

PUBLIC COMMENTS

ORAL PUBLIC COMMENTS

1 on TxDOT's webpage.

2 Following the Federal Highway
3 Administration final review, a finding of no significant
4 impact will be requested.

5 Thank you for your attention. I will now
6 turn it back over to Mr. Johnson.

7 MR. GABE JOHNSON: Thank you, Ms. Hall.

8 Now we'll begin the formal public comment
9 session. Only registered speakers will be called upon.
10 Please raise your hand if you would like to speak for
11 the record tonight and have not completed a speaker
12 registration form. So, please raise your hand if you
13 would like to speak and my folks will help you out and
14 take the cards and that'll give you an opportunity to
15 speak to us here.

16 We will collect any additional speaker
17 registration cards after we hear from our elected
18 officials who are present tonight and wish to make
19 public comment. And at this point I would like to
20 recognize the first speaker and elected officials and
21 we -- they do have a choice to speak either verbally or
22 written but I'll extend that courtesy now.

23 So, Mayor, your name is here first. Mayor
24 Matt Doyle.

25 MAYOR MATT DOYLE: Gabe, thanks for

1 letting me be here tonight and I appreciate y'all being
2 here to do this public hearing. I just want to thank
3 you for working on this project. It's an important
4 project not only to the city of Texas City but the
5 county and the state. Not to mention the truck traffic
6 we currently have but in 2014 when the Panama Canal
7 opens -- it finishes its widening, which will almost
8 double the capacity of it, I will assure you that this
9 port area not only as vibrant as it is now it will
10 become even more vibrant. And I think the important
11 part about that, too, is as we look towards the economy
12 and how the stimulus is going to take place, it's going
13 to be very important for us to be prepared for these
14 projects.

15 The -- but even if that was not to happen,
16 we have a great deal of truck traffic in the city of
17 Texas City and throughout the petrochemical area.
18 You know, we do produce 7 percent of the fuel that is
19 consumed in this nation every day. So, it is important
20 for us to be able to move traffic through our community.
21 And what you've designed here moves traffic, trucks,
22 heavy trucks that don't have to go through the
23 community, basically right into the facilities and right
24 back onto the highway. And by raising it you've really
25 made -- the noise detriment to the area have declined

1 that in a great way.

2 So, I just -- I'm here on behalf of the
3 citizens of Texas City in support. The commission and
4 the mayor support this, and I appreciate you being here.

5 MR. GABE JOHNSON: Thank you, Mayor, for
6 your comment.

7 As I mentioned earlier, the purpose of
8 this comment session is to receive your comments on the
9 issues relevant to the project, the proposed project.
10 Both written and oral comments will be considered
11 equally. If you would like to comment but do not wish
12 to comment orally or if you would like to comment in
13 more detail, you may submit a written comment. Written
14 comments must be postmarked by June 10, 2009. Comment
15 forms are available at the sign-in table and may be
16 turned in tonight, e-mail or mailed to the address on
17 the slide.

18 I want to go ahead and start by calling
19 names, the speakers, as they have arrived and requested
20 to speak. The names of the speakers will be called
21 in -- in order and as they are received, as I said.

22 When your name is called, please come to
23 the microphone. Use the microphone in front of the room
24 and please face our court reporter so that she can make
25 an accurate record of your comments. Please state your

1 name for the record and who you may be representing. A
2 time display on the screen will indicate the start of
3 each speaker's three minutes. The timer will count down
4 your remaining time. When the clock is at zero, your
5 speaking time is over. Once the three-minute period is
6 over, we ask that you allow the next speaker to present
7 their comment.

8 The comment session will adjourn after all
9 who have registered to make oral comments have been
10 given the opportunity to speak. TxDOT representatives
11 and members of the consultant team will be available to
12 answer any questions following the comment session.

13 So, I'm going to begin with the next
14 speaker. Is Mr. Walter Miller.

15 MR. WALTER MILLER: My name is Walter
16 Miller. I'm representing a gentleman that --

17 MR. GABE JOHNSON: Can you speak up a
18 little louder or raise --

19 MR. WALTER MILLER: My name is Walter
20 Miller. I'm here on behalf of Richard Hominga.

21 And it's more of a question instead of a
22 comment. And my question is: When is this project
23 anticipated to begin?

24 MR. GABE JOHNSON: The purpose of the
25 public hearing is not to respond, but you asked me a

1 question. And I want to say basically we covered that
2 in the presentation, that subject to the availability of
3 the funds, the federal funds that comes available to
4 TxDOT.

5 MR. WALTER MILLER: So, that's at any time
6 in the future?

7 MR. GABE JOHNSON: That's anytime in the
8 future.

9 MR. WALTER MILLER: Great. Thank you.

10 MR. GABE JOHNSON: And next speaker is
11 Mr. Jack Cross.

12 MR. JACK CROSS: I want to thank TxDOT for
13 the planning on this project. I think this is one of
14 the most important industrial highway projects that I've
15 seen in the 54 years that I've lived in Texas City.

16 Texas City is an environmentally friendly
17 city. We take the environment seriously. We -- we have
18 a lot of parks and we -- we just try to do what's right.
19 This is actually going to help the environment, not hurt
20 it, because can you imagine what would happen with all
21 these trucks going up to the old Y with Bayou Vista,
22 Hitchcock and so forth? You can't -- not only the
23 traffic but the pollution coming out of these trucks.

24 If this port is built -- and it will be
25 built like Matt -- Matt said -- we're gonna have a

1 greater environmental wetland because the port people
2 and the Corps has already come to an agreement that they
3 would use the grate steel to restore Swan Lake, build up
4 the levy across the front of it and restore -- build new
5 hundreds of acres of wetland.

6 I'm all for this project.

7 I do applaud the environmental people for
8 their concern and for all the work they do but this is
9 not a losing project for them.

10 MR. GABE JOHNSON: Thank you for your
11 comment, sir.

12 Next speaker is Ms. Evangeline Whorton.

13 Ms. Whorton.

14 MS. EVANGELINE WHORTON: I am Evangeline
15 Whorton, and I speak this evening as the chairman of
16 Scenic Galveston. I've been very angry tonight and I'm
17 sorry for that, many outbursts.

18 In 2004 I sat in on a meeting at Bayou
19 Vista where the issue of truck traffic impacting Bayou
20 Vista and the Texas City Y were discussed. A few months
21 later I attended a public hearing at the Nessler Center
22 on alternative proposals for redevelopment of Loop 197,
23 which included a direct, elevated connector to service
24 the port of Texas City and Shoal Point transport via
25 Loop 197. There were many citizens present and it was

1 agreed that an alternative direct connector would be
2 acceptable with ramp development over the railroad track
3 to take an immediate northeasterly curve in the vicinity
4 of the rail itself and tie into I-45 much further north
5 of the Texas City Y. We left the hearing thinking that
6 a workable solution had been achieved.

7 Going back for background information,
8 Scenic Galveston in 2002 was awarded a Federal NOAA
9 Coastal Impact Assistant Program Revenues Award,
10 generated by offshore leases for the sole purpose of
11 acquiring 1500 acres of premier wetlands, *Spartina*
12 *patens* meadows and original native prairies on the
13 Virginia Point Peninsula to be used for conservation
14 only. That's in quotes.

15 Not with nontaxpayer dollars the proposed
16 habitat conservation preserve called the Virginia Point
17 Peninsula Preserve, or VPPP, was purchased from the
18 University of Texas real estate division for \$2 million.
19 The lands we acquired land on the 5 miles of the
20 Galveston Bay coastline northward to Loop 197 and then
21 east from Swan Lake to the Union Pacific Railroad line
22 on the west which became collectively from west
23 Galveston Bay a contiguous I-45 corridor habitat
24 conservation preserve of almost 3,000 acres joining with
25 the Virginia Point Peninsula Preserve.

1 In February of 2009 notice went out to
2 adjacent property owners on Loop 197 that an overhead
3 elevated ramp connector was proposed for Loop 197.
4 The Virginia Point Peninsula Preserve owned by Scenic
5 Galveston fronts Loop 197 with its entrance at Campbell
6 Bayou Road. It serves as well as an entrance to trucks
7 and services using the Gulf Coast Waste Disposal
8 Authority.

9 Looking from Loop 197 to the Gulf, these
10 lands make up a spectacular preserve and beauty with
11 many diverse species of animals, birds, marine life and
12 plant communities in a coastal environment that is fast
13 disappearing on the Texas Gulf Coast.

14 Scenic Galveston strongly opposes
15 overdevelopment of Loop 197 with an elevated concrete
16 connector ramp along the perimeter of SG's habitat
17 property preserve, especially the 25-foot-high retaining
18 walls planned at the Virginia Point Peninsula Preserve
19 entrance.

20 There were no alternatives in the February
21 notice recently received from TxDOT that -- TxDOT, just
22 drawings of a 20-foot-high retaining wall and elevated
23 Loop 197 schematic, which clearly shows that this
24 conductor would begin at the entrance to our property
25 and then curve on the north side of present Loop 197 as

1 direct connector ramps at the intersection --

2 MR. GABE JOHNSON: Ms. Whorton, I have to
3 remind you your time is over. Please conclude your
4 remarks.

5 MS. EVANGELINE WHORTON: In February of
6 2009 we only received -- and I'll repeat that -- one
7 proposed schematic drawings of an elevated connector
8 following the path of the current Loop 197 roadway, with
9 a concrete ramp marring the view sight and entrances to
10 both the Virginia Point Peninsula owned by Scenic
11 Galveston and the heavily used entrance for the Gulf
12 Coast Waste Disposal Authority.

13 As chairman of Scenic Galveston with well
14 over \$10 million invested in our contiguous reserves
15 along the I-45 and Loop 197, I reserve the right to
16 question why our VPPP must be fronted by such an
17 insensitive project. Traffic at ground level is not a
18 problem now. It should not be in the future.

19 Thank you very much.

20 MR. GABE JOHNSON: Thank you for your
21 comments, ma'am.

22 And next speaker is Lalise Mason.

23 Ms. Lalise Mason.

24 MS. LALISE MASON: I'll try not to be
25 redundant some of what was said.

1 I'm Lalise Mason. I'm on the executive
2 board of Scenic Galveston where I serve as chairman of
3 the land habitat restoration committee for our
4 2700-plus-acre nature preserve complex in the I-45/Loop
5 197 corridor.

6 I'm a primary point of contact in this
7 specific regard with all of the relevant state and
8 federal resource agencies who technically and
9 financially support our work, including those that have
10 regulatory oversight with construction projects in this
11 locale.

12 Scenic Galveston is by far the largest
13 landowner in the area in the proposed project in terms
14 of both acres and linear adjacency to TxDOT right-of-way
15 along Loop 197 and I-45. We own nearly all the
16 mile-long Loop 197 east side between GH&H rail line and
17 Carbide Marsh, GCW 40-acre facility that our chairman
18 just referenced. We also own, approximately, 2 miles in
19 each direction along I-45 between the Texas City Y
20 exchange and Santa Fe rail overpass, ahead of the
21 railway causeway to Galveston. Added up we have 5 miles
22 of shared boundaries with TxDOT.

23 However, I stand here today as members of
24 our organization have publicly and privately done
25 numerous times in the past to ask TxDOT to work with us,

1 not against us, in long-term planning and project
2 design. For those -- these borders we share in the
3 natural and scenic amenities (phonetic) and to be
4 Galveston stewards to the benefit of our local citizens.
5 Had this interaction happened early on in the design
6 process for Loop 197 connector maybe the need for this
7 public hearing would have been obviated. I'd much
8 rather be someplace else tonight. I'm sure you would,
9 too.

10 I appreciate TxDOT promptly sending us
11 electronic drawings for the proposed Loop 197 project
12 several weeks ago when I requested them. Unfortunately,
13 now we have a chance to study it carefully the project
14 is even more intrusive to our quiet enjoyment of and
15 future restoration entrance work planned for our
16 preserve lands than we had anticipated. We do
17 appreciate TxDOT's avoidance of our lands per se in
18 terms of eminent domain at this juncture; but part of
19 the reason we purchased the 1500-acre Virginia Point
20 Preserve from the University of Texas a few years back
21 was the unique opportunity to have a public front to the
22 preserve that was away from I-45 and all of the elevated
23 concrete structure that predated our land acquisition
24 there. Now it seems I-45 is coming to us anyway and
25 we're pretty disheartened.

1 Some history, our environmental
2 consultant, Frank Thompson, and I met with TxDOT project
3 engineer Jim Peacock (phonetic) in around 2000 when we
4 were considering purchase of the portion of Virginia
5 Point lands immediately along Loop 197. At that time
6 TxDOT suggested that the roadway configuration highway
7 infrastructure along Loop 197 would likely remain much
8 as we see it today. I have inquired of my partner if he
9 remembered the conversation as I do and he concurred
10 wholeheartedly.

11 I'm going to run over time. My husband
12 chose not to speak.

13 Subsequently to our great chagrin we heard
14 about the connector plan. Many of our neighbors then
15 attended the two public hearings held previously for
16 this project but it seems nobody at TxDOT has paid
17 attention to our longstanding objection to this Loop 197
18 layout. I need to tell you that we are not against the
19 connector. We fully appreciate the need for it. We are
20 against the grade separation along Loop 197, period.

21 Texas City is presumably full of disturbed
22 lands that could probably accommodate any needed grade
23 separated highway-rail configuration in a less intrusive
24 manner. In both previous hearings alternatives were
25 proposed by TxDOT that we and many other parties

1 preferred. There are few natural or scenic areas in
2 Texas City. Why would TxDOT choose to be party to doing
3 irreparable harm to ours, this one, by placing enormous
4 and presumably well-lit at night concrete bridges in
5 front of it?

6 I was going to eliminate this next
7 paragraph. And in spite of the fact that I'm over time
8 something was said about the environmental assessment
9 by -- by this young lady at the end of this table. And
10 I'm going to leave it in because it's something that's
11 concerning us greatly.

12 Some additional history, it's a bit of an
13 aside.

14 MR. GABE JOHNSON: Ms. Mason, I'm going to
15 need to remind you, you need to conclude your remarks.
16 Your time is over.

17 MS. LALISE MASON: I shall, but I'm going
18 to finish.

19 MR. GABE JOHNSON: Thank you.

20 MS. LALISE MASON: In reading the
21 environmental assessment document you sent over last
22 week, I'm astonished to see that this Loop 197 connector
23 project plans have, since about 2004, been embedded
24 inside more ambitious and conceptual widening plans for
25 I-45. Planning about which we have heard nothing.

1 In the mid 1990s, when we began buying
2 lands in the I-45 corridor, we had meetings with both
3 TxDOT and Parsons Brinckerhoff towards the I-45 master
4 plan that was ultimately produced. At that time, as we
5 began buying land in the corridor, we were similarly
6 assured as with Loop 197 that while I-45 would almost
7 certainly be adding lanes, which we appreciate, this
8 work would affect us not at all and specifically would
9 occur within the existing TxDOT right-of-way not
10 requiring taking of Scenic Galveston new and proposed
11 preserve lands. We subsequently made numerous land
12 planning and habitat restoration decisions based on that
13 advice from TxDOT as codified in your report.

14 So, while we recognize that things change
15 and also that only the Loop 197 connectors are on the
16 table at this time, I continue to remain concerned that
17 months or years from now we will open the mail and
18 discover that a widening and a condemnation of our now
19 largely restored wetlands are planned along I-45 after
20 all and, in fact, the Loop 197 connectors were the
21 proverbial tip of the iceberg. I hope not.

22 MR. GABE JOHNSON: Thank you for your
23 time.

24 MS. LALISE MASON: I'm not done.

25 MR. GABE JOHNSON: You have exceeded --

1 MS. LALISE MASON: Back -- no. I am
2 almost done.

3 Back to the Loop 197 --

4 MR. GABE JOHNSON: Ma'am, you have
5 exceeded your time. You exceeded it twice.

6 MS. LALISE MASON: Back to the Loop 197
7 project, we strongly object to this proposed layout for
8 the connector project. We will continue to do so,
9 probably in Austin after this hearing is over. I
10 understand no construction documents have been prepared
11 as yet. We encourage you to hold off moving forward
12 until some community consensus can be reached on the
13 public imperative for this project and specifically for
14 this routing. We also have many questions about
15 cumulative and future impacts of the Loop 197 connectors
16 in terms of future expansion projects that might have --

17 MR. GABE JOHNSON: Ms. Mason, I have to
18 ask you -- Ms. Mason, I have to ask you to stop because
19 you have exceeded your time.

20 MS. LALISE MASON: I have one sentence
21 left.

22 MR. GABE JOHNSON: I ask you to please to
23 write your comments -- you can submit your written
24 comments and I promise you your written comments will be
25 documented. It will be part of the response. Be part

1 of the response.

2 MS. LALISE MASON: Okay. I'm going to
3 leave you -- I'm going to leave you --

4 MR. GABE JOHNSON: I promise you that
5 today.

6 MS. LALISE MASON: I'm going to leave you
7 with a notion of cumulative impacts because you guys are
8 doing something and you're not addressing it.

9 MR. GABE JOHNSON: Thank you for your
10 comment. I appreciate that.

11 And next speaker is Mr. Brandt Mannchen.

12 MR. BRANDT MANNCHEN: My name is Brandt
13 Mannchen, B-R-A-N-D-T M-A-N-N-C-H-E-N; and I represent
14 the Houston Sierra Club.

15 There's a lot of information that is
16 crucial for the public and decision makers to have so
17 that they can review, comment on and understand the
18 proposal. We believe a number of the issues have not
19 been included in the environmental assessment and I'd
20 like to mention a few of those.

21 What are the connected impacts between the
22 proposed Shoal Point terminal facility and this
23 particular Loop 197? One of the bird surveys of the
24 project location and the species of birds found during
25 site visits using past data and species lists, the only

1 thing there are four birds --

2 UNIDENTIFIED SPEAKER: Can't hear you.

3 MR. BRANDT MANNCHEN: -- four birds are
4 mentioned and those are only nesting birds. Nothing
5 about birds that don't nest there but exist there.

6 The number of acres of wetlands that will
7 be saved by elevating the sections and where circulation
8 will be affected, where water will go that is displaced
9 and how many acres of the hundred-year floodplain will
10 be displaced by Loop 197, the quantity and life quality
11 water from runoff in proposal and the cumulative actions
12 of the impacts this will have on freshwater brackish and
13 saltwater wetlands in the bay system, the basin and post
14 project flood elevation and the hydraulic study and
15 mitigation plan to offset construction impacts, and
16 emissions inventory for all air pollutants for the
17 proposal and all cumulative actions. The impacts of air
18 pollutants on water quality, shellfish, fin fish and
19 other aquatic organisms, the amount of greenhouse gas
20 emissions from the proposal and all cumulative actions
21 and a noise analysis with real noise monitor levels and
22 an estimate of future noise levels due to this proposal
23 and all cumulative actions.

24 These are just some of the things that we
25 would like to see in the document because this is the

1 only chance the public has to comment. And if those
2 studies are done later, the public has no opportunity to
3 read them and then comment on them and have them on the
4 record. So, we would encourage you to complete those
5 documents, have a public comment period for them so that
6 the public can review, comment on and understand the
7 full environmental impacts of the proposal.

8 Thank you.

9 MR. GABE JOHNSON: Thank you for your
10 comments, sir.

11 And next speaker, the name is familiar and
12 a famous name, too. Former mayor Charles Doyle.

13 MR. CHARLES DOYLE: Thank you,
14 Mr. Johnson.

15 I'm Chuck Doyle, and I served in -- as
16 elected official here in Texas City for 28 years, and
17 I've lived here with my family for 56 years. And I'm
18 proud of my son who is now mayor and one who's county
19 commissioner.

20 I also served as the president of the
21 Houston-Galveston Area Council of Governments and was on
22 your task force for transportation planning before there
23 was a Houston-Galveston Area Council. So, I commend you
24 for the excellent job you've done here.

25 This is a very important corridor for the

1 economic development of our area. I'm chairman of the
2 board of Texas First Bank. We have 18 locations in
3 every city of Galveston County.

4 Other plans that have been looked at in
5 the past -- this is not the first time we've looked at
6 improving the transportation into Texas City. We had
7 Texas Copper that was proposed here at one time. We've
8 had other events when we worked on gateways, when we had
9 Tex Tin torn down but we also salute Tex Tin because
10 first week in June we'll celebrate the 65th anniversary
11 of the landing in Normandy. And this was the only tin
12 smelter in the northern hemisphere and it was very
13 important in the war.

14 Environmental issues have been addressed
15 by Jack Cross and I heard also from Scenic Galveston.
16 I'm not on their board. I'm not a participant in their
17 organization, but I would assume I'm part of it because
18 I think we gave the first acres given to them or among
19 the first as a part of Scenic Galveston.

20 I commend them on what they've done. It's
21 a beautiful entry into Galveston. We need a better
22 gateway into Texas City. Of the three alternatives that
23 you have presented here this evening and worked on for I
24 don't know how long but a long time, you've given
25 appropriate consideration to the cities of La Marque,

1 Tiki Island and Bayou Vista as well as Texas City, the
2 people living there and the nuisance that could be
3 caused by an improper transportation corridor. You've
4 given consideration that I saw outlined in an excellent
5 manner by you, ma'am, to the environment; and we, too,
6 are interested in the environment. That's why we wanted
7 Tex Tin torn down. That's why we built more parks for
8 our environment than anyone else in the area.

9 And all we ask is that you continue to
10 offer economic development for Galveston County because
11 of Ike and Wall Street, all of us have had a tough time
12 trying to pull our communities together and get up off
13 of our knees after being knocked down many times here
14 and this is the kind of development that leads to future
15 development and the super port that could come to Texas
16 City as we continue to develop our own industrial
17 facilities.

18 And I thank you and commend you for your
19 work.

20 MR. GABE JOHNSON: Thank you, sir. Thank
21 you for your comment.

22 If there isn't any other speakers that
23 have registered and put their name on a card, we will
24 now close the hearing. It's, approximately, 7:47 p.m.;
25 and the hearing is adjourned.

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Have a safe trip. Thank you for your participation.

(Hearing closed.)

WRITTEN PUBLIC COMMENTS

**Public Hearing
LP 197 Direct Connector
Texas City, Texas**

**COMMENT FORM (FORMA DE COMENTARIO)
May 27, 2009**

Thank you for attending the LP 197 Direct Connector Public Hearing. Your comments are important and will be taken into consideration regarding the proposed LP 197 Direct Connector project.

Gracias por asistir el elepé 197 Audición Directa del Público de Conector. Sus comentarios son importantes al desarrollo de este proyecto y seran tomado en consideracion.

Name (Nombre): CARLOS SIMONSON ORELLANA Phone (Teléfono): 281-282-0063

Address (Dirección): #8 Tradewinds, Galveston, TX 7755

**PLEASE COMPLETE THE APPROPRIATE ITEMS BELOW:
POR FAVOR COMPLETE LOS ARTÍCULOS APROPIADOS ABAJO:**

1. How did you hear about this hearing? / Como se informo de esta asamblea?

Newspaper / Periodico Daily News Received Notice by Mail / Aviso por Correo

Told by Friend or Neighbor / Amigo o vecino Other (please explain) / Otro (por favor explique)

2. I am primarily interested in the project from the standpoint of a:

Estoy interesado principalmente en el proyecto del punto de vista de a:

Residential property owner or renter
Dueño de propiedad residencial o arrendatario

Highway User
Usuario de Carretera

Business property owner or lessee
Dueño de propiedad comercial o arrendatario

Other (please explain)
Otro (por favor explique)

Developer
Environmentalist

COMMENTS (COMENTARIOS):

Strongly support this project with some suggestions for improvements:

1. Why so much work + effort to build such a narrow bridge + overpass. Should be 4 lanes (2 each way with shoulders + safety lanes additional).

2. Roadway should be illuminated with LED lighting to protect wildlife in scenic Galveston properties.

3. Loop connector should expand further east along 197.

CSJ: 0500-04-112 (TL)

4. Needs to include access ramps (should + must do this) to

**PLEASE RETURN THIS FORM DURING THE MEETING OR
SUBMIT BY MAIL BY JUNE 10, 2009**

**POR FAVOR DEVUELVA ESTA FORMA DURANTE LA REUNIÓN O
ENVIAR POR CORREO EN JUNIO 10, 2009**

Virginia Point
nature preserve
entrance.

✓
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LP 197 Direct Connector
Texas City, Texas**

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Name (Nombre): DREHUTCHINSON Phone (Teléfono): 948 8755
Address (Dirección): 1705 19th AVE N, TC

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2. I am primarily interested in the project from the standpoint of a:
Estoy interesado principalmente en el proyecto del punto de vista de a:

- Residential property owner or renter Highway User
Dueño de propiedad residencial o arrendatario Usuario de Carretera
 Business property owner or lessee Other (please explain)
Dueño de propiedad comercial o arrendatario Otro (por favor explique)

COMMENTS (COMENTARIOS):

GOOD PROJECT. WORTHY OF APPROVAL.

CSJ: 0500-04-112 (TL)

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**POR FAVOR DEVUELVA ESTA FORMA DURANTE LA REUNIÓN O
ENVIAR POR CORREO EN JUNIO 10, 2009**

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LP 197 Direct Connector
Texas City, Texas**

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Name (Nombre): Mike Fitzgerald Phone (Teléfono): 409 770 5554
Address (Dirección): 722 Moody, County Courthouse, Galv, Tx 77550

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Residential property owner or renter
Dueño de propiedad residencial o arrendatario

Highway User
Usuario de Carretera

Business property owner or lessee
Dueño de propiedad comercial o arrendatario

Other (please explain)
Otro (por favor explique)

COMMENTS (COMENTARIOS):

As County Engineer I can speak for
the Galveston County Commissioners Court
and the County whole heartedly supports
the project.

CSJ: 0500-04-112 (TL)

**PLEASE RETURN THIS FORM DURING THE MEETING OR
SUBMIT BY MAIL BY JUNE 10, 2009**

**POR FAVOR DEVUELVA ESTA FORMA DURANTE LA REUNIÓN O
ENVIAR POR CORREO EN JUNIO 10, 2009**

**Public Hearing
LP 197 Direct Connector
Texas City, Texas**

**COMMENT FORM (FORMA DE COMENTARIO)
May 27, 2009**

Thank you for attending the LP 197 Direct Connector Public Hearing. Your comments are important and will be taken into consideration regarding the proposed LP 197 Direct Connector project.

Gracias por asistir el elepé 197 Audición Directa del Público de Conector. Sus comentarios son importantes al desarrollo de este proyecto y serán tomado en consideracion.

Name (Nombre): Kenneth Roberts Phone (Teléfono): 409-935-3393
Address (Dirección): 9 North Omega Dr

**PLEASE COMPLETE THE APPROPRIATE ITEMS BELOW:
POR FAVOR COMPLETE LOS ARTÍCULOS APROPIADOS ABAJO:**

1. How did you hear about this hearing? / Como se informo de esta asamblea?

Newspaper / Periodico Received Notice by Mail / Aviso por Correo
 Told by Friend or Neighbor / Amigo o vecino Other (please explain) / Otro (por favor explique)

2. I am primarily interested in the project from the standpoint of a:

Estoy interesado principalmente en el proyecto del punto de vista de a:

Residential property owner or renter Highway User
Dueño de propiedad residencial o arrendatario Usuario de Carretera
 Business property owner or lessee Other (please explain)
Dueño de propiedad comercial o arrendatario Otro (por favor explique)

COMMENTS (COMENTARIOS):

Expected it will not add Traffic Flow - Noise
pollution ~~to~~ to my immediate area
However am concerned about air pollution

CSJ: 0500-04-112 (TL)

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**Public Hearing
LP 197 Direct Connector
Texas City, Texas**

**COMMENT FORM (FORMA DE COMENTARIO)
May 27, 2009**

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Gracias por asistir el elepé 197 Audición Directa del Público de Conector. Sus comentarios son importantes al desarrollo de este proyecto y seran tomado en consideracion.

Name (Nombre): GWEN MEGALE Phone (Teléfono): 409-938-0882
Address (Dirección): 31 N. OMEGA, OMEGA BAY, LA MARQUE TX

PLEASE COMPLETE THE APPROPRIATE ITEMS BELOW:
POR FAVOR COMPLETE LOS ARTÍCULOS APROPIADOS ABAJO:

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Dueño de propiedad residencial o arrendatario

Highway User
Usuario de Carretera

Business property owner or lessee
Dueño de propiedad comercial o arrendatario

Other (please explain)
Otro (por favor explique)

COMMENTS (COMENTARIOS):

DUE TO THE RELOCATION OF EXIT 7 SOUTH
I WOULD LIKE TO HAVE A STUDY CONDUCTED WITH
THE INTENT OF HAVING A TRAFFIC SIGNAL
INSTALLED AT THE ENTRANCE TO OMEGA BAY.

DUE TO INCREASED NOISE LEVELS DUE TO INCREASED
24HR TRAFFIC SINCE HURRICANE IKE AND THE NEW CONNECTOR
A NOISE BARRIER AND RETAINING WALL SHOULD BE
ADDED.

CSJ: 0500-04-112 (TL)

**PLEASE RETURN THIS FORM DURING THE MEETING OR
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**POR FAVOR DEVUELVA ESTA FORMA DURANTE LA REUNIÓN O
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**Public Hearing
LP 197 Direct Connector
Texas City, Texas**

**COMMENT FORM (FORMA DE COMENTARIO)
May 27, 2009**

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Gracias por asistir el elepé 197 Audición Directa del Público de Conector. Sus comentarios son importantes al desarrollo de este proyecto y seran tomado en consideracion.

Name (Nombre): John ~~Alvarez~~ Allaire Phone (Teléfono): 225-936-1682

Address (Dirección): 1210 EDWARDS DR. SAN LEON, TX. 77539

**PLEASE COMPLETE THE APPROPRIATE ITEMS BELOW:
POR FAVOR COMPLETE LOS ARTÍCULOS APROPIADOS ABAJO:**

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Other (please explain) / Otro (por favor explique)

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Estoy interesado principalmente en el proyecto del punto de vista de a:

Residential property owner or renter
Dueño de propiedad residencial o arrendatario

Highway User
Usuario de Carretera

Business property owner or lessee
Dueño de propiedad comercial o arrendatario

Other (please explain)
Otro (por favor explique)

COMMENTS (COMENTARIOS):

- ① I support the NO Build alteration at this time
- ② What % of Galveston County Major Hwy Intersections are currently within the 100 year Flood Plain.
- ③ What is the definition of a cursory migratory Bird nesting survey
- ④ What time of year was this nesting survey conducted

CSJ: 0500-04-112 (TL)

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**POR FAVOR DEVUELVA ESTA FORMA DURANTE LA REUNIÓN O
ENVIAR POR CORREO EN JUNIO 10, 2009**



SIERRA
CLUB
FOUNDED 1892

Houston Regional Group
P. O. Box 3021
Houston, Texas 77253-3021
713-895-9309
<http://texas.sierraclub.org/houston/>

May 27, 2009

Texas Department of Transportation
Attention: Director of Project Development
P.O. Box 1386
Houston, Texas 77251-1386

Dear Texas Department of Transportation (TxDOT),

The following are the comments of the Houston Regional Group of the Sierra Club (Sierra Club) for the public hearing about the proposed Construction of Direct Connectors Interstate (IH) 45/Loop 197 Direct Connectors, Galveston County, Texas.

There is a lot of information that is crucial for the public and decision-makers to have so that they can review, comment on, and understand the proposal. Some of the missing information that should be in the environmental assessment (EA) but which is not includes:

1. Exactly where congestion comes from, how it will be alleviated, how much it will be alleviated.
2. The number of trains that cross at the Loop 197 intersection, the average minutes of delay, and other associated information.
3. The impacts of the Shoal Point Terminal Facility on the current and proposed Loop 197.
4. Specifically show how Omega Bay, Bayou Vista, La Marque, and Hitchcock will benefit from this proposal and how the addition of 10,000 trucks by 2025 will affect and benefit or not benefit these communities.
5. If this proposal "facilitates future expansion of SH 6" then the environmental impacts of SH 6 should be discussed.
6. Where the 11.09 acres of ROW will be taken and whose property will probably be taken.
7. The type of wetlands on the 9.35 acres in the project area destroyed and the location where wetlands loss will occur. Even with preliminary drawings this information can be provided with the proviso that the information is preliminary.

"When we try to pick out anything by itself, we find it hitched to everything else in the universe." *John Muir*

8. The bird surveys of the project location and the species of birds found during site visits, using past data, and species lists.
9. The number of acres of wetlands that will be saved by elevating the sections, where circulation that will be affected, where water will go that is displaced, and how many acres of the 100 year floodplain will be displaced by Loop 197.
10. The quantity and likely quality of water from run-off from the proposal and the cumulative actions and the impacts this will have on freshwater, brackish, and saltwater wetlands and the bay system.
11. The base and post project flood elevation and the hydraulics study and mitigation plan to offset construction impacts.
12. The wetlands delineation and preliminary figures for type and number of acres of wetlands that will be destroyed.
13. A draft storm water pollution prevention plan.
14. An emissions inventory for all air pollutants for the proposal and all cumulative actions.
15. The impacts of air pollutants on water quality, shellfish, finfish, and other aquatic organisms.
16. The amount of greenhouse gas emissions from the proposal and all cumulative actions.
17. A noise analysis with real noise monitored levels and an estimate of future noise levels due to this proposal and all cumulative actions and how this will affect sensitive lands and human use of the project area and adjacent areas.
18. A Phase II study for hazardous materials contamination in the project area.
19. A plan to minimize dust and noise emissions from the proposal.
20. A definition of "relatively minor" (page 44).
21. A definition of "Impacts not substantial" (pages 44-46).
22. A definition of "localized areas" (page 46).
23. A definition of "minimal" (page 47).

24. A definition of "Stable", "Generally good", and "Some increased impervious cover and storm water run-off" (page 49).

25. Potential mitigation compensation for wetlands that will be dredged or filled.

26. A definition for "significant damage" (page 51) with regard to roadway, floodplain, or other property along the route.

The Sierra Club appreciates this opportunity to comment. Thank you.

Sincerely,

Brandt Mannchen
Conservation Committee
Houston Regional Group of the Sierra Club
5431 Carew
Houston, Texas 77096
713-664-5962
brandtshnfbt@juno.com

A handwritten signature in cursive script that reads "Brandt Mannchen". The signature is written in dark ink and is positioned to the right of the typed name and contact information.

**Public Hearing
LP 197 Direct Connector
Texas City, Texas**

COMMENT FORM (FORMA DE COMENTARIO)
May 27, 2009

Thank you for attending the LP 197 Direct Connector Public Hearing. Your comments are important and will be taken into consideration regarding the proposed LP 197 Direct Connector project.

Gracias por asistir el elepé 197 Audición Directa del Público de Conector. Sus comentarios son importantes al desarrollo de este proyecto y seran tomado en consideracion.

Name (Nombre): EVK Communities Phone (Teléfono): 409-939-3604

Address (Dirección): Po Box 634, Galveston Tx 77553

PLEASE COMPLETE THE APPROPRIATE ITEMS BELOW:
POR FAVOR COMPLETE LOS ARTÍCULOS APROPIADOS ABAJO:

1. How did you hear about this hearing? / Como se informo de esta asamblea?

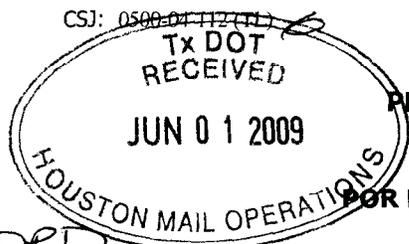
- Newspaper / Periodico
 Received Notice by Mail / Aviso por Correo
 Told by Friend or Neighbor / Amigo o vecino
 Other (please explain) / Otro (por favor explique)

2. I am primarily interested in the project from the standpoint of a:
Estoy interesado principalmente en el proyecto del punto de vista de a:

- Residential property owner or renter
Dueño de propiedad residencial o arrendatario
 Highway User
Usuario de Carretera
 Business property owner or lessee
Dueño de propiedad comercial o arrendatario
 Other (please explain)
Otro (por favor explique)

COMMENTS (COMENTARIOS):

Please proceed ASAP with the LP 197 direct connector



PLEASE RETURN THIS FORM DURING THE MEETING OR
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**POR FAVOR DEVUELVA ESTA FORMA DURANTE LA REUNIÓN O
ENVIAR POR CORREO EN JUNIO 10, 2009**



**Public Hearing
LP 197 Direct Connector
Texas City, Texas**

**COMMENT FORM (FORMA DE COMENTARIO)
May 27, 2009**

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Gracias por asistir el elepé 197 Audición Directa del Público de Conector. Sus comentarios son importantes al desarrollo de este proyecto y seran tomado en consideracion.

Name (Nombre): Leo A. Reitan Phone (Teléfono): 281-482-4369
Address (Dirección): 511 Williamsburg Cir., Friendswood, Tx 77546

PLEASE COMPLETE THE APPROPRIATE ITEMS BELOW:
POR FAVOR COMPLETE LOS ARTÍCULOS APROPIADOS ABAJO:

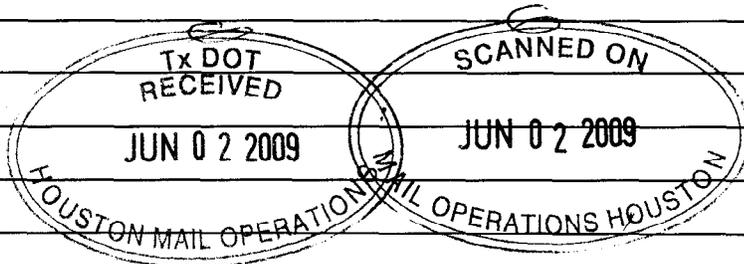
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Estoy interesado principalmente en el proyecto del punto de vista de a:

Residential property owner or renter Highway User
 Dueño de propiedad residencial o arrendatario Usuario de Carretera
 Business property owner or lessee Other (please explain) scenic
 Dueño de propiedad comercial o arrendatario Otro (por favor explique) Galveston member

COMMENTS (COMENTARIOS): See the attached letter



CSJ: 0500-04-112 (TL)

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**POR FAVOR DEVUELVA ESTA FORMA DURANTE LA REUNIÓN O
ENVIAR POR CORREO EN JUNIO 10, 2009**

DPD

Texas Department of Transportation
Attn: Director of Project Development
P.O. Box 1386
Houston, Texas 77251-1386

May 31, 1909

Dear Sir:

I am a member of Scenic Galveston. I have the following concerns about the "LP 197 Direct Connector" Project in Galveston County, Texas.

1. The Scenic Galveston Nature Preserve has about one mile of frontage along LP 197 where the project is planned. The enormous traffic load expected on that road likely will have a tremendous air, water and land pollution impact on Scenic Galveston property. Hazardous waste spills could be devastating. That pollution will affect wildlife of all kinds.

2. The increased noise from all that traffic will disturb the tranquility of the nature preserve with negative impacts on people visiting the preserve and unknown consequences for animal life. The nature preserve now has areas with no vehicle noise.

3. The highway lighting will greatly increase light levels at night on a large area of the preserve which will likely disturb wildlife night time activity.

4. Access to the North end of the preserve may be more difficult or dangerous.

5. Petroleum and gas pipelines may require relocation with unknown consequences to the nature preserve.

6. Electric power lines may require changes which may impact the Scenic Galveston Preserve.

In view of these concerns I believe the expanded highway connection to I-45 should be put further North.

Sincerely,

Leo A. Reitan

Leo A. Reitan

511 Williamsburg Cir.
Friendswood, Tx 77546

See the attached map

45 ESTUARIAL CORRIDOR PENNSYLVANIA PRESERVE SCENIC CORRIDOR PRESERVE



SWAN LAKE

SG's
7-17
WETLAND
SANDBAR

BAYOU VISTA

EAST MARSH

REITAN POINT TURNOUT, 1998
(completion, 2009)

KIRKPATRICK
ADVENTURE TRAIL, 1998

EMERGENT INTERTIDAL
WETLANDS

JEFF DALLAROSA
REDFISH POND

WEST MARSH

JONES BAY

PATE LANDFILL REMOVAL
& MARSH CREATION, 2002

TAMBURINE LANDFILL REMOVAL
& MARSH RESTORATION, 1999

SUSAN MCGUFFEY
LITTLE PEOPLES MARSH

WEST GALVESTON BAY

GALVESTON BAY

PROJECT LIMIT

REITAN MARSH

EAST WEDGE

WEST WEDGE

TO HOUSTON

PROJECT LIMIT

ROGER ZIMMER

STATE OF TEXAS
DEPARTMENT OF ENVIRONMENT
PROTECTION, 2001

PROJECT LIMIT

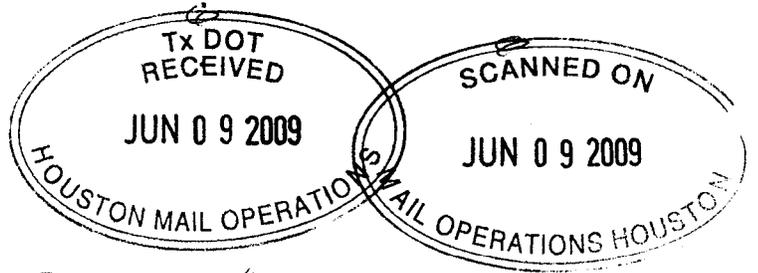
MAGONE
SUPERFUND SITE

1801 Alexander
Dickinson, Texas
77539

TxDOT
Houston, TX

Att: James Heacock -

Dear Mr Heacock -



Re: The Loop 197 Project. \$55 Million

This project may have merit eventually -

- if Shcal Port, Texas City is rebuilt for cargo
+ actually has money to do so.
- if- it were really needed & Houston ports available
+ so close
- if the economy rebounds & a need exists
- if fuel sources continue from overseas
- if the Panama Canal is widened -
- etc etc etc etc.

Meanwhile a viable railroad system can handle
all this + is already in place

Please stop wasteful spending

Thank you

Ellie Childs

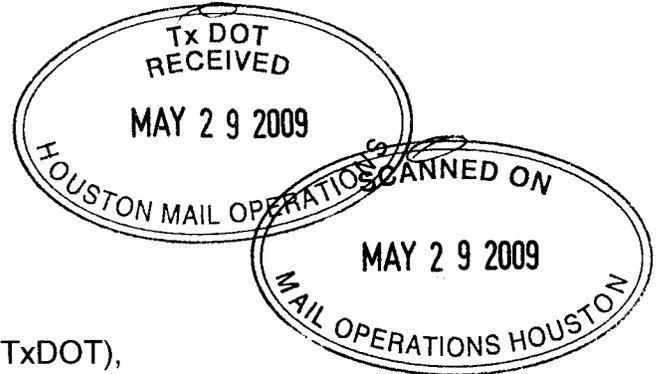


SIERRA
CLUB
FOUNDED 1892

Houston Regional Group
P. O. Box 3021
Houston, Texas 77253-3021
713-895-9309
<http://texas.sierraclub.org/houston/>

May 28, 2009

Texas Department of Transportation
Attention: Director of Project Development
P.O. Box 1386
Houston, Texas 77251-1386



Dear Texas Department of Transportation (TxDOT),

Enclosed are the comments of the Houston Regional Group of the Sierra Club (Sierra Club) regarding the environmental assessment (EA) for Construction of Direct Connectors Interstate 45/Loop 197 Direct Connectors, Galveston County, Texas.

1) **Page 1, Need and Purpose**, if the proposal's need is to assist "Future truck traffic resulting from the development of the Shoal Point Terminal Facility" then the Shoal Point Terminal Facility is a connected action and a cumulative action and has cumulative environmental impacts. Therefore the environmental impacts of the Shoal Point Terminal Facility should be revealed in this EA as cumulative impacts.

2) **Page 1, Need and Purpose**, if the purpose of the proposal will "improve existing and future congestion" then exactly what that congestion is, where it comes from, how it will be alleviated, how much it will be alleviated, needs to be revealed in the EA.

3) **Pages 1 and 2, Need and Purpose**, if the purpose of the proposal will "avoid congestion and delays at the at-grade railroad crossing ... This creates traffic congestion and delays when a train crosses the area," then the number of trains that cross at this intersection, the average minutes of delay, and other associated information about this situation needs to be revealed in the EA.

4) **Pages 2 and 3, Need and Purpose**, if the purpose of the proposal is to "provide alternate routes for the increased truck traffic created by the Shoal Point Terminal Facility ... Over 10,000 daily truck trips are expected to be generated in 2025 by the proposed container terminal ... The November 2002 EIS prepared for the Shoal Point terminal project concluded that increased roadway cargo traffic volume would create an unacceptable LOS," then the environmental impacts of that facility need to be revealed in the EA because it is a cumulative action with cumulative environmental impacts.

"When we try to pick out anything by itself, we find it hitched to everything else in the universe." *John Muir*¹

DPD

5) TxDOT should explain why the owners and or beneficiaries of the Shoal Point Terminal Facility should not be responsible for the cost or a portion of the cost of this proposal (\$55 million) since the Shoal Point Terminal Facility appears to drive the construction of Loop 197 connectors.

6) **Pages 3 and 4, Proposed Design (Build Alternative)**, the 4-foot left-hand outside shoulders are too narrow to provide safety if a vehicle breaks down. What does TxDOT intend to do about this?

7) **Page 4, Proposed Design (Build Alternative)**, the EA states “New ROW would be required for the construction of the direct connectors between the two existing roadways for a distance of approximately 0.91 mile.”

If new ROW will be taken then TxDOT needs to tell the public the location of this new ROW, the amount in acres, and the habitat that will be destroyed by the taking of this ROW. The public and decision-makers need this information so they can review, comment on, and understand the full environmental impacts of this proposal.

8) **Page 4, Alternatives Analysis**, the EA states “The surrounding communities of Omega Bay, Bayou Vista, la Marque, and Hitchcock would benefit greatly from the improved truck traffic flow.” TxDOT must specifically show how these communities will benefit from this proposal and how the addition of 10,000 trucks by 2025 will affect and benefit or not benefit these communities.

9) **Page 4, Alternatives Analysis**, the EA states “The proposed build alternative ... improves driving conditions on a designated hurricane evacuation route, and facilitates future expansion of SH 6 (also a designated hurricane evacuation route).” TxDOT needs to explain specifically how this proposal assists hurricane evacuation. Are large trucks clogging the freeways just before a hurricane and during hurricane evacuations? If this proposal “facilitates future expansion of SH 6” then the environmental impacts of SH 6 should be discussed in this EA since it is a cumulative action with cumulative environmental impact. The public and decision-makers need this information so they can review, comment on, and understand the full environmental impacts of this proposal.

10) **Page 4, Alternatives Analysis**, the EA states “The geometry would reduce elevated noise levels that result from downshifting, braking, and acceleration of heavy trucks, minimizing impacts to the communities of Omega Bay, Bayou Vista, La Marque, and Hitchcock.” If there are more trucks due to Shoal Point then how does the fact that more trucks will use the facility affect the communities mentioned with regard to generating more noise and air pollution? The public and decision-makers need this information so they can review, comment on, and understand the full environmental impacts of this proposal.

11) **Page 5, Alternatives Analysis**, the EA states “Heavy trucks would have to downshift, decelerate, accelerate, and merge with (posted) 65 mph interstate and highway traffic on the mainlanes.” **Page 3** of the EA states “The current posted advisory speed is 60 mph on LP 197 and 70 mph on IH 45 within the project limits.” These two sentences contradict each other. Which is correct?

12) **Page 5, Right-of-Way/Displacements**, the EA states “Approximately 11.09 acres of additional ROW would be required for the proposed project.” The EA does not state where this acreage will be taken. Whose property will be taken? This needs to be clearly shown in a narrative so the public and decision-makers can review, comment on, and understand the full environmental impacts of this proposal.

13) **Page 6, Demographic Characteristics**, how has the damage that Hurricane Ike has caused, and the loss of population in Galveston and Galveston County, changed the demographic information shown here? In addition, the Texas State Data Center has 2007 population updates. These population updates are the most recent information available. They should be used so the most accurate information is in the EA.

14) **Page 9, Land Use**, the EA states “The proposed project will not impact future land use development.” However, the EA has already said that the Shoal Point facility and SH 6 will be assisted by this proposal. This statement is not accurate.

15) **Page 9, Land Use**, what is “Virginia Point Wildlife Preservation?” TxDOT needs to explain so that the public and decision-makers understand what the land use is next to where this proposal will be.

16) **Page 11, Invasive Species**, the Sierra Club urges TxDOT not to plant crepe myrtles, pampas grass, and similar non-native species in conjunction with the Loop 197 proposal. Native species should be planted only.

17) **Page 13, Minimization of Impacts to Vegetation**, the EA does not mention that construction equipment can introduce exotic plant species to a site. Mitigation, like the cleaning of equipment before and after use, should be required to prevent this from occurring.

18) **Page 13, Impacts Associated with the Build Alternative, Table 6**, lists there are 9.35 acres of wetlands in the ROW. However, the type of wetlands that would be lost is not stated and the location where wetlands loss will occur is not provided. Even with preliminary drawings this information can be provided with the proviso that the information is preliminary.

19) **Page 14, Mitigation of Impacts to Vegetation**, the EA states “4. Bottomland hardwoods, native prairies, and riparian sites ... The existing vegetation within the project area does not meet the above criteria for non-regulatory mitigation ...

The vegetation within the project area is not considered to be locally important habitat; therefore, mitigation is not proposed for the impacts associated with the proposed project.”

On **page 27** of the EA, Black Willow is mentioned several times as being present in wetlands that are found on the site of Loop 197. Black Willow is a bottomland and riparian species. Does Black Willow exist in a riparian habitat on the site?

20) **Pages 14-16, Wildlife**, the EA only lists four species of birds that are “known to nest in Galveston County.” Many other birds use the project location but TxDOT does not mention them. This is a significant biological oversight since the birds not listed (like many wading birds found in the area) may use the site for feeding, loafing, resting, and other purposes. Where are the bird surveys of the project location?

21) **Page 15, Wildlife**, the EA states “... the proposed work is not expected to fragment or otherwise alter any existing wildlife habitats within the project limits.” This is an incorrect statement. The construction of a major road through an area where there is no road (although bordered by other roads) will fragment that area and will affect bird, reptile, amphibian, mammal, and invertebrate habitat by destruction (paving over) or fragmentation of that habitat.

22) **Page 16, Wildlife**, the EA states “Once construction is complete and the road is in operation, traffic noise would have only a slight, if any, additional impact on wildlife. Thus, impacts from noise are expected, on the whole, to be temporary.” This statement is incorrect. Since more traffic will go through the project site there will be more noise. Since there is a wildlife refuge owned by Scenic Galveston next door there will be more noise in that wildlife refuge and thus more interference of the ability of birds or other species to hear important sounds in their environment. Remember, TxDOT has already said that 10,000 daily truck trips are due by 2025 that will be helped by this proposal.

23) **Pages 16-18, Essential Fish Habitat**, the EA states “The majority of impacts to EFH as a result of the proposed construction are expected to be temporary ... none of the impacts are considered to be detrimental to the habitat or existence of any species population regulated by the NMFS ... the proposed project would not create substantial adverse impacts to EFH; therefore, no mitigation for EFH would be required.”

This statement is untrue. Loss of wetlands and filtering native coastal prairie are permanent losses, not temporary. The kinds of wetlands that will be destroyed are not mentioned here and only acreages are stated. Highland Bayou is important for shrimp and other estuary species. So there is no way for the public or decision-makers to review, comment on, and understand the full environmental impacts on wetlands and essential fish habitat. Since National Marine Fisheries Service has not responded at this time it is premature for

TxDOT to assume little or no impacts. Should not TxDOT contact NMFS and request again their input?

24) Pages 18-21, Threatened and Endangered Species (TES), TxDOT has had over 5 years to gather information and conduct surveys for TES and yet has failed to do so. TxDOT does not define what it means by “negligible impact” when talking about marshes and the Reddish Egret. How does TxDOT know the Reddish Egret, White-Faced Ibis, and Whooping Crane have “likely adopted avoidance behavior in response to the existing IH 45 and surrounding roadways?” What does this mean? We know that roads can reduce habitat quality and use.

What does TxDOT mean when it says that there would be a “negligible impact” on tidally-influenced waters? Since TxDOT has not estimated the amount of storm water it will generate with this project and revealed this information to the public how can TxDOT make such a statement? TxDOT is prejudging environmental impacts when it does not have the data to back-up its assertions.

25) Page 23, Parkland, the EA states “The proposed project is located adjacent to the John M. O/Quinn I-45 Estuarial Corridor and Virginia Point Peninsula Preserve; however, these properties would not be impacted and access into the properties would be available.”

The Sierra Club disagrees with this statement. Noise will impact further on the Scenic Galveston Preserves. Light will impact further on the Scenic Galveston Preserves. Storm water will impact further on the Scenic Galveston Preserves. The imposing Loop 197 structures and the reduction in aesthetics and views will impact further on the scenic Galveston Preserves.

26) Page 28, Wetlands, Impacts Associated with the Build Alternative, the EA states “In order to minimize impacts to wetlands, the proposed project would use elevated sections over the wetland locations.” TxDOT states there are 9.35 acres of wetlands in the ROW. How many acres of wetlands will be saved by elevating the sections? How will circulation be affected? Where will the water go that is displaced by Loop 197? How many acres of 100 year floodplain will be displaced by Loop 197?

27) Page 28, Water Quality, the EA states “The proposed project is not expected to alter rainfall drainage patterns or contaminate or otherwise adversely affect the public water supply, water treatment facilities, or water distribution systems.” Since we are talking about non-point source water pollution these types of water contamination are not expected to occur at such facilities. However, what impacts on bay and wetland ecosystems, will non-point water pollution from this proposal, Shoal Point Terminal Facility, widening of SH 6, and all other cumulative actions with cumulative environmental impacts have? What

will the quantity and quality of water from run-off from this and cumulative actions have on freshwater, brackish, and saltwater wetlands and the bay system?

28) **Pages 28 and 29, Floodplains**, the EA states “The proposed project would not increase the base flood elevation to a level that would violate applicable floodplain regulations and ordinances. The proposed improvements would require the placement of permanent fill material within the 100 year floodplain of Highland Bayou. Currently, a hydraulic study is being conducted ... and will devise a mitigation plan to offset the construction impacts.”

What is a base flood elevation level that would violate applicable floodplain regulations and ordinances? How much fill and over what areal extent will the fill be placed in the 100 year floodplain? Why has TxDOT not conducted a hydraulic study so the results are known to the public and decision-makers in time for the public comment period? What mitigation is planned for floodplains?

The public and decision-makers need to know this information now so they can review, comment on, and understand all the environmental impacts of the proposal.

29) **Page 29, U.S. Army Corps of Engineers**, the EA states “It is anticipated that the proposed project would impact jurisdictional waters of the U.S., including wetlands, and thus require a Section 404 and/or a Section 10 Individual Permit. After completion of the USACE field verification, the total impacts to jurisdictional water of the U.S., including wetlands, will be calculated and an Individual permit application will be submitted to the USACE Galveston District.”

Why does TxDOT not have any preliminary figures for types of wetlands that will be destroyed by this proposal? Why does TxDOT not have a wetlands delineation or a draft version ready of such a delineation? The public and decision-makers need to know this information now so they can review, comment on, and understand all the environmental impacts of the proposal. By not providing this information in the EA, TxDOT hides the environmental impacts from the public during the public comment period when public comment can influence the decision the most and which is the only time the public has to comment on such actions.

30) **Pages 29 and 30, TECQ**, the EA states “In accordance with TxDOT policies, a Storm Water Pollution Prevention Plan would be prepared before construction and followed during construction ... Detailed design information regarding fill quantities and impact acreages could not be determined based upon the preliminary information at the time of report preparation. Once the final design has been completed for the proposed project, exact impact amounts to waters of the U.S., including wetlands, would be determined.”

This makes no sense. Certainly, TxDOT could estimate, using preliminary information, the area in acres that will be covered by the proposal; where those acres are located; and the wetland types those acres currently contain. The same can be said for a draft Storm Water Pollution Prevention Plan. The public and decision-makers need to know this information now so they can review, comment on, and understand all the environmental impacts of the proposal. By not doing this TxDOT hides the environmental impacts from the public during the public comment period when public comment can influence the decision the most.

31) **Pages 30-37, Air Quality**, TxDOT does a very poor job with regard to describing the potential effects of air pollution from this proposal. Cumulative actions and cumulative air quality impacts are not estimated or mentioned in this section.

Estimation of the air pollution from 10,000 diesel trucks is ignored. **The EA does not estimate the total amount of air pollutants generated (emissions inventory) by this proposal, secondary development, and other cumulative actions with air pollution impacts and at construction and build-out.** Therefore no tons/year of different air pollutants like particulates, carbon monoxide (CO), nitrogen oxides (NOx), diesel exhaust, and volatile organic compounds (VOC) are estimated. The public and the decision-makers do not know the additional air pollution burden generated by this proposal and cumulative actions over what exists now in the project area.

On **page 33**, TxDOT states that "... under the Build Alternative in the design year it is expected there would be reduced MSAT emissions." However, the reduced emissions are not due to the Build Alternative but due to lower emitting vehicles and hopefully less toxic gasoline or other fuels used to propel vehicles. However, the vehicle miles traveled (VMT) should be greater for the Build Alternative because this proposal makes Shoal Point Terminal Facility possible along with 10,000 trucks and their air emissions as well as the emissions from the terminal facility and the expansion of SH 6. However, TxDOT ignores in the EA all cumulative actions with their cumulative air emissions. There is no quantitative information provided about air pollution.

TxDOT also ignores sensitive receptors that are located within 500 meters (about 1600 feet) of the proposed ROW. These sensitive receptors are marshes and bay or estuary waters that will receive more air pollution as the air pollution falls out over and then into the wetlands and marshes. Toxic air pollutants like benzene and nutrients like nitrogen compounds can negatively affect water quality, shellfish, finfish, and other aquatic organisms. But TxDOT ignores these environmental impacts.

TxDOT also ignores the additional air pollution that people who crab and fish in the area will receive as will wading and other birds who use the area for feeding.

Air pollution does not stay in one place. Air pollution drifts and affects people and organisms beyond the project area. This is not acknowledged by TxDOT.

The EA is deficient regarding adequate quantitative and qualitative air quality assessment, evaluation, and analysis. Some questions that need to be answered include: What amount of what types of air pollutants already are generated and will be generated in the project area (emissions inventory)? What health, welfare, and environment effects will this air pollution have? The public needs to know the tons/year of different air pollutants like particulates, carbon monoxide, nitrogen oxides (NOx), diesel exhaust, volatile organic compounds (VOC), and certain air toxic compounds, including carcinogens that are generated by the project and cumulative actions with cumulative air pollution effects (like the expansion of SH 6 and Shoal Point Terminal Facility). The public and the decision-makers must know the additional air pollution burden generated before the proposal is built, when it initially opens, and when it reaches capacity.

Modeling CO is not the only analysis of the proposal and cumulative actions that should be mentioned. The pollutant of most immediate concern is ozone because the Houston area is non-attainment for ozone. That means that VOCs and NOx inventories should be estimated before the proposal, when it first is opened, and when it reaches capacity and revealed in the EA. This includes secondary development impacts and the emissions that are generated by cumulative actions and cumulative air pollution effects, both construction and operation.

Instead of taking the health effects of air pollution seriously the EA goes through excruciating detail looking at a few air toxics and then states that their amounts will decrease as cleaner vehicles are used on roads. There is no mention of how long it takes for a vehicle year car/light truck fleet to turnover (about 10 years) or a heavy truck fleet (about 20-20 years). MOBILE 6.2 has continually underestimated emissions and that we know that VOC and NOx are emitted at much greater amounts than models and emission inventories have shown.

For instance, in the August 31, 2007 "Final Rapid Science Synthesis Report: Findings from the Second Texas Air Quality Study (TexAQS II)", A Report to the TCEQ by the TexAQS II Rapid Science Synthesis Team prepared by the Southern Oxidants Study Office of the Director at North Carolina State University, states on page 59 "On-road mobile emission inventories developed from MOBILE6 have significant shortcomings. MOBILE6 consistently overestimates CO emissions by about a factor of 2. It accurately estimated NOx emission in the years near 2000, but it indicates decrease in NOx emissions since then, while ambient data suggest NOx emissions have actually increased. Consequently in 2006, NOx to VOC emission ratios in urban areas are likely underestimated by current inventories ... The HGB (Houston-Galveston-Brazoria) inventory overestimates the CO to NOx emission ratio, and that overestimate becomes worse with time as the inventory does not show a significant temporal decrease

... Parish (2006) showed that the rapid decrease (6.6%/yr) in the ratio is partially due to a slower decrease in CO emissions (4.6%/yr), which implies a significant increase in NOx emissions (approximately 2%/yr). The large inventory overestimates in the CO to NOx ratio at the present time are attributed to a factor of 2 overestimate in CO emissions, and an underestimate in present NOx emissions.”

So the exposure to on-road mobile source air pollutants should be greater than indicated in the EA. The EA also does not take into account that as vehicles age they operate less efficiently and generate more air emissions due to wear and tear on the vehicle.

By looking at only a few health effects studies, those which are older and do not represent the current best, sound, science on air pollution health effects that vehicles have on people the EA fails to adequately analyze the threat of air pollution (not just air toxics) on people and other organisms living close to roads (about 1,000 feet). In addition, since air does not stay in one place and since the Houston area has a large industry base, many area sources, and a large number of off-road sources of air pollution that emit air toxics **the entire parcel of air that people breathe should be considered and not just MSAT.**

As the Health Effects Institute's November 2007 Special Report 16, "Mobile-Source Air Toxics: A Critical Review of the Literature on Exposure and Health Effects" says, "However, the introduction of reformulated or alternative fuels might pose its own risks, and the removal of individual fuel components does not automatically ensure safe fuels." It is a red herring to focus only on MSAT, which is a "subset of all air toxics", when the focus should be total air pollution that people are exposed to.

The EA does not provide information about the amount of greenhouse gas emissions that will be generated due to the construction and operation of the proposal. The EA must provide information about the amount of greenhouse gas emissions that all of the cumulative actions and impacts (including, direct, indirect, secondary, and connected impacts) generate, encourage, or accelerate due to the construction and operation of the proposal.

The impacts of these greenhouse gas emissions must be assessed, analyzed, and evaluated and this information must be discussed in the EA so that the public can review and comment and understand this issue. This includes analyzing the impact of VMT increases or decreases in the study area due to the construction and operation of the proposal and associated development including roads, like the expansion of SH 6, and the Shoal Point Terminal Facility.

32) **Pages 37-40, Noise**, the EA states that only one location was used for a noise receiver. An analysis using one receiver is insufficient and inadequate to determine what noise levels are today and will be in the future. Since sensitive

lands that should be rated Activity Category A, the Scenic Galveston nature preserves, are adjacent to the project area; since other cumulative actions that have cumulative noise impacts, including the Shoal Point Terminal Facility, SH 6 expansion, and the proposed Interstate 45 expansion, are projected to occur; and since wildlife species and their communication between each other and hearing natural background sounds can be disturbed, interrupted, or masked, TxDOT has a duty to conduct a comprehensive noise assessment and then reveal what the environmental impacts these proposals may have on people and other organisms. The public and decision-makers need this information to review, comment on, and understand the all the environmental impacts of the proposal.

33) **Page 42, Hazardous Materials**, the EA states "A Phase II subsurface investigation would be required to confirm if contamination from the sites listed in Table 13 would be encountered during construction." TxDOT should have completed this study for the EA. Otherwise the public and decision-makers do not have the information to review, comment on, and understand all the environmental impacts of this proposal.

34) **Page 43, Construction Impacts**, the EA states "Due to operations normally associated with road construction, there is a possibility that noise levels would be above normal in areas adjacent to the ROW ... Every reasonable effort would be made to minimize construction noise ... Measures to control dust would be considered and incorporated into the final design and construction specifications."

TxDOT should state specifically and show what "areas adjacent to the ROW" may have noise levels above normal and what these noise levels will be. In addition, TxDOT should explain in detail what "every reasonable effort would be made to minimize construction noise" means. The measures to control dust should be in the EA now, as best TxDOT can conceive them, so the public knows.

For all of this missing information the public and decision-makers need the information now so that they can review, comment on, and understand all environmental impacts of this proposal.

35) **Pages 43-48, Indirect and Cumulative Impacts**, the EA states "indirect impacts to economic, environmental, and social attributes of the project area resulting from the proposed project would be minimal ... Appreciable indirect impacts would not be expected to affect water quality or adjacent habitats. No indirect social impacts are anticipated because the project does not bisect any communities that are not already bisected by existing roadway corridors."

The Sierra Club requests that TxDOT define what "minimal" means. Why are indirect impacts not expected to affect water quality or adjacent habitats when

thousands of gallons of contaminated storm water will be generated by the proposal? It does not follow that “no indirect social impacts are anticipated” when the noise, air pollution, and lighting will intrude on Scenic Galveston preserves and prevent oral communication when in the area between humans and with other organisms. In addition, TxDOT does not quantify any of the indirect and cumulative impacts from the proposal and all cumulative actions including the Shoal Point Terminal Facility, widening IH 45, and widening SH 6.

On **page 44**, the EA states “This analysis focuses on resources that are affected by the proposed project and considered to be at risk of declining, even though the proposed project’s direct and indirect impacts are relatively minor. The proposed project would not cause significant direct impacts.” What does “relatively minor” mean? TxDOT should explain these criteria in detail so the public and decision-makers can review, comment on, and understand the full environmental impacts of this proposal.

The EA states “It is difficult to determine the degree to which a roadway induces development.” In this EA TxDOT has stated that this proposal will make Shoal Point Terminal Facility possible and will allow SH 6 to be widened. So TxDOT should not have problems determining the environmental impacts of these developments.

On **pages 44-46, Table 14**, what does “Impacts not substantial” mean? If impacts are considered beneficial then TxDOT should quantify these since the National Environmental Policy Act (NEPA) and Council on Environmental Quality’s NEPA regulations require that all environmental impacts be revealed, whether negative or positive.

On **page 45, Table 14, Parland**, the EA states that for the Scenic Galveston preserves “Impacts not substantial” but does not reveal the analysis which confirms this statement. No mention is made of storm water, light, air pollution, and noise impacts that will affect the Scenic Galveston preserves. The EA also states, **Table 14, Wildlife, Including Threatened and Endangered Species**, “The proposed project is located within an urbanized area”. Yet the area is mostly natural vegetation and water or disturbed areas that have been allowed to grow back to natural vegetation. Fragmentation would occur as shown by the drawings in the EA.

On **page 46, Table 14**, the EA states “There may be localized areas where VMT would increase, and other areas where VMT would decrease.” Where are these areas of increase and or decrease in VMT? What does “localized areas” mean? The public and decision-makers need this information so they can review, comment on, and understand the full environmental impacts of this proposal.

On **page 46, Table 14, Noise**, the EA states “no noise impacts were observed”. How does TxDOT observe noise impacts? Noise impacts would have to be heard.

On **page 47, Floodplains**, the EA states “Developed land uses are minimal within mapped floodplains because floodplains and floodway mapping deters development.” If this were so then Bayou Vista and many other developments would not exist. If this were so then developers would not continue to build in the floodplain. TxDOT needs to provide backing data that shows that this assertion is true.

On **page 48**, TxDOT does not list the proposal to widen Interstate 45 as a reasonably foreseeable future action. The EA should list the widening of IH 45 and then should state what the possible impacts would be with Loop 197 and the proposed IH 45 widening and the other projects listed. These are cumulative actions with cumulative impacts. The public and decision-makers need this information so they can review, comment on, and understand all the environmental impacts of this proposal.

On **page 48, Potential Cumulative Impacts**, the EA states “The proposed project, in combination with other past, present, and reasonably foreseeable future actions ... would cumulatively impact the health of these three resources ... but all are considered generally mild in terms of their intensity and context.” What does “generally mild” mean? The public and decision-makers need this information so they can review, comment on, and understand the full environmental impacts of this proposal. The EA, under the **Potential Cumulative Impacts** heading, says three resources and then two resources. These are contradictory numbers. Which is correct?

The EA should define on **page 49, Table 16**, what “Minor, potential acceleration of existing development trends”; “Stable” and “Generally good” mean with regard to **Health of Resources**. What does “Some increased impervious cover and storm water run-off” mean?

36) **Page 50, Land Use**, how have the city and county prevented development or changed land use in the project area?

37) **Pages 50 and 52, Water Resources**, since TxDOT has preliminary calculations it should provide preliminary wetlands dredge and fill estimates and potential mitigation compensation. The public and decision-makers need this information so they can review, comment on, and understand all the environmental impacts of this proposal.

38) **Page 51, Floodplains**, the EA states “Any road structures required for this project that lie within floodplains will be planned and located so as not to interfere with stream flow or create a flood hazard. The hydraulic design for this project ...

inundation of the roadway being acceptable, without causing significant damage to the roadway, floodplain, or other property along the route.”

What does “significant damage” mean with regard to roadway, floodplain, or other property along the route? Where will the water displaced from the floodplain filled go? The hydraulic study should be available now so the public and decision-makers can review, comment on, and understand the full environmental impacts of the proposal.

39) **Page 51, Public Involvement**, what did the public at the March 31, 2004 public meeting say? How were the public comments used? What was changed in the proposal due to the public comments?

40) **Appendix B, Agency Coordination Letters, October 26, 2006 TxDOT letter to National Marine Fisheries Service**, this letter confirms that a widening proposal for IH 45 is being considered and therefore is a future foreseeable action and should have its environmental impacts added to the cumulative impacts of the proposal and other past, present, and future foreseeable cumulative actions.

31) It truly is sad that when a member of the public asks for a copy of a public document (EA) that TxDOT is asking the public to comment on, the person is expected to pay \$47.80 for that document. No mention was made during the Sierra Club’s discussion with TxDOT officials that a free electronic pdf version of the EA was available. Scenic Galveston received a free electronic pdf version of the EA. Why is TxDOT treating people and interested organizations differently with regard to who can receive a document for free?

It is unfortunate that the hard copy of the EA that the Sierra Club obtained was printed, for most of its pages, on one side. This is a waste of wood, energy, and other natural resources. TxDOT should require that such documents be printed on both sides so that TxDOT does what it can to reduce greenhouse gas emissions and other environmental impacts.

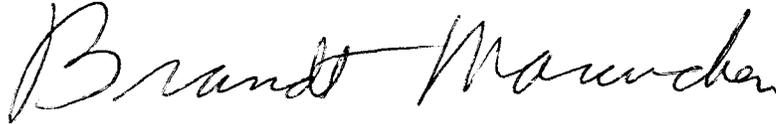
32) Almost nothing is said about the environmental effects of lighting in the EA. There are two Scenic Galveston preserves next to the proposed road which have been affected by past TxDOT lighting actions and will be affected by this proposal and future foreseeable cumulative actions.

The Sierra Club recommends a lighting analysis be conducted using “Ecological Consequences of Artificial Night Lighting”, as edited by Catherine Rich and Travis Longcore, and published by Island Press in 2006, as a baseline for the lighting analysis. Enclosed is the table of contents from the book. Some of the potential environmental effects of lighting on organisms include disruption of foraging patterns, increased predation risk, disruption of biological clocks,

increased mortality on roads, disruption of orientation, interference in communication, disruption of mating, and disruption of dispersal movements.

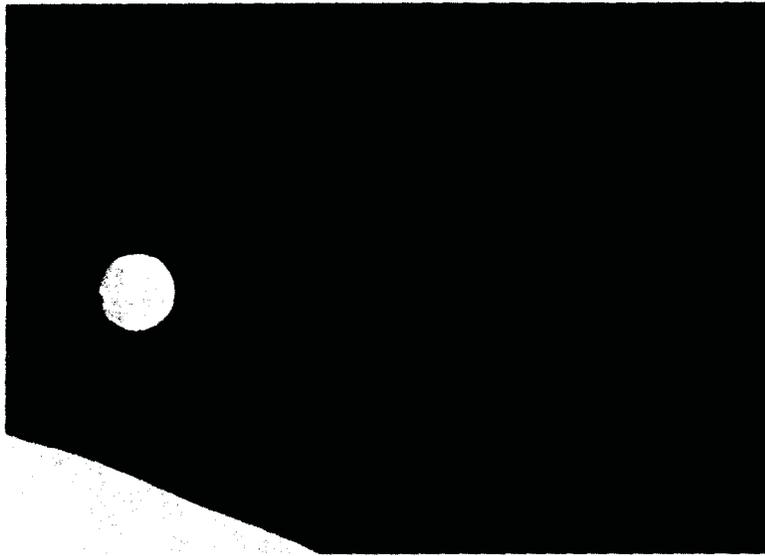
The Sierra Club appreciates this opportunity to comment. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Brandt Mannchen". The signature is written in a cursive style with a large, prominent initial "B".

Brandt Mannchen
Conservation Committee
Houston Regional Group of the Sierra Club
5431 Carew
Houston, Texas 77096
713-664-5962
brandtshnfbt@juno.com

Ecological Consequences
of
Artificial Night Lighting



Edited by

Catherine Rich • Travis Longcore

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**Public Hearing
LP 197 Direct Connector
Texas City, Texas**

**COMMENT FORM (FORMA DE COMENTARIO)
May 27, 2009**

Thank you for attending the LP 197 Direct Connector Public Hearing. Your comments are important and will be taken into consideration regarding the proposed LP 197 Direct Connector project.

Gracias por asistir el elepé 197 Audición Directa del Público de Conector. Sus comentarios son importantes al desarrollo de este proyecto y seran tomado en consideracion.

Name (Nombre): CITY OF TEXAS CITY Phone (Teléfono): (409) 643-5927
Address (Dirección): 1801 9TH AV. NORTH

PLEASE COMPLETE THE APPROPRIATE ITEMS BELOW:
POR FAVOR COMPLETE LOS ARTICULOS APROPIADOS ABAJO:

1. How did you hear about this hearing? / Como se informo de esta asamblea?

Newspaper / Periodico Received Notice by Mail / Aviso por Correo
 Told by Friend or Neighbor / Amigo o vecino Other (please explain) / Otro (por favor explique)

2. I am primarily interested in the project from the standpoint of a:
Estoy interesado principalmente en el proyecto del punto de vista de a:

Residential property owner or renter Highway User
 Dueño de propiedad residencial o arrendatario Usuario de Carretera
 Business property owner or lessee Other (please explain)
 Dueño de propiedad comercial o arrendatario Otro (por favor explique)

COMMENTS (COMENTARIOS):

PLEASE SEE ATTACHED.

CSJ: 0500-04-112 (TL)

**PLEASE RETURN THIS FORM DURING THE MEETING OR
SUBMIT BY MAIL BY JUNE 10, 2009**

**POR FAVOR DEVUELVA ESTA FORMA DURANTE LA REUNIÓN O
ENVIAR POR CORREO EN JUNIO 10, 2009**

The City of Texas City wishes to first thank TxDOT for hosting the public hearing on the LP 197 Direct Connector in Texas City on May 27th. The City appreciates all of the effort that goes into every project from initial discussion to planning/design to final construction. The TxDOT offices have been great to work with on this project and feel the public has been included, considered, and informed of the progress. We know it is difficult to please everyone and often not possible. What the City of Texas City has observed from previous meetings and this evening's public hearing is that no one objects to the project on need or environmental aspects. Even the environmental groups (Sierra and Scenic Galveston) indicated the need for the project. So, it seems TxDOT should be pleased with the work that they have done in working on a project where there is no argument on need or major environmental challenges; only questions on the need for more answers on possible impacts from the option chosen.

The City is pleased with the movement forward on the project and would strongly encourage that it would continue and be funded as soon as possible. The options were adequately presented and the explanation and reasoning for the third option satisfies the City. Given the need to satisfy or at least minimize impacts to several governmental entities that are involved, Option 3 seems logical and the City has no objection to it. We realize noise, visual impacts to several gateways, traffic flow, accessibility to the various properties, cities and communities, impacts on the wetlands and environment, other engineering considerations based upon speed and turning movements all make the final design complex and difficult. Option 3 does seem to do the most to meet political needs and desire as well as engineering constraints.

The City of Texas City appreciates what Scenic Galveston is doing in Galveston County. We understand it has plans for developing the entrance to some of their property along SH 146 where this project could impact their property. The City has no objections if TxDOT can accommodate some or all of their needs along their property and SH 146. We would hope that it would not do so at the expense of delaying the project or altering the design that some other entity would suffer greater impacts.

Again, thank you for your hosting the public hearing and your assistance on this much needed project.

1801 Oleander

Dickinson, TX 77539

June 2, 2009

To: Texas Department of Transportation

RE: Loop 197 Project, Texas City, Galveston County

Thank you for your meeting on the 197 Loop Project. It was most informative.

My main concern on this project is the impact that it will have on I-45 which is already burdened by heavy traffic as well as the cost of the project.

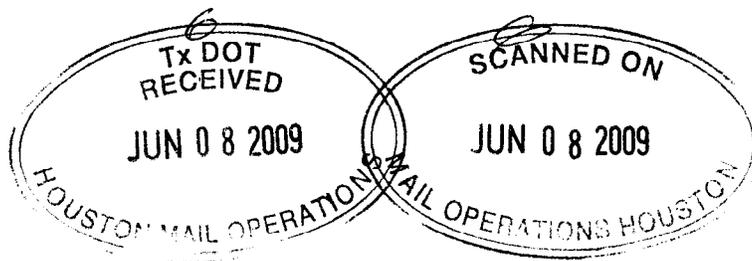
If I may respectfully add another alternative; this should not be a concern for TXDOT! This should be a railroad project. As Scholes Point is developed the only cargo to be locally distributed would be unloaded there and all other shipments could be placed on two level railcars to be shipped onward. The existing road is sufficient for local distribution. TXDOT could continue whatever roadwork is required around the port facility.

Thanks for your consideration.

Sincerely,



Ellie Childs



TRD



20 Colony Park Circle
Galveston, Texas 77551
409-744-7431
979-234-2096

June 9, 2009

Mr. Pat Henry
Director of Project Development
Texas Department of Transportation
P.O. Box 1386
Houston, Texas 77251-1386

via HOU-PIOWEBMAIL@dot.state.tx.us

RE: Loop 197 Connector Comments

Mr. Henry:

I made verbal comments at the public hearing held in Texas City on May 27. I will not repeat those comments that were court reported then, here, except to reiterate our longstanding objection to the proposed Loop 197 connector project.

I would like to start by reiterating, again, that I and my organization are 100% supportive of an I-45 to Texas City Port connector project, especially where it might reduce trucks near our preserve and also potentially facilitate hurricane evacuation in this vulnerable area.

However, we have been objecting to the currently proposed project design, with giant bridges coming to grade along our preserve roadside frontage, since at least 2004, both publicly and privately. We spoke with TxDOT well before that, in 2003, before purchasing the property along Loop 197 - then, mainly in the context of some early rumors we were hearing about planned "Texas City Wye" improvements. At that time, we were assured that your agency had few plans for Loop 197 proper. At that time, we were mainly concerned with widening Loop 197 and additional lighting. We appreciate that the current connector project does not expand Loop 197 onto our land. Nonetheless, its current configuration is totally contrary to the spirit of the dialog we had with TxDOT so long ago. And not so long ago.

We remain utterly perplexed as to why TxDOT persists in refusing to look at non-Loop 197 alternatives, as so many have asked through the years. If the goal is to better serve the Port of Texas City from I-45, it makes no sense to come so far south before leaving the freeway to head back north. So we began to consider what might be driving the Loop 197 configuration, which is identical in all three alternatives that TxDOT has ever publicly presented...

ARGUMENT FOR ALTERNATE SITING

What we have been forced to conclude is this:

~It was probably always assumed by Texas City (or TxDOT) planners that the land we bought along Loop 197 would ultimately be a port-related industrial tract. If that were true, then the connector landing as proposed makes sense - the connector would serve more facilities south of the Port proper.

~The more direct northerly route from I-45 to the port involves the use of SH 519 (Texas City Main Street); however, the section of 519 immediately east of I-45 is residential, and amplifying truck traffic along that stretch would be unsuitable. In addition, there is an at-grade railroad crossing at SH 3 that would require a crossover bridge.

~Bypassing the neighborhood could be done by exiting further south, then creating connectors to turn back and pick up 519 around its intersection with SH 146; 519 east of that point is entirely industrial, and 519 leads directly to the port entrance. However, such a plan would likely necessitate placing at least some of the project on land formerly operated by TxTIN, today a Superfund site.

~We speculate that this was not done originally because of the status of TxTIN as an "open" Superfund site at the time the planning was initiated for the connector project. Today, however, TxTIN is in a post-remediation status, and, while parts of the site are permanently closed, other portions are on the market. Local discussion revolves around the creation of an inter-modal transportation facility at the TxTIN site; there is a sign at the site presently that references that use. It would seem that a Port-related trucking connector and any port-related facility - especially an intermodal facility - would be ideal companions.

~It is, therefore, our belief that TxDOT should revisit the idea of placing an I-45 - Port connector system further north, as described above, eliminating the land use conflicts posed by its currently proposed location along our mile-long Loop 197 nature preserve frontage.

Continuing our arguments for alternate siting involved some field investigation:

~If the more northerly connector described above remains unfeasible, and trucks must come south to the vicinity of Bayou Vista and the Texas City Y before leaving I-45, we wondered if SH 3 or SH 146 might be a better choice than Loop 197 for a new connector of some sort - again, with the idea of using the industrial easterly portion of SH 519 to ultimately access the port. So we drove it, repeatedly. We assumed we would find a spot where the new truck route would have to bridge over a railroad, since TxDOT has repeatedly stated that the Loop 197 connector is required to eliminate truck / train conflicts.

~In so doing, we discovered that trucks, *today*, can leave I-45 at the Texas City Y Interchange (the same general location proposed by the current connector project), immediately turn north on SH 3, which merges with SH 146. Highway 146 *already* has a grade separated railroad crossing at the Texas City Junction. The absolute imperative for another crossing at Loop 197 is, therefore, nonexistent.

~As an aside, when we went back to the alternatives diagram flyers handed out by TxDOT at all the public hearings, it is totally unclear that SH 146 currently bridges the rail line. In all cases, while the Texas City Junction is shown, the line that represents 146 stops short, with only the portion of 146

south of the tracks shown. So, while I am sure this was inadvertent on TxDOT's part, if a viewer is unfamiliar with the locale, and going purely by the diagram, the Loop 197 connector would, in fact, seem essential...

~We continued on along 146, thinking we might still run afoul of the rail line at SH 3 where it departs from 146 further north. No so. 146 crosses 519 east of 3 (IE: on the port side). *This route does not need any additional bridges to work.*

~We did a little additional research about the Highway 146 bridge, wondering if that might be the problem, since it is only two lanes. SH 146 is an evacuation route, and it is being widened to four lanes, accordingly. We hear that the bridge has been difficult to widen because of - again - the presence of the TxTIN property immediately to the east of the bridge. However, if this is an evacuation route, it seems incumbent on TxDOT to figure this problem out, widening the 146 bridge to facilitate both port truck traffic and citizen evacuation. The current connector project does not address the evacuation problem, at all.

It is our belief that TxDOT has an opportunity - and an obligation - to address land status changes that have occurred during the lengthy time period between first initiation of this project and the present, by upgrading the SH 146 bridge, by creating new connectors from I-45 to 519, bypassing residential neighborhoods, or both, eliminating the need to destroy our Loop 197 frontage.

We intend to take this conversation up with TxDOT in Austin, the resource agencies, with State legislators, and with the Federal Highway Administration, as needed.

Why are we so adamant about killing the connector project along Loop 197, when it does not propose to take any of our land?

LAND VALUE(S)

When we purchased the preserve lands on Virginia Point from the University of Texas, the 315-odd acre section immediately along Loop 197 was the most expensive acreage in question, of the overall 1500-odd acre tract. (The total preserve is upward of 2600 acres.) The bulk of the federal grant, administered by the Texas General Land Office in the form of CIAP funding, went to purchase those front acres, which are largely coastal prairie, not exclusively wetlands, as much of our other lands are. Relatively undisturbed coastal prairie in this area is a very rare phenomenon. We purchased it for its high habitat value, which we have been gradually enhancing via the removal of Chinese tallow, overabundant brushy vegetation and so forth. However, we also purchased it for strategic reasons: while the property is not, today, open to non-volunteering public, it ultimately will be our public front entrance, much as, say Armand Bayou Nature Center has a strong community presence along Bay Area Boulevard. This presence is essential to our long-term mission at our own preserve, which involves public education and outreach just like any other nature preserve with which we are acquainted. SCENIC GALVESTON's property is not a wildlife sanctuary; it is an evolving urban nature park preserve, and we need an entrance that is different in character than that along I-45, where the experience of our wetlands, while scenic and very beautiful, is fundamentally a highway passerby scene. We thought we had purchased our "front" when we acquired Virginia Point. Your project threatens this whole premise, destroying our long-range plans entirely. Concrete bridges and walls, no matter how beautifully articulated or decorated, are an inappropriate front for our preserve landscape.

The fact that TxDOT is not proposing to block the private Campbell Bayou road entrance, functionally speaking, is utterly beside the point.

Another value of our land is purely economic. It seems easy for TxDOT and Texas City to internalize that "their nature preserve doesn't matter --may as well wall it off, it's not a direct contributor to the Texas City economy"... And it is certainly true that we took this land off the tax rolls (as did UT previously), presumably to the chagrin of the City. However, we recently consulted with several real estate brokers about the market value of the 315-odd acres along Loop 197 that will be most directly affected by this project. If we, in theory, were to remove the conservation easement deed restriction we placed on the property and sell it, with its rail adjacency, to an industrial purchaser, it was recommended that we list it in today's soft market at somewhere in the vicinity of \$10-11 million. It was also recommended that we should wait for an upswing in demand, whereupon it would be readily worth between \$1.50 and \$2.00 / SF. That works out to between \$22 and \$27 million. (If we were to challenge the Texas City zoning ordinance via either a de-annexation from the City or a rezoning, to sell for housing development overlooking a nature preserve, the value would be less, but probably still in the \$8-10 million range.) Granted, these are all moot arguments - we are a conservation organization. However, we encourage TxDOT not to underestimate our determination to protect this land from degradation from a giant concrete truck ramp bridge which is arguably either wholly unnecessary, or achievable elsewhere, in more suitable environs, as suggested at the beginning of this letter.

ENVIRONMENTAL ASSESSMENT

Others, particularly Brandt Mannchen (Sierra), have expressed significant concern and asked numerous questions about the Environmental Assessment that TxDOT prepared for this project. I will not reiterate those here, except to say that SCENIC GALVESTON shares them all, and that we would like to see these concerns and questions addressed formally by TxDOT.

I will add one item of particular concern to my husband and self, since we are responsible for developing the preserve master bird list, and we run informal bird surveys constantly. (The preserve list is at 233 species, and growing.) At the public hearing, TxDOT indicated that "cursory" bird surveys had been performed, and there was no significant impact anticipated on avian species. While I'm not a biologist, I will personally challenge this premise, with respect to nocturnal birds in particular, assuming the new connector is to carry any degree of night lighting. The marshes and prairie immediately alongside Loop 197, today, are among the best places locally to hear (and occasionally see) nocturnal marsh birds, specifically rails, including Black rails, Yellow rails, Clapper and King rails, and Sora. We also have several owl species present in this locale, including Barn owls, Great horned owls, and, in winter, Short-eared owls. We have almost the only reliable owl species accounted for annually during the Audubon led spring and Christmas counts for Galveston County. Where in our greater preserve do we get these birds? Right along Loop 197. Your bridge will almost assuredly negatively impact nocturnal and other birds and it will also eliminate the ability of even the roadside birder to enjoy them.

Our preserve is on the Great Texas Coastal Birding Trail, with the O'Quinn Corridor and the Amoco Settling Ponds / Swan Lake sites (including our northern perimeter along 197) as sites #72 and 73, respectively. Why would Texas City and TxDOT undermine this ecotourism resource, part of a joint TxDOT / TPWD program dating to the Bush administration, by placing a bridge on top of it? We are absolutely baffled.

We also have very specific questions about the proposed relocations of several pipelines and electrical ROW's present in the connector project area. To single out one example, the High Island Flow System, today operated by Chevron --this pipeline crosses the preserve for several miles before turning alongside Loop 197 on our land and then crossing Loop 197 near our Campbell Bayou Road entrance. How is TxDOT proposing to relocate this pipeline and not affect our land?

A last concern we have about the whole EA and process by which TxDOT has arrived at this preferred project alternative involves NEPA procedure coupled with cumulative impacts issues. We have long known that the Texas City Y Interchange would be modified eventually. In addition, as I stated in my verbal comments at the hearing May 27, we have also heard, for years, that I-45 would be adding lanes, although not expanding in terms of ROW width (this was documented in PBSJ's I-45 study done in the 1990's when we first began purchasing land in the I-45 Corridor). There are minor references to the Connector project being part of a larger I-45 expansion project sprinkled throughout the EA. In the public presentation at the meeting, reference was made to "future I-45 expansion" when the alternatives analysis was discussed --it was specifically stated that the selected alternative, among other things, was most suitable for working with future I-45 expansion plans. Yet no mention of cumulative impacts appears in any of the documentation or "no impacts" determinations prepared by TxDOT in support of the Loop 197 connector project. Given that we own - cumulatively - more than 5 miles of road frontage at this locale, we find this quite alarming. NEPA rules suggest transparency, indicating that affected landowners should be consulted throughout the process for a project of this nature. We would strongly disagree that being invited to (now) three public hearings during six years counts as working with the landowner - especially when none of our pleas to move the connector away from our preserve lands along Loop 197 have ever been in any way addressed. TxDOT just keeps coming back with the same alternatives, year after year.

TxDOT is under threat of not being renewed under Sunset rules. We'd respectfully suggest this project might be a good example of what's wrong with the Department. The manner in which highway projects like this are run in terms of meaningful involvement of your sometimes-competing constituents is truly dreadful.

This project is a \$55 million boondoggle. It's time for a different approach.

Sincerely,

Lalise Mason

Lalise Mason
Land Chairman
713-664-1870

cc:

Jim Heacock, TxDOT
Gus Cannon, TxDOT
Gary Trietsch, TxDOT
Carter Smith, TPWD
William Schubert, TPWD
Jerry Patterson, TGLO

Tim Beeton
John M. O'Quinn
Jim Blackburn
Margaret Lloyd, SCENIC TEXAS
Evangeline Whorton, SCENIC GALVESTON
SCENIC GALVESTON Executive Board
Rep. Ron Paul
Senator Mike Jackson
Senator Kay Bailey Hutchison
Hebert Taylor, Galveston County Daily News
T.J. Aulds, Galveston County Daily News
Joel Deretchin, Houston Wilderness
Brandt Mannchen, Houston Sierra Club
Terral Smith



Public Hearing
LP 197 Direct Connector
Texas City, Texas



COMMENT FORM (FORMA DE COMENTARIO)
May 27, 2009

Thank you for attending the LP 197 Direct Connector Public Hearing. Your comments are important and will be taken into consideration regarding the proposed LP 197 Direct Connector project.

Gracias por asistir el elepe 197 Audición Directa del Público de Conector. Sus comentarios son importantes al desarrollo de este proyecto y seran tomado en consideracion.

Name (Nombre): Liz Gimmeler Phone (Teléfono): 713-248-2019
Address (Dirección): 1572 Chaparral Mont. Tx. 77316

PLEASE COMPLETE THE APPROPRIATE ITEMS BELOW:
POR FAVOR COMPLETE LOS ARTICULOS APROPIADOS ABAJO:

1. How did you hear about this hearing? / Como se informo de esta asamblea?

- Newspaper / Periodico
Received Notice by Mail / Aviso por Correo
SCENIC GALVESTON,
Told by Friend or Neighbor / Amigo o vecino
Other (please explain) / Otro (por favor explique)

2. I am primarily interested in the project from the standpoint of a:
Estoy interesado principalmente en el proyecto del punto de vista de a:

- Residential property owner or renter
Dueño de propiedad residencial o arrendatario
Highway User
Usuario de Carretera
Business property owner or lessee
Dueño de propiedad comercial o arrendatario
Other (please explain)
Otro (por favor explique)

COMMENTS (COMENTARIOS):

I don't think the loop 197 connector should go into on the proposed site. Please reconsider of options further down towards 519 on Tx 3. I think it is very important to divert traffic from the proposed area; it is an area too close to Galveston Bay. Please reconsider stopping this site and use another way.

Thank you.

CSJ: 0500-04-112 (TL)

PLEASE RETURN THIS FORM DURING THE MEETING OR
SUBMIT BY MAIL BY JUNE 10, 2009

POR FAVOR DEVUELVA ESTA FORMA DURANTE LA REUNIÓN O
ENVIAR POR CORREO EN JUNIO 10, 2009

Alex Parkman
3119 Ash Drive
Dickinson, TX 77539

5 June 2009

Texas Department of Transportation
Att: Director of Project Development
P.O. Box 1386
Houston, TX 77251 – 1386

RE: Loop 197 Direct Connector – Texas City, TX

To the Department of Transportation:

Thank you for holding the public hearing on the Loop 197 Direct Connector in Texas City on 27 May 2009.

I congratulate you on the planning of this road:

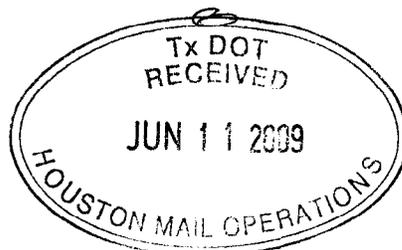
1. The current Texas City Wye interchange is extremely challenging, and can be treacherous, especially for large trucks.
2. The elevated roadway has minimal impact to the marsh area.
3. The new road will help emphasize the natural beauty of adjacent properties.
4. West of GCWDA, between Loop 197 and Swan Lake is some marsh land owned by the Kohfeldt family, who have verbally supported the port project on Shoal Point.
5. The additional truck traffic on Loop 197 related to the port project will in all likelihood REDUCE emissions by having the ships bringing containerized cargo closer to its destination.

Please pursue this new roadway as a high priority.

Sincerely,



Alex Parkman



Loop 197 Emailed Public Comments

1) >>> <oad3@verizon.net> 5/30/2009 6:40 PM >>>

Name: dan<oad3@verizon.net>

Address:

508 wakefield drive

league city, tx 77573

281-338-9909

Comment: please email or regular mail the summary from your May 27, 2009 public meeting held at Texas City, Texas

2) From: Page Williams <page.williams@gmail.com>
To: <HOU-PIOWEBMAIL@dot.state.tx.us>, <GCANNON2@dot.state.tx.us>
Date: 6/10/2009 11:06 AM
Subject: Loop 197 Connector comment

TO: Mr. Pat Henry, Director of Project Development, Houston
Mr. Jim Heacock, Deputy Director of Project Development, Houston
Mr. Gus Cannon, Director of Texas Department of Transportation, Austin

Gentlemen:

As a friend of the I-45 Estuary and Scenic Galveston, I regret that I was unable to travel to the May 27 hearing on this matter. And I regret more deeply that TXDOT seems intent on unnecessary destruction of wetlands that many citizens of Texas have contributed valuable time and money to create and/or restore.

Your planned roadway is redundant, and an unnecessary intrusion into the Virginia Point Peninsula Preserve. A more cost-efficient, and less environmentally destructive, alternative has been suggested - I urge you to adopt it. It is time for TXDOT to consider the priorities of the people of Texas, not the priorities of a few engineers. Why have public hearings if you have no intention of considering the comments and suggested alternatives of the public?

Thank you,

(Ms.) Page S Williams
2234 Ashford Hollow Lane
Houston TX 77077-5814
281-679-7221 - home phone

3) From: <evangelinewhorton@yahoo.com>
To: <HOU-PIOWEBMAIL@dot.state.tx.us>
CC: Pat Henry <PHENRY@dot.state.tx.us>, Jim Heacock <jheacock@dot.state.tx.us>, Tim Beeton <tbeeton@SimpsonBeeton.com>, "John M. O'Quinn" <PAMB@oqlaw.com>
Date: 6/10/2009 12:13 PM
Subject: SCENIC GALVESTON Advocates Hwy 519 and Hwys 3 /146 for Port Truck Route

TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT Houston District):

I speak as the Chairman of SCENIC GALVESTON, Inc. (SG) regarding TxDot's proposed project of direct connectors and elevated bridge construction on and from Interstate 45 and expanding development of Loop 197. Such elevated engineered concrete features --- as described or studied in your Survey, Environmental Assessment, and Appendices including retaining walls, ramps, connectors and bridges --- will flank and front the entire length of SG's Virginia Point Peninsula Preserve (VPPP) land on Loop 197, along with SG's only entrance and that of the Gulf Coast Waste Disposal Authority (GCDWDA).

Significant premiere scenery, with habitat for both indigenous, neotropical, other migrating birds and waterfowl, wildlife, aquatic species, and plant communities including wetlands, *Spartina patens* meadows and native prairies owned by our scenic habitat conservation service organization will be negatively impacted by such massive and mega roadway "over-development" flanking its northern boundaries along Loop 197.

SCENIC GALVESTON remains irrevocably opposed to this insensitive cost expenditure of the Loop 197 project when TxDot currently has had extenuating budget concerns, citizens' wrath, and this project first estimated at \$44,000,000, which now has ballooned to a whopping \$55,000,000 taxpayer dollars! Perhaps the Ports of Texas City should be partners in cost sharing this \$55,000,000?

TxDot told us at the Public Hearing on the 27th they await federal dollars to finance the project -- but we must remember those funds are taxpayers' dollars in an economic climate that abhors wasteful and extravagant spending. Good examples are the Grand Parkway and Loop I-10 near Houston.

The elevated walls, bridge and connectors of this project will spoil significant spectacular views of the VPPP, and produce consequential permanent, "upsetting" ecological alterations and perhaps even destabilization in SG's habitat system for species in the VPPP? This project also includes ancillary and indirect substantial impacts by storm water, sheet flow disturbances, tributary course changes, contamination, and overburdening lighting systems. These changes displace species of birds and night active species like marsh dwelling rails and owls and other nocturnal birds and wildlife in foraging, resting, propagating and nesting. All life, both mammal, aquatic, birdlife and human users of the northside frontage of the preserve along Loop 197 will be exposed to heightened air pollution, affecting both water and land, its plant communities, by diesel fumes and petrochemicals along with floodplain destruction, fragmentation and the future continuum of noise as a major truck route is developed on Loop 197. As well, included in the greater tract of the Virginia Point

Peninsula Preserve's 1,500 acres (and pending acquisition of 339 more acres) are Threatened and Endangered species of birds and wildlife.

SG's decision to oppose the Loop 197 routing has been engendered by all the above reasons but also by a "not fair play performance" by TxDot long years since SG was created in 1992. Never has TxDot dialogued with us in partnership about running a major transportation system through and bisecting our preserve or support any attempts to work together creating and maintaining a natural estuary on both sides of the I-45 Corridor we "care take" as land trust stewards and as the conservation preserve property owner. All of our preserve units have been acquired without taxpayers' dollars and are open non-intrusively to the public every day of the year without any user fees.

Another continuing thorn is intrusive "nonconforming" billboards that TxDot seems to routinely give the upper hand to the outdoor advertising company over our scenic public preserve wetlands we own. TxDot, to date, has not enforced its own Texas Administrative Code rules and guidelines while giving abundant advantages to the billboard companies in our preserves. This has not fostered friendship or support for TxDot.

And the grievance of all grievances on this project had its beginning in 2003. Before SG acquired the Virginia Point Peninsula Preserve from the University of Texas System, we did have one dialogue with TxDot, where we were told by the Houston District Office that there were no plans to develop Loop 197. About the same time -- returning to the I-45 Corridor preserve discussion --- SG received an e-mail and had a telephone conversation that high masted cluster lights would not be used in our I-45 Corridor Preserve. However, today, such intense lighting towers are located on the north end and on the south end of the John M. O'Quinn I-45 Estuarial Corridor's transportation system casting 4-acre orbits into our wetlands habitat. 12-hour intense lighting, 100 times greater than the full moon, are cast over our adjacent marsh preserves every day. Baffling the cluster lights on the south end has reduced the circumference of the fall out lighting but it is still too intense to create a normal cycle of lighting for nocturnal species. What is the proposal for lighting on the Loop 197? The EA does not discuss that. In fact the EA is grossly deficient.

In 2004, SG attended two public hearings-- one in Bayou Vista and a large public hearing in Texas City--about the truck traffic issues surrounding the Texas City Wye and plans to solve the issue. The citizenry opposed the diagrams presented with Loop 197 as its sole focus, and TxDot agreed that it would explore a truck route entering far north of the Texas City Wye and Bayou Vista. The notice we received earlier this year had only one alternative, and it was one strongly opposed in 2004. So, SCENIC GALVESTON and the Gulf Coast Waste Disposal Authority requested a public hearing, and on May 27th it was held in Texas City. Same song -- no investigation or change from the 2004 Public Hearing proposals and no connector to the I-45 further north at Hwy 519 as requested.

Therefore, our own volunteer team went out this past weekend, June 6, tracked it out, and found a viable, less costly alternative (we call it Alternative 4) that completely bypasses the Virginia Point Peninsula Preserve and Loop 197--- and it is a more direct truck route in line with the Ports at Texas City rather than coming so far south and entering or leaving at Loop 197. Alternative 4 could use a combination of Highway 3 / Hwy 146 north of I-45, turning east on (Main Street) or Highway 519,

which leads directly to the Port through existing industrial land. TexTin is now a remediated waste land and lies nearby and is for sale. Probably zero eminent domain would be required. Few residences would be affected; no pipelines or utilities would need to be moved; no bridges built. This is the route the citizenry asked for in 2004, but for some reason TxDot did not provide that investigation as an Alternative 4 on Wednesday night, May 27th. Why?

Right now - TODAY - a transport truck can use SG's suggested Alternative 4 and avoid all at-grade railroad crossings, except the rail spur at the immediate entrance to the Port (which is unaddressed by any solution proposed by TxDot). If connectors need to be built, they could streamline this route for truck access from I-45 to Highway 3 / Highway 146, instead of costly new elevated connectors and bridging on Loop 197. It is the answer, and it is what the citizens in the 2004 Public Hearings requested that TxDot provide. Why was this not done?

Why is TxDot trying to build another elevated roadway when Highway 146 already has a grade-separated rail crossing just north of the preserve? (This existing bridge is not shown on the Alternative diagrams presented in any of the TxDot hearings.) In short, there is no need or reason for the \$55,000,000 boondoggle on Loop 197 or putting the Virginia Point Peninsula Preserve out of view sight, obscuring its splendor, by concrete over-development of ramps, retaining walls, and fly-over bridges or otherwise complicating the preserve access.

SG is opposed to TxDot's proposal, and we urge, solicit, and beg the Houston District Office to look at the peoples' plan and "conservation" as the driver for transport efficiency with the coming of the anticipated port business. The Port and Texas City will benefit, and they can partner with TxDot over developing Alternative Route 4, what we call the "people and truckers' roadway"!

One thousand naves to this project ruining the Virginia Point Peninsula Preserve and Loop 197. VPPP, too, will be the driver economically and ecologically for millions of visitors in the years ahead that will also benefit Texas City. We have just begun to fight the fight to save VPPP. We did that in 1989 with a Copper Smelter looming; we did that in 2001 with a federal Coastal Impact Assistance Program (CIAP) grant to acquire the land in February, 2004, to save it from petrochemical tank farms. Now it is permanently secure for all future generations of scholars, common men, scientists, and youngsters to observe and study nature, wildlife, birds, and the glory of coastal marshes and native prairies. We urge TxDot to take another look at Alternative 4 to satisfy all the participants and land owners involved in developing this "other" truck route mandated by the 2004 public hearings.

Thank you, Greg and Lalise, for finding a better route --- you did PBS & J's job for free!

EVANGELINE WHORTON
Chairman, SCENIC GALVESTON
979-234-2096
409-789-4996

4) From: Margaret Lloyd <margaretlloyd@sbcglobal.net>
To: <HOU-PIOWEBMAIL@dot.state.tx.us>
CC: <evangelinewhorton@yahoo.com>, Pat Henry <PHENRY@dot.state.tx.us>, Jim Heacock <jheacock@dot.state.tx.us>, Tim Beeton <tbeeton@SimpsonBeeton.com>, "John M. O'Quinn" <PAMB@oqlaw.com>
Date: 6/10/2009 2:52 PM
Subject: Scenic Texas Advocates for an alternate route to Loop 197

To:TxDOT officials in charge of this project.
From:Margaret Lloyd, Policy Director Scenic Texas, Inc.
RE:TxDOT Loop 197 project
Date:June 10, 2009

Scenic Texas urges the reconsideration of TxDot's proposed project to expand Loop 197.

We are concerned that the elevated engineered concrete features described in the Survey, Environmental Assessment, and Appendices will front the entire length of the Virginia Point Peninsula Preserve (VPPP) land on Loop 197. Significant premiere scenery, with habitat for both indigenous, neotropical, other migrating birds and waterfowl, wildlife, aquatic species, and plant communities including wetlands, *Spartina patens* meadows and native prairies owned by a scenic habitat conservation service organization will be negatively and permanently impacted by this proposed project.

The elevated walls, bridge and connectors of this project will spoil significant spectacular scenic views of the VPPP, and produce consequential permanent "upsetting" ecological alterations and perhaps even destabilization in the habitat system for species in the VPPP. These changes will likely displace species of birds and night active species like marsh dwelling rails and owls and other nocturnal birds and wildlife in foraging, resting, propagating and nesting. All life, both mammal, aquatic, birdlife and human users of the northside frontage of the preserve along Loop 197 will be exposed to heightened air pollution, affecting both water and land, its plant communities, by diesel fumes and petrochemicals long with floodplain destruction, fragmentation and the future continuum of noise as a major truck route is developed on Loop 197.

Scenic Galveston members have worked for years to create and maintain the natural estuary on both sides of the I-45 corridor. Dedicated citizens have acted as loving caretakers and stewards to conserve and preserve these lands for generations to come.

We support Scenic Galveston's opposition to this proposal and urge TxDOT to adopt a less intrusive alternate route that will not have the permanent and negative impact on this natural estuary that is home to so much wildlife, a monument to so much beauty and a learning field for so many people.

Respectfully submitted,

Margaret Lloyd
Policy Director
Scenic Texas
3015 Richmond Ave., Suite 220
Houston, TX 77098
713-898-2819 mobile
lloyd@scenictexas.org
margaretlloyd@sbcglobal.net

5).From: Richard Peake <rpeake1@hotmail.com>
To: <hou-piowebmail@dot.state.tx.us>
Date: 6/9/2009 3:27 PM
Subject: Highway 197 changes

I am writing to oppose the expensive, wasteful, and destructive proposals of TDOT for a connector from I-45 to Texas City to replace Highway 197. I am in favor of a much less costly alternative (call it Alternative 4) that bypasses Virginia Point Peninsula Preserve along Loop 197. Alternative 4 could use a combination of Highway 3 / Hwy 146 north of I-45, turning east on (Main Street) Highway 519, which leads directly to the Port through existing industrial land. Probably zero eminent domain would be required. Few residences would be affected; no pipelines or utilities would need to be moved, no bridges built. Right now - TODAY - a truck can use this suggested alternate route and avoid all at grade railroad crossings, except the rail spur at the immediate entrance to the Port (which is, in any case, unaddressed by any solution proposed by TxDOT). If connectors are to be built, they could, instead, streamline this route for truck access from I-45 to Highway 3 / Hwy 146 instead of new elevated connectors and bridging on Loop 197.

Why is TxDOT building another elevated roadway when Highway 146 already has a grade-separated rail crossing just north of the preserve? Who is profiting from this wasteful use of taxpayer money? (This existing bridge is not shown on the alternative diagrams presented in any of the TxDot hearings.) There is no need for this \$55 million boondoggle on Loop 197.

I am very much in favor of an improved truck route from I-45 to the Port of Texas City that can be utilized (if the Port of Shoal Point ever comes on line with financiers and the Panama Canal in 2014 develops as the Mayors at Texas City contend). Nonetheless, I am irrevocably opposed to this ultra development of Loop 197 when there is another suitable and cost efficient alternative---one that does not ruin the 1,839-acre Virginia Point Peninsula Preserve.