



**US Army Corps
of Engineers** ®
Fort Worth District

Public Notice

Section 408 Request ID #: 408-SWF-2024-0052

Date issued: October 3, 2025

Close of comment period: November 3, 2025

USACE Point of Contact: Jason Story

REQUEST TO ALTER A U.S. ARMY CORPS OF ENGINEERS FEDERALLY AUTHORIZED CIVIL WORKS PROJECT UNDER 33 USC 408 (SECTION 408)

TITLE: Section 408 Request # 408-SWF-2024-0052, Zayo NTIA fiber optic line

SUBJECT: Request for a Section 408 permission to alter the Fort Worth Floodway, a U.S. Army Corps of Engineers (USACE) federally authorized Civil Works project (Flood Risk Management). Written comments are being solicited from anyone having an interest in this proposed alteration. Comments will become part of the USACE administrative record and will be considered in determining whether to approve the proposed alteration. Comments supporting, opposing, or identifying concerns that may be considered by the USACE in its decision process are welcome. Issuance of this notice does not imply USACE endorsement of the proposed alteration as described.

REQUESTER: The Zayo Group, LLC

LOCATION: Clear Fork Trinity River near the intersection of Interstate Highway 30 and University Drive, in Fort Worth, Texas

NON-FEDERAL SPONSOR: Tarrant Regional Water District

LOCATION MAP(S)/DRAWING(S): Attached figures

DESCRIPTION OF THE PROPOSED ALTERATION: The Zayo Group, LLC is proposing a new build fiber optic line beginning in Fort Worth, Texas and ending in El Paso, Texas. The total length of the fiber optic line project is approximately 635 miles. The project crosses both the Fort Worth District and the Albuquerque District of the USACE. The project has received grant funding from the National Telecommunications and Information Administration (NTIA). The segment of the overall project between Fort Worth and Patricia, Texas was determined by NTIA to be a separate project with independent utility. The NTIA completed National Environmental Policy Act (NEPA) and other federal environmental compliance requirements for the Fort Worth to Patricia, Texas project on September 30, 2025. The proposed alteration under Section 408 is limited to where the fiber optic line would cross the Fort Worth Floodway. The alteration

would involve boring and installation of two conduits under the Clear Fork Trinity River in Fort Worth, Texas.

REGULATORY AUTHORITY: This request will be reviewed pursuant to Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408). A requester has the responsibility to acquire other authorizations required by federal, state, and local laws or regulations, including any required permits from the USACE Regulatory Program. An approval under Section 408 does not grant any property rights or exclusive privileges nor does it authorize any injury to the property or rights of others.

EVALUATION: The decision whether to grant the request for the alteration under Section 408 is based on several factors which are outlined in Engineer Circular 1165-2-220. The benefits which reasonably may be expected to accrue from the proposed alteration must be balanced against its reasonably foreseeable detriments. Review of the proposed alteration will be reviewed by a USACE technical review team considering the following factors:

1. *Impacts to the Usefulness of the USACE Project Determination.* The USACE technical review team will determine if the proposed alteration would limit the ability of the federally authorized project to function as authorized, or would compromise or change any authorized project conditions, purposes, or outputs.

2. *Injurious to the Public Interest Determination.* The USACE technical review team will determine the probable impacts of the proposed alteration, including cumulative impacts, on the public interest. Factors that may be relevant to the public interest may include, but are not limited to, such things as conservation, economic development, historic properties, cultural resources, environmental impacts, water supply, water quality, flood hazards, floodplains, residual risk, induced damages, navigation, shore erosion or accretion, and recreation.

3. *Environmental Compliance.* The USACE technical review team will determine if the Section 408 request is in compliance with NEPA and other applicable federal environmental and cultural resources compliance requirements.

STATUS OF REVIEW: The USACE technical review team has determined the following based on the Section 408 request submittal.

1. *Impacts to the Usefulness of the USACE Project.* The USACE technical review team has reviewed the proposed alteration for impacts to the Fort Worth Floodway and initial review indicates there would be no adverse hydrologic and hydraulic impacts resulting from the proposed alteration. No levees are affected by the proposed alteration.

2. *Threatened and Endangered species.* The NTIA completed Section 7 Endangered Species Act (ESA) compliance for the Fort Worth to Patricia, Texas project, including coordination with the United States Fish and Wildlife Service, which was completed in May 2025. For this project, the NTIA has been delegated the lead federal agency for federal environmental compliance purposes. The USACE intends to adopt the NTIA ESA documentation as applicable for the Section 408 permission.

3. *Historic, Cultural, and Archaeological Resources.* If Section 106 of the National Historic Preservation Act (NHPA) is carried out, licensed, permitted, approved, or assisted by more than one federal agency, the Section 106 regulations allow for some or all of those agencies to designate one lead federal agency, under 36 C.F.R. § 800.2(a)(2). Such an agency acts on their behalf and collectively fulfills their Section 106 responsibilities. The NTIA completed Section 106 of the NHPA and consultation with federally recognized tribes for the Fort Worth to Patricia, Texas project. For this project, the NTIA has been delegated the lead federal agency for federal environmental compliance purposes. The USACE intends to adopt the NTIA Section 106 consultation as applicable for the Section 408 permission.

The NTIA determined the proposed undertaking will have no adverse effect on eligible architectural resources and no effect on eligible archeological resources. The NTIA consulted on this determination with the Texas State Historic Preservation Officer and appropriate federally recognized tribes which include the Comanche Nation, Delaware Nation, Kiowa Indian Tribe, Wichita and Affiliated Tribes, Tonkawa Tribe of Indians of Oklahoma, Eastern Shoshone Tribe, Apache Tribe of Oklahoma, Northern Arapaho, Coushatta Indian Tribe, Kialegee Tribal Town, Alabama Quassarte Tribal Town, Caddo Nation of Oklahoma, and the Northern Cheyenne Tribe.

SOLICITATION OF COMMENTS: The USACE is soliciting comments from the public, federal, state, and local agencies and officials, federally recognized tribes, and other interested parties to consider and evaluate the impacts of the proposed alteration.

Materials submitted as part of the Section 408 request become part of the public record and are available to the public under the Freedom of Information Act (FOIA). Individuals may submit a written request to obtain materials under FOIA or make an appointment to view the project file at the Fort Worth District, U.S. Army Corps of Engineers, Office of Counsel.

Comments received will be considered by the USACE to determine whether to issue, modify, condition, or deny a permission for this proposed alteration. It is presumed that all parties receiving this notice will wish to respond to this public notice, therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed alteration as described herein.

CLOSE OF COMMENT PERIOD: Written comments on the proposed alteration must reach this office on or before the close of the comment period. Comments must reference the Section 408 Request ID # and project name. Submit comments and requests for additional information to CESWF-408@usace.army.mil. Telephone inquiries may be directed to Mr. Jason Story, Section 408 Coordinator at (817) 886-1852. Please note that names and addresses of those who submit comments in response to this public notice may be made publicly available. For more information on Section 408, visit the Fort Worth District Section 408 webpage at <https://www.swf.usace.army.mil/Missions/Section-408/>.



Figure 1.
Project Location Overview

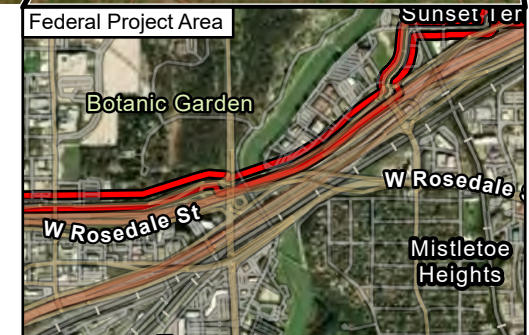
Zayo FTW-ELP LH
 408-SWF-2024-0052

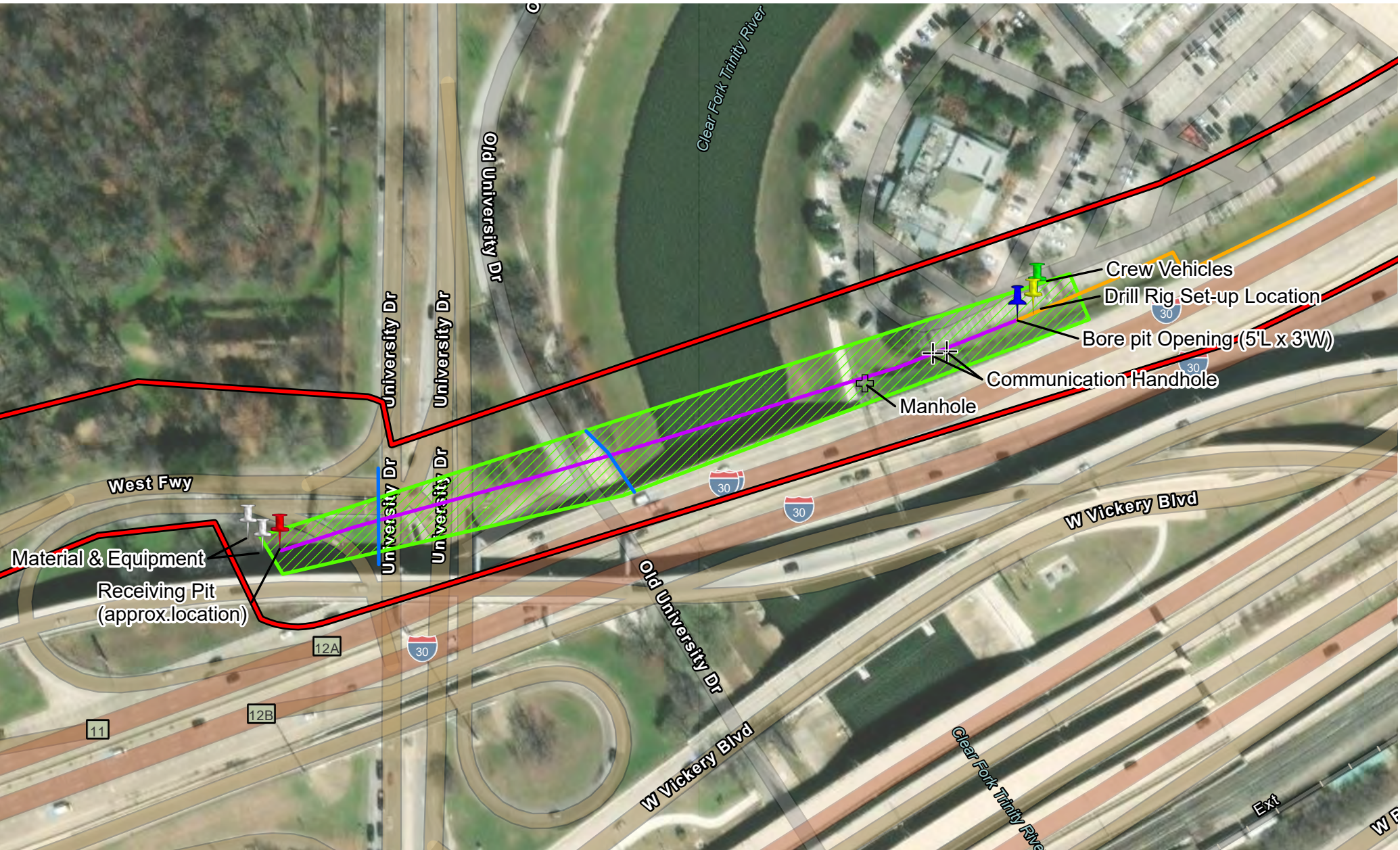
1 in = 33 mi

Miles
 0 33

File Ref. 04.429.001
 Date: 7/16/2025

- Study Corridor - Fort Worth to Patricia
- Project Corridor - Patricia to El Paso





**Figure 3.
Federal Project Area**

Zayo FTW-ELP LH
Fort Worth to Patricia
408-SWF-2024-0052

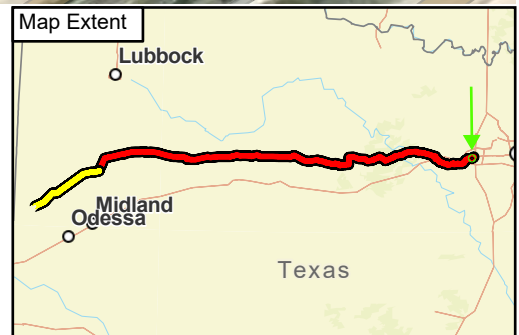
1 in = 150 ft

Feet
0 150



File Ref. 04.429.001
Date: 4/29/2025

- Study Corridor - Fort Worth to Patricia
- Study Corridor - El Paso to Patricia
- Bore Path (Projected)
- Construction Path
- Exist. Water (pot hole size 2x2)
- Bore Location
- Communications Handhole
- Manhole
- Material & Equipment
- Bore Pit Opening (5'L x 3'W)
- Receiving Pit (Approximate Location)
- Crew Vehicles
- Drill Rig Set-up Location

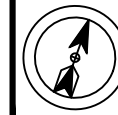


CAUTION!!!
 EXIST. BURIED FIBER, TELEPHONE, CATV, GAS, ELECTRIC, WATER,
 SANITARY SEWER & STORM SEWER FACILITIES IN CONSTRUCTION
 AREA AND HAVE NOT BEEN FIELD LOCATED, CONTRACTOR TO VERIFY
 EXACT LOCATION AND DEPTH PRIOR TO ANY DIGGING AND/OR BORING.
 IF ANY EXISTING UTILITIES ARE DAMAGED, THE CONTRACTOR SHALL
 REPLACE THEM AT THEIR OWN EXPENSE.

U/G UTILITIES
 CAUTION
 IN AREA

TARRANT COUNTY

U/G UTILITIES
 CAUTION
 IN AREA



PROJECT: 1B- FTW TO ILA 1

TXDOT, FT WORTH, TARRANT
 COUNTY & BENBROOK

LEGEND

- RIGHT OF WAY ——— RW ———
- PROPOSED UG ——— UB ———
- PROPOSED AERIAL ——— A ———
- EXISTING UG ——— EB ———
- EDGE OF PAVEMENT ——— EOP ———
- BACK OF CURB ——— BOC ———
- PROPERTY LINE ——— PL ———
- PROPOSED 2X3 HH
- PROPOSED INSTALLER HH
- PROPOSED CABINET
- STORM INLET
- WATER METER
- FIRE HYDRANT
- WATER VALVE
- ELECTRIC METER
- ELECTRIC BOX
- CLEAN OUT
- MANHOLE
- GAS METER
- GAS VALVE
- HAND HOLE
- PEDESTAL
- POLE



DATE: 8/26/25

ENGINEERING: THE PERITI GROUP

CHECKED BY: FF

DRAWN BY: PN

REVISIONS

NO	DATE	DESCRIPTION	BY



EXCEPT AS MAY BE OTHERWISE PROVIDED BY
 CONTRACT, THESE DRAWINGS AND SPECIFICATIONS
 SHALL REMAIN THE PROPERTY OF ZAYO. BOTH
 BEING ISSUED IN STRICT CONFIDENCE AND SHALL
 NOT BE REPRODUCED, COPIED, OR USED FOR ANY
 PURPOSE WITHOUT SPECIFIC WRITTEN PERMISSION.

SCALE

HORIZONTAL: 1" = 50'

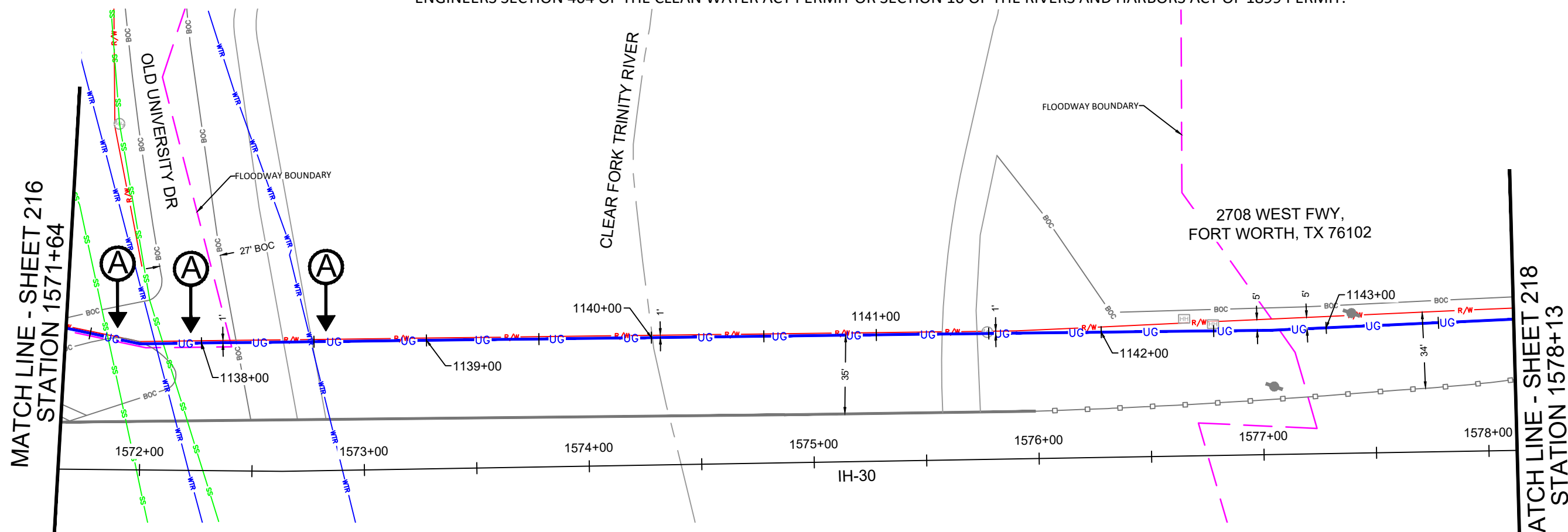
VERTICAL: N/A

SHEET 217 OF 480

FILE: 1B- FTW TO ILA 1.DWG

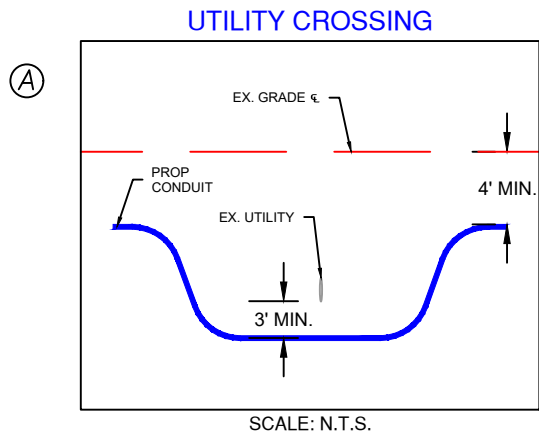
NOTES:

1. A PORTION OF THIS PROJECT IS LOCATED WITHIN THE FORT WORTH FLOODWAY, A U.S. ARMY CORPS OF ENGINEERS FEDERALLY AUTHORIZED CIVIL WORKS PROJECT. THE LOCAL SPONSOR OF THE FORT WORTH FLOODWAY IS THE TARRANT REGIONAL WATER DISTRICT. THE TARRANT REGIONAL WATER DISTRICT OPERATES AND MAINTAINS THE FORT WORTH FLOODWAY.
2. THE CONTRACTOR MUST COORDINATE WITH THE TARRANT REGIONAL WATER DISTRICT BEFORE CONSTRUCTION BEGINS. THE CONTRACTOR SHALL ACQUIRE ALL PERMISSIONS, RIGHTS-OF-ENTRY, REAL ESTATE INSTRUMENTS, AND OTHER REQUIREMENTS OF THE TARRANT REGIONAL WATER DISTRICT.
3. A PRE-CONSTRUCTION MEETING IS REQUIRED BETWEEN THE CONTRACTOR AND THE TARRANT REGIONAL WATER DISTRICT BEFORE CONSTRUCTION BEGINS.
4. THE CONTRACTOR IS RESPONSIBLE FOR RIVER FORECAST CONDITIONS.
5. THE CONTRACTOR SHALL SUBMIT A CLEAN SET OF FIELD RECORD DRAWINGS, CONTAINING ALL AS-BUILT INFORMATION, TO THE TARRANT REGIONAL WATER DISTRICT UPON COMPLETION OF CONSTRUCTION OF THE PROJECT.
6. THE CONTRACTOR SHALL LEAVE THE FORT WORTH FLOODWAY IN AN EQUAL OR BETTER-THAN-ORIGINAL CONDITION, AND TO THE SATISFACTION OF THE TARRANT REGIONAL WATER DISTRICT, AFTER COMPLETION OF THE PROJECT.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLIANCE WITH THE STANDARD TERMS AND CONDITIONS, AS WELL AS SPECIAL CONDITIONS, ASSOCIATED WITH WORK CONDUCTED UNDER A U. S. ARMY CORPS OF ENGINEERS SECTION 408 PERMISSION.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLIANCE WITH THE TERMS AND CONDITIONS ASSOCIATED WITH WORK CONDUCTED UNDER A U. S. ARMY CORPS OF ENGINEERS SECTION 404 OF THE CLEAN WATER ACT PERMIT OR SECTION 10 OF THE RIVERS AND HARBORS ACT OF 1899 PERMIT.



NOTE: SEE SEPARATE BREAKOUT PERMIT PACKAGE FOR DETAILED CX INFO

NOTE:
 60 INCHES MINIMUM DEPTH OF COVER FOR ALL CROSSINGS FROM
 TOP OF PAVEMENT TO TOP OF CASING UNDER ALL ROADWAYS.
 48 INCHES MINIMUM DEPTH OF COVER AT ALL OTHER LOCATIONS.
 24 INCHES MINIMUM CLEARANCE FROM HIGHWAY STRUCTURES
 AND ALL OTHER EXISTING UTILITIES.



CONTRACTORS-YOU'RE TO CALL THE
 TXDOT INSPECTOR NOTED ON THE
 APPROVED PERMIT 72-HOURS PRIOR TO
 THE START OF CONSTRUCTION. THE
 CONTRACTOR IS REQUIRED TO
 CONTACT TXDOT DISTRICT TRAFFIC
 SIGNAL SHOP AT 817-370-3661 FOR LINE
 LOCATES IF BURIED PORTION OF THIS
 WORK IS NEAR TXDOT TRAFFIC SIGNALS.

RIGHT OF WAY LINES WERE ESTABLISHED BY RESEARCH OF PUBLIC INFORMATION.
 NO BOUNDARY SURVEY OR PROPERTY LINE SURVEY WAS ESTABLISHED. RIGHT OF
 WAY BOUNDARY MUST BE FIELD VERIFIED PRIOR TO CONSTRUCTION.

CAUTION!!!
 EXIST. BURIED FIBER, TELEPHONE, CATV, GAS, ELECTRIC, WATER,
 SANITARY SEWER & STORM SEWER FACILITIES IN CONSTRUCTION
 AREA AND HAVE NOT BEEN FIELD LOCATED, CONTRACTOR TO VERIFY
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TARRANT COUNTY



PROJECT: TRWD-CROSSING

TRWD

LEGEND

- RIGHT OF WAY — RW
- PROPOSED UG — DB
- PROPOSED AERIAL — A
- EXISTING UG — OB
- EDGE OF PAVEMENT — EOP
- BACK OF CURB — BOC
- PROPERTY LINE - - -
- PROPOSED 2X3 HH
- PROPOSED INSTALLER HH
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- ELECTRIC METER
- ELECTRIC BOX
- CLEAN OUT
- MANHOLE
- GAS METER
- GAS VALVE
- HAND HOLE
- PEDESTAL
- POLE



DATE: 8/4/25

ENGINEERING: THE PERITI GROUP

CHECKED BY: FF

DRAWN BY: PN

REVISIONS

NO.	DATE	DESCRIPTION	BY



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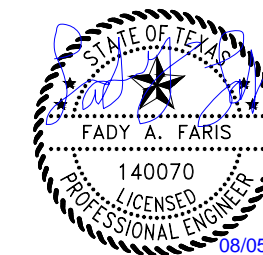
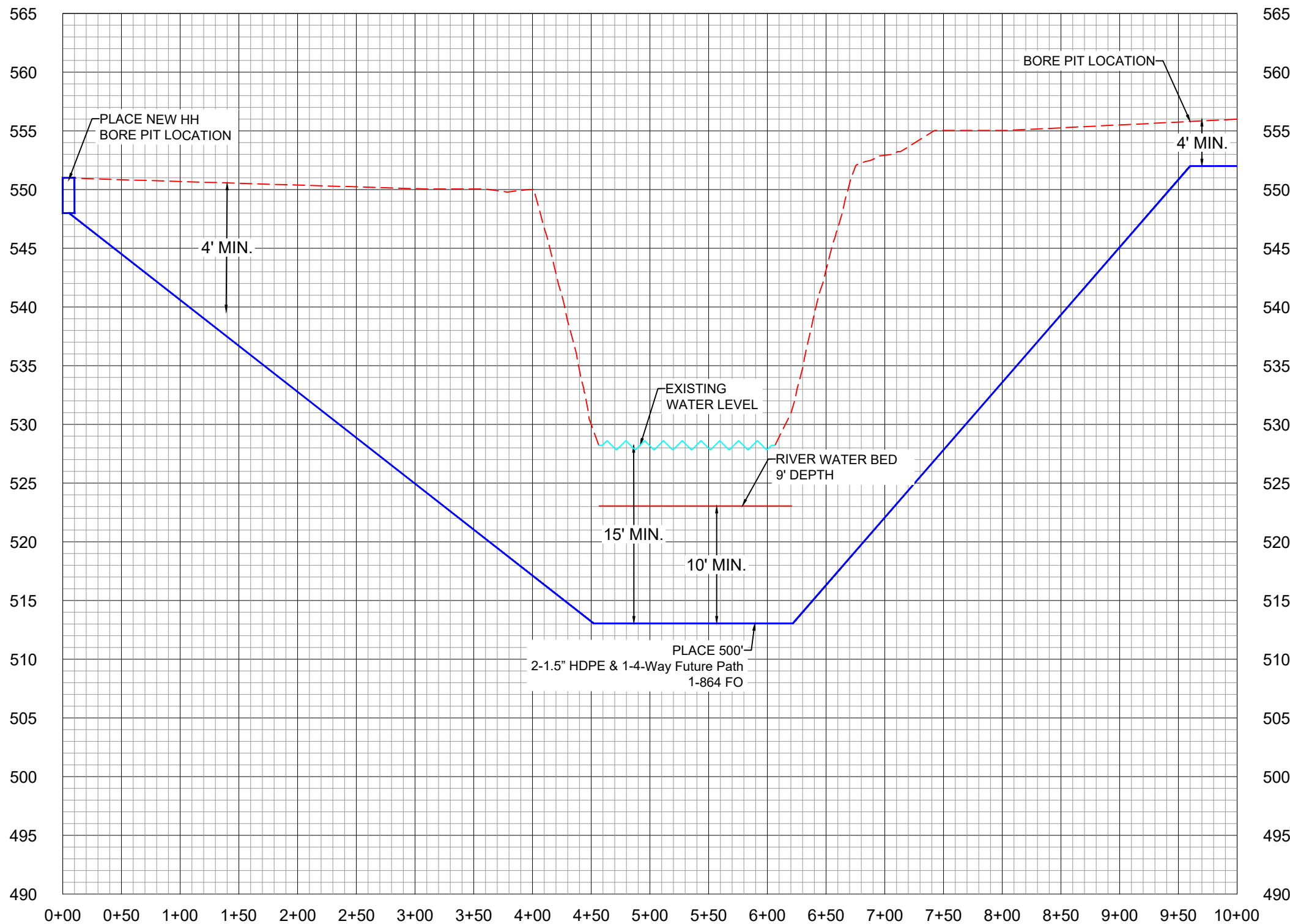
SCALE

HORIZONTAL: 1" = 100'

VERTICAL: 1" = 10'

SHEET 5 OF 5

FILE: TRWD-CROSSING.DWG



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