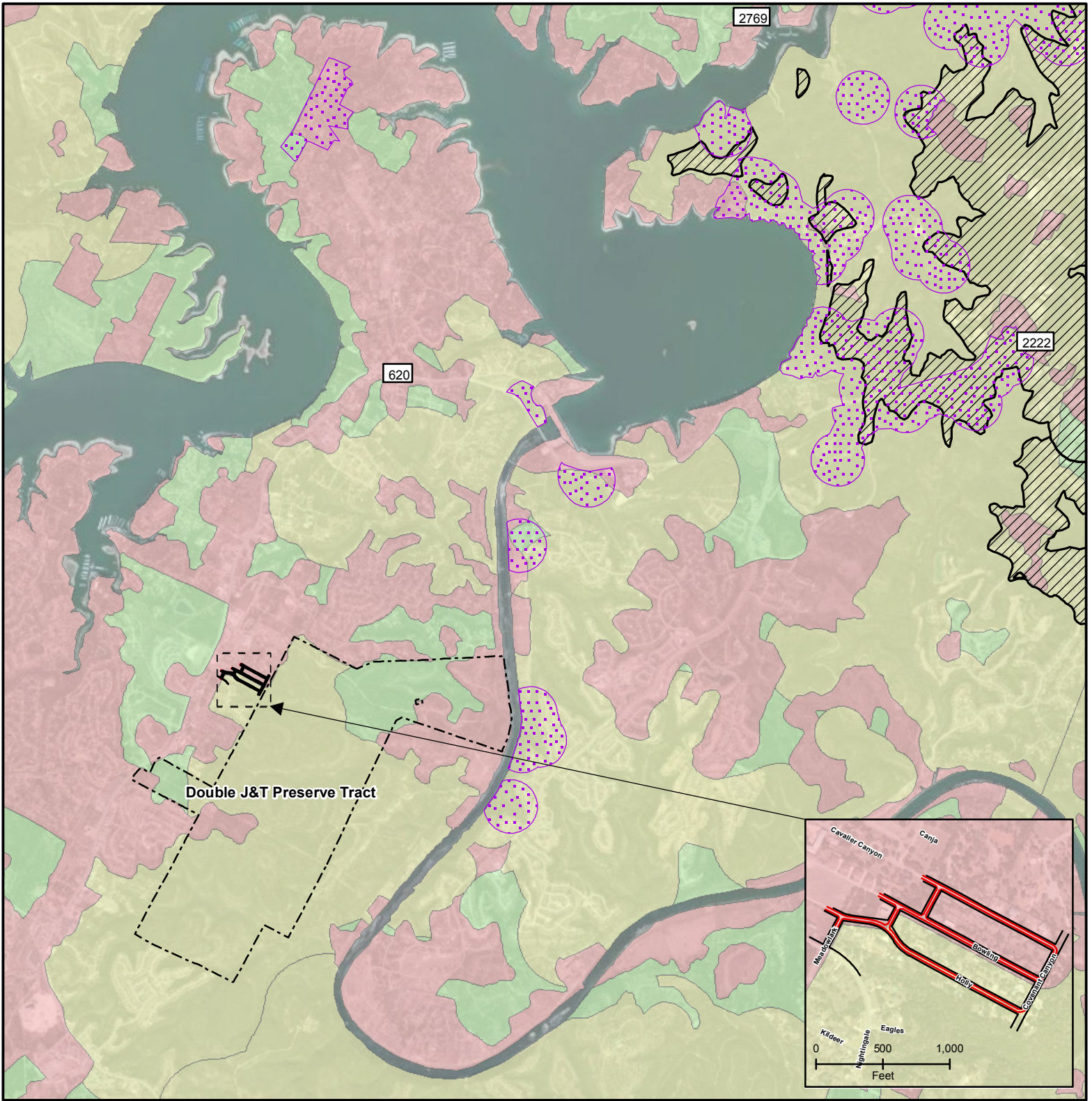
● Project Location

**Edwards Aquifer Zone Types**

■ Edwards Aquifer Contributing Zone

■ Edwards Aquifer Recharge Zone



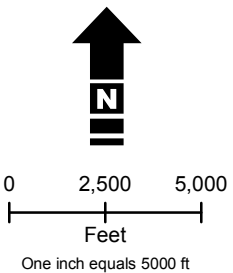


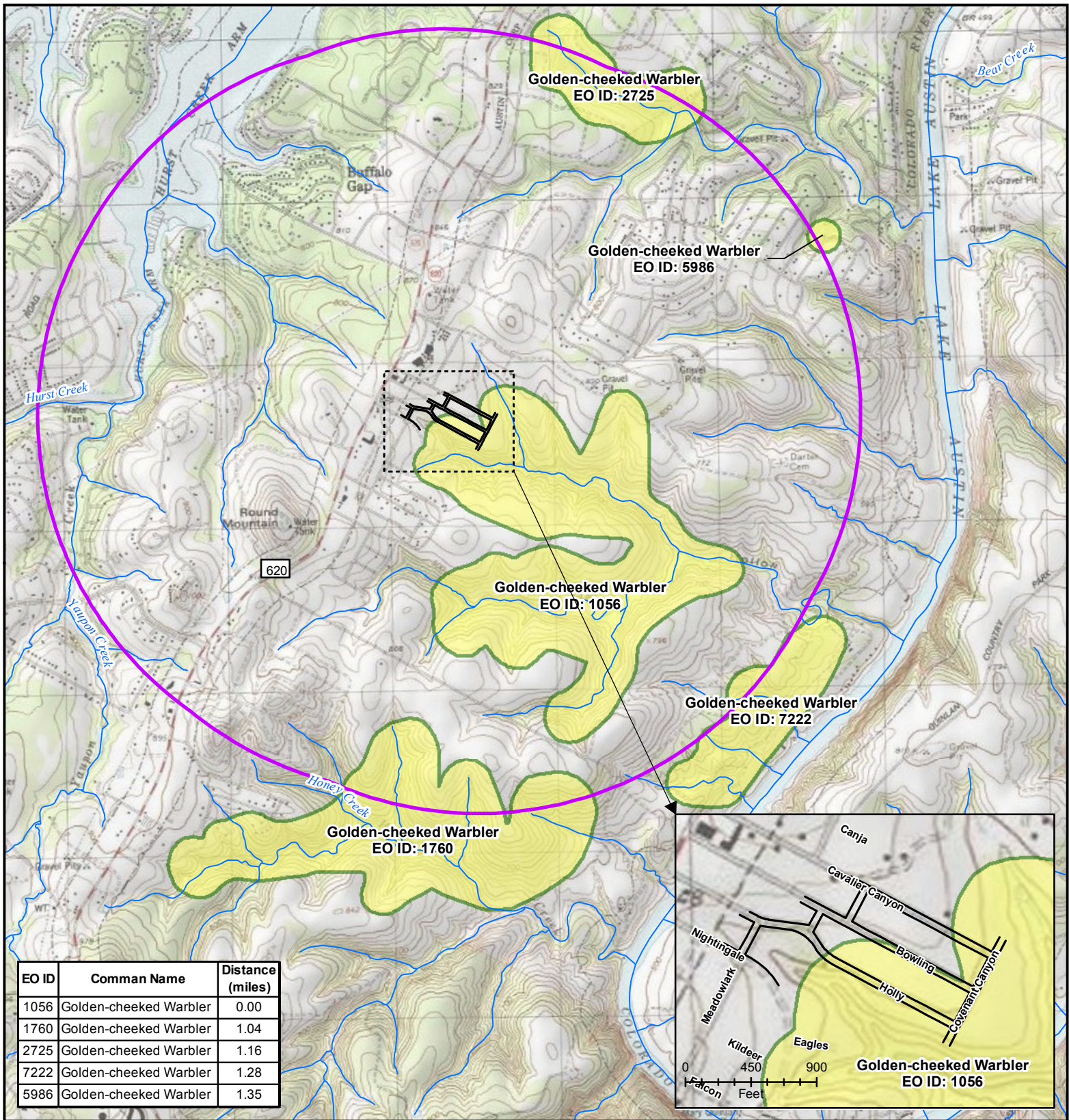
Source: Travis County 1996

**Figure 9**  
 BCCP Habitat and Karst Zones  
 Travis County Lake Oaks Subdivision

**Key to Features**

- Existing ROW
- Proposed Edge of Pavement
- Black-capped Vireo Habitat
- ▨ Karst Zones
- Golden-cheeked Warbler Habitat**
- Confirmed Habitat
- Unconfirmed Habitat
- Not Known to be Habitat









Source: TPWD 2012

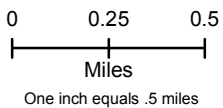
**Figure 10**

Texas Parks and Wildlife  
TxNDD Results  
Travis County Lake Oaks Subdivision

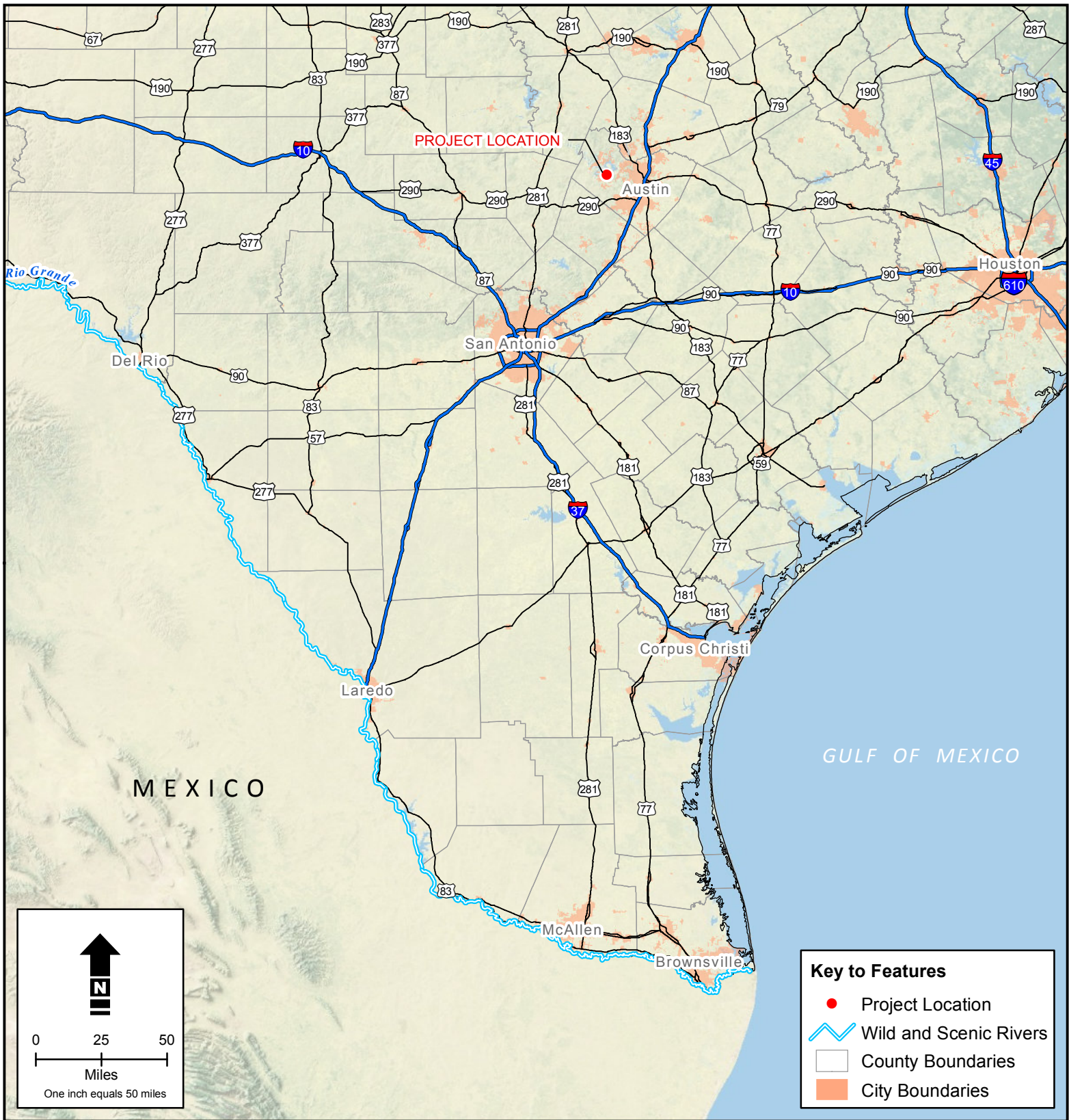
USGS 7.5-minute Topographic Quadrangle:  
Bee Cave and Mansfield Dam, TX

**Key to Features**

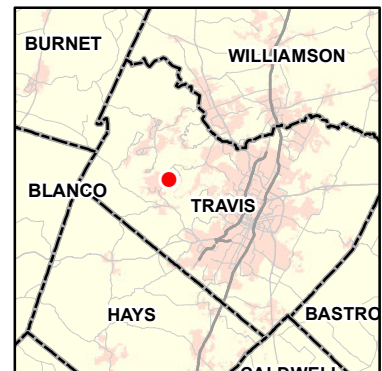
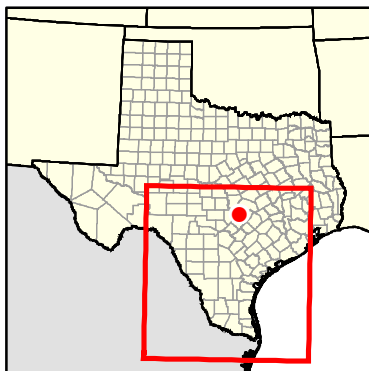
-  1.5 Mile Search Radius
-  TxNDD Occurrences
-  Existing ROW
-  Streams / Creeks (NHD)



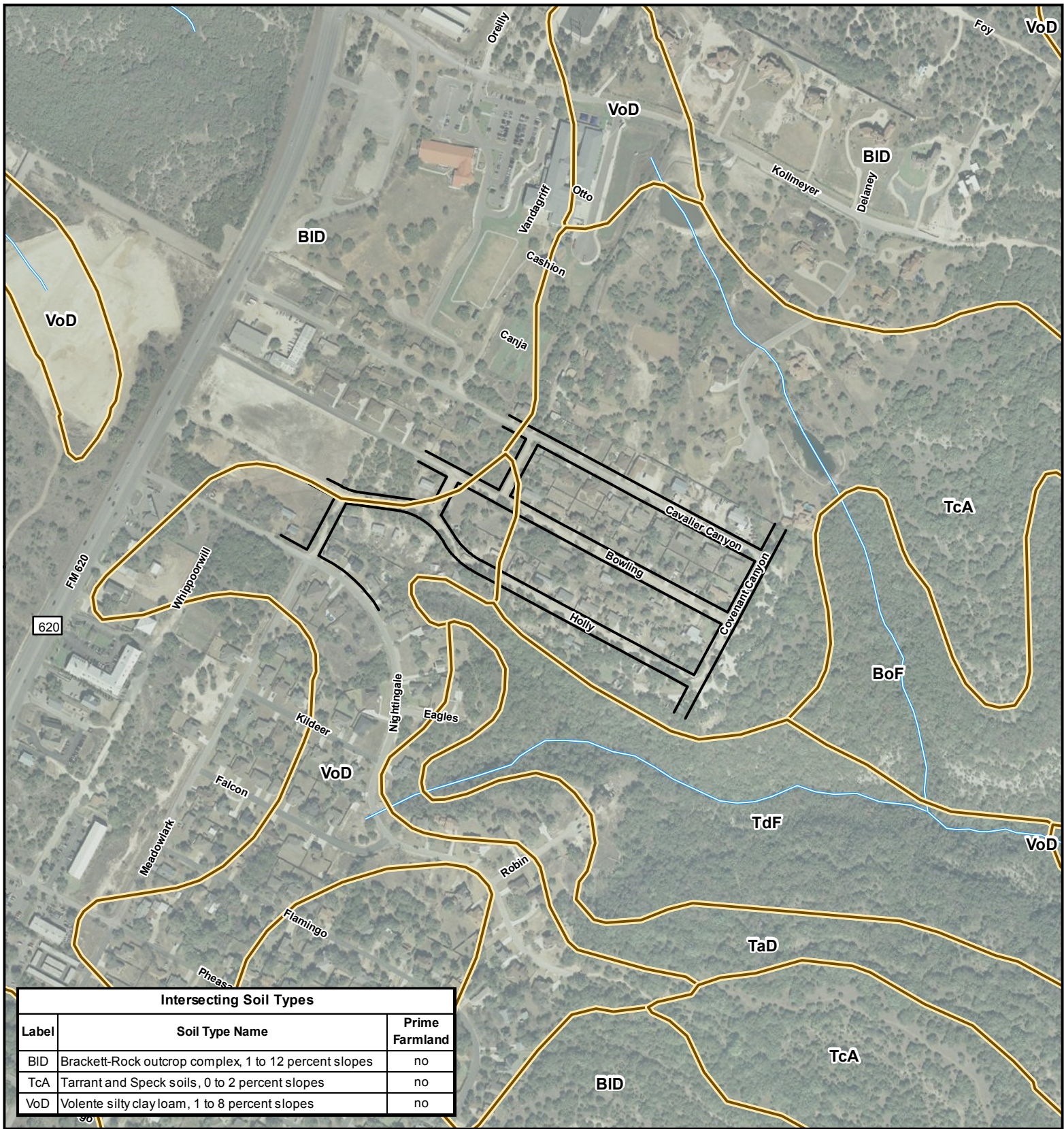




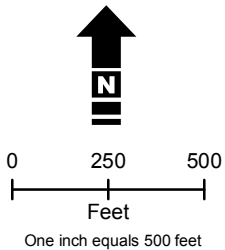
Source: USFWS 2012



**Figure 11**  
Wild and Scenic Rivers  
Travis County Lake Oaks Subdivision



Source: ESRI 2009; NRCS 2012

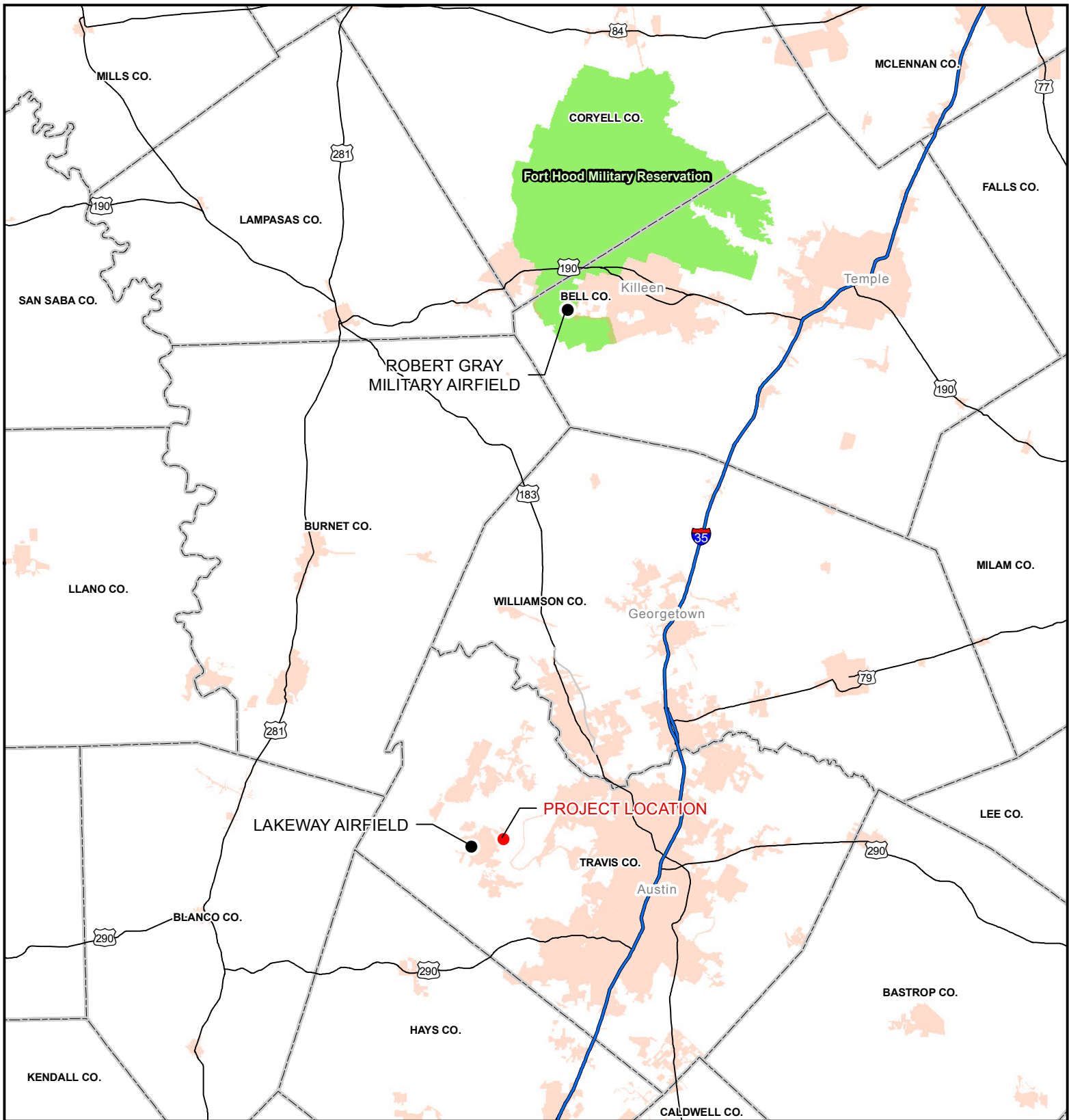


**Figure 12**  
Soil Types

Travis County Lake Oaks Subdivision

**Key to Features**

- Soil Type Boundaries
- Existing ROW
- Streams / Creeks (NHD)

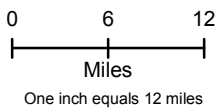


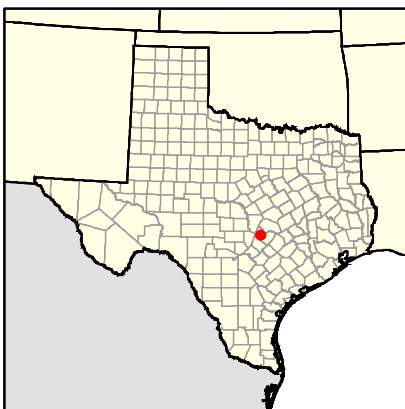
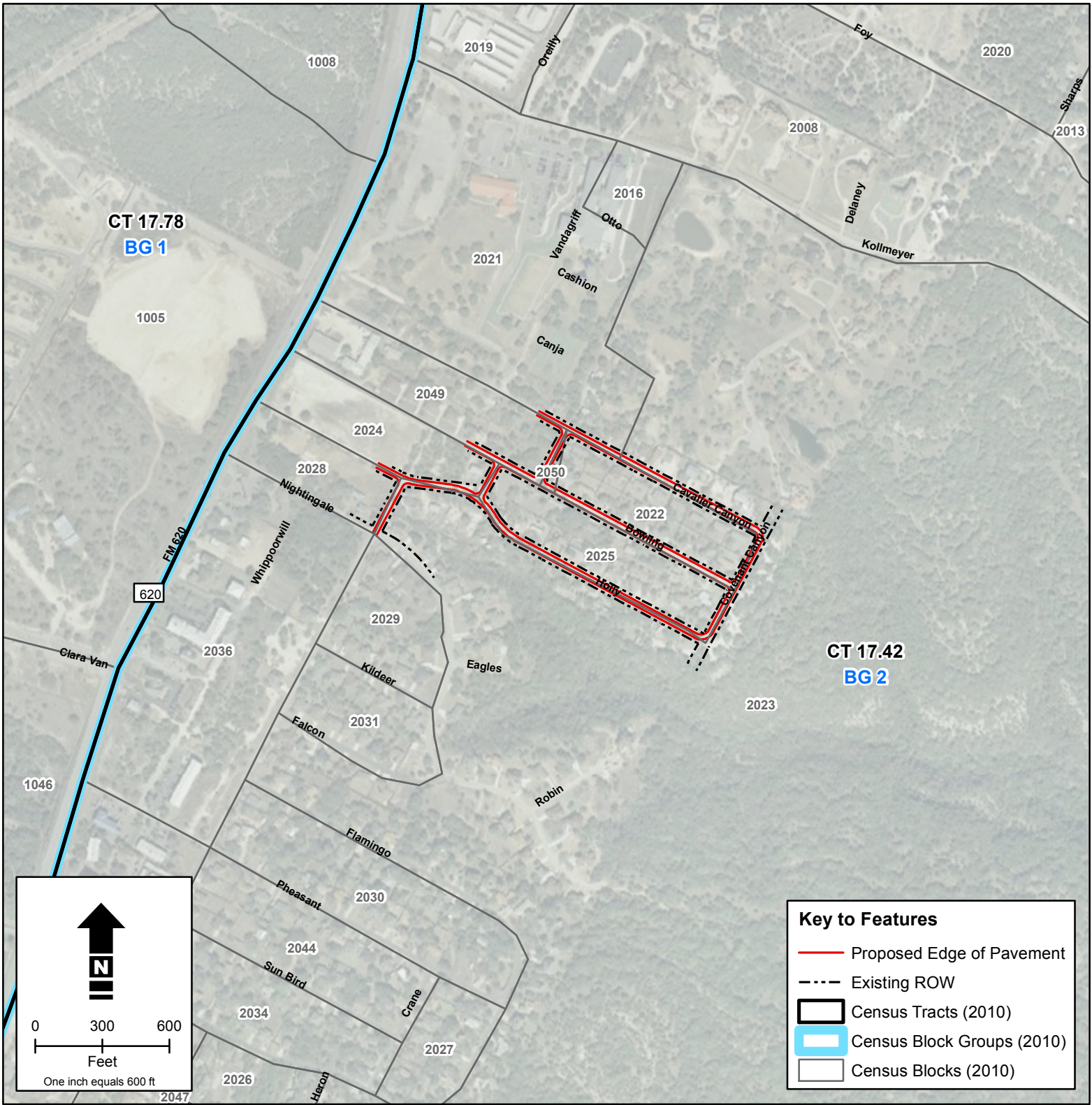
Source: FAA 2011

**Figure 13**  
 Civilian and Military Airfields  
 Travis County Lake Oaks Subdivision

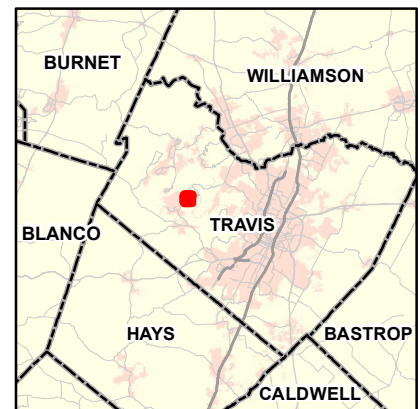
**Key to Features**

- Nearest Airports
- Project Location
- ▭ County Boundaries
- ▭ City Boundaries



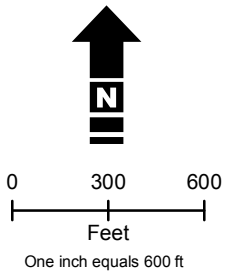


**Figure 14**  
Census 2010 Geographies  
Travis County Lake Oaks Subdivision





Source: ESRI 2009; Census 2010(b)



**Figure 15**  
 Minority Populations  
 Travis County Lake Oaks Subdivision

**Key to Features**

- Existing ROW
- Proposed Edge of Pavement
- Census Blocks with 50% or more Minority Populations (2010)
- Census Tracts (2010)
- Census Block Groups (2010)
- Census Blocks (2010)

**APPENDIX B**  
**PROJECT AREA PHOTOGRAPHS**



**Photo 1:** Holly Lane, facing southeast taken 9-21-2012



**Photo 2:** Cavalier Canyon Drive, facing southeast taken 9-21-2012



**Photo 3:** Bowling Lane, facing southeast taken 9-21-2012



**Photo 4:** 15109 Holly Lane, facing southwest taken 9-21-2012





**Photo 5:** 15109 Holly Lane, secondary building, facing southwest from Google Street View



**Photo 6:** Culvert under North Meadowlark Street, facing northwest taken 9-21-2012



**Photo 7:** Entrance to drainage way east of North Meadowlark Street, facing southeast taken 9-21-2012



**Photo 8:** Typical roadside vegetation, facing northeast taken 9-21-2012

**APPENDIX C**  
**PROJECT COORDINATION**

SEP 19 2012

1504 WEST 5TH STREET AUSTIN, TEXAS 78703 TEL: 512 / 478.0858 FAX: 512 / 474.1849

HICKS &  
COMPANY

ENVIRONMENTAL  
ARCHEOLOGICAL  
AND PLANNING  
CONSULTANTS

August 27, 2012

Mark Wolfe  
State Historic Preservation Officer  
Texas Historical Commission  
P.O. Box 12276 – Capitol Station  
Austin, Texas 78711

**RE: Antiquities Code of Texas and Section 106 Coordination for the Proposed Road Improvements at Lake Oak Estates, Travis County, Texas**

Dear Mr. Wolfe,

Travis County is currently proposing improvements to the existing roads at Lake Oak Estates located east of RM620 and west of Lake Austin, in western Travis County (**Attachment A: Figure 1**). As constructed, the roads in the Lake Oak Estates area do not meet Travis County standards and cannot be accepted onto the Travis County maintained roadway system. It is anticipated that the lack of an organized roadway maintenance program will cause further roadway deterioration, increasing safety risks and access issues. Hicks & Company has been contracted by Brown & Gay Engineers, Inc. to conduct environmental assessments including indentifying potential cultural resource constraints and coordinating with the Texas Historical Commission (THC). Since construction will take place on land to be acquired by Travis County it is subject to the Antiquities Code of Texas (ACT). Additionally, the project will receive funding through the Department of Housing and Urban Development (HUD), under the Community Development Act for utilization in connection with its community development block grant fund for community development services, necessitating coordination under Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended.

According to current design plans, planned improvements necessary to bring the roadways up to minimum standards include resurfacing and repaving the existing roadway, installing and/or modifying drainage ditches, inlets, manholes and curbing. Exact depths of impact at specific locations are unavailable at this time; however, it is anticipated that roadway and ditch excavations will not exceed 18 inches below current grade. Where inlets and manholes are required depth of impacts could potentially reach as deep as five feet. Although temporary easement locations have not yet been determined, according to current plans, all work will take place within existing Right of Way (ROW) and all excavated material will be re-used on site or be disposed of at an approved landfill. The total Area of Potential Effects is approximately 6.28 acres (**Attachment A: Figure 2**).

The nearest recorded archeological site, Site 41TV1188, is located one kilometer southeast of the proposed project area. Site 41TV1188 is described as a prehistoric open campsite with a surficial component consisting of debitage, cores, a projectile point, and mussel shell located on a small broad terrace above Harrison Hollow. During recordation, the site was determined to be

ineligible for official State Archeological Landmark (SAL) designation or for listing with the National Register for Historic Places (NRHP). The alignment for RM620 that parallels the western boundary of the project area was surveyed in 1987; no archeological sites were recorded during this survey within the current proposed project area.


Geologically, the proposed project area is situated above the Glen Rose Formation (Kgr) of the Lower Cretaceous. This formation is comprised of limestone, dolomite, and marl with a thickness of approximately 380 feet. This geologic formation long predates the existence of humans in the Americas; as such it would be expected that cultural deposits in these areas would likely be located on the ground surface or in shallowly buried contexts.

According to the USDA Web Soil Survey for Travis County, soils within the proposed project area consist of Brackett Rock outcrop, 1 to 12 percent slopes, Tarrant and Speck soils, 0 to 2 percent slopes, and Volente silty clay loam, 1 to 8 percent slopes. Collectively, comprising approximately 90 percent of the proposed project area, Brackett and Tarrant and Speck soils are formed from weathered limestone with minimal soil development above bedrock (typically encountered 18 to 48 inches below surface). Volente soils, occupying approximately 10 percent of the proposed project area, are alluvium derived from limestone. Where these soils are mapped, depth to restrictive bedrock can be, on occasion, in excess of 50 inches. In their upland settings, the potential for Brackett and Tarrant and Speck soils to house intact cultural deposits is minimal. In the case of Volente soils, the potential is somewhat greater. However, as noted below, soils within the project area the soils have all been previously disturbed.

Current disturbances noted during a recent visit to the project area, within the proposed project area include grading for the current road and house and driveway construction and associated infrastructure (telephone lines, waterlines, etc.) (**Attachment A: Figures 3-6**). Because all work will be done within existing ROW with very limited demonstrated potential to contain intact archeological deposits, buried or surficial, Hicks & Company seeks concurrence that archeological survey is not warranted and that the proposed project may proceed to construction with no additional THC coordination required.

Sincerely,

  
Josh Haefner  
Staff Archeologist

<b>CONCUR</b>	
by	
for	Mark Wolfe
	State Historic Preservation Officer
Date	9/17/12
Track#	

CC: Rafael Cruz, Brown & Gay Engineers, Inc.; John Kuhl, Hicks & Company

**ATTACHMENT A: FIGURES**



**Figure 1:** Overview of project area facing southwest down Meadowlands from Holly Lane.



**Figure 2:** Overview of project area facing southeast down Bowling Lane.



**Figure 3:** Overview of APE facing southwest down Meadowlands from Holly Street.



**Figure 4:** Overview of APE facing southeast along Holly Street.





**Figure 5:** Overview of APE from near western extent of project area facing southeast down Bowling Street.



**Figure 6:** Overview of APE facing northeast from intersection of Covenant Canyon Road and Cavalier Canyon Road.

1504 WEST 5TH STREET AUSTIN, TEXAS 78703 TEL: 512 / 478 0858 FAX: 512 / 474 1849

RECEIVED

SEP 24 2012

History Programs Division

HICKS &  
COMPANY

ENVIRONMENTAL  
ARCHEOLOGICAL  
AND PLANNING  
CONSULTANTS

September 24, 2012

Charles Peveto  
History Programs Division  
Texas Historical Commission  
P.O. Box 12276 – Capitol Station  
Austin, Texas 78711

NO HISTORIC  
PROPERTIES AFFECTED  
PROJECT MAY PROCEED

By Chh Wu  
For Mark Wolfe  
State Historic Preservation Officer  
Date 9.24.12

**RE: Section 106 Coordination for the Proposed Road Improvements at Lake Oak Estates, Travis County, Texas**

Dear Mr. Peveto,

Travis County is currently proposing improvements to the existing roads in the Lake Oak Estates subdivision located east of RM 620 and west of Lake Austin, in western Travis County (**Figure 1**). As constructed, the roads in the Lake Oak Estates area do not meet Travis County standards and cannot be accepted onto the Travis County maintained roadway system. It is anticipated that the lack of an organized roadway maintenance program will cause further roadway deterioration, increasing safety risks and access issues. Hicks & Company has been contracted by Brown & Gay Engineers, Inc. to conduct environmental assessments including indentifying potential cultural resource constraints and coordinate with the Texas Historical Commission (THC). The project will receive funding through the Department of Housing and Urban Development (HUD), under the Community Development Act for utilization in connection with its community development block grant fund for community development services, necessitating coordination under Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended.

The project involves reconstructing roads in various states of deterioration to bring them into compliance with Travis County Chapter 84, Unaccepted Substandard Roadway Specifications. The reconstruction will typically be limited to matching the existing roadway geometry and making only those improvements needed to achieve an appropriate pavement structure; minimum safe lane width and stopping site distance; minimum roadside safety requirements; an effective roadway drainage system capable of conveying the 25-year storm event without overtopping the roadway; and, appropriate signing and pavement marking. With the possible exception of slope, drainage, and sight distance easements, the project is to be designed to be contained within existing dedicated right-of way (**Figures 2A, 2B**). The project is to be at least partly funded through the federal Community Development Block Grant program and must be completed in compliance with all requirements of the NEPA, 24 CFR Part 58.5 and 58.6 and 24 CFR Part 51.

The project area includes three parallel residential streets. According to Travis County Appraisal District (CAD) data, most homes in the area were built in the 1990s and 2000s. Based on CAD there is one historic-age property (45 years or more) in the project area. 15109 Holly Lane dates to 1965. There are several structures on the lot. The primary building appears to be a substantially altered ranch house (**Photo 1**), there is also a small two story building, possibly a garage apartment, next to the main house which appears to date from the 1980s (**Photo 2**). A stone wall obscures most the main house, however, Google Street View imagery shows the home without the wall (confirming that the wall is not historic) and also shows modifications to the front porch including the addition (or alteration) of columns and arches (**Photo 3**).

Although 15109 Holly Lane is historic-age, it appears to be heavily altered, and not a distinct or representative of the Ranch Style. In addition it has no known historical associations, and therefore does not appear to be eligible for listing in the National Register of Historic Places.

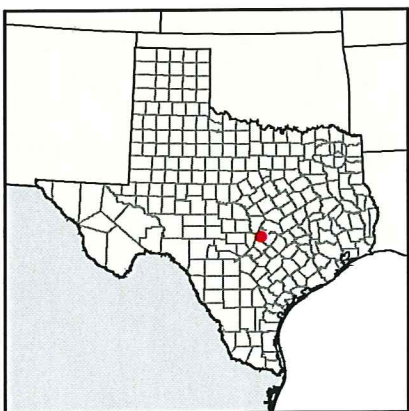
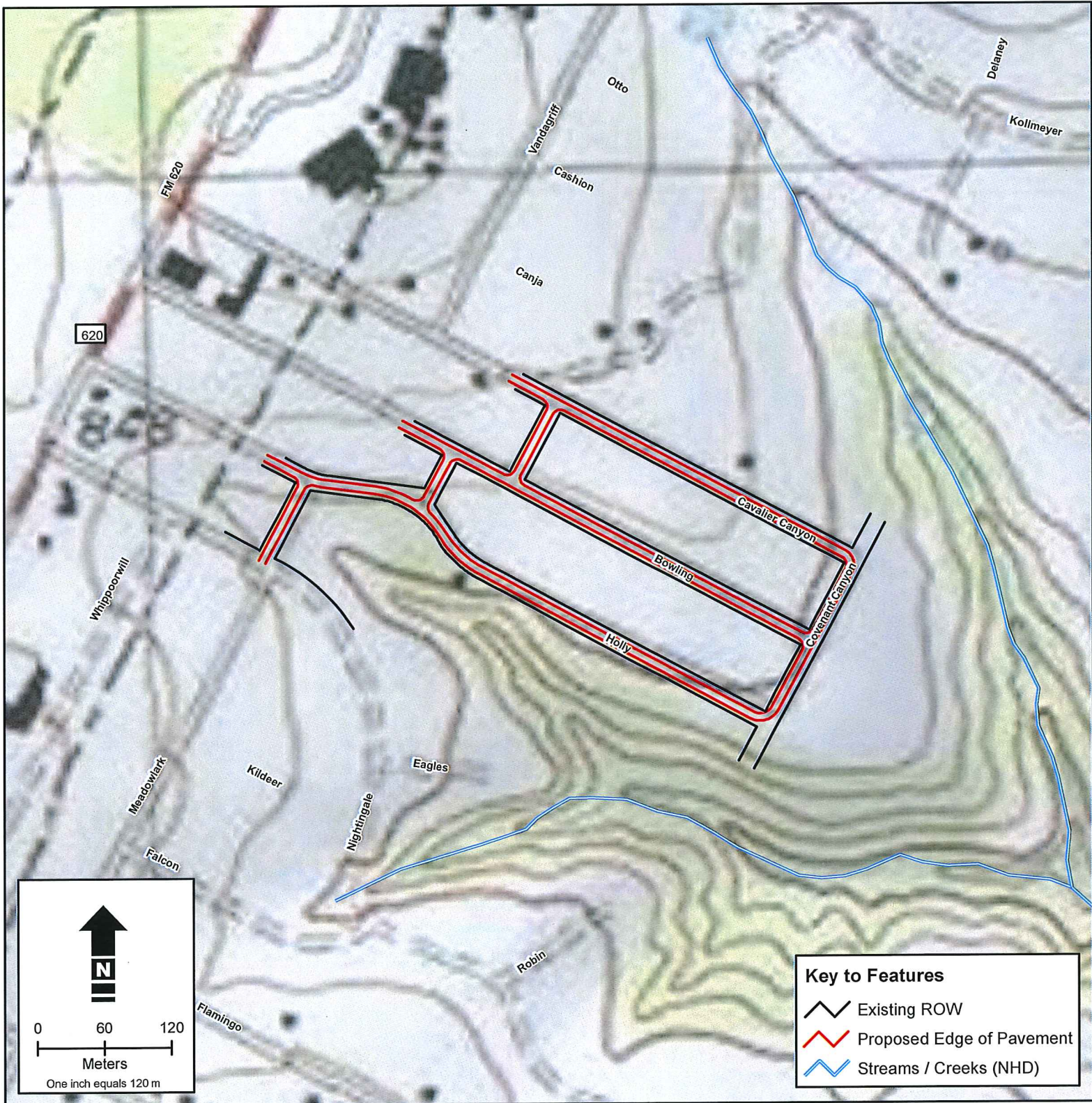
Because there are no eligible historic properties in the project area, and because the project will have almost no impact outside the existing right of way, **we ask for your concurrence that this project will have no adverse effect on historic properties.**

Sincerely,

A handwritten signature in black ink, appearing to read 'Hannah Vaughan', with a long horizontal flourish extending to the right.

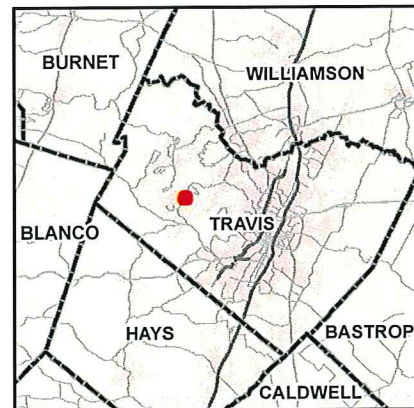
Hannah Vaughan  
Senior Architectural Historian

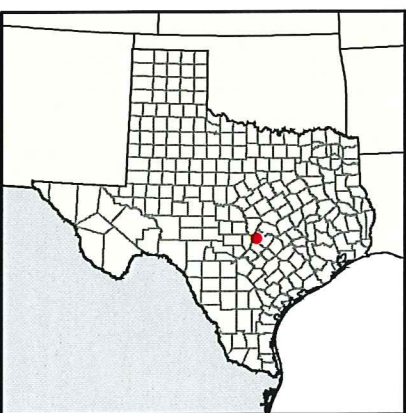
**ATTACHMENT: FIGURES**



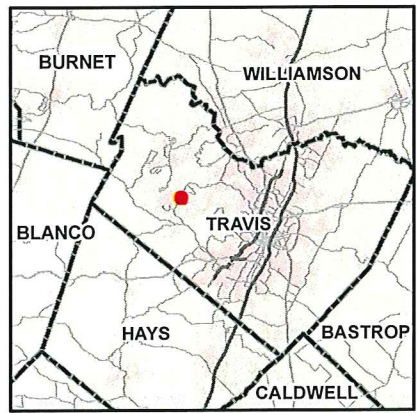
**Figure 1**  
Project Location  
Travis County Lake Oaks Subdivision

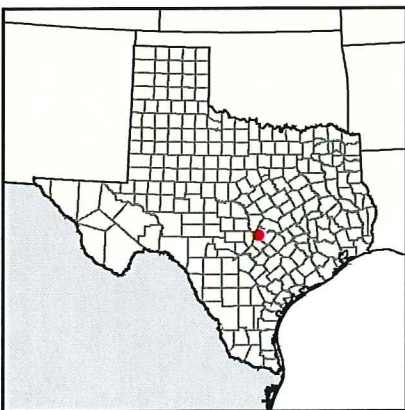
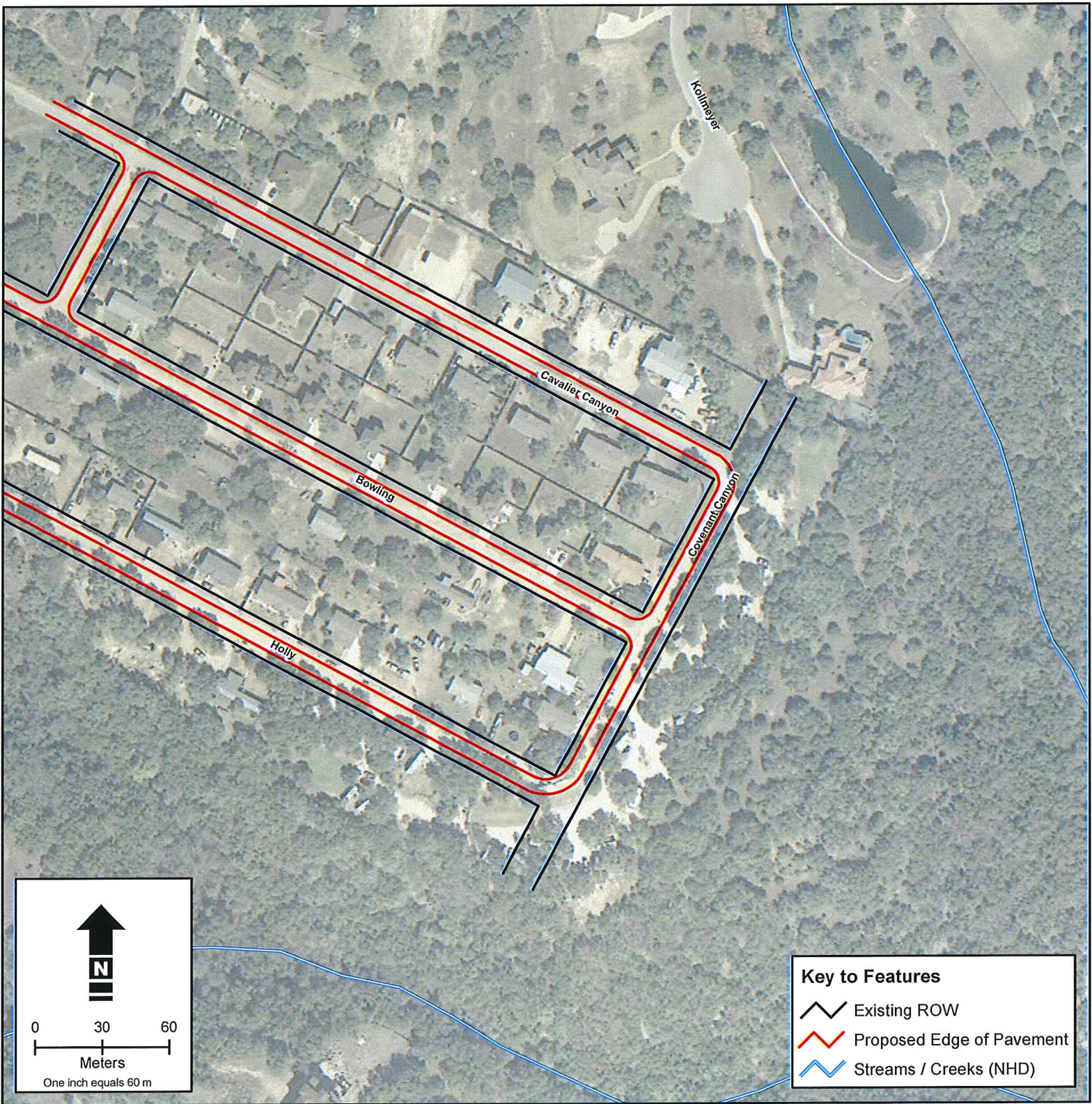
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Bee Cave, TX



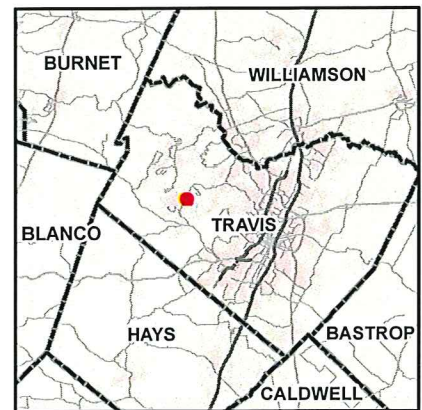


**Figure 2A**  
 Area of Potential Effects  
 Travis County Lake Oaks Subdivision





**Figure 2B**  
Area of Potential Effects  
Travis County Lake Oaks Subdivision





**Photo 1:** Overview of project area facing southwest down Meadowlands from Holly Lane.



**Photo 2:** Overview of project area from near western extent of project area facing southeast down Bowling Lane.



**Photo 3:** 15109 Holly Lane, facing southwest taken 9-21-2012



**Photo 4:** 15109 Holly Lane, primary building, facing southwest from Google Street View





**Photo 5:** 15109 Holly Lane, secondary building, facing southwest from Google Street View

1504 WEST 5TH STREET AUSTIN, TEXAS 78703 TEL: 512 / 478.0858 FAX: 512 / 474.1849



ENVIRONMENTAL  
ARCHEOLOGICAL  
AND PLANNING  
CONSULTANTS

November 21, 2012

Mr. Kevin Connally  
Fish & Wildlife Biologist  
U.S. Fish and Wildlife Service  
10711 Burnet Road, Suite 200  
Austin, Texas 78758

Subject: Travis County Lake Oaks Substandard Roadway Project

The purpose of this correspondence is to provide informal coordination and background information on the project referenced above; and, more specifically, to hopefully obtain concurrence on our approach to the project.

### **Project Description**

Travis County, Texas, is proposing to conduct a substandard roads improvement project within Lake Oak Estates, a subdivision located east of Ranch-to-Market (RM) Road 620 and west of Lake Austin in western Travis County (please see attached **Figure 1**). The subdivision is comprised of three east-west streets: Holly Lane, Bowling Lane, and Cavalier Canyon Drive. This subdivision has been identified as a low to moderate income area. The roads in the Lake Oak Estates area do not meet Travis County standards and therefore cannot be accepted into the Travis County maintained roadway system. The lack of an organized and routine roadway maintenance program will cause further deterioration of roadway conditions which will decrease the safety of the roads and jeopardize access to homes. This project is proposed in order to provide improvements required to bring the specified roadways up to minimum county standards so that they can be accepted for maintenance. The proposed project would be implemented using federal funding from the Department of Housing and Urban Development (HUD).

### **Proposed Lake Oaks Construction Activities**

The project will consist of roadway surface grading and drainage improvements within existing rights of way along Holly Lane, Bowling Lane, and Cavalier Canyon Drive and drainage work in one easement just outside of the right of way on Holly Lane. No clearing of vegetation outside these roadway rights of way and drainage easement is anticipated. A Storm Water Pollution Prevention Plan would be implemented to ensure that construction-related runoff would remain within the proposed project and not infiltrate into surrounding ecologically-sensitive areas. The utilization of erosion and sediment controls such as silt fencing, rock berms, sediment traps, tree and natural area protection and soil retention blankets would be implemented. Additionally, erosion-prone, disturbed areas would be revegetated.

### **Potential Habitat & Impact Avoidance Measures at the Lake Oaks Site**

Given the nature of the project and the urban/industrial, built up nature of the Lake Oaks project area, there are no real concerns regarding direct impacts to threatened or endangered species; however, given the adjacent occupied habitat and BCP tract, we felt it best to coordinate with your office.

A review of the Balcones Canyonlands Conservation Plan (BCCP) habitat zone data for species covered under the plan concluded that habitat for the federally-listed endangered Black-capped Vireo (*Vireo atricapilla*) or the federally-listed endangered karst invertebrates does not exist within the proposed project (see attached **Figure 2**); therefore, the proposed project will have no effect on these species. However, according to the BCCP zone maps, habitat for the federally-listed endangered Golden-cheeked Warbler (GCWA) exists within the proposed project area. Additionally, a TPWD Texas Natural Diversity Database (TXNDD) search conducted on August 20, 2012, revealed five Elements of Occurrence (EO)s for the GCWA within two miles of the proposed project (see attached **Figure 3**). Of these, one EO (ID #1056) was documented to occur within a portion of the proposed project. As you know, the zone mapping efforts consisted of a review of aerial photography that were not always field verified and the TXNDD data points often have a potentially arbitrary buffer placed on the locality information. In this specific case, the inclusion of an existing neighborhood in a habitat zone is most likely inaccurate and, presumably the TXNDD buffer from a known locality(ies) placed the occupation zone into an existing neighborhood.

More in-depth research into BCP annual reports and follow up coordination with COA BCP staff indicates that there is a 100-acre GCWA transitional habitat plot located approximately 150 feet south and east of the proposed project (see attached **Figure 4**) on the Double J&T tract. The most recent monitoring effort (2011) documented that GCWAs have been present during nesting season within 211 feet from proposed work zones on Holly Lane and Covenant Canyon Drive.

The proposed project is a roadway improvement project that will take place primarily within the existing right of way and one adjacent easement area. The project is not anticipated to impact potential habitat for the GCWA. Some trees within yards that are within the existing right of way and the adjacent easement area may be cleared during construction; however, these trees are not mature and do not provide quality habitat for this species. If they were to occur, potential impacts to the GCWA would be associated with noise and stormwater runoff onto the preserve that could potentially affect canyon habitat areas off site. The noise impacts would be temporary in nature and can be avoided by performing the noisiest construction activities outside of the nesting season (March-August). The project is expected to be constructed in two phases with the first section consisting of the northern two streets (Cavalier Canyon Drive and Bowling Lane) which are furthest away from the habitat areas and preserve land. The second phase will focus upon Holly Lane to the south. This area is closest to the habitat areas and the construction on this phase will be sequenced to initiate the noisiest project elements (clearing and grading) prior to nesting season. Additionally, implementation of a SWPPP and erosion and sediment controls would ensure that sediment laden runoff from the project would not enter into the adjacent BCP tract and impact habitat for this species. Appropriate permanent engineering measures will be taken to ensure that the stormwater that will come off of Holly Lane after the project is constructed will be clean and appropriately dissipated in flow speed and quantity to prevent erosive influence in the adjacent canyon.

Assuming you concur that this would be the most appropriate regulatory approach, coordination and potential mitigation needs will be addressed for the project through the Balcones Canyonlands Conservation Plan infrastructure mitigation process. The proposed project will impact a total of 3.12 acres of habitat. Of these 3.12 acres, 0.91 acre is mapped as Zone 1 Confirmed Habitat and 2.21 acres are mapped as Zone 3 – Not Known to be Habitat (see attached **Figure 5**). Given that the Travis County Commissioners Court has not accepted these roadways, the infrastructure application will not be submitted to the City of Austin until immediately after that acceptance in Commissioners Court. The

Mr. Kevin Connally, Biologist  
U.S. Fish and Wildlife Service  
November 21, 2012  
Page 3

proposed acceptance will be posted in Commissioners Court on the same agenda as the proposed construction contract. Impacts to vegetation related to the construction contract will not ensue until the infrastructure mitigation process has been completed.

### **Summary**

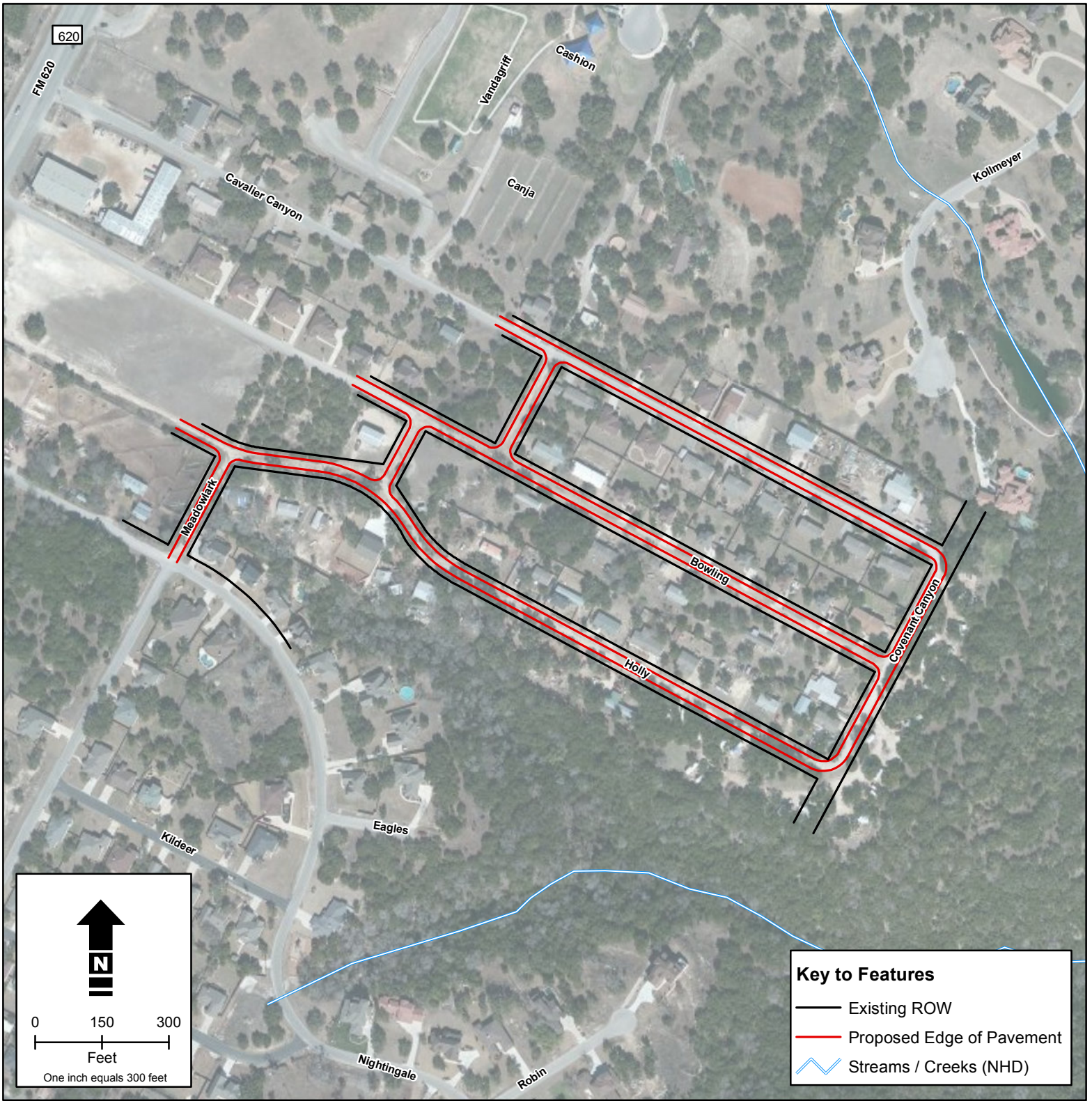
In summary, there are no known concerns with direct impacts to any listed species in the proposed construction areas; however, there are GCWA breeding territories down-slope on adjacent COA BCP land. Since a portion of the project area is within BCCP Zone Mapped habitat and the project will be conducted on what will be Travis County system roadways, it seems most appropriate to proceed through the infrastructure mitigation process. Since this project has federal funding from HUD, coordination with your agency is required and concurrence with this compliance approach is hereby requested. Please advise if you seek additional information regarding this project.

Sincerely,

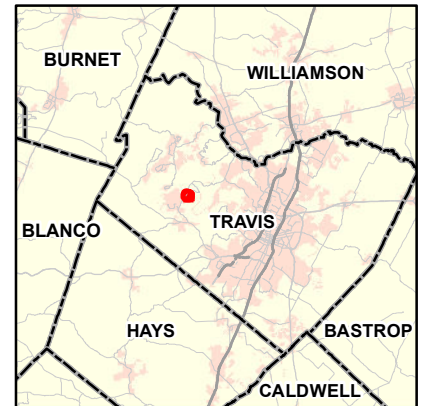
A handwritten signature in blue ink, appearing to read "John J. Kuhl".

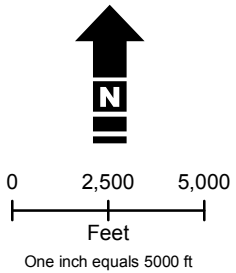
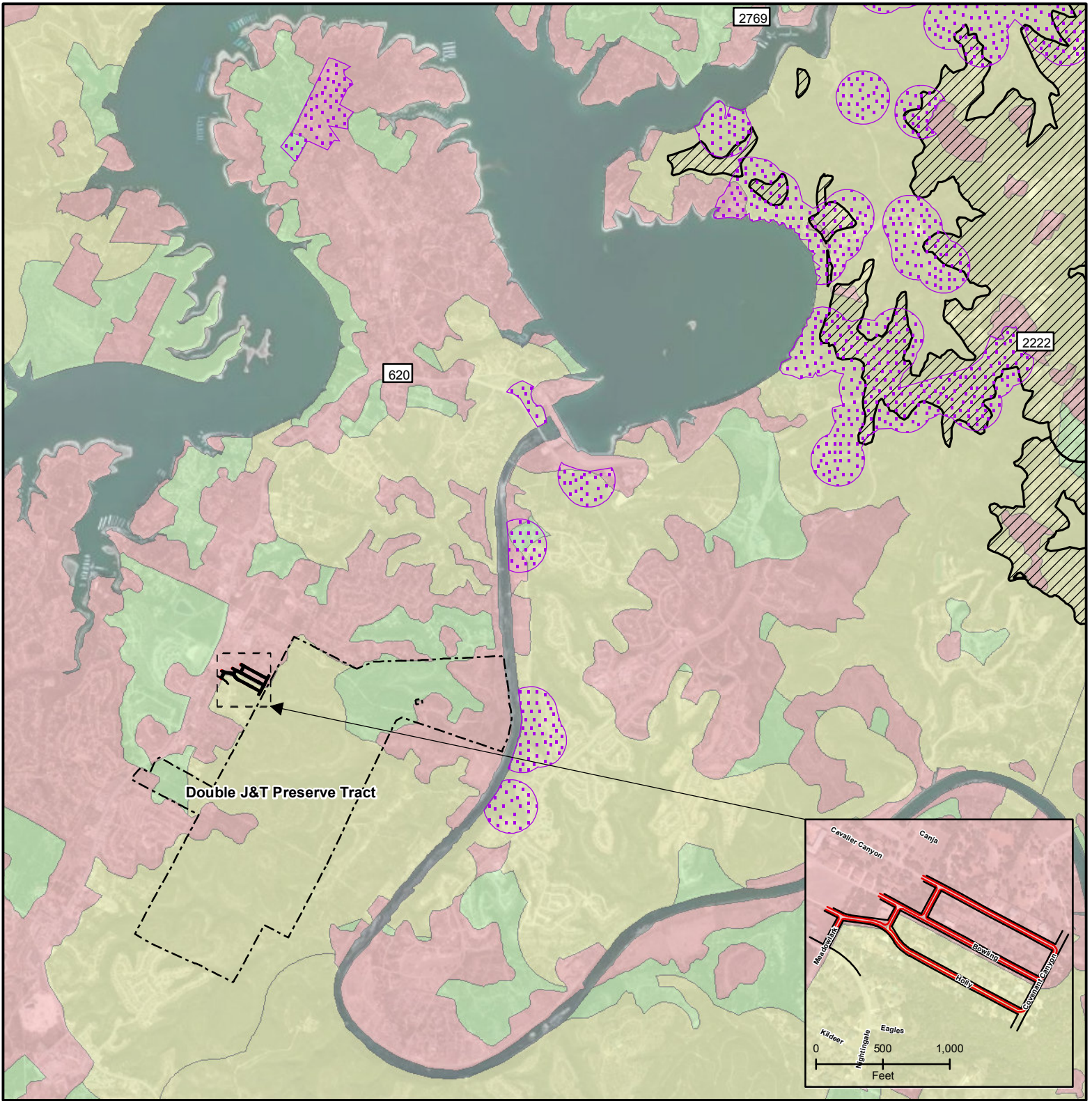
John J. Kuhl  
Ecology Program Manager

Attachments



**Figure 1**  
Project Location  
Travis County Lake Oaks Subdivision

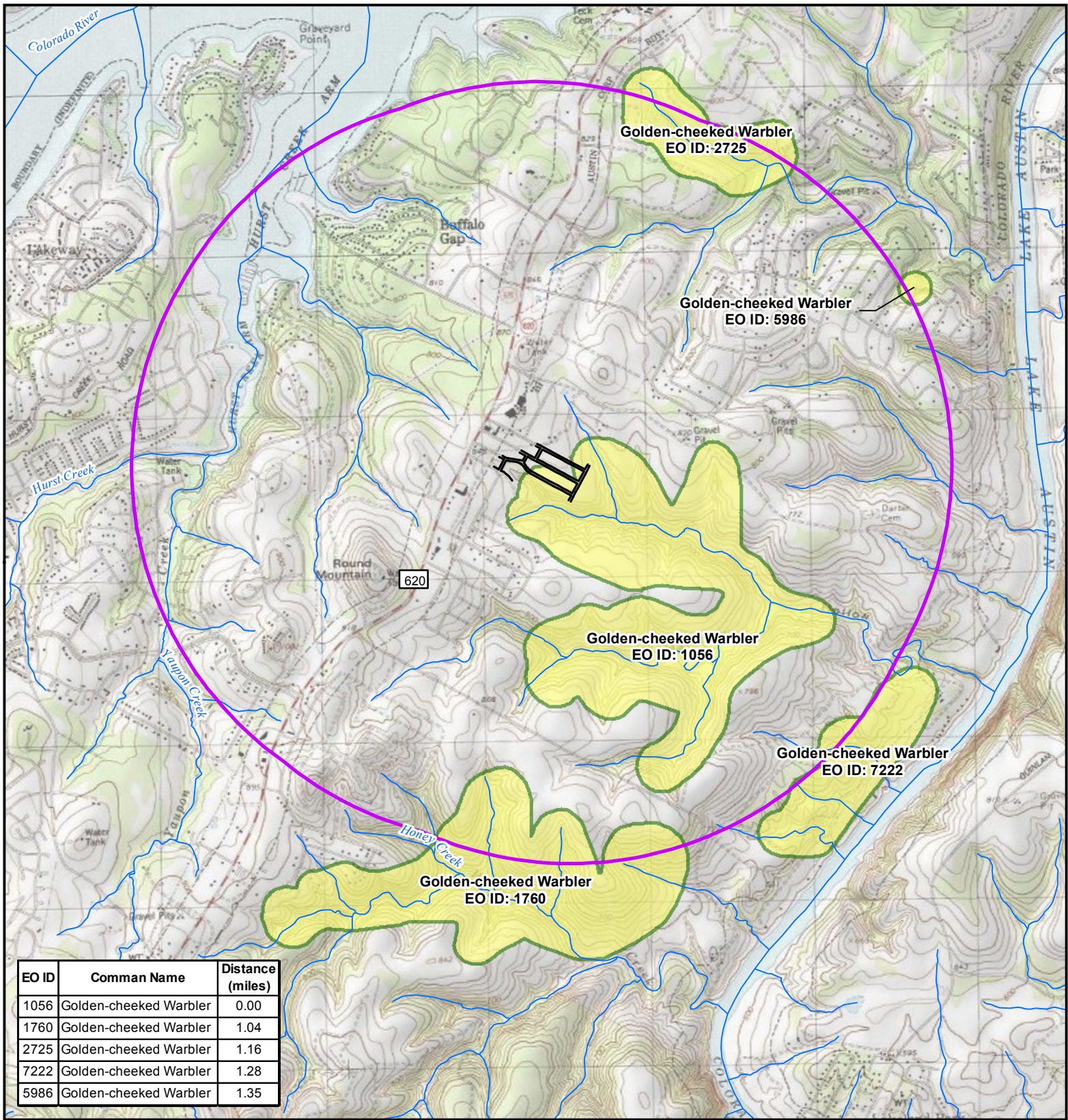




**Figure 2**  
 BCCP Habitat and Karst Zones  
 Travis County Lake Oaks Subdivision

**Key to Features**

- Existing ROW
- Proposed Edge of Pavement
- Black-capped Vireo Habitat
- ▨ Karst Zones
- Golden-cheeked Warbler Habitat**
- Confirmed Habitat
- Unconfirmed Habitat
- Not Known to be Habitat







**Figure 3**

Texas Parks and Wildlife  
TxNDD Results  
Travis County Lake Oaks Subdivision

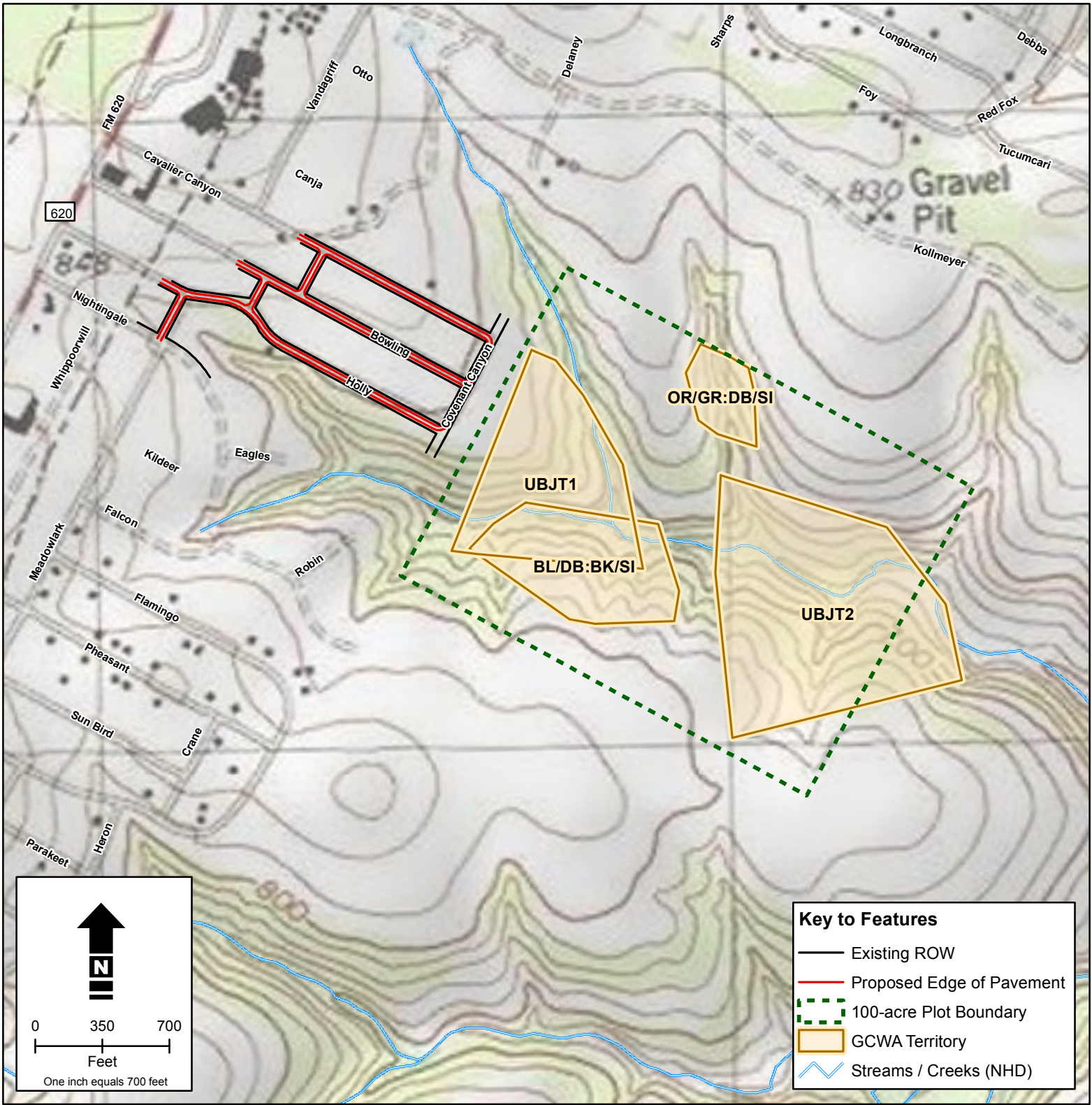
USGS 7.5-minute Topographic Quadrangle:  
Bee Cave and Mansfield Dam, TX

**Key to Features**

-  1.5 Mile Search Radius
-  TxNDD Occurrences
-  Existing ROW
-  Streams / Creeks (NHD)

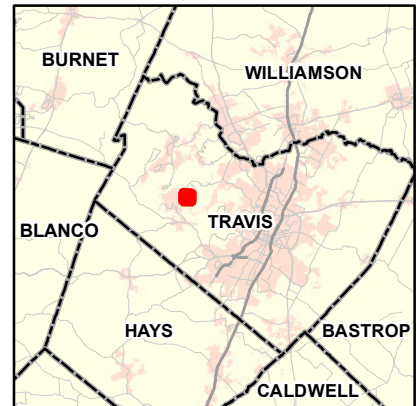


0 0.25 0.5  
Miles  
One inch equals .5 miles



**Figure 4**  
 J&T GCWA Survey 2011  
 Travis County Lake Oaks Subdivision

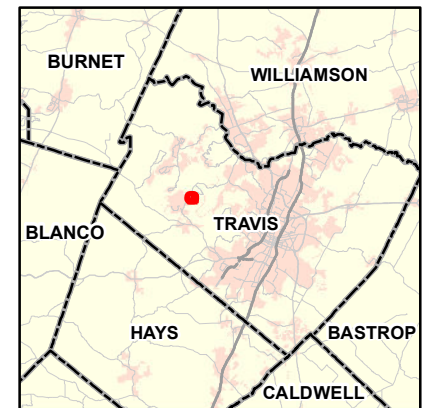
USGS 7.5-minute Topographic Quadrangle:  
 Bee Cave, TX













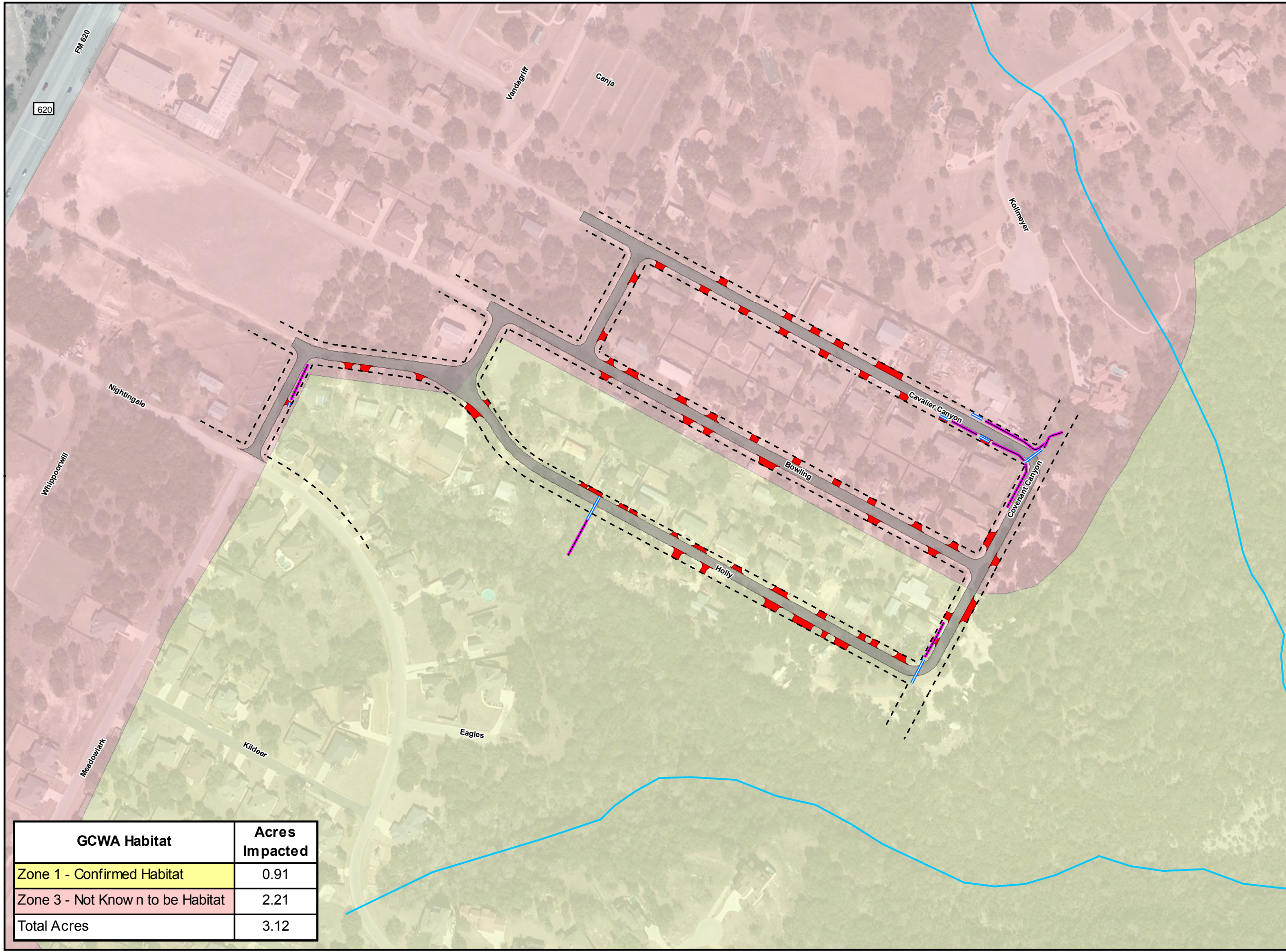
Areas of Disturbance

Travis County  
Lake Oaks Subdivision

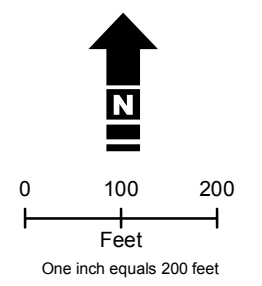


Key to Features

-  Pavement Improvements
  -  Driveway Entrance Improvements
  -  Proposed Drainage Pipe
  -  Proposed Drainage Channel
  -  Existing ROW
  -  Streams / Creeks (NHD)
- Golden-cheeked Warbler Habitat**
-  Zone 1-Confirmed Habitat
  -  Zone 3-Not Known to be Habitat



GCWA Habitat	Acres Impacted
Zone 1 - Confirmed Habitat	0.91
Zone 3 - Not Known to be Habitat	2.21
<b>Total Acres</b>	<b>3.12</b>



**Figure 5**



# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
10711 Burnet Road, Suite 200  
Austin, Texas 78758  
512 490-0057  
FAX 490-0974



JAN 10 2013

John J. Kuhl  
Ecology Program Manager  
Hicks and Company  
1504 West 5th Street  
Austin, TX 78703

Consultation # 02ETAU00-2013-TA-0071

Dear Mr. Kuhl,

This letter is in response to the November 21, 2012, correspondence and supporting documentation submitted by Hicks and Company (Hicks) to the U.S. Fish and Wildlife Service (Service) requesting review of the proposed Travis County substandard road improvement project within Lake Oaks Estates, located east of Ranch-to-Market (RM) road 620 and west of Lake Austin in Travis County, Texas. At issue are potential effects to the federally endangered golden-cheeked warbler (GCWA, *Dendroica chrysoparia*), from the proposed project. Our response is pursuant to the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*)(Act).

Travis County is a co-permittee with the City of Austin of an Incidental Take Permit under Section 10(a)(1)(B) of the Act, referred to as the Balcones Canyonlands Conservation Plan (BCCP). The BCCP provides a streamlined pathway for compliance under the Act by allowing qualified projects to meet their mitigation obligations by participating in the plan and complying with permit terms and conditions.

The proposed project is within the BCCP permit area, and a portion of the project is mapped within "Zone 1" for GCWA habitat on the BCCP Participation and Fee Zone Maps. Capital Improvement Projects such as roadway improvements are eligible to participate through the BCCP by following the Infrastructure Mitigation Process administered by the City of Austin. The point of contact to initiate the Infrastructure Mitigation Application process is Kimberlee Harvey ([kimberlee.harvey@austintexas.gov](mailto:kimberlee.harvey@austintexas.gov), 512-972-1686).

Completion of the Infrastructure Mitigation Process as you described in your letter would demonstrate compliance with the Act by minimizing and mitigating for potential impacts to the GCWA from this project.

The Service appreciates the County's continued dedication to protecting natural resources, including listed species. If you have any questions or comments,

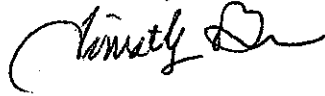


John J. Kuhl

2

please contact Kevin Connally, at 512-490-0057, extension 234.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Zerrenner". The signature is fluid and cursive, with a large initial "A" and a distinct "Z".

For

Adam Zerrenner  
Field Supervisor

**APPENDIX D**  
**HAZARDOUS MATERIALS**



# Environmental Data Search

for the site

**Lake Oak Subdivision, Lakeway, TX**

**12083**

performed for

**Hicks & Company**

9/28/2012

HICY6690

**[www.TeIALL.net](http://www.TeIALL.net)**

---

(800) 583-0004 by fax (888) 756-7647

## Preface

This document of environmental concerns near Lake Oak Subdivision, Lakeway, TX reports findings of the TelALL data search, prepared on the request of Hicks & Company.

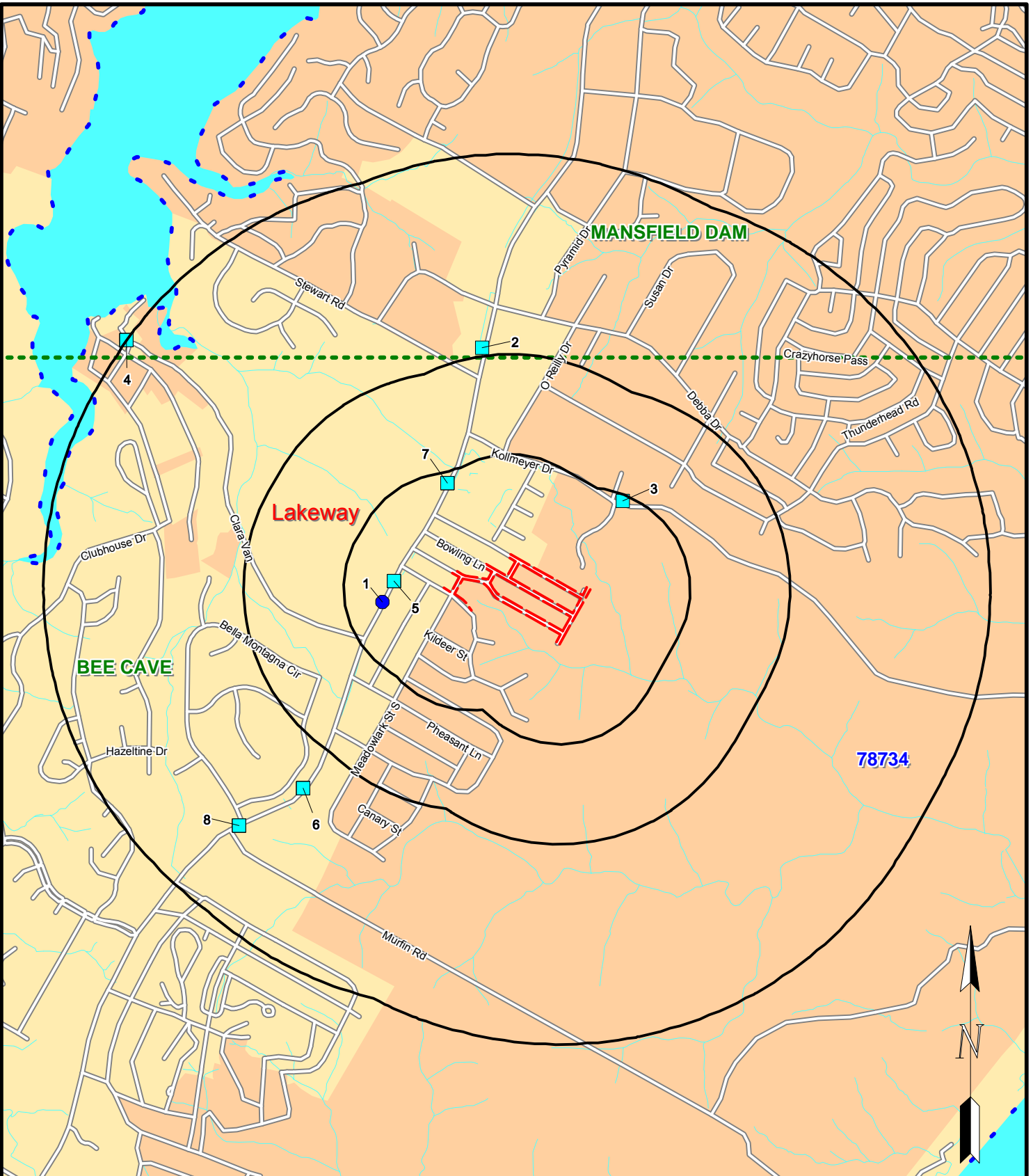
TelALL Corporation (TelALL) has designed this document to comply with the AAI and ASTM standard E 1527 - 05 (Accuracy and Completeness) and has used all available resources, but makes no claim to the entirety or accuracy of the cited government, state, or tribal records. Our databases are updated at least every 90 days or as soon as possible after publication by the referenced agencies. The following fields of governmental, state, and tribal databases may not represent all known, unknown, or potential sources of contamination to the referenced site. Many different variables effect the outcome of the following document. TelALL maintains extremely high standards, and stringent procedures that are used to search the referenced data. However, TelALL reserves the right at any time to amend any information related to this report. If there is a need for further information regarding this report, or for any customer support please call TelALL at 800 583-0004 for assistance.

This report is divided into the following components:

- MAP** Identified geocodeable findings relative to this data search.
- SUMMARY 1** Sorting of the identified sites by distance from the subject site.
- FINAL** A description of each database and a detailed explanation of findings.

### Sources

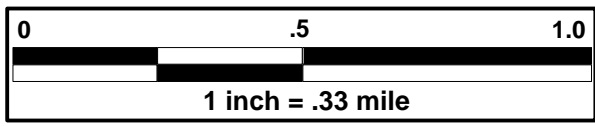
Database	Acronym	Last Updated	Minimum Search Distance	Findings
National Priority List	NPL	06/2012	1	0
Comprehensive Environmental Response, Compensation, and Liability Information System	CERCLIS	06/2012	0.5	0
No Further Remedial Action Planned	NFRAP	06/2012	0.5	0
Resource Conservation and Recovery Information System - Treatment Storage or Disposal Corrective Action	RCRA TSD	07/2012	1	0
Resource Conservation and Recovery Information System - Generators	CORRACT	07/2012	1	0
Emergency Response Notification System	RCRA-G	07/2012	0.25	0
Texas Voluntary Cleanup Program	ERNS	08/2012	0.25	0
Innocent Owner/Operator Program	TXVCP	07/2012	0.5	1
Texas State Superfund	TXIOP	07/2012	0.5	0
TCEQ Solid Waste Facilities	TXSSF	08/2012	1	0
Unauthorized and Unpermitted Landfill Sites	TXLF	06/2012	1	0
Leaking Underground Storage Tanks	LFUN	06/2012	0.5	0
Texas Underground Storage Tanks	TXLUST	08/2012	0.5	0
Texas Above Ground Storage Tanks	TXUST	08/2012	1	15
Texas Spills List	TXAST	08/2012	1	4
Brownfield	TXSPILL	06/2012	0.25	1
Dry Cleaner	BRNFD	07/2012	0.5	0
Indian Reservation Underground Storage Tanks	DRYC	08/2012	0.5	0
	IRUST	08/2012	0.25	0



- |   |   |  |
|---|---|--|
| <ul style="list-style-type: none"> <li>NPL ▲</li> <li>RCRA TSD</li> <li>CORRACT</li> <li>CERCLIS</li> <li>NFRAP</li> <li>TXSSF</li> <li>TXLF</li> <li>LFUN</li> </ul> | <ul style="list-style-type: none"> <li>ERNS ●</li> <li>LUST</li> <li>TXVCP</li> <li>TXIOP</li> <li>BRNFD</li> <li>DRYC</li> </ul> | <ul style="list-style-type: none"> <li>RCRA-G ■</li> <li>TXAST</li> <li>TXUST</li> <li>TXSPILL</li> <li>IRUST</li> </ul> |
|---|---|--|
- Site Locations are Approximate Only

--- Site Boundary

--- 1:24K Topo Boundary --- USPS Zip Boundary



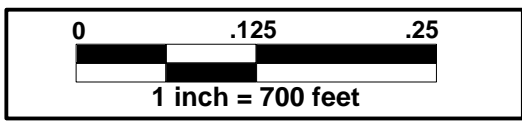
**TeiALL**<sup>TM</sup>  
Corporation

(800) 583-0004 WWW.TEIALL.NET



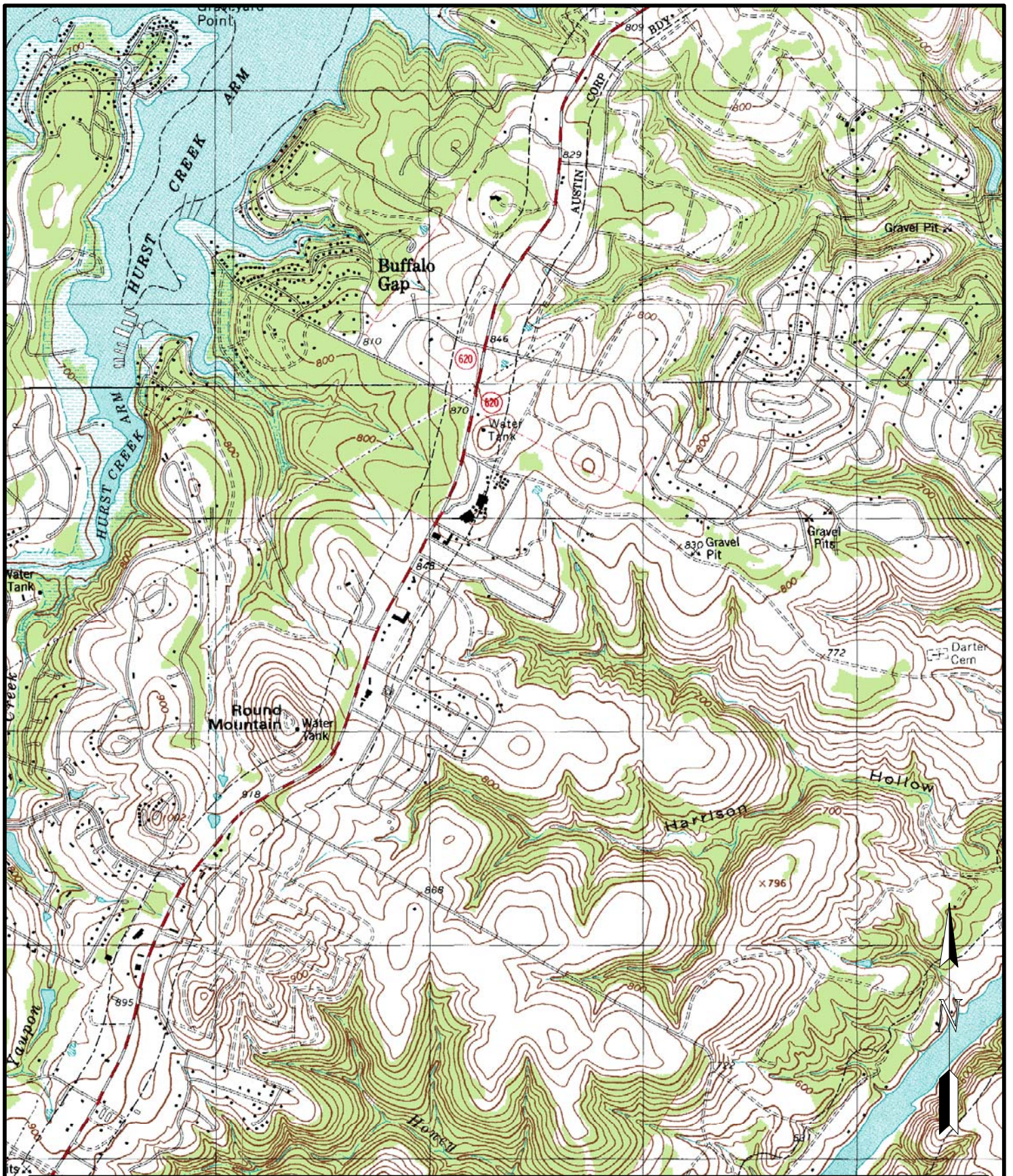


**2004 NAIP Photograph**  
(Infrared Image)

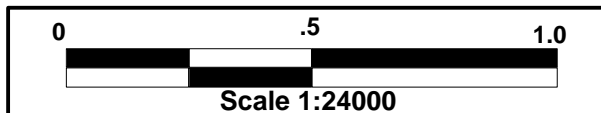


(800) 583-0004 [WWW.TEIALL.NET](http://WWW.TEIALL.NET)





To identify the map date and or revision date  
 please call TRNIS at 512-463-8337.



(800) 583-0004 WWW.TEIALL.NET

**Current USGS 7.5 Minute Topographic Map**

**Sites Sorted By Distance from Center**

Lake Oak Subdivision, Lakeway, TX

Distance/Direction	Database	Site Number	Address	City/State	Site Name
	TXSSF				NO FINDINGS WITHIN ONE MILE.
	TXLF				NO FINDINGS WITHIN ONE MILE.
	IRUST				NO FINDINGS WITHIN 1/4 MILE.
	DRYC				NO FINDINGS WITHIN 1/2 MILE.
	BRNFD				NO FINDINGS WITHIN 1/2 MILE.
	TXIOP				NO FINDINGS WITHIN 1/2 MILE.
	LFUN				NO FINDINGS WITHIN 1/2 MILE.
	RCRA-G				NO FINDINGS WITHIN 1/4 MILE.
	TXLUST				NO FINDINGS WITHIN 1/2 MILE.
	RCRA TSD				NO FINDINGS WITHIN ONE MILE.
	CORRACT				NO FINDINGS WITHIN ONE MILE.
	ERNS				NO FINDINGS WITHIN 1/4 MILE.
	NFRAP				NO FINDINGS WITHIN 1/2 MILE.
	CERCLIS				NO FINDINGS WITHIN 1/2 MILE.
	NPL				NO FINDINGS WITHIN ONE MILE.
<b>.13</b>					
	W TXUST	5	201 RANCH ROAD 620 N	LAKEWAY	A & F TRADING
	W TXUST	5	201 RANCH ROAD 620 N	LAKEWAY	A & F TRADING
	W TXUST	5	201 RANCH ROAD 620 N	LAKEWAY	A & F TRADING
<b>.16</b>					
	W TXVCP	1	107 RANCH ROAD 620 SOUTH	LAKEWAY	CRYSTAL CLEANERS 620 CENTER
<b>.22</b>					
	N TXUST	7	607 RANCH ROAD 620 N	LAKEWAY	ELEMENTARY SCHOOL CAMPUS
	N TXUST	7	607 RANCH ROAD 620 N	LAKEWAY	ELEMENTARY SCHOOL CAMPUS
	N TXUST	7	607 RANCH ROAD 620 N	LAKEWAY	ELEMENTARY SCHOOL CAMPUS
<b>.24</b>					
	N TXSPILL	3	13500 KOLLMEYER DR	AUSTIN	CITY OF AUSTIN
<b>.52</b>					
	N W TXUST	2	1110 RANCH ROAD 620 N	LAKEWAY	FIVE STAR SERVICE CAR WASH AND
<b>.59</b>					
	S W TXUST	6	509 RANCH ROAD 620 S	LAKEWAY	CAVALIER FOOD MART
	S W TXUST	6	509 RANCH ROAD 620 S	LAKEWAY	CAVALIER FOOD MART
	S W TXUST	6	509 RANCH ROAD 620 S	LAKEWAY	CAVALIER FOOD MART
	S W TXUST	6	509 RANCH ROAD 620 S	LAKEWAY	CAVALIER FOOD MART
<b>.76</b>					
	S W TXUST	8	903 HWY 620	AUSTIN	TP 2525
	S W TXUST	8	903 HWY 620	AUSTIN	TP 2525
	S W TXUST	8	903 HWY 620	AUSTIN	TP 2525
	S W TXUST	8	903 HWY 620	AUSTIN	TP 2525
<b>1.</b>					
	N W TXAST	4	16405 MARINA PT	AUSTIN	HURST HARBOR MARINA
	N W TXAST	4	16405 MARINA PT	AUSTIN	HURST HARBOR MARINA
	N W TXAST	4	16405 MARINA PT	AUSTIN	HURST HARBOR MARINA
	N W TXAST	4	16405 MARINA PT	AUSTIN	HURST HARBOR MARINA

Distances given are tenths of a statute mile.

---

**NPL****National Priority List**

NPL is a priority subset of the CERCLIS list. (See CERCLIS, below) The Cerclis list was created by the Comprehensive Environmental Response, Compensation and Liability Acts (CERCLA) need to track contaminated sites. CERCLA was enacted on 12/11/80, and amended by the Superfund Amendments and Reauthorization Act of 1986. These acts established broad authority for the government to respond to problems posed by the release, or threat of release of hazardous substances, pollutants, or contaminants. CERCLA also imposed liability on those responsible for releases and provided the authority for the government to undertake enforcement and abatement action against responsible parties. Institutional/Engineering Controls searched. Delisted NPL sites are included.

*Source: United States Environmental Protection Agency (EPA)*

**Database:** NPL

**Site:** No findings within one mile.

**Distance:** 0

**Address**

**Zip Code**

**City:**

---

**CERCLIS****Comprehensive Environmental Response, Compensation, and Liability Information System**

CERCLIS is the official repository for site and non-site specific Superfund data in support of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). It contains information on hazardous waste site assessment and remediation from 1983 to the present. CERCLIS information is used to report official Superfund accomplishments to Congress and the public, assist EPA Regional and Headquarters managers in evaluating the status and progress of site cleanup actions, track Superfund Comprehensive Accomplishments Plan (SCAP), and communicate planned activities and budgets. Institutional/Engineering Controls searched.

*Source: United States Environmental Protection Agency (EPA)*

**Database:** CERCLIS

**Site:** No findings within 1/2 mile.

**Distance:** 0

**Address**

**Zip Code**

**City:**

---

## **NFRAP**

### No Further Remedial Action Planned

NFRAP Sites indicate a CERCLIS site that was designated "No further remedial action planned" by the EPA February 1995. Institutional/Engineering Controls searched.

*Source: United States Environmental Protection Agency (EPA)*

**Database:** NFRAP

**Site:** No findings within 1/2 mile.

**Distance:** 0

**Address**

**Zip Code**

**City:**

---

## **RCRA TSD**

### Resource Conservation and Recovery Information System - Treatment Storage or Disposal

Resource Conservation and Recovery Information System (RCRIS) Under the Resource Conservation and Recovery Act (RCRA), generators, transporters, treaters, storers, and disposers of hazardous waste as defined by the federally recognized hazardous waste are required to provide information concerning their activities to state environmental agencies, who in turn provide the information to regional and national U.S. EPA offices. The RCRA TSD (Treatment Storage or Disposal) is a subset of the RCRIS list. RCRA TSD tracks facilities that fall under the Treatment Storage or Disposal classification.

*Source: United States Environmental Protection Agency (EPA)*

**Database:** RCRA TSD

**Site:** No findings within one mile.

**Distance:** 0

**Address**

**Zip Code**

**City:**

---

## **CORRACT**

### Corrective Action

CORRACT lists RCRIS (Resource Conservation and Recovery Information System) sites that are currently under corrective action. Institutional/Engineering Controls searched.

*Source: United States Environmental Protection Agency (EPA)*

**Database:** CORRACT

**Site:** No findings within one mile.

**Distance:** 0

**Address**

**Zip Code**

**City:**

---

## **RCRA-G**

### Resource Conservation and Recovery Information System - Generators

Resource Conservation and Recovery Information System (RCRIS) Under the Resource Conservation and Recovery Act (RCRA), generators, transporters, treaters, storers, and disposers of hazardous waste as defined by the federally recognized hazardous waste, are required to provide information concerning their activities to state environmental agencies, who in turn provide the information to regional and national U.S. EPA offices. The RCRA-G (Generators) list is a subset of the RCRIS list. RCRA-G tracks facilities that fall under the generators or transporters classification.

*CONDITIONALLY EXEMPT SMALL QUANTITY GENERATORS (CESQG) produce less than 100 kg per month of hazardous waste. SMALL QUANTITY GENERATORS (SQG) produce at least 100 kg per month but less than 1000 kg per month of hazardous waste. LARGE QUANTITY GENERATORS (LQG) produce at least 1000 kg per month of hazardous waste. Source: United States Environmental Protection Agency (EPA)*

**Database:** RCRA-G

**Site:** No findings within 1/4 mile.

**Distance:** 0

**Address**

**Zip Code**

**City:**

---

## **ERNS**

### Emergency Response Notification System

ERNS supports the release notification requirements of section 103 of the Comprehensive Environmental Response Compensation, and Liability Act (CERCLA), as amended; section 311 of the Clean Water Act; and sections 300.51 and 300.65 of the National Oil and Hazardous Substances Contingency Plan. Additionally, ERNS serves as a mechanism to document and verify incident-location information as initially reported, and is utilized as a direct source of easily accessible data, needed for analyzing oil and hazardous substances spills.

*Source: National Response Center (NRC)*

**Database:** ERNS

**Site:** No findings within 1/4 mile.

**Distance:** 0

**Address**

**Zip Code**

**City:**

---

## **TXVCP**

### Texas Voluntary Cleanup Program

Created under HB 2296, The Voluntary Cleanup Program (VCP) was established on 09/01/95 to provide administrative, technical, and legal reasons to promote the cleanup of tainted sites in Texas. Since future lenders and landowners get protection from liability to the State of Texas for cleanup of sites under the VCP, most of the constraints for completing real estate deals at those sites are removed. As a result, many unused or under used sites may be restored to economically productive or community beneficial uses. After cleanup, the parties get a certificate of completion from the TCEQ which states that all lenders and future land owners who are not PRP's are free from all liability to the State. Institutional/Engineering Controls searched.

*Parts of the above description were taken from the TCEQ/VCP Website (<http://www.TCEQ.state.tx.us/permitting/remed/vcp/>). The investigation phases are listed as INVESTIGATION, REMEDIATION, POST-CLOSURE, and COMPLETE. Contaminant Categories (PERC and BTEX). Source: Texas Commission on Environmental Quality (TCEQ)*

**1**

**Database:** TXVCP

**Site:** Crystal Cleaners 620 Center

**Distance:** 0.164 W

**Address** 107 RANCH ROAD 620 SOUTH

**Zip Code** 78734-3942

**City:** LAKEWAY

VCP ID: 1447 - Date app. received: 2/27/2002. Phase: Completed. The certificate type is unknown. Facility Type: Dry Cleaners. Site Acres: 2 Contaminant type: Chlorinated Solvents. The type of media affected: Soils/Groundwater. Institutional Control/Remedy: Unknown/Unknown Applicant name: 620 CENTER, LTD. The Consultant/Attorney is HBC Engineering (tel) 512-442-1122

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## **TXIOP**

### Innocent Owner/Operator Program

The TX IOP, created by House Bill 2776 of the 75th Leg, provides a cert. to an innocent owner or operator if their property is contaminated as a result of a release or migration of contaminants from a source or sources not loc. on the prop., and they did not cause or contribute to the source or sources of contamination. Like the TxVCP Prog., the IOP can be used as a redevelopment tool or as a tool to add value to a contaminated prop. by providing an Innocent Owner/Operator Certificate (IOC). However, unlike the VCP release of liability, IOCs are not trans. to future owners/oper's. Future owners/oper's are eligible to enter the IOP and may rec. an IOC only after they become an owner or operator of the site.

*The above description were taken from the TCEQ/IOP Website  
(<http://www.TCEQ.state.tx.us/permitting/remed/vcp/iop.html>).  
Source: Texas Commission on Environmental Quality (TCEQ)*

**Database:** TXIOP  
**Site:** No findings within 1/2 mile.  
**Distance:** 0  
**Address**  
**Zip Code**  
**City:**

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## **TXSSF**

### Texas State Superfund

The Texas State Superfund database is a list of sites that the State of Texas has identified for investigation or remediation. Texas State Superfund sites are reviewed for potential upgrading to Comprehensive Environmental Response, Compensation, and Liability Information System status by the federal Environmental Protection Agency. Institutional/Engineering Controls searched.

*Source: Texas Commission on Environmental Quality (TCEQ)*

**Database:** TXSSF  
**Site:** No findings within one mile.  
**Distance:** 0  
**Address**  
**Zip Code**  
**City:**



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**TXLF**

TCEQ Solid Waste Facilities

Texas Commission on Environmental Quality (TCEQ) Requires municipalities and counties to report known active and inactive landfills. Texas Landfills is a listing of solid waste facilities registered and tracked by the TCEQ Solid waste division. The facilities tracked include solid waste disposal sites as well as transfer stations and processing stations.

*Source: Texas Commission on Environmental Quality (TCEQ)*

**Database:** TXLF

**Site:** No findings within one mile.

**Distance:** 0

**Address**

**Zip Code**

**City:**

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**LFUN**

Unauthorized and Unpermitted Landfill Sites

Unauthorized sites have no permit and are considered abandoned. All information about these sites was compiled by Southwest Texas State University under contract with TCEQ and is based on a search of publicly available records.

*Source: Texas Commission on Environmental Quality (TCEQ)*

**Database:** LFUN

**Site:** No findings within 1/2 mile.

**Distance:** 0

**Address**

**Zip Code**

**City:**

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**TXLUST**

Leaking Underground Storage Tanks

State lists of leaking underground storage tank sites. Section 9003(h) of Subtitle I of RCRA gives EPA and states, under cooperative agreements with EPA, authority to clean up releases from UST systems or require owners and operators to do so.

*Source: Texas Commission on Environmental Quality (TCEQ)*

**Database:** TXLUST

**Site:** No findings within 1/2 mile.

**Distance:** 0

**Address**

**Zip Code**

**City:**

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**TXUST**

Texas Underground Storage Tanks

Underground Storage Tanks - Permitted underground storage tanks tracked and maintained by the Texas Commission on Environmental Quality (TCEQ).

*Source: Texas Commission on Environmental Quality (TCEQ)*

**5**

**Database:** TXUST

**Site:** A & F TRADING

**Distance:** 0.126 W

**Address** 201 RANCH ROAD 620 N

**Zip Code** 78734-3904

**City:** LAKEWAY

Facility ID number 0043328, TCEQ unit ID number 00114376, tank ID number 3, date installed (MMDDYYYY) 01011983, total capacity in gallons: 0010000 Tank is currently in use. Tank compartments: Compartment A: Gasoline. Capacity 0010000 gal The tank construction is of steel - double wall. The owner of the facility is ALI HAMOUDEH AHMAD, the telephone number listed for the owner is 512-266-2955.

---

Facility ID number 0043328, TCEQ unit ID number 00114377, tank ID number 2, date installed (MMDDYYYY) 01011983, total capacity in gallons: 0010000 Tank is currently in use. Tank compartments: Compartment A: Gasoline. Capacity 0010000 gal The tank construction is of steel - double wall. The owner of the facility is ALI HAMOUDEH AHMAD, the telephone number listed for the owner is 512-266-2955.

---

Facility ID number 0043328, TCEQ unit ID number 00114375, tank ID number 1, date installed (MMDDYYYY) 01011983, total capacity in gallons: 0010000 Tank is currently in use. Tank compartments: Compartment A: Gasoline. Capacity 0010000 gal The tank construction is of steel - double wall. The owner of the facility is ALI HAMOUDEH AHMAD, the telephone number listed for the owner is 512-266-2955.

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Lake Oak Subdivision, Lakeway, TX

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**7** **Database:** TXUST  
**Site:** ELEMENTARY SCHOOL CAMPUS  
**Distance:** 0.219 N  
**Address** 607 RANCH ROAD 620 N  
**Zip Code** 78734  
**City:** LAKEWAY

Facility ID number 0055659, TCEQ unit ID number 00135220, tank ID number 1, date installed (MMDDYYYY) 01011982, total capacity in gallons: 0008000 Tank is currently removed from ground. Tank compartments: Compartment A: Diesel. Capacity 0008000 gal The tank construction is of steel. The owner of the facility is LAKE TRAVIS ISD, the telephone number listed for the owner is 512-533-6026.

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Facility ID number 0055659, TCEQ unit ID number 00135221, tank ID number 2, date installed (MMDDYYYY) 01011982, total capacity in gallons: 0008000 Tank is currently removed from ground. Tank compartments: Compartment A: Kerosene. Capacity 0008000 gal The tank construction is of steel. The owner of the facility is LAKE TRAVIS ISD, the telephone number listed for the owner is 512-533-6026.

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Facility ID number 0055659, TCEQ unit ID number 00135222, tank ID number 3, date installed (MMDDYYYY) 01011982, total capacity in gallons: 0000500 Tank is currently removed from ground. Tank compartments: Compartment A: Kerosene. Capacity 0000500 gal The tank construction is of steel. The owner of the facility is LAKE TRAVIS ISD, the telephone number listed for the owner is 512-533-6026.

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**2** **Database:** TXUST  
**Site:** FIVE STAR SERVICE CAR WASH AND LUBE  
**Distance:** 0.522 NW  
**Address** 1110 RANCH ROAD 620 N  
**Zip Code** 78734  
**City:** LAKEWAY

Facility ID number 0077359, TCEQ unit ID number 00205019, tank ID number 1, date installed (MMDDYYYY) 11022004, total capacity in gallons: 0015000 Tank is currently in use. Tank compartments: Compartment A: Gasoline. Capacity: 0010000 gal, Comp. B: Gasoline. Capacity: 0005000 gal The tank construction is of composite - double wall. The owner of the facility is FIVE STAR FULL SERVICE CAR WASH AND LUBE, the telephone number listed for the owner is 512-320-8877.

**6**

**Database:** TXUST  
**Site:** CAVALIER FOOD MART  
**Distance:** 0.594 SW  
**Address** 509 RANCH ROAD 620 S  
**Zip Code** 78734  
**City:** LAKEWAY

Facility ID number 0036939, TCEQ unit ID number 00097659, tank ID number 1, date installed (MMDDYYYY) 01011983, total capacity in gallons: 0006000 Tank is currently in use. Tank compartments: Compartment A: Gasoline. Capacity 0006000 gal The tank construction is of steel - single wall. The owner of the facility is CAVALIER GOLDEN GROUP INC, the telephone number listed for the owner is 512-251-7446.

Facility ID number 0036939, TCEQ unit ID number 00097660, tank ID number 3, date installed (MMDDYYYY) 01011984, total capacity in gallons: 0006000 Tank is currently in use. Tank compartments: Compartment A: Gasoline. Capacity 0006000 gal The tank construction is of steel - single wall. The owner of the facility is CAVALIER GOLDEN GROUP INC, the telephone number listed for the owner is 512-251-7446.

Facility ID number 0036939, TCEQ unit ID number 00097658, tank ID number 2, date installed (MMDDYYYY) 01011983, total capacity in gallons: 0006000 Tank is currently in use. Tank compartments: Compartment A: Gasoline. Capacity 0006000 gal The tank construction is of steel - single wall. The owner of the facility is CAVALIER GOLDEN GROUP INC, the telephone number listed for the owner is 512-251-7446.

Facility ID number 0036939, TCEQ unit ID number 00097657, tank ID number 4, date installed (MMDDYYYY) 01011983, total capacity in gallons: 0004000 Tank is currently in use. Tank compartments: Compartment A: Diesel. Capacity 0004000 gal The tank construction is of steel - single wall. The owner of the facility is CAVALIER GOLDEN GROUP INC, the telephone number listed for the owner is 512-251-7446.

Lake Oak Subdivision, Lakeway, TX

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**8**

**Database:** TXUST  
**Site:** TP 2525  
**Distance:** 0.764 SW  
**Address** 903 HWY 620  
**Zip Code** 78734  
**City:** AUSTIN

Facility ID number 0036622, TCEQ unit ID number 00171707, tank ID number 1, date installed (MMDDYYYY) 08011994, total capacity in gallons: 0008000 Tank is currently in use. Tank compartments: Compartment A: Gasoline. Capacity 0008000 gal The tank construction is of fiberglass-reinforced plastic (FRP) - single wall. The owner of the facility is THOMAS PETROLEUM LLC, the telephone number listed for the owner is 361-582-6123.

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Facility ID number 0036622, TCEQ unit ID number 00096885, tank ID number 2, date installed (MMDDYYYY) 04011980, total capacity in gallons: 0010000 Tank is currently removed from ground. Tank compartments: Compartment A: Gasoline. Capacity 0010000 gal The tank construction is of steel - single wall. The owner of the facility is THOMAS PETROLEUM LLC, the telephone number listed for the owner is 361-582-6123.

---

Facility ID number 0036622, TCEQ unit ID number 00171708, tank ID number 2, date installed (MMDDYYYY) 05011994, total capacity in gallons: 0008000 Tank is currently in use. Tank compartments: Compartment A: Gasoline. Capacity 0008000 gal The tank construction is of fiberglass-reinforced plastic (FRP) - single wall. The owner of the facility is THOMAS PETROLEUM LLC, the telephone number listed for the owner is 361-582-6123.

---

Facility ID number 0036622, TCEQ unit ID number 00096886, tank ID number 1, date installed (MMDDYYYY) 04011980, total capacity in gallons: 0010000 Tank is currently removed from ground. Tank compartments: Compartment A: Gasoline. Capacity 0010000 gal The tank construction is of steel - single wall. The owner of the facility is THOMAS PETROLEUM LLC, the telephone number listed for the owner is 361-582-6123.

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**TXAST**

Texas Above Ground Storage Tanks

Aboveground Storage Tanks - Permitted aboveground storage tanks tracked and maintained by the Texas Commission on Environmental Quality (TCEQ).

*Source: Texas Commission on Environmental Quality (TCEQ)*

**4** **Database:** TXAST  
**Site:** HURST HARBOR MARINA  
**Distance:** 0.998 NW  
**Address** 16405 MARINA PT  
**Zip Code** 78734  
**City:** AUSTIN

Facility ID number 0062918, TCEQ unit ID number 00166188, tank ID number 2, tank installed (MMDDYY) , tank capacity in gallons: 0008000 Tank is currently in use - substance stored: Gasoline Tank material of construction is Steel. The tanks containment consists of: Concrete The owner of the facility is HURST HARBOR MARINA LTD, the telephone number listed for the owner is (512) 266-1800

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Facility ID number 0062918, TCEQ unit ID number 00166187, tank ID number 1, tank installed (MMDDYY) , tank capacity in gallons: 0008000 Tank is currently in use - substance stored: Gasoline Tank material of construction is Steel. The tanks containment consists of: Concrete The owner of the facility is HURST HARBOR MARINA LTD, the telephone number listed for the owner is (512) 266-1800

---

Facility ID number 0062918, TCEQ unit ID number 00166188, tank ID number 2, tank installed (MMDDYY) , tank capacity in gallons: 0008000 Tank is currently in use - substance stored: Gasoline Tank material of construction is Steel. The tanks containment consists of: Concrete The owner of the facility is HURST HARBOR MARINA LTD, the telephone number listed for the owner is (512) 266-1800

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Facility ID number 0062918, TCEQ unit ID number 00166187, tank ID number 1, tank installed (MMDDYY) , tank capacity in gallons: 0008000 Tank is currently in use - substance stored: Gasoline Tank material of construction is Steel. The tanks containment consists of: Concrete The owner of the facility is HURST HARBOR MARINA LTD, the telephone number listed for the owner is (512) 266-1800

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## **TXSPILL**

### Texas Spills List

Texas Commission on Environmental Quality (TCEQ) tracks cases where emergency response is needed for cleanup of toxic substances.

*Source: Texas Commission on Environmental Quality (TCEQ)*

**3**

**Database:** TXSPILL  
**Site:** CITY OF AUSTIN  
**Distance:** 0.236 N  
**Address** 13500 KOLLMEYER DR  
**Zip Code** 78734-3716  
**City:** AUSTIN

Date of Spill: 6/3/91 - Notification Date: 6/3/91. Material Spilled: PCB OIL. Amount of material spilled: 2 GAL. class of spill: hazardous material - minor. The cleanup status is: complete . Media affected: NO (A = Air, L = Land, N/A = none, W = Water). The basin where the spill occurred: COLORADO.

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## **BRNFD**

### Brownfield

Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Institutional/Engineering Controls searched.

*Source: Texas Commission on Environmental Quality (TCEQ)*

**Database:** BRNFD  
**Site:** No findings within 1/2 mile.  
**Distance:** 0  
**Address**  
**Zip Code**  
**City:**

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**DRYC**

Dry Cleaner

House Bill 1366 requires all dry cleaning drop stations and facilities in Texas to register with Texas Commission on Environmental Quality (TCEQ) and implement new performance standards at their facilities as appropriate. It also requires distributors of dry cleaning solvents to collect fees on the sale of dry cleaning solvents at certain facilities.

*Source: Texas Commission on Environmental Quality (TCEQ)*

**Database:** DRYC

**Site:** No findings within 1/2 mile.

**Distance:** 0

**Address**

**Zip Code**

**City:**

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**IRUST**

Indian Reservation Underground Storage Tanks

All Appropriate Inquiries (AAI) rule has requested that Underground Storage Tanks on Indian Land be included in any ESA that is affected. Permitted Underground Storage Tanks on Indian Land are tracked and maintained by the EPA.

*Source: United States Environmental Protection Agency (EPA)*

**Database:** IRUST

**Site:** No findings within 1/4 mile.

**Distance:** 0

**Address**

**Zip Code**

**City:**

# TelALL Zip Index

The following zip codes, are the zip codes that TelALL used for generating the preceding report. The information is provided to help our customers make the most thorough data evaluation possible. Lat/Lon. info is provided to assist in locating sites. Lat/Lon info that is listed as "0" indicates that the site has not been geocoded. This does not indicate that the site is an orphan or was not evaluated by TelALL's research personnel.



## Database count for 78734

DRYC	4	ERNS	3	TXAST	19
TXLUST	5	TXSPILL	25	TXUST	55
TXVCP	2				

FACZIP	DATABASE	SITENAME	ADDRESS	CITY	LATITUDE	LONGITUDE
<b>78734</b>	DRYC	IVORY CLEANERS	1310 RANCH ROAD 620 S STE C7	LAKEWAY	30.350176	-97.9650986
		JACK BROWN CLEANERS 38	1508 620 S	LAKEWAY	30.347807	-97.964819
		LAKEWAY CLEANERS	2303 RANCH ROAD 620 S STE 150	LAKEWAY	30.341126	-97.968447
		REIDS CLEANERS 9	900 RANCH ROAD 620 S STE C101	LAKEWAY	30.355568	-97.961273
	ERNS	ACES AIR CONDITIONING	SUTTON DRIVE	AUSTIN	30.38618	-97.930773
		S AND J EMERALD PT. ENTERPRI	THE INCIDENT OCCURRED FIVE FEE	AUSTIN	0	0
		WASTE MANAGEMENT INC.	710 CUTLASS	LAKEWAY	30.371307	-97.998917
	TXAST	EMERALD POINT MARINA WWTP	5973 HILINE Rd	AUSTIN	27.741596	-97.423417
			5973 HILINE Rd	AUSTIN	27.741596	-97.423417
		HURST HARBOR MARINA	16405 MARINA PT	AUSTIN	30.0033	-94.2667
			16405 MARINA PT	AUSTIN	30.0033	-94.2667
			16405 MARINA PT	AUSTIN	30.0033	-94.2667
			16405 MARINA PT	AUSTIN	30.0033	-94.2667
		LAKE TRAVIS ISD	3322 RR 620 S	AUSTIN	29.701744	-95.7613469
			3322 RR 620 S	AUSTIN	29.701744	-95.7613469
		LAKE TRAVIS YACHT HARBOR	16406 STEWART RD	AUSTIN	29.904691	-95.355448
			16406 STEWART RD	AUSTIN	29.904691	-95.355448
			16406 STEWART RD	AUSTIN	29.904691	-95.355448
		LAKEWAY MARINA	101 LAKEWAY DR	AUSTIN	32.605829	-98.2170103
			101 LAKEWAY DR	AUSTIN	32.605829	-98.2170103
			101 LAKEWAY DR	AUSTIN	32.605829	-98.2170103
			101 LAKEWAY DR	AUSTIN	32.605829	-98.2170103
			101 LAKEWAY DR	AUSTIN	32.605829	-98.2170103
		RODMAN EXCAVATION	4005 FM 620 S	AUSTIN	31.812805	-106.557584
		TRAVIS U-FLOTE-M	6410 HUDSON BEND RD	AUSTIN	32.684393	-97.320014
			6410 HUDSON BEND RD	AUSTIN	32.684393	-97.320014
		TXLUST	AUSTIN BOAT & MOTOR	1208 S RR 620	AUSTIN	30.458058
	AUSTIN LAKEWAY AIRPARK		115 FLYING SCOT DR	VILLAGE LAKE	30.357249	-97.994351
	CIRCLE K 5201		3636 RR 620	AUSTIN	30.419953	-97.928988
	LAKEWAY MARINA		101 LAKEWAY DR	AUSTIN	30.373979	-97.98737
	TXSPILL	LAKEWAY SERVICE STATION	2200 LAKEWAY BLVD	AUSTIN	30.36207	-97.999995
		CITY OF AUSTIN	13500 Kollmeyer Dr	Austin	30.369993	-97.940858
		Emerald Point Marina	Emerald Point Marina, 5975 Hi-Line Rd.	Austin	0	0
			Emerald Point Marina, 5975 Hi-Line Rd.	Austin	0	0
			Emerald Point Marina, Lake Travis	Austin	0	0
			Marina on Lake Travis off of Hudson Be	Austin	0	0
		EMERALD POINT MARINA PARTNE	WEST SIDE OF HI-LINE RD OFF OF H	AUSTIN	0	0
		GENERIC INCIDENT PRINCIPAL	GENERIC INCIDENT ZIP CODE 78734	AUSTIN	0	0
		HUDSON BEND GROCERY		AUSTIN	30.397363	-97.929644
		Hurst Harbor Marina	Hurst Harbor Marina filler hose	Austin	0	0
			Hurst Harbor Marina filler hose	Austin	0	0
			Hurst Harbor Marina, 16405 Marina Poi	Austin	0	0
		LAKEWAY	LIFT STATION 417 PALOS VERDES, L	AUSTIN	30.350917	-97.996135
	Lakeway Marina	Lakeway Marina at the end of Lakeway	Austin	0	0	
	LAKEWAY MUD	1097 LOHMANS CROSSING RD	AUSTIN	0	0	



**Database count for 78734**

DRYC	4	ERNS	3	TXAST	19
TXLUST	5	TXSPILL	25	TXUST	55
TXVCP	2				

FACZIP	DATABASE	SITENAME	ADDRESS	CITY	LATITUDE	LONGITUDE	
<b>78734</b>	TXSPILL	LAKEWAY MUD	417 Palos Verdes Dr	Austin	30.366951	-97.970693	
			BROOK HOLLOW & PETULA, LAKEW	AUSTIN	0	0	
		LAKEWAY MUNICIPAL UTILITY DIS	LAKEWAY SEWAGE TREATMENT I4	AUSTIN	0	0	
		LARRY ROECKER	126 Medalist St	Austin	30.3701	-97.979	
			126 Medalist St	Austin	30.3701	-97.979	
		MIKE ORUKE	707 River Rd	Austin	30.344035	-97.92993	
		Mr. Rand Forsest	Elmerald Point Marina on Lake Travis, o	Austin	0	0	
		TRAVIS CO. WCID #17	STEINER RANCH LIFT STATION #1,	AUSTIN	0	0	
		Travis County WC&ID	Steiner Ranch, Quinlin Park Rd. Austin,	Austin	0	0	
		UNK	504 Ladin Ln	Austin	30.369398	-97.967931	
		Unknown	1905 Big Horn Dr	Austin	30.368805	-97.915643	
		TXUST	A & F TRADING	201 RANCH ROAD 620 N	LAKEWAY	30.367172	-97.9504315
				201 RANCH ROAD 620 N	LAKEWAY	30.367172	-97.9504315
				201 RANCH ROAD 620 N	LAKEWAY	30.367172	-97.9504315
			AUSTIN BOATS & MOTORS	1208 S RR 620	AUSTIN	30.351078	-97.964311
	AUSTIN ENGINEERING		3317 RR 620 N	AUSTIN	30.323708	-97.7349067	
			3317 RR 620 N	AUSTIN	30.323708	-97.7349067	
	BREEZYS		RR 620	AUSTIN	30.366667	-97.9483898	
			RR 620	AUSTIN	30.366667	-97.9483898	
			RR 620	AUSTIN	30.366667	-97.9483898	
	CARPENTER & ASSOC REALTY		RR 2222 & RR 620	AUSTIN	29.685814	-95.1793864	
			RR 2222 & RR 620	AUSTIN	29.685814	-95.1793864	
			RR 2222 & RR 620	AUSTIN	29.685814	-95.1793864	
			RR 2222 & RR 620	AUSTIN	29.685814	-95.1793864	
	CAVALIER FOOD MART		509 RANCH ROAD 620 S	LAKEWAY	30.359351	-97.953818	
			509 RANCH ROAD 620 S	LAKEWAY	30.359351	-97.953818	
			509 RANCH ROAD 620 S	LAKEWAY	30.359351	-97.953818	
			509 RANCH ROAD 620 S	LAKEWAY	30.359351	-97.953818	
	CIRCLE K 3246		RR 620 & WACO ST	AUSTIN	30.286621	-97.2408675	
			RR 620 & WACO ST	AUSTIN	30.286621	-97.2408675	
	CIRCLE K STORE 2704681		1405 RANCH ROAD 620 S	LAKEWAY	30.349276	-97.963026	
			1405 RANCH ROAD 620 S	LAKEWAY	30.349276	-97.963026	
			1405 RANCH ROAD 620 S	LAKEWAY	30.349276	-97.963026	
			1405 RANCH ROAD 620 S	LAKEWAY	30.349276	-97.963026	
	COMMANDERS POINT YACHT BAS		4600 COMMANDERS POINT DR	AUSTIN	30.398701	-97.9117376	
			4600 COMMANDERS POINT DR	AUSTIN	30.398701	-97.9117376	
	ELEMENTARY SCHOOL CAMPUS		607 RANCH ROAD 620 N	LAKEWAY	30.370425	-97.9483787	
			607 RANCH ROAD 620 N	LAKEWAY	30.370425	-97.9483787	
			607 RANCH ROAD 620 N	LAKEWAY	30.370425	-97.9483787	
	FIVE STAR SERVICE CAR WASH A		1110 RANCH ROAD 620 N	LAKEWAY	30.359675	-97.953866	
	HUDSON BEND GROCERY		5001 HUDSON BEND RD	AUSTIN	30.412481	-97.926682	
	LAKEWAY 261 C O		1100 LOHMANS CROSSING RD	LAKEWAY	30.366866	-97.9813585	
	LAKEWAY AIRPARK		115 FLYING SCOT DR	LAKEWAY	30.35746	-97.994574	
			115 FLYING SCOT DR	LAKEWAY	30.35746	-97.994574	
	LAKEWAY SERVICE STATION		2200 LAKEWAY BLVD	LAKEWAY	30.357909	-97.9795989	
			2200 LAKEWAY BLVD	LAKEWAY	30.357909	-97.9795989	
			2200 LAKEWAY BLVD	LAKEWAY	30.357909	-97.9795989	
			2200 LAKEWAY BLVD	LAKEWAY	30.357909	-97.9795989	
			2200 LAKEWAY BLVD	LAKEWAY	30.357909	-97.9795989	
	LAKEWAY VALERO		2103 RANCH ROAD 620 S	LAKEWAY	30.342673	-97.966419	

**Database count for 78734**

DRYC	4	ERNS	3	TXAST	19
TXLUST	5	TXSPILL	25	TXUST	55
TXVCP	2				

FACZIP	DATABASE	SITENAME	ADDRESS	CITY	LATITUDE	LONGITUDE	
<b>78734</b>	TXUST	LAKEWAY VALERO	2103 RANCH ROAD 620 S	LAKEWAY	30.342673	-97.966419	
		LIVE OAK GOLF COURSE MAINT	602 LAKEWAY DR	AUSTIN	30.363553	-97.992723	
		LIVE OAK MAINTENANCE FACILIT	600 LAKEWAY DR	LAKEWAY	30.364438	-97.9932986	
			600 LAKEWAY DR	LAKEWAY	30.364438	-97.9932986	
		ROUGH HOLLOW YACHT CLUB	105 YACHT CLUB CV	AUSTIN	30.359293	-97.996919	
		SAFEWAY 1779	RANCH ROAD 620 S	LAKEWAY	30.342206	-97.9676606	
			RANCH ROAD 620 S	LAKEWAY	30.342206	-97.9676606	
		SPEEDY STOP 201	3636 RR 620 N	AUSTIN	30.323708	-97.7349067	
			3636 RR 620 N	AUSTIN	30.323708	-97.7349067	
			3636 RR 620 N	AUSTIN	30.323708	-97.7349067	
			3636 RR 620 N	AUSTIN	30.323708	-97.7349067	
		TP 2525	903 HWY 620	AUSTIN	30.686253	-96.3777857	
			903 HWY 620	AUSTIN	30.686253	-96.3777857	
			903 HWY 620	AUSTIN	30.686253	-96.3777857	
			903 HWY 620	AUSTIN	30.686253	-96.3777857	
			YAUPON MAINTENANCE FACILITY	1210 LOHMANS CROSSING RD	LAKEWAY	30.358501	-97.979728
		TXVCP	Crystal Cleaners 620 Center	107 Ranch Road 620 South	Lakeway	30.3651	-97.951398
	Lakeway Service Station		2200 Lakeway Boulevard	Lakeway	30.35789	-97.979532	



# Order Form

Email to: [Order@TelALL.net](mailto:Order@TelALL.net)  
Fax to: 888.756.7647

From: Julie Hatcher  
Hicks & Company  
1504 W. 5th St.  
Austin, TX 78703  
Tel: 512.478.0858  
Fax: 512.476.2304

Phase I Support Services

**\*24 Hour Service on Most Products\***

Order Online  
[www.TelALL.net](http://www.TelALL.net)

**Site Information**

Map of approximate site area included for increased accuracy.

Project Name:	Project #:
Street Address:	
City, County, State, Zip:	
Latitude/Longitude:	
Cross Street/Special Instructions:	

\*For same day service please order before noon C.S.T.

\*Call for approximate aerial coverage

\*Some services available nationwide

**TelALL AAI, ASTM Radius Data Search / Historical Aerial Photo Combo Package**  
\*Save with TelALL's most popular package **\$144**

**TelALL AAI, ASTM Radius Data Search** \*Recent aerial photo included  
\*AAI, ASTM search distances with color map included \*USGS topo map included **\$98**

**Extra Quarter Option** \*Add an extra quarter mile to our radius search or combo \*Great for larger properties  
\*Use with the AAI, ASTM radius search or combo to add a 1/4 mile to all databases. (adds +1.76 sq. mi. of total search area!) **\$56**

**TelALL Custom Boundary Data Search** \*Recent aerial photo included \*USGS topo map included  
\*ASTM distances from actual property boundaries \*Great for large or irregular sites **Call /Quote**

**TelALL Historical Aerial Photography Search** \*Call or check online for approximate aerial coverage  
\*Up to 7 decades searched \*Same day service **\$64**

**TelALL New Aerial**  
\*High resolution aerial photos of your site that are days old \*Quick turnaround time \*Multiple photos sent on CD **Call /Quote**

**TelALL NEPA Check**  
\*Flood map, Wetlands map, Parks, Preserves, Historic sites, Endangered species **\$98**

**Chain of Title Search** \*Parcel number required  
\*Current lien information included \*Up to 50 years searched \*Single deed coverage **\$243**

**Current Lien Search**  
\*Current title information included \*Parcel number required \*Single deed coverage **\$138**

**Other TelALL Services**

\*Some services available nationwide

- |   |  |       |
|---|--|-------|
| <input type="checkbox"/> City Directories (\$60 p/hour - address required)      | <input type="checkbox"/> Water Well Search 1/2 Mile  | \$165 |
| <input type="checkbox"/> NWI Wetland Map \$25                                   | <input type="checkbox"/> Historical Topographic Maps | \$35  |
| <input type="checkbox"/> Aquifer Structure \$35                                 | <input type="checkbox"/> FEMA Flood Insurance Map    | \$20  |
| <input type="checkbox"/> USGS Topo Map (7.5 min) \$15                           | <input type="checkbox"/> Geologic Atlas Map          | \$20  |
| <input type="checkbox"/> Oil and Gas Review (\$40 p/hour \$65 for location map) | <input type="checkbox"/> Recent Photo (2009 doqq)    | \$15  |
| <input type="checkbox"/> Sanborn Maps (findings \$139/no findings \$45)         | <input type="checkbox"/> Soil Survey Map             | \$20  |

**Shipping Options**

\*Everything will be sent digitally free of charge unless hardcopies are requested

\*Next Day Shipping \$25 if no Account # is Provided

- Internet Delivery** \*Free  
E-Mail: jhatcher@hicksenv.com
- Fedex**  Overnight AM Delivery  Overnight PM Delivery  2nd Day  
Account #: \_\_\_\_\_
- U.P.S.**  Overnight AM Delivery  Overnight PM Delivery  2nd Day  
Account #: \_\_\_\_\_
- Lone Star Overnight**  
Account #: \_\_\_\_\_

**Payment**

\*We can take payment information over the phone

- VISA - MC - AMEX - eCheck** *(Circle one)*
- PO #:** \_\_\_\_\_
- Card #:** \_\_\_\_\_
- Expiration:** \_\_\_\_\_ / \_\_\_\_\_
- Name on Card:** \_\_\_\_\_

**Questions? Call Toll-Free 800.583.0004,  
or Email Us at [Sales@TelALL.net](mailto:Sales@TelALL.net)**

## Attachment B

### NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

**Date of Posting:** October 16, 2013

Travis County  
County Judge Samuel T. Biscoe  
P.O. Box 1748  
Austin, Texas 78767  
512-854-3460

On or after October 31, 2013, Travis County will submit a request to the U.S. Department of Housing and Urban Development (HUD) San Antonio Field Office for the release of Community Development Block Grant (CDBG) Entitlement Funds under Title I of Housing and Community Development Act of 1974, as amended, to undertake the following project:

**Project Title:** Travis County CDBG, Lake Oaks Estates Roads Improvements

**Purpose:** To fund improvements to several substandard roads in the Lake Oak Estates neighborhood in western Travis County.

**Project Description:** The Lake Oak Estates Roads Improvement Project is intended to improve several substandard roads in the Lake Oak Estates neighborhood. The improvements are expected to impact 126 people, of which, 86% are considered low-to-moderate income, based on a primary survey conducted in March 2011.

The Lake Oak Estates neighborhood is in the unincorporated area of Travis County. To be accepted into the County's road maintenance program, the roads have to meet the County's standards. Currently, the roads in the Lake Oak Estates neighborhood do not meet Travis County standards. This project proposes to bring the substandard roads up to standard so they can be maintained by the County.

The overall street improvement scope of work may include, but is not limited to: 1) utility location and relocation coordination services; 2) acquisition of right of way and easements; 3) project management and 4) construction.

The first phase of the project, funded with PY11 funds, included design, environmental and related services. The second and third phases of the project (to be funded with FY12 & PY 13 funds), include construction of improvements to sections of Cavalier Canyon, Bowling Lane, Covenant Canyon Trail, Holly Lane, and related cross streets; and any related acquisition of easements needed to complete the entire project. The existing roads will be improved to meet County standard and improve drainage as necessary.

**Location:** Lake Oak Estates is a subdivision located east of RM Road 620 and west of Lake Austin in western Travis County. The subdivision is comprised of three east-west streets: Holly Lane, Bowling Lane, and Cavalier Canyon Drive.

**Estimated Cost:** This project is fully funded by Community Development Block Grant dollars received from the U.S. Department of Housing and Urban Development (HUD) from several grant years. The breakdown in funding by year is as follows:

B-12-UC-48-0503	Program Year 2012	\$326,598
B-13-UC-48-0503	Program Year 2013	\$425,000*

\*It is possible that the County may not receive its PY13 allocation. If that occurs, the County will re-allocate unspent PY12 funds totaling \$425,000.

### **ENVIRONMENTAL REVIEW**

The activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58 from the National Environmental Policy Act requirements. An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file at Travis County Health and Human Services and Veterans Service Office, CDBG Office at 502 E. Highland Mall Blvd, Austin, TX, 78752 and may be examined or copied weekdays 8A.M to 5 P.M.

### **PUBLIC COMMENTS**

Any individual, group, or agency may submit written comments on the ERR to the Travis County HHS/VS, CDBG Office, P.O. Box 1748, Austin, TX, 78767. All comments received by 5 p.m. on October 28, 2013 will be considered by Travis County prior to authorizing submission of a request for release of funds.

### **RELEASE OF FUNDS**

Travis County certifies to HUD that Samuel T. Biscoe in his capacity as County Judge consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows Travis County to use HUD program funds.

### **OBJECTIONS TO RELEASE OF FUNDS**

HUD will accept objections to its release of fund and Travis County's certification received by October 31, 2013 for a period of fifteen (15) days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of Travis County; (b) Travis County has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, §58.76) and shall be addressed to HUD at H.F. Garcia Federal Building/U.S. Courthouse, 615 E. Houston St., Suite 347, San Antonio, TX 78205. Potential objectors should contact HUD to verify the actual last day of the objection period.

Samuel T. Biscoe

Travis County Judge/Certifying Officer

# Request for Release of Funds and Certification

U.S. Department of Housing  
and Urban Development  
Office of Community Planning  
and Development

OMB No. 2506-0087  
(exp. 10/31/2014)

This form is to be used by Responsible Entities and Recipients (as defined in 24 CFR 58.2) when requesting the release of funds, and requesting the authority to use such funds, for HUD programs identified by statutes that provide for the assumption of the environmental review responsibility by units of general local government and States. Public reporting burden for this collection of information is estimated to average 36 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

## Part 1. Program Description and Request for Release of Funds (to be completed by Responsible Entity)

1. Program Title(s)	2. HUD/State Identification Number	3. Recipient Identification Number (optional)
4. OMB Catalog Number(s)	5. Name and address of responsible entity	
6. For information about this request, contact (name & phone number)		
8. HUD or State Agency and office unit to receive request	7. Name and address of recipient (if different than responsible entity)	

### The recipient(s) of assistance under the program(s) listed above requests the release of funds and removal of environmental grant conditions governing the use of the assistance for the following

9. Program Activity(ies)/Project Name(s)	10. Location (Street address, city, county, State)
--	--

11. Program Activity/Project Description



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**Part 2. Environmental Certification** (to be completed by responsible entity)

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**With reference to the above Program Activity(ies)/Project(s), I, the undersigned officer of the responsible entity, certify that:**

1. The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
2. The responsible entity has assumed responsibility for and complied with and will continue to comply with, the National Environmental Policy Act of 1969, as amended, and the environmental procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5; and also agrees to comply with the authorities in 24 CFR 58.6 and applicable State and local laws.
3. The responsible entity has assumed responsibility for and complied with and will continue to comply with Section 106 of the National Historic Preservation Act, and its implementing regulations 36 CFR 800, including consultation with the State Historic Preservation Officer, Indian tribes and Native Hawaiian organizations, and the public.
4. After considering the type and degree of environmental effects identified by the environmental review completed for the proposed project described in Part 1 of this request, I have found that the proposal did  did not  require the preparation and dissemination of an environmental impact statement.
5. The responsible entity has disseminated and/or published in the manner prescribed by 24 CFR 58.43 and 58.55 a notice to the public in accordance with 24 CFR 58.70 and as evidenced by the attached copy (copies) or evidence of posting and mailing procedure.
6. The dates for all statutory and regulatory time periods for review, comment or other action are in compliance with procedures and requirements of 24 CFR Part 58.
7. In accordance with 24 CFR 58.71(b), the responsible entity will advise the recipient (if different from the responsible entity) of any special environmental conditions that must be adhered to in carrying out the project.

As the duly designated certifying official of the responsible entity, I also certify that:

8. I am authorized to and do consent to assume the status of Federal official under the National Environmental Policy Act of 1969 and each provision of law designated in the 24 CFR 58.5 list of NEPA-related authorities insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action that have been assumed by the responsible entity.
9. I am authorized to and do accept, on behalf of the recipient personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity.

---

Signature of Certifying Officer of the Responsible Entity

Title of Certifying Officer

---

Date signed

**X**

Address of Certifying Officer

---

**Part 3. To be completed when the Recipient is not the Responsible Entity**

---

The recipient requests the release of funds for the programs and activities identified in Part 1 and agrees to abide by the special conditions, procedures and requirements of the environmental review and to advise the responsible entity of any proposed change in the scope of the project or any change in environmental conditions in accordance with 24 CFR 58.71(b).

---

Signature of Authorized Officer of the Recipient

Title of Authorized Officer

---

Date signed

**X**

**Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)