RECORD OF DECISION
MODIFIED DALLAS FLOODWAY PROJECT
FEASIBILITY REPORT AND ENVIRONMENTAL IMPACT STATEMENT
DALLAS, TEXAS

The Final Feasibility Report (FFR) and Final Environmental Impact Statement (FEIS) dated December 2014, for the Dallas Floodway Project, Dallas, Texas identified a project to reduce flood risk and enhance ecosystems within the Trinity River Corridor in Dallas, Texas. The FFR and FEIS were prepared in response to Section 5141 of the Water Resources Development Act (WRDA) of 2007, as amended by the Water Resources Reform and Development (WRRDA) Act of 2014. Section 5141 of WRDA 2007, as amended, modified the 1945 authorization for the original Dallas Floodway Project to direct the Secretary to review the reports prepared by the non-Federal interest for the City of Dallas' Balanced Vision Plan (BVP) and Interior Drainage Plan (IDP). Moreover, if the Secretary determines that the project described in these reports is technically sound and environmentally acceptable, the Secretary is authorized to construct the project at a total cost of $459,000,000, with an estimated Federal cost of $298,000,000 and an estimated non-Federal cost of $161,000,000.

Based on the review of the City of Dallas' BVP and IDP reports and the views of interested agencies and the concerned public, I find the Modified Dallas Floodway Project (MDFP), as recommended by the U.S. Army Corps of Engineers (Corps) in the FFR and FEIS, to be technically sound and environmentally acceptable. The features identified as the MDFP in the FFR and FEIS will be implemented and cost shared between the Corps and the City of Dallas. The FEIS analyzed the entire project, to include those components not being constructed by the Corps. Those non-MDFP components are identified as the remaining BVP features and will be the complete financial responsibility of the City of Dallas if they are approved for construction under a 33 USC Section 408 request.

As complementary parts of the larger project, the Corps' MDFP elements and the City of Dallas' BVP elements are connected actions and as such have been analyzed comprehensively in the FEIS. The FEIS documents the investigation of alternative plans for providing flood risk management, ecosystem restoration, and recreation enhancements within the Dallas Floodway Project in Dallas, Texas. Two alternatives were considered in the FEIS: Alternative 1: *No Action Alternative* and Alternative 2: *Proposed Action.* Two variations in design are evaluated under Alternative 2: 1) MDFP and Remaining BVP Features Design with the Trinity Parkway in the Future Condition; and 2) MDFP and Remaining BVP Features Design without the Trinity Parkway in the Future Condition. The proposed MDFP is identical in both of the design variations considered under Alternative 2, and construction of the MDFP is not dependent on the potential Trinity Parkway project.

The MDFP is authorized by Section 5141 of WRDA 2007, as amended. The Corps' implementation of the MDFP elements under Alternative 2 will be comprised of flood risk

management and ecosystem restoration actions. The Corps considered contributions to the National Economic Development and Ecosystem Restoration objectives, as well as life-safety risks in recommending implementation of the features in the City of Dallas' BVP and IDP. The Corps' MDFP also supports achievement of the overall goals and objectives of the City of Dallas' BVP and IDP. The features that met the Corps' objectives and were technically sound and environmentally acceptable are recommended as the MDFP. The Recommended Plan for the MDFP includes: raising the East and West Levees to the 277,000 cubic feet per second flow with 3-to-1, width-to-height ratio (3H:1V), side slopes; Atchison, Topeka and Santa Fe Bridge modifications; Emergency Action Plan improvements; Hampton, Baker, Charlie, Delta and Trinity Portland Pump Stations improvements; Nobles Branch sump improvements; proposed River Relocation; and Corinth Wetlands. Improvements of the side slopes for reduction of operations and maintenance expenses of the East and West Levee from 3H:1V to 4H:1V were not economically justified; however, the City of Dallas would like to pursue construction of 4H:1V side slopes as a betterment to the Recommended Plan at 100 percent non-Federal cost, and therefore the 4H:1V side slope improvements are also included in the MDFP.

Although all practicable means and measures to avoid or minimize environmental and social impacts have been incorporated into the FEIS, implementation of the MDFP will result in significant impacts to fish and wildlife habitat during construction; however, long-term beneficial impacts to biological resources are anticipated, as determined through coordination with the U.S. Fish and Wildlife Service (USFWS), in compliance with the Fish and Wildlife Coordination Act. No compensatory mitigation is required for the MDFP because higher function and values of desired aquatic ecosystem habitat would be achieved in the future with-project condition as the result of implementation of the ecosystem restoration components of the MDFP. The Corps has developed a monitoring and adaptive management plan (in accordance with Section 2039 of WRDA 2007) in cooperation with USFWS, U.S. Environmental Protection Agency (EPA), Texas Parks and Wildlife Department (TPWD), and the Texas Commission on Environmental Quality (TCEQ) for the ecosystem restoration components of the MDFP. No impacts to species listed under the Endangered Species Act are anticipated.

Implementation of the MDFP will result in adverse effects to the Dallas Floodway Historic District due to the demolition and alteration of contributing features. The MDFP will result in impacts to a historic structure and an impact to the overall integrity of the Dallas Floodway Historic District. The Corps has developed a plan to mitigate the impacts on the Dallas Floodway Historic District, which includes a documentation and recordation process.

Estimated air emissions generated by MDFP construction activities are expected to exceed the General Conformity thresholds set for the Dallas/Fort Worth area during the project construction phase. However, the total estimated emissions of NOx for the project will be well within the emissions threshold for the 2007 Dallas Fort Worth Eight-Hour Ozone Nonattainment Area Reasonable Further Progress State Implementation Plan, as demonstrated in the Conformity

Analysis prepared by the Corps with concurrence from TCEQ, thus achieving compliance with the Clean Air Act.

A Clean Water Act Section 404(b)(1)Guidelines analysis has been prepared and is included in the FEIS. The MDFP complies with the 404(b)(1) Guidelines. The Corps has obtained a water quality certification from TCEQ under Section 401 of the Clean Water Act.

The Corps received comment letters from EPA, TPWD, TCEQ Air Quality Division, TCEQ Water Quality Division, Texas Historical Commission (THC), and Federal Aviation Administration (FAA), as well as members of the public during the final NEPA review period. Generally, EPA, THC, TCEQ Air Quality Division, and TCEQ Water Quality Division letters indicated that the FEIS addressed concerns expressed by their agencies' respective reviews of the Draft EIS (DEIS), and the agencies did not have any further comments. FAA's letter indicates that, while they appreciate that the FEIS committed to some of the recommendations they made following review of the DEIS, it did not commit to all their recommendations; therefore they still have concerns regarding the potential vulnerability of bird strikes with helicopters. Additional coordination will occur during design and construction to implement adaptive management features, to address their concerns. All the correspondence received from the public expressed opposition to the Trinity Parkway, a project by others that is covered under a separate EIS by the Federal Highway Administration, Texas Department of Transportation, and the North Texas Tollway Authority.

All applicable laws, executive orders, regulations, and local plans were considered in evaluating alternatives. The Corps' MDFP is the least environmentally damaging practicable alternative and incorporates measures to avoid and minimize significant environmental and social impacts. Based upon a review of the Final EIS and comments received from other agencies and the public, I find that the benefits gained by implementation of the MDFP outweigh the adverse effects. Therefore, I have determined that the Corps' MDFP is in the public interest. This Record of Decision completes the National Environmental Policy Act process for the MDFP.

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(Civil Works)