



7901 N I-35 | Austin, Texas 78753  
512.832-7000  
txdot.gov

February 5, 2026

The Honorable Mayor Kirk Watson  
City of Austin  
P.O. Box 1088  
Austin, TX 78767

Dear Mayor Watson:

We are aware that there has been confusion about the TxDOT environmental commitment to fund a section of the City of Austin Boardwalk. To clarify, here are a few facts.

1. The proposed \$25M boardwalk was a project identified in the "Butler Hike-and-Bike Trail Safety and Mobility Study" (TTC, 2021, page 104) that had extensive community and stakeholder engagement established by the City of Austin and The Trail Foundation. It was selected for its role in improving trail connectivity and addressing erosion in the area. The existing trail at this location is narrow, has a sharp turn and steep elevation change and conflicts with boat dock operations resulting in a pinch point. The proposed project would include bank restoration to address erosion in the area.
2. The Boardwalk was not a federal requirement identified in the Draft Environmental Impact Statement (DEIS). Sections 4(f) and 6(f) involve steps to protect public resources including parks and mitigate impacts for federally funded transportation projects.
3. After feedback from the public and after coordination with PARD and the TTC, the Boardwalk was included in the Final EIS/Record of Decision (FEIS/ROD) as mitigation outside of federal requirements. To be transparent, the boardwalk was considered as 6(f) prior to publication of the FEIS, but the Texas Parks and Wildlife Division would not accept it because the area over the water was already a recreational use. It is specifically named in the Record of Decision (ROD) and cannot be replaced with another project.

Mayor Kirk Watson

2

February 5, 2026

4. TxDOT identified approximately 2.5 acres of temporary parkland impacts and 0.8 acres of permanent parkland impacts for the I-35 project. The total cost of the impacted parkland was valued by a third-party appraiser at \$17,597,503. Those funds were deposited into the registry of the court for the 4(f) properties on December 6<sup>th</sup>, 2024 and under a separate court action for the 6(f) properties on June 4<sup>th</sup>, 2025 for payment to the City of Austin.
5. Funding for the project is going to the City of Austin, not to the Trails Foundation. In October 2025, TxDOT submitted a draft Advanced Funding Agreement (AFA) to the city.
6. If the city elects to not sign the AFA for the boardwalk with TxDOT, the mitigation will be removed from the FEIS/ROD through an environmental re-evaluation.

In summary: TxDOT followed the Section 4(f) process. TxDOT included additional mitigation of the I-35 project to the community by adding the Boardwalk to the project. The city can sign the AFA for the boardwalk or decline it. The AFA includes language that TxDOT's contribution is up to a fixed fee of \$25M for design and construction where overages are the responsibility of the city, and any underruns are returned to TxDOT. If you have any questions, please contact me at 512-832-7022 or at [Tucker.Ferguson@txdot.gov](mailto:Tucker.Ferguson@txdot.gov).

Sincerely,

DocuSigned by:  
  
78974EBCB5244BE...

Tucker Ferguson, P.E.  
Austin District Engineer