PUBLIC HEARING SUMMARY REPORT

IH 45 / LP197 Direct Connectors Project

Galveston COUNTY, TEXAS
CSJ: 0500-04-112

<u>Public Hearing</u>
May 27, 2009
6:00 p.m. to 8:00 p.m.
Nessler Center
2010 5th Avenue North
Texas City, Texas 77590

Presented by:

Texas Department of Transportation

In association with:

PBSJ

S&B INFRASTRUCTURE, LTD.
Engineering Management Technology

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C E R T I F I C A T I O N

County: Galveston County
Highway: IH 45 / LP 197 Direct Connectors
CSJ: 0500-04-112

This is to certify that:

1. A Public Hearing was held at **Nessler Center, 2010 5th Avenue North, Texas City, Texas on May 27, 2009.**

2. The economic, social and environmental effects of the project's location and design and its impact on the environment have been considered.

3. In determining economic, social and environmental effects, the statutory provisions of the Civil Rights Acts of 1964 have been considered.

4. The project's consistency with the goals and objectives of such urban planning as promulgated by the community have been considered.

_____
Date

_____
Gabe Johnson
Director of Transportation Planning at Development
TxDOT Houston District

IH 45/LP 197 Direct Connectors
Public Hearing Summary

Hearing Date:	May 27, 2009
Hearing Location:	Nessler Center 2010 5th Avenue North Texas City, Texas 77590
Hearing Purpose:	To present the findings of preliminary engineering studies, environmental studies, and the recommended alignment for public input.
Hearing Format:	6:00 p.m. to 7:00 p.m. Exhibits for public viewing and comment. 7:00 p.m. to 8:00 p.m. Formal presentation and public comments.
Attendance:	Citizens – 50 Elected Officials – 2
Publications:	*Houston Chronicle* – 4/27/2009, 5/11/2009, 5/16/2009 *La Voz* – 4/29/2009, 5/20/2009 *Galveston Daily News* – 4/27/2009, 5/16/2009
Hearing Summary:	The public hearing allowed for comments and questions regarding the proposed construction of a direct connector from Interstate Highway (IH) 45 to Loop 197 at the Port of Texas City at Shoal Point.

Public Hearing Attendants

Texas Department of Transportation
Gabe Johnson, P.E.
Terri Leeson
Courtney Blechle
Lance Olenius
Rachel Snow
Brandon Hobbs
Sarah Wyckoff
Elizabeth Martin (ROW)
Felicia Shamlin (ROW)
Pat Henry, P.E.
Susan Theiss
Eddy Chang, P.E.
Paul Bartholomew
Bharat Patel
Roger Gonzalez, P.E.
Jim Heacock, P.E.
Charles McLachlan
Levan Richardson
Bill Babbington, P.E.

PBS&J
Heather Dusek
Casey Hall
Jeremy Marshall
Christine Clay
Aaron Orlando

S&B Infrastructure, LTD.
Danny Rios, P.E.
Wade Zhao, P.E.

McClure Court Reporting
Stephanie McClure Lopez

LEGAL NOTICES AND PUBLICATIONS

AFFIDAVIT OF PUBLICATION

12-056

STATE OF TEXAS:

COUNTY OF HARRIS:

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on the day personally appeared: GAIL FEAGINS, who after being duly sworn, says that she is the ACCOUNTS RECEIVABLE LEAD at the HOUSTON CHRONICLE, a daily newspaper published in Harris County, Texas, and that the publication, of which the annexed herein, or attached to, is a true and correct copy, was published to-wit:

TEXAS DEPT OF TRANSPORTATION 23665499 26742225
RAN A LEGAL NOTICE
SIZE BEING: 1 X 109 L

product	date	class	page
hc	Apr 27 2009	1245.0	C_monlg_1

Gail Feagins

GAIL FEAGINS
ACCOUNTS RECEIVABLE LEAD

ACCTG RECD
MAY 05 2009
Dist 12

Sworn and subscribed to before me, this the 27th Day of April A.D. 2009

NOTARY PUBLIC STATE OF TEXAS
VERONICA M TYRONE
NOTARY PUELIC, STATE OF TEXAS
MY COMMISSION EXPIRES
FEB. 10, 2012

Veronica M Tyrone

Notary Public in and for the State of Texas

AFFIDAVIT OF PUBLICATION

12.062

STATE OF TEXAS:

COUNTY OF HARRIS:

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on the day personally appeared: GAIL FEAGINS, who after being duly sworn, says that she is the ACCOUNTS RECEIVABLE LEAD at the HOUSTON CHRONICLE, a daily newspaper published in Harris County, Texas, and that the publication, of which the annexed herein, or attached to, is a true and correct copy, was published to-wit:

TEXAS DEPT OF TRANSPORTATION 23692479 26742225
RAN A LEGAL NOTICE
SIZE BEING: 1 X 109 L

product	date	class	page
hc	May 11 2009	1245.0	C_monlg_1

Gail Feagins

GAIL FEAGINS
ACCOUNTS RECEIVABLE LEAD

ACCTG RECD
MAY 20 2009
Dist 12

Sworn and subscribed to before me, this the 11th Day of May A.D. 2009

PENNY STOW
NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES
FEB. 4, 2010

Penny Stow

Notary Public in and for the State of Texas

AFFIDAVIT OF PUBLICATION

12-062

STATE OF TEXAS:

COUNTY OF HARRIS:

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on the day personally appeared: GAIL FEAGINS, who after being duly sworn, says that she is the ACCOUNTS RECEIVABLE LEAD at the HOUSTON CHRONICLE, a daily newspaper published in Harris County, Texas, and that the publication, of which the annexed herein, or attached to, is a true and correct copy, was published to-wit:

TEXAS DEPT OF TRANSPORTATION 23702105 26742225
RAN A LEGAL NOTICE
SIZE BEING: 1 X 109 L

product	date	class	page
hc	May 16 2009	1245.0	C_satlg_1

Gail Feagins

GAIL FEAGINS
ACCOUNTS RECEIVABLE LEAD

ACCTG RECD
MAY 2 2 2009
Dist 12

Sworn and subscribed to before me, this the 16th Day of May A.D. 2009

NOTARY PUBLIC STATE OF TEXAS
PENNY STOW
NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES
FEB. 4, 2010

Penny Stow

Notary Public in and for the State of Texas

AFFIDAVIT OF PUBLICATION

12-054

STATE OF TEXAS:

COUNTY OF HARRIS:

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on the day personally appeared: GAIL FEAGINS, who after being duly sworn, says that she is the ACCOUNTS RECEIVABLE LEAD at the HOUSTON CHRONICLE, a daily newspaper published in Harris County, Texas, and that the publication, of which the annexed herein, or attached to, is a true and correct copy, was published to-wit:

TEXAS DEPT OF TRANSPORTATION 23654827 26742225
RAN A LEGAL NOTICE
SIZE BEING: 1 X 112 L

product	date	class	page
lv	Apr 29 2009	1245.0	H_lavoz_2

Gail Feagins

GAIL FEAGINS
ACCOUNTS RECEIVABLE LEAD

ACCTG RECD
MAY 07 2009
Dist 12

Sworn and subscribed to before me, this the 29th Day of April A.D. 2009

NOTARY PUBLIC STATE OF TEXAS
VERONICA M TYRONE
NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES
FEB. 10, 2012

Veronica M Tyrone

Notary Public in and for the State of Texas

AFFIDAVIT OF PUBLICATION

12.061

STATE OF TEXAS:

COUNTY OF HARRIS:

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on the day personally appeared: GAIL FEAGINS, who after being duly sworn, says that she is the ACCOUNTS RECEIVABLE LEAD at the HOUSTON CHRONICLE, a daily newspaper published in Harris County, Texas, and that the publication, of which the annexed herein, or attached to, is a true and correct copy, was published to-wit:

TEXAS DEPT OF TRANSPORTATION 23692545 26742225
RAN A LEGAL NOTICE
SIZE BEING: 1 X 133 L

product	date	class	page
lv	May 20 2009	1245.0	H_lavoz_1

Gail Feagins
GAIL FEAGINS
ACCOUNTS RECEIVABLE LEAD

ACCTG RECD
MAY 28 2009
Dist 12

Sworn and subscribed to before me, this the 20th Day of May A.D. 2009

NOTARY PUBLIC STATE OF TEXAS
PENNY STOW
NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES
FEB. 4, 2010

Penny Stow
Notary Public in and for the State of Texas

A F F I D A V I T

12-057

Attachment

ACCTG RECD
MAY 07 2009
Dist. 12

County of Galveston §
§
State of Texas §

Before me, the undersigned authority, on this day personally came and appeared **Lois Colvin**, to me well known (or proved to me on the basis of satisfactory evidence), and who after being duly sworn (affirmed) did depose and say that she is an **AGENT** for **THE GALVESTON COUNTY DAILY NEWS**, a newspaper of general circulation, which has been continuously and regularly published for a period of not less than one year, in the County of Galveston, and that the **NOTICE**, a copy of which is hereto attached was published in said newspaper on the following days, to wit:

April 27, 2009

Lois Colvin
Agent Signature

Sworn and subscribed before me

On this the 27th day of April, 2009

Lynette Tisdale
Notary for the State of Texas

LYNETTE TISDALE
Notary Public, State of Texas
My Commission Expires
2-11-2012

A F F I D A V I T

12-063

Attachment

County of Galveston §
§
State of Texas §

Before me, the undersigned authority, on this day personally came and appeared **Lois Colvin**, to me well known (or proved to me on the basis of satisfactory evidence), and who after being duly sworn (affirmed) did depose and say that she is an **AGENT** for **THE GALVESTON COUNTY DAILY NEWS**, a newspaper of general circulation, which has been continuously and regularly published for a period of not less than one year, in the County of Galveston, and that the **NOTICE**, a copy of which is hereto attached was published in said newspaper on the following days, to wit:

May 16, 2009

Lois Colvin
Agent Signature

Sworn and subscribed before me

On this the 16th day of May, 2009

Lynette Tisdale
Notary for the State of Texas

ACCTG RECD
MAY 22 2009
Dist 12

LYNETTE TISDALE
Notary Public, State of Texas
My Commission Expires
2-11-2012

MAILING LIST

BARRY & CHERYL KANE
44 N OMEGA DR
LA MARQUE, TX 77568

CAROLYN A TOMPKINS
32 N OMEGA ST
LA MARQUE, TX 77568

BENEDICT V & CONNIE JO POKLUDA
10342 BRIAR FOREST DR
HOUSTON, TX 77042

BP PIPELINE (NA) INC C/O
Property Tax
PO Box 3092
Houston, TX 77253-3092

DANIEL OGRODOWICZ
PO BOX 7863
HOUSTON, TX 77270

BRIAN & JENNIFER MORROW
46 N OMEGA ST
LA MARQUE, TX 77568

BRIAN P CZEREWATY
17 N OMEGA ST
LA MARQUE, TX 77568-6531

ELLIS W HENRY
PO BOX 697
FRIENDSWOOD, TX 77549-0697

CENTERPOINT ENERGY INC
HOUSTON ELECTRIC
AD VALOREM TAX DEPT
PO BOX 1475
HOUSTON, TX 77251-1475

CHRISTOPHER S & DEANNA K MORTON
36 N OMEGA DR
LA MARQUE, TX 77568-6534

GEORGE & CHERYL DELOSSANTOS
PO BOX 300517
ARLINGTON, TX 76007-0517

DARRIN & ANGELA NELSON
24 NORTH OMEGA ST
LA MARQUE, TX 77568

DIANE E SEDILLO
627 SAND CRANE CT
BRADENTON, FL 34212

H QUANTUM CORP
16650 PINE FOREST #B
HOUSTON, TX 77084

ESSENTIAL ENTERPRISES, LLC
4502 WATER POINT
MISSOURI CITY, TX 77459

BP PRODUCTS (NA) INC
C/O BP PROPERTY TAX DEPT
PO BOX 3092
HOUSTON, TX 77253-3092

JACK F SR & JACQUE ABERCIA
208 W COWAN
HOUSTON, TX 77007

GEORGE E & DOROTHY S DANNELLY
21 N OMEGA ST
LA MARQUE, TX 77568-6531

GWENDOLYN A MEGALE
31 N OMEGA DR
LA MARQUE, TX 77568

JOHN M JR & KIMBERLY J DORECK
5 N OMEGA ST
LA MARQUE, TX 77568-6531

JAMES D & BARBARA SHEPPARD
3725 TEXAS AVE
LA MARQUE, TX 77568-3211

KENNETH A BARNES
18 N OMEGA ST
LA MARQUE, TX 77568-6532

KENNETH B & DOLORES J ROBERTS
PO BOX 8
HITCHCOCK, TX 77563

WALTER G PRICE
15443 BLACKHAWK BLVD
FRIENDSWOOD, TX 77546-2803

LAWRENCE J DEL PAPA
6702 BROADWAY ST
GALVESTON, TX 77554-8906

WAYNE JOHNSON
35 N OMEGA ST
LA MARQUE, TX 77568-6531

LASALLE BANK NATIONAL ASSOC AS TR
FOR MERRILL LYNCH MTG INVESTORS
C/O 150 ALLEGHENY CENTER MALL
PITTSBURGH, PA 15212

M & R ENTERPRISES
13202 NICKLESON DR
WOODBRIDGE, VA 22193

MALLADI S REDDY
2398 BAYCREST
HOUSTON, TX 77058

LOOP CENTRAL ONE
ATTENTION: JEFF HILL
4888 LOOP CENTRAL
DRIVE,SUITE 600
HOUSTON, TX 77081

MICHAEL R ANNALORA
38 N OMEGA ST
LA MARQUE, TX 77568

MICHELLE B & RICHARD HOMMINGA
28 N OMEGA ST
LA MARQUE, TX 77568

MARY KAY & GLENN RAY SR BUMPAS
37 N OMEGA DR
LA MARQUE, TX 77568

OMEGA BAY IMPROVEMENT COMM INC
C/O PRINICIPAL MANAGEMENT GROUP
11000 CORPORATE CENTRE DR #150
HOUSTON, TX 77041

PAUL D NALBACK
5218 BAYOU DR
DICKINSON, TX 77539

MOTCO SITE TRUST FUND
2917 HIGHWAY 3
LA MARQUE, TX 77568-6000

PERRY & MAUREEN L BLAIR
4 N OMEGA DR
LA MARQUE, TX 77568

PHYLLIS O'KEEFFE
P O BOX 58525
HOUSTON, TX 77258-8311

PAUL III & MARY WATSON
40 N OMEGA ST
LA MARQUE, TX 77568-6532

RANDAL G COX
29 N OMEGA DR
LA MARQUE, TX 77568

EVANGELINE WHORTON
P.O. BOX 281
EAGLE LAKE, TX 77434

RICKY CLIFTON
GULF COAST WASTE DISPOSAL
AUTHORITY
910 BAY AREA BLVD
HOUSTON, TX 77058

ROSEMARY S BROOKS
19807 EXCALIBUR CT
HOUSTON, TX 77094

SANTIAGO J ROSAS
41 N OMEGA ST
LA MARQUE, TX 77568

ROCKPORT RESORT LLC
2176 CRANE HAWK
LEAGUE CITY, TX 77573

WILLIAM L SELPH
2511 BAYCREST DR
HOUSTON, TX 77058-3703

SOUTHERN RIDGE PIPELINE PARTNERS
LP ATTN: PROPERTY TAX DEPT
PO BOX 3092
HOUSTON, TX 77253-3092

SCENIC GALVESTON INC
20 COLONY PARK CIR
GALVESTON, TX 77551-1738

STEVEN P & NANCY D EVANS
33 N OMEGA ST
LA MARQUE, TX 77568-6531

TEXAS CITY TERMINAL RAILWAY
CO ATTN PROPERTY TAX DEPT
2425 HWY 146N
TEXAS CITY, TX 77590-8811

SOUTHWESTERN BELL
TELEPHONE CO PROP TAX DPT
RM 36-M-01
ONE SBC CENTER
ST LOUIS, MO 63101-3002

TOAN THIEN TANG
25 N OMEGA ST
LA MARQUE, TX 77568-6531

KENNETH ROBERTS
9 NORTH OMEGA DRIVE
LA MARQUE, TX 77568

THE CHILDRENS CENTER INC
PO BOX 2600
GALVESTON, TX 77553-2600

THOMAS E PEARCE
5758 STOKES ROAD
BELLVILLE, TX 77418

GEORGE L STEWART
2608 TAYLOR LANE
PEARLAND, TX 77581

WADE HARDISON
7 N OMEGA DR
LA MARQUE, TX 77568

Additional Contacts Post Public Hearing

Name	Street Address	City	Zip Code
C.S. Orellana	# 8 Tradewinds	Galveston	77554
Mary Sanders			
Mike Gosinich	9301 Paseo Lobo	Texas City	
Erik VanKunk	813 Bay Street # 85		
Cecilia Smith	2321 West Wind		
Sarah Raffray	319 13th Ave. N		
Barry Raffray	319 13th Ave. N		
Doug Kneupper	928 5th Ave. N	Texas City	
Alex Parkman	3119 Ash Drive	Dickinson	77539
Brandt Mannchen	5431 Carew	Houston	77096
Rick Harless	Omega Bay		
Mike Anderson	Omega Bay		
Matt Doyle	2510 Quaker	Texas City	
F.L. Bertling	1406 Bowie	La Marque	77568
Pete Smith	2321 Westward	La Marque	77568
Perri Strachon	3500 S Loop 197	Texas City	
Jim Scott	18906 Ketturn		
Dwayne Moreno	2401 Quaker Dr.	Texas City	77590
Dwight Spurlock	1522 22nd Ave.	Texas City	
Mike Fitzgerald	722 Moody	Galveston	77550
Richard Kirkpatrick	2765 3rd Ave. N.	Texas City	
Charles Doyle	1526 19th Ave. N.		
Ellie Childs	1801 Oleander	Dickinson	77539
Joseph Moss	P.O. Box 2645	Texas City	
Phil Roberts	P.O. Box 1797	Texas City	
D.R. Hutchinson	1705 15th Ave. N.	Texas City	
Jose Boix	1821 20th Ave N	Texas City	
Nick Finan	City of Texas City		
Evangeline Whorton	20 Colony Park Circle	Galveston	77551
Greg Mason	Scenic Galveston		
Virginia Brooke	813 Bay Street # 85		
Leo Reitan	511 Williamsburg Cir.	Friendswood	77546
Nora Hernandez	26 N. Sandpiper	La Marque	77568
Walter Miller	28 N. Omega Drive	La Marque	77568
Kenneth Roberts	9 N. Omega Drive		
Lori Gernhardt	Gulf Coast Waste Disposal		
Bill Pierce	49 North Omega		
Thomas Pearce	5758 Stokes Road	Bellville	77418
John Allaire	1210 Edwards Dr	San Leon	77539
Jack Cross	2811 22nd Ave. N.	Texas City	
Lalise Mason	2201 MacArthur St.	Houston	77030
Mike Megale	31 N. Omega	La Marque	
Gwen Megale	31 N. Omega	La Marque	
Stephen Holmes	2516 Texas Ave		
Clarence Rumancit	300 E. 8th		
G. Collins	7530 Haywood		

Mara Harless	53A N. Omega		
Liz Gimmler	1572 Chaparral	Montgomery	77316
EVK Communities	P.O. Box 634	Galveston	77553
Page Williams	2234 Ashford Hollow Lane	Houston	77077
City of Texas City	1801 9th Ave. North	Texas City	77590
Margaret Lloyd	3015 Richmond Ave., Suite 220	Houston	77098
Richard Peake	3213 Pine Street	Galveston	77551
Dan	508 Wakefield Dr.	League City	77573
William Schubet	1502 FM 517	Dickinson	77539

HANDOUTS

PURPOSE OF PUBLIC HEARING

The purpose of the public hearing is to present the findings of the preliminary engineering studies, environmental studies and the recommended alignment for public input.

COMMENTS

TxDOT is seeking your comments on the proposed project. Both verbal and written comments are welcome.

If you would like to speak during the "Opportunity for Public Comment" portion of the hearing, please fill out a speaker registration card located at the sign-in table. Each speaker will be limited to a period of 3 minutes.

Written comments may be submitted this evening or sent by mail to:

Texas Department of Transportation
Attn: Director of Project Development
P.O. Box 1386
Houston, Texas 77251-1386
or via email: HOU-PIOWEBMAIL@DOT.STATE.TX.US

All written comments must be postmarked or e-mailed by **June 10, 2009**, to be included in the official public hearing summary report.

PUBLIC HEARING SUMMARY REPORT

Please note that you will not receive a direct response to verbal or written comments. All verbal and written statements will be addressed in and made a part of the public hearing summary report. The report will be available Fall 2009. It can be viewed at TxDOT's Houston District Office, 7600 Washington Avenue Houston, Texas 77007. Hard copies will be available upon request. It will also be available on the TxDOT Houston District Office's web page, http://www.dot.state.tx.us/hou/

PUBLIC HEARING AGENDA

OPEN HOUSE
(6:00 p.m.—7:00 p.m.)

FORMAL PRESENTATION
(7:00 p.m.)

Welcome, Introduction, and History of the Project	Gabe Johnson, P.E. TxDOT Houston District
Project Information and Geometric Design	Daniel O. Rios, P.E. Project Manager, S&B Infrastructure
Environmental Studies	Casey Hall, Project Manager, PBS&J
Opportunity for Public Comment	TxDOT Houston District

PUBLIC HEARING

LP 197
Direct Connector
Galveston County, TX

Wednesday, May 27, 2009
Open House 6 p.m.
Presentation 7 p.m.

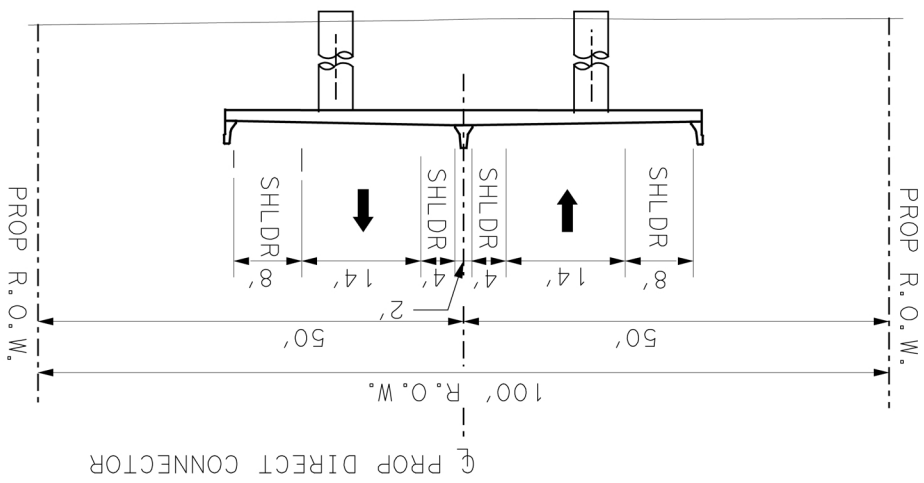
Nessler Center
2010 5th Avenue North
Texas City, Texas

Texas Department of Transportation

Texas Department of Transportation

NOTES:

PROPOSED TYPICAL SECTION



EXHIBITS PRESENTED DURING PUBLIC HEARING

Welcome to the Public Hearing for LP 197 Direct Connector

Galveston County, TX

Wednesday May 27, 2009
Open House 6 pm
Presentation 7 pm

Need and Purpose

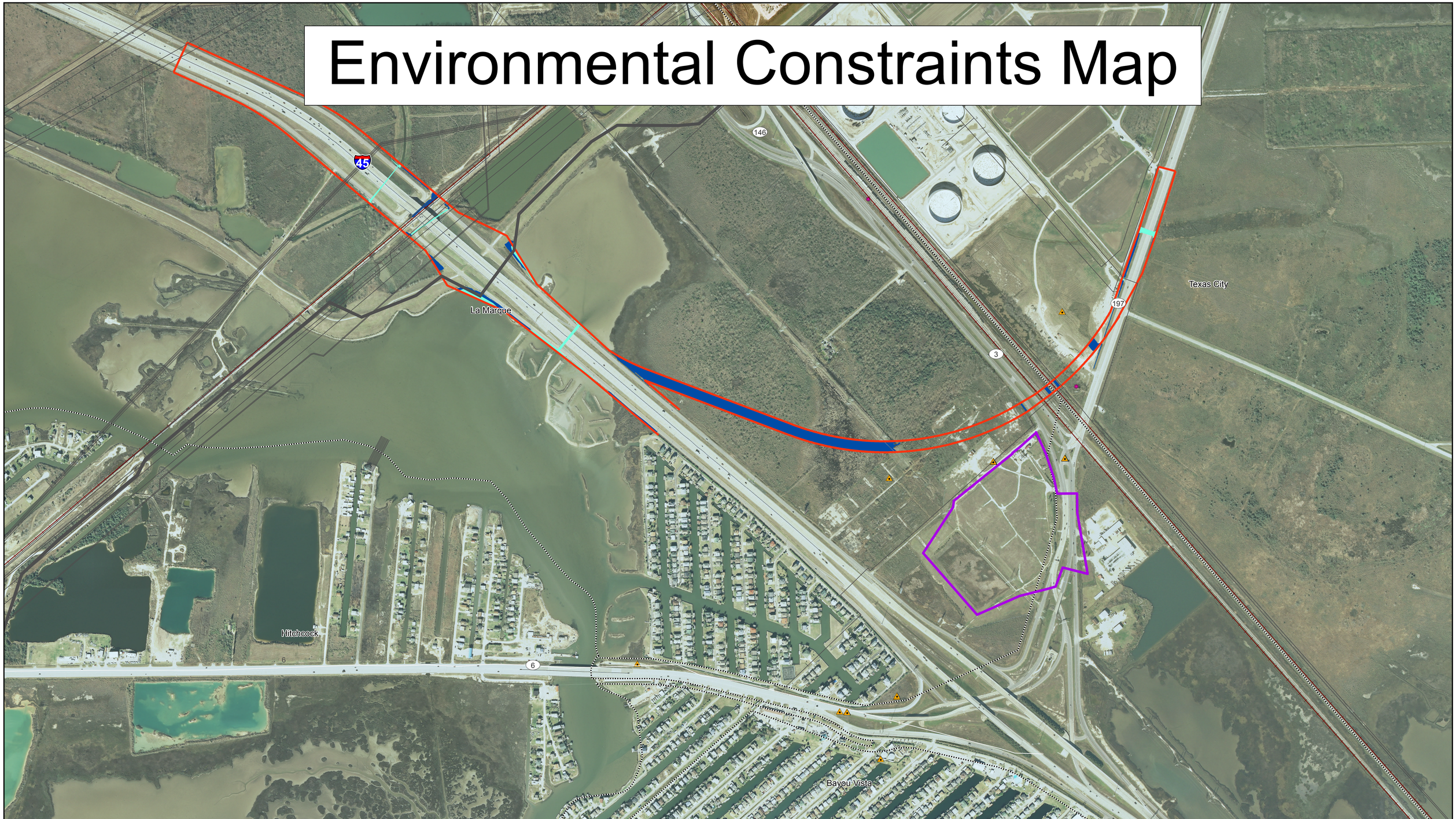
The need for the proposed project:

- Inefficient transitioning of traffic at the existing interchange
- Traffic congestion and delays due to the at-grade railroad crossing
- Future truck traffic from terminal facility at Shoal Point
- Current intersection is located within the 100-year floodplain

The purpose of the proposed project:

- Reduce traffic congestion
- Avoid congestion and delays
- Provide alternate routes for truck traffic
- Provide an alternate route which is not within the 100-year floodplain

Environmental Constraints Map



MOTCO: EPA 2008
Waters of the U.S. and Wetlands: PBS&J, 2004
Aerial: H-GAC, 2008

0 200 400 800 Feet

Legend

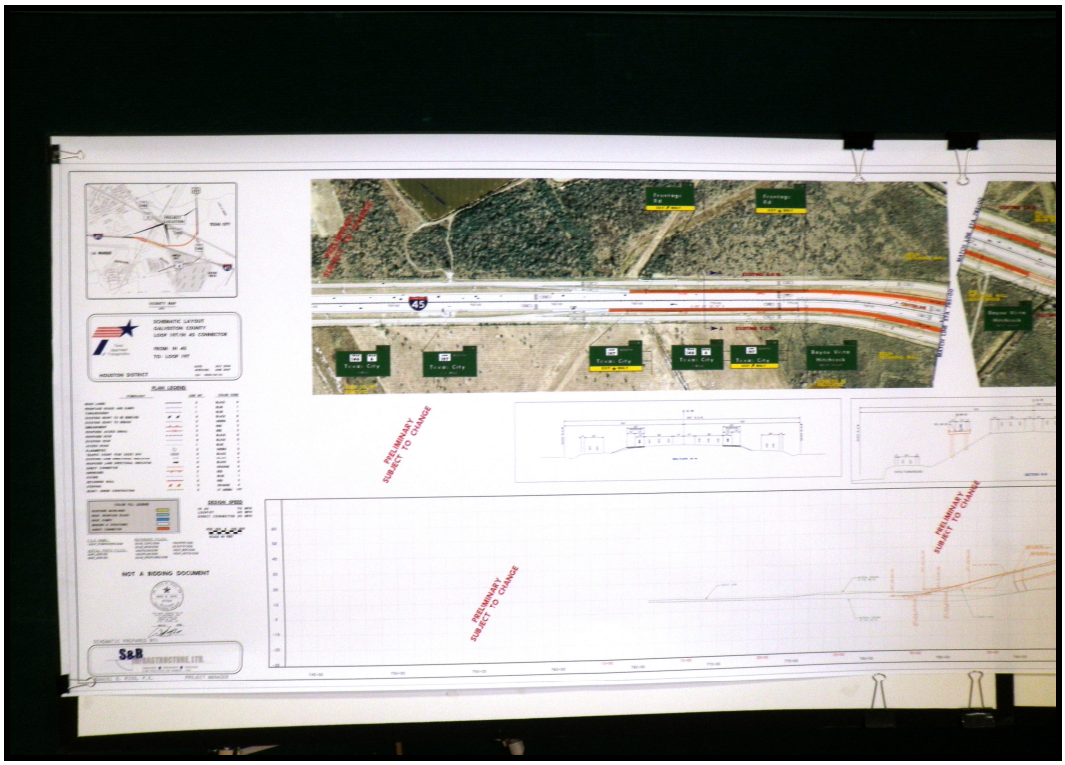
- Project Location
- Recorded Historic Structures
- Hazardous Materials Site
- Pipelines
- Rail Road
- Waters of the U.S.
- Wetland
- 100 Year Floodplain (Entire Project Area is within 100 year Floodplain)
- MOTCO Superfund Site
- City Limits

Texas Department of Transportation

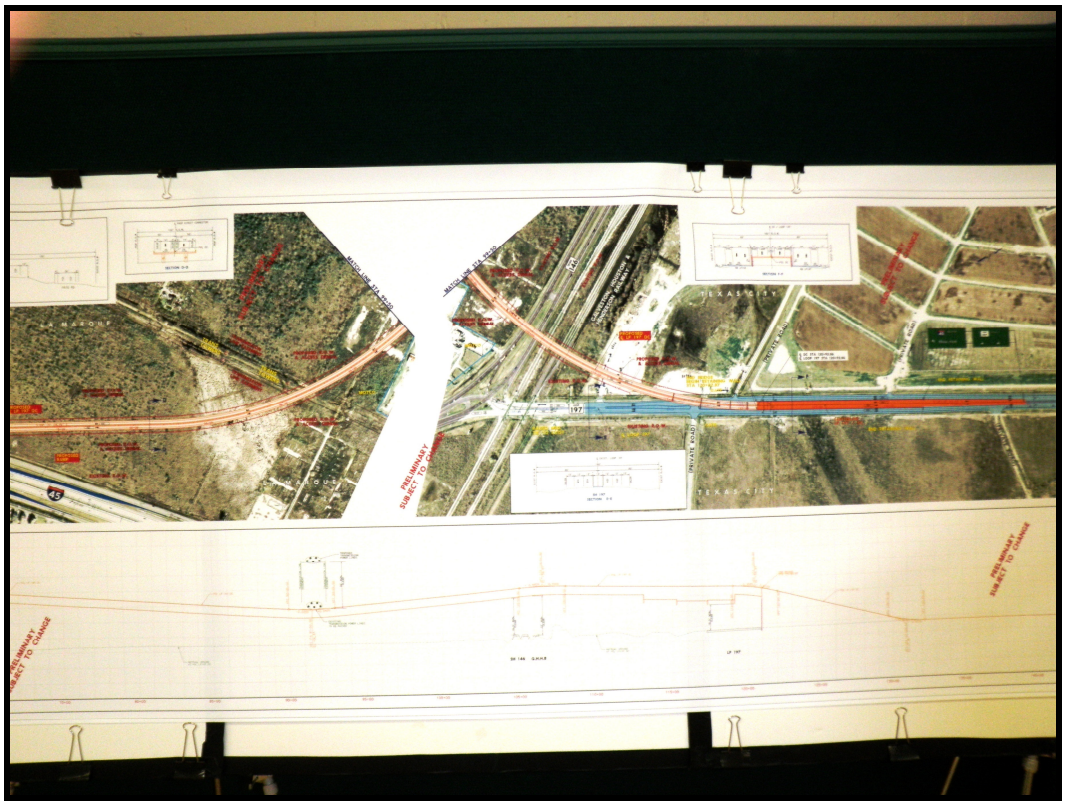
Environmental Constraints
LP 197 Direct Connector
Galveston County, Texas
CSJ: 0500-04-112

N:\Env\460122_09\projects\lp_197\Poster_EnvConst_400 May 2009

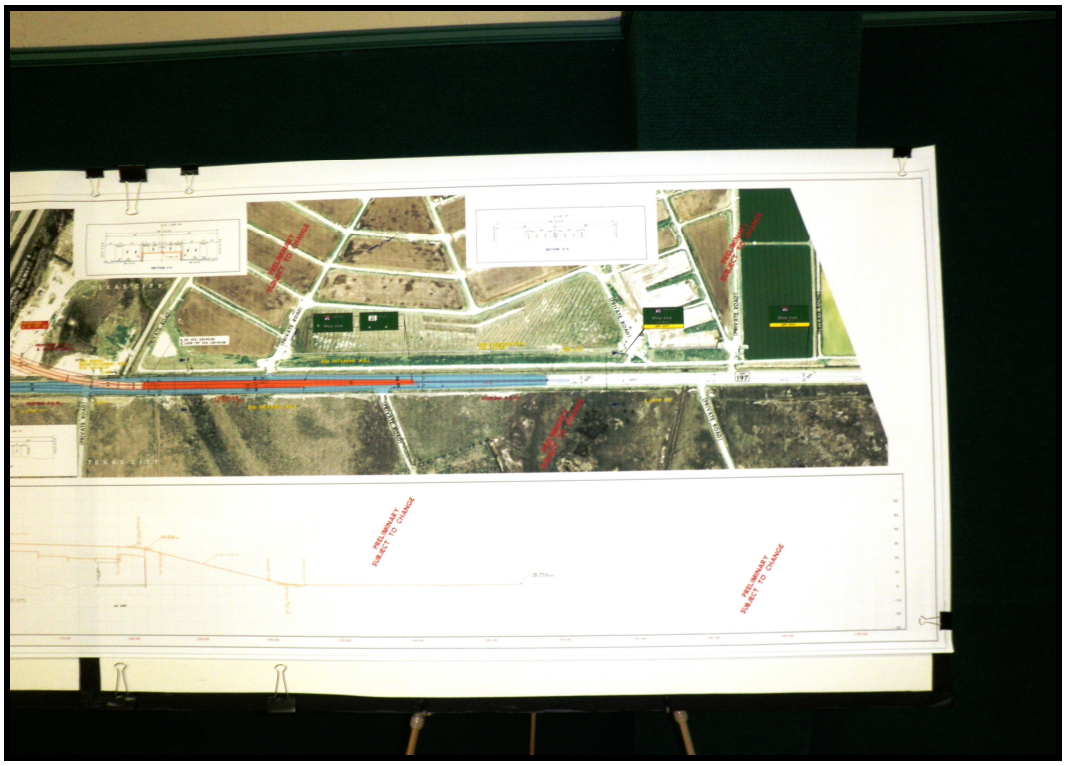
Photographs of Roadway Plan Exhibit Presented at Public Hearing

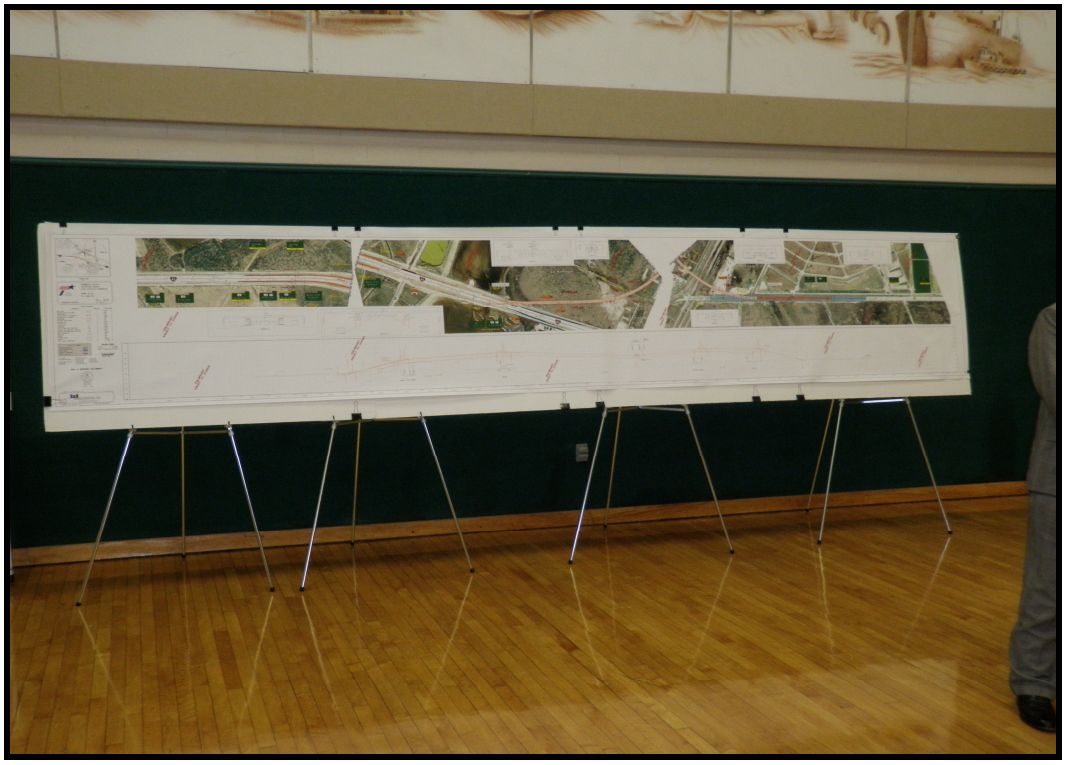


Photographs of Roadway Plan Exhibit Presented at Public Hearing

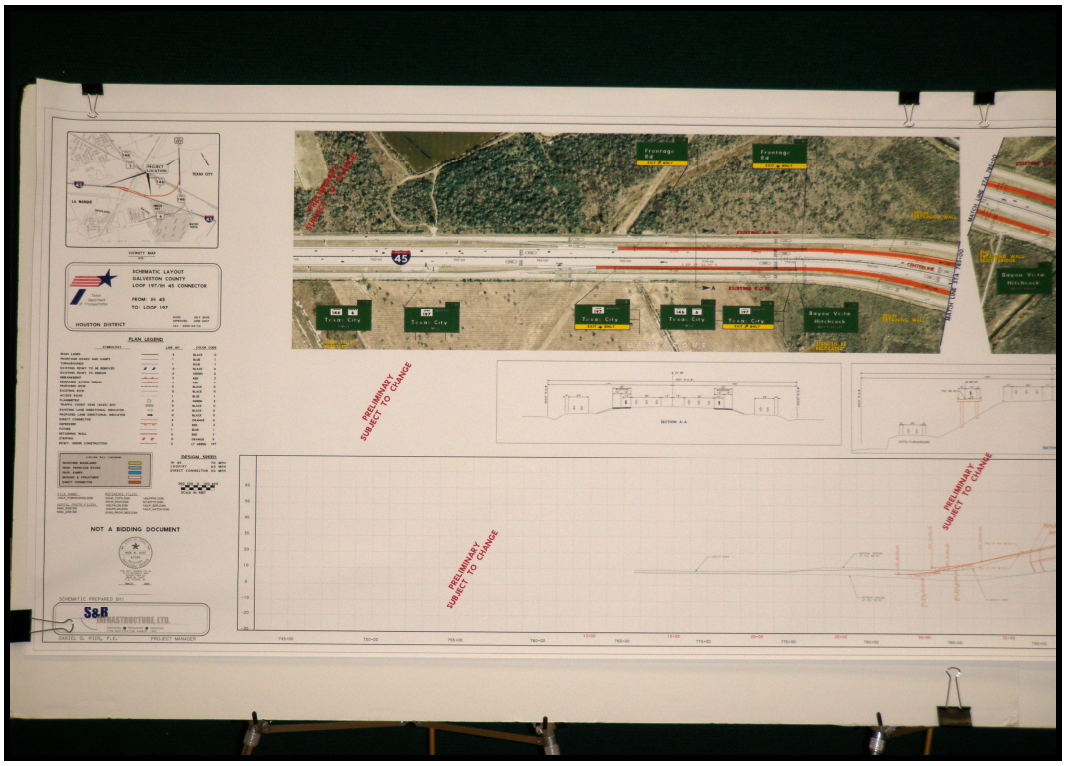


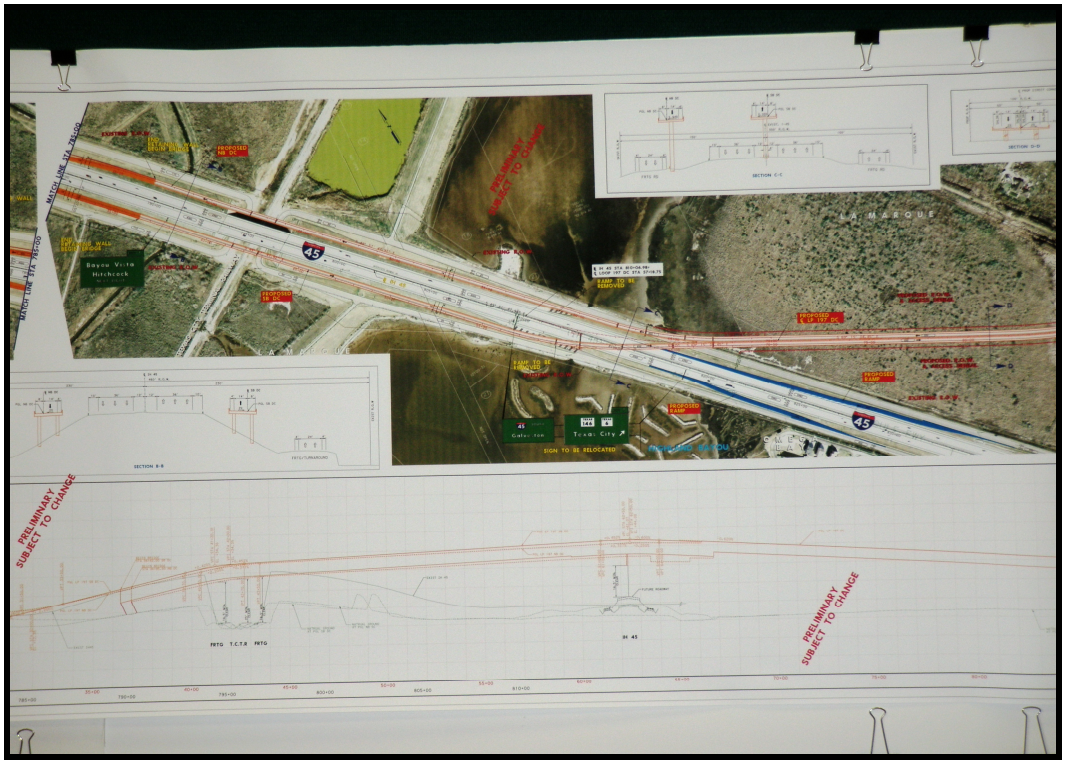
Photographs of Roadway Plan Exhibit Presented at Public Hearing



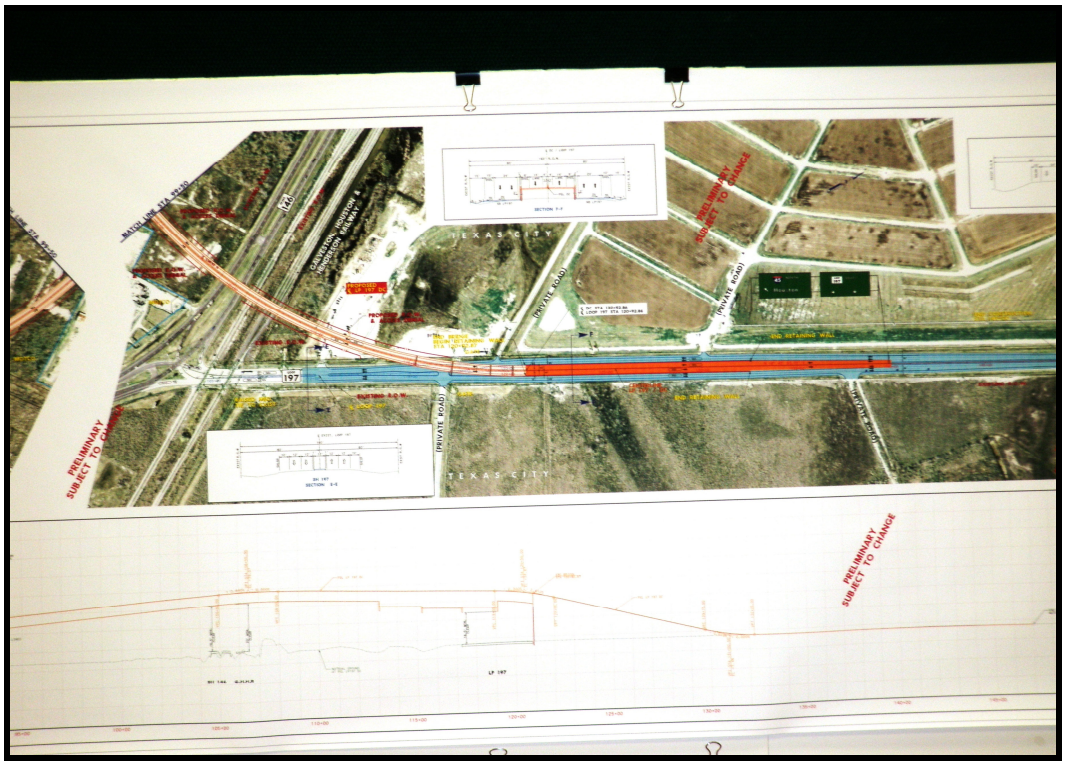


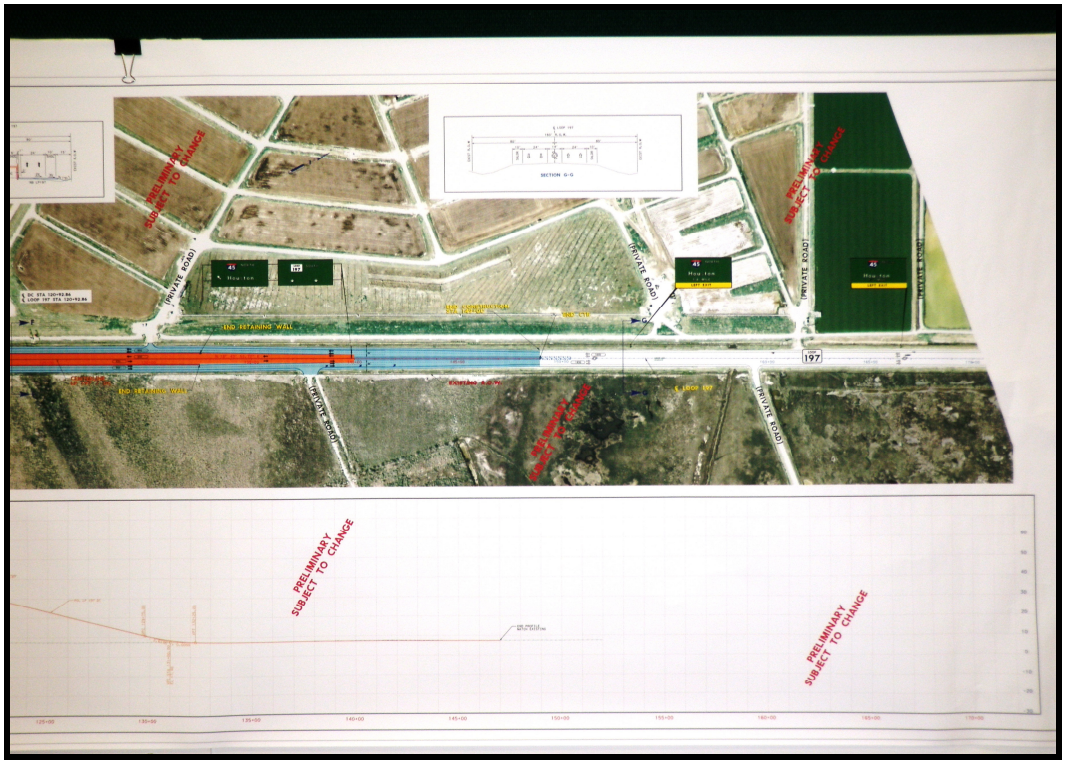
Photographs of Roadway Plan Exhibit Presented at Public Hearing





Photographs of Roadway Plan Exhibit Presented at Public Hearing





PHOTOGRAPHS TAKEN DURING THE PUBLIC HEARING

Photographs Taken During the IH 45/LP 197 Direct Connectors Public Hearing
May 27, 2009

Photographs Taken During the IH 45/LP 197 Direct Connectors Public Hearing
May 27, 2009

Photographs Taken During the IH 45/LP 197 Direct Connectors Public Hearing
May 27, 2009

Photographs Taken During the IH 45/LP 197 Direct Connectors Public Hearing
May 27, 2009

Photographs Taken During the IH 45/LP 197 Direct Connectors Public Hearing
May 27, 2009

SIGN-IN SHEETS

Public Hearing / Audiencia Pública

LP 197 Direct Connector
Galveston County, Texas
Nessler Center
6:00 PM to 8:00 PM
May 27, 2009

PUBLIC SIGN-IN SHEET/ HOJA DE REGISTRO DE FIRMA PÚBLICA

NAME / NOMBRE	ADDRESS / DIRECCIÓN	PHONE / TELÉFONO	REPRESENTING / REPRESENTACIÓN
1 C.S. ORELLANA	#8 Tradewinds Galveston	281-282-0063	Galveston Institute
2 Mary Sanders			
3 Mike Godinich	9301 Paseo Lobo, TC.	409-457-1240	—
4 Erik VanKuijk	813 Bay Street #85	409-939-3604	Shoal Point Apts
5 Cecilia Smith	2321 Westward	281 459 5960	Virginia Point
6 Sarah Raffray	319 15th Ave. N.	4099488638	
7 Barry Raffray	" "	"	Me
8 Doug Knepper	928 5th Ave. N. Texas City	409-643-5882	City of Texas City
9 Alex Parkman	3119 Ash Drive Dickinson	832.350.0313	
10 Brandt Mannchen	5431 Caven Houston, TX. 77096	713-664-5962	Houston Sierra Club
11 Sara Moreno	TxDot	409 978-2525	TxDot
12 Rick Harless	Omega Bay	713-725-2389	
13 Mike Anderson	Omega Bay	409-933-3311	
14			

CSJ: 0500-04-112

Public Hearing / Audiencia Pública

LP 197 Direct Connector
Galveston County, Texas
Nessler Center
6:00 PM to 8:00 PM
May 27, 2009

PUBLIC SIGN-IN SHEET/ HOJA DE REGISTRO DE FIRMA PÚBLICA

NAME / NOMBRE	ADDRESS / DIRECCIÓN	PHONE / TELÉFONO	REPRESENTING / REPRESENTACIÓN
1 MATT DOYLE	2510 ~~BLACK~~ QUAKER	409-682-0280	CITY TC *
2 ~~ELENA MALDONADO~~	~~2821 13TH AVEN.~~	~~4099480402~~	
3 ~~ERIC MALDONADO~~	~~2821 13TH AVE N~~		
4 F.L. Bertling	1406 Bowie, Lamarque 77568	(409) 935-9204	Self
5 PETE SMITH	2321 WESTWARD LAMARQUE 77568	(409) 766-0338	SELF
6 Terri Strachan	3500 S Loop 197 TX City	281486 1308	GCWDA
7 Jim Scot	18906 Letiurn Ln	713-824-6835	SELF
8 Dwayne Moreno	2401 Quaker Dr. T.C.	(409)	Self
9	77590	945 9942	
10			
11			
12			
13			
14			

CSJ: 0500-04-112

Public Hearing / Audiencia Pública

LP 197 Direct Connector
Galveston County, Texas
Nessler Center
6:00 PM to 8:00 PM
May 27, 2009

PUBLIC SIGN-IN SHEET/ HOJA DE REGISTRO DE FIRMA PÚBLICA

NAME / NOMBRE	ADDRESS / DIRECCIÓN	PHONE / TELÉFONO	REPRESENTING / REPRESENTACIÓN
1 Dwight Sandock	1522 23rd Ave N, T.C.	948-2494	
2 Mike Fitzgerald	722 Moody Galv, Tx	409 7705554	Galveston County Comm. Court
3 Richard Kirkpatrick	2765 3RD AVE N, TC	945-8289	Scenic Galveston
4 William Schubert	1502 FM 517 E - Dickinson Tx	2815340135	TPWD
5 ~~Susan Wilson~~			~~NS~~
6 Charles T. Doyle	1526 19th Ave N.	409-948-2444	Texas Trust Banks
7 Ellie Childs	1801 Oleander Dickinson	281-534-6096	Scenic Galveston
8 Joseph Moss	box 2645 T.C		
9 Phil Roberts	P.O. Box 1797 TC	409-948-4466	
10			
11			
12			
13			
14			

CSJ: 0500-04-112

Public Hearing / Audiencia Pública

LP 197 Direct Connector
Galveston County, Texas
Nessler Center
6:00 PM to 8:00 PM
May 27, 2009

PUBLIC SIGN-IN SHEET/ HOJA DE REGISTRO DE FIRMA PÚBLICA

NAME / NOMBRE	ADDRESS / DIRECCIÓN	PHONE / TELÉFONO	REPRESENTING / REPRESENTACIÓN
1 DR HUTCHINSON	1705 19th AVE N	948-8755	ME
2 José Boix	1821-20th AVE. N, TC	409.945.0492	ME
3 NICK FINAN	CITY OF TEXAS CITY	409-643-5927	
4 Evangeline Whorton	SCENIC GALVESTON	~~409-744-7443~~ 979.234.2096	20 Colony Park Circle Galveston 77551
5 Greg Mason	Scenic Galveston	713-664-1584	
6 Virginia Brooke	813 Bay ST. N. #85		ME
7 Leo A. Reitan	511 Williamsburg Cir. Friendswood, TX 77546	281-482-4369	
8 NORA HERNANDEZ	26 N. SANDPIPER LA MARQUE, TX 77568	409-995-0438	Self
9 WALTER MILLER FOR HOMMINGA	28 N. OMEGA DRIVE LA MARQUE, TX 77568	713-501-0501	RICHARD HOMMINGA
10 Kenneth Roberts	9 N. Omega Dr	409-935-3393	
11 Lori Gernhardt	Gulf Coast Waste Disposal Auth.	281.488.4115	
12 Bill PIERCE	49 North Omega	409-938-3330	
13 John Allmre	1210 Edwards Dr SAN LEON 77539	2259361682	Myself
14			

CSJ: 0500-04-112

Public Hearing / Audiencia Pública

LP 197 Direct Connector
Galveston County, Texas
Nessler Center
6:00 PM to 8:00 PM
May 27, 2009

PUBLIC SIGN-IN SHEET/ HOJA DE REGISTRO DE FIRMA PÚBLICA

NAME / NOMBRE	ADDRESS / DIRECCIÓN	PHONE / TELÉFONO	REPRESENTING / REPRESENTACIÓN
1 JACK CROSS	2811 22nd AV N	409 945-4823	SELF TC Community
2 LALISE MASON	2201 Macarthur St Houston 77030	713.664.1870	SCENIC GALV
3 MIKE MEGALE	31 N. OMEGA	409-938-0882	OMEGA BAY
4 GWEN MEGALE	31 N. OMEGA	409-938-0882	OMEGA BAY
★ 5 Stephen Holmes	2516 Texas Ave	409 770-5806	Galveston County
6 Clarence Rumancik	300 E 8th		FHWA
7 TJ Aivs	7800 E Lay	4056835334	Daily News
8 G. Collins	7530 Haywood	713-208-3217	
9 Mara Harless	53A N Omega	713-208-8059	Omega Bay
10			
11			
12			
13			
14			

CSJ: 0500-04-112

Public Hearing / Audiencia Pública

LP 197 Direct Connector
Galveston County, Texas
Nessler Center
6:00 PM to 8:00 PM
May 27, 2009

PUBLIC SIGN-IN SHEET/ HOJA DE REGISTRO DE FIRMA PÚBLICA

NAME / NOMBRE	ADDRESS / DIRECCIÓN	PHONE / TELÉFONO	REPRESENTING / REPRESENTACIÓN
1 Liz Gimmler	1572 Chaparral Houst. Tx	77316	713-248-2019 SG
2			
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CSJ: 0500-04-112

Public Hearing

LP 197 Direct Connectors

Texas City, Texas

Nessler Center 6:00 PM to 8:00 PM

May 28, 2009

PUBLIC OFFICIAL SIGN-IN SHEET

NAME	ADDRESS	PHONE	POSITION	Would you like to speak during tonight's presentation?
1 MATT DOYLE	2510 QUAKER	409-682-0280	Mayor	yes
2 Stephen Holmes	2516 Texas Ave	409-770-5806	Galveston County commisioner	No
3				
4				
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13				
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15				

CSJ: 0500-04-112

1

F

SPEAKER REGISTRATION CARD

LP 197 Direct Connector
Galveston County, Texas

May 27, 2009

Please complete the information below and return this card to the sign-in table or staff member to indicate your desire to speak at tonight's Public Hearing.

Please Print

NAME: MATT DOYLE
ADDRESS: 2510 QUAKER
REPRESENTING: TEXAS CITY MAYOR

2

F

SPEAKER REGISTRATION CARD

LP 197 Direct Connector
Galveston County, Texas

May 27, 2009

Please complete the information below and return this card to the sign-in table or staff member to indicate your desire to speak at tonight's Public Hearing.

Please Print

NAME: WALTER MILLER
ADDRESS: 28 N. OMEGA DRIVE, LA MARQUE, TX 77568
REPRESENTING: RICHARD HOMMINGA

F 3

SPEAKER REGISTRATION CARD

LP 197 Direct Connector
Galveston County, Texas

May 27, 2009

Please complete the information below and return this card to the sign-in table or staff member to indicate your desire to speak at tonight's Public Hearing.

Please Print

NAME: JACK CROSS
ADDRESS: 2811 22 AVE N TEXAS CITY
REPRESENTING: CITIZEN OF TEXAS CITY

A 4

SPEAKER REGISTRATION CARD

LP 197 Direct Connector
Galveston County, Texas

May 27, 2009

Please complete the information below and return this card to the sign-in table or staff member to indicate your desire to speak at tonight's Public Hearing.

Please Print

NAME: EVANGELINE WHORTON
ADDRESS: 20 COLONY PARK CIRCLE GALVESTON 77551
REPRESENTING: SCENIC GALVESTON, INC.

5

A

SPEAKER REGISTRATION CARD

LP 197 Direct Connector
Galveston County, Texas

May 27, 2009

Please complete the information below and return this card to the sign-in table or staff member to indicate your desire to speak at tonight's Public Hearing.

Please Print

NAME: LALISE MASON
ADDRESS: 2201 MACARTHUR ST HOUSTON 77030
REPRESENTING: SCENIC GALVESTON

6

SPEAKER REGISTRATION CARD

LP 197 Direct Connector
Galveston County, Texas

A

May 27, 2009

Please complete the information below and return this card to the sign-in table or staff member to indicate your desire to speak at tonight's Public Hearing.

Please Print

NAME: Brandt Mannchen
ADDRESS: 5431 Caverly, Hou. TX. 77096
REPRESENTING: Houston Sierra Club

7

SPEAKER REGISTRATION CARD

LP 197 Direct Connector
Galveston County, Texas

May 27, 2009

Please complete the information below and return this card to the sign-in table or staff member to indicate your desire to speak at tonight's Public Hearing.

Please Print

NAME: Charles T. "Chuck" Doyle
ADDRESS: 1526 19th Ave North
REPRESENTING: Texas Forest Banks

PRESENTATION

Public Hearing
LP 197
Direct Connector

May 27, 2009

Texas Department of Transportation
Houston District

LP 197 Direct Connector
PUBLIC HEARING AGENDA

Exhibit Viewing & Registration
Public Hearing Presentation
Public Comment Session
Adjourn Public Hearing

LP 197 Direct Connector
INTRODUCTIONS

ELECTED OFFICIALS

LP 197 Direct Connector
PREVIOUS PUBLIC INVOLVEMENT

- Early Coordination Letters
- Public Meeting – March 31, 2004

LP 197 Direct Connector
PUBLIC HEARING NOTICES

Houston Chronicle

- Monday, April 27, 2009
- Monday, May 11, 2009
- Saturday, May 16, 2009

La Voz

- Wednesday, April 29, 2009
- Wednesday, May 20, 2009

Galveston Daily News

- Monday, April 27, 2009
- Saturday, May 16, 2009

LP 197 Direct Connector
SPEAKER INTRODUCTIONS

Project Description & Geometric Design

Danny Rios,
Project Manager,
S&B Infrastructure

Environmental Studies

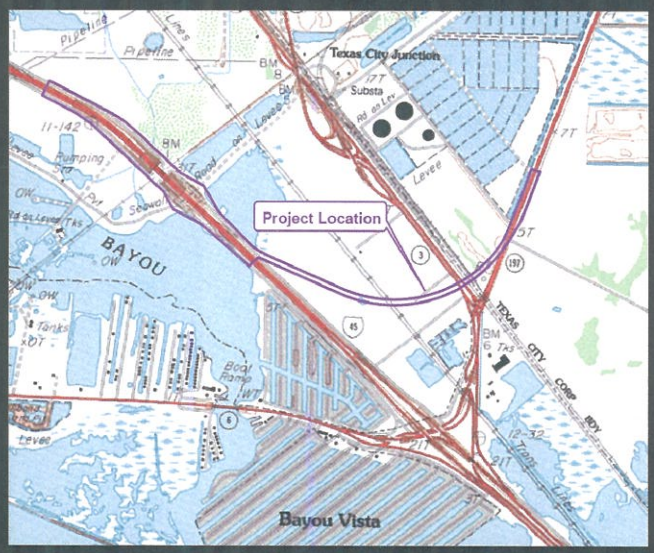
Casey Hall,
Project Manager,
PBS&J

LP 197 Direct Connector
REVIEW INFORMATION

TxDOT Houston District Office
7600 Washington Avenue
Houston, Texas 77007

TxDOT Galveston Area Office
5407 Gulf Freeway
La Marque, Texas 77568

LP 197 Direct Connector- PROJECT MAP



LP 197 Direct Connector
EXISTING FACILITY DESCRIPTION

- LP 197
  - Four 12-foot travel lanes
  - 14-foot continuous left-turn lane
  - Existing right-of-way 160 feet wide
  - 60 mph recommended speed limit
- LP 197 merges with SH 146 west of the railroad
- LP 197 travelers currently use SH 146 to access IH 45

LP 197 Direct Connector
NEED FOR THE PROJECT

- Inefficient transitioning at IH 45 / SH 6 / SH 146 interchange
- Interchange below design standards
- Traffic congestion and delays due to railroad
- Future truck traffic from terminal facility at Shoal Point
- Existing intersection within 100-year floodplain

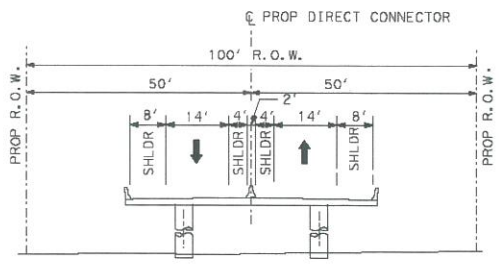
LP 197 Direct Connector
PURPOSE OF THE PROJECT

- Improve existing and future traffic conditions by providing non-stop connector ramp
- Avoid congestion and delays at the railroad crossing
- Provide alternate route for increased truck traffic
- Provide alternate route not within the 100-year floodplain

LP 197 Direct Connector
DESIGN CRITERIA

- New elevated direct connector from IH 45 to LP 197 with two travel lanes
- Construction of a direct connector between the two existing roadways
- Elevated over railroad crossing

LP 197 Direct Connector
PROPOSED TYPCIAL SECTION



PROPOSED TYPICAL SECTION

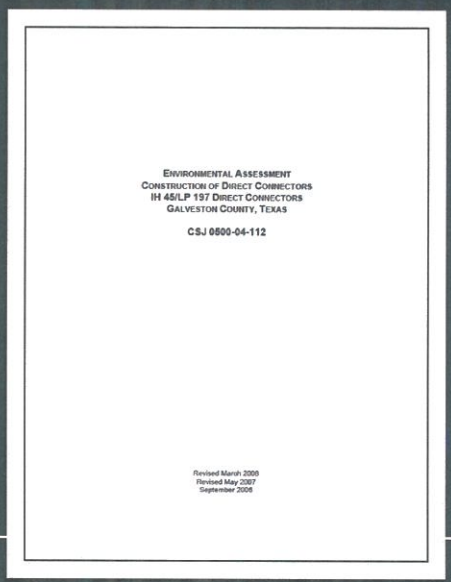
LP 197 Direct Connector
RIGHT-OF-WAY ACQUISITION

- 11.09 acres of additional right-of-way
- No relocations or displacements of residences or businesses
- Utility adjustments required

LP 197 Direct Connector
CONSTRUCTION COST ESTIMATE

- Estimated construction cost is $55,000,000
- Construction of the project is contingent upon the availability of federal funds

LP 197 Direct Connector
ENVIRONMENTAL STUDIES



ENVIRONMENTAL ASSESSMENT
CONSTRUCTION OF DIRECT CONNECTORS
IH 45/LP 197 DIRECT CONNECTORS
GALVESTON COUNTY, TEXAS

CSJ 0500-04-112

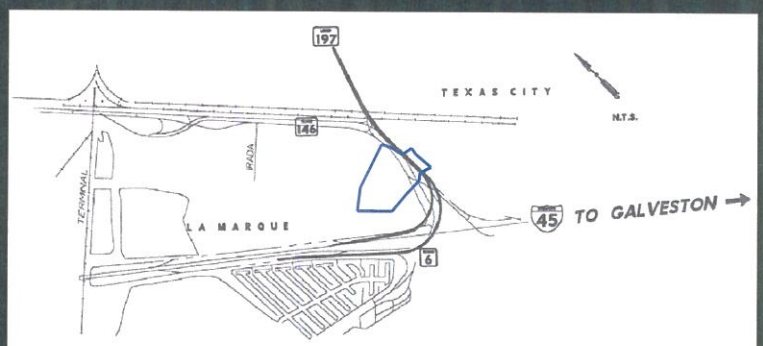
Revised March 2009
Revised May 2007
September 2006

LP 197 Direct Connector
ENVIRONMENTAL STUDIES

Environmental Assessment

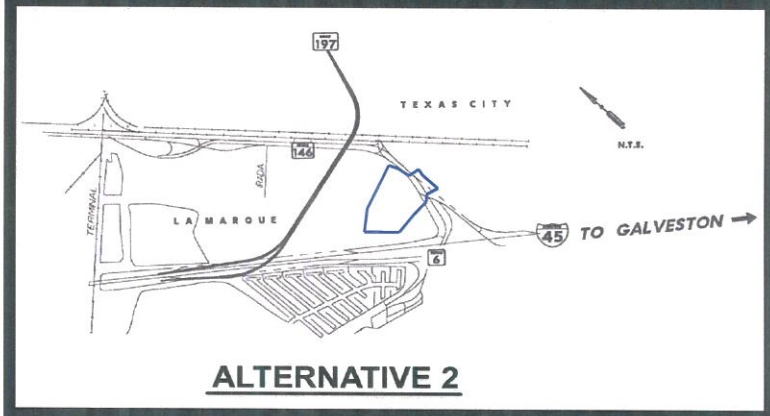
- Need & Purpose
- Alternatives
- Impacts
- Coordination
- Mitigation

LP 197 Direct Connector
ALTERNATIVE ANALYSIS



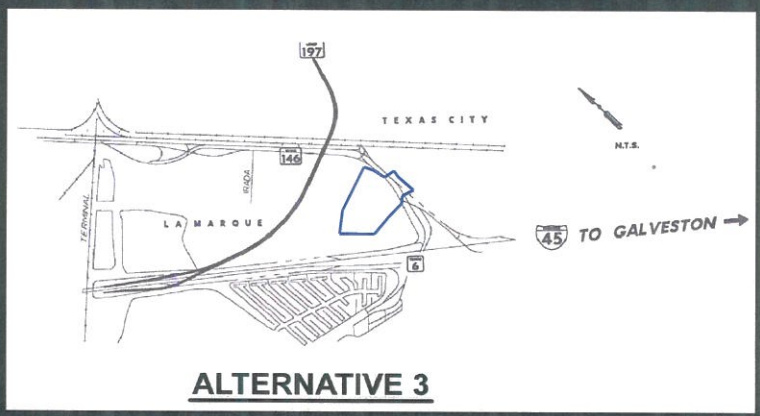
ALTERNATIVE 1

LP 197 Direct Connector
ALTERNATIVE ANALYSIS



ALTERNATIVE 2

LP 197 Direct Connector
ALTERNATIVE ANALYSIS



ALTERNATIVE 3

LP 197 Direct Connector
ENVIRONMENTAL STUDIES

ALTERNATIVE 3

LP 197 Direct Connector
ENVIRONMENTAL STUDIES

Waters of the U.S., including Wetlands

- 9.35 acres

Hazardous Materials

- 10 hazardous materials sites, including the MOTCO superfund site
- Petroleum and natural gas pipelines may require relocation

LP 197 Direct Connector
ENVIRONMENTAL STUDIES

Vegetation

- 23 acres of grassland, 4 acres of scrub-shrub, and 9 acres of wetlands within project area
- Complete vegetation removal within project area would be minimized where possible and some impacts may only be temporary in nature

Soils

- Agricultural Farmland Conversion Impact Rating determined no significant impacts

Wildlife

- Measures taken to limit impacts
- No nests were identified during the field survey

LP 197 Direct Connector
ENVIRONMENTAL STUDIES

Noise

- Alternative 3 is located further north of neighborhoods compared to other alternatives
- Implementation of Alternative 3 would not result in substantial traffic noise impacts

Air Quality

- Traffic Air Quality Analysis was completed and local concentrations from the proposed project would not exceed national standards
- No sensitive receptors

LP 197 Direct Connector
ENVIRONMENTAL STUDIES

Cultural Resources

- Two potential historic resources – radio tower and railroad
- Not eligible for listing as NRHP
- No archeological resources

LP 197 Direct Connector
ENVIRONMENTAL STUDIES

Other Considerations

- Land use
- Social and Economic
- Indirect impacts
- Cumulative impacts

LP 197 Direct Connector
ENVIRONMENTAL STUDIES

Agency Coordination

- U.S. Army Corps of Engineers
- U.S. Fish and Wildlife Service
- Natural Resources Conservation Service
- National Marine and Fisheries Service
- Texas Commission on Environmental Quality
- Texas Parks & Wildlife Department
- Texas Historical Commission
- Galveston County Historical Commission

LP 197 Direct Connector
ENVIRONMENTAL STUDIES

What's Next?

- Public Hearing Summary Report
- Federal Highway Administration review of Public Hearing and Report
- Availability of Report to public
  - Fall 2009
  - www.dot.state.tx.us

LP 197 Direct Connector

Public Comment Session

SPEAKER REGISTRATION CARD

LP 197 Direct Connector
Galveston County, Texas

May 27, 2009

Please complete the information below and return this card to the sign-in table or a staff member to indicate your desire to speak at tonight's Public Hearing.

Please Print

NAME:_____

ADDRESS:_____

REPRESENTING:_____

LP 197 Direct Connector

Elected Officials

LP 197 Direct Connector
PUBLIC HEARING COMMENTS

Written Comments

- Place in comment box tonight
- Postmark or e-mail comments by **June 10, 2009**
  - –Email comments to:
    HOU-PIOWEBMAIL@DOT.STATE.TX.US
  - –Mail Comments to:
    Texas Department of Transportation
    Attn: Director of Project Development
    P.O. Box 1386, Houston, Texas 77251-1386

LP 197 Direct Connector
PUBLIC HEARING COMMENTS

Oral Comments

- Submit speaker registration card
- Use microphone in center aisle and face court reporter
- Please only comment on issues relevant to LP 197 Direct Connector project
- Oral comments are limited to three (3) minutes
- Unused time may not be given to another speaker

LP 197 Direct Connector

PUBLIC COMMENT SESSION

Texas Department of Transportation
Houston District

LP 197 DIRECT CONNECTOR

PUBLIC HEARING

ON

MAY 27, 2009

7:00 P.M.

AT

NESSLER CENTER

2010 5TH AVENUE NORTH

TEXAS CITY, TEXAS

COPY

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Statement by Mr. Danny Rios..... 5

Statement by Ms. Casey Hall..... 8

Statement by Mr. Gabe Johnson..... 15

Remarks by the Public..... 15

P R O C E E D I N G S

MR. GABE JOHNSON: Okay. Good evening, Folks. I'd appreciate it if y'all would take a seat. We'll start now.

My name is Gabe Johnson, and Texas Department of Transportation welcomes you to the public hearing at the Nessler Center for the Loop 197 two-way direct connector project. The total project scope is to construct the two-way direct connector from I-45 to Loop 197 at the Port of Texas City at the Shoal Point. Today -- today's date is May 27th, 2009; and the time is, approximately, 7:00 p.m. At this time please turn off or silence any personal electronic devices for the remainder of this hearing.

The purpose of this public hearing is to present the recommended alternative for the direct connector and to receive public comments. This public hearing is being recorded by a certified court reporter for the formal record. You may have noticed sign-in tables as you walked in. If you haven't already done so, please sign in before you leave tonight. The sign-in sheets allow us to record tonight's participation. The public comment session will begin following the presentation and we will not answer questions during the presentation or public comment

session but we will be available to answer your questions following the comment period. Please feel free to view the exhibits on display tonight. They will also be available for viewing after the public comment session.

At this time we would like to recognize elected officials that are in attendance tonight. Mayor Matt Doyle. Mayor Doyle, thank you for coming.

And Commissioner Stephen Holmes, thank you for coming.

Any other elected officials that I don't have the name on the list?

If there are any other elected officials, please raise your hand. If not, thank you, gentlemen, for being here.

Early coordination letters were sent to resource agencies, businesses, private property owners and homeowners to solicit options, opinions and comments regarding the proposed improvements. A public meeting was held to further receive your input on this project on March 31st, 2004.

The appropriate environmental studies have been completed and the project has received approval from the Federal Highway Administration to go to the next step of the project development, which is the

public hearing.

Notice of this public hearing was advertised in English and Spanish in the following newspapers: Houston Chronicle, La Voz, and Galveston Daily News.

At this time I would like to introduce the people who will be presenting the project information to you this evening. Mr. Danny Rios of S&B Infrastructure will be presenting project description and geometric design and Ms. Casey Hall of PBS&J will be presenting the environmental studies that have been conducted.

The project schematic design and environmental assessments are available for review at the Texas Department of Transportation Houston district office and Galveston area office.

And now I would like to have Mr. Dan Rios present the project information and geometric design.

Mr. Rios.

MR. DANNY RIOS: Thank you, Mr. Johnson.

The general project location of project limits are shown on this map highlighted in purple. The proposed project begins at I-45 north of the Texas City terminal railroad and continues to Loop 197. The total project length is, approximately, 2.5 miles. The existing Loop 197 facility is a four-lane roadway with a

1 continuous left-turn lane. The existing right-of-way is
2 160 feet wide. The current speed limit on Loop 197 is
3 60 miles per hour. West of the railroad, Loop 197
4 merges with State Highway 146 at a T intersection and
5 Loop 197 travelers currently have to use State Highway
6 146 to access I-45.
7 The proposed project is needed for a
8 number of reasons, which I will briefly explain. The
9 transitioning of traffic at the existing I-45/State
10 Highway 6/State Highway 146 interchange is inefficient
11 and the interchange is currently below design standards.
12 The at-grade railroad crossing on Loop 197 east of the
13 intersection of IH-45 and State Highway 146 causes --
14 causes traffic congestion and delays. The development
15 of a terminal facility at Shoal Point southeast of the
16 project area will increase future truck traffic, which
17 will increase the transitional inefficiencies. And,
18 finally, the current intersection of Interstate 45,
19 State Highway 6 and State Highway 146 is located in the
20 100-year floodplain.
21 The purpose of the proposed project is to
22 address the needs summarized on the previous slide.
23 First the proposed project will improve existing and
24 future traffic conditions by constructing a continuous
25 nonstop connector ramp from I-45 to Loop 197. The

1 proposed project will avoid congestion and delays at the
2 at-grade railroad crossing. Finally, the proposed
3 project will provide alternate routes for increased
4 truck traffic created by the terminal facility at Shoal
5 Point and an alternate route between I-45 and Loop 197,
6 which is not within the 100-year floodplain.
7 I will now describe some of the design
8 elements of the proposed project. The proposed
9 improvements would include construction of a two-lane
10 elevated direct connector from I-45 to Loop 197
11 consist -- consisting of one southbound to eastbound
12 lane and one northbound to westbound lane. New
13 right-of-way will be required for the construction of
14 the direct connector between the two existing roadways.
15 The proposed elevated section would cross over the
16 railroad.
17 This slide depicts the proposed direct
18 connector typical section. The new lanes would consist
19 of two 14-foot travel lanes each with a 4-foot-wide
20 inside shoulder and an 8-foot wide outside shoulder.
21 The proposed right-of-way is typically 100 feet. The
22 design speed is 50 miles per hour. The actual speed
23 limit will be decided during construction.
24 Approximately 11.09 acres of additional
25 right-of-way would be required. There would be no

relocations or displacements of residences or businesses. Adjustments of several power transmission lines adjacent to the proposed right-of-way would be required. There are representatives here this evening at the right-of-way table that can assist you with information on the TxDOT process that will be followed for right-of-way acquisition. Brochures are also available to answer any questions you may have.

Based on the designs presented tonight, the estimated construction cost is $55 million. However, construction of the project is contingent upon the availability of federal funds.

This concludes the engineering portion of the presentation. Now Casey Hall will discuss the project's environmental studies.

MS. CASEY HALL: Thank you.

Good evening. My name is Casey Hall, and I will present to you a summary of the environmental studies that have been conducted for the proposed project.

I just wanted to check. Can everyone hear us okay?

Okay. An environmental assessment has been prepared and received preliminary approval for further processing from the Federal Highway

Administration enabling us to hold this public hearing. We have copies of the document here this evening at the environmental studies table that you can view. You may also order copies of the document from TxDOT for the price of copying.

An environmental assessment is the appropriate type of document prepared for this type of project and is a decision document which describes the proposed project, the need and purpose, compares alternatives, evaluates impacts from those alternatives and incorporates coordination with the public and resource agencies, including mitigation of unavoidable adverse impacts.

Alternatives considered included a no-build alternative, which includes continued, routine maintenance and operation of the existing facilities. This was not found to address the project purpose of providing a safer, more efficient transportation route that meets current design standards.

Alternative one, as shown on the slide, utilizes TxDOT right-of-way for the majority of its alignment and would, therefore, result in minimal impacts to wetlands. Alternative one would construct an elevated direct connector requiring subsurface construction inside of the MOTCO superfund site slurry

wall. The approximate boundaries of the MOTCO superfund site are highlighted in blue on the map and the site is currently undergoing remediation.

Subsurface construction might compromise the integrity of the confining layers or the MOTCO constituents of concern necessitating further remediation efforts. Alternative one also has an unfavorable alignment for heavy truck traffic traveling to and from the city of Texas City port facilities.

Alternative two avoids direct impacts to the MOTCO superfund site and is elevated to minimize wetland impacts but does not have the most suitable geometry for accommodating heavy truck traffic at highway speeds. The distance between the IH-45 main lanes and the Loop 197 main lines requires a smaller transition curve radius in the direct connector. Heavy trucks would have to downshift, decelerate, then accelerate and then merge with the 65-mile-per-hour interstate and highway traffic on the main lanes.

This alternative is close to the neighborhoods of Omega Bay, Bayou Vista, La Marque and Hitchcock and the geometry of this alternative transitioning of truck traffic, which would increase noise levels in these neighborhoods.

Alternative three is located north of

alternative two and utilizes a portion of the existing Loop 197 right-of-way. This alternative avoids the contaminated portion of the MOTCO superfund site, uses an elevated section over wetlands, meets current safety and operational standards and improves driving conditions on a designated hurricane evacuation route. This alternative also accommodates proposed future expansion of IH-45.

Alternative three provides suitable geometry for heavy truck traffic to maintain speed within a flat curve radius, thus, providing a smooth merge and transition to IH-45 main lanes.

Alternative three provides the safest and most efficient circulation and access for the local traffic compared to the other alternatives. In addition, comments received from the general public indicated a preference for alternative three, among the build and no-build alternatives. For these reasons, and in consideration of design and safety constraints, alternative three is presented this evening as the recommended alternative.

I will summarize the impact analysis that was performed as part of the environmental assessment. A total of 9.35 acres of waters of the U.S, including wetlands, were identified within the proposed

right-of-way. Of this, 2.19 acres are subject to Section 10 of the Rivers and Harbors Act and 7.16 acres are subject to Section 404 of the Clean Water Act. In order to minimize these impacts, elevated sections will be used over the wetland locations.

Ten hazardous material sites, including the MOTCO superfund site, are within the project area and can have potential impacts to the proposed project. The contaminated area within the MOTCO site has been avoided to minimize environmental impacts. The project area also contains numerous petroleum and natural gas pipelines, some of which may -- may require relocation.

The proposed project area contains 23 acres of grassland, 4 acres of scrub-shrub vegetation and 9 acres of wetlands. However, due to the elevated project design, complete vegetation removal would be minimized where possible and some impacts would only be temporary in nature. An agricultural farmland conversion impact rating form was completed and the score did not result in significant impacts to environmental soils.

A cursory nest survey for migratory birds was conducted during the environmental investigations. No nests were identified within the survey area. Appropriate measures will be taken to avoid impacts to

1 migratory birds. No long-term impacts to wildlife are
2 anticipated.
3 Alternative three is located further north
4 than the other alternatives and, therefore, further away
5 from the neighborhoods of Omega Bay, Bayou Vista, La
6 Marque and Hitchcock. Additionally, the geometry of
7 alternative three creates a smoother transitioning of
8 truck traffic. These factors would reduce noise levels
9 to these neighborhoods from the proposed project.
10 Truck traffic would be moved from SH 146
11 to the Loop 197 direct connector; and based on findings
12 of traffic noise analysis, implementation of alternative
13 three did not result in substantial traffic noise
14 impacts. Noise impacts associated with the proposed
15 expansion of IH-45 from F.M. 1764 to the Galveston
16 causeway will be evaluated as part of the IH-45 project.
17 A traffic air quality analysis was
18 completed. Based on results of this analysis, local
19 concentrations of carbon monoxide would not exceed
20 national standards and no sensitive receptors were
21 identified in the survey area.
22 A study was performed to identify
23 potential project impacts to historic and archeological
24 resources within the study area. Two potential historic
25 resources were identified, a radio tower and the

railroad which was built in 1857. However, these sites are not eligible for the National Register of Historic Places listing. No archeological resources were identified by the survey. Therefore, no impacts to prehistoric or historic resources are anticipated.

Impacts to land use, social and economic resources, indirect and cumulative impacts are expected to be minimal.

TxDOT has coordinated with resource agencies throughout the environmental process. These agencies have provided review, input and concurrence on the assessment of impacts.

So, what's next in the environmental process? TxDOT will prepare a public hearing summary report to address the oral and written comments received at tonight's hearing and within the public comment period, which ends on June 10th, 2009. This report will be submitted to the Federal Highway Administration for review as well as any changes as a result of tonight's hearing.

Following the Federal Highway Administration approval, this report will be available upon request. You may send your request to the address listed on the agenda and comment form. The report will be available in the fall of 2009 and may also be viewed

on TxDOT's webpage.

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

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

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

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

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

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

MAYOR MATT DOYLE: Gabe, thanks for

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

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

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

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

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

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

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

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

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

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

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

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

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

MR. WALTER MILLER: Great. Thank you.

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

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

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

If this port is built -- and it will be 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,

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

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

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

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

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

Texas City is presumably full of disturbed lands that could probably accommodate any needed grade separated highway-rail configuration in a less intrusive manner. In both previous hearings alternatives were 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 --

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

Back to the Loop 197 --

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

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

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

MS. LALISE MASON: I have one sentence left.

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

of the response.

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

MR. GABE JOHNSON: I promise you that today.

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

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

And next speaker is Mr. Brandt Mannchen.

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

There's 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. We believe a number of the issues have not been included in the environmental assessment and I'd like to mention a few of those.

What are the connected impacts between the proposed Shoal Point terminal facility and this particular Loop 197? One of the bird surveys of the project location and the species of birds found during 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.

1 Have a safe trip. Thank you for your
2 participation.
3 (Hearing closed.)
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STATE OF TEXAS

I, Stephanie McClure Lopez, a Certified Shorthand Reporter in and for the State of Texas, do hereby certify that the above and foregoing contains a true and correct transcription of all portions of the above-referenced public comments to be included in the transcript of said public comment section, and were reported by me.

Given under my hand and seal of office on the 1st day of June, 2009.

Stephanie McClure Lopez, CSR
CSR No. 3483; Expiration: 12-31-09
P.O. Box 1617
Giddings, Texas 78942

PUBLIC COMMENTS

ORAL PUBLIC COMMENTS

on TxDOT's webpage.

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

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

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

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

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

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

MAYOR MATT DOYLE: Gabe, thanks for

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

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

that in a great way.

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

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

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

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

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

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

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

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

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

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

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

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

MR. GABE JOHNSON: The purpose of the 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.

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

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

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

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

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

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

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

Back to the Loop 197 --

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

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

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

MS. LALISE MASON: I have one sentence left.

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

of the response.

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

MR. GABE JOHNSON: I promise you that today.

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

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

And next speaker is Mr. Brandt Mannchen.

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

There's 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. We believe a number of the issues have not been included in the environmental assessment and I'd like to mention a few of those.

What are the connected impacts between the proposed Shoal Point terminal facility and this particular Loop 197? One of the bird surveys of the project location and the species of birds found during 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,

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

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

And I thank you and commend you for your work.

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

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

1 Have a safe trip. Thank you for your
2 participation.
3 (Hearing closed.)
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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 (97.
4. Needs to include access ramps (should + must do this) to Virginia Point nature preserve entrance.

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

✓

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Name (Nombre): DR HUTCHINSON Phone (Teléfono): 948 8755

Address (Dirección): 1705 19TH AVE N, TC

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X 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):

GOOD PROJECT. WORTHY OF APPROVAL.

CSJ: 0500-04-112 (TL)

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LP 197 Direct Connector
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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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_____ 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)

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Name (Nombre): Kenneth Roberts Phone (Teléfono): 409-935-3393

Address (Dirección): 9 North Omega Dr.

PLEASE COMPLETE THE APPROPRIATE ITEMS BELOW:
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_____ Business property owner or lessee / Dueño de propiedad comercial o arrendatario

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

COMMENTS (COMENTARIOS):

Satisfied it will not add Traffic flow - Noise pollution ~~[illegible]~~ to my immediate area.

However am concerned about air pollution

CSJ: 0500-04-112 (TL)

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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:
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_____ 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 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 seran tomado en consideracion.

Name (Nombre): John ~~[illegible]~~ 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:

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):

① I support the No Build alternative 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 cursurory migritory Bird Nesting survey
④ What time of year was this Nesting survey conducted

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

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.

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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

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

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?

X 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
X 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

CSJ: ~~0500-04-112 (TL)~~

TxDOT RECEIVED JUN 01 2009 HOUSTON MAIL OPERATIONS

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

SCANNED ON JUN 01 2009 MAIL OPERATIONS HOUSTON

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): 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:

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) Email

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) Scenic Galveston member

COMMENTS (COMENTARIOS): See the attached letter

Tx DOT RECEIVED JUN 02 2009 HOUSTON MAIL OPERATIONS

SCANNED ON JUN 02 2009 MAIL OPERATIONS HOUSTON

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

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.

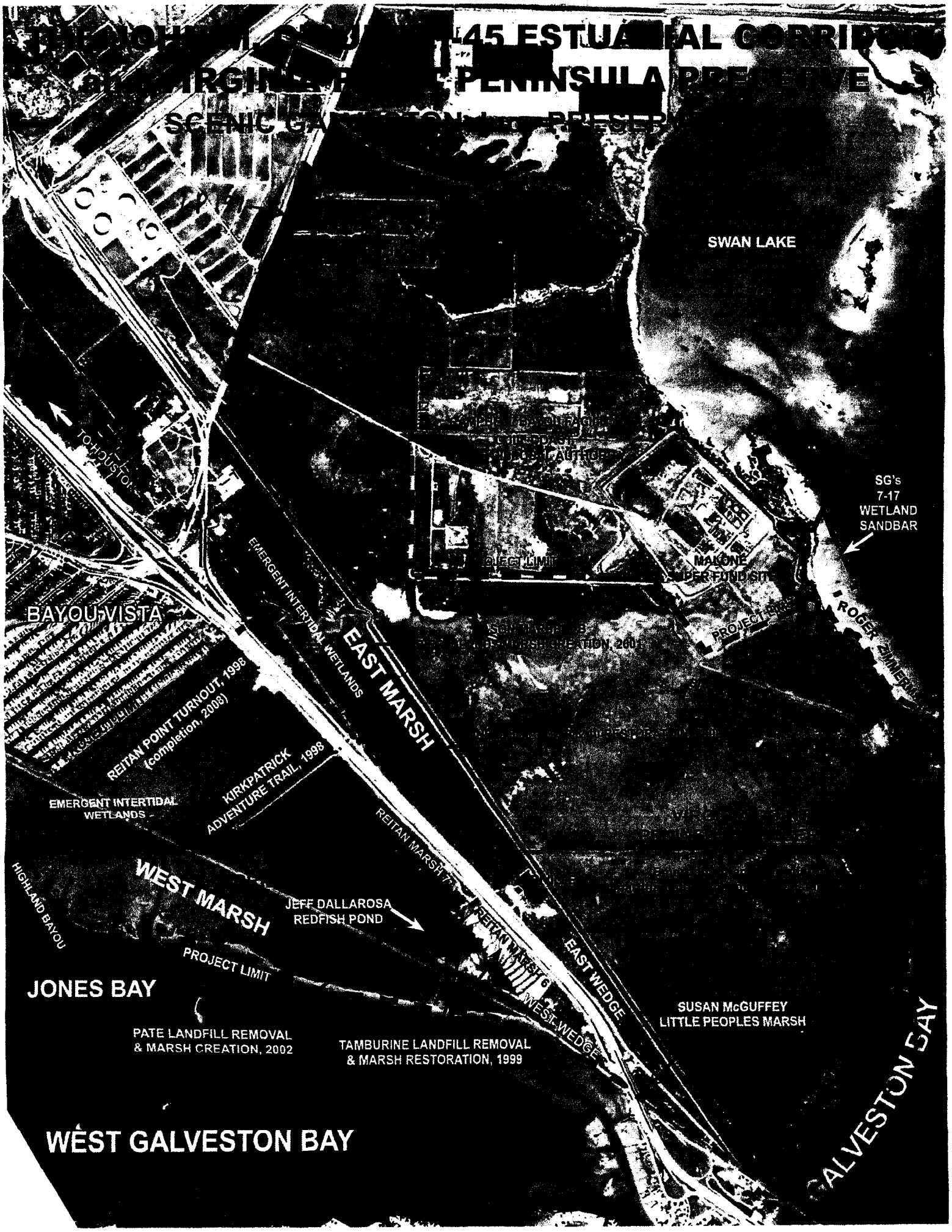
In view of these concerns I believe the expanded highway connection to I-45 should be put further North.

Sincerely,

Leo A. Reitan

Leo A. Reitan
511 Williamsburg Cir.
Friendswood, Tx 77546

See the attached map


SWAN LAKE
SG's
7-17
WETLAND
SANDBAR
MALONE
SUPERFUND SITE
PROJECT LIMIT
ROGERS SLIMERY
BAYOU VISTA
EMERGENT INTERTIDAL WETLANDS
EAST MARSH
REITAN POINT TURNOUT, 1998
(completion, 2008)
KIRKPATRICK
ADVENTURE TRAIL, 1998
EMERGENT INTERTIDAL
WETLANDS
REITAN MARSH
WEST MARSH
HIGHLAND BAYOU
JEFF DALLAROSA
REDFISH POND
PROJECT LIMIT
EAST WEDGE
WEST WEDGE
JONES BAY
SUSAN McGUFFEY
LITTLE PEOPLES MARSH
PATE LANDFILL REMOVAL
& MARSH CREATION, 2002
TAMBURINE LANDFILL REMOVAL
& MARSH RESTORATION, 1999
WEST GALVESTON BAY
GALVESTON BAY

1801 Oleander
Dickinson, Texas
77539

TDOT
Houston, TX

Att: James Heacock -

TX DOT RECEIVED
JUN 09 2009
HOUSTON MAIL OPERATIONS
SCANNED ON
JUN 09 2009
MAIL OPERATIONS HOUSTON

Dear Mr Heacock -

Re: The Loop 197 Project $55 Million

This project may have merit eventually -
- if Sheal 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

DPD

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

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SCANNED ON
MAY 2 9 2009
MAIL OPERATIONS 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*

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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, shelfish, 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,

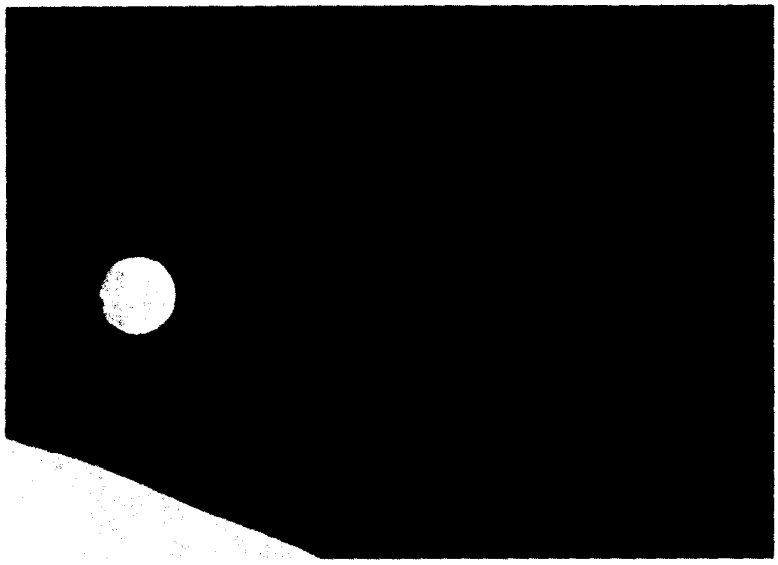
increased mortality on roads, disruption of orientation, interference in communication, disruption of mating, and disruption of dispersal movements.

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

Sincerely,

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 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

X Other (please explain) / 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 at the cost of the project.

If I may respectively 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

Ellie Childs

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TPD

SCENIC GALVESTON Inc.

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

Tx DOT RECEIVED
JUN 12 2009
HOUSTON MAIL OPERATIONS

Public Hearing
LP 197 Direct Connector
Texas City, Texas

SCANNED ON
JUN 12 2009
MAIL OPERATIONS HOUSTON

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): Liz Grimmler Phone (Teléfono): 713-248-2019

Address (Dirección): 1572 Chaparral Mont. Tx. 77316

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
✓ Told by Friend or Neighbor / Amigo o vecino (SCENIC GALVESTON)
_____ Received Notice by Mail / Aviso por Correo
_____ 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
✓ Business property owner or lessee / Dueño de propiedad comercial o arrendatario
✓ Highway User / Usuario de Carretera
_____ Other (please explain) / Otro (por favor explique)

COMMENTS (COMENTARIOS):

I don't think the loop 197 Connector should go in on the proposed site. Please reconsider of options further down towards 519 or TX 3. I think it is very important to divert traffic from the proposed area; it is an area to 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

DPD

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

Tx DOT
RECEIVED
JUN 11 2009
HOUSTON MAIL OPERATIONS

SCANNED ON
JUN 11 2009
MAIL OPERATIONS HOUSTON

DPD

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 Highway146 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 nayes 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.

RESPONSE TO PUBLIC COMMENTS

#	Name	Comment	Response
Oral Comments			
1.	Mayor Matt Doyle	I just want to thank you for working on this project. It's an important project not only to the city of Texas City but the county and the state. Not to mention the truck traffic we currently have but in 2014 when the Panama Canal opens -- it finishes its widening, which will almost double the capacity of it, I will assure you that this port area not only as vibrant as it is now it will become even more vibrant. And I think the important part about that, too, is as we look towards the economy and how the stimulus is going to take place, it's going to be very important for us to be prepared for these projects. The -- but even if that was not to happen, we have a great deal of truck traffic in the city of Texas City and throughout the petrochemical area. You know, we do produce 7 percent of the fuel that is consumed in this nation every day. So, it is important for us to be able to move traffic through our community. And what you've designed here moves traffic, trucks, heavy trucks that don't have to go through the community, basically right into the facilities and right back onto the highway. And by raising it you've really made -- the noise detriment to the area have declined that in a great way. So, I just -- I'm here on behalf of the citizens of Texas City in support. The commission and the mayor support this, and I appreciate you being here.	Comments noted.
2.	Walter Miller	When is this project anticipated to begin?	The project construction is subject to the availability of federal funding.
3.	Jack Cross	I think this is one of the most important industrial highway projects that I've seen in the 54 years that I've lived in Texas City.	Comments noted.

		Texas City is an environmentally friendly city. We take the environment seriously. We – we have a lot of parks and we – we just try to do what's right. This is actually going to help the environment, not hurt it, because can you imagine what would happen with all these trucks going up to the old Y with Bayou Vista, Hitchcock and so forth? You can't – not only the traffic but the pollution coming out of these trucks. If this port is built – and it will be built like Matt – Matt said – we're gonna have a greater environmental wetland because the port people and the Corps has already come to an agreement that they would use the grate steel to restore Swan Lake, build up the levy across the front of it and restore – build new hundreds of acres of wetland. I'm all for this project. I do applaud the environmental people for their concern and for all the work they do but this is not a losing project for them.	
4.	Evangeline Whorton	In 2004 I sat in on a meeting at Bayou Vista where the issue of truck traffic impacting Bayou Vista and the Texas City Wye were discussed. A few months later I attended a public hearing at the Nessler Center on alternative proposals for redevelopment of Loop 197, which included a direct, elevated connector to service the port of Texas City and Shoal Point transport via Loop 197. There were many citizens present and it was agreed that an alternative direct connector would be acceptable with ramp development over the railroad track to take an immediate northeasterly curve in the vicinity of the rail itself and tie into I-45 much further north of the Texas City Wye. We left the hearing thinking that a workable solution had been achieved.	At the public hearing, a total of 78 comments were received. Out of the total comments received, 66 comments indicated a preference for Alternative 3, the preferred alternative presented at the public hearing.

		Going back for background information, Scenic Galveston in 2002 was awarded a Federal NOAA Coastal Impact Assistant Program Revenues Award, generated by offshore leases for the sole purpose of acquiring 1500 acres of premier wetlands, Spartina patens meadows and original native prairies on the Virginia Point Peninsula to be used for conservation only. That's in quotes. Not with nontaxpayer dollars the proposed habitat conservation preserve called the Virginia Point Peninsula Preserve, or VPPP, was purchased from the University of Texas real estate division for $2 million. The lands we acquired land on the 5 miles of the Galveston Bay coastline northward to Loop 197 and then east from Swan Lake to the Union Pacific Railroad line on the west which became collectively from west Galveston Bay a contiguous I-45 corridor habitat conservation preserve of almost 3,000 acres joining with the Virginia Point Peninsula Preserve. In February of 2009 notice went out to adjacent property owners on Loop 197 that an overhead elevated ramp connector was proposed for Loop 197. The Virginia Point Peninsula Preserve owned by Scenic Galveston fronts Loop 197 with its entrance at Campbell Bayou Road. It serves as well as an entrance to trucks and services using the Gulf Coast Waste Disposal Authority. Looking from Loop 197 to the Gulf, these lands make up a spectacular preserve and beauty with many diverse species of animals, birds, marine life, and plant communities in a coastal environment that is fast disappearing on the Texas Gulf Coast. Scenic Galveston strongly opposes overdevelopment of Loop 197 with an elevated concrete connector ramp along the	Comment noted.

		perimeter of SG's habitat property preserve, especially the 25-foot-high retaining walls planned at the Virginia Point Peninsula Preserve entrance. There were no alternatives in the February notice recently received from TxDOT -- just drawings of a 20-foot-high retaining wall and elevated Loop 197 schematic, which clearly shows that this conductor would begin at the entrance to our property and then curve on the north side of present Loop 197 a direct connector ramps at the intersection -- In February of 2009 we only received -- and I'll repeat that – one proposed schematic drawings of an elevated connector following the path of the current Loop 197 roadway, with a concrete ramp marring the view sight and entrances to both the Virginia Point Peninsula owned by Scenic Galveston and the heavily used entrance for the Gulf Coast Waste Disposal Authority. As chairman of Scenic Galveston with well over $10 million invested in our contiguous reserves along the I-45 and Loop 197, I reserve the right to question why our VPPP must be fronted by such an insensitive project. Traffic at ground level is not a problem now. It should not be in the future.	Alternatives were evaluated at the public meeting on March 31, 2004. The purpose of the public hearing in May 2009 was to present the recommended alignment for public input. The purpose of the proposed project includes: -To improve existing and future congestion of predicted traffic by constructing continuous non-stop connector ramps from IH 45 to LP 197, and to improve geometry of the existing IH 45/LP 197 interchange by updating to current design standards. -To avoid congestion and delays at the at-grade railroad crossing near the intersection of LP 197 and SH 146. -To provide alternate routes for the increased truck traffic created by the Shoal Point Terminal Facility. -To provide an alternate connecting route between IH 45 and LP 197, which is not subject to flooding.

5.	Lalise Mason	Scenic Galveston is by far the largest landowner in the area in the proposed project in terms of both acres and linear adjacency to TxDOT right-of-way along Loop 197 and I-45. We own nearly all the mile-long Loop 197 east side between GH&H rail line and Carbide Marsh, GCW 40-acre facility that our chairman just referenced. We also own, approximately, 2 miles in each direction along I-45 between the Texas City Wye exchange and Santa Fe rail overpass, ahead of the railway causeway to Galveston. Added up we have 5 miles of shared boundaries with TxDOT.	Comment noted.
		However, I stand here today as members of our organization have publicly and privately done numerous times in the past to ask TxDOT to work with us, not against us, in long-term planning and project design. For those -- these borders we share in the natural and scenic amenics (phonetic) and to be Galveston stewards to the benefit of our local citizens. Had this interaction happened early on in the design process for Loop 197 connector maybe the need for this public hearing would have been obviated. I'd much rather be someplace else tonight. I'm sure you would, too.	A public meeting was held on March 31, 2004, to gather input from the public on the design alternatives for proposed direct connect ramps between LP 197 and IH 45 in the Texas City/La Marque/Bayou Vista area of Galveston County.
		I appreciate TxDOT promptly sending us electronic drawings for the proposed Loop 197 project several weeks ago when I requested them. Unfortunately, now we have a chance to study it carefully the project is even more intrusive to our quiet enjoyment of and future restoration entrance work planned for our preserve lands than we had anticipated. We do appreciate TxDOT's avoidance of our lands per se in terms of eminent domain at this juncture; but part of the reason we purchased the 1500-acre Virginia Point Preserve from the University of Texas a few years back was the unique opportunity to have a public front to the preserve that was away from I-45 and all of the elevated concrete structure that predated our land	Comment noted. The proposed project is located adjacent to the John M. O'Quinn I-45 Estuarial Corridor and Virginia Point Peninsula Preserve; however, access into the properties would remain available.

		acquisition there. Now it seems I-45 is coming to us anyway and we're pretty disheartened. Some history, our environmental consultant, Frank Thompson, and I met with TxDOT project engineer Jim Peacock (phonetic) in around 2000 when we were considering purchase of the portion of Virginia Point lands immediately along Loop 197. At that time TxDOT suggested that the roadway configuration highway infrastructure along Loop 197 would likely remain much as we see it today. I have inquired of my partner if he remembered the conversation as I do and he concurred wholeheartedly. Subsequently to our great chagrin we heard about the connector plan. Many of our neighbors then attended the two public hearings held previously for this project but it seems nobody at TxDOT has paid attention to our longstanding objection to this Loop 197 layout. I need to tell you that we are not against the connector. We fully appreciate the need for it. We are against the grade separation along Loop 197, period. Texas City is presumably full of disturbed lands that could probably accommodate any needed grade separated highway-rail configuration in a less intrusive manner. In both previous hearings alternatives were proposed by TxDOT that we and many other parties preferred. There are few natural or scenic areas in Texas City. Why would TxDOT choose to be party to doing irreparable harm to ours, this one, by placing enormous and presumably well-lit at night concrete bridges in front of it? I was going to eliminate this next paragraph. And in spite of the fact that I'm over time something was said about the environmental assessment by -- by this young lady at the end of this table. And I'm going to leave it in because it's	A total of 78 comments were received at the public meeting. Out of the total comments received, 66 comments indicated a preference for Alternative 3, the preferred alternative presented at the public hearing. The preferred alternative meets the needs of the proposed project while minimizing environmental impacts.

		something that's concerning us greatly. Some additional history, it's a bit of an aside. In reading the environmental assessment document you sent over last week, I'm astonished to see that this Loop 197 connector project plan has since about 2004, been embedded inside more ambitious and conceptual widening plans for I-45. Planning about which we have heard nothing. In the mid 1990s, when we began buying lands in the I-45 corridor, we had meetings with both TxDOT and Parsons Brinckerhoff towards the I-45 master plan that was ultimately produced. At that time, as we began buying land in the corridor, we were similarly assured as with Loop 197 that while I-45 would almost certainly be adding lanes, which we appreciate, this work would affect us not at all and specifically would occur within the existing TxDOT right-of-way not requiring taking of Scenic Galveston new and proposed preserve lands. We subsequently made numerous land planning and habitat restoration decisions based on that advice from TxDOT as codified in your report. So, while we recognize that things change and also that only the Loop 197 connectors are on the table at this time, I continue to remain concerned that months or years from now we will open the mail and discover that a widening and a condemnation of our now largely restored wetlands are planned along I-45 after all and, in fact, the Loop 197 connectors were the proverbial tip of the iceberg. I hope not. Back to the Loop 197 project, we strongly object to this proposed layout for the connector project. We will continue to do so, probably in Austin after this hearing is over. I	This public hearing was for the LP 197 direct connector project. Comments regarding the IH 45 project are not applicable to this project. Comment noted.

		understand no construction documents have been prepared as yet. We encourage you to hold off moving forward until some community consensus can be reached on the public imperative for this project and specifically for this routing. We also have many questions about cumulative and future impacts of the Loop 197 connectors in terms of future expansion projects that might have -- I'm going to leave you with a notion of cumulative impacts because you guys are doing something and you're not addressing it.	
6.	Brandt Mannchen	There's 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. We believe a number of the issues have not been included in the environmental assessment and I'd like to mention a few of those. What are the connected impacts between the proposed Shoal Point terminal facility and this particular Loop 197? One of the bird surveys of the project location and the species of birds found during site visits using past data and species lists, the only thing there are four birds --- four birds are mentioned and those are only nesting birds. Nothing about birds that don't nest there but exist there. The number of acres of wetlands that will be saved by elevating the sections and where circulation will be affected,	Cumulative impacts associated with the Shoal Point Terminal Facility are addressed with the Indirect and Cumulative Impacts section of the EA. During the site reconnaissance, cursory nest surveys were conducted to comply with the Migratory Bird Treaty Act. The project area was also assessed for preferred habitat for threatened and/or endangered bird species. Additional bird surveys were not required. Detailed design information regarding fill quantities are not known at this time. Once the final design is complete, fill quantities and the exact impacts amounts to wetlands will be determined. By elevating the roadway over wetlands, impacts to wetlands are minimized.

		…where water will go that is displaced and how many acres of the hundred-year floodplain will be displaced by Loop 197,	The hydraulic study will be completed after the final design is completed to determine the exact impacts on the 100-year floodplain. The hydraulic design of the proposed improvements would be in accordance with the current TxDOT and FHWA policy standards. The roadway would permit the conveyance of the 100-year flood, inundation of the roadway being acceptable, without causing substantial damage to the roadway or other property. The proposed project would not increase the base flood elevation to a level that would violate applicable floodplain regulations and ordinances.
		…the quantity and life quality water from runoff in proposal and the cumulative actions of the impacts this will have on freshwater brackish and saltwater wetlands in the bay system,	No long-term water quality impacts are expected as a result of the proposed project.
		…the basin and post project flood elevation and the hydraulic study and mitigation plan to offset construction impacts,	The hydraulic study will be completed after the final design is completed to determine the exact impacts on the 100-year floodplain. Upon completion of the hydraulic study, TxDOT will respond appropriately as directed by the Galveston County Floodplain Administrator and will devise a mitigation plan to offset the construction impacts.
		…and emissions inventory for all air pollutants for the proposal and all cumulative actions. The impacts of air pollutants on water quality, shellfish, fin fish and other aquatic organisms, the amount of greenhouse gas emissions from the proposal and all cumulative actions, and	Air quality analyses were conducted per the 2006 TxDOT Air Quality Guidelines. Design year traffic data is estimated to be 12,240 vehicles per day; therefore, a Traffic Air Quality Analysis is not required because previous analyses of similar projects did not result in a violation of National Ambient Air Quality Standards ("NAAQS").
		…a noise analysis with real noise monitor levels and an estimate of future noise levels due to this proposal and all cumulative actions.	A noise analysis for the proposed project was conducted based on TxDOT procedures which models existing and future predicted noise levels. Existing noise levels were measured in the field with a noise monitor. Based on results

		These are just some of the things that we would like to see in the document because this is the only chance the public has to comment. And if those studies are done later, the public has no opportunity to read them and then comment on them and have them on the record. So, we would encourage you to complete those documents, have a public comment period for them so that the public can review, comment on and understand the full environmental impacts of the proposal.	of the noise analysis, noise impacts are not anticipated. A detailed noise analysis for cumulative impacts is not required.
7.	Charles Doyle	This is a very important corridor for the economic development of our area. I'm chairman of the board of Texas First Bank. We have 18 locations in every city of Galveston County. Other plans that have been looked at in the past -- this is not the first time we've looked at improving the transportation into Texas City. We had Texas Copper that was proposed here at one time. We've had other events when we worked on gateways, when we had Tex Tin torn down but we also salute Tex Tin because first week in June we'll celebrate the 65th anniversary of the landing in Normandy. And this was the only tin smelter in the northern hemisphere and it was very important in the war. Environmental issues have been addressed by Jack Cross and I heard also from Scenic Galveston. I'm not on their board. I'm not a participant in their organization, but I would assume I'm part of it because I think we gave the first acres given to them or among the first as a part of Scenic Galveston. I commend them on what they've done. It's a beautiful entry into Galveston. We need a better gateway into Texas City. Of the three alternatives that you have presented here this evening and worked on for I don't know how long but a long time, you've given appropriate consideration to the cities of La	Comments noted.

		Marque, Tiki Island and Bayou Vista as well as Texas City, the people living there and the nuisance that could be caused by an improper transportation corridor. You've given consideration that I saw outlined in an excellent manner by you, ma'am, to the environment; and we, too, are interested in the environment. That's why we wanted Tex Tin torn down. That's why we built more parks for our environment than anyone else in the area. And all we ask is that you continue to offer economic development for Galveston County because of Ike and Wall Street, all of us have had a tough time trying to pull our communities together and get up off of our knees after being knocked down many times here and this is the kind of development that leads to future development and the super port that could come to Texas City as we continue to develop our own industrial facilities.	
Written Comments			
1.	Carlos Simonson Orellana	Strongly support this project with some suggestions for improvement: 1. Why so much work and effort to build such a narrow bridge overpass? It should be 4 lanes (2 each way with shoulder and safety lanes additional). 2. Roadway should be illuminated with LED lighting to protect wildlife in Scenic Galveston properties. 3. Loop connectors should expand further east along 197.	1. The facility was designed to accommodate the projected 2025 traffic. 2. During final design development TxDOT will evaluate the need for illumination, and if the warrants are met, will then evaluate the need for shielding to control the roadway illumination to the TxDOT facility. 3. Comment noted.

		4. Needs to include access ramps (should and must do this) to Virginia Point nature preserve entrance.	4. The location of access ramps are still to be determined by TxDOT.
2.	D. R. Hutchinson	Good project. Worthy of approval.	Comment noted.
3.	Mike Fitzgerald	As county engineer I can speak for the Galveston County Commissioner's Court and the County whole heartedly supports the project.	Comment noted.
4.	Kenneth Roberts	Satisfied it will not add traffic flow-noise pollution to my immediate area. However I am concerned about air pollution.	Comment noted. An air quality analysis was completed and local concentrations from the proposed project would not exceed national standards. The proposed improvements will meet all federal air quality requirements as established by the FHWA and the Environmental Protection Agency and will be included in the Houston-Galveston Regional Air Quality Conformity Plan.
5.	Gwen Megale	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.	Traffic signal studies will be conducted as part of the final design. Based on findings of the traffic noise analysis, implementation of the recommended alternative would not result in a traffic noise impact; therefore, noise walls are not proposed.
6.	John Allaire	I support the No Build Alternative at this time. What percent of Galveston County highway intersections are currently within the 100 year flood plain? What is the definition of a cursory Migratory Bird Nesting Survey?	The percentage of Galveston County highway intersections located within the 100-year flood plain was not identified as part of this Environmental Assessment. However, the proposed project is located within the 100-year floodplain. A cursory nesting survey is one which is performed in the field while conducting other environmental investigations to identify any nests within the project area. This is a quantitative study focused on what is currently present at the time of the investigation.

		What time of year was this nesting survey conducted?	This survey was conducted in June and September.
7.	Brandt Mannchen (Sierra Club)	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.	Comment noted. 1. LP 197 merges with SH 3 and SH 146 at a three-way intersection. From this intersection, all commuters traveling on these three roadways to reach IH 45 merge onto one roadway, designated as SH 146. The future traffic volume at the intersection of LP 197 and IH 45 is expected to increase approximately 22 percent from 2005 to 2025, which could contribute to increased inefficiencies without the proposed improvements. The proposed interchange design would improve the three-way intersection and would provide a safer interchange that meets current standard design criteria, and therefore functions more efficiently and safely. After construction of the proposed project direct connector, an LOS of D would be achieved. 2. This information is currently being researched. In addition to the delay caused by trains, avoiding the railroad tracks also increases safety. 3. The Shoal Point Container Terminal would meet a regional need for development of a containerized cargo gateway driven by the growth in container

			traffic within the Texas Central Gulf region. Over 10,000 daily truck trips are expected to be generated in 2025 by the proposed container terminal. The Shoal Point Container Terminal project will provide access from the terminal to LP 197 at the FM 519 intersection. Further impacts from the Shoal Point Container Terminal are discussed in the indirect and cumulative impacts section of the EA.
		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.	4. The proposed project would reduce traffic flow within and adjacent to the communities of Omega Bay, Bayou Vista, La Marque, and Hitchcock by constructing a non-stop connector ramp, thus moving heavy traffic further away from these neighborhoods. See Exhibit B. Trucks will no longer need to use IH 45 access roads adjacent to Omega Bay and Bayou Vista to access LP 197.
		5. If this proposal "facilitates future expansion of SH 6" then the environmental impacts of SH 6 should be discussed.	5. At this time, there are no proposed improvements to SH 6; therefore, there are no potential impacts to address.
		6. Where the 11.09 acres of ROW will be taken and whose property will probably be taken.	6. See Exhibit D of the EA for the proposed ROW location. No residences, businesses, or farms would be displaced as a result of the proposed project. Names of property owners within the proposed ROW are not included in the EA.
		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 provision that the information is preliminary.	7. A description of each wetland within the project area is provided in the Wetlands and Water of the U.S. section of the EA. The surveyed delineated boundaries, including acreage calculations for each wetland and water, are provided in Exhibit H of the

			EA.
		8. The bird surveys of the project location and the species of birds found during site visits, using past data, and species lists.	8. During site reconnaissance, cursory nest surveys were conducted to comply with the Migratory Bird Treaty Act. The project area was also assessed for preferred habitat for threatened and/or endangered bird species. Additional bird surveys were not required. A review of the Texas Parks & Wildlife Department's (TPWD) Natural Diversity Database (NDD) system was conducted to identify known occurrences of any threatened or endangered species within the vicinity of the project area. Based on the review, there are no documented occurrences of any federally threatened or endangered species, including bird species, within the proposed area or within 1,000 feet of the project area.
		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.	9. Detailed design information regarding fill quantities are not known at this time. Once the final design is complete, fill quantities and the exact impacts amounts to wetlands and floodplains will be determined. The hydraulic design of the proposed improvements would be in accordance with the current TxDOT and FHWA policy standards. The roadway would permit the conveyance of the 100-year flood, inundation of the roadway being acceptable, without causing substantial damage to the roadway or other property. The proposed project would not increase the base flood elevation to a level that would violate applicable floodplain regulations and ordinances.
		10. The quantity and likely quality of water from run-off	10. No long-term water quality impacts are expected as

		from the proposal and the cumulative actions and the impacts this will have on freshwater, brackish, and saltwater wetlands and the bay system.	a result of the proposed project.
		11. The base and post project flood elevation and the hydraulics study and mitigation plan to offset construction impacts.	11. The hydraulic study will be completed after the final design is completed to determine the exact impacts on the 100-year floodplain. Upon completion of the hydraulic study, TxDOT will respond appropriately as directed by the Galveston County Floodplain Administrator and will devise a mitigation plan to offset the construction impacts.
		12. The wetlands delineation and preliminary figures for type and number of acres of wetlands that will be destroyed.	12. Results of the wetland delineation are provided in the Wetlands and Water of the U.S. section of the EA. The surveyed delineation boundaries, including acreage calculations for each wetland and water, are provided in Exhibit H of the EA. The complete wetland delineation is on file at the USACE and TxDOT and not included in the EA.
		13. A draft storm water pollution prevention plan.	13. In accordance with TxDOT policies, a Storm Water Pollution Prevention Plan (SW3P) would be prepared before construction and following during construction. Pollution from stormwater would be minimized through adherence to measures in the project's SW3P. Per TxDOT Environmental Affairs and FHWA guidelines, this information is not required as part of the Environmental Assessment.
		14. An emissions inventory for all air pollutants for the proposal and all cumulative actions.	14. Design year traffic data is estimated to be 12,240 vehicles per day; therefore, a Traffic Air Quality Analysis is not required because previous analyses of similar projects did not result in a violation of

			National Ambient Air Quality Standards (NAAQS).
		15. The impacts of air pollutants on water quality, shellfish, finfish, and other aquatic organisms.	15. Air quality analyses were conducted per the 2006 TxDOT Air Quality Guidelines. Design year traffic data is estimated to be 12,240 vehicles per day; therefore, a Traffic Air Quality Analysis is not required because previous analyses of similar projects did not result in a violation of National Ambient Air Quality Standards (NAAQS). The proposed improvements will meet all federal air quality requirements as established by the FHWA and the Environmental Protection Agency and will be included in the Houston-Galveston Regional Air Quality Conformity Plan.
		16. The amount of greenhouse gas emissions from the proposal and all cumulative actions.	16. Currently, there are no regulations regarding analysis of greenhouse gas emissions. Air quality analyses were conducted per the 2006 TxDOT Air Quality Guidelines. Design year traffic data is estimated to be 12,240 vehicles per day; therefore, a Traffic Air Quality Analysis is not required because previous analyses of similar projects did not result in a violation of National Ambient Air Quality Standards (NAAQS).
		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.	17. A noise analysis for the proposed project was conducted based on TxDOT procedures which models existing and future predicted noise levels. Existing noise levels were measured in the field with a noise monitor. Based on results of the analysis, noise impacts are not anticipated. A noise analysis for cumulative impacts is not required.

		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). 26. A definition for "significant damage" (page 51) with regard to roadway, floodplain, or other property along the route. 25. Potential mitigation compensation for wetlands that will be dredged or filled.	18. A Hazmat review was conducted as part of the EA process. A Phase II study is currently in progress. 19. Construction may temporarily degrade air quality through dust and exhaust gases associated with construction equipment. Measures to control dust would be considered and incorporated into the final design and construction specifications. 20. 20-24 & 26. These comments pertain to language found in the Indirect and Cumulative Impacts section of the Environmental Assessment. In general, indirect and cumulative impacts include those consequences of the proposed action that are not direct and may not be readily observable. Therefore, indirect and cumulative impacts are not as quantifiable quantifiable as direct impacts and general descriptions are used. 25. Compensatory mitigation is anticipated and TxDOT Houston District will consider its mitigation options once the types of impacts can be further assessed during the permitting process.
8.	EVK Communi-ties	Please proceed ASAP with the LP 197 direct connector.	Comment noted.

9.	Leo Reitan	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.	Comments noted. 1. The contractor would take appropriate measures to prevent, minimize, and control the spill of hazardous materials in any construction staging areas. An air quality analysis was completed and local concentrations from the proposed project would not exceed national standards. No long-term water quality impacts are expected as a result of the proposed project. In the event of a future hazardous materials spill from other sources, local authorities should be contacted. 2. The increased noise and activity levels during construction could potentially disturb breeding or other activities of species inhabiting the areas adjacent to the construction area. 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. According to the traffic noise analysis, the proposed project would not result in a traffic noise impact to receivers. 3. During final design, TxDOT will evaluate the need for illumination, and if the warrants are met, will then evaluate the need for shielding to control the roadway illumination to the TxDOT facility. 4. Access to property will be maintained and will meet current safety design standards.

		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.	5. The petroleum and natural gas pipelines may require relocation. Coordination with the pipeline companies regarding potential activities would be addressed during the ROW acquisition stage of the project development. It is anticipated that all pipeline adjustments and relocations would be completed prior to construction. Relocation of the pipelines would be the responsibility of the applicable owner. 6. Several utility adjustments to pole-mounted transmission lines would be necessary as a result of the proposed project. All impacts to utilities resulting from the proposed project would be addressed in the project construction plans. Utility adjustments within the project limits would be the responsibility of the utility companies.
10.	Ellie Childs	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 at the cost of the project. If I may respectively 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	Comments noted. The proposed project itself will not increase traffic. The proposed project will help accommodate future traffic needs. LP 197 merges with SH 3 and SH 146 at a three-way intersection. From this intersection, all commuters traveling on these three roadways to reach IH 45 merge onto one roadway, designated as SH 146. The future traffic volume at the intersection of LP 197 and IH 45 is expected to increase approximately 22 percent from 2005 to 2025, which could contribute to increased inefficiencies without

		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.	the proposed improvements.
11.	Brandt Mannchen (Sierra Club)	Enclosed are the comments of the Houston Regional Group of the 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.	1. Cumulative impacts associated with the Shoal Point Terminal Facility are addressed with the Indirect and Cumulative Impacts section of the EA. 2. LP 197 merges with SH 3 and SH 146 at a three-way intersection. From this intersection, all commuters traveling on these three roadways to reach IH 45 merge onto one roadway, designated as SH 146. The future traffic volume at the intersection of LP 197 and IH 45 is expected to increase approximately 22 percent from 2005 to 2025, which could contribute to increased inefficiencies without the proposed improvements. As noted in the EA, Level of Service (LOS) is a measurement that describes traffic conditions based upon a comparison between traffic volumes and the vehicular capacity of roadways in the county. The November 2002 EIS prepared for the Shoal Point terminal project concluded that increased roadway cargo traffic volume would create an unacceptable

			LOS (LOS F, which occurs at the breakdown of flow, characterized by stop-and-go conditions and queues), at the SH 3 LP 197 intersection. After construction of the proposed project direct connector a LOS D would be achieved.
		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.	3. This information is currently being researched. In addition to the delay caused by trains, avoiding the railroad tracks also increases safety.
		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.	4. The Shoal Point impacts are revealed and addressed in the Shoal Point EIS. The Shoal Point Terminal Facility is included in the indirect and cumulative impacts analysis for this project.
		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	5. The purpose of the project is also to improve geometry of the existing interchange, update the intersection to current design standards, and provide a connecting route between IH 45 and LP 197 which is not subject to flooding. Therefore, construction of the proposed project would be

			80 percent federally-funded and 20 percent state-funded.
		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?	6. An 8-foot outside shoulder and 4-foot inside shoulder are provided. This would provide adequate space for stalled vehicles and allow vehicles to pass. See typical sections in Exhibit C of the EA.
		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.	7. As stated in the ROW section of the EA, the proposed project will require 11.09 acres of additional ROW. The vegetation section of the EA describes the vegetation located within this acreage. See Exhibit D of the EA for the proposed ROW location. No residences, business, or farms would be displaced as a result of the proposed project.
		8) Page 4, Alternative 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.	8. The proposed project would reduce traffic flow within and adjacent to the communities of Omega Bay, Bayou Vista, La Marque, and Hitchcock by constructing a non-stop connector ramp, thus moving heavy traffic further away from these neighborhoods. See Exhibit B. Trucks will no longer need to use IH 45 access roads adjacent to Omega Bay and Bayou Vista to access LP 197.
		9) Page 4, Alternative 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	9. The November 2002 environmental impact statement (EIS) prepared for the Shoal Point terminal project concluded that increased roadway cargo traffic volume would create an unacceptable

		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 the 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.	LOS, or LOS F, at the SH 3 and LP 197 intersection. After construction of the proposed project direct connector, an LOS of D would be achieved. The proposed project would have an increased LOS on hurricane evacuation routes. At this time, there are no proposed improvements to SH 6; therefore, there are no potential impacts to address.
		10) Page 4, Alternative 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 that 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.	10. Predicted future traffic numbers are included when modeling future noise levels and assessing air quality impacts. Based on the assessments, neither noise nor air quality impacts are anticipated.
		11) Page 5, Alternative Analysis, the EA states "Heavy trucks would have to downshift, decelerate, accelerate, and merge with (posted) 65 mph interstate and highway traffic on the main lanes." Page 3 of the EA states "The current posted advisory speed is 60 mph of LP 197 and 70 mph on IH 45 within the projected limits." These two sentences contradict each other. Which is correct?	11. The current posted speed on IH 45 is 65 mph.

		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.	12. See Exhibit D of the EA for the proposed ROW location. No residences, businesses, or farms would be displaced as a result of the proposed project. Names of property owners within the proposed ROW are not included in the EA.
		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.	13. The EA is based on Census 2000 data.
		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.	14. The LP 197 project is not proposed to impact future land use. The Shoal Point project is being planned as a stand-alone project and associated impacts were addressed in the Shoal Point EIS. At this time, there are no proposed improvements to SH 6; therefore, there are no potential impacts to address.
		15) Page 9, Land Use, what is "Virginia Point Wildlife Preservation?" TxDOT needs to explain so that public and decision-makers understand what the land use is next to where this proposal will be.	15. This is in reference to the Virginia Point Peninsula Preserve owned by Scenic Galveston.
		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	16. In accordance with EO 13112, native plant species of grasses, shrubs, or trees would be used in the landscaping and in the seed mixes. No invasive

		Loop 197 proposal. Native species should be planted only.	species would be used to revegetate the ROW and soil disturbance would be minimized to ensure that invasive species do not establish in the ROW.
		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.	17. Best Management Practices (BMPs) will be determined prior to construction.
		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 provision that the information is preliminary.	18. A description of each wetland within the project area is provided in the Wetlands and Water of the U.S. section of the EA. The surveyed delineated boundaries, including acreage calculations for each wetland and water, are provided in Exhibit H of the EA.
		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?	19. While Black Willow is present, bottomland hardwood or riparian vegetative communities are not located within the project area.
		20) Pages 14-16, Wildlife, the EA only lists four species of birds that are "known to nest in Galveston County."	20. During the site reconnaissance, cursory nest surveys were conducted to comply with the Migratory Bird

		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?	Treaty Act. The project area was also assessed for preferred habitat for threatened and/or endangered bird species. Additional bird surveys were not required.
		21) Page 15, Wildlife, the EA states "…the proposed work is not expected to fragment of 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.	21. The project area has already experienced fragmentation by the construction of railroads, IH 45, LP 197, and SH 146. The elevated roadway will allow for species movement under the roadway.
		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.	22. A noise analysis was conducted per the 1996 TxDOT Guidelines for Analysis and Abatement of Highway Traffic Noise. Based on results of the analysis, noise impacts are not anticipated by the proposed project.
		23) Pages 16-18, Essential Fish Habitat, the EA states "The majority of impacts to EFH as a result of the	23. Wetlands impacts will be minimized by the elevated roadway. NMFS will be contacted and

		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?	provide further review during any permitting process.
		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 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-influence waters? Since TxDOT has not estimated the amount of storm water it will generate with this project	24. On February 9, 2007, USFWS concurred that the project is not likely to adversely affect any federally listed species under their jurisdiction. Appendix B includes all coordination with the USFWS.

		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.	25. A noise analysis for the proposed project was conducted based on TxDOT procedures which models existing and future predicted noise levels. According to the traffic noise analysis, the proposed project would not result in a traffic noise impact to receivers. The increased noise and activity levels during construction could potentially disturb breeding or other activities of species inhabiting the areas adjacent to the construction area. 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. During final design TxDOT will evaluate the need illumination, and if the warrants are met, will then evaluate the need for shielding to control the roadway illumination to the TxDOT facility.
		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?	26. Results of the wetland delineation are provided in the Wetlands and Water of the U.S. section of the EA and the report is on file at the USACE and TxDOT. The surveyed delineation boundaries, including acreage calculations for each wetland and water, are provided in Exhibit H of the Environmental Assessment. Detailed design information regarding fill quantities are not known at this time. Once the final design is complete, fill quantities and the exact impacts amounts to

			wetlands and the floodplain will be determined. The hydraulic design of the proposed improvements would be in accordance with the current TxDOT and FHWA policy standards. The proposed project would not increase the base flood elevation to a level that would violate applicable floodplain regulations and ordinances.
		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?	27. No long-term water quality impacts are expected from the project. The Shoal Point Terminal project impacts are revealed and addressed in the Shoal Point EIS. The Shoal Point Terminal Facility was included in the indirect and cumulative impacts analysis for this project. SH 6 is not currently proposed for expansion. Therefore, there are no impacts to be addressed.
		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	28. The hydraulic study will be completed after the final design is completed to determine the exact impacts on the 100-year floodplain. Upon completion of the hydraulic study, TxDOT will respond appropriately as directed by the Galveston County Floodplain Administrator and will devise a mitigation plan to offset the construction impacts.

		elevation level that would violate applicable floodplain regulations and ordinances? How much fill and over what area 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 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.	29. Wetlands and waters of the U.S. are addressed in the EA beginning on page 24. The proposed project area contains 9.35 acres of waters of the U.S., including wetlands. Of the 9.35 acres, 2.19 acres are subject to Section 10 of the Rivers and Harbors Act and 7.16 acres are subject to Section 404 of the Clean Water Act. The wetland delineation has been prepared and is on file at the USACE and TxDOT.

		30) Pages 29 and 30, TCEQ, 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.	30. Wetlands and waters of the U.S. are addressed in the EA beginning on page 24. The proposed project area contains 9.35 acres of waters of the U.S., including wetlands. Of the 9.35 acres, 2.19 acres are subject to Section 10 of the Rivers and Harbors Act and 7.16 acres are subject to Section 404 of the Clean Water Act. The wetland delineation has been prepared and is on file at the USACE. Prior to construction the SW3P will be prepared which will include Best Management Practices.
		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	31. The 2006 TxDOT Air Quality Guidelines were followed during the EA. Design year traffic data is estimated to be 12,240 vehicles per day; therefore, a Traffic Air Quality Analysis is not required because previous analyses of similar projects did not result in a violation of National Ambient Air Quality Standards (NAAQS). The EA meets all required guidelines and standards.

		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 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 assessments, 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 environmental 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 Caroline State University, states on page 59 "On-road mobile emission inventories developed from MOBILE6 have significant shortcomings. MOBLIE6 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 the 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	Currently, there are no guidelines for analysis of greenhouse gas emissions. Air quality analyses were conducted per the 2006 TxDOT Air Quality Guidelines. Design year traffic data is estimated to

		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.	be 12,240 vehicles per day; therefore, a Traffic Air Quality Analysis is not required because previous analyses of similar projects did not result in a violation of National Ambient Air Quality Standards (NAAQS).
		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 all the environmental	32. The one receiver location is representative of frequent human activity areas adjacent to the proposed project that might be impacted by traffic noise and potentially benefit from feasible and reasonable noise abatement. The noise analysis for the proposed project was conducted based on TxDOT procedures.

		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.	33. A Hazmat review was conducted as part of the EA process. A Phase II study is currently in progress.
		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…Measure 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.	34. Construction would likely be conducted during day time hours when excess noise is more acceptable. Best management practices to control dust during construction will be determined prior to construction.
		35) Pages 43-48, Indirect and Cumulative Impacts, the EA states "indirect impacts to economic, environmental,	35. These comments pertain to language found in the Indirect and Cumulative Impacts section of the

			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 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	Environmental Assessment. In general, indirect and cumulative impacts include those consequences of the proposed action that are not direct and may not be readily observable. Therefore, indirect and cumulative impacts are not as quantifiable quantifiable as direct impacts and general descriptions are used. The Shoal Point impacts are revealed and addressed in the Shoal Point EIS. The Shoal Point Terminal Facility was included in the indirect and cumulative impacts analysis for this project. At this time, there are no proposed improvements to SH 6; therefore, there are no potential impacts to address.

		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.	All direct environmental impacts (positive and negative) were determined in the EA. Environmental resources with no significant direct or indirect impacts (positive or negative) were not carried through the detailed cumulative effects analysis.
		On page 45, Table 14, Parkland, 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 drawing in the EA.	Based on the previous sections of the EA to evaluate the social, economic, and environmental impacts, certain environmental resources were not determined to have significant direct impacts and were therefore, not included in the indirect and cumulative impacts analysis.
		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 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.	The net change of VMTs would be negligible.

		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.	Future noise levels are observed based on analyzing noise modeling results.
		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.	The City of Bayou Vista has adopted the Texas Windstorm Resistance Code and the FEMA Coastal Construction Manual as part of its building code. Galveston County floodplain regulations contain specific construction requirements/prohibitions for building within 100-year floodplains, areas of shallow flooding, and in floodways. Under these regulations, in addition to individual development and building permits, developments that are greater than 5 lots or 50 acres (whichever is smaller) are required to also submit a development permit to ensure that development follows floodplain codes. Enforcement of these codes by responsible agencies/organizations regulates development within floodplains.
		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.	The IH 45 project is currently under evaluation and all environmental impacts will be addressed as part of the IH 45 EA.
		On page 48, Potential Cumulative Impacts, the EA states "The proposed project, in combination with	In general, indirect and cumulative impacts include

		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.	those consequences of the proposed action that are not direct and may not be readily observable. Therefore, indirect and cumulative impacts are not as quantifiable as direct impacts and general descriptions are used.
		The EA, under the Potential Cumulative Impacts heading, says three resources and then two resources. These are contradictory numbers. Which is correct?	The text should read three resources (land use, water resources, and floodplains).
		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?	There is the potential for the acceleration of development; however, the cumulative impacts are expected to be minor. The current health of the resources was determined. Land use in the resource area is currently stable and water resources are generally good. With additional development, the amount of impervious cover increases; therefore, increasing the amount of stormwater runoff into ditches/drainages.
		36) Page 50, Land Use, how have the city and county prevented development or changed land use in the project area?	36. City ordinances and land use plans guide development within the city.
		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.	37. Results of the wetland delineation are provided in the Wetlands and Water of the U.S. section of the EA. The surveyed delineation boundaries, including acreage calculations for each wetland and water, are provided in Exhibit H of the EA. The complete wetland delineation is on file at the USACE and TxDOT and not included in the EA.

			Detailed design information regarding fill quantities are not known at this time. Once the final design is complete, fill quantities and the exact impacts amounts to wetlands and mitigation will be determined.
		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.	38. Without causing "significant damage" means that the road is still passable and it does not block/alter flows or create a flood hazard to other property. The hydraulic design of the proposed improvements would be in accordance with the current TxDOT and FHWA policy standards. Upon completion of the hydraulic study, TxDOT will respond appropriately as directed by the Galveston County Floodplain Administrator and will devise a mitigation plan to offset the construction impacts.
		39) Page 51, Public Involvement, what did the public at the March 31, 2004 public meeting say? How were the public comments used? What has changed in the proposal due to the public comments?	39. Alternatives were evaluated at the public meeting on March 31, 2004. The purpose of the public hearing in May 2009 was to present the recommended alignment for public input. A total of 78 comments were received at the public meeting. Sixty-six of these comments indicated a preference for Alternative 3, the preferred alternative presented at the public hearing
		40) Appendix B, Agency Coordination Letters, October 26, 2006 TxDOT letter to National Marine Fisheries Service, this letter confirms that a widening proposal to IH 45 is being considered and therefore is a future	40. The IH 45 project is currently under evaluation and all environmental impacts will be addressed as part of the IH 45 EA.

		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.	
		41) 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.	41. Comment noted. Electronic copies are available to the public by requesting a copy from TxDOT through their public records request process at http://www.txdot.gov/contract_us/form/ ?id+openrecords.
		42) 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	42. During final design TxDOT will evaluate the need for illumination, and if the warrants are met, will then evaluate the need for shielding to control the roadway illumination to the TxDOT facility.

		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.	
12.	City of Texas City	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, and accessibility to the various properties, cities and communities, impacts on the wetlands and environment,	Comment noted.

		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 hosting the public hearing and your assistance on this much needed project.	
13.	Ellie Childs	This project may have merit eventually- If Shoal Port, Texas City is rebuilt for cargo and actually has money to do so. If it were really needed and Houston Ports available and so close. If the economy rebounds and a need exists. If fuel sources continue from overseas. If the Panama Canal is widened, etc., etc., etc. Meanwhile a viable railroad system can handle all this and is already in place.	Comment noted. There are multiple needs for this project, including: -Inefficient transitioning of traffic at the existing IH 45/LP 197 interchange; interchange is currently below current design standards. -Traffic congestion and delays due to the at-grade railroad crossing near intersection of LP 197 and SH 146. -Future truck traffic resulting from the development of the Shoal Point Terminal Facility. -Current intersection of IH 45/LP 197 is located within the 100-year floodplain.

		Please stop wasteful spending.	
14.	Lalise Mason	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 property. 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.	Comments noted. The purpose of this project is to improve the IH 45/LP 197 interchange. A non-LP 197 alternative would not accomplish the objectives of the project. Presently there is inefficient transitioning of traffic at the existing IH 45/ LP 197 interchange and the interchange is currently below current design standards. There is traffic congestion and delays due to the at-grade railroad crossing near the intersection of LP 197 and SH 146. Additionally, there will be future truck traffic resulting from the development of the

			Shoal Point Terminal Facility, and the current intersection of IH 45/LP 197 is located within the 100-year floodplain.
		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 connector 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	The contaminated area within the MOTCO site has been avoided to minimize environmental impacts.

		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.	A more northerly alignment does not improve the IH 45/LP 197 interchange. Additionally, congestion and safety would still be issues at the railroad crossing.
		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 is 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.	Drivers use this current intersection to access IH 45, which causes the congestion at the railroad.

		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. Not 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 connector from I-45 to 519, bypassing residential neighborhoods, or both, eliminating the need to destroy our	Comment noted.

		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	 There will be no impacts to the future entrance of the preserve. Egress and ingress routes will remain the same.

		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	During the site reconnaissance, cursory nest surveys were conducted as part of the Migratory Bird Treaty Act. Additional habitat was assessed for threatened and/or endangered bird species. Additional bird surveys were not required. The project area is currently bordered or traversed by LP 197, IH 45, SH 146, and two railroads; therefore, the proposed work is not expected to fragment or otherwise alter any existing wildlife habitats within the project limits.

		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.	Requirements of the Memorandum of Agreement (MOA) between TxDOT and TPWD have been met.
		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?	The petroleum and natural gas pipelines may require relocation. Coordination with the pipeline companies regarding potential activities would be addressed during the ROW acquisition stage of the project development. It is anticipated that all pipeline adjustments and relocations would be completed prior to construction. The utility companies will ultimately be responsible for any relocations.
		A last concern we have about the whole EA 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 on 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	The IH 45 project is currently under evaluation. Comments on the IH 45 project are not applicable to this project.

		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 was 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.	Comment noted.
15.	Liz Gimmler	I don't think the Loop 197 Connector should go in on the proposed site. Please reconsider options further down toward 519 or 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.	Comments noted. A more northerly alignment does not improve the IH 45/LP 197 interchange. The only option for accessing LP 197 would be the existing interchange which is below design

			standards and within the 100-year floodplain. Congestion would still remain at the railroad crossing.
16.	Alex Parkman	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 has 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.	Comments noted.
17.	Dan O'Keefe	Please email or regular mail the summary from your May 27, 2009 public meeting held at Texas City, Texas.	A notice will be sent regarding the availability of the Public Hearing Summary Report. It will be available for viewing at TxDOT's Houston District Office, 7600 Washington Avenue Houston, TX 77007. It will also be available on the TxDOT Houston District Office's web page http://www.dot.state.tx.us/hou/
18.	Page Williams	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	Comment noted.

		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?	Alternatives have been considered and the preferred alternative meets the needs of the proposed project while minimizing environmental impacts. A total of 78 comments were received at the public meeting held on March 31, 2004. Sixty-six of these comments indicated a preference for Alternative 3, the preferred alternative.

19.	Evangeline Whorton	I speak as the Chairman of SCENIC GALVESTON, Inc. (SG) regarding TxDot's proposed project of direct connector 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 D2isposal Authority (GCWDA).	Comments noted. The proposed project will not directly impact any Scenic Galveston property. Access to the John M. O'Quinn I-45 Estuarial Corridor and Virginia Point Peninsula Preserve would remain available.
		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.	The proposed project would impact any areas of unique scenic beauty or other lands of national or state importance. The project area is currently bordered or traversed by LP 197, IH 45, SH 146, and two railroads; therefore, the proposed work is not expected to fragment or otherwise alter any existing wildlife habitats within the project limits.
		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?	The proposed project would likely be 80% federally funded and 20% state funded. However, construction is contingent upon the availability of federal funds.
		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	Comment noted.

		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.	The project area has already experienced fragmentation by the construction of railroads, IH 45, LP 197, and SH 146. The elevated roadway will allow for species movement under the roadway. Indirect impacts are discussed in the indirect and cumulative impacts section of the EA.
		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.	Design year traffic data is estimated to be 12,240 vehicles per day; therefore, a Traffic Air Quality Analysis is not required because previous analyses of similar projects did not result in a violation of National Ambient Air Quality Standards ("NAAQS"). A noise analysis for the proposed project was conducted based on TxDOT procedures which models existing and future predicted noise levels. On February 9, 2007, USFWS concurred that the project is not likely to adversely affect any federally listed species under their jurisdiction. Appendix B includes all coordination with the USFWS.
		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	A public meeting was held on March 31, 2004, to gather input from the public on the design alternatives for proposed direct connect ramps between LP 197 and IH 45 in the Texas City/La Marque/Bayou Vista area of Galveston County. The purpose of the public hearing in May 2009 was to present the recommended alignment for public input and further solicit comments. The proposed project will not acquire ROW from any Scenic Galveston property.

		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.	Comments noted. General comments regarding billboards can be submitted to TxDOT at any time.
		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.	Comment noted. Lights along highways are provided for public safety. During final design, development TxDOT will evaluate the need for illumination, and if the warrants are met, will then evaluate the need for shielding to control the roadway illumination to the TxDOT facility.

		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 connectors to the I-45 further north at Hwy 519 as requested.	A total of 78 comments were received at the public meeting held on March 31, 2004. Sixty-six of these comments indicated a preference for Alternative 3, the preferred alternative.
		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?	Alternatives were evaluated during the public meeting. Several alternatives were considered and the proposed design was determined to be the safest, most efficient alternative as well as preferred by majority of the public at the public meeting. The purpose of the public hearing is to present the recommended alignment for public input.
		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	A more northerly alignment, as proposed, does not improve the IH 45/LP 197 interchange. The only option for accessing LP 197 would be the existing interchange which

		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?	is below design standards and within the 100-year floodplain. Congestion would still remain at the railroad crossing.
		Why is TxDOT trying to build another elevated roadway when Highway146 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"!	The purpose of the proposed project includes: -To improve existing and future congestion of predicted traffic by constructing continuous non-stop connector ramps from IH 45 to LP 197, and to improve geometry of the existing IH 45/LP 197 interchange by updating to current design standards. -To avoid congestion and delays at the at-grade railroad crossing near the intersection of LP 197 and SH 146. -To provide alternate routes for the increased truck traffic created by the Shoal Point Terminal Facility. -To provide an alternate connecting route between IH 45 and LP 197, which is not subject to flooding.
		One thousand nayes 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	Comment noted. Alternatives have been considered and the preferred alternative meets the needs of the proposed project while minimizing environmental impacts.

		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.	
20.	Margaret Lloyd	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	Comments noted. It is not anticipated that the proposed project would impact any areas of unique scenic beauty or other lands of national or state importance. Access to the John M. O'Quinn I-45 Estuarial Corridor and Virginia Point Peninsula Preserve would be available. The project area has already experienced fragmentation by the construction of railroads, IH 45, LP 197, and SH 146. The elevated roadway will allow for species movement under the roadway. Indirect impacts are discussed in the indirect and cumulative impacts section of the EA. Design year traffic data is estimated to be 12,240 vehicles per day; therefore, a Traffic Air Quality Analysis is not required because previous analyses of similar projects did not result in a violation of National Ambient Air Quality Standards ("NAAQS"). A noise analysis for the proposed project was conducted based on TxDOT procedures which models existing and future predicted noise levels.

		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.	Comment noted. Alternatives have been considered and the preferred alternative meets the needs of the proposed project while minimizing environmental impacts.
21.	Richard Peake	I am writing to oppose the expensive, wasteful, and destructive proposals of TxDOT for a connectors 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.	A more northerly alignment, as proposed, does not improve the IH 45/LP 197 interchange. The only option for accessing LP 197 would be the existing interchange which is below design standards and within the 100-year floodplain. Congestion would still remain at the railroad crossing.

		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.	There are multiple needs for this project, including: -Inefficient transitioning of traffic at the existing IH 45/LP 197 interchange; interchange is currently below current design standards. -Traffic congestion and delays due to the at-grade railroad crossing near intersection of LP 197 and SH 146. -Future truck traffic resulting from the development of the Shoal Point Terminal Facility. -Current intersection of IH 45/LP 197 is located within the 100-year floodplain. Access to the John M. O'Quinn I-45 Estuarial Corridor and Virginia Point Peninsula Preserve would be available and ROW will not be required from any Scenic Galveston property.

NEWS ARTICLES

THE DAILY NEWS

Environmental group, city at odds over road

By T.J. Aulds
The Daily News

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Depending on whom you talked to, the proposed elevated flyover that would connect the Texas City megaport to Intestate 45 is the most environmentally feasible alternative or the worst idea on earth.

The Texas Department of Transportation held a sparsely attended public hearing Wednesday on the proposed roadway that would be built near the Texas City Wye, where state Highways 146 and 3 merge with Loop 197. It is aimed at easing expected traffic congestion once — and if — the $600 million Texas City International Terminal at Shoal Point is built.

Evangeline Whorton, chairwoman of the environmental group Scenic Galveston, led the opposition to the proposed roadway. Her argument focused on the bridge's starting point, which is near the entrance to the organization's Virginia Point Peninsula Preserve.

"What we will be looking at is this giant retaining wall and a bridge," an exasperated Whorton said.

Scenic Galveston owns almost the entire frontage of Loop 197 along the proposed route of the elevated bridge.

In particular, Whorton felt betrayed by state highway officials who she claimed promised her and other members of her group that roadway area near the entrance to Scenic Galveston's property would not be developed. She said too that state officials promised that a direct connector would merge with I-45 further north than the plan calls for now.

"I am angry tonight," Whorton said. "Scenic Galveston opposes overdevelopment of Loop 197... We refuse TxDOT the right to infringe upon our entrance and properties with such connector development."

Whorton insisted that there are more "suitable" and "agreed upon" routes.

She said she would support leaving Loop 197 as is as a preferred alternative to building the elevated bridge.

That idea is not feasible, Texas City Mayor Matt Doyle said.

He said that once the megaport is open, the additional truck traffic would be too much for the Wye to handle and would force truck traffic into the surrounding communities.

He said Texas City's proposed port would be a much more attractive economic engine with the widening of the Panama Canal, which will double in capacity by 2014.

"By then, the economy will be back on its feet and running solid," Doyle said. "We do not want 10,000 (container) trucks running through our community. We want to make this as efficient as possible.

"It's far better for the environment than the alternative."

While the hearing was held this week, construction of the connector is nowhere near being ready to start.

First, the need for the road is not there as SSA Marine, which has the exclusive agreement to build the container terminal at Shoal Point has yet to begin construction on the site.

Construction of the bridge also will be dependent upon federal dollars, which have yet to become available.

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