



# Final Environmental Assessment

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Farm to Market Road 457  
At the Gulf Intracoastal Waterway,  
Matagorda County

CSJ: 0605-01-060

Prepared by: TxDOT Yoakum District  
February 2016

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried-out by TxDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 16, 2014, and executed by FHWA and TxDOT.



## TABLE OF CONTENTS

	Page
<b>LIST OF ACRONYMS AND ABBREVIATIONS .....</b>	<b>iii</b>
<b>1.0 INTRODUCTION .....</b>	<b>1</b>
<b>2.0 PROJECT DESCRIPTION .....</b>	<b>1</b>
2.1 EXISTING FACILITY.....	1
2.2 BUILD ALTERNATIVES.....	1
2.3 NO BUILD ALTERNATIVE .....	1
<b>3.0 PURPOSE AND NEED FOR THE PROPOSED PROJECT.....</b>	<b>2</b>
3.1 NEED FOR THE PROPOSED PROJECT.....	2
3.2 PURPOSE OF THE PROPOSED PROJECT.....	2
<b>4.0 PLANNING AND PROGRAMMING STATUS.....</b>	<b>2</b>
<b>5.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES .....</b>	<b>3</b>
5.1 RIGHT OF WAY/DISPLACEMENTS SUMMARY .....	3
5.2 LAND USE SUMMARY.....	4
5.3 UTILITIES/EMERGENCY SERVICES SUMMARY.....	4
5.4 TRAFFIC AND TRANSPORTATION/PEDESTRIAN AND BICYCLE FACILITIES SUMMARY.....	4
5.5 DEMOGRAPHICS .....	4
5.6 SOCIOECONOMIC IMPACTS SUMMARY.....	5
5.6.1 Economic Impacts .....	5
5.6.2 Community Impacts .....	5
5.6.3 Environmental Justice .....	6
5.6.4 Limited English Proficiency.....	6
5.7 VISUAL/AESTHETICS SUMMARY .....	6
5.7.1 Visual Character and Quality.....	6
5.7.2 Viewer Sensitivity.....	7
5.7.3 Effects of the Alternatives.....	7
5.8 CULTURAL RESOURCES SUMMARY.....	8
5.8.1 Archeological Resources .....	8
5.8.2 Historic Resources.....	8
5.9 PHYSICAL ENVIRONMENT SUMMARY .....	9
5.9.1 Water Quality.....	9
5.9.2 Floodplains .....	11
5.9.3 Hazardous Materials .....	11
5.9.4 Air Quality.....	12
5.9.5 Traffic Noise .....	12
5.10 BIOLOGICAL ENVIRONMENT SUMMARY .....	12

5.10.1 Vegetation ..... 12

5.10.2 Wildlife ..... 14

5.10.3 Threatened and Endangered Species..... 16

5.11 INDIRECT AND CUMULATIVE IMPACTS SUMMARY ..... 19

5.11.1 Indirect Impacts..... 19

5.11.2 Cumulative Impacts..... 19

5.12 CONSTRUCTION IMPACTS SUMMARY ..... 22

5.12.1 Noise Impacts—Construction Phase ..... 22

5.12.2 Air Quality Impacts—Construction Phase ..... 22

5.12.3 Biological Impacts—Construction Phase..... 22

5.12.4 No Build Alternative ..... 23

**6.0 COMMENTS AND COORDINATION .....23**

**7.0 PREFERRED ALTERNATIVE .....25**

**8.0 PERMITS AND APPROVALS NEEDED .....25**

**9.0 COMMITMENTS .....26**

9.1 Vegetation and Wildlife Habitat ..... 26

9.2 Threatened and Endangered Species ..... 27

9.3 Water Quality..... 28

9.4 Archeological Resources ..... 29

9.5 Hazardous Materials ..... 29

9.6 Construction..... 29

**LIST OF TABLES**

**Table 1 MOU EMST Vegetation Type Impacted by the Proposed Project.....13**

**Table 2 Vegetation Impacted by the Proposed Project.....13**

**APPENDICES**

**Appendix A** Figures

**Appendix B** Transportation Planning

**Appendix C** Agency Coordination

**Appendix D** Public Hearing Summary Report

**LIST OF ACRONYMS AND ABBREVIATIONS**

**AASHTO** – American Association of State Highway and Transportation Officials

**ACS** – American Community Survey

**ACT** – Antiquities Code of Texas

**APE** – Area of Potential Effect

**BMP** – Best Management Practice

**CAD** – Central Appraisal District

**CBRA** – Coastal Barrier Resources Act

**CEPRA** – Coastal Erosion Planning and Response Act

**CFR** – Code of Federal Regulations

**CMP** – Congestion Management Process

**CNRA** – Coastal Natural Resource Area

**CWA** – Clean Water Act

**DOT** – Department of Transportation

**EFH** – Essential Fish Habitat

**EMST** – Ecological Mapping Systems of Texas

**EO** – Executive Order

**EPA** – Environmental Protection Agency

**FEMA** – Federal Emergency Management Agency

**FHWA** – Federal Highway Administration

**FM** – Farm to Market

**FMU** – Fishery Management Unit

**FPPA** – Farmland Protection Policy Act

**FWCA** – Fish and Wildlife Coordination Act

**GIWW** – Gulf Intracoastal Waterway

- GLO**—General Land Office
- HAPC** – Habitat Areas of Particular Concern
- H-GAC** – Houston-Galveston Area Council
- ISA** – Initial Site Assessment
- LEP** – Limited English Proficiency
- MOU** – Memorandum of Understanding
- MSAT** – Mobile Source Air Toxics
- MSL** – Mean Sea Level
- NAAQS** – National Ambient Air Quality Standards
- NEPA** – National Environmental Policy Act
- NCHRP** – National Cooperative Highway Research Program
- NMFS** – National Marine Fisheries Service
- NOI** – Notice of Intent
- NRHP** – National Register of Historic Places
- NWP** – Nationwide Permit
- PA-TU** – Programmatic Agreement Regarding the Implementation of Transportation Undertakings
- PCN** – Pre-Construction Notification
- RSA** – Resource Study Area
- TCEQ** – Texas Commission on Environmental Quality
- THC** – Texas Historical Commission
- TPDES** – Texas Pollutant Discharge Elimination System
- TPWD** – Texas Parks and Wildlife Department
- TSS** – Total Suspended Solids
- TWDB** – Texas Water Development Board
- TxDOT** – Texas Department of Transportation

**TXNDD** – Texas Natural Diversity Database

**SGCN** – Species of Greatest Conservation Need

**SHPO** – Texas State Historic Preservation Officer

**STIP** – Statewide Transportation Improvement Program

**SW3P** – Stormwater Pollution Prevention Plan

**USACE** – United States Army Corps of Engineers

**USCG** – United States Coast Guard

**UTP** – Unified Transportation Plan

**VMT** – Vehicle Miles Traveled

**WCID** – Matagorda County Water Control and Improvement District

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## **1.0 INTRODUCTION**

The Yoakum District of the Texas Department of Transportation (TxDOT) is planning to replace the Farm to Market Road (FM) 457 swing bridge over the Gulf Intracoastal Waterway (GIWW) in Matagorda County, Texas (see **Figure 1**). The replacement bridge and approaches would maintain the current configuration of one lane in each direction; the new bridge would have 10-foot outside shoulders. Acquisition of approximately 4.2 acres of additional right of way would be required for the proposed project.

The proposed project would replace the existing, at-grade, pontoon barge swing span and approach spans with a new fixed-span, high-clearance structure with spiral approaches. In addition to a No Build Alternative (Alternative A), TxDOT considered two replacement bridge build alternatives (Alternatives B and C as depicted on **Figure 1**). On the south side of the GIWW, the spiral for Alternative B would be on the west side of FM 457; Alternative C would spiral down and land on the east side of FM 457. The limits of the proposed improvements would extend from Marina Drive on the north to Canal Drive on the south over the GIWW.

## **2.0 PROJECT DESCRIPTION**

### **2.1 EXISTING FACILITY**

The existing facility is a divided roadway with one 12-foot lane in each direction with no shoulders. The 120-foot metal pontoon bridge is at grade and is operated by a control tower regulating both vehicular and water traffic. The bridge swings to the east to allow water borne traffic to pass, the bridge then swings back into place to open to vehicular traffic. The width of the existing facility ranges from approximately 24 to 30 feet.

### **2.2 BUILD ALTERNATIVES**

Two Build Alternatives have been assessed, Alternatives B and C. Both alternatives would maintain the current configuration of one lane in each direction with an added 10-foot outside shoulder and would reach a maximum height of approximately 92 feet above ground level (see **Figure 2**). The proposed improvements would have independent utility without the need for additional improvements. Both alternatives would replace the movable swing bridge with a fixed concrete structure.

### **2.3 NO BUILD ALTERNATIVE**

Under the No Build Alternative, the proposed project would not be constructed. The No Build Alternative would not require the conversion of approximately 4.2 acres from existing land uses to transportation use. However, the No Build Alternative would not meet the purpose and need of the proposed project. The No Build Alternative was considered for comparison to the proposed build alternatives.

### **3.0 PURPOSE AND NEED FOR THE PROPOSED PROJECT**

#### **3.1 NEED FOR THE PROPOSED PROJECT**

Replacement of the FM 457 swing bridge is needed due to the functionally obsolete and structurally deficient condition of the current bridge, the high cost of maintenance, and the delays for both vehicular and waterborne traffic associated with bridge operation. The February 2011 bridge inspection record for the current bridge found that timber stringers are heavily decayed in the bearing area at the north and south abutments and many of the stringer ends have little or no bearing capacity remaining. The cost to maintain the existing structure is approximately \$500,000 per year; there are no yearly maintenance costs for the proposed replacement bridge barring any accidents that may damage the structure and require repair. Current maintenance costs also include expenditures for repairs to the existing structure caused by ship collisions with bridge elements, which could be more easily avoided if a fixed-span bridge allowing wider clearance were constructed. The swing bridge is an at-grade pontoon bridge that requires an operator to be on staff 24 hours a day to open and close the bridge to allow for the passage of vessel traffic. The bridge swings open to allow passage of waterborne traffic in the GIWW, at which point all pedestrian and/or vehicular traffic must wait to cross the bridge along FM 457. The wait time not only delays local traffic, but also poses a safety concern for those requiring emergency services. The FM 457 bridge is the only access point to the island of Sargent Beach. Finally, the current bridge does not include shoulders or accommodations for pedestrian and bicycle traffic, important aspects of current roadway design standards.

#### **3.2 PURPOSE OF THE PROPOSED PROJECT**

The purpose of the proposed project is to provide a replacement structure that offers a more structurally sound bridge, reduced maintenance costs, and timely, reliable access across the GIWW along FM 457. By constructing a fixed-span, high-clearance bridge, vehicles would be able to cross the GIWW without delay, damage to the structure from waterborne traffic could be avoided, and roadway design standards would be made current.

### **4.0 PLANNING AND PROGRAMMING STATUS**

The proposed action is included in the 2015-2018 Statewide Transportation Improvement Plan (STIP) as a grouped CSJ for Bridge Replacement and Rehabilitation as well as the 2015 Unified Transportation Program (see **Appendix B**). The estimated total project cost is \$31,233,847.

## 5.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

The project objectives and environmental issues were a primary focus in the planning, design, and environmental analysis processes. In support of this Environmental Assessment (EA), the following technical reports were prepared:

- TxDOT 2014a. Socioeconomic Impacts Technical Report.
- TxDOT 2014b. Draft Archeological Resources Background Study.
- TxDOT 2014c. Water Resources Technical Report.
- TxDOT 2014d. Air Quality Technical Report.
- TxDOT 2014e. Traffic Noise Technical Report.
- TxDOT 2015a. Indirect and Cumulative Impacts Analysis Report.
- TxDOT 2015b. Initial Site Assessment Form.
- TxDOT 2015c. Biological Resources Survey Report.

Based on the above technical studies, scoping, and thorough analysis, it was determined that the proposed project would have no impact in the following resource categories: Farmland; Groundwater; Wild and Scenic Rivers; Section 6(f) Properties; and Section 4(f) Properties. Resource categories with the potential to be affected by the implementation of the proposed project are summarized in the following sections. The technical reports and studies are located in ECOS and at the TxDOT Yoakum District Office.

### 5.1 RIGHT OF WAY/DISPLACEMENTS SUMMARY

Either of the proposed build alternatives would require approximately 4.2 acres of new right of way, none of which has been previously acquired through early acquisition (TxDOT 2014a). The proposed build alternatives would require new right of way from five parcels, according to data obtained from the Matagorda County Appraisal District.

Four single-family residences and one vacant commercial building would be displaced by Alternative B. One single-family home would be displaced by Alternative C. A water supply well operated by Matagorda County Water Control and Improvement District (WCID) would be impacted by both build alternatives, although discussions with WCID indicate the well could remain under certain circumstances, within the state-owned right of way (see **Section 5.9.1** for further detail). A TxDOT-owned building, used for swing bridge operations, and several other buildings for storage would be impacted by both Alternatives B and C.

All right of way acquisition would be completed in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

Under the No Build Alternative, no additional right of way would be acquired and no residential or commercial displacements would be necessary.

## **5.2 LAND USE SUMMARY**

The project area is located on the Gulf of Mexico, south of Sargent, Texas. The GIWW was constructed through the project area. Historically the project area has sustained hurricane damage and beach erosion. Since 2009, the area has seen light commercial growth along the Gulf with the opening of restaurants in the area. Land in the area is primarily rural, with beach houses, vacation rentals, and businesses in and adjacent to the project area on either side of FM 457.

## **5.3 UTILITIES/EMERGENCY SERVICES SUMMARY**

The proposed project would require the relocation of underground and overhead utilities. At this stage of the project, the locations of utilities potentially requiring adjustment or relocation have been identified, however relocation plans have not been proposed. Subsurface and overhead utility relocating would be an element of the detailed design, and coordination with the utility owners on possible relocation options would take place at that time. Utility relocations and adjustment would be accomplished with the minimum practicable disruption in service to customers.

The project area is served by the Sargent Volunteer Fire and Rescue Department along FM 457. The proposed project would preserve emergency access to the project area; including during construction.

The No Build Alternative would not affect utilities or the provision of emergency services.

## **5.4 TRAFFIC AND TRANSPORTATION/PEDESTRIAN AND BICYCLE FACILITIES SUMMARY**

There would be minor changes in travel patterns as a result of the proposed project. Traffic from adjacent parcels would utilize the existing bridge during the construction phase of the proposed project. The new bridge would be located immediately adjacent to the alignment of the existing bridge.

The proposed project would comply with the March 2011 TxDOT “Guidelines Emphasizing Bicycle and Pedestrian Accommodations” and the March 11, 2010, U.S. Department of Transportation (DOT) Policy Statement on Bicycle and Pedestrian Accommodations, Regulations and Recommendations. The proposed project design for both build alternatives would include a 10-foot outside shoulder along the bridge. The pedestrians and bicyclists would follow a longer route along the proposed build alternatives than exists currently based on the increased elevation of the proposed bridge.

There would be no changes in access under the No Build Alternative; new bicycle and pedestrian accommodations would not be constructed.

## **5.5 DEMOGRAPHICS**

Matagorda County experienced a decrease in population of about 3.1 percent between 2000 and 2010, for a 2010 population of 36,702 (TxDOT 2014a). Population projections for Matagorda County show 11.2 percent growth between 2020 and 2050 with an estimated 2050 population of 43,570 (TxDOT 2014a). Although Matagorda County experienced a population decline between 2000 and 2010, the

Texas Water Development Board (TWBD) population projections consider other factors in addition to the growth rate from this time period. There are several permanent residences in the project area; however the region is known to be a fishing destination with the majority of the area frequented by visitors. The project area is located along the Gulf of Mexico, where the beach homes along the beaches are primarily vacation homes.

## **5.6 SOCIOECONOMIC IMPACTS SUMMARY**

### **5.6.1 Economic Impacts**

The construction of the proposed project would have a positive impact on the local and regional economies. The investment in the construction industry would result in additional jobs (short-term) and income benefits. Estimations of the proposed project's economic effects can be made using the U.S. Department of Commerce Bureau of Economic Analysis RIMS II Multipliers. When multiplied by Alternative B's estimated construction cost of approximately \$23.9M, the RIMS II multipliers produced an estimated direct household earnings effect of \$8.2M and an estimated 171 jobs (TxDOT 2014a). When multiplied by Alternative C's estimated construction cost of approximately \$23.3M, the RIMS II multipliers produced an estimated direct household earnings effect of \$8.1M and an estimated 167 jobs (TxDOT 2014a). As these additional jobs would be related to the investment in the construction sector, employment effects are expected to last about as long as the construction period for the project. The proposed improvements would also improve access, a benefit to project area businesses.

Under the No Build Alternative, the projected economic benefits of the proposed project construction on the local and regional economies would not occur. The household earnings and employment effects expected to be directly supported by the proposed project would also not be realized.

### **5.6.2 Community Impacts**

The proposed project would require the displacement of one (Alternative C) to four (Alternative B) single-family residences; no businesses are anticipated to be displaced. A vacant building, which used to be the Pier 57 restaurant, would be impacted by Alternative B, southeast of the existing swing bridge. No residential displacements are considered to be in minority or low-income areas. The proposed project would not separate or divide neighborhoods. The proposed build alternative alignments would be similar to the current condition relative to the location of existing neighborhoods and would not introduce a new barrier or affect neighborhood connectivity or cohesion (TxDOT 2014a). The proposed project would provide bicycle accommodations and sidewalks along the proposed facility. The proposed project would accommodate both the local residents and tourists and would improve access across the GIWW.

Under the No Build Alternative, community cohesion would also not be affected. New bicycle and pedestrian accommodations would not be constructed and access across the GIWW would not be improved.

### **5.6.3 Environmental Justice**

An environmental justice analysis was completed in accordance with Executive Order (EO) 12898 “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.” There are no low-income populations in the project area, based on a comparison of the median household income of project area block groups as reported in the 2008–2012 American Community Survey (ACS) to the 2014 Department of Health and Human Services poverty guideline for a family of four (TxDOT 2014a). According to the 2010 Census, minority populations in project area blocks range from 0 percent to 3.1 percent, and no populated blocks have a minority population of 50 percent or more (TxDOT 2014a).

There are no minority or low-income populations in the project area and the project would not have adverse community impacts—no displacements, no major changes in access, and no effects to community cohesion to the community at large. Therefore, the build alternatives would not cause disproportionately high and adverse effects on minority populations or low income populations and are consistent with EO 12898.

The No Build Alternative would also not cause disproportionately high and adverse effects on minority populations or low income populations.

### **5.6.4 Limited English Proficiency**

Based on data from the 2008–2012 ACS for project area block groups, the percentage of persons with limited English proficiency (LEP) in the project area ranges from 0 to 3.04 percent. Overall, 25 persons in the project area BGs are considered LEP, representing 1.3 percent of the project area’s total block group population over five years old. The language most often spoken by LEP persons in the project area is Other Indo-European languages (100 percent) (TxDOT 2014a). Based on the data, project planners determined that outreach in languages other than English would not be necessary.

## **5.7 VISUAL/AESTHETICS SUMMARY**

Highway bridges can affect the aesthetic character of a surrounding landscape and the perceptions of the individuals who reside in and visit these environments. Federal Highway Administration (FHWA) guidance, *Visual Impact Assessments for Highway Projects* (1988), provides a framework for assessing impacts to visual and aesthetic resources for transportation projects.

### **5.7.1 Visual Character and Quality**

The physiography of the project area is characterized by predominantly flat terrain dipping gradually seaward. Elevations within one mile of the bridge crossing range from sea level to 17 feet above mean sea level (MSL). Primary water features are the GIWW, which the proposed project would span, Dead Caney Lake, and the Gulf of Mexico. There are very few trees in the project area; vegetation consists

primarily of grasses and low shrubs. Manmade developments are minimal along FM 457 within the project area and include predominantly one to two-story (or elevated single-story) residential and commercial structures on parcels adjacent to the road.

The project area was evaluated based on the level of visual relationships. Although visual quality is subjective, FHWA guidance has established the following three concepts as valid and reliable criteria to be used for appraisals of visual quality: vividness, intactness, and unity (FHWA 1988, 47).

**Vividness** refers to the visual power or memorability of landscape components as they combine in striking and distinctive visual patterns. The project area is characterized by large expanses of water—the ocean and Intracoastal Waterway—and flat, sparsely developed land areas. There is little vegetation of any meaningful height. Because there are few vertical interruptions, the view shed is open and expansive. Although there is not a high degree of diversity in the landscape, the effect is distinctive. The overall vividness of the project area is moderate.

**Intactness** refers to the visual integrity of the natural and man-built landscape and its freedom from encroaching elements. The natural landscape in the project area is intact and the dominant feature of the area, although manmade elements in the landscape appear to be encroachments as opposed to adding to the visual quality, as they are sporadic and lack cohesion. Therefore, the overall level of intactness is low to moderate.

**Unity** refers to the visual coherence and compositional harmony of the landscape considered as a whole. The flat and open character of the landform along with the many bodies of water gives the project area a feeling of remoteness. These combine to give the project area high level of unity.

All three qualities must be “high” to indicate high visual quality. In the project area, the moderate degree of vividness, combined with low to moderate ratings for intactness, and high rating for unity, result in a moderate overall degree of existing visual quality for the project area.

### **5.7.2 Viewer Sensitivity**

Viewer sensitivity is defined by FHWA as the viewer’s variable receptivity to the elements within the environment that he or she is viewing. Viewers of the proposed project would include local residents, water borne travelers, and visitors. As a recreational area in a natural environment (sea shore), it can be assumed that viewer sensitivity to the overall environment is high in the sense that views of the gulf, canal and lakes, as well as long uninterrupted view sheds would be important to residents and visitors.

### **5.7.3 Effects of the Alternatives**

The proposed project would generally be in the same location as the existing bridge; however, the design for the build alternatives would differ from that of the existing bridge. The proposed build alternatives would include concrete spiral approaches with a fixed-span, high clearance structure. The replacement bridge would be approximately 92 feet above sea level. The existing facility is an at-grade bridge with little visual impact. The proposed bridge and approaches would be constructed at a higher elevation to span the GIWW and would represent a notable difference in the visual landscape of the

project area. Because of the flat topography, the absence of tall vegetation and low structure heights, the proposed project would be seen from all directions in the project area, including from the Intracoastal Waterway and the Gulf of Mexico. The bridge structure and approaches would be considerably higher than surrounding natural or manmade elements and therefore would be highly visible.

The No Build Alternative would not change the existing visual and aesthetic qualities in the project area.

## **5.8 CULTURAL RESOURCES SUMMARY**

### **5.8.1 Archeological Resources**

In accordance with the Antiquities Code of Texas (ACT) and Section 106 of the National Historic Preservation Act of 1966, as amended, a Draft Archeological Resources Background Study (TxDOT 2014b) was conducted to determine the potential of the proposed project to impact archeological resources. According to the Texas Historical Commission's (THC) Online Archeological Sites Atlas, no archeological sites have been recorded within the project area. However, the proposed project is located within two kilometers of two prehistoric archeological sites (Sites 41MG4 and 41MG59) and one Civil War-era archeological site (Site 41MG82). Given the limited amount of survey that has been conducted in the area, and the potential of the proposed project area to contain intact archeological deposits, intensive archeological survey of the Area of Potential Effect (APE) for both build alternatives is recommended. The THC concurred with the recommendation to conduct the archeological survey upon right of way acquisition (see **Appendix C**). Construction of the proposed project would not occur until the survey is completed. Coordination with the THC regarding the potential impacts of the proposed project on archeological resources is ongoing.

The No Build Alternative would have no impacts on archeological resources in the project area.

### **5.8.2 Historic Resources**

An intensive-level Historic Resources Survey Report was previously completed for the FM 457 swing bridge in October 2012. The report finds that the majority of character-defining components of the bridge are non-historic-age; therefore, the bridge is not recommended as eligible for listing on the National Register of Historic Places (NRHP).

A non-archeological historic-age resource survey was completed in June 2014 for the proposed project. Based on Matagorda Central Appraisal District (CAD) data and fieldwork, there are seven historic-age (pre-1971) resources in the 150-foot APEs for both build alternatives. Historic-age resources within the APEs date from 1960–1970 and are all located on the inland (north) side of the GIWW. None of the historic-age resources meet the NRHP Criteria for Eligibility. The preliminary recommendation for both alternatives is no historic properties affected under Section 106 of the National Historic Preservation Act of 1966, as amended. Coordination regarding the potential impacts of the proposed project was completed on August 8, 2014; it was confirmed that there are no historic properties in the APE and

individual project coordination with the State Historic Preservation Officer (SHPO) is not required (see **Appendix C**).

The No Build Alternative would not affect historic properties listed on or eligible for listing on the NRHP.

## **5.9 PHYSICAL ENVIRONMENT SUMMARY**

### **5.9.1 Water Quality**

#### ***Water Wells***

A search was made for water wells on and adjacent to the proposed build alternatives. Records revealed one freshwater supply well that would be impacted by both build alternatives. A phone conversation with the Matagorda County WCID established that there are no known regulatory concerns with the construction of the proposed project in relation to the public water supply well described above. The position of the operators and utility is that the proposed project can be constructed above the well or, if necessary, the well can be moved. Further coordination with Matagorda County would be advisable to coordinate proper procedures in the event the well was to require relocation.

#### ***Sections 404 and 401 of the Clean Water Act: Waters of the U.S. and Water Quality Certification***

As detailed in the Water Resources Technical Report (TxDOT 2014c), a review of datasets determined that potential waters of the U.S. exist within the vicinity of the proposed build alternatives. Field reconnaissance confirmed this determination. Four types of potential waters of the U.S., including wetlands, were identified within the study area. Three of these are potentially jurisdictional waters of the U.S. and include: tidal fringe wetlands encompassing an associated tidally influenced drainage ditch and an open water feature; tidal waters associated with the Gulf of Mexico; and the GIWW. Additionally, potentially non-jurisdictional drainage ditches were also identified within the project area.

For Alternative B, because permanent impacts to tidal fringe wetlands would exceed  $\frac{1}{2}$  acre, a Section 404 Individual Permit would be required prior to construction. For Alternative C, the placement of temporary or permanent dredge or fill material into potentially jurisdictional waters of the U.S., including wetlands, would be authorized under Nationwide Permit (NWP) 14; because the proposed permanent impacts would exceed 0.10 acre and there would be a discharge into a special aquatic site, a Pre-construction Notification (PCN) for NWP 14 would be required.

Either of the proposed build alternatives would be authorized under a U.S. Army Corps of Engineers (USACE) Section 404 Permit; therefore, construction activities would require compliance with the State of Texas Water Quality Certification Program. Both of the proposed build alternatives would impact less than 1,500 linear feet of stream and/or 3 acres of waters of the U.S. and would not affect rare or ecologically significant wetlands; therefore, Section 401 Tier I Certification would be required. A Tier I Checklist would be completed and submitted to the Texas Commission on Environmental Quality (TCEQ) and the USACE. Compliance with Section 401 of the Clean Water Act requires the use of best management practices (BMPs) to manage water quality on sites affecting jurisdictional waters.

These BMPs would address each of the following categories: 1) erosion control, 2) post construction total suspended solids (TSS) control, and 3) sedimentation control. Water quality BMPs that would be implemented include the following:

- Approved temporary vegetation
- Blankets/matting or mulch filter berms
- Vegetated filter strips
- Silt fence, sand bag and/or compost filter berms and socks

Under the No Build Alternative, there would be no fill impacts to waters of the U.S. or project-related erosion, sedimentation, or runoff impacts to project area waterways.

### ***Section 303(d) of the Clean Water Act***

The State of Texas is required, under Sections 305(b) and 303(d) of the federal Clean Water Act (CWA), to prepare biennial statewide water quality assessments that identify the status of use attainment for water bodies, and to identify water bodies for which effluent limitations are not stringent enough to implement water quality standards. Based on the assessments, the areas of potential effect are accounted for on the 303(d) list. According to the provisions of the TxDOT-TCEQ memorandum of understanding (MOU), coordination with TCEQ is required for environmental review documents if all or part of the project drains to an impaired assessment unit that is within five miles of the project and in the same watershed as the project. Coordination with TCEQ was completed on December 16, 2014 (see **Appendix C**).

The proposed project drains to and is within five miles and within the same watershed of Segment 1304\_01, Caney Creek Tidal, Segment 2501\_05, Caney Creek Tidal, the Gulf of Mexico, and Segment 2441OW\_01, East Matagorda Bay (TxDOT 2014c). Segment 1304\_01 is listed as threatened/impaired for bacteria, Segment 2501\_05 is listed as threatened/impaired for mercury in edible tissue, and Segment 2441OW\_01 is listed as threatened/impaired for bacteria (oyster waters) on the 2012 303(d) list. These impaired assessment units do not have an Environmental Protection Agency (EPA)-approved TMDL. The project and associated activities would be implemented, operated, and maintained using the BMPs described above to control the discharge of pollutants from the project site.

### ***Rivers and Harbors Act of 1899 and the General Bridge Act of 1946***

Either of the proposed build alternatives would include the replacement of a bridge over a navigable water of the U.S. as defined by 33 Code of Federal Regulations (CFR) 2.36; therefore, coordination with the US Coast Guard (USCG) would be required under the General Bridge Act.

Alternative B would not include the construction of wharfs, piers, jetties, a weir, dolphins, bank protection, or other structures that could be considered obstructions to a navigable water. Alternative C would include the placement of pilings and dolphins into a portion of the GIWW; however, per the 1973 USCG/USACE MOA, highway bridges are under the jurisdiction of the USCG and therefore exempt from

USACE permitting under Section 10. Therefore, a permit under Section 10 of the Rivers and Harbors Act from the USACE would not be required for the construction of the proposed project.

### **5.9.2 Floodplains**

As detailed in the Water Resources Technical Report (TxDOT 2014c), both alternatives are located entirely within a Federal Emergency Management Agency (FEMA) designated 100-year floodplain. The hydraulic design for this project would be in accordance with current FHWA and TxDOT design policies. The facility would permit the conveyance of the 100-year flood, inundation of the roadway being acceptable, without causing significant damage to the facility, stream or other property. The proposed build alternatives would not increase the base flood elevation to a level that would violate applicable floodplain regulations and ordinances. Coordination with the local Floodplain Administrator would be required.

The No Build Alternative would not affect the 100-year floodplain.

### **5.9.3 Hazardous Materials**

A review of environmental regulatory databases and an Initial Site Assessment (ISA) was performed in April 2014 to identify sites or facilities that might pose a potential for hazardous materials impacts to the proposed project (TxDOT 2015b). No sites were identified in the regulatory database search.

During field visits, no sites of concern were noted within the project area. Septic systems for the residences in the area were identified; these systems would need to be properly disposed prior to the construction of the proposed bridge if they occur within the right of way. Several water wells appear to be within the proposed right of way or within close proximity to the proposed project. Depending on the location, the proposed project may be constructed over the wells; however, adjustment plans would be made for any waterlines interfering with supporting bridge columns.

The existing bridge would be demolished upon completion of the proposed project. The existing bridge has been inspected for asbestos containing material and lead based paint. The report concluded 1.75 percent Chrysotile on the white paint on the bridge rails; no other asbestos containing material was detected. Asbestos containing material has been identified and surveyed on the existing bridge. Prior to the demolition of the structure, all asbestos containing material must be removed and the Department of State Health Services must be notified 10 working days prior to demolition.

A small percentage of lead paint was detected on the existing bridge, however the percentage on the bridge is less than the threshold for concern, and therefore steps would not need to be taken for the removal of lead paint prior to the demolition of the existing bridge.

No impacts to potential hazardous materials sites would occur from construction of the No Build Alternative.

## 5.9.4 Air Quality

The project is located in Matagorda County, which is in an area in attainment or unclassifiable for all national ambient air quality standards (NAAQS); therefore, the transportation conformity rules do not apply. As the proposed project is not adding capacity in a nonattainment or maintenance area of the state, coordination with TCEQ for air quality is not required.

The build alternatives have been determined to generate minimal air quality impacts for Clean Air Act criteria pollutants and have not been linked with any special Mobile Source Air Toxic (MSAT) concerns (TxDOT 2014d).

Design year traffic for this project is well under the trigger for the need for a traffic air quality analysis; therefore, a traffic air quality analysis is not required.

The No Build Alternative may result in gradually increasing vehicle miles traveled (VMT) if traffic volumes increase and traffic congestion worsens within the existing roadway system over time. However, MSAT emissions will likely be lower than present levels in future years as a result of EPA's national control programs that are projected to reduce annual MSAT emissions by over 80 percent from 2010 to 2050.

## 5.9.5 Traffic Noise

A traffic noise analysis was conducted for the proposed project in accordance with TxDOT's (FHWA approved) 2011 *Guidelines for Analysis and Abatement of Highway Traffic Noise* (TxDOT 2014e). The traffic noise analysis determined that there would be no traffic noise impacts to the modeled receivers, for either Alternative B or Alternative C, and therefore noise abatement measures are not necessary.

Under the No Build Alternative, the proposed project would not be constructed and traffic noise impacts would not occur.

## 5.10 BIOLOGICAL ENVIRONMENT SUMMARY

Impacts to ecological resources are detailed in the Biological Resources Technical Report (TxDOT 2015c), the Biological Evaluation Form, and the Water Resources Technical Report (TxDOT 2014c). The build alternatives would not impact species listed on Texas Parks and Wildlife Department (TPWD) Texas Natural Diversity Database (TXNDD), Bald or Golden Eagles, prime farmlands protected by the Farmland Protection Policy Act (FPPA), and areas protected by the Coastal Barrier Resources Act (CBRA).

### 5.10.1 Vegetation

The Biological Resources Survey Report (TxDOT 2015c) describes six Ecological Mapping Systems of Texas (EMST) vegetation types impacted by the project area. EMST categorized this vegetation into six categories: 1) Coastal: Tidal Flat; 2) Gulf Coast: Salty Prairie; 3) Native Invasive: Baccharis Shrubland; 4) Open Water; 5) Urban High Intensity and 6) Urban Low Intensity (**Table 1**).

Temporary impacts include the vegetation impacts during the construction of the project; areas included in the calculations include the right of way and the inside of the corkscrew spirals. After the construction has been completed, the inside of the corkscrew spirals would be revegetated.

<b>Table1: MOU EMST Vegetation Type Impacted by the Proposed Project</b>						
<b>Vegetative Community</b>	<b>Area Impacted Within Alternative B</b>			<b>Area Impacted Within Alternative C</b>		
	<b>Temporary Impacts (acres)</b>	<b>Permanent Impacts (acres)</b>	<b>Total (acres)</b>	<b>Temporary Impacts (acres)</b>	<b>Permanent Impacts (acres)</b>	<b>Total (acres)</b>
Coastal: Tidal Flat	0.904	0.760	1.664	0.815	0.693	1.508
Gulf Coast: Salty Prairie	0.697	0.863	1.560	0.752	0.697	1.449
Native Invasive: Baccharis Shrubland	0.000	0.015	0.015	0.380	0.440	0.819
Open Water	0.000	0.331	0.331	0.302	0.542	0.844
Urban High Intensity	0.000	1.054	1.054	0.056	0.637	0.693
Urban Low Intensity	0.707	0.313	1.020	0.000	0.292	0.292

Source: FM 457 Swing Bridge Project Team, 2014.

Vegetation communities mapped during field investigations somewhat agreed with the EMST. Three different vegetation communities that would be impacted by the proposed build alternatives as noted during field investigations; low marsh, high marsh, and disturbed (**Table 2**). As noted above, temporary impacts include the vegetation impacts during the construction of the project; areas included in the calculations include the right of way and the inside of the corkscrew spirals. After the construction has been completed, the inside of the corkscrew spirals would be revegetated.

<b>Table 2: Vegetation Impacted by the Proposed Project</b>							
<b>Vegetative Community</b>	<b>MOU Vegetation Type*</b>	<b>Area Impacted Within Alternative B</b>			<b>Area Impacted Within Alternative C</b>		
		<b>Temporary Impacts (acres)</b>	<b>Permanent Impacts (acres)</b>	<b>Total (acres)</b>	<b>Temporary Impacts (acres)</b>	<b>Permanent Impacts (acres)</b>	<b>Total (acres)</b>
Low Marsh	Tidal and Salt Marsh	0	0.01	0.01	0	0.01	0.01
High Marsh	Tidal and Salt Marsh	0.82	0.8	1.62	1.44	1.23	2.67
Disturbed	NA	0.73	1.11	1.84	0.17	0.64	0.81

Source: FM 457 Swing Bridge Project Team, 2014.

Additionally, unusual vegetation features or special habitat features occurring within the proposed project area were identified and described during field investigations in accordance with the 2013 TxDOT-TPWD MOU. Unusual vegetation features identified during field investigations include water bodies. These features are described in detail in the Biological Resources Survey Report (TxDOT 2015c).

Impacts to vegetation would be avoided or minimized by limiting disturbance to only that which is necessary to construct the proposed project. The removal of native vegetation, particularly mature native trees and shrubs, would be avoided to the greatest extent practicable. An approved seed mix, as detailed in the 2014 Standard Specifications for Construction and Maintenance of Highways, Streets, and Bridges manual for the Yoakum District would be used in the landscaping and revegetation of disturbed areas.

As detailed in §2.206 of the 2013 MOU, coordination with the TPWD is required for projects based on certain triggers, including the disturbance of habitat in an area equal to or greater than the area of disturbance indicated in the Threshold Table Programmatic Agreement. Vegetation within the proposed project falls into one MOU type, Tidal and Salt Marsh and Beaches. The Threshold Table Programmatic Agreement sets a disturbance threshold of 0.01 acre for this MOU type. Vegetation impacts quantified on **Table 1** show that both build alternatives exceed this threshold. Coordination with TPWD was conducted and as a result of the December 8, 2014 coordination efforts, implementation of additional Vegetation BMPs would include notifying contractors to thoroughly clean equipment and vehicles used during project construction prior to mobilizing to the project area to prevent the spread of invasive, non-native species (see **Appendix C**)(TxDOT 2015c).

If the No Build Alternative were implemented, the proposed project would not be constructed. No effects to vegetation and wildlife habitat related to the construction of the project would occur. Existing land use and activities would continue to periodically affect vegetation communities.

## **5.10.2 Wildlife**

### ***Migratory Bird Treaty Act***

The vegetative communities located within the project area and adjacent to Sargent Beach may serve as important stopover habitat for migratory birds during their spring and fall migrations, as well as nesting habitat during the summer months. Migratory birds were observed during the 2012 August and November field investigations and may arrive in the project area to breed during construction of the proposed project. Appropriate measures would be taken to avoid adverse impacts on migratory birds (see **Section 9.1**).

Migratory birds protected under the Migratory Bird Treaty Act would not be impacted by the No Build Alternative.

### ***Magnuson-Stevens Fishery Conservation and Management Act (Essential Fish Habitat)***

Data collected from the National Marine Fisheries Service (NMFS) regarding potential adverse impacts to Essential Fish Habitat (EFH) illustrate that five Fishery Management Unit (FMU) EFH designations exist within and adjacent to the proposed project area (TxDOT 2015c). Alternative B would span the GIWW; therefore, no impacts to EFH would occur as a result of the construction of this proposed alternative. Alternative C would include the placement of pilings into a portion of the GIWW, which would impact EFH. Additionally, impacts to EFH could occur as a result of the demolition of the existing swing bridge;

therefore, coordination with NMFS was conducted for both build alternatives. No designated Habitat Areas of Particular Concern (HAPC) occurs in the vicinity of the proposed project.

Coordination with NMFS was completed on December 9, 2014. New pilings and bridge supports, associated with Alternative C, placed within the open water of the GIWW were determined to constitute a minor adverse impact to EFH through the placement of fill material. However, the removal of pilings and supports from the existing swing bridge structure were determined to be adequate to offset new construction impacts. Therefore, NMFS did not provide any EFH conservation recommendations for this project and no further consultation is required for this action (see **Appendix C**). NMFS recommended TxDOT develop and implement a compensatory wetland mitigation and restoration plan to compensate for all permanent impacts to mid- to high-marsh wetlands. NMFS would review the plan as part of the USACE permitting process.

Essential Fish Habitat would not be impacted by the No Build Alternative.

### ***Marine Mammal Protection Act***

The waters of the Texas coast provide suitable habitat for the West Indian manatee (*Trichechus manatus latirostris*), listed as endangered under the ESA, and the bottlenose dolphin (*Tursiops truncatus*). Bottlenose dolphins are occasionally found within the Gulf Intracoastal Water Way system. These dolphins belong to the Gulf of Mexico Bay, Sound, and Estuarine stock or the Western Gulf of Mexico Coastal stock; both are listed as strategic under the MMPA. Bottlenose dolphins are cosmopolitan within Gulf estuaries and may use ship channels such as the GIWW as well. Construction activities would likely deter bottlenose dolphins from coming in close proximity to the project area. Due to this species being highly mobile and the availability of suitable habitat surrounding the bridge location, the project is unlikely to adversely affect bottlenose dolphins.

West Indian manatees are found year-round along the coast of Florida and Georgia. They prefer shallow coastal areas and slow-moving rivers and river mouths and feed on aquatic vegetation, including seagrasses. They migrate seasonally, seeking out warmer waters in winter and can be found around warm springs or power plants that discharge warm water. Transient individuals are occasionally observed in Texas estuaries. The most recent occurrence of a manatee in Texas waters was from Corpus Christi Bay in 2011 and the Trinity Bay in 2014. Although manatees have been observed within Texas bays and estuaries they are unlikely to be found within or adjacent to the project area due to the level of disturbance from vessel traffic, periodic dredging, and the lack of quality foraging habitat. Additionally, construction activities would likely deter manatees from coming in close proximity to the project area.

Although presence of marine mammals is unlikely due to the level of disturbance and lack of quality habitat within the project area, impacts to marine mammals could potentially occur during construction or demolition activities that extend into the open water. Appropriate measures would be taken to avoid adverse impacts on marine mammals (see **Section 9.2**).

Marine mammals protected under the Marine Mammal Protection Act would not be impacted by the No Build Alternative.

### ***Fish and Wildlife Coordination Act (FWCA)***

This statute requires federal agencies to take into consideration the effect that water-related projects would have on fish and wildlife resources; take action to prevent loss or damage to these resources; and provide for the development and improvement of these resources. Preliminary bridge design indicates that Alternative B would be authorized under a USACE Section 404 Individual Permit; therefore, coordination under the FWCA could be required for this alternative. Alternative C would be authorized under a Nationwide Permit (NWP) 14 and, therefore, coordination under FWCA would not be required for this alternative.

### **5.10.3 Threatened and Endangered Species**

#### ***Federally listed Species***

As detailed in the Biological Resources Survey Report (TxDOT 2015c), desktop analysis and field investigations conducted on August 29-30, 2012, November 20, 2012 and January 13, 2014, indicate that potential habitat for eight federally listed endangered species occurs in the vicinity of the proposed build alternatives. These species include five reptile species: the Atlantic hawksbill sea turtle (*Eretmochelys imbricata*), the green sea turtle (*Chelonia mydas*), Kemp's Ridley sea turtle (*Lepidochelys kempii*), the leatherback sea turtle (*Dermochelys coriacea*), and the loggerhead sea turtle (*Caretta caretta*); two bird species, the Piping Plover (*Charadrius melodus*), and the Red Knot (*Calidris canutus rufa*); and one mammal species, the West Indian manatee (*trichechus manatus*). Further analysis of the proposed project's effects on these species, including field investigations with the USFWS on May 7, 2014 and consultation with USFWS, which concluded on February 19, 2015 (see **Appendix C**) determined that the project **may affect, but is not likely to adversely affect** the two bird species, the five sea turtles or the West Indian manatee

#### **Piping Plover**

The piping plover winters along coastal Texas beaches and wash-over flats between July and May. Piping plovers have been documented to occur along Sargent Beach, near the project area. Critical habitat has been designated for the piping plover, with the closest Unit being TX-58, located approximately 0.5 mile southwest of the swing bridge. The areas that would be directly affected by this project do not provide habitat for wintering plovers, but plovers could be disturbed by construction activities and noise if they are present in the adjacent beach areas. There are existing disturbances to piping plover wintering habitat near the project site from on-beach driving and recreational activities, therefore, disturbance to the piping plover from project construction should be insignificant and discountable. There will be no impacts to any designated critical habitat units.

#### **Red Knot**

The red knot winters along coastal Texas beaches, oyster reefs, and high sand flats between July and May. Critical habitat has not been designated for the red knot. The construction areas that would be directly affected by the proposed project do not provide habitat for wintering red knots, but the species

could be disturbed by construction activities and noise if they are present in adjacent beach areas during construction. There are existing disturbances to red knot wintering habitat near the project site from on-beach driving and recreational activities, therefore, disturbance to the red knot from project construction should be insignificant and discountable.

### **Nesting Sea Turtles**

Sea turtle nesting typically occurs between April and July on Texas beaches. Even though there are no proposed impacts to the beach habitat, both adult and hatchling sea turtles can be disoriented by artificial lighting from roadways and residences which may cause the turtles to travel inland away from the beach and ocean. A vegetative buffer exists in the area between the location of Alternative C and Sargent Beach, which would provide an additional protective barrier for any nesting sea turtles and construction activities. The same vegetated buffer does not exist between the location of Alternative B and Sargent Beach. Additional measures to avoid effects to these species were agreed upon during informal consultation with the USFWS and are listed in **Section 9.1**. Overall, impacts to nesting sea turtles would be insignificant and discountable.

### **Pelagic Sea Turtles**

The five listed sea turtles are periodic residents of Texas coastal waters. These pelagic species are occasionally found in shallow waters and bays where estuarine or feeding habitat occurs. These species may use the GIWW as a travel corridor between suitable sites. The swing bridge is located approximately three miles up channel and fourteen miles down channel from the nearest entrance to an open water bay system. It is unlikely that pelagic sea turtles would be using the GIWW immediately adjacent to the project site. The swing bridge location has high commercial and private vessel traffic and any sea turtles that may be within the project site would be transient and infrequent. The proposed project activities would have no effect on any of the pelagic sea turtles. Additional measures to ensure no effect to these species would be covered under the biological monitor measures listed in **Section 9.1**.

### **West Indian manatee**

The West Indian manatee is a rare, but occasional, visitor to the Texas coast. Manatees rely on submerged aquatic vegetation as an essential food source. This vegetation type is typically located in shallow inland coastal waters. The GIWW at the swing bridge location does not include this type of vegetation community. In general, the GIWW may be used as a travel corridor by manatees to reach locations of aquatic vegetation along the Texas coast. The GIWW has heavy commercial and private vessel traffic, and, coupled with the lack of suitable foraging habitat, the possibility of encountering manatees within the project area is unlikely. Additional conservation measures have been provided for the protection of manatees and are further identified in **Section 9.1**. Overall, impacts to the manatee would be insignificant and discountable.

The No Build Alternative would not result in effects to any federally listed threatened or endangered species.

**State-listed Species**

Potential habitat exists for four state-listed threatened avian species in the vicinity of the proposed project. These include the Peregrine Falcon (*Falco peregrinus*), the Reddish Egret (*Egretta rufescens*), the White-faced Ibis (*Plegadis chihi*), and the Wood Stork (*Mycteria americana*).

In accordance with the Best Management Practices Programmatic Agreement between TxDOT and TPWD, to avoid or minimize potential impacts to the Peregrine Falcon, Reddish Egret, White-faced Ibis and Wood Stork, the following bird BMPs would be implemented:

- The disturbance, destruction, or removal of active nests, including ground nesting birds, during the nesting season would be prohibited;
- The removal of unoccupied, inactive nests would be avoided as practicable;
- The establishment of active nests during the nesting season on TxDOT owned and operated facilities and structures proposed for replacement or repair would be prevented; and
- The collection, capture, relocation, or transportation of birds, eggs, young, or active nests without a permit would be prohibited.
- In the event a state-listed species is identified within the project limits and removal of the species would be required, proper permits would be obtained or coordination with appropriate officials would be initiated to facilitate the removal of the species from the project area.

**Species of Greatest Conservation Need**

Potential habitat for eight SGCN occurs in the vicinity of both proposed build alternatives. These include the coastal gay-feather (*Liatris bracteata*), the threeflower broomweed (*Thurovia triflora*), the American eel (*Anguilla rostrata*), the Gulf saltmarsh snake (*Nerodia clarkii*), the Texas diamondbacked terrapin (*Malaclemys terrapin littoralis*), the Black Rail (*Laterallus jamaicensis*), the Brown Pelican (*Pelecanus occidentalis*) and the Snowy Plover (*Charadrius alexandrinus*).

In accordance with the Best Management Practices Programmatic Agreement between TxDOT and TPWD, the bird BMPs described above regarding the state-listed species would be implemented to avoid or minimize potential impacts to the Black Rail, Brown Pelican and Snowy Plover. Because there are no BMPs in the Programmatic Agreement for the coastal gay-feather, threeflower broomweed, saltmarsh snake and the Texas diamondbacked terrapin, coordination with TPWD was initiated on September 3, 2014 and concluded December 8, 2014. Qualified biologists would survey the proposed construction areas for threeflower broomweed prior to construction; TPWD would be notified should any of these plants be found within the direct path of construction and/or implement measures to protect those plant species found to be not within areas of construction. Actions would be taken to avoid and minimize impacts to the natural environment as much as possible, which includes habitat for state listed species and SGCN. Additionally, both build alternatives required coordination with TPWD for the American eel since work relating to the construction of Alternative C as well as the demolition of the existing swing bridge—required for both alternatives—would occur within the water. TPWD recommended the protection measures detailed in **Section 5.10.2** for EFH, as coordinated through NMFS, would be applied for the protection of the American eel.

State-listed threatened, endangered, or SGCN would not be impacted by the No Build Alternative.

## **5.11 INDIRECT AND CUMULATIVE IMPACTS SUMMARY**

The indirect and cumulative impacts analysis for the proposed project was developed using TxDOT's 2014 *Environmental Handbook on Indirect and Cumulative Impacts* (TxDOT 2015a) and supporting TxDOT resources; the National Cooperative Highway Research Program (NCHRP) Report 466 entitled *Desk Reference for Estimating the Indirect Effects of Proposed Transportation Projects*; and the 2011 American Association of State Highway and Transportation Officials (AASHTO) *Practitioner's Handbook for Assessing Indirect Effects and Cumulative Impacts Under the National Environmental Policy Act (NEPA)*.

### **5.11.1 Indirect Impacts**

In accordance with TxDOT guidance, the indirect effects analysis focuses on the potential of the proposed project to induce growth based on the nature of the proposed improvements and the economic, land use, and population trends of the surrounding area. This analysis utilized TxDOT's 2014 Induced Growth Indirect Impacts Decision Tree to determine the likelihood of the proposed project to result in induced growth and related effects. The results of the induced growth decision tree, briefly summarized below, indicate that the proposed project would not result in induced growth within the surrounding area.

The purpose of the proposed project is to provide a replacement structure that offers reduced maintenance costs as well as timely, reliable access across the GIWW. The proposed improvements are not intended to serve an explicit economic development purpose and would be constructed within an area that is not experiencing population or economic growth when compared to the state of Texas as a whole. No substantial increases in access or mobility would result from the proposed project, and no additional capacity would be added to the existing facility. While a small amount of land within the project area is available for development or redevelopment, limiting development factors such as the location of the proposed project within the 100-year floodplain would not be alleviated by the proposed improvements and would continue to impede development or redevelopment from occurring. In addition to these considerations, the nature of the proposed improvements (replacement of an existing bridge within a relatively rural area) indicates the proposed project would not result in induced growth within the area.

### **5.11.2 Cumulative Impacts**

The proposed project would not result in substantial direct or indirect effects to any resource; therefore, only resources considered at risk or in poor or declining health were carried forward for detailed evaluation in the cumulative effects analysis. Given the inherently at-risk nature of threatened and endangered species and their habitats, combined with the potential of the proposed project to result in impacts to these sensitive resources, biological resources are studied in further detail in the cumulative effects analysis. Species included in the cumulative effects analysis include two federally threatened species (the Piping Plover and the Red Knot); six federally endangered species (Atlantic hawksbill sea

turtle, green sea turtle, Kemp's Ridley sea turtle, leatherback sea turtle, loggerhead sea turtle, and West Indian manatee); four state-threatened species (the Peregrine Falcon, Reddish Egret, White-faced Ibis, and Wood Stork); and eight SGCNs (the American eel, Black Rail, Brown Pelican, Snowy Plover, Gulf Saltmarsh snake, Texas diamondbacked terrapin, coastal gay-feather, and threeflower broomweed).

### ***Resource Study Area (RSA)***

The potential cumulative effects to these species and their habitats were evaluated within the Biological RSA, defined as the Brazos-Colorado Coastal Basin (TxDOT 2015a). This area encompasses portions of Matagorda, Brazoria, Wharton, Fort Bend, Colorado, and Austin Counties and includes the GIWW and East Matagorda Bay. The temporal boundary for the RSA begins in 1943, the year the swing bridge was constructed, and ends in 2040, the planning horizon year for the Houston-Galveston Area Council (H-GAC) *Our Great Region 2040* long-range plan.

Approximately 90 percent of the RSA is comprised of dry land, five percent is water bodies (including East Matagorda Bay, the GIWW, Cedar Lakes, and portions of the Gulf of Mexico), and five percent is considered swampland/marshland. Additionally, over five percent of the entire Biological RSA is comprised of wildlife refuges or management areas, including the San Bernard National Wildlife Refuge, Big Boggy National Wildlife Refuge, and Justin Hurst Wildlife Management Area (TxDOT 2015a).

### ***Direct and Indirect Impacts to Biological Resources***

Direct impacts which could contribute to a cumulative effect to biological resources include potential construction-related impacts to vegetation and wildlife, discussed further below. The proposed project would not result in indirect impacts which could contribute to a cumulative effect on sensitive biological resources (TxDOT 2015a).

The proposed project may impact marshes within the project area which could contain the coastal gay-feather and threeflower broomweed, both considered SGCNs. However, impacts to these species would be relatively minor and would be limited to that area which is necessary to construct the proposed project. Potential effects to vegetation could also occur within areas considered to serve as foraging or nesting habitat for sensitive bird species. The cumulative effects analysis focuses on impacts to low and high marshes, which are considered suitable foraging habitat for the federally listed threatened Piping Plover and Red Knot; state-listed threatened Reddish Egret, White-faced Ibis, Wood Stork, and Peregrine Falcon; and SGCN Black Rail. In addition, the SGCN Gulf Saltmarsh snake could also utilize low marsh vegetation within the project area, while marsh vegetation in general could serve as potential habitat for the SGCN Texas diamondbacked terrapin. Alternative B would result in a total of 1.63 acres of impacts to marsh habitat, while Alternative C would result in 2.68 acres of impacts to this vegetative community (see **Table 2**).

In terms of potential impacts to wildlife, construction of the proposed improvements would occur within or immediately adjacent to the GIWW, which could potentially serve as habitat for the five federally listed sea turtles; the federally listed West Indian manatee; and the SGCNs American eel, Gulf Saltmarsh snake, and Texas diamondbacked terrapin. Additionally, construction activities would potentially occur

in the southernmost extent of the project area, which is adjacent to suitable habitat for the Piping Plover, Red Knot, Snowy Plover, Brown Pelican, and Peregrine Falcon. Additionally, the shoreline south of the project area could also potentially serve as nesting habitat for the five federally listed sea turtles discussed above. However, considering the limited and temporary nature of these potential impacts, construction-related impacts to wildlife that could occur within the GIWW would be minor. The proposed project would not result in potential impacts related to the operation or maintenance of the proposed facility.

### ***Past, Present, and Reasonably Foreseeable Future Actions***

The most substantial changes to Sargent Beach have occurred as a result of erosion, natural disasters, and dredging and expansion of the GIWW. According to a 2012 report by the USACE entitled *Erosion Control and Environmental Restoration Plan Development, Matagorda County, Texas*, Sargent Beach has experienced the greatest erosion rates of any area along the Texas coast: recession rates for this area have been estimated to average 25 feet per year (TxDOT 2015a).

Recession of most of the Texas shoreline is caused by a limited supply of sand. The supply of sand to the Sargent Beach region is severely limited, primarily due to its natural geologic setting, which results in limited sand sources; climate change, which results in changes in local precipitation and relative sea level rise; river diversion projects; construction of flood control structures; trapping at inlets; and construction of coastal structures and navigation projects (TxDOT 2015a). Given the historic and current trends and future projections regarding shoreline recession, continued erosion at Sargent Beach is considered to be reasonably foreseeable.

As of June 2015, no transportation or development projects are planned for the surrounding Sargent Beach area.

### ***Cumulative Effects to Biological Resources***

Considering the minimal nature of potential impacts related to the proposed project, cumulative effects to sensitive species that could occur within marsh vegetation or species that rely on marsh vegetation would not be substantial, even when combined with other past, present, and reasonably foreseeable future actions within the Biological RSA. Similarly, given the limited and temporary nature of the potential impacts of the proposed project, and considering the lack of future activities planned within the immediate area, cumulative impacts to sensitive species which could utilize the GIWW and nearby shoreline would not be substantial. None of the potential effects of the proposed project would be expected to contribute to a cumulative effect to the overall sustainability of any of these sensitive species or their habitats.

Most plans for halting shoreline recession are still in conceptual phases; however, these efforts could result in considerable benefits for Sargent Beach, including habitat for sensitive species. Any potential cumulative impacts to sensitive species and their habitats would likely be minimized as a result of the active wildlife management and conservation efforts already occurring throughout the area. A total of five percent of the entire Biological RSA is comprised of wildlife refuges and management areas, all of

which provide aquatic, shoreline, marshland, and dry land habitat for various species. These areas could provide alternative suitable habitat for species that would be temporarily affected by the proposed project. Overall, potential cumulative impacts of the proposed project to biological resources related to erosion and shoreline recession would not be substantial.

While the proposed project would not result in substantial cumulative impacts to biological resources, mitigation measures exist that could further serve to avoid or minimize any minor cumulative impacts to these resources, particularly related to erosion and shoreline recession. Several studies have investigated potential solutions for slowing or stopping erosion at Sargent Beach, including construction of breakwaters (TxDOT 2015a) and implementation of beach nourishment (TxDOT 2015a). In addition, various regulations have implemented regulations to protect and preserve the Sargent Beach shoreline and the habitat it provides, including the General Land Office (GLO) Rules for Management of the Beach/Dune System (31 TAC §§ 15.1–15.11). Other efforts, including the Texas Coastal Management Program (CMP) and Coastal Erosion Planning and Response Act (CEPRA), outline goals and policies aimed at protecting the Texas coastal environment.

## **5.12 CONSTRUCTION IMPACTS SUMMARY**

### **5.12.1 Noise Impacts—Construction Phase**

Noise associated with the construction of the proposed project is difficult to predict. Heavy machinery, the major source of noise in construction, is constantly moving in unpredictable patterns. However, construction normally occurs during daylight hours when occasional loud noises are more tolerable. None of the receivers are expected to be exposed to construction noise for a long duration; therefore, any extended disruption of normal activities is not expected. Provisions would be included in the plans and specifications that require the contractor to make every reasonable effort to minimize construction noise through abatement measures such as work-hour controls and proper maintenance of muffler systems.

### **5.12.2 Air Quality Impacts—Construction Phase**

The construction activity phase of this project may generate a temporary increase in air pollutant emissions. However, considering the temporary and transient nature of construction-related emissions, as well as the mitigation actions to be utilized, it is not anticipated that emissions from construction of this project would have any impact on air quality in the area.

### **5.12.3 Biological Impacts—Construction Phase**

Temporary impacts to natural resources due to construction could result from the implementation of the proposed project and include disturbances to wildlife and vegetative communities. Implementation of both of the build alternatives would involve the removal of grasses and shrubs during the construction phase, affecting the natural, erosion-inhibiting ground cover and resulting in the loss of habitat for both resident and migratory species. Disturbed areas would be restored, reseeded, and recontoured as necessary according to TxDOT specifications, making these effects largely temporary.

Impacts to reptiles, marine mammals, or other wildlife could potentially occur for either build alternative during construction or demolition activities that extend into the open water. To minimize or avoid potential incidental harassment to these species, the following mitigation measures would be implemented:

1. Qualified biologists would monitor the presence of marine mammals or pelagic sea turtles during all phases of construction within open waters of the project area.
2. Before construction commences, a preliminary marine mammal impact zone would be established, delineated by a 50-foot radius from the work area if that impact zone would extend into the water. If any marine mammal is observed within the appropriate impact zone, the biological monitor would instruct that construction activities cease until it has been determined that the animal has moved beyond the impact zone radius, either through sighting or by waiting until enough time has elapsed (approximately 15 minutes) to assume that the animal has moved beyond the impact zone.
3. Contractors would be advised to cover any open trenches or excavation areas overnight and inspect these areas every morning to ensure no reptiles or other wildlife species have been trapped.
4. Contractors would be advised to inspect excavation areas for trapped wildlife prior to refilling.

#### **5.12.4 No Build Alternative**

As there would be no construction under the No Build Alternative, there would be no construction phase effects.

## **6.0 COMMENTS AND COORDINATION**

Public involvement for the proposed project has included an open house, a public meeting, and a public hearing. The open house held on September 26, 2013, gathered comments and feedback from citizens regarding the preliminary design of the proposed project. Comments were collected and made public shortly after the meeting. The public meeting held on March 6, 2014, at Sargent VFW Hall included an open house and a formal presentation regarding the updates to the proposed project. A total of 106 people attended the public meeting and twenty-one written comments were submitted. The comments and responses are summarized in the Public Meeting Summary Report, which is available for public review at the TxDOT Yoakum District office. The public hearing held on September 1, 2015, at Sargent VFW Hall included an open house followed by a formal presentation. A total of 151 people attended the public hearing; four citizens verbally commented during the comment period and eleven written comments were submitted. The comments and responses to the written comments are located in **Appendix D**, Public Hearing Summary Report. Several written comments received concerned preserving the swing bridge for historical and tourism purposes and the impact the project might have on Sargent Beach. These comments are addressed in **Appendix D**. Most comments written in favor of the proposed project noted improved safety and access. A number of both written and verbal comments noted the

public concern of the durability of the bridge during a hurricane. None of the comments required modifications to the design of the proposed project. The Public Hearing Summary Report is included as **Appendix D** and available for public review at the TxDOT Yoakum District office.

The conclusions of the investigations for archeological resources will be coordinated with the THC under the provisions of the 2005 Programmatic Agreement between FHWA, TxDOT, Texas State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding the Implementation of Transportation Undertakings (PA-TU). The intensive survey would be conducted upon the purchase of right of way and prior to construction. Coordination for historic resources was completed on August 8, 2014.

As both proposed build alternatives are located within five miles of impaired assessment units and within the watershed of the impaired assessment units, coordination was completed with TCEQ on December 16, 2014.

The proposed project includes work within a FEMA-designated 100-year floodplain; therefore, coordination with the local Floodplain Administrator would be required.

A water well occurs within the vicinity of either build alternative. Further coordination with Matagorda County would be advisable prior to construction of the build alternative to coordinate proper procedures in the event the well was to require relocation.

The existing bridge would be demolished after the completion of the construction of the build alternative. The Department of State Health Services must be notified using the asbestos program form 10 working days prior to the demolition of the bridge.

Alternative C would include the placement of pilings into a portion of the GIWW, impacting EFH. Additionally, impacts to EFH could occur as a result of the demolition of the existing swing bridge. Coordination with NMFS was completed on December 9, 2014; NMFS did not provide recommendations related to construction activities. TPWD deferred to NMFS recommendations regarding avoidance and minimizations measures for EFH. These BMPs would be applied to the protection of habitat for the American eel for Alternative C.

Preliminary bridge design indicates that Alternative C would be authorized under a NWP 14 and, therefore, coordination under FWCA would not be required for this alternative. NMFS reviewed the impacts and recommended TxDOT develop and implement a compensatory wetland mitigation and restoration plan to compensate for all permanent impacts to mid- and high-marsh wetlands. NMFS would review this plan as part of the USACE permitting process.

The proposed build alternatives would not impact important remnant vegetation, stream channels, or isolated wetlands outside of the TxDOT right of way. However, a review of the Threshold Table Programmatic Agreement determined that vegetation within the vicinity of the proposed build alternatives falls into the MOU type of Tidal and Salt Marsh and Beaches, with both build alternatives having a disturbance exceeding the threshold of 0.01 acre. Coordination with the TPWD was conducted and as a result of the December 8, 2014 coordination efforts, implementation of additional Vegetation

BMPs would include notifying contractors to thoroughly clean equipment and vehicles used during project construction prior to mobilizing to the project area to prevent the spread of invasive, non-native species (see **Appendix C**).

## **7.0 PREFERRED ALTERNATIVE**

Based on the analysis conducted for this Environmental Assessment, the effects of the two build alternatives are very similar. In the following categories, there is little or no difference in the impacts between Alternatives B and C: visual impacts, archeological resources, historic resources, floodplains, hazardous materials, air quality, traffic noise, and indirect and cumulative effects.

Differences among the build alternatives with respect to environmental impacts include resources in the following categories: community resources; vegetation; threatened and endangered species, wetlands and water quality. Alternative B would displace four residences and a vacant building, whereas Alternative C would displace one residence. Both Alternatives would displace the TxDOT bridge operations building. In terms of wetlands, Alternative B's impacts would exceed 1/3 acre to tidal fringe wetlands requiring a Section 404 Individual Permit. For Alternative C, impacts would be less than 1/3 acre and the placement of temporary or permanent dredge or fill material into potentially jurisdictional waters of the U.S., including wetlands, would be authorized under NWP 14. Because the proposed permanent impacts for Alternative C would exceed 0.10 acre, and there would be a discharge into a special aquatic site, a PCN for NWP 14 would be required. In terms of vegetation based on field investigations, Alternative B would permanently affect 0.9 acres of marsh habitat, and Alternative C would permanently affect 1.24 acres of marsh habitat. Neither build alternative would have adverse effects to federally protected species; Alternative C would offer the additional protection of a vegetated buffer between the footprint of the proposed project and the beach habitat area important for the federally listed sea turtles and the Piping Plover. Alternative B would not have this vegetated buffer.

Given the differentiation among the build alternatives with respect to environmental impacts, and the fact that the No Build Alternative would not meet the purpose and need for the project, Alternative C is recommended as the Preferred Alternative.

## **8.0 PERMITS AND APPROVALS NEEDED**

Bridge design indicates that Alternative C would be authorized under a USACE Section NWP 14 with a PCN.

Construction activities would require compliance with the State of Texas Water Quality Certification Program. Alternative C would impact less than 1,500 linear feet of stream and/or 3 acres of waters of the U.S. and would not affect rare or ecologically significant wetlands; therefore, Section 401 Tier I Certification would be required. A Tier I Checklist would be completed and submitted to the TCEQ and the USACE as part of the Section 404 permitting process.

Alternative C would include the replacement of a bridge over a navigable water of the U.S. as defined by 33 CFR 2.36; therefore, coordination with the USCG and a Bridge Permit would be required under the General Bridge Act.

TxDOT would comply with the requirements of the TCEQ's Texas Pollutant Discharge Elimination System (TPDES) Construction General Permit. A Stormwater Pollution Prevention Plan (SW3P) would be implemented, and a construction site notice would be posted at the construction site. A notice of intent (NOI) would be prepared and submitted to the TCEQ prior to construction and posted at the construction site.

The project area is located within Matagorda County, which is within the Texas CMP Boundary. TxDOT has reviewed this proposed action for consistency with the CMP goals and policies, and has determined that the proposed action is consistent with the applicable CMP goals and policies, and would not have a significant and adverse effect on the Coastal Natural Resource Areas (CNRA)s as detailed in 31 TAC Chapter 501.31.

## **9.0 COMMITMENTS**

### **9.1 VEGETATION AND WILDLIFE HABITAT**

Impacts to vegetation and wildlife habitat would be avoided or minimized by limiting disturbance to only that which is necessary to construct the proposed project. The removal of native vegetation, particularly mature native trees and shrubs, would be avoided to the greatest extent practicable. An approved seed mix would be used in the landscaping and revegetation of disturbed areas as detailed in the 2014 Standard Specifications for Construction and Maintenance of Highways, Streets, and Bridges manual for the Yoakum District.

Upon completion of earthwork operations, disturbed areas would be restored and reseeded in accordance with TxDOT's Vegetation Management Guidelines and in compliance with the intent of Executive Order 13112 on Invasive Species and the FHWA Executive Memorandum on Environmentally and Economically Beneficial Landscape Practices.

Appropriate measures would be taken to avoid adverse impacts on migratory birds and would include the following:

- The removal or destruction of active migratory bird nests (nests containing eggs and/or young) at any time of the year would be prohibited until the nests become inactive, usually between October 1 and February 15.
- If colonial nesting (i.e. swallows) occurs on or in structures, nests would not be removed until all nests in the colony become inactive.
- Measures would be utilized, to the extent practicable, to prevent or discourage migratory birds from building nests within portions of the project area scheduled for immediate construction.
- Inactive nests would be removed from the project area to minimize the potential for reuse by migratory birds.

- When practicable, construction or demolition activities would be scheduled outside the typical nesting season (February 15 to October 1), noting that the prohibitive provisions of the MBTA apply year-round.

## 9.2 THREATENED AND ENDANGERED SPECIES

Potential habitat for four state-listed threatened bird species, the Peregrine Falcon, Reddish Egret, White-faced Ibis and Wood Stork was identified within the vicinity of the Preferred Alternative. Additionally, potential habitat for three bird SGCN, the Black Rail, Brown Pelican and Snowy Plover occurs in the vicinity of the Preferred Alternative. In accordance with the Best Management Practices Programmatic Agreement between TxDOT and TPWD, to avoid or minimize potential impacts to migratory birds as well as the state listed threatened and species of greatest conservation need mentioned above, the following bird BMPs would be implemented:

- The disturbance, destruction, or removal of active nests, including ground nesting birds, during the nesting season would be prohibited;
- The removal of unoccupied, inactive nests would be avoided as practicable;
- The establishment of active nests during the nesting season on TxDOT owned and operated facilities and structures proposed for replacement or repair would be prevented;
- The collection, capture, relocation, or transportation of birds, eggs, young, or active nests without a permit would be prohibited; and
- In the event a state-listed species is identified within the project limits and removal of the species would be required, proper permits would be obtained or coordination with appropriate officials would be initiated to facilitate the removal of the species from the project area.

In addition to the species listed above, five other SGCN, the coastal gay-feather, the threeflower broomweed, the American eel, the Gulf saltmarsh snake and the Texas diamondbacked terrapin, could occur in the vicinity of the Preferred Alternative. Because there are no BMPs in the Programmatic Agreement for the coastal gay-feather, threeflower broomweed, saltmarsh snake and the Texas diamondbacked terrapin, qualified biologists would survey the proposed construction areas for threeflower broomweed prior to construction. TPWD would be notified should any of these plants be found within the direct path of construction and measures to protect those plant species found to be not within areas of construction would be implemented. Actions would be taken to avoid and minimize impacts to the natural environment as much as possible, which includes habitat for state listed species and SGCN. Impacts to EFH could occur as a result of the construction of the proposed project and the demolition of the existing swing bridge; therefore, coordination with the NMFS was conducted. No additional conservation measures were offered by NMFS to avoid additional impacts to EFH on this project. TPWD coordination deferred to NMFS recommendations regarding avoidance and minimizations measures for EFH. These BMPs would be applied to the protection of habitat for the American eel for the Preferred Alternative.

Effects to nesting sea turtles could potentially occur adjacent to the project area on the south side of the GIWW. Any lighting on the bridge structure or FM 457 south of the GIWW should be full cut-off or shielded, with low wattage low-pressure sodium bulbs, and mounted close to the road surface. In addition, construction activities between dusk and daylight would be avoided during the active sea turtle nesting season. TxDOT would also install a turtle barrier, such as silt fencing, between the construction site and the natural vegetative buffer south of Canal Drive during sea turtle nesting season.

Impacts to marine mammals or sea turtles could potentially occur during construction or demolition activities that extend into the open water. To minimize and/or avoid potential incidental harassment with marine mammals or sea turtles, the following mitigation measures would be implemented:

1. Qualified biologists would monitor the presence of marine mammals or pelagic sea turtles during all phases of construction within open waters of the project area.
2. Before construction commences, a preliminary marine animal impact zone would be established, delineated by a 50-foot radius from the work area if that impact zone would extend into the water. If any marine mammal or sea turtle is observed within the appropriate impact zone, the biological monitor would instruct that construction activities cease until it has been determined that the animal has moved beyond the impact zone radius, either through sighting or by waiting until enough time has elapsed (approximately 15 minutes) to assume that the animal has moved beyond the impact zone.

USFWS concurrence for the proposed project is based on the design with no impacts occurring south of Canal Drive. If during construction project effects require impacts south of Canal Drive, re-initiation of Section 7 consultation would be necessary.

### **9.3 WATER QUALITY**

Water quality BMPs would be implemented and include the following:

- Approved temporary vegetation
- Blankets/matting or mulch filter berms
- Vegetated filter strips
- Silt fence, sand bag and/or compost filter berms and socks

Because the total impacts for the proposed project would disturb more than one acre, the contractor would be required to comply with the TCEQ – TPDES General Permit for Construction Activity. The proposed project would disturb more than five acres; therefore, a NOI would be filed and posted on site and a SW3P would be in place during construction of proposed project. This SW3P would utilize the temporary control measures as outlined in TxDOT's manual "Standard Specifications for the Construction of Highways, Streets, and Bridges."

The TPDES requirements would be met by implementing approved erosion controls, sediment controls, and post-construction total suspended solids controls. All temporary erosion controls, such as silt fences

and rock berms, would be in compliance with TxDOT Standard Specifications and would be in place, according to the construction plans, prior to commencement of construction related activities and inspected on a regular basis.

#### **9.4 ARCHEOLOGICAL RESOURCES**

In the unlikely event that significant cultural resources are discovered during construction of the proposed project, TxDOT would immediately initiate cultural resource discovery procedures. All work in the vicinity would immediately cease until a specialist from TxDOT and/or the THC could arrive on site and assess the discovery's significance and the potential need for additional investigation (if necessary).

#### **9.5 HAZARDOUS MATERIALS**

Any unanticipated hazardous materials and/or petroleum contamination encountered during construction would be handled according to applicable federal and state regulations per TxDOT Standard Specifications. Section 6.10 of the "General Provisions of the Standard Specifications for Construction and Maintenance of Highways, Streets and Bridges," which applies to all highway projects, includes guidelines addressing the contractor's responsibilities regarding the discovery of hazardous materials.

Asbestos containing material has been identified and surveyed on the existing bridge. Prior to the demolition of the structure, all asbestos containing material must be removed and the Department of State Health Services must be notified 10 working days prior to demolition.

#### **9.6 CONSTRUCTION**

The contractor would observe proper maintenance and idling of construction equipment to control emissions of particulate matter. The contractor would control the generation of dust by site watering.

The contractor would be advised during the pre-construction meeting to cover any open trenches or excavation areas overnight and inspect these areas every morning to ensure no reptiles or other wildlife species have been trapped. The contractors would also be advised to inspect excavation areas for trapped wildlife prior to refilling. Contractors will be provided with species information to be made aware of the potential for rare species to occur within the project area; they would be required to inform appropriate TxDOT personnel if the species is observed on the project site and would be informed to pay special attention during installation of any exclusion fencing to ensure no species are trapped within the project area.

The contractor would be advised to thoroughly clean equipment and vehicles used during project construction prior to mobilizing to the project area to prevent the spread of invasive, non-native species.

Disruptions would be minimized to the extent possible by the timely notification of affected residents and business owners through posted notices, personal contact, or other notification procedures. These procedures could include rerouting the traffic, barricading, using traffic cones, or any other measures deemed necessary and prudent by TxDOT and the construction contractor to comply with all local, state, and federal traffic and safety regulations.

During construction, procedures to minimize traffic congestion, noise, dust and risk to public safety should be specifically adapted to the circumstances of the proposed project.

Provisions would be included in the plans and specifications that require the contractor to make every reasonable effort to minimize construction noise through abatement measures such as work-hour controls and proper maintenance of muffler systems.

## REFERENCES

- Texas Department of Transportation (TxDOT). 2014a. Socioeconomic Impacts Technical Report.
- . 2014b. Draft Archeological Resources Background Study.
- . 2014c. Water Resources Technical Report.
- . 2014d. Air Quality Technical Report.
- . 2014e. Traffic Noise Technical Report.
- . 2015a. Indirect and Cumulative Impacts Analysis Report.
- . 2015b. Initial Site Assessment Form.
- . 2015c. Biological Resources Survey Report.
- Federal Highway Administration (FHWA). 1988. <http://www.dot.ca.gov/ser/downloads/visual/FHWAVisualImpactAssmt.pdf>

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## **APPENDIX A**

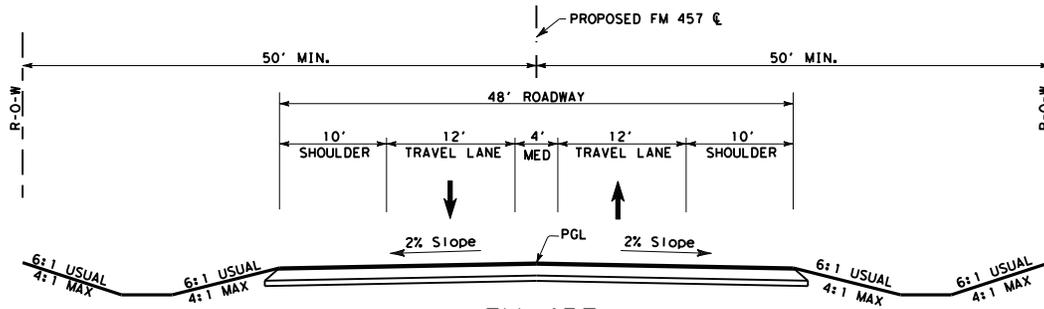
### **FIGURES**



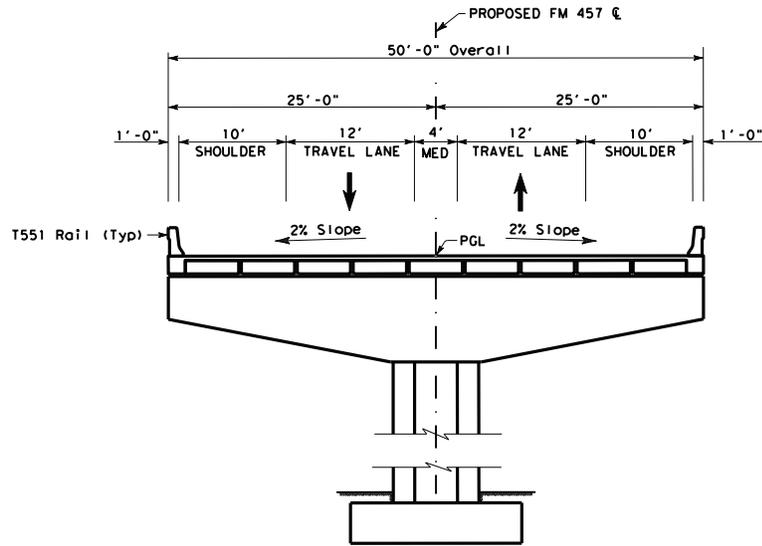


**Figure 1**

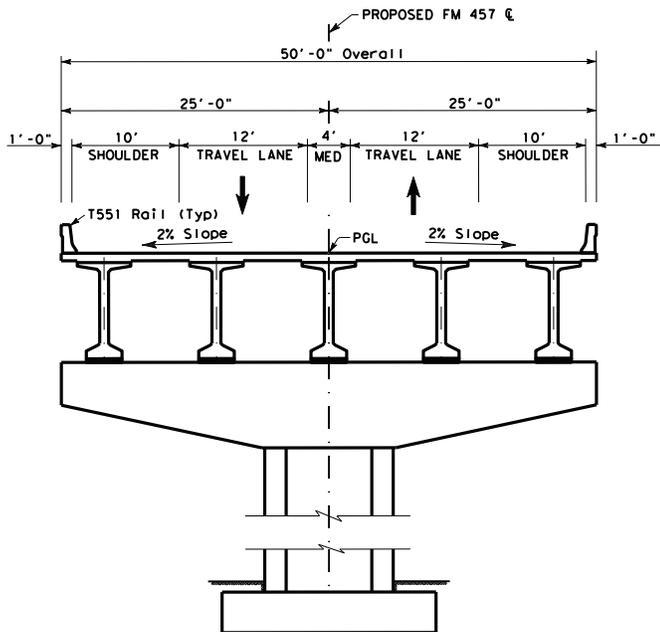
Project Location  
 FM 457 Bridge Replacement  
 CSJ: 0605-01-060



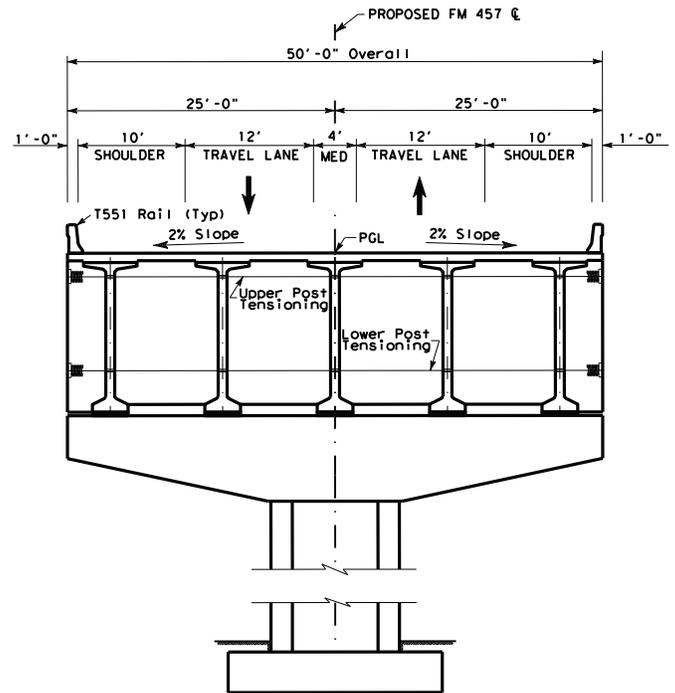
FM 457  
TYPICAL SECTION



FM 457  
SECTION AT APPROACH SPAN



FM 457  
SECTION AT MIDSPAN



FM 457  
SECTION AT MAIN SPAN

FIGURE 2

ALTERNATIVES B & C TYPICAL SECTIONS

**APPENDIX B**

**TRANSPORTATION PLANNING**



## CATEGORIES FOR STATEWIDE GROUPING

Listed below are the categories of projects which can be grouped together and used to track projects statewide. Please refer to Appendix B for a list of projects which may be completed in the Victoria County Metropolitan Planning Area during the Fiscal Years of 2006, 2007 & 2008. Construction Costs are constrained statewide. Grouping projects by these categories provides an efficient and streamlined method of programming and implementing these projects.

PROPOSED CSJ	GROUPED PROJECT CATEGORY	DEFINITION
5000-00-950	PE - Preliminary Engineering	Preliminary Engineering for any project that is not added capacity in a non-attainment area. Includes activities which do not involve or lead directly to construction such as planning and technical studies, grants for training and research programs.
5000-00-951	Right of Way Acquisition	Right of way acquisition for any project that is not added capacity in a non-attainment area. Includes relocation assistance, hardship acquisition and protective buying.
5000-00-952 5000-00-957 5000-00-958	Preventive Maintenance and Rehabilitation	Projects to include pavement repair to preserve existing pavement so that it may achieve its designed loading. Includes seal coats, overlays, resurfacing, restoration and rehabilitation done with existing ROW. Also includes modernization of highway reconstruction, adding shoulders or adding auxiliary lanes (eg.. parking, weaving, turning, climbing, non-added capacity)
5000-00-953	Bridge Replacement and Rehabilitation	Projects to replace and/or rehabilitate functionally obsolete or structurally deficient bridges.
5000-00-954	Railroad Grade Separations	Projects to construct or replace existing highway-railroad grade crossings and to rehabilitate and/or replace deficient railroad underpasses, resulting in no added capacity.
5800-00-950	Safety	Projects to include the construction or replacement/rehabilitation of guard rails, median barriers, crash cushions, pavement markings, skid treatments, medians, lighting improvements, railroad/highway crossing warning devices, fencing, intersection improvements (eg., turn lanes,) signalization projects and interchange modifications. Also includes projects funded via the Federal Hazard Elimination Program and the Federal Railroad Signal Safety Program.
5000-00-956	Landscaping	Project consisting of typical right-of-way landscape development, establishment and aesthetic improvements to include any associated erosion control and environmental mitigation activities.
5800-00-915	Intelligent Transportation Systems Deployment	Highway traffic operation improvement projects including the installation of ramp metering control devices, variable message signs, traffic monitoring equipment and projects in the Federal ITS/IVHS programs.

CSJ District MATAGORDA MPO City Letting FY  
**0605-01-060** **YOAKUM** **COUNTY** **FM 457** **2016**

Limits From AT GIWW

Limits To STR # 0605-01-016

Ranking Tier 1

Project Description REPLACE SWING BRIDGE

Total Project Cost Information				Programmed Funding				
<b>INFORMATIONAL PURPOSES ONLY</b>		Category	Description	Authorized	Other	Local	Total	
Preliminary Engineering	\$1,271,962	6	BRI DGE PROGRAM	\$24,000,000	\$0	\$0	\$24,000,000	
ROW & Utilities	\$0							
Construction	\$25,958,400							
Construction Engineering	\$1,933,901							
Contingencies	\$0							
Indirect Costs	\$1,253,791							
Potential Change Orders	\$620,406							
<b>Total Project Cost</b>	<b>\$31,038,459</b>							

CSJ District MATAGORDA MPO City Letting FY  
**0241-02-051** **YOAKUM** **COUNTY** **SH 60** **2017**

Limits From WHARTON COUNTY LINE

Limits To FM 3156

Ranking Tier 2

Project Description ACP OVERLAY

Total Project Cost Information				Programmed Funding				
<b>INFORMATIONAL PURPOSES ONLY</b>		Category	Description	Authorized	Other	Local	Total	
Preliminary Engineering	\$135,545	11	DI STRI CT DI SCRETI ONARY	\$2,500,000	\$0	\$0	\$2,500,000	
ROW & Utilities	\$0							
Construction	\$2,766,216							
Construction Engineering	\$96,264							
Contingencies	\$48,409							
Indirect Costs	\$133,608							
Potential Change Orders	\$86,859							
<b>Total Project Cost</b>	<b>\$3,266,901</b>							

CSJ District MATAGORDA MPO City Letting FY  
**0913-21-047** **YOAKUM** **COUNTY** **CR** **2017**

Limits From AT EAST CARANCAHUA CREEK CR 329

Limits To (MORRIS RD/CR 472) STR# AA03-29-002

Ranking Tier 1

Project Description REPLACE BRIDGE AND APPROACHES

Total Project Cost Information				Programmed Funding				
<b>INFORMATIONAL PURPOSES ONLY</b>		Category	Description	Authorized	Other	Local	Total	
Preliminary Engineering	\$21,055	6	BRI DGE PROGRAM	\$467,000	\$0	\$0	\$467,000	
ROW & Utilities	\$0							
Construction	\$429,698							
Construction Engineering	\$32,013							
Contingencies	\$0							
Indirect Costs	\$20,754							
Potential Change Orders	\$10,270							
<b>Total Project Cost</b>	<b>\$513,790</b>							

**APPENDIX C**

**AGENCY COORDINATION**





## United States Department of the Interior

FISH AND WILDLIFE SERVICE

Division of Ecological Services

10711 Burnet Road, Suite 200

Austin, Texas 78758

512 490-0057

FAX 490-0974



August 7, 2014

Mr. Carlos Swonke  
Texas Department of Transportation  
Environmental Affairs Division  
PO Drawer 15426  
Austin, Texas 78761-5426

Consultation Number 02ETCL00-2014-I-0068

RE: CSJ 0710-03-001

Dear Mr. Swonke:

Thank you for your letter of July 11, 2014, requesting informal consultation for project CSJ: 0606-01-060, in which the Texas Department of Transportation (TxDOT) proposes to replace the FM 457 bridge over the Gulf Intracoastal Waterway (GIWW) in Matagorda County, Texas. TxDOT has submitted documentation to the U.S. Fish and Wildlife Service (Service) requesting concurrence that the proposed project “may affect, but is not likely to adversely affect” the Atlantic hawksbill sea turtle (*Eretmochelys imbricata*), the green sea turtle (*Chelonia mydas*), the Kemp’s Ridley sea turtle (*Lepidochelys kempii*), the leatherback sea turtle (*Dermochelys coriacea*), the loggerhead sea turtle (*Caretta caretta*), the piping plover (*Charadrius melodus*), or the West Indian manatee (*Trichechus manatus*), species listed pursuant to the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). The Service is also commenting under the authorities of the Migratory Bird Treaty Act of 1918 (16 U.S.C. 703-712) and Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407).

Section 7 of the Act requires that all Federal agencies consult with the Service to ensure that the actions authorized, funded, or carried out by such agencies do not jeopardize the continued existence of any threatened or endangered species or adversely modify or destroy designated critical habitat of such species. The Federal Highway Administration (FHWA) assigned responsibility for all section 7 consultations associated with National Environmental Policy Act (NEPA) Categorical Exclusions to TxDOT in an MOU dated February 12, 2014, making TxDOT the Federal agency associated with this proposed project (23 U.S.C. 326). FHWA has also authorized TxDOT to act on their behalf for informal section 7 consultations associated with other types of NEPA evaluations.

The proposed project is to replace the existing FM 457 swing bridge crossing the GIWW with a new fixed-span bridge. The existing swing bridge consists of a 120-foot long metal pontoon

project do not provide habitat for wintering plovers, but plovers could be disturbed by construction activities and noise if they are present in adjacent beach areas during construction. There are existing disturbances to piping plover wintering habitat near the project site from beach driving and recreational activities, therefore, disturbance to the piping plover from project construction should be minimal.

The vegetative communities located within the project area and adjacent to the beach may serve as important stopover habitat for migratory birds during their spring and fall migrations, as well as nesting habitat during the summer. TxDOT has proposed to avoid removing native vegetation, particularly trees and shrubs, to the maximum extent practicable. Also when practicable, construction and demolition activities would be scheduled between October and February, outside of the typical migratory bird nesting season. However, if vegetation clearing is necessary when migratory birds may be present, a TxDOT environmental specialist would survey for bird nesting activity before vegetation is removed. Impacts to vegetation would be limited to only that necessary for construction of the project and once the project is completed, disturbed areas would be restored and reseeded.

The West Indian manatee is a rare, but occasional, visitor to the Texas coast. Manatees rely on submerged aquatic vegetation (SAV) beds for food. These are normally located in shallow inland coastal waters. The GIWW may be used as a travel passage by manatees to reach the SAV beds. TxDOT has determined that even though the possibility of encountering a manatee during construction is unlikely, a biologist will monitor the GIWW for their presence during construction and demolition activities. If a manatee is observed, construction activities would cease until the animal has moved beyond the construction zone.

TxDOT has determined that potential adverse effects to sea turtles, wintering piping plovers, and the West Indian manatee would be insignificant or discountable. Based on the information provided, we concur with TxDOT's conclusion that their proposed construction of a new FM 457 over the GIWW "may affect, but is not likely to adversely affect" these species. Therefore, no further endangered species consultation is required for this project unless: 1) the identified action is subsequently modified in a manner that causes an effect on listed species or designated critical habitat; 2) new information reveals the identified action may affect federally protected species or designated critical habitat in a manner or to an extent not previously considered; or 3) a new species is listed or critical habitat is designated under the Act that may be affected by the identified action. Our effect concurrence on this project is based on no project related impacts occurring south of Canal Drive. If during construction project effects become necessary south of Canal Drive that would represent new information and section 7 consultation should be reinitiated.

barge with two 12-foot wide travel lanes running down its length. The barge is operated by a bridge tender inside a control tower located adjacent to the road and GIWW. The barge is pulled to the side of the GIWW to allow boat traffic to cross the roads path. The new bridge would be located on the east side of FM 457 and the existing swing bridge location. TxDOT proposes to install spiral bridge approaches on the north and south sides of the GIWW. The proposed lane configuration would consist of two 12-foot wide travel lanes, with 10-foot shoulders. The maximum height of the bridge structure would be 92 feet. A small area of new right-of-way (ROW) would need to be purchased on the south side of the GIWW. Once construction of the new bridge is complete, the existing barge swing bridge and associated fender systems would be completely removed from the GIWW.

TxDOT and Service biologists visited the proposed project location on May 7, 2014. The proposed location of the spiral bridge approach ramp on the north side of the GIWW is an open lot owned by TxDOT. The swing bridge control tower sits on the southwest corner of the lot. San Bernard National Wildlife Refuge borders the project site to the north, but would not be affected by the proposed project. There is a previously excavated basin on the south side of the GIWW where the southern ramp would be placed. The southern bridge ramp will rejoin the existing FM 457 just north of its terminus at Canal Drive, the beach road that parallels the Gulf beach. There is an existing beach access point for vehicles just south of Canal Drive, which is not owned or maintained by TxDOT. Between Canal Drive and the sandy beach is an approximately 150-foot wide dune area, containing thick vegetation. No construction impacts would occur in the vegetated dune area or on the sandy beach south of Canal Drive.

Vegetation communities that would be affected by the project include; low marsh, high marsh, and back dune. Due to the potential presence of jurisdictional tidal fringe wetlands on the project site, we recommend that TxDOT contact the U.S. Army Corps of Engineers regarding the need for a section 404 wetland fill permit, as well as a section 10 Rivers and Harbors Act permit for the bridge crossing the GIWW.

Sea turtle nesting occurs between April and July on Texas beaches, although occasional nests have been documented in August and September. Even though there are no impacts proposed to the sandy beach, sea turtles could be affected by the proposed project if avoidance measures are not implemented. Adult and hatchling sea turtles can be disoriented by artificial lighting from roadways and residences. Any lighting on the bridge structure or FM 457 south of the GIWW should be full cut-off or shielded, with low wattage low-pressure sodium bulbs, and mounted close to the road surface. In addition, any construction occurring between dusk and daylight must be avoided during the active sea turtle nesting season. TxDOT has proposed to install a turtle barrier, such as silt fencing, between the construction site and the natural vegetative buffer south of Canal Drive during sea turtle nesting season.

The piping plover winters along coastal Texas beaches and wash-over flats between July and May. Piping plovers have been documented to occur along Sargent Beach, near the project area. Critical habitat has been designated for the piping plover, with the closest Unit being TX-58, located about 0.5 miles to the southwest. The areas that would be directly affected by this

Carlos Swonke - TxDOT

4

We appreciate your efforts to conserve this sensitive species. If you have any questions or comments, please contact Darren LeBlanc at 512-490-0057 (ext. 247) or 512-608-7591.

Sincerely,



Edith Erling  
Field Supervisor  
Coastal Ecological Services Field Office

cc: Meghan Pawlowski, TxDOT ENV, Austin, TX (electronic)  
Alan Migl, TxDOT, Yoakum District (electronic)



# MEMO

August 8, 2014

**To:** Administrative Record

**District:** Yoakum  
**County:** Matagorda  
**CSJ#:** 0605-01-060  
**Highway:** FM 457  
**Project Limits:** At Gulf Intercoastal Waterway  
**Let:** April 2015  
**Project Description:** Stipulation VI, Appendix 4, Bridge Replacement. New ROW needed.  
No historic properties present.

**From:** Carolyn A. Nelson  
Environmental Specialist IV

**Subject:** Internal review under the Programmatic Agreement (PA) among the Federal Highway Administration, Texas State Historic Preservation Officer, Advisory Council on Historic Preservation, and the Texas Department of Transportation (TxDOT); and the Memorandum of Understanding (MOU) between the Texas Historical Commission (THC) and the Texas Department of Transportation

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## Introduction

The TxDOT Yoakum District has proposed the replacement of the Sargent Pontoon Swing Bridge (NBI#120900060501016) on FM 467 over the Gulf Intercoastal Waterway (GIWW). The replacement bridge would be a fixed-span, high clearance structure with spiral approaches on both ends. Two alternatives have been proposed that would maintain the current configuration of one lane in each direction with 10 foot outside shoulders and a maximum height of approximately 92 feet above ground level. On the south side of the GIWW, the spiral for Alternative B would be on the west side of FM 457 and require a total of 3.23 acres of new right of way (ROW), and Alternative C would be on the east side of FM 457 and require 2.573 acres of new ROW .

## Efforts to Identify Historic Properties

The methodology used to identify listed and eligible properties located in the Area of Potential Effect (APE) included background research conducted at the Texas Historical Commission's (THC) Texas Historic Sites Atlas to identify properties listed on the National Register of Historic Places (NRHP) and Recorded Texas Historic Landmarks (RTHL), as well as Official Texas Historical Markers (OTHM). Due to elevation changes and additional right of way (ROW) needs, the area of potential effect (APE) for this proposed project is 150 feet from the current and proposed new ROW. Per the attached survey reports, seven historic-age properties constructed before 1971 were found in the APE.

## Intensive Level Survey Findings

In compliance with Section 110 of the National Historic Preservation Act and the Memorandum of Understanding between TxDOT and the Texas Historical Commission, TxDOT historians evaluated the bridge

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to establish its historical significance through the application of the NRHP *Criteria for Evaluation*. An intensive level survey for the bridge was conducted in October 2012. The pontoon barge span of the bridge was moved to its current location in 2010 from FM 2031 in Matagorda County. The survey evaluated the historic significance and integrity of the pontoon swing bridge because it is the last extant example of its type in Texas.

The intensive survey developed a methodology for identification and analysis of:

- character defining features of the pontoon barge swing bridge subtype,
- other extant and nonextant subtypes in Texas and nationally,
- the history of the Sargent Swing Bridge
- current bridge data
- the bridge's local history

The intensive level survey revealed the bridge may have significance under Criterion C-Engineering. As a result, the character defining features of the bridge were identified and evaluated for National Register of Historic Places (NRHP) eligibility. Due to extensive changes to the bridge's character defining features outside the historic period beyond 1971, TxDOT historians determine the Sargent Swing Bridge **not eligible** for listing to the NRHP under Criteria C (October 2012 report attached). The survey further determined the bridge was **not eligible** under Criteria A and B due to its lack of association with significant events or persons.

Because the bridge may have local significance, TxDOT consulted with the county historical commission (CHC). Consultation with the Matagorda Historical Commission acknowledged that this bridge is the last extant of this bridge sub-type, but revealed no local or regional historical significance. A copy of the letter, dated January 31, 2012 is attached. Therefore, this bridge is determined **not eligible** for listing in the NRHP under Criteria A or B at the local level of significance.

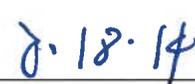
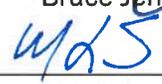
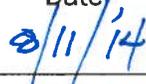
**Reconnaissance Level Survey Findings**

In July 2014, a reconnaissance level survey was conducted for the additional standing structures in the APE. One OTHM was identified to be in the proposed project area: Confederate Defenses at the Mouth of Caney Creek (1976) and was missing when the survey was conducted.

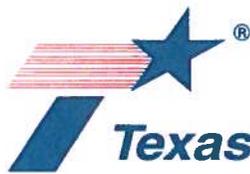
Six historic-age (pre-1971) structures were documented on the north side of the GIWW and determined to be **not eligible** for listing to the NRHP under Criteria A or B (July 2014 report attached) due to their lack of association with significant events or persons or under Criterion C because they do not embody distinctive characteristics of a type, period, or method of construction and do not represent the work of a master.

**Conclusions**

Pursuant to Stipulation VI "Undertakings with Potential to Affect Historic Resources" of the First Amended Programmatic Agreement for Transportation Undertakings (PA-TU) between FHWA, the Texas State Historic Preservation Officer (SHPO), the Advisory Council on Historic Preservation, and the Texas Department of Transportation (TxDOT) and the Memorandum of Understanding (MOU), TxDOT Historians determine there are no historic properties in the APE and individual project coordination with SHPO is not required.

Approved by  for TxDOT   
Bruce Jensen Date  
Lead Reviewer  for TxDOT   
M.L.S. Date

Attachments: Matagorda county CHC letter, Reconnaissance (July 2014) & Intensive level (October 2012 surveys).



## Texas Department of Transportation

125 EAST 11<sup>TH</sup> STREET | AUSTIN, TEXAS 78701-2483 | (512) 463-8588 | WWW.TXDOT.GOV

403 HUCK STREET | YOAKUM, TEXAS 77995-2973 | (361) 293-4300

December 8, 2014

Ms. Sue Reilly  
Transportation Assessment Liaison  
Texas Parks and Wildlife Department (TPWD)  
Wildlife Division – Wildlife Habitat Assessment Program  
4200 Smith School Road  
Austin, Texas 77844

Dear Ms. Reilly:

TxDOT Yoakum District submitted an email on September 3, 2014 requesting early project coordination for FM 457 in Matagorda County (CSJ 0605-01-060). TxDOT received a confirmation email from TPWD on September 3, 2014 and assigned the ID #33492 to the project.

In a coordination response email dated October 23, 2014, TPWD made several recommendations. Below is a brief description of the proposed work, TPWD recommendations, and TxDOT's response to each recommendation.

### **Project Description**

The proposed project will replace the existing, at-grade pontoon barge swing span and approach spans with a new fixed-span, high-clearance structure with spiral approaches. TxDOT is evaluating the feasibility of two Build Alternatives (both alternatives would maintain the current configuration of one lane in each direction with an added 10-foot outside shoulder and would reach a maximum height of approximately 92 feet above ground level; both would replace the movable swing bridge with a fixed concrete structure) and a No Build Alternative (proposed project would not be constructed).

### **TxDOT Commitments**

- To minimize and/or avoid impacts to marine mammals, TxDOT will have onsite qualified biologists that will monitor for the presence of marine mammals during all phases of construction. The biological monitor will instruct all construction activities to cease until the marine mammal(s) move(s) beyond the 50-foot impact zone radius.
- The TxDOT-TPWD BMP PA - Bird BMPs will be implemented to avoid or minimize impacts to all birds protected by the Migratory Bird Treaty Act.
- TCEQ Section 401 Tier I Certification Water quality BMPs will address erosion control, post construction total suspended solids control, and sedimentation control.
- The proposed project will be in compliance with Executive Order 13112 on Invasive Species and Executive Memorandum on Beneficial Landscaping.

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## **Impacts to Vegetation/Wildlife Habitat**

- According to the project documents, approximately 5.6 acres of additional ROW will be required for either of the Build Alternatives, and impacts, for both Build Alternatives, to the MOU EMST vegetation types **Tidal and Salt Marsh, Beaches and Salt, Tidal Flats, and Riparian** exceed the Western Gulf Coastal Plain Ecoregion thresholds defined in the Threshold Programmatic Agreement. Both Tidal and Salt Marsh and Beaches and Salt, Tidal Flats MOU vegetation types are considered to be very rare statewide or ecoregion wide and/or very important by TPWD plant community ecologists. TPWD recommends that TxDOT continue to coordinate with TPWD Coastal Fisheries Division staff for opportunities to either restore, create, or enhance habitat that will offset temporary and permanent impacts to native habitats. If adverse impacts to the rare vegetation types discussed above will not be offset by measures to comply with the Clean Water Act, please contact me, the Transportation Conservation Coordinator, so I can explore potential non-regulatory mitigation opportunities.
- **TxDOT Response: TxDOT is aware of the importance of rare and/or important vegetation types such as Tidal and Salt Marsh, Beaches and Salt, Tidal Flats, and Riparian areas. TxDOT will continue to coordinate with TPWD Coastal Fisheries Division staff to explore opportunities to offset the temporary and permanent impacts associated with the proposed project.**
- TPWD recommends incorporating the Vegetation BMPs in Section 2: Standard Recommendations of the TxDOT-TPWD BMP PA in order to promote conservation of state fish and wildlife resources. TPWD strongly encourages TxDOT to remove bermudagrass, bahiagrass, and weeping lovegrass seeds from the seed mix used to revegetate the project area due to the proximity to waterways, lands set aside for conservation, and critical habitat for the piping plover.
- **TxDOT Response: TxDOT will incorporate the Vegetation BMP's into the project EPIC sheet. The 2014 Standard Specifications for Construction and Maintenance of Highways, Streets, and Bridges manual has removed bermudagrass, bahiagrass, and weeping lovegrass from its permanent rural seed mix for the Yoakum District.**
- Cogongrass (*Imperata cylindrica*) is a highly invasive, non-native species that can spread via seeds and rhizomes (<http://www.cogongrass.org/>). This species is known to infest roadside ditches and road ROW and can be spread by fill dirt and by hitchhiking on construction equipment. In order to proactively discourage infestations in Texas, TPWD recommends that TxDOT thoroughly clean equipment and vehicles (including radiators and air filters) that will be used during project construction prior to mobilizing to the project area.
- **TxDOT Response: BMPs would be used to control and prevent the spread of invasive, non-native species such as notifying contractors to thoroughly clean equipment and vehicles used during project construction prior to mobilizing to the project area.**

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### **Federally Protected Species**

- According to the Biological Evaluation Form, the proposed project may affect, but is not likely to adversely affect seven federally protected species, and the USFWS concurred with this finding in a letter to Carlos Swonke on August 7, 2014. USFWS recommended specific mitigation to avoid and/or minimize impacts to the federally protected species, and TPWD considers the USFWS recommended mitigation to be sufficient for the federally protected species and may also provide protections to other state fish and wildlife resources that may be impacted by the proposed project.
- **TxDOT Response: TxDOT will follow the specific mitigation efforts recommended by the USFWS to avoid and/or minimize impacts to federally protected species.**

### **State-listed Species and Species of Greatest Conservation Need (SGCN)**

- State-listed species that may occur in the area of the proposed project include the peregrine falcon, reddish egret, white-faced ibis, and wood stork. There are known observations of the reddish egret (Sargent Beach), white-faced ibis (Sargent Beach and SBNWR), and wood stork (Dead Caney Creek Marsh) in the immediate vicinity of the proposed project area, so it will be imperative that TxDOT effectively implement the Bird BMPs to avoid and minimize impacts to these and other bird species that may occur in and adjacent to the proposed project area.
- **TxDOT Response: TxDOT is committed to implementing the Bird BMPs outlined in Attachment 1 of the Programmatic Agreement between TxDOT and TPWD.**
- Potential habitat for eight SGCN species may be impacted by the proposed project including black rail, brown pelican, snowy plover, coastal gay-feather, threeflower broomweed, gulf salt marsh snake, Texas diamondback terrapin, and American eel. Bird BMPs will be implemented to avoid and minimize potential impacts to the black rail (known observations from SBNWR), brown pelican (observations of this species were made during site visits to the proposed project area), and snowy plover. Specific BMPs were not provided in the BMP PA for the remaining species, so TPWD makes the following recommendations regarding those species:
  - **Coastal gay-feather** – flowers in the fall and occurs in coastal prairie grasslands of various types including salty prairie on low-lying somewhat saline clay loams and upland prairie on nonsaline clayey to sandy loams. This species can be inconspicuous unless located in areas heavily grazed, recently burned, or in areas of relatively sparse vegetation dominated by shortgrass (Poole et al 2007).
  - **Threeflower broomweed** – flowers September to November and can be associated with coastal gay-feather. This species is most often encountered in sparse, low vegetation on a veneer of light-colored silt or fine sand over saline clay along drier upper margins of ecotone between salty prairies and tidal flats (Poole et al 2007).
    - TPWD recommends that the area proposed for disturbance be surveyed for the above-listed rare plant species where suitable habitat is present. On-the-ground surveys should be performed by a qualified biologist familiar with the identification of rare Gulf Coastal Plain species. Surveys should

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be conducted when the species are most detectable and identifiable (usually during their respective flowering periods), and disturbance of these species should be avoided during construction to the extent feasible. If these plants are found in the path of construction, TPWD should be contacted for further coordination and possible salvage of plants and/or seeds for seed banking. Plants not in the direct path of construction should be protected by markers or fencing and by instructing construction crews to avoid any harm.

- **TxDOT Response: TxDOT hired qualified biologists to perform site surveys and document their findings. According to the biological report submitted to TxDOT, suitable habitat for the Coastal gay-feather and Threeflower broomweed occurs within the vicinity of the proposed build alternatives; however, no species were identified during the site surveys. TxDOT is committed to the conservation of these rare species and will have qualified biologists survey the proposed construction areas prior to construction. TxDOT will notify TPWD should any of these plants be found within the direct path of construction and/or implement measures to protect those plant species found to be not within the areas of construction.**
- **Gulf salt marsh snake** – prefers brackish and saltwater estuaries, salt marshes and tidal mud flats, and this species mates in early spring and females give live birth to young in July and August. This is a nocturnal species that will use debris piles and crab burrows in mud or sand as cover.
- **Texas diamondback terrapin** – only turtle found in estuaries, tidal creeks, and saltwater marshes where the salinity comes close to that of the ocean. Mating season is in the spring, and females come ashore to dig a tear-shaped nest in the sand above the high-tide line. This species may dig into the mud to hibernate over cold winter months. During the day, terrapins spend most of their time in the water or basking on mud flats or other resting areas, and at night they bury themselves in mud.
  - TPWD recommends avoiding or minimizing activities that would remove or alter suitable gulf salt marsh snake and Texas diamondback terrapin habitat in the project area.
  - **TxDOT Response: TxDOT is committed to avoiding and minimizing impacts to the natural environment as much as possible. This includes, but is not limited to, habitat for state threatened and species of greatest conservation need.**
  - TPWD recommends that qualified biologists become permitted in order to facilitate safe removal and legal handling of state-listed species from area of potential impact. Please contact [wpoffice@tpwd.texas.gov](mailto:wpoffice@tpwd.texas.gov) or visit the Wildlife Diversity Permits: Scientific Permit for Research [website](#) for more information.
  - **TxDOT Response: In the event a state-listed species is identified within the project limits and removal of the species would be**

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**required, TxDOT would obtain the proper permits or contact appropriate officials to facilitate the removal of the species from the project area.**

- TPWD recommends that TxDOT utilize qualified biologists, such as those being used to monitor for marine mammals, to monitor for the above-listed rare reptile species within the project area. If either species is detected within the construction area, TPWD recommends that TxDOT allow the species to safely leave the project area before resuming construction activities.
- **TxDOT Response: TxDOT is committed to the conservation and protection of these rare species; however, budget constraints may prevent TxDOT from having a qualified biologist monitor the project site for the duration of the project. TxDOT would provide species specific information to the contractor during the project pre-construction meeting. The contractor would be made aware of the potential for these rare species to occur within the project area, to not harm the species, and to inform appropriate TxDOT personnel should the species be identified on the project site.**
- TPWD recommends that a qualified biologist perform pre-construction on-the-ground surveys of the proposed project area prior to the installation of exclusion fence. Allow the above-listed rare reptile species, and any other wildlife species, to safely leave the construction area prior to installation of exclusion fence. Install exclusion fence, such as metal flashing or drift fence material, around the entire area to be potentially disturbed. The exclusion fence should be buried at least six inches and be at least 24 inches high. The exclusion fence should be maintained for the life of the project and only removed after the construction is completed and the disturbed site has been revegetated. Qualified biologists should survey the inside of the exclusion area daily to determine if any wildlife species have been trapped inside the area of impact. If wildlife are located within the exclusion area, provide safe egress opportunities prior to initiation of construction activities. Contractors should use caution when accessing construction material piles since these areas can provide cover for reptile and other wildlife species. Do not kill, harm, or harass any snake, or other wildlife species encountered during any phase of construction of the proposed project.
- **TxDOT Response: Exclusion fencing would be utilized to deter wildlife species from entering the project area. As mentioned in the previous comment, budget constraints may prevent TxDOT from having a qualified biologist monitor the project site for the duration of the project. TxDOT would provide species specific information to the contractor during the project pre-construction meeting. The contractor would be made aware of the potential for these rare species to occur within the project area, to not harm the species, and to inform appropriate TxDOT personnel should the species be identified**

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**on the project site. TxDOT would also inform the contractor to pay special attention during installation of any exclusion fencing to ensure no species are trapped within the project area.**

- TPWD recommends that any open trenches or excavation areas be covered overnight and/or inspected every morning to ensure no reptiles or other wildlife species have been trapped. Also, inspect excavation areas for trapped wildlife prior to refilling.
- **TxDOT Response: TxDOT will commit to this recommendation and ensure the contractor is aware of this commitment.**
- TPWD recommends turbidity curtains be placed around the project area that is in water to contain turbidity, exclude terrapins and other marine species from entering the project site, and to protect adjacent sensitive habitats (such as tidal marsh) from construction impacts. Daily inspections should occur of turbidity curtains for potential wildlife entanglement and/or application failure.
- **TxDOT Response: The GIWW is a navigable water way that is subject to heavy vessel traffic (both commercial and private). The project area has high ambient turbidity without significant natural resources such as oyster beds or seagrass that would be vulnerable to construction induced turbidity impacts. Existing sensitive habitats (tidal marsh) in the area are accustomed to growing in turbid waters due to heavy vessel traffic. This section of the GIWW has an estimated average traffic volume of 55-60 tows/day transporting an average of 126,000 tons/day of Petroleum products, chemicals, and manufactured goods through that area. It is not feasible to place turbidity curtains across the GIWW during the construction period and stop this important economic activity. Further, turbidity curtains in tidal areas behave like a sail catching the tidal currents. Effective management of the turbidity curtains requires frequent monitoring of current conditions in order to prevent the curtains from becoming a risk to wildlife and adjacent human activities in the area. Given these factors, TxDOT is not implementing turbidity curtains for this project and will rely on implementation of water quality management BMPs to effectively control potential turbidity impacts.**
- The mesh found in many erosion control blankets or mats pose an entanglement hazard to snakes. To reduce potential impacts to snakes, TPWD recommends that TxDOT utilize erosion stabilization materials and seed/mulch stabilization materials that avoid entanglement hazards to snakes. If blankets must be utilized, then TxDOT should avoid mats that contain plastic mesh matting and look into bio-degradable, non-petroleum based, loosely woven, natural fiber matting for which the mesh design allows the threads to move so the opening can expand.
- **TxDOT Response: Preliminary plans for the proposed project do not include the use of erosion control blankets or mats. However, if**

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**necessary, TxDOT would consider using bio-degradable, non-petroleum based, loosely woven, natural fiber matting.**

- **American eel** – very uncommon in Texas coastal waters. This species undergoes metamorphoses throughout its life, which include hatching from eggs in the Sargasso Sea, to larvae drifting in the Gulf Stream for years, and to reaching maturity in freshwater and estuarine habitats. According to TPWD Coastal Fisheries' biologists, this species is not common; however the project area does include preferred habitat.
  - TPWD recommends that TxDOT implement the avoidance and minimization measures provided during consultation with the National Marine Fisheries Service (NMFS) for protection of Essential Fish Habitat located in the project area for the benefit of the American eel as well. Also, the use of turbidity curtains around any portion of the project area in water will assist in excluding this species from areas of impact.
  - **TxDOT Response: TxDOT is currently awaiting results of consultation with the National Marine Fisheries Service for protection of Essential Fish Habitat. TxDOT will review any avoidance and minimization measures recommended by the NMFS for incorporation into the project plans. TxDOT does not propose the use of turbidity curtains for the reasons already stated above.**

Please confirm that TxDOT's commitments are correctly identified above and respond to indicate whether TxDOT will commit to implementing the additional recommendations provided. Again, thank you for coordinating with TPWD regarding your project.

**TxDOT Response: TxDOT confirms its commitment to the above responses to the TPWD recommendations listed above.**

If you have any questions, please feel free to give me a call at 361-293-4424 or email at [alan.migl@txdot.gov](mailto:alan.migl@txdot.gov).

Sincerely,



Alan Migl  
Yoakum District  
Environmental Coordinator

cc: Meghan Pawlowski  
Environmental Affairs Division  
Texas Department of Transportation



## Barbara Grahmann

---

**From:** Laura Zebehazy <Laura.Zebehazy@tpwd.texas.gov>  
**Sent:** Monday, December 08, 2014 5:19 PM  
**To:** Alan Migl  
**Cc:** Meghan Pawlowski; Barbara Grahmann; Sue Reilly; Julie Wicker  
**Subject:** RE: CSJ 0605-01-060 - FM 457 Swing Bridge Replacement: TPWD early coordination response  
**Attachments:** TPWD Response Ltr 060501060.pdf

Good afternoon, Alan,

I really appreciate the thoroughness of your response to TPWD's recommendations to assist TxDOT in avoiding and minimizing impacts to our State's natural resources. Your responses will assist me in any future project reviews I undertake for your District and along the GIWW. I also appreciate your patience in navigating my very first review of a TxDOT project.

With that being said, TPWD appreciates TxDOT's commitment to implement the recommendations discussed in the attached document. Based on that commitment and a review of the documentation and project description, and provided that the project plans do not change, TPWD considers coordination to be complete. However, please note it is the responsibility of the project proponent to comply with all federal, state, and local laws that protect fish and wildlife.

I look forward to working with you on future projects within the Yoakum District.

Sincerely,

Laura Zebehazy  
Transportation Conservation Coordinator  
TPWD – Wildlife Habitat Assessment Program  
Phone: (512)389-4638

---

**From:** Alan Migl [mailto:Alan.Migl@txdot.gov]  
**Sent:** Monday, December 08, 2014 1:37 PM  
**To:** Sue Reilly  
**Cc:** Meghan Pawlowski; Barbara Grahmann; Laura Zebehazy  
**Subject:** RE: CSJ 0605-01-060 - FM 457 Swing Bridge Replacement: TPWD early coordination response

Ms. Reilly,

Please see the attached response letter to the TPWD recommendations for the proposed FM 457 Swing Bridge replacement project in Matagorda County (CSJ 0605-01-060). The TPWD Project ID is # 33492.

Thank you,  
alan

*Alan Migl*  
*Environmental Specialist*  
*TxDOT - Yoakum District*  
*361-293-4424*

---

**From:** Laura Zebehazy [mailto:Laura.Zebehazy@tpwd.texas.gov]  
**Sent:** Thursday, October 23, 2014 3:58 PM

To: Alan Migl

Subject: CSJ 0605-01-060 - FM 457 Swing Bridge Replacement: TPWD early coordination response

Good afternoon, Alan,

Thank you for coordinating the FM 457 Swing Bridge Replacement project in Matagorda County (CSJ 0605-01-060) with TPWD. TPWD would like to offer the following information, comments, and recommendations to avoid or minimize impacts to fish and wildlife resources.

### **Project Description**

The proposed project will replace the existing, at-grade pontoon barge swing span and approach spans with a new fixed-span, high-clearance structure with spiral approaches. TxDOT is evaluating the feasibility of two Build Alternatives (both alternatives would maintain the current configuration of one lane in each direction with an added 10-foot outside shoulder and would reach a maximum height of approximately 92 feet above ground level; both would replace movable swing bridge with fixed concrete structure) and a No Build Alternative (proposed project would not be constructed).

### **TxDOT Commitments**

- To minimize and/or avoid impacts to marine mammals, TxDOT will have onsite qualified biologists that will monitor for the presence of marine mammals during all phases of construction. The biological monitor will instruct all construction activities to cease until the marine mammal(s) move(s) beyond the 50-foot impact zone radius.
- The TxDOT-TPWD BMP PA - Bird BMPs will be implemented to avoid or minimize impacts to all birds protected by the Migratory Bird Treaty Act.
- TCEQ Section 401 Tier I Certification Water quality BMPs will address erosion control, post construction total suspended solids control, and sedimentation control.
- The proposed project will be in compliance with Executive Order 13112 on Invasive Species and Executive Memorandum on Beneficial Landscaping.

### **Impacts to Vegetation/Wildlife Habitat**

- According to the project documents, approximately 5.6 acres of additional ROW will be required for either of the Build Alternatives, and that impacts, for both Build Alternatives, to the MOU EMST vegetation types **Tidal and Salt Marsh, Beaches and Salt, Tidal Flats, and Riparian** exceed the Western Gulf Coastal Plain Ecoregion thresholds defined in the Threshold Programmatic Agreement. Both Tidal and Salt Marsh and Beaches and Salt, Tidal Flats MOU vegetation types are considered to be very rare statewide or ecoregion wide and/or very important by TPWD plant community ecologists. TPWD recommends that TxDOT continue to coordinate with TPWD Coastal Fisheries Division staff for opportunities to either restore, create, or enhance habitat that will offset temporary and permanent impacts to native habitats. If adverse impacts to the rare vegetation types discussed above will not be offset by measures to comply with the Clean Water Act, please contact me, the Transportation Conservation Coordinator, so I can explore potential non-regulatory mitigation opportunities.
- TPWD recommends incorporating the Vegetation BMPs in Section 2: Standard Recommendations of the TxDOT-TPWD BMP PA in order to promote conservation of state fish and wildlife resources. TPWD strongly encourages TxDOT to remove bermudagrass, bahiagrass, and weeping lovegrass seeds from the seed mix used to revegetate the project area due to the proximity to waterways, lands set aside for conservation, and critical habitat for the piping plover.
- Cogongrass (*Imperata cylindrica*) is a highly invasive, non-native species that can spread via seeds and rhizomes (<http://www.cogongrass.org/>). This species is known to infest roadside ditches and road ROW and can be spread by fill dirt and by hitchhiking on construction equipment. In order to proactively discourage infestations in Texas, TPWD recommends that TxDOT thoroughly clean equipment and vehicles (including radiators and air filters) that will be used during project construction prior to mobilizing to the project area.

### **Federally Protected Species**

- According to the Biological Evaluation Form, the proposed project may affect, but is not likely to adversely affect seven federally protected species, and the USFWS concurred with this finding in a letter to Carlos Swonke on August 7, 2014. USFWS recommended specific mitigation to avoid and/or minimize impacts to the federally protected species, and TPWD considers the USFWS recommended mitigation to be sufficient for the federally protected species and may also provide protections to other state fish and wildlife resources that may be impacted by the proposed project.

#### **State-listed Species and Species of Greatest Conservation Need (SGCN)**

- State-listed species that may occur in the area of the proposed project include the peregrine falcon, reddish egret, white-faced ibis, and wood stork. There are known observations of the reddish egret (Sargent Beach), white-faced ibis (Sargent Beach and SBNWR), and wood stork (Dead Caney Creek Marsh) in the immediate vicinity of the proposed project area, so it will be imperative that TxDOT effectively implement the Bird BMPs to avoid and minimize impacts to these and other bird species that may occur in and adjacent to the proposed project area.
- Potential habitat for eight SGCN species may be impacted by the proposed project including black rail, brown pelican, snowy plover, coastal gay-feather, threeflower broomweed, gulf salt marsh snake, Texas diamondback terrapin, and American eel. Bird BMPs will be implemented to avoid and minimize potential impacts to the black rail (known observations from SBNWR), brown pelican (observations of this species were made during site visits to the proposed project area), and snowy plover. Specific BMPs were not provided in the BMP PA for the remaining species, so TPWD makes the following recommendations regarding those species:
  - **Coastal gay-feather** – flowers in the fall and occurs in coastal prairie grasslands of various types including salty prairie on low-lying somewhat saline clay loams and upland prairie on nonsaline clayey to sandy loams. This species can be inconspicuous unless located in areas heavily grazed, recently burned, or in areas of relatively sparse vegetation dominated by shortgrass (Poole et al 2007).
  - **Threeflower broomweed** – flowers September to November and can be associated with coastal gay-feather. This species is most often encountered in sparse, low vegetation on a veneer of light-colored silt or fine sand over saline clay along drier upper margins of ecotone between salty prairies and tidal flats (Poole et al 2007).
    - TPWD recommends that the area proposed for disturbance be surveyed for the above-listed rare plant species where suitable habitat is present. On-the-ground surveys should be performed by a qualified biologist familiar with the identification of rare Gulf Coastal Plain species. Surveys should be conducted when the species are most detectable and identifiable (usually during their respective flowering periods), and disturbance of these species should be avoided during construction to the extent feasible. If these plants are found in the path of construction, TPWD should be contacted for further coordination and possible salvage of plants and/or seeds for seed banking. Plants not in the direct path of construction should be protected by markers or fencing and by instructing construction crews to avoid any harm.
  - **Gulf salt marsh snake** – prefers brackish and saltwater estuaries, salt marshes and tidal mud flats, and this species mates in early spring and females give live birth to young in July and August. This is a nocturnal species that will use debris piles and crab burrows in mud or sand as cover.
  - **Texas diamondback terrapin** – only turtle found in estuaries, tidal creeks, and saltwater marshes where the salinity comes close to that of the ocean. Mating season is in the spring, and females come ashore to dig a tear-shaped nest in the sand above the high-tide line. This species may dig into the mud to hibernate over cold winter months. During the day, terrapins spend most of their time in the water or basking on mud flats or other resting areas, and at night they bury themselves in mud.
    - TPWD recommends avoiding or minimizing activities that would remove or alter suitable gulf salt marsh snake and Texas diamondback terrapin habitat in the project area.
    - TPWD recommends that qualified biologists become permitted in order to facilitate safe removal and legal handling of state-listed species from area of potential impact. Please

contact [wpoffice@tpwd.texas.gov](mailto:wpoffice@tpwd.texas.gov) or visit the Wildlife Diversity Permits: Scientific Permit for Research [website](#) for more information.

- TPWD recommends that TxDOT utilize qualified biologists, such as those being used to monitor for marine mammals, to monitor for the above-listed rare reptile species within the project area. If either species is detected within the construction area, TPWD recommends that TxDOT allow the species to safely leave the project area before resuming construction activities.
- TPWD recommends that a qualified biologist perform pre-construction on-the-ground surveys of the proposed project area prior to the installation of exclusion fence. Allow the above-listed rare reptile species, and any other wildlife species, to safely leave the construction area prior to installation of exclusion fence. Install exclusion fence, such as metal flashing or drift fence material, around the entire area to be potentially disturbed. The exclusion fence should be buried at least six inches and be at least 24 inches high. The exclusion fence should be maintained for the life of the project and only removed after the construction is completed and the disturbed site has been revegetated. Qualified biologists should survey the inside of the exclusion area daily to determine if any wildlife species have been trapped inside the area of impact. If wildlife are located within the exclusion area, provide safe egress opportunities prior to initiation of construction activities. Contractors should use caution when accessing construction material piles since these areas can provide cover for reptile and other wildlife species. Do not kill, harm, or harass any snake, or other wildlife species encountered during any phase of construction of the proposed project.
- TPWD recommends that any open trenches or excavation areas be covered overnight and/or inspected every morning to ensure no reptiles or other wildlife species have been trapped. Also, inspect excavation areas for trapped wildlife prior to refilling.
- TPWD recommends turbidity curtains be placed around the project area that is in water to contain turbidity, exclude terrapins and other marine species from entering the project site, and to protect adjacent sensitive habitats (such as tidal marsh) from construction impacts. Daily inspections should occur of turbidity curtains for potential wildlife entanglement and/or application failure.
- The mesh found in many erosion control blankets or mats pose an entanglement hazard to snakes. To reduce potential impacts to snakes, TPWD recommends that TxDOT utilize erosion stabilization materials and seed/mulch stabilization materials that avoid entanglement hazards to snakes. If blankets must be utilized, then TxDOT should avoid mats that contain plastic mesh matting and look into bio-degradable, non-petroleum based, loosely woven, natural fiber matting for which the mesh design allows the threads to move so the opening can expand.
- **American eel** – very uncommon in Texas coastal waters. This species undergoes metamorphoses throughout its life, which include hatching from eggs in the Sargasso Sea, to larvae drifting in the Gulf Stream for years, and to reaching maturity in freshwater and estuarine habitats. According to TPWD Coastal Fisheries' biologists, this species is not common; however the project area does include preferred habitat.
  - TPWD recommends that TxDOT implement the avoidance and minimization measures provided during consultation with the National Marine Fisheries Service (NMFS) for protection of Essential Fish Habitat located in the project area for the benefit of the American eel as well. Also, the use of turbidity curtains around any portion of the project area in water will assist in excluding this species from areas of impact.

Please confirm that TxDOT's commitments are correctly identified above and respond to indicate whether TxDOT will commit to implementing the additional recommendations provided. Again, thank you for coordinating with TPWD regarding your project.

Sincerely,

Laura Zebehazy  
Transportation Conservation Coordinator

Wildlife Division – [Wildlife Habitat Assessment Program](#)  
Texas Parks and Wildlife Department  
4200 Smith School Road  
Austin, TX 78744  
Phone: (512)389-4638

Join us Jan. 14, 2015 as we celebrate 10 years of transportation transformation in Texas.





---

**FW: FM 457 Swingbridge Replacement Coordination**

1 message

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**Alan Migl** <Alan.Migl@txdot.gov>

Tue, Dec 9, 2014 at 4:22 PM

To: "Jason Buntz (jbuntz@hicksenv.com)" <jbuntz@hicksenv.com>

EFH consultation with NMFS has been completed.

*Alan Migl*

*Environmental Specialist*

*TxDOT - Yoakum District*

[361-293-4424](tel:361-293-4424)

**From:** Heather Young - NOAA Federal [mailto:[heather.young@noaa.gov](mailto:heather.young@noaa.gov)]

**Sent:** Tuesday, December 09, 2014 11:54 AM

**To:** Alan Migl

**Subject:** Re: FM 457 Swingbridge Replacement Coordination

Alan,

NMFS HCD has reviewed the draft Environmental Assessment and the Biological Resources Survey Report, both of which are dated August 2014. Any new pilings and bridge supports placed with open water for the new bridge would constitute a minor adverse impact to in Essential Fish Habitat (EFH) through placement of fill. However, removal of pilings and supports from the open water EFH within the Gulf Intracoastal Waterway during demolition and removal of the existing Matagorda Swing Bridge will be adequate to offset these impacts. Construction activities within the GIWW (pile driving, placement of footings, removal of piles and supports) will also result in some increased turbidity from sediment disturbance, but these impacts would be localized and temporary. Therefore, given the minor nature of the work within EFH as described, NMFS does not have any EFH conservation recommendations to provide, and no further EFH consultation is needed for this action.

The two alternatives alignments for the new bridge would also result in impacts to mid to high tidal saltmarsh. Based on our review of the description and photos of the wetlands provided, we would not classify these wetlands EFH. However, such transitional wetlands do provide often overlooked valuable support functions essential to the health of the adjacent estuaries. These functions include: (1) providing a physically recognizable

structure and substrate for refuge and attachment above and below the sediment surface; (2) binding sediments; (3) preventing erosion; (4) collecting organic and inorganic material; (5) providing nutrients and detrital matter to the estuary, and (6) improving water quality by removing pollutants and excess nutrients and sediments prior to entering bay waters. Mid to high saltmarsh wetlands also provide habitat to invertebrates and crustaceans that form the base of the estuarine food chain and provide habitat to small mammals and wading birds. Placement of fill in these wetlands will require authorization by the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act. NMFS HCD reviews such actions and provides recommendations to minimize and offset project impacts to estuarine resources pursuant to review under the Fish and Wildlife Coordination Act. NMFS HCD recommends that TXDOT develop and implement a compensatory wetland mitigation plan to compensate for all permanent impacts to mid to high marsh wetlands. TXDOT should also develop and implement a restoration plan for all temporarily impacted wetlands disturbed during construction to ensure these areas are fully restored to pre-existing conditions. We will review TXDOT's wetland mitigation and restoration plans as they are developed.

Thank you for coordinating with our office.

Heather

On Tue, Nov 4, 2014 at 4:49 PM, Alan Migl <[Alan.Migl@txdot.gov](mailto:Alan.Migl@txdot.gov)> wrote:

Ms. Young,

I just wanted to touch base with you to see if you have had a chance to review the EA which I sent you regarding TxDOT's proposed FM 457 swing bridge replacement with a fixed high bridge. The EA mentioned the possibility of impacting Essential Fish Habitat. One build alternative would require the placement of columns within a small inlet adjacent to the GIWW and include dolphins to protect these columns from a barge strike. Please advise if there is any additional information you may need in determining whether or not the proposed project would impact EFH. I appreciate your assistance on this project.

Thanks,

alan

*Alan Migl*

*Environmental Specialist*

*TxDOT - Yoakum District*

[361-293-4424](tel:361-293-4424)

Join us Jan. 14, 2015 as we celebrate 10 years of transportation transformation in Texas.

 [Texas Transportation Forum, Jan. 14-16, 2015](#)

--

Heather Young  
NOAA National Marine Fisheries Service  
Habitat Conservation Division, Southeast Region

4700 Avenue U

Galveston, TX 77551  
Ph: (409)766-3699, Fax: (409) 766-3575  
[heather.young@noaa.gov](mailto:heather.young@noaa.gov)

[www.nmfs.noaa.gov](http://www.nmfs.noaa.gov)



Join us Jan. 14, 2015 as we celebrate 10 years of transportation transformation in Texas.

 [Texas Transportation Forum, Jan. 14-16, 2015](#)





Elyse Schmitt &lt;egreenberg@hicksenv.com&gt;

---

**FW: FM 457 TCEQ Coordination**

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Alan Migl &lt;Alan.Migl@txdot.gov&gt;

Tue, Dec 16, 2014 at 1:29 PM

To: "Elyse Schmitt (egreenberg@hicksenv.com)" &lt;egreenberg@hicksenv.com&gt;, "Jason Buntz (jbuntz@hicksenv.com)" &lt;jbuntz@hicksenv.com&gt;

Fyi...TCEQ has no comments.

*Alan Migl**Environmental Specialist**TxDOT - Yoakum District*

361-293-4424

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**From:** NEPA [mailto:[NEPA@tceq.texas.gov](mailto:NEPA@tceq.texas.gov)]  
**Sent:** Tuesday, December 16, 2014 12:59 PM  
**To:** Alan Migl; NEPA  
**Cc:** Barbara Grahmann; Meghan Pawlowski  
**Subject:** RE: FM 457 TCEQ Coordination

The Texas Commission on Environmental Quality (TCEQ) received the Texas Department of Transportation's (TxDOT) request for environmental review of the following project: **FM 457 TCEQ Coordination**

In accordance with the Memorandum of Understanding between TxDOT and TCEQ regarding environmental reviews, which is codified in Chapter 43, Subchapter I of the Texas Administrative Code (TAC) and 30 TAC § 7.119, TCEQ is responding to your request for review.

**TCEQ does not have any comments.**

TxDOT will still need to follow all other applicable laws related to this project, including applying for applicable permits.

If you have any questions, please feel free to contact Elizabeth McKeefer, NEPA Coordinator, at (512) 239-2997 or [NEPA@tceq.texas.gov](mailto:NEPA@tceq.texas.gov).

---

**From:** Alan Migl [mailto:[Alan.Migl@txdot.gov](mailto:Alan.Migl@txdot.gov)]

**Sent:** Monday, December 15, 2014 11:45 AM  
**To:** NEPA  
**Cc:** Alan Migl; Barbara Grahmann; Meghan Pawlowski  
**Subject:** FM 457 TCEQ Coordination

TxDOT would like to request that coordination for FM 457 in Matagorda County, CSJ 0605-01-060, be initiated upon the receipt of this e-mail. The following document is attached for your review and approval.

- Final Water Resources Technical Report

The proposed project consists of replacing the existing, at-grade, pontoon barge swing span and approach spans with a new fixed-span, high-clearance structure with spiral approaches. The proposed project would require new right-of-way. The existing bridge would be removed after completion of the proposed project. The project is scheduled to let in July 2016.

The project triggers coordination with TCEQ since the project is located within five miles of an impaired assessment unit and within the watershed of the impaired assessment unit. TxDOT is preparing an environmental assessment (EA) document for the proposed project. The draft EA is available for review upon request. If you have any questions or need more information regarding this project please contact me.

Thank you,

Alan Migl

*Alan Migl*

*Environmental Specialist*

*TxDOT - Yoakum District*

[361-293-4424](tel:361-293-4424)

Give the Gift of a Sober Ride this Holiday Season.





March 11, 2015

Section 106/Antiquities Code of Texas: Archeological Review (Permit #6911)  
FM 457 at GIWW: Proposed Bridge Replacement  
Yoakum District; Matagorda County (0605-01-060)

Ms. Patricia A. Mercado-Allinger  
Division Director/State Archeologist  
Archeology Division  
Texas Historical Commission  
PO Box 12276  
Austin, TX 78711-2276

Dear Ms. Mercado-Allinger:

The proposed project will be undertaken with Federal funding. In accordance with Section 106 (and the First Amended Programmatic Agreement among the Texas Department of Transportation [TxDOT], the Texas State Historical Preservation Officer [TSHPO], the Federal Highway Administration [FHWA], and the Advisory Council on Historic Preservation) and the Antiquities Code of Texas (and the Memorandum of Understanding between the Texas Historical Commission [THC] and TxDOT), this letter continues consultation for the proposed undertaking.

The following proposed project would replace an existing bridge in TxDOT's Yoakum District. The proposed project would replace the existing pontoon barge swing bridge on Farm-to-Market Road (FM) 457 at the Gulf Intracoastal Waterway in Matagorda County, Texas. The proposed project would replace the existing 232-foot long, 24-foot wide swing bridge with a proposed 700-foot long, 25-foot wide bridge on approximately the same location. The proposed project would also replace the existing approaches to the north and south with looped ramps. The proposed project is approximately 3,094-feet in length with an existing right-of-way (ROW) width of approximately 48-ft. Approximately 4.09 acres of new ROW would be acquired south of the intracoastal canal. TxDOT owns the 3.17 acre parcel on the north side of the canal. The area of potential effect (APE) is defined as the project length, the existing and proposed ROW, and the depth of impact (approximately 40-ft in depth).

TRC Environmental Corporation (TRC) archeologists are scheduled to conduct an intensive survey on behalf of TxDOT for this proposed project under the above referenced antiquities permit. However, due to denial of right-of-entry at this time to the following parcels, the archeological inventory is unable to proceed any further beyond the current logistical planning:

Parcel #18: Ricky Carder – Legal Description: Holiday Beach, Block 8(Replat) & Reserve, Acres 2.485;  
Legal Description: Holiday Beach, Block 8(Replat) & Reserve, Lot 15

Parcel #19 (North side): Laurette Veres – Legal Description: Property #44627, Sargent Beach S/D, PT Tract L, (Lots 1-5 Less 80'), Acres 0.492

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MAINTAIN A SAFE SYSTEM • ADDRESS CONGESTION • CONNECT TEXAS COMMUNITIES • BEST IN CLASS STATE AGENCY

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Parcel #19 (Middle): Matagorda County WCID #2 – Legal Description: Property #44628, Sargent Beach S/D, Tract L, (S 80' Lots 1-5), Acres 0.229

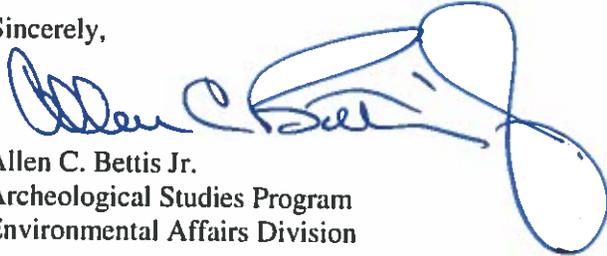
Parcel #19 (South): USACE – Legal Description: Sargent Beach S/D, PT Tract B Acres 0.73

Parcel #28: Wanda Ruth Staley – Legal Description: Property #38446, Holiday Beach, Block 8(Replat) & Reserve, Lot 33.

Based on the above information, TxDOT requests permission to defer the archeological inventory and allow the NEPA process to continue. TxDOT understands that once the parcels in question or access to these parcels has been acquired, we will be obligated to complete the inventory and all coordination needed under Section 106 and the Antiquities Code. TxDOT understands that no construction may commence for this proposed project until the inventory and coordination is completed. If you have no objections to the above request and find it acceptable, please sign below to indicate your concurrence.

Thank you for your consideration in this matter. If you have any questions or further need of assistance, please contact Allen Bettis of the TxDOT Archeological Studies Program at (512) 416-2747.

Sincerely,



Allen C. Bettis Jr.  
Archeological Studies Program  
Environmental Affairs Division

Attachment  
cc w/o attachments:

Paul Matchen, TRC - Austin  
Alan Migl, Yoakum District Office  
ACB PA File

  
Concurrence by:  
for Mark S. Wolfe, State Historic Preservation Officer

3-12-15  
Date:

**APPENDIX D**

**PUBLIC HEARING SUMMARY REPORT**





# Public Hearing Summary Report

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FM 457 Swingbridge Replacement

At Gulf Intracoastal Waterway (GIWW) near Sargent  
FM 457

Matagorda Co

CSJ: 0605-01-060

Alan Migl, Yoakum District

# TABLE OF CONTENTS

Public Hearing Summary.....3

## APPENDICES

Appendix A Notice of Public Hearing  
Appendix B Public Hearing Media News Release  
Appendix C Sign-in Sheets  
Appendix D Presentation  
Appendix E Written Public Comments, TxDOT Responses  
Appendix F Verbatim Transcript

## PUBLIC HEARING SUMMARY REPORT

The Texas Department of Transportation (TxDOT), Yoakum District, conducted a public hearing on September 1, 2015, at the Sargent V.F.W. Post 2412 Hall, located at 20305 FM 457, Sargent, Texas. The purpose of the hearing was to present the public with TxDOT's preferred alternative and allow the public to comment on the proposed swingbridge replacement project.

The proposed project would replace the existing swingbridge with a concrete bridge that would span the GIWW. The project limits are from Anchor Way Street north of the GIWW south to the southern terminus of FM 457 at Sargent Beach. The length of the proposed project is approximately 0.54 mile. Acquisition of additional right-of-way would be required for the proposed project. The project CSJ is 0605-01-060.

A notice for the public hearing was posted in the Bay City Tribune on August 2 and August 19, 2015 (see Appendix A). An advertisement was also sent to two local newsletters that are published on a weekly basis; The Coastal Clipper and The Sargent News (see Appendix B). A news release was also sent out to various Matagorda County media outlets (see Appendix B). A virtual public hearing was set up and made available to the public on September 1, 2015 on the TxDOT website at the following link: <https://www.txdot.gov/inside-txdot/projects/studies/yoakum/fm457-bridge-replacement.html>. All meeting materials from the previous open house and public meeting were posted to this web site.

The public hearing started with an open house session from 5:30pm to 6:30pm. The formal public hearing was called to order by the public hearing officer, Paul Retiz P.E., at 6:30pm. Following the formal presentation from TxDOT (see Appendix D), the public was allowed to comment on the proposed project. Attendees were invited to sign in when they entered (see Appendix C). Comment forms were provided to attendees to either present verbal comments during the hearing, submit written comments, or to mail comments to TxDOT to share their thoughts regarding the proposed project. A total of 151 people attended the public meeting; of which, 129 were members of the public, 1 State Representative, 1 County Judge, 1 Texas Parks and Wildlife representative, 1 environmental consultant from Hicks Environmental, and 18 TxDOT employees.

### Public Comments

The public was encouraged to submit comments on the proposed project either verbally or in writing. Four citizens verbally commented on the proposed project during the public comment portion of the hearing. Eleven written comments were either submitted at the public hearing or received through mail and/or email during the 10 day public comment period following the hearing. Three of the citizens who spoke at the public hearing also submitted written comments. TxDOT responded to all received comments,

12 total, with a written mailed letter. Copies of the comments received and the TxDOT response letters are located in Appendix E, and the verbatim transcript of the public hearing can be found in Appendix F. Of the comments received, seven were in favor of the project and 5 were opposed.

Appendix A

Notice of Public Hearing



## SARGENT SWING BRIDGE REPLACEMENT PROJECT OPEN HOUSE AND PUBLIC HEARING

Tuesday, September 1, 2015

5:30 pm Open House

6:30 pm Hearing and Presentation

Sargent VFW Hall

The Texas Department of Transportation invites you to an open house and public hearing to learn more about and comment on the proposed Sargent Swing Bridge replacement project. A formal presentation will begin at 6:30 p.m. For more information about the meeting and project, please contact Paul Reitz at (361) 293-4347 or Paul.Reitz@TxDOT.gov.

### Notice of Public Hearing

The Texas Department of Transportation (TxDOT) will conduct a public hearing Tuesday, September 1, 2015 at the VFW, Post 2412 Hall, 20305 FM 457 in Sargent, TX. The purpose of the hearing is to present the planned improvements for the FM 457 Swing Bridge over the Gulf Intracoastal Waterway (GIWW) and to receive public comments. Displays will be available for viewing at 5:30 p.m. with the formal hearing commencing at 6:30 p.m.

The existing facility is a divided roadway with one 12-foot lane in each direction with no shoulders. The existing roadway crosses a 120-foot metal pontoon bridge at grade. The pontoon bridge is operated by a control tower regulating both vehicular and water traffic. The width of the existing facility ranges from approximately 24 to 30 feet.

The proposed project would replace the existing, at-grade, pontoon barge swing span and approach spans with a new fixed-span, high-clearance structure with spiral approaches. The purpose of the proposed project is to provide a replacement structure that offers a more structurally sound bridge, reduced maintenance costs, and timely, reliable access across the GIWW along FM 457. The proposed improvements would require approximately 4.2 acres of additional right of way (ROW). The proposed project would displace one single-family residence, several TxDOT owned buildings, and potentially impact one water supply well. Information about the TxDOT Relocation Assistance Program, benefits and services for displacements, as well as information about the tentative schedule for ROW acquisition and construction may be obtained from the TxDOT Yoakum District Office. Relocation assistance is available for displaced persons and businesses. The project would traverse the 100-year floodplain and cross wetlands.

Maps and other drawings showing the proposed project's location and design will be displayed at the hearing. Environmental documentation for the project will also be available for inspection at the hearing. Other information about the proposed project is on file and available for inspection Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. at the TxDOT Yoakum District Office located at 403 Huck St., Yoakum, TX 77995 as well as the TxDOT Matagorda County Maintenance Office located at 500 Ave. F, Bay City, TX 77414 between the hours of 7:30 a.m. and 5:30 p.m. Monday through Thursday.

All interested citizens are invited to attend this public hearing. Verbal and written comments from the public regarding this project are requested and may be presented for a period of 10 calendar days following the hearing. Written comments may be submitted either in person or by mail to the TxDOT District Office, Mr. Paul Reitz, PE., Director of Transportation, Planning, and Development, 403 Huck St., Yoakum, TX 77995. Comments must be received on or before September 14, 2015 in order to become part of the official hearing record.

The Public Hearing will be conducted in English. Persons interested in attending the hearing who have special communication or accommodation needs, or need an interpreter, are encouraged to contact Mr. Andrew Carlson, TxDOT Public Information Officer, at (361) 293-4436. Requests should be made at least two days prior to the public hearing. Every reasonable effort will be made to accommodate these needs. If you have general questions or concerns regarding the proposed project, you may contact Mr. Paul Reitz, PE. at (361) 293-4347.

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by TxDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 16, 2014, and executed by FHWA and TxDOT.



219 E Houston St., Suite 350  
San Antonio, TX 78205

## TXDOT AD PLACEMENT ESTIMATE APPROVAL

**Date:** 7/24/2015

**TXDOT District:** Yoakum

**Type of ad:** Public Notice

**Market:** Bay City and Sargent, TX

**Requested By:** Brian P. Kutach

**Publication Name:** Bay City Tribune

**Ad dates:** Aug. 2, 2015 and Aug. 19, 2015

**Publication Contact:** Dena Matthews

**Publication Phone #:** 979-245-5555

**Publication email:** [classified@baycitytribune.com](mailto:classified@baycitytribune.com)

Qty	Description of Advertisement	1st day Cost	Add. Day Cost	Nbr of Days	Total	Comment
	FM 457 Public Hearing Notice	\$ 400.00		2	\$ 800.00	Classifieds/Legal
		\$ -		0	\$ -	
		\$ -		0	\$ -	
		\$ -		0	\$ -	
		\$ -		1	\$ -	
		\$ -		0	\$ -	
		\$ -		0	\$ -	
Advertising Sub-Total					\$ 800.00	
Qty	Agency Fees				Total	Comment
1	Commission	\$ 141.18			\$ 141.18	
					\$ -	<b>In order for ad to run, publication must receive approval by 3 pm Monday, July 27</b>
Agency Fees Sub-Total					\$ 141.18	
<b>GRAND TOTAL</b>					<b>\$ 941.18</b>	

Approved by: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Appendix B

Public Hearing  
Media News Release



## NEWS RELEASE

### YOAKUM DISTRICT

Andrew Carlson  
(361) 293-4436

[Andrew.Carlson@txdot.gov](mailto:Andrew.Carlson@txdot.gov)

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### **TxDOT TO CONDUCT PUBLIC HEARING ON PROPOSED FM 457 BRIDGE IN SARGENT**

*Proposed "corkscrew" bridge would replace aging and costly swing bridge at Gulf Intracoastal Waterway*

August 3, 2015

**SARGENT** – The Texas Department of Transportation will conduct a public hearing Tuesday, September 1, 2015 at the V.F.W. Post 2412 Hall, 20305 FM 457 in Sargent. The purpose of the hearing is to present the planned replacement of the FM 457 Swing Bridge at the Gulf Intracoastal Waterway (GIWW) and to receive public comments. Displays will be available for viewing at 5:30 p.m. with the formal hearing commencing at 6:30 p.m.

The existing facility is a divided roadway with one 12-foot lane in each direction with no shoulders. The existing roadway crosses a 120-foot metal pontoon bridge at grade. The pontoon bridge is operated by a control tower regulating both vehicular and water traffic. The width of the existing facility ranges from approximately 24 to 30 feet.

The proposed \$28.7 million project would replace the existing, at-grade pontoon barge swing span and approach spans with a new fixed-span, high-clearance structure with spiral approaches. The purpose of the proposed project is to provide a replacement structure that offers a more structurally sound bridge, reduced maintenance costs, and timely, reliable access across the GIWW along FM 457. The decades-old swing bridge requires significant ongoing maintenance costs, requires 24/7 staffing, and can slow emergency vehicle response time if the bridge is open to marine traffic.

The proposed improvements would require approximately 4.2 acres of additional right of way (ROW). The proposed project would displace one single-family residence, several TxDOT-owned buildings, and potentially impact one water supply well. Information about the TxDOT Relocation Assistance Program, benefits and services for displacements, as well as information about the tentative schedule for ROW acquisition and construction may be obtained from the TxDOT Yoakum District Office. Relocation assistance is available for displaced persons and businesses. The project would traverse the 100-year floodplain and cross wetlands.

Maps and other drawings showing the proposed project's location and design will be displayed at the hearing. Environmental documentation for the project will also be available for inspection at the hearing. Other information about the proposed project is on file and available for inspection Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. at the TxDOT Yoakum District Office located at 403 Huck St., Yoakum, TX 77995 as well as the TxDOT Matagorda County Maintenance Office located at 500 Ave. F, Bay City, TX 77414 between the hours of 7:30 a.m. and 5:30 p.m. Monday through Thursday.

All interested citizens are invited to attend this public hearing. Verbal and written comments from the public regarding this project are requested and may be presented for a period of 10 calendar days following the hearing. Written comments may be submitted either in person or by mail to the TxDOT District Office, Mr.

Paul Reitz, P.E., Director of Transportation, Planning, and Development, 403 Huck St., Yoakum, TX 77995. Comments must be received on or before September 14, 2015 in order to become part of the official hearing record.

The Public Hearing will be conducted in English. Persons interested in attending the hearing who have special communication or accommodation needs, or need an interpreter, are encouraged to contact Mr. Andrew Carlson, TxDOT Public Information Officer, at (361) 293-4436. Requests should be made at least two days prior to the public hearing. Every reasonable effort will be made to accommodate these needs. If you have general questions or concerns regarding the proposed project, you may contact Mr. Paul Reitz, P.E. at (361) 293-4347.

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried-out by TxDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 16, 2014, and executed by FHWA and TxDOT.

TxDOT's [Yoakum District](#) encompasses 11 counties in South Texas, serving over 333,000 residents. The district employs approximately 300 people, and has offices in each of the counties we serve.

For news media inquiries, contact [Andrew.Carlson@txdot.gov](mailto:Andrew.Carlson@txdot.gov) or (361) 293-4436.

###

The Texas Department of Transportation is responsible for maintaining 80,000 miles of road and for supporting aviation, rail, and public transportation across the state. TxDOT and its 12,000 employees are committed to working with others to provide safe and reliable transportation solutions for Texas by maintaining a safe system, addressing congestion, connecting Texas communities, and being a Best in Class state agency. Find out more at [txdot.gov](http://txdot.gov). "Like" us on [Facebook](#) and follow us on [Twitter/TxDOTYoakum](#).

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Appendix C  
Sign-in Sheets



**Citizen Sign In**  
**FM 457 Bridge Replacement Project**  
**Public Hearing**  
**September 1, 2015**

Name	Address	Phone Number	Email Address	How did you hear about the meeting?
Jan Foreman	Sargent 77414 1093 CR 230	713/419-2397	.net janforeman@skglobal.net	Newspaper <input checked="" type="checkbox"/> Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Carolyn Pennington	2052 CR 297 Sargent	281-381-3214		Newspaper <input checked="" type="checkbox"/> Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Carla Rae Southard	2515 CR 291	979 244-4733	Sargentstingraee@ yahoo.com	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Mark DeB...	1052 CR 281	979 244 5367		Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Judy Pape	1536 Seagull Sargent	979-245-2069		Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Vicki Dewar	PO Box 4191	540-9579	Freddievcke@aol.com	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Lynn Ressler	12336 Roesler Rd Hoodville, TX 77461	979-793-3196		Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
CHARLES Osina	130 LIVE OAK BEND	979-244-0067		Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Chris Hill Karen Hill	1283 CR 230	512-825-3153		Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
William Dobby				Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___



**Citizen Sign In**  
**FM 457 Bridge Replacement Project**  
**Public Hearing**  
**September 1, 2015**

Name	Address	Phone Number	Email Address	How did you hear about the meeting?
Alan & Lucia Fuller	220 Seagull Bay City	979-244-4013	alanlucia.fuller@gmail.com	Newspaper <input checked="" type="checkbox"/> Road-side sign <input checked="" type="checkbox"/> TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Elizabeth Jackson	403 PR 652 Sargent TX	281-788-6924	et.jackson@yahoo.com	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio <u>Local</u> Community Flyer ___ Other (please specify) <u>Facebook</u>
Kenneth DeZeeuw	PO Box 4087 Sargent	979-329-9096		Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
DENNIS LINDEN	710 SEA GULL	979-429-1741 979-244-1250		Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
James Farrar	20461 Old Caney Dr.	713-204-0809	jasfarrar@gmail.com	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Mary Quinlan	2131 Canal Dr Sargent	713-562-8312	ookah@hotmail.com	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Dennis Bascon	2012 Canal Dr Sargent	281-796-1988	dbascon@yahoo	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer <input checked="" type="checkbox"/> Other (please specify) ___
GENE ALLEN	2216 CR 201 SARGENT	979-429-7150	Coptgene.allen@gmail.com	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Nancy Wollan Rep. Dennis Bonner	122 E. Myrtle Angleton, TX 77515	(979) 848-1770	nancy.wollan@house.state.tx.us	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
RL BOYER	1052 CR 201 Sargent, Tx. 77444	979 245-3691		Newspaper ___ Road-side sign <input checked="" type="checkbox"/> TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___



**Citizen Sign In**  
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**Public Hearing**  
**September 1, 2015**

Name	Address	Phone Number	Email Address	How did you hear about the meeting?
Rick PATTY	29715 OAKVIEW MRENOVIA TX	281 756 1834		Newspaper <input checked="" type="checkbox"/> Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
SALLY KNIGHT	561 CR 209 Sargent	244-4095		Newspaper <input checked="" type="checkbox"/> Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
Joe TAYLOR	1595 PR 672	9194291757		Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
Chad & Kim Ware	Sargent 73 Live Oak Bend			Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
Jamie & Jimmy Padilla	513 7th Street Sargent	_____	_____	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
RAY & DIANA McFarland	557 Seagull Sargent 77414		MAC482001@yahoo.com	Newspaper ___ Road-side sign <input checked="" type="checkbox"/> TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
Kevin Graham	2070 Iracoa St	713 7029162		Newspaper ___ Road-side sign ___ TV ___ Friend <input checked="" type="checkbox"/> Radio ___ Community Flyer ___ Other (please specify) _____
Nelso DAVIES	Way 8010 LAUREN A	713 304 5285	ndavies@mbsusa.net	Newspaper ___ Road-side sign ___ TV <input checked="" type="checkbox"/> Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
Tracee Wollney	21227 77479 Park Brush Ln Katy TX	713-927-2723	tracee.wollney@gmail.com	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) <u>owner</u>
Jan Brooks	1052 CR 201	979245-3691	ljb.3009@yahoo.com	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____



**Citizen Sign In**  
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**Public Hearing**  
**September 1, 2015**

Name	Address	Phone Number	Email Address	How did you hear about the meeting?
ADOLPH SCHADE	950 CR 209	879-240-1691	ADOLPH SCHADE @YAHOO.COM	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer <input checked="" type="checkbox"/> Other (please specify) ___
WANNIE FOSTER	CR 281	979-412-057		Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer <input checked="" type="checkbox"/> Other (please specify) ___
Bill Orton	1689 CR 297 Sargent, Tx. 77414	979-244-7612	borton@co.matagorda.tx.us	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) <u>County</u>
MIKE WAITS	773 PR 672 BAY CITY TX 77414	979-240-397		Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Sharon Wilson	845 CR 297 Bay City, Tx	979-943-2686		Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Billy Sprouse Texas Dept of Transportation	16701 R. Ward P.O. Box 571	512-589-4576		Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Joe Zamora		979-245-0243	ti2j2@yahoo.com	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
GARY LOPEZ	Linnio Glaze	832-202-5542	glopez5355@comcast.net	Newspaper <input checked="" type="checkbox"/> Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
SUE RASH	Sue Rash	979-429-1184	srash1999@yahoo	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
LARRY PAGE	Larry Page	979-557-5724		Newspaper ___ Road-side sign <input checked="" type="checkbox"/> TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___



**Citizen Sign In**  
**FM 457 Bridge Replacement Project**  
**Public Hearing**  
**September 1, 2015**

Name	Address	Phone Number	Email Address	How did you hear about the meeting?
J.D. Williams	1789 County Rd 200	281-624-2388		Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
Roy Foster	15418 Conroy Drive	979-482-7007	Roy@schoppeinsurance.com	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
Mark Hochman	285 C.R. 299	9062509288		Newspaper ___ Road-side sign ___ TV ___ Friend <input checked="" type="checkbox"/> ___ Radio ___ Community Flyer ___ Other (please specify) _____
Debbie Nelson	1539 CR 291	979-245-5626	debbie@dashhomemortgage.com	Newspaper ___ Road-side sign <input checked="" type="checkbox"/> ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
Melody Brazda	34 Marina Dr	979-417-6246	brazdamal@yahoo.com	Newspaper ___ Road-side sign <input checked="" type="checkbox"/> ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
BRIAN THEROS	239 C.R. 299	901-674-1077	BTHeros57@yahoo	Newspaper <input checked="" type="checkbox"/> Road-side sign <input checked="" type="checkbox"/> ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
Ron Bush	405 BLUEWATER	281-6527888	SEA BEE R BUSH	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
Jim & Cindy Barton	1179 Canal Dr	713 545 6008	cymbarton@yahoo.com	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
JD STAYTON	1292 Gulfview	713-854-7104	JD.STAYTON@HawksBerkease.com	Newspaper <input checked="" type="checkbox"/> Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
Marie Zikunke	244 PL 652 Bay City	245-9876		Newspaper <input checked="" type="checkbox"/> Road-side sign <input checked="" type="checkbox"/> ___ TV ___ Friend ___ Radio ___ Community Flyer <input checked="" type="checkbox"/> ___ Other (please specify) _____



**Citizen Sign In**  
**FM 457 Bridge Replacement Project**  
**Public Hearing**  
**September 1, 2015**

Name	Address	Phone Number	Email Address	How did you hear about the meeting?
Cecil CARNES	P.O Box 4640 LOS ALAMOS NM 87544		CECIL CARNES @EARTHLINK.NET	Newspaper___ Road-side sign ___ TV ___ Friend ___ Radio___ Community Flyer___ Other (please specify)___
John Nagy	36 C.R. 200	979-2445418	_____	Newspaper <input checked="" type="checkbox"/> Road-side sign ___ TV ___ Friend ___ Radio___ Community Flyer___ Other (please specify)___
Maria Minor	1595 P.R. 672 Bay City 77414			Newspaper___ Road-side sign ___ TV ___ Friend ___ Radio___ Community Flyer___ Other (please specify)___
DONALD KAMINSKI	89 NETTUNE SARGENT, TX	979 216 6007	kamidons@comcast.net	Newspaper___ Road-side sign <input checked="" type="checkbox"/> TV ___ Friend ___ Radio___ Community Flyer___ Other (please specify)___
Bill ANDREAS	936 Gu/Audew SARGENT, TX	281-4356266		Newspaper___ Road-side sign ___ TV ___ Friend ___ Radio___ Community Flyer___ Other (please specify)___
Jerome Auselmo	26656 FM 457 Bay City	979-949-4487		Newspaper___ Road-side sign ___ TV ___ Friend ___ Radio___ Community Flyer___ Other (please specify)___
George Crington	1699 CR 291 Bay City, TX 77414	979 232-0561		Newspaper___ Road-side sign ___ TV ___ Friend ___ Radio___ Community Flyer___ Other (please specify)___
Paul Summit	1233 CR 299 Sargent 77414			Newspaper___ Road-side sign <input checked="" type="checkbox"/> TV ___ Friend ___ Radio___ Community Flyer___ Other (please specify)___
Trent Hess	234 White Cap St. Sargent	956-570 2966		Newspaper___ Road-side sign ___ TV ___ Friend <input checked="" type="checkbox"/> Radio___ Community Flyer___ Other (please specify)___
Mr + Mrs Gene Ferry	147 Seagull DR Sargent	979- 244-3828		Newspaper___ Road-side sign ___ TV ___ Friend ___ Radio___ Community Flyer___ Other (please specify)___



**Citizen Sign In**  
**FM 457 Bridge Replacement Project**  
**Public Hearing**  
**September 1, 2015**

Name	Address	Phone Number	Email Address	How did you hear about the meeting?
Linda Hugill	664 CR 209	979-429-6051	Hugill.Linda@yahoo.com	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) <input checked="" type="checkbox"/>
PKahm	186 Aeron	9062503914	_____	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
Andrew Nelson	1539 CR 291	713 818 4759	Andrew@Dashhome montrose.com	Newspaper ___ Road-side sign <input checked="" type="checkbox"/> TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
VINCENT SAZERA	514 CR 209	245 6033	_____	Newspaper <input checked="" type="checkbox"/> Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
CDiBuddy Lane	272 Fleming St	979-245-0144	_____	Newspaper ___ Road-side sign ___ TV ___ Friend <input checked="" type="checkbox"/> Radio ___ Community Flyer ___ Other (please specify) _____
Jay Hobbs	845 CR 297	507 951 0494	_____	Newspaper <input checked="" type="checkbox"/> Road-side sign ___ TV ___ Friend <input checked="" type="checkbox"/> Radio ___ Community Flyer ___ Other (please specify) _____
Sissy Nagy	36 CR 200	979-244-5118	_____	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
DAVID JUDY Kveton	1222 CR 201	281-808-4870	dokveton@gmail.com	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
Phil Smith	435 Intracoastal	281-413-6831	pangp435@gmail	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer <input checked="" type="checkbox"/> Other (please specify) _____
Leslie Folkes	15403 Baybrook Dr	281 615 1824	LeslieFolkes@gmail.com	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____



**Citizen Sign In**  
**FM 457 Bridge Replacement Project**  
**Public Hearing**  
**September 1, 2015**

Name	Address	Phone Number	Email Address	How did you hear about the meeting?
Joel Heaton	345 W. R. 672	979 429 7354		Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
Mr & Mrs David Tuttle	20580 FM 457	979 323 9263		Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
MR & MRS BJ Mundine	45 CR 200	281-543-9022	mmundine53@gmail.com	Newspaper <input checked="" type="checkbox"/> Road-side sign <input checked="" type="checkbox"/> TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
MR + Mrs Farguhar	139 Sir Galahad	979 450- 3074		Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
Skipper Osborne		979-244- 6917		Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) <u>          </u>
Freddie Driven	278 SRAVIRW	979 540 9579		Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
Willie Younger	150 Lower Colorado Day City 77414	979 240 4872	W-youngere@att.net	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
CLAUDE 'Tiger' LANE	383 CR 296 SARGENT TX 77414	979 429-3002	Pamslane@gmail.com	Newspaper <u>      </u> Road-side sign <u>      </u> TV ___ Friend ___ Radio ___ Community Flyer <u>      </u> Other (please specify) _____
TIM WOOTERS	1166 CR 943 W.C. TX 77486	281 924 3974	TWOOTERS@EMPOWERMAIL.COM	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
Tim Simpson	Chimavera	281 814 6644	TSimpson@jensen.com	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____



**Citizen Sign In**  
**FM 457 Bridge Replacement Project**  
**Public Hearing**  
**September 1, 2015**

Name	Address	Phone Number	Email Address	How did you hear about the meeting?
Marie Bozeman	77404 Sarg. P.O. Box 4087			Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Charlene TIPS	PO Box OLD COONITX 77463			Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
John + Debby Ellis	15110 Guess Rd Wharton, TX 77488			Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Jan + Pam Stemmel	P.O. Box 4047 Sargent, 77404		TREM PAM @ AOL.com	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Kim e. Clint Falls	568 Seagull Sargent, TX 77411			Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Edwin	2429 CR 291 Sargent			Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
L E Baran	1470 COUNTY RD 297			Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Ruth Staley	1324 CR 297 Sargent			Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Kaye Gilliam	4402 Robichaux Pattison Tr 77423		Kaye Gilliam @ yahoo.com	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Alton Boudary	PO Box 4112 Sargent, TX, 77404			Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio <input checked="" type="checkbox"/> Community Flyer ___ Other (please specify) ___



**Citizen Sign In**  
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**September 1, 2015**

Name	Address	Phone Number	Email Address	How did you hear about the meeting?
J. McCullah	14505 Chimera Sargent TX	952 913 0752	Jay McCullah Jay@mail.com	Newspaper ___ Road-side sign <input checked="" type="checkbox"/> TV ___ Friend <input checked="" type="checkbox"/> Radio ___ Community Flyer ___ Other (please specify) ___
RW Blumell	cedar lake Sargent Tex	919 335 6295	-	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Si + Kasey Laurie	Sargent			Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Tom Ward	cedar lake	979-241 1639		Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Robert Smith	1367 C.R. 201	512-748-0924		Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
J DAVIS	2061 CR 230	713 296 9699	WATERFRONT 457 @ AOL	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Joan Slawinski	207 Creekside	979 2450408		Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Edward Slawinski	" "	" "		Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Leon Biecki	1972 PR 673	979-429-6313	N/A	Newspaper <input checked="" type="checkbox"/> Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Jeremy McKeon	1177 Van of Aa Dr Houston, Tx		Jeremy@themckeons.net	Newspaper ___ Road-side sign ___ TV ___ Friend <input checked="" type="checkbox"/> Radio ___ Community Flyer ___ Other (please specify) ___



**Citizen Sign In**  
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**September 1, 2015**

Name	Address	Phone Number	Email Address	How did you hear about the meeting?
Will Amc. Smith Jr	299 CR 297 Bay City, TX 77414	832-266-8454		Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) <u>Post</u>
ROTTIPPS	Cedar Box 260 Lane	979 245-3625		Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
Dianne Davis Russell	7815 Courtney manor Key	832- 567-490	ddrtac.comca.s	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) <u>Other</u>
Cathy Blotter	2061 CR 230 Sargent Beach TX	713 296 9710	Cbodre2@261.com	Newspaper ___ Road-side sign <u>X</u> TV ___ Friend <u>X</u> Radio ___ Community Flyer ___ Other (please specify) _____
TOM PUSTANSKI	955 CR 23 SARGENT BEACH	44 356 3001	MJP@pe.com	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
CHITTENDEN DON & CHERRI	2104 CR 206 SARGENT TX	979 245-1982	d.chittenden@yahoo.com	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) <u>Other</u>
JANA RAMSEY	215 CR 285 B.C. TX 77414	979-557-5834		Newspaper ___ Road-side sign <u>X</u> TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
AARRA + JESSICA McAL	1629 Private #1672 Bay City	479-2412146		Newspaper ___ Road-side sign <u>X</u> TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
				Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
				Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____



**Citizen Sign In**  
**FM 457 Bridge Replacement Project**  
**Public Hearing**  
**September 1, 2015**

Name	Address	Phone Number	Email Address	How did you hear about the meeting?
PAUL DAVIS	CANAL Drive	281-924-8256	Paul Davis @ PDR.net	Newspaper ___ Road-side sign ___ TV ___ Friend <input checked="" type="checkbox"/> Radio ___ Community Flyer ___ Other (please specify) ___
KRISTIE BOBICHAWK	Oak circle	713-380-9944	angelknstiegs@ yahoo.com	Newspaper ___ Road-side sign <input checked="" type="checkbox"/> TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Joe Bone III	Canal Drive	832 759 1850	joebonoiii@gmail.com	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer <input checked="" type="checkbox"/> Other (please specify) ___
				Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
				Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
				Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
				Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
				Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
				Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
				Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___



**Citizen Sign In**  
**FM 457 Bridge Replacement Project**  
**Public Hearing**  
**September 1, 2015**

Name	Address	Phone Number	Email Address	How did you hear about the meeting?
Sheila Taylor	594CR297	832-865-0397	shataylorstaylor@aol.com	Newspaper ___ Road-side sign <input checked="" type="checkbox"/> TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
Nate McDonald	206 CR 208, B.C.	979-245-0081	coj@edge@co.matagorda.tx.us	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
				Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
				Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
				Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
				Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
				Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
				Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
				Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____
				Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) _____



OTW  
Citizen Sign In

FM 457 Bridge Replacement Project

Public Hearing

September 1, 2015

Name	Address	Phone Number	Email Address	How did you hear about the meeting?
Alan Misl	403 Huck St. Yoakum, TX	361-293-4424	Alan.Misl@txdot.gov	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Amanda Fling	403 Huck St Yoakum, TX	361-293-4429	Amanda.Fling@txdot.gov	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Greg Polasek	403 Huck St. Yoakum, TX	361-293-4312	Greg.Polasek@txdot.gov	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
MICHAEL BRZDZOWSKI	1512 FM 102 WHARTON, TX	(979)532-3143	MICHAEL.BRZDZOWSKI@txdot.gov	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
RYAN SIMPER	1512 Fm 102 WHARTON, TX	(979)532-3143	RYAN.SIMPER@txdot.gov	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Annie Lagow	200 E Riverside AUSTIN, TX	(512) 416-2110	annie.lagow@txdot.gov	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Doire Miers	200 E. Riverside AUSTIN, TX	512 416-33	doire.miers@txdot.gov	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Steven Austin	118E Riverside Austin, TX	210-445-9659	Steven.austine@txdot.gov	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Jeff Tomkins	"	512 416 2225	jeff.tomkins@txdot.gov	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Jason Butz	1504 W. 5TH ST Austin TX 78703	512 844 0977	jbutz@phiers-env.com	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___



~~1001~~  
Citizen Sign In

FM 457 Bridge Replacement Project  
Public Hearing  
September 1, 2015

Name	Address	Phone Number	Email Address	How did you hear about the meeting?
Steve GARTMAN	PO Box 4123 TX 77404	240 599 7	SGGARTMAN@GARTMAN	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Panny Perez	Houston		danny.perez@txdot.gov	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Bryan Ellis	Victoria, TX.	361-572-5220	bryan.ellise@txdot.gov	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Clay Churchill	Childress, TX	940 937-7157	clay.churchill@txdot.gov	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Jessica Fields		979 5579103	Jessica.Fields@txdot.gov	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
David W. Down	Bay City	979 245-8338		Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Duane Rymer	Bay	245-8338	Martin.Rymer@txdot.gov	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Meghan Paulowski	ENV - Austin	512 466-2433	Meghan.paulow@txdot.gov	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
Mario Mata	ENV - Austin	512-416-2620	mario.mata@txdot.gov	Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
				Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___
				Newspaper ___ Road-side sign ___ TV ___ Friend ___ Radio ___ Community Flyer ___ Other (please specify) ___

Appendix D  
Presentation



# FM 457 SWING BRIDGE REPLACEMENT PROJECT

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Public Hearing

September 1, 2015



# Agenda

- Meeting Format
- Project Overview
- Environmental Overview
- Project Schedule
- Public Comments

# Why Am I Here?

- Learn and ask questions about the proposed project
- Review purpose and need for project
- Review the proposed project alternatives, including the preferred alternative
- Provide comments and feedback on the proposed project and alternatives

# How To Submit Comments

- Verbal comments will commence after presentation
- Written comments can be placed in the comment box
- E-Mail comments to: [Paul.Reitz@txdot.gov](mailto:Paul.Reitz@txdot.gov)
- Fax comments to: 361-293-4372
- Mail comments to: TxDOT Yoakum Office  
403 Huck Street  
Yoakum, Texas 77995

**Deadline for comments is Monday, September 14, 2015**



# **PROJECT OVERVIEW**

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**FM 457 Swing Bridge Replacement Project**

# Project Overview

- Replace current swing bridge with concrete “corkscrew” bridge over the Gulf Intracoastal Waterway (GIWW)
- Corkscrew bridge will have two lanes – one lane in each direction
- Anticipated displacements are one residence and TxDOT bridge control tower
- Estimated project cost \$28.7 million



## What are we trying to do?

- Provide reliable access across the GIWW
- Provide a bridge that requires less upkeep and does not need 24/7 staffing

## What problems are we trying to address?

- Current bridge has to be open for barge traffic
- Motorists have to wait to cross current bridge
- Emergency response times can be delayed
- Current bridge is in need of major, costly repairs

## Why a Corkscrew Bridge?

A corkscrew bridge best accommodates the limited space along FM 457 and height requirements for a new bridge.

## Benefits of a Corkscrew Bridge

- Unrestricted vehicular flow across the GIWW
- Unrestricted boat and barge traffic
- Unrestricted emergency access across the GIWW
- Eliminate swing bridge maintenance costs

# Road Design Considerations

- Designed for 30 mph speed
- Road width minimum of 32' with 48' width preferred
- Lane width of 12'
- Shoulder width 4' with 12' width preferred
- Flush 4' median for large trucks
- Maximum grade of 7%
- Pedestrian and bicycle access

# Bridge Design and Construction Considerations

- Need 73' of vertical clearance over 225' of GIWW
- Main span and support span length
- Limited footprint on island
- Potential storm surge and other environmental forces
- Corrosion protection for 75 to 100 year service life
- Few or no retaining walls
- Location for new bridge substructure
- Aesthetics
- Access to residences and businesses
- Minimizing work in channel clearance zone

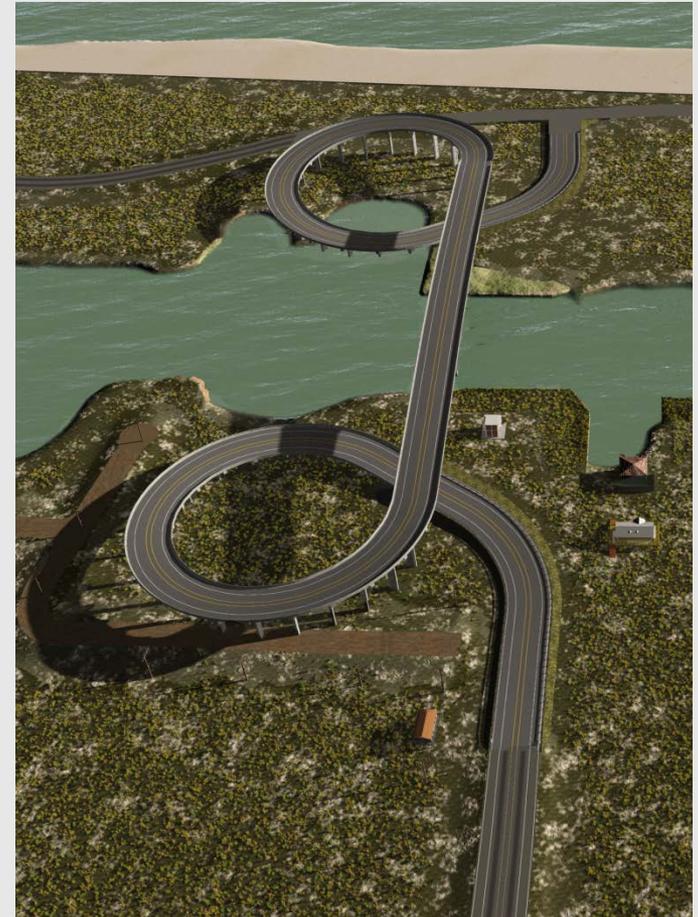
# Project Alternatives

Project Alternatives	Alternative A	Alternative B	Alternative C
Description	No build alternative – the current bridge would remain		
Consistent with Purpose and Need?	No	Yes	Yes
Potential for residential relocations?	No	Yes (4)	Yes (1)
Potential for commercial displacements?	No	Yes (1)	No
Impacts to Waters of the U.S.?	No	No	Yes
Impacts to potential wetlands?	No	Yes	Yes
Additional right-of-way (ROW) required?	No	Yes	Yes
Preliminary Decision	Required to be further considered	Not Recommended	Preferred alternative

# Preferred Alternative – Alternative C

Alternative C is the preferred alternative because it:

- Meets the project purpose and need.
- Requires fewer residential displacements.
- Does not require any commercial displacements.
- Has fewer permanent impacts to wetlands.
- Uses natural vegetation as a buffer between the construction area and the beach. This natural buffer provides protection for federally listed sea turtles and shore birds.





# ENVIRONMENTAL OVERVIEW

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## FM 457 Swing Bridge Replacement Project

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried-out by TxDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 16, 2014, and executed by FHWA and TxDOT.

# Environmental Assessment (EA)

- A detailed study called an Environmental Assessment (EA) was done for the proposed project.
- The study resulted in a draft EA report.
- The study and report document impacts to the natural and human environment including potential impacts to:
  - Floodplains
  - Potential wetlands
  - Vegetation
  - Wildlife
  - Land use
  - Threatened and endangered species
  - Aesthetic and visual resources
  - Surface water
  - Historic and archaeological resources
  - Potential displacements to residents and businesses
  - Social and community impacts

Project plans and the draft environmental assessment report document are available for viewing:

- Tonight at the Public Hearing
- Project website at [www.txdot.gov](http://www.txdot.gov) and search keywords “FM 457”
- TxDOT Matagorda County Maintenance Office
  - Monday – Thursday 7:30 am - 5:30 pm
  - 500 Ave. F
  - Bay City, TX 77414
- TxDOT Yoakum District office
  - Monday – Friday 8 am - 5 pm
  - 403 Huck St.
  - Yoakum, TX 77995

# Right of Way Acquisition and Relocation Assistance

Greg Polasek

TxDOT Right of Way Supervisor

361-293-4312

[Greg.Polasek@txdot.gov](mailto:Greg.Polasek@txdot.gov)

# Project Schedule\*



**\* This project schedule and dates are preliminary and subject to change.**

## Next Steps

- Compile and consider community input from tonight's public hearing
- Submit Environmental Assessment document for a decision on if the project will be built

# How To Submit Comments

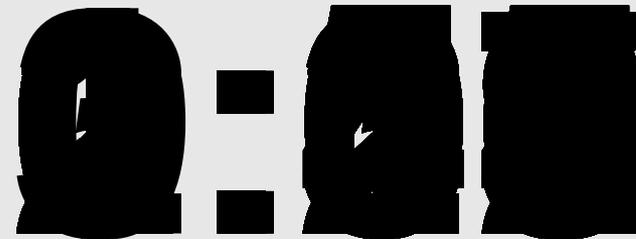
- Verbal comments period
- Written comments can be placed in the comment box
- Email comments to: [Paul.Reitz@txdot.gov](mailto:Paul.Reitz@txdot.gov)
- Fax comments to: 361-293-4372
- Mail comments to: TxDOT Yoakum Office  
403 Huck Street  
Yoakum, Texas 77995

**Deadline for comments is Monday, September 14, 2015**

# **10 Minute Break**

# Public Comment Period

- Use the microphone
- State your name
- State your interest in the project
- Give your comments on the project
- Please observe 3 minute rule



# *Thank You for Your Participation!*

Please remember to submit comments on or before  
Monday, September 14, 2015

- Written comments can be placed in the comment box
- E-Mail comments to: [Paul.Reitz@txdot.gov](mailto:Paul.Reitz@txdot.gov)
- Fax comments to: 361-293-4372
- Mail comments to: TxDOT Yoakum Office  
403 Huck Street  
Yoakum, Texas 77995

## Appendix E

Written Public Comments,  
TxDOT Responses,  
Verbatim Transcript

Don



# FM 457 SWING BRIDGE PROJECT COMMENT CARD

YOAKUM DISTRICT

SEP 10 2015

TEXAS DEPT. OF TRANSPORTATION

(PLEASE PRINT)

NAME: DONNA ANDERSON YOUNGER

ADDRESS: 150 LOWER COLORADO, BAY CITY, TX 77414

REPRESENTING: SELF

(Texas Transportation Code, §201.811(a)(5)): check each of the following boxes that apply to you:

- I am employed by TxDOT
- I do business with TxDOT
- I could benefit monetarily from the project or other item about which I am commenting

COMMENTS ① WITH THE SWING BRIDGE AT SARGENT BEING THE ONLY ONE REMAINING ALONG THE INTRACOASTAL CANAL, IT NOW HAS AN EXALTED POSITION OF HISTORICAL SIGNIFICANCE, THEREFORE, IT SHOULD REMAIN IN OPERATION AS A TOURIST ATTRACTION ASSERTIVELY PROMOTED BY TxDOT AND OTHER ADVOCATES OF VISITOR/HOSPITALITY-INDUSTRY GROWTH.

② THE ROADS AND BRIDGES OF TEXAS ARE VITAL TO THE ECONOMIC, SOCIAL AND ENVIRONMENTAL WELL-BEING OF THE RESIDENTS OF OUR STATE AND NATION. YET, MANY OF THESE TRANSPORTATION NECESSITIES ARE IN A DETERIORATED STATE. IT WOULD APPEAR REASONABLE TO ASSUME THAT 28 OR 29 MILLION DOLLARS WOULD BE BETTER SPENT ON REPAIRING AND/OR UPGRADING OUR EXISTING INFRASTRUCTURE. IT IS APPARENT THAT THIS 'NEW' BRIDGE WOULD REPRESENT A SIZEABLE INVESTMENT OF TAX DOLLARS THAT WOULD PROVIDE A CONVENIENCE TO ONLY A MINISCULE PORTION OF THE STATE'S POPULATION (I.E., 3 DOZEN HOME OWNERS & A "VERY" SMALL NUMBER OF BEACH VISITORS). PLEASE SPEND "OUR" MONEY AS WISELY AS HUMANLY

Please submit all comments by Monday, September 14, 2015

E-Mail to [Paul.Reitz@txdot.gov](mailto:Paul.Reitz@txdot.gov)

Fax to 361-293-4372

Mail to TxDOT Yoakum Office, 403 Huck Street, Yoakum, Texas 77995

POSSIBLE!

THANK YOU!



## **Texas Department of Transportation**

403 Huck Street | Yoakum, Texas 77995 | (361) 293-4300 | [www.txdot.gov](http://www.txdot.gov)

September 29, 2015

Donna Anderson Younger  
150 Lower Colorado  
Bay City, Texas 77414

Dear Donna,

Thank you for your interest and recent participation in the FM 457 public hearing. Public input is a vital part of TxDOT's project planning and development process. Following the hearing, the project team reviewed and considered all public comments.

The Sargent Swingbridge is not the only remaining swingbridge located along the Intracoastal Canal. There are several in the eastern part of Texas and one located in South Texas. The bridge was not determined to be an historic structure. The project is being proposed to eliminate the costly operation and maintenance of the swingbridge. The amount of money saved by eliminating the maintenance and operation of the swingbridge will be greater than the cost to construct the new bridge over the life span of this structure.

If you have questions or would like to further discuss the response to your comment, please contact Paul Reitz at 361-293-4347. Thank you again for your participation and input.

Sincerely,

Paul E. Reitz, P.E.

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001



# FM 457 SWING BRIDGE PROJECT COMMENT CARD

(PLEASE PRINT)

NAME: DiAnne Russell

ADDRESS: 7815 Courtney Manor Ken TX 77494

REPRESENTING: \_\_\_\_\_

(Texas Transportation Code, §201.811(a)(5)): check each of the following boxes that apply to you:

- I am employed by TxDOT
- I do business with TxDOT
- I could benefit monetarily from the project or other item about which I am commenting

COMMENTS: I am 100% in favor of the construction  
of the new bridge on 457 @ Sargent Bend  
This will bring much needed economic  
growth to the area as well as  
faster response time for emergency  
services to residents + tourists

**Please submit all comments by Monday, September 14, 2015**  
 E-Mail to [Paul.Reitz@txdot.gov](mailto:Paul.Reitz@txdot.gov)  
 Fax to 361-293-4372  
 Mail to TxDOT Yoakum Office, 403 Huck Street, Yoakum, Texas 77995



## **Texas Department of Transportation**

403 Huck Street | Yoakum, Texas 77995 | (361) 293-4300 | [www.txdot.gov](http://www.txdot.gov)

September 30, 2015

Diane Russell  
7815 Courtney Manor  
Katy Texas, 77494

Dear Ms. Russell ,

Thank you for your interest and recent participation in the FM 457 public hearing. Public input is a vital part of TxDOT's project planning and development process. Following the hearing, the project team reviewed and considered all public comments.

Your comment to support the bridge replacement project is appreciated and will be entered into the official public hearing submittal.

If you have questions or would like to further discuss the response to your comment, please contact Paul Reitz at 361-293-4347. Thank you again for your participation and input.

Sincerely,

Paul E. Reitz, P.E.

Don



# FM 457 SWING BRIDGE PROJECT COMMENT CARD

(PLEASE PRINT)

NAME: James A. Farrar, AIA Emeritus, NCARB

ADDRESS: 20461 Old Caney Dr. Sargent, Texas 77414

REPRESENTING: Myself jafarrar@gmail.com

(Texas Transportation Code, §201.811(a)(5)): check each of the following boxes that apply to you:

- I am employed by TxDOT
- I do business with TxDOT
- I could benefit monetarily from the project or other item about which I am commenting

COMMENTS: looks good as good goes. What could be improved  
is how the ramp lands on the Gulf side. I believe this  
arrangement will require more apron & retention of the  
Gulf from undermining the termination.

**Please submit all comments by Monday, September 14, 2015**

E-Mail to [Paul.Reitz@txdot.gov](mailto:Paul.Reitz@txdot.gov)

Fax to 361-293-4372

Mail to TxDOT Yoakum Office, 403 Huck Street, Yoakum, Texas 77995

*Done*

**Paul Reitz**

---

**From:** James Farrar <jaffarrar@gmail.com>  
**Sent:** Wednesday, September 02, 2015 8:28 PM  
**To:** Paul Reitz  
**Subject:** FM 457 Bridge Replacement Project.

Hello Paul,

I appreciate you and your team coming and presenting the bridge project. We have talked and corresponded about the bridge in the past. I have attended all your meetings. It was a good presentation that you and your team made. I believe this is the third time you have done this. I was sorry to see it appearing to not be as well received as it should.

There were three speaker against the and one for it. If you haven't already found out you will find Sargent is very dysfunctional with various groups and people wanting control yet not knowing what to do with it even if they attain some.

I know the state is going to build the bridge irrespective of the opinions. I think the bridge is a good thing. And any objections to it is based upon catastrophes that will be met by the state being responsible for it use and maintenance. Irrespective of the future of the bridge TxDOT will be married to it as they are managers for everything else in the state;s road inventory. And that is reason enough to support it. The preferred alternative appears to be the best scheme.

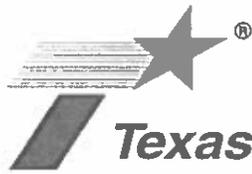
There are a couple to things you might consider in the design. The first is that instead of the helical super-elevated ramp on the land side it might be a straight run with the rise starting further down FM 457. That might standardize the precast concrete beams sections and the ledgers. There could be a bend in the road occurring at the land side of the ICH if you want the roadbed in that position in order to build it and not interfere with the operation of the existing swing bridge while building the new bridge. With this you would need a frontage road which you probably would anyway.

You might also consider some sort of radar monitor for if you don't they will by some accidents with some of the folks who live at Sargent out having their fun.

The helical super-elevated ramp on the beach side is mandatory. The landing of it in a tee to the road is done a lot but is always awkward coming off a ramp. Better the road continue as a curve and continue as a part of Canal Drive. Other roads can connect to Canal Drive at a right angle. The will be no further development down the beach other than the fishing park since the state owns the land all the the way to Mitchell's Cut is my understanding. I think Roy Cullen donated it to the State of Texas maybe 25 years ago. The frontage road on the land-side should be held tight to the roadway to keep from taking more road frontage from property owners.

One of the commentators mentioned FM 457 taking a beating from the construction and that is real. The road is not designed for carrying the weights of the precast concrete sections. So there should be something in the planning to rehab it and make it into an even better more durable roadway than it already is. It could also stand some shoulders and better ditching for maintenance and drainage.

If you would like me to provide you with some freehand scanned sketches of what I am suggesting for the land side elevated roadway and the landing of the beach helical let me know and I will prepare and send them.



## **Texas Department of Transportation**

403 Huck Street | Yoakum, Texas 77995 | (361) 293-4300 | [www.txdot.gov](http://www.txdot.gov)

September 29, 2015

James Farrar  
20461 Old Caney Drive  
Sargent, Texas 77414

Dear Mr. Farrar,

Thank you for your interest and recent participation in the FM 457 public hearing. Public input is a vital part of TxDOT's project planning and development process. Following the hearing, the project team reviewed and considered all public comments.

In considering your comment concerning the helical ramp on the land side, the project team determined to minimize the impacts to a Federal Reserve Park and landowners along FM 457 the helical would be built on existing state property. The landing on the island side was designed with a T intersection due to the fact that it would minimize impacts to wetlands and sea turtle habitat. There is a road widening project going out for bids Spring 2016 to add shoulders to FM 457 from Sargent to the intercoastal waterway.

If you have questions or would like to further discuss the response to your comment, please contact Paul Reitz at 361-293-4347. Thank you again for your participation and input.

Sincerely,

Paul E. Reitz, P.E.

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Done



# FM 457 SWING BRIDGE PROJECT COMMENT CARD

(PLEASE PRINT)

NAME: (Wanda) Ruth Staley

ADDRESS: 1324 CR 277

REPRESENTING: Self

(Texas Transportation Code, §201.811(a)(5)): check each of the following boxes that apply to you:

- I am employed by TxDOT
- I do business with TxDOT
- I could benefit monetarily from the project or other item about which I am commenting

COMMENTS: Att. "C" to support.

However, we are concerned about general  
nails for the bridges as you come  
of the bridges - we do not want  
anyone running into our Staley  
home.

**Please submit all comments by Monday, September 14, 2015**  
 E-Mail to [Paul.Reitz@txdot.gov](mailto:Paul.Reitz@txdot.gov)  
 Fax to 361-293-4372  
 Mail to TxDOT Yoakum Office, 403 Huck Street, Yoakum, Texas 77995



## **Texas Department of Transportation**

403 Huck Street | Yoakum, Texas 77995 | (361) 293-4300 | [www.txdot.gov](http://www.txdot.gov)

September 22, 2015

Ruth Staley  
1324 CR 297  
Sargent, Texas 77414

Dear Ms. Staley,

Thank you for your interest and recent participation in the FM 457 public hearing. Public input is a vital part of TxDOT's project planning and development process. Following the hearing, the project team reviewed and considered all public comments.

In considering your comment concerning having enough guardrail coming off the bridge, the project team will ensure that the required length of rail is needed to create a safe departure off the bridge.

If you have questions or would like to further discuss the response to your comment, please contact Paul Reitz at 361-293-4347. Thank you again for your participation and input.

Sincerely,

Paul E. Reitz, P.E.

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0015



# FM 457 SWING BRIDGE PROJECT COMMENT CARD

(PLEASE PRINT)

NAME: Nelson DAVIES

ADDRESS: 8010 LAUREN WAY SUGARLAND TX 77479

REPRESENTING: \_\_\_\_\_

(Texas Transportation Code, §201.811(a)(5)): check each of the following boxes that apply to you:

I am employed by TxDOT

I do business with TxDOT

I could benefit monetarily from the project or other item about which I am commenting

COMMENTS: I Am 100% FOR THIS BRIDGE.

I think it would bring much needed economic growth to the SARGENT Beach Area and create jobs. Not to mention Emergency Vehicles Accessing the island.

**Please submit all comments by Monday, September 14, 2015**

E-Mail to [Paul.Reitz@txdot.gov](mailto:Paul.Reitz@txdot.gov)

Fax to 361-293-4372

Mail to TxDOT Yoakum Office, 403 Huck Street, Yoakum, Texas 77995

## Paul Reitz

---

**From:** ndavies@mbsugarland.com  
**Sent:** Tuesday, September 08, 2015 1:37 PM  
**To:** Paul Reitz; Alan Migl  
**Subject:** FM 457 Bridge Replacement Project - Comment

Name: nelson davies

E-mail: [ndavies@mbsugarland.com](mailto:ndavies@mbsugarland.com)

Address:  
8010 lauren way  
sugarland, TX 77479

**Comment:**

i am 100 for this bridge and the proposed location. I think it is great.  
Will creat jobs and enhance the local economy as well. Finally tax payers are getting a reliable bridge for the people on the island not to meantion the safety factors involved. Fire, medical emergencies that would br greatly improved. Its about time for this bridge to happen. Old bridge not safe and unreliable.

I could benefit monetarily from the project or other item about which I am commenting



## **Texas Department of Transportation**

403 Huck Street | Yoakum, Texas 77995 | (361) 293-4300 | [www.txdot.gov](http://www.txdot.gov)

September 30, 2015

Nelson Davies  
8010 Lauren Way  
Sugarland Texas, 77479

Dear Mr Davies ,

Thank you for your interest and recent participation in the FM 457 public hearing. Public input is a vital part of TxDOT's project planning and development process. Following the hearing, the project team reviewed and considered all public comments.

Your comment to support the bridge replacement project is appreciated and will be entered into the official public hearing submittal.

If you have questions or would like to further discuss the response to your comment, please contact Paul Reitz at 361-293-4347. Thank you again for your participation and input.

Sincerely,

Paul E. Reitz, P.E.

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DM



# FM 457 SWING BRIDGE PROJECT COMMENT CARD

(PLEASE PRINT)

NAME: Tracye Wollney  
ADDRESS: 21222 Park Brush Lane, Katy, TX 77450

REPRESENTING: \_\_\_\_\_

(Texas Transportation Code, §201.811(a)(5)): check each of the following boxes that apply to you:

- I am employed by TxDOT
- I do business with TxDOT
- I could benefit monetarily from the project or other item about which I am commenting

COMMENTS: I am 100% in favor of the new bridge at 457 to Sargent Beach It will have a positive economic impact as well as provide growth to the ~~com~~ community. Emergency services will also be improved to residents as well as tourists.

Please submit all comments by Monday, September 14, 2015  
E-Mail to [Paul.Reitz@txdot.gov](mailto:Paul.Reitz@txdot.gov)  
Fax to 361-293-4372  
Mail to TxDOT Yoakum Office, 403 Huck Street, Yoakum, Texas 77995



## **Texas Department of Transportation**

403 Huck Street | Yoakum, Texas 77995 | (361) 293-4300 | [www.txdot.gov](http://www.txdot.gov)

September 30, 2015

Tracye Wollney  
21227 Park Brush Lane  
Katy Texas, 77450

Dear Tracye ,

Thank you for your interest and recent participation in the FM 457 public hearing. Public input is a vital part of TxDOT's project planning and development process. Following the hearing, the project team reviewed and considered all public comments.

Your comment to support the bridge replacement project is appreciated and will be entered into the official public hearing submittal.

If you have questions or would like to further discuss the response to your comment, please contact Paul Reitz at 361-293-4347. Thank you again for your participation and input.

Sincerely,

Paul E. Reitz, P.E.



FM 457 SWING BRIDGE PROJECT  
COMMENT CARD

YOAKUM DISTRICT

SEP 08 2015

TEXAS DEPT. OF TRANSPORTATION

(PLEASE PRINT)

NAME: Jan S. Brooks - Caney Creek Marina

ADDRESS: 1052 CR 201

REPRESENTING: Caney Creek Marina

(Texas Transportation Code, §201.811(a)(5)): check each of the following boxes that apply to you:

I am employed by TxDOT

I do business with TxDOT

I could benefit monetarily from the project or other item about which I am commenting

COMMENTS: I am a seasonal business, (bait camp)  
May - Oct., during that time the money I make  
has to pay for the winter months bills and the  
\$10,000. property taxes due each year. The fear I  
have is the increase in property taxes to pay for  
the bridge cost of 28 M. It seems a waste of money  
for the Loop before going over the ICW. The Loop  
across the ICW is where the Loop is needed.

What will happen when the beach ends at the retention  
wall? a big 5 hurricane comes? Why not have the  
barges going thru swingbridge, paying for the expenses 500,00  
when they use it daily? Why not have an Emergency Boat for  
the island to bring across critically ill patients to meet an  
ambulance? My business does not make enough money to support my

Please submit all comments by Monday, September 14, 2015

E-Mail to [Paul.Reitz@txdot.gov](mailto:Paul.Reitz@txdot.gov)

Fax to 361-293-4372

Mail to TxDOT Yoakum Office, 403 Huck Street, Yoakum, Texas 77995

P.S. Why not put in jetty's?

expenses in the winter months  
so, the Bridge is too expensive  
AND may not work out in  
the long run. Thanks  
Jan Brooks



## **Texas Department of Transportation**

403 Huck Street | Yoakum, Texas 77995 | (361) 293-4300 | [www.txdot.gov](http://www.txdot.gov)

September 29, 2015

Jan S. Brooks  
1052 CR 201  
Sargent, Texas 77414

Dear Jan Brooks,

Thank you for your interest and recent participation in the FM 457 public hearing. Public input is a vital part of TxDOT's project planning and development process. Following the hearing, the project team reviewed and considered all public comments.

The bridge costs will not be paid by property taxes. Texas Department of Transportation will utilize a funding program through our bridge division that is paid from gasoline taxes and various other avenues but not property tax. The loop is need on the mainland side to reduce impacts to property. The property the loop on the mainland side is being built on is owned by the state so this reduces the amount of property we will need to purchase for this project.

If you have questions or would like to further discuss the response to your comment, please contact Paul Reitz at 361-293-4347. Thank you again for your participation and input.

Sincerely,

Paul E. Reitz, P.E.

JD10

**Paul Reitz**

---

**From:** William Younger <w-younger@att.net>  
**Sent:** Tuesday, September 08, 2015 9:18 AM  
**To:** Paul Reitz  
**Subject:** BRIDGE COMMENTS  
**Attachments:** COMMENTS on the PROPOSED CONSTRUCTION of a FIXED BRIDGE.docx

Mr. Reitz,

The opportunity to comment, in person and in writing, on the proposed bridge at Sargent is greatly appreciated! Attached is my written response to the prospective construction of a fixed bridge over the GIWW. I am sharing these with local, state and federal elected officials; potentially involved agencies; and, civic leaders concerned with the affairs of the Sargent Area in hopes the erosion issue on Sargent Beach will be duly considered before this feature is built.

Thank you!

Willie Younger  
Former Extension Marine & Coastal for Matagorda County (FYI - intimately involved in the installation of Sargent Beach Revetment Wall), Taxpayer and 36-yr. resident of Matagorda County

**COMMENTS on the PROPOSED CONSTRUCTION of a FIXED BRIDGE  
OVER the GIWW at SARGENT, TEXAS**

- In the mid-80's, Sargent residents sensed a mounting urgency to curtail the astounding rate of beach loss at Sargent Beach (i.e., UT Bureau of Economic Geology and the Corps of Engineers verified an average erosion loss of 30-plus feet per year along a 8-mile stretch of the coastline there; with a few trouble spots approaching 60 ft./yr.).
- With the support of local leaders; elected county, state and federal officials; TxDOT; and, petro-chemical and shipping industry representatives; the US Congress appropriated and allocated funds (+\$60 M) which allowed the Army Corps of Engineers to oversee the construction of a 7 ½ -mile granite-block revetment wall along Sargent Beach (i.e., seaward of the GIWW).
- The primary goal of this major US Public Works project was to protect the GIWW, the billions of dollars in commerce and large number of jobs which this essential maritime transportation artery provides.
- Secondly, Sargent Beach (as locals hoped for) has been relatively stable since this horizontal defense system was installed. Yet, the glaring, and most troubling, fact surrounding the potential effectiveness of this protective structure is that...it has not yet been tested by a major hurricane (e.g., Category 3, 4 or 5) striking at or near this artificially-defended beach.
- From the TxDOT graphics supplied at the hearing, it appears that the toe of the corkscrew ramp at beachside will be solidly pressed against the 'inside' wall of this granite shield.
- Thus, it would seem apparent that, even the remotest prospect of, an irreparable breach in this revetment wall, anywhere in the vicinity of this spiraling bridge ramp, should be of utmost importance when designing this major transportation feature!!
- However, it was baffling to note that there was no specific reference to this chronic (and well-documented) erosion issue in the PowerPoint presentation, or comments, given by the TxDOT Hearing Officer at the 09-01-15 public hearing in Sargent???
- Hopefully, the historically-validated possibility of the insatiable erosion suddenly, and viscously, reappearing at Sargent Beach, will be thoughtfully factored into both the design, and GO or NO GO decision-making, equations.
- Otherwise, Sargent might soon gain a spot in the BOOK of RECORDS for being home to the tallest, most expensive and least-functional fishing pier in the world.

**THANK YOU for EXERCISING CAUTION WHILE PONDERING the INVESTMENT of LARGE AMOUNTS of the U.S. TAX-PAYERS HARD-EARNED DOLLARS in SARGENT'S, MATAGORDA COUNTY'S and TEXAS' FUTURE!**

*Willie Younger, 150 Lower Colorado, Bay City, TX 77414; 979-240-4872; [w-younger@att.net](mailto:w-younger@att.net)*



## **Texas Department of Transportation**

403 Huck Street | Yoakum, Texas 77995 | (361) 293 4300 | [www.txdot.gov](http://www.txdot.gov)

September 29, 2015

William Younger  
150 Lower Colorado  
Bay City, Texas 77414

Dear Mr. Younger,

Thank you for your interest and recent participation in the FM 457 public hearing. Public input is a vital part of TxDOT's project planning and development process. Following the hearing, the project team reviewed and considered all public comments.

We understand the erosion issue at Sargent Beach. Our design team will look at the landing to ensure we have a some distance between our landing and the granite wall. We have followed the AASHTO (American Association of State Highway Transportation Officials) load requirements for natural forces including extreme wind, scour, wave action, tidal effects and storm surge.

If you have questions or would like to further discuss the response to your comment, please contact Paul Reitz at 361-293-4347. Thank you again for your participation and input.

Sincerely,

Paul E. Reitz, P.E.

#### OUR GOALS

MAINTAIN A SAFE SYSTEM • ADDRESS CONGESTION • CONNECT TEXAS COMMUNITIES • BEST IN CLASS STATE AGENCY

*An Equal Opportunity Employer*

# J. R. & Karen McDonald

8054 Hills Parkway  
Montgomery, Texas  
77316

Nassau Phone 242-363-4760  
Nassau Fax 242-363-4761

*Done*

September 2, 2015

TxDOT District Office  
Mr. Paul Reitz, P.E.  
Director of Transportation, Planning and Development  
403 Huck Street,  
Yoakum, TX, 77995

YOAKUM DISTRICT  
SEP 02 2015  
TEXAS DEPT. OF TRANSPORTATION

Dear Mr. Reitz,

**RE: FOR the proposed plan to replace the current swing bridge.**

We own Lots 10 & 11/ Block 15 on Sargent Beach and are very excited to hear that we may soon have better access to our property.

We are for this proposal for the following personal reasons:

1. Easier access / no waiting either direction.
2. Easier boating when trying to access the Matagorda Bay area. Not having to wait for the bridge to open or for the boat bridge to be raised will greatly enhance our fishing & boating pleasure.
3. Economic increase. Hopefully, this will convince persons interested in the Sargent area that we are not forgotten and progress is steadily moving our direction.
4. Emergency Response Time will be much faster, which is a concern for my wife & I as we are in our 60's and the bridge has always been a concern when considering possible medical issues.

We realize the reasons above are all very selfish and personal and that those reasons alone would not be sufficient to replace the swing bridge.

As property owners we can only assume that the State of Texas has determined it will be in the best interest of all taxpayers to replace a high maintenance, outdated and inconvenient method of crossing the GIWW with a modern, convenient and much safer alternative.

We certainly hope the project moves forward and we look forward to seeing concrete in the ground soon.

Best Regards

  
J.R. & Karen McDonald

Karen | Bahamas Cell 242-376-0896  
J.R. | Bahamas Cell 242-376-2929

Karen | U.S. Cell 281-468-3128  
J.R. | U.S. Cell 281-468-6405



## **Texas Department of Transportation**

403 Huck Street | Yoakum, Texas 77995 | (361) 293-4300 | [www.txdot.gov](http://www.txdot.gov)

September 30, 2015

J.R. & Karen McDonald  
8054 Hills Parkway  
Montgomery, Texas 77316

Dear McDonalds ,

Thank you for your interest and recent participation in the FM 457 public hearing. Public input is a vital part of TxDOT's project planning and development process. Following the hearing, the project team reviewed and considered all public comments.

Your comment to support the bridge replacement project is appreciated and will be entered into the official public hearing submittal.

If you have questions or would like to further discuss the response to your comment, please contact Paul Reitz at 361-293-4347. Thank you again for your participation and input.

Sincerely,

Paul E. Reitz, P.E.

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- [Print This Page](#)
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*Print*

**Case: 00068097**

Case Number	00068097 <a href="#">[View Hierarchy]</a>	Parent Case	
Case Origin	Web	Case Record Type	Complaint
Priority	Medium	Contact Name	JD Stayton
Status	New	Contact Email	jd.stayton@hanksbrokerage.com
Issue Type	Environmental	Contact Phone	
Case Owner	Rhonda Moorman	Contact Preference	Email
Private	<input type="checkbox"/>	Disable Automatic Emails	<input checked="" type="checkbox"/>
Media Interest	<input type="checkbox"/>	Received From	Business
Tort	<input type="checkbox"/>	DDOR Reporting Issue	
Do Not Delete	Standard	Reported By	Yoakum
		<div style="border: 1px solid black; padding: 2px;">                     Name of person reporting DDOR on behalf of contact or government official (State or Federal)                 </div>	

*-1292 Gulfview  
Sargent TX 77414*

**Additional Information**

Received Date		Acknowledged Date	
Due Date	9/16/2015	Date/Time Closed	
Date/Time Opened	9/2/2015 11:12 AM	Days Overdue	-14
Service Level	10		

**Description Information**

**Subject** environmental concern (plz provide agency referral info if not TxDOT related) YKM

**Description** Sargent property owner for 43 yrs and I've seen lots of changes in the Sargent area. The erosion of our beaches started over 55 yrs ago when Dow change the flow of the Brazos River for their use. About 23 yrs ago the Corp of Engineers suggested the area needed a barrier wall to stop the Gulf from reaching the ICW. Well, that didn't work.

**Location Details**

DDOR (Mobile)			
DDOR	YOAKUM		
County			
Route		Route Name	
Mile Marker			
CSJ			

**Web Information**

Web Salutation	MR	Web Title	
Web Name	Stayton, JD	Web Email	jd.stayton@hanksbrokerage.com
Web Street		Web Phone	(713) 854-7104
Web City	Sargent	Web Location	
Web State	TX	Web Company	
Web Zip Code	77414	Social Post Tag	

**Closed Case Information**

Resolution Days  
 Date Final Contact Made  
 Resolution  
 External Organization for Referral  
 External Organization Description

**CRAFT Data**

CRAFT Issue ID	CRAFT Assignment History
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**System Information**

Created By	API User, 9/2/2015 11:12 AM	Last Modified By	Rhonda Moorman, 9/2/2015 11:28 AM
		Type	Complaint

**Contact Information**

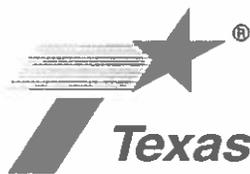
Title	Contact Owner	Roman T. Hill
Name	Business Name	
Middle Name	Contact Record Type	Customer

**Address Information**

Mailing Address	Other Address
-----------------	---------------

**Additional Information**

Home Phone	Email	jd.stayton@hanksbrokerage.com
Phone	Fax	



403 Huck Street | Yoakum, Texas 77995 | (361) 293-4300 | www.txdot.gov

September 29, 2015

JD Stayton  
1292 Gulfview  
Sargent, Texas 77414

Dear Mr. Stayton,

Thank you for your interest and recent participation in the FM 457 public hearing. Public input is a vital part of TxDOT's project planning and development process. Following the hearing, the project team reviewed and considered all public comments.

Your comment can be better addressed by United States Corp of Engineers and United State Coast Guard relating to the erosion on the beach. The bridge replacement project will not address any of the erosion issues.

If you have questions or would like to further discuss the response to your comment, please contact Paul Reitz at 361-293-4347. Thank you again for your participation and input.

Sincerely,

Paul E. Reitz, P.E.



## Paul Reitz

---

**From:** Mary Quinlan <ookah@hotmail.com>  
**Sent:** Monday, September 14, 2015 8:11 AM  
**To:** Paul Reitz  
**Subject:** Sargent Swing Bridge

Dear Mr. Reitz,

I am writing in regard to the proposed bridge replacement for the existing Sargent Swing Bridge.

I am a long time resident of Sargent Beach, over 30 years, longer than anyone else. I have probably sat and waited on barges longer than anyone at this point. And you know what? I moan and groan sometimes when I have to wait and other times I get out of the car, (if I am on the beach side), and run down the beach for some added exercise, or pull out a book and read, or if I am on the land side I get out and see if the fishermen are catching any fish. Do you really want to take this treasured land mark away?

It appears to me, after listening to your very short and unimpressive presentations at the VFW that no one at the TxDOT really is too concerned as to what the residents want; that your presentations were done solely for the purpose of political necessity.

First off, there is no way that you are going to be able to construct a "cork screw" bridge at that site and have it be safe. The concept is ludicrous. Cork Screw bridges are very few and the ones that have been built are known to be some of the most dangerous bridges in the world. Add that on top of young drunks down on the beach partying on vacation and you have a major setting for some very bad accidents. Does the Tx DOT want to be held liable for this secondary to building a most dangerous bridge? And this will happen sooner or later.

Secondly, there is no way that this bridge is going to withstand the powers of nature. This is a very controversial bridge design on a beach that has been eroding at a mammoth rate for years. The rock revetment is not going to stop any real erosion from a major hurricane. It may slow down the day to day erosion for a few years but not for any great length of time. So please do not look at it for protection of this multi-million dollar bridge you are planning on building. I would imagine the beams, (or whatever you call the supporting structures of this bridge), will be almost on the beach. How far from the mean tide will they be? How can you think that this bridge is not going to be affected by erosion in the next 10 years? Our weather patterns are changing and sea levels are rising. Storms are getting much more severe. We are due for a good hurricane.

Thirdly, do you really expect anyone to believe that you can angle the curve in this "cork screw" bridge such that you can go 30 miles an hour on it? And that is what was said at your short, little presentation. That is not even feasible.

This bridge is most obviously being built for the tug companies and all the chemical and oil companies that utilize their services. How much money are they donating to the TxDOT such that you will build their bridge for them and cut their transportation cost?

We, in Sargent, predominantly do not want this bridge. It is going to totally destroy the aesthetic beauty of the Sargent Beach environment. Our swing bridge is historic. It is a vital part of Sargent. It is the last one left in the state. I do not believe it is quite as costly to maintain as you indicate. I do believe that the cost of this proposed bridge is going to be much greater than you are estimating. Are you looking in to law suits that will

arise secondary to accidents secondary to the design of this most dangerous bridge? Are you looking into the cost of erosion and damage caused by storms?

I beg of you to re-consider this design and plan. It is not a good one. And if you do go through with this, why can you not have a straight incline on the land side? I do understand that there is a wild life preserve on some of that land that would have to be accessed. But I do feel that that is an option that could be looked into. Would the environmental impact of accessing a small piece of that reserve to make the incline of this bridge straight and much safer and aesthetically pleasing be greater or lesser than using the land that the bridge house currently stands on and thus having the "cork screw" incline?

I very much hope you read through this carefully and reconsider your current plans.

Thank-you,

Mary S. Quinlan  
2131 Canal Dr.  
Sargent, TX 77414  
713-562-8312



## **Texas Department of Transportation**

403 Huck Street | Yoakum, Texas 77995 | (361) 293-4300 | [www.txdot.gov](http://www.txdot.gov)

September 30, 2015

Mary Quinlan  
2131 Canal Drive  
Sargent Texas, 77414

Dear Ms. Quinlan,

Thank you for your interest and recent participation in the FM 457 public hearing. Public input is a vital part of TxDOT's project planning and development process. Following the hearing, the project team reviewed and considered all public comments.

The "cork screw" bridge will be designed using current AASHTO (American Association of State Highway Transportation Officials) approved roadway design standards. These design standards are utilized on all state highways and bridges to create a safe travel way for the public. The bridge is also being designed to resist current AASHTO (American Association of State Highway Transportation Officials) load requirements for natural forces including extreme event wind, scour, wave action, tidal effects, and storm surge. The entire bridge including the columns, footings, and foundations will be designed to resist bending and shear forces from hurricanes and storm surge events. The concrete pile foundations are projected to penetrate nearly 100' below the surface. Their length will enable the bridge to stand even with several feet of erosion. TxDOT has enlisted the services of coastal engineers who are well versed in the design of coastal structures such as offshore platforms that withstand hurricanes and wave action on a regular basis. These engineers will determine the extent of wave and storm surge loads on the structure, and will develop plans for measures to protect the bridge from extreme coastal natural events. The design standards used will allow 30 mph speed to traverse the bridge. At this early design stage of the bridge we will estimate the posted speed limit to be 20mph.

If you have questions or would like to further discuss the response to your comment, please contact Paul Reitz at 361-293-4347. Thank you again for your participation and input.

Sincerely,

Paul E. Reitz, P.E.

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## Appendix F

### Verbatim Transcript

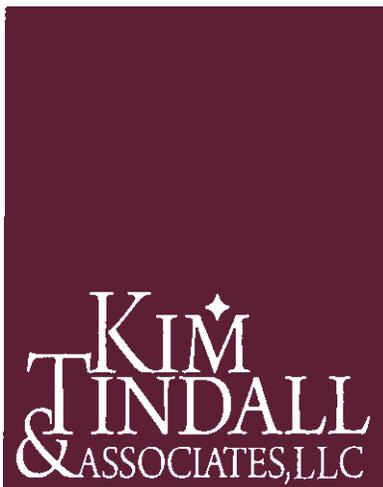
Transcript of the Testimony of  
**TXDOT Public Hearing**

**Date:**

September 01, 2015

**Case:**

TXDOT PUBLIC HEARING



**COPY**

Kim Tindall and Associates, LLC

Phone: 210-697-3400

Fax: 210-697-3408

Email: [ktindall@ktanda.com](mailto:ktindall@ktanda.com)

Internet: [www.kimtindallandassociates.com](http://www.kimtindallandassociates.com)

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TXDOT PUBLIC HEARING AND OPEN HOUSE  
SARGENT SWING BRIDGE REPLACEMENT PROJECT  
SEPTEMBER 1ST, 2015

HEARING COMMENCED AT THE VFW HALL  
20305 FM 457  
SARGENT, TX

SUZI GLADNEY-O'NEILL, CSR, RPR, ON BEHALF OF  
KIM TINDALL & ASSOCIATES, LLC

S P E A K E R S

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Mr. Paul Reitz  
Mr. Willie Younger  
Mr. J.D. Stayton  
Mr. Brian Theros  
Ms. Mary Quinlan

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INDEX

PAGE

Appearances. . . . .	2
Index. . . . .	3
Opening of Hearing . . . . .	4
Public Comments. . . . .	13
Hearing Concluded. . . . .	24
Reporter's Certificate . . . . .	25

1 MR. REITZ: Well, as he said, thank y'all  
2 for spending time and coming here tonight. As he said,  
3 I'm Paul Reitz; and I am the Director of Transportation  
4 Planning and Development for the Yoakum District of the  
5 Texas Department of Transportation and also your Public  
6 Hearing Officer for tonight's proceeding.

7 TxDOT welcomes you to this public hearing for  
8 the proposed replacement for the FM457 swing bridge.  
9 Citizen participation and input is important in this  
10 transportation planning process, and I appreciate you  
11 taking time from your busy schedule to be here.

12 Tonight's public hearing is a more formal  
13 meeting than the open houses that we've had on this  
14 project. There will be a formal public comment period  
15 after the presentation. Because of the format of a  
16 public hearing, we will not be responding to questions or  
17 comments during the formal comment period this evening.  
18 Before the comment period begins, we'll take a 10-minute  
19 break so you can talk with our TxDOT staff and get any  
20 questions you may need answered. We'll also be available  
21 to talk with you after the presentation and the comment  
22 period. Any comments that are brought up or asked us  
23 tonight, we'll respond in writing to those comments. We  
24 won't be able to respond tonight.

25 This presentation will describe the proposed

1 replacement for the Sargent swing bridge, let you know  
2 the environmental factors that are considered for this  
3 proposed project, give an overview for the timeline for  
4 this project, and then we'll wrap up with the hearing  
5 portion of the evening for the public comment period.

6 Why am I here? Tonight's public hearing  
7 is an important step in studying and potentially  
8 constructing this project. Tonight's open house and  
9 public hearing is an opportunity for you to learn more  
10 about the proposed project, the details about the  
11 proposed project, talk with our project staff and ask  
12 questions, and leave any comments you have about this  
13 proposed project or our preferred alternatives.

14 How you can submit comments: There are several  
15 ways to get your comments submitted. As I mentioned,  
16 we'll take your verbal comments which we'll call you --  
17 whoever filled out the verbal comment sheet, we'll call  
18 your name and you can step up to the microphone and you  
19 can make comments to the public. Just make sure -- we  
20 have a sign-in table in the back that you can get your  
21 name written down. We'll give a break later on if  
22 somebody wants to go do that.

23 If you would like to submit comments and not  
24 wish to make them verbally, you may submit them in a  
25 written form. There are comment forms available at our

1 sign-in table; and that may be placed in our comment box,  
2 e-mailed, faxed, or mailed to the addresses on the form  
3 which is myself. And these will all get answered in  
4 writing, replied back. All written comments, though,  
5 must be postmarked or e-mailed no later than  
6 September the 14th in order to be included in the public  
7 record for our hearing tonight.

8 I'll try and get started in the project  
9 overview. The project details, this project will replace  
10 the current swing bridge with a concrete -- what we call  
11 a corkscrew bridge. The proposed bridge will have two  
12 lanes, one lane in each direction. The preferred option  
13 or alternative for the proposed project is anticipated to  
14 displace one residence and the control tower for the  
15 current Sargent swing bridge. The proposed bridge is  
16 anticipated to cost approximately 28 million.

17 The purpose and need for this project,  
18 replacing the current swing bridge, is being considered  
19 to allow more reliable access across the Intracoastal  
20 waterway and eliminate waiting when the bridge is open  
21 for barge traffic. This is especially important for  
22 reliable emergency response times.

23 Also the current bridge requires  
24 round-the-clock staffing, is expensive to maintain, and  
25 is in need of major costly repairs. Just our approximate

1 numbers on that, our maintenance costs are about 500,000  
2 a year; and as far as the costly repairs that the bridge  
3 needs now, it's probably 10 to \$12 million rehab project  
4 on the bridge.

5 So, under the corkscrew bridge detail that  
6 we're proposing, the proposed corkscrew bridge is a  
7 unique design that has been used for other bridges and  
8 will work well for this project. A corkscrew bridge will  
9 allow the bridge to be at the necessary height so that  
10 barges can pass underneath while also accommodating  
11 limited space on the island for the side where the bridge  
12 ramp comes down to grade.

13 The corkscrew bridge won't have to be opened  
14 and closed like the current bridge. So, there would be  
15 no unrestricted vehicle, boat, and barge traffic. This  
16 will also eliminate potential emergency response delays  
17 associated with the swing bridge. The proposed bridge  
18 will also cost less to maintain than the swing bridge.

19 Some of the road design considerations: The  
20 design has not been finalized, but the corkscrew bridge  
21 will be designed for 30-mile-per-hour driving. The  
22 design will be at least 32 feet wide with a 12-foot wide  
23 lane and shoulders at least 4 foot. The middle median  
24 will be flush with the pavement and won't be raised like  
25 some with a concrete raised island. It will be -- the

1 middle median will be about 4 feet wide so trucks can  
2 easily make the turn up and down the corkscrew. The  
3 maximum grade of the bridge will be 7 percent to  
4 accommodate not only vehicles but bikes and pedestrians  
5 also.

6 The area is very unique, so there is a variety  
7 of factors that go in designing and potentially building  
8 the proposed corkscrew bridge. Because of the barge  
9 traffic, the bridge has to be at least 73 feet above the  
10 water and must be 73 feet high for at least a 225-foot  
11 span over the Intracoastal waterway. Because of these  
12 requirements, the design of the main bridge span and  
13 support span are important, as is the location of the  
14 underground substructure for the proposed bridge.

15 Environmental factors such as the limited space  
16 on the island and potential storm surge were  
17 also considered so the proposed bridge can last 75 to 100  
18 years. Accessing homes and businesses is also being  
19 considered into the design. If the project is approved  
20 for construction, you're looking at a corkscrew bridge  
21 and keeping a clear zone of the Intracoastal waterway  
22 open during construction will be factored in.

23 The table has a lot of information that would  
24 be hard to see from the back of the room. The same  
25 information is on our display boards in the back of the

1 room and is easier to see. This table details the  
2 factors TxDOT must consider in evaluating a proposed  
3 project and the various project options called our  
4 project alternatives.

5 For this project, three alternatives were  
6 studied and considered before coming to a preferred  
7 alternative that I will discuss in a minute -- in detail  
8 in a minute. Alternative A is also called the no-build  
9 alternative. This alternative would leave the current  
10 swing bridge in place. A no-build alternative must be  
11 studied and considered for all of our proposed projects.

12 Alternative B would be a corkscrew bridge with  
13 ramps on opposite sides as you can see in the pictures.  
14 Alternative C would be a corkscrew bridge with ramps on  
15 the same side as you see in the pictures. As I  
16 mentioned, many factors were studied and considered for  
17 this proposed project: Factors such as if the  
18 alternative would meet the goal of the proposed project,  
19 the number of displacements, and amount of additional  
20 right-of-way that would be necessary and also impacts to  
21 the environment.

22 As I said, Alternative A is required to be  
23 further considered. Alternative B is not recommended  
24 because of the impacts it would have. Alternative C is  
25 our recommended, preferred alternative to move forward.

1 Preferred Alternative C: Alternative C is the  
2 preferred alternative because it meets the purpose and  
3 need for this proposed project. It requires fewer  
4 displacements than Alternative B and also fewer impacts  
5 to the wetlands. This alternative also uses natural  
6 vegetation as a buffer between the construction area and  
7 the beach that can be used as a protective area for  
8 wildlife.

9 Going into more detail on environmental  
10 overview, I would also like to talk to you about the  
11 environmental study that has been done so far on this  
12 project. Last December TxDOT assumed federal authority  
13 for all our environmental reviews of transportation  
14 projects funded through the federal highway  
15 administration. So, TxDOT headquarters will be reviewing  
16 and evaluating the study for this project and make the  
17 determination of whether or not the bridge replacement  
18 project will move forward to construction.

19 The proposed project is undergoing a study  
20 called an Environmental Assessment, or EA. The study has  
21 been done so far as documented in the draft EA report  
22 which is available for review tonight. The study and  
23 report evaluated and considered impacts to the human and  
24 natural environment and included the items that are  
25 listed on this slide.

1           As I've mentioned, if you would like to read  
2 the draft report from the study, the report is available  
3 here tonight; and it's also available online at txdot.gov  
4 by searching the FM457 bridge. The report can also be  
5 reviewed at our TxDOT office in Bay City and Yoakum.  
6 Please note that the office in Bay City is only open  
7 Monday through Thursday. That's our maintenance office  
8 there.

9           The right-of-way and acquisition, Greg Polasek  
10 is here tonight. If you have any questions, you can  
11 visit with him. He's our TxDOT right-of-way supervisor  
12 and can answer any questions if you have them on the  
13 right-of-way process or what's involved in that  
14 right-of-way.

15           Moving on to our project schedule, many of you  
16 have attended meetings on this project since it began in  
17 2013. We thank you for your patience and participation  
18 during this time. Now that the draft study has been  
19 developed, we are approaching the end of this stage for  
20 the proposed bridge replacement project.

21           After tonight's public hearing, project staff  
22 will evaluate and consider public comments and send the  
23 comments and environmental assessment report to our TxDOT  
24 headquarters. TxDOT headquarters in Austin will make the  
25 final decision on whether or not this project moves

1 forward and is constructed. That decision is expected  
2 later this year. If the project is approved for  
3 construction, that is anticipated to go to bid in July of  
4 2016 and will last approximately 24 months during  
5 construction.

6 The next steps in the process, as I mentioned,  
7 after tonight's public hearing, our project staff will  
8 evaluate and consider public comments and prepare the  
9 final environmental assessment report to send to our  
10 TxDOT headquarters so a decision can be made on whether  
11 or not this project moves forward and is constructed.

12 That concludes the formal public hearing  
13 presentation. In a few minutes, we'll take a break so  
14 you can visit with our project staff, if you have any  
15 further questions. We'll resume with a verbal public  
16 comment period. If you want to make verbal comments  
17 tonight, please be sure to complete a speaker  
18 registration card at our sign-in table.

19 If you prefer to make written comments, you can  
20 also leave these comments tonight, e-mail, mail, or fax  
21 them to the addresses listed there. I also have some  
22 cards if somebody needs a business card with those  
23 address and contact information on them. So, I think  
24 we'll take about a five-minute break. If there's some  
25 more questions and we need to take a little longer, that

1 will be okay; but our public comment cards, you can get  
2 those if you need to fill those out. And we'll call your  
3 name up to make a comment at that time. Thank you.

4 (Recess was taken)

5 MR. REITZ: I think we can get started  
6 with our comment period now. If I could ask everybody to  
7 have a seat, we can get our comment period started. Can  
8 everybody have a seat so we can get started? Does  
9 everybody have their comment card turned in if they would  
10 like to make comments? We'll go ahead and get started on  
11 that. I've got Willie Younger.

12 MR. YOUNGER: Use this microphone?

13 MR. REITZ: Yes, sir.

14 MR. YOUNGER: My name is Willie Younger.  
15 I've been a resident of Matagorda County for 35 years.  
16 Of that, half of it was spent as your extension marine  
17 agent in this county, coastal marine agent. For the last  
18 17 and a half years, I spent 6 years working on the  
19 Sargent Beach erosion control with local leaders and  
20 state officials and federal authorities trying to get  
21 that issue resolved.

22 I'm not here as an advocate to speak for  
23 that bridge project or to speak against it, but I think  
24 there is some information and observations that might be  
25 helpful in coming to a solution that would be long

1 lasting and certainly represent a good investment of the  
2 taxpayers' dollars.

3 Just a little history lesson that in the  
4 mid '80s there were some members of this community and  
5 others throughout the state that recognized that Sargent  
6 had one of the most astounding records of erosion in the  
7 entire world, that Sargent Beach was losing an average of  
8 30 feet per year with hot spots that approached 60 feet  
9 per year. At that rate in the small distance between the  
10 Gulf and the Intracoastal waterway, there is not much  
11 time left to save that beach if that were to be the goal.

12 The locals here that saw that it impacted  
13 their lives and their future really were looking for a  
14 way to save the beach at first. It became glaringly  
15 apparent that saving the beach could not be justified in  
16 terms of the dollars that it would take to do that. They  
17 looked at other communities -- Galveston, Miami, Atlantic  
18 City, New Jersey -- and felt that that was the kind of  
19 solution they needed here to re-nourish the beach.

20 The reality sank in eventually that that  
21 was not going to save Sargent Beach. What was going to  
22 save Sargent Beach was the hope of saving the  
23 Intracoastal waterway. I went to a meeting just  
24 yesterday where the Corps of Engineers made the statement  
25 that that canal now provides on an annual basis nearly

1 \$42 billion of commerce annually. So, it didn't take  
2 much to figure out that there was some people that might  
3 be interested in that.

4 Astoundingly, the Corps of Engineers is  
5 not allowed to identify problems. That takes the  
6 citizens to do that. They can only act on Congress'  
7 recommendations; and, of course, the Congressmen will  
8 only react to what the citizens, their voters, tell them.  
9 But they eventually got the word that the petrochemical  
10 industry of this state was in great danger.

11 Without the petrochemical industry, there  
12 is no Texas. Let's just put it that way. We produce  
13 most of the free world's chemical product. We don't make  
14 anything with it in Texas. It's shipped up north via the  
15 Mississippi/Missouri Rivers and Tombigbee, those  
16 waterways.

17 And I'm getting to the point that what I'm  
18 trying to say is that once that recognition was accepted,  
19 the Corps of Engineers took what was normally -- in their  
20 estimation, normally a 20-year project and compressed  
21 putting in a revetment wall here at Sargent in eight  
22 years. It's never been done before. It's never been  
23 done since. It will probably never happen again.  
24 Katrina is about the closest that they came to rebuilding  
25 the levees around New Orleans.

1           What I'm trying to get at was that we're  
2 building a bridge here on a very precarious spot. Now,  
3 if that wall were to give way, there's nothing for a  
4 landing. It would come off the bridge right into the  
5 Gulf of Mexico if it does not hold. It hasn't been  
6 tested. There has not been a Category 4 or a Category 5  
7 hurricane hit directly on Sargent Beach. We hope there  
8 never will be. But if it does, that wall could possibly  
9 be it. It may hold as they predict it will; but either  
10 way, unless you read the reports, you do not know that  
11 the plan all along is to let the beach rise right up to  
12 that revetment wall. There's no effort to save anything  
13 seaward, that revetment wall.

14           So, I would hope that what happens with  
15 the design of this is that they take into consideration  
16 the prospect that that could happen. We could lose the  
17 wall. The erosion rates could return at record-breaking  
18 pace. And there might not be nowhere to drive your cars  
19 once you come off that beach. And we end up with a \$28  
20 million fishing pier.

21           So, all I'm looking for is to refuse that;  
22 and I did not see it on your list of things that y'all  
23 took into consideration about the erosion at Sargent  
24 Beach which all these studies that were done were done by  
25 the University of Texas Bureau of Economic Geology. They

1 have had --

2 MR. REITZ: Excuse me, Mr. Younger.

3 MR. YOUNGER: Yes, sir.

4 MR. REITZ: We're going to have to  
5 probably finish the rest of the comments --

6 MR. YOUNGER: I'm through.

7 MR. REITZ: Okay.

8 MR. YOUNGER: I just want you to put that  
9 in there.

10 MR. REITZ: Thank you. I appreciate your  
11 comment.

12 Our next speaker is J.D. Stayton.

13 MR. STAYTON: I'm not as well prepared as  
14 this gentleman was, but a little history about myself in  
15 the Sargent community.

16 UNIDENTIFIED SPEAKERS: We can't hear you.  
17 Get up to the mic.

18 MR. STAYTON: I've been here 44 years next  
19 month; and when I came down here, you could drive across  
20 the drawbridge and you could not get into the Gulf until  
21 you drove one mile to the Gulf where you get into the  
22 water. We had canals and houses on that side, and they  
23 put this revetment wall in. They went down to the land  
24 breaking, ground breaking ceremony; and they threw me out  
25 of that meeting because I asked too many smart-ass

1 questions, I guess.

2 Why didn't they jetty -- instead of  
3 spending all that money on the revetment wall, they just  
4 never retained -- it was breached in Claudette 13 years  
5 ago. It went over that wall into the Intracoastal. I  
6 asked them why didn't -- why wouldn't they jetty it. It  
7 saved lighthouses on the East Coast up in Maine. They  
8 did kelp, plastic kelp to save the erosion up there; and  
9 they put this revetment wall in, 8 miles. And we all  
10 know how 457 is all tore up for years. So, that didn't  
11 work; and it's still not working.

12 Dow Chemical created this mess over 55  
13 years ago, rerouting the Brazos; and that's what started  
14 the erosion. Why don't they pay for this instead of the  
15 taxpayers, which our taxes will go up if somebody says  
16 they won't, but they will. But, you know, I'm against  
17 the bridge. It's not going to benefit anybody. We don't  
18 have a beach now for people to come to. We used to years  
19 ago, but they now put in a revetment wall. We don't even  
20 have cabanas out there for the general public to use  
21 anymore. So, that's all I have to say. I'm not -- I'm  
22 very against this thing.

23 MR. REITZ: Thank you.

24 Our next speaker is Bryan Theros. I got  
25 that wrong probably.

1 MR. THEROS: That's pretty darn close.

2 Hi, guys. I'm Brian Theros. I'm a  
3 newcomer here to this town. I moved in here in June of  
4 last year, and I understand a lot of things that people  
5 are saying of what's happened over the years to this  
6 place. However, who wants to be the person with the  
7 heart attack on the island while the bridge is up? Who  
8 wants to be that person? Is there a show of hands in  
9 here? I didn't think so.

10 I think what we need to do is we need to  
11 look at things from what is going to support Sargent and  
12 to help it grow, and I believe this bridge is that idea  
13 that will get people from one side to the other in a safe  
14 manner.

15 Some of the things that I am concerned  
16 about is during the construction process. What is going  
17 to happen to 457 with the heavy traffic? We have a lot  
18 of vehicles that are going to be required, hauling heavy  
19 equipment up and down that road. The condition of that  
20 road is -- there's no doubt it's going to be compromised.  
21 How is that going to be maintained? How is that going to  
22 be taken care of?

23 What is the work schedule? Is it five  
24 tens? Is it six tens? We have a lot of weekend traffic  
25 here. We have a lot of weekenders that come in through

1 here that want to come down and enjoy our waters and  
2 enjoy our beach. So, I want to make sure that we keep  
3 that in mind during the construction phase of the bridge  
4 if, in fact, it gets approved.

5 The other thing I want to make sure of is  
6 the pictures look terrific. It looks great, but  
7 work-in-process has a different appearance to it. I'd  
8 like to make sure that we protect our waterways, that we  
9 utilize the inland land for the laydown areas. I had  
10 conversations with some gentlemen here before the meeting  
11 about that.

12 I want to make sure that we protect that  
13 wildlife. I want to make sure we protect the community.  
14 There's things that I heard that were very encouraging on  
15 the construction style of that bridge, the types of piles  
16 they were going to drive. I'm very encouraged about the  
17 way they're going to do that.

18 All in all, like I said, I think there's a  
19 lot for this community to reap the benefits from; and I  
20 understand and I respect the people that have been here  
21 for a very long time. But what we've got to do is we  
22 need to move forward with something like this and then  
23 why don't we address -- let's get that wall and make sure  
24 it can sustain a Cat 3. If we're worried about this  
25 bridge sustaining a Cat 3 -- if the bridge isn't here,

1 that swing bridge sure isn't going to be able to sustain  
2 a Cat 3.

3 So, what do we want, folks? I think it's  
4 a good idea. I think it's something that TxDOT has put a  
5 lot of time and effort into. And I think they really  
6 looked at this community from a community standpoint  
7 considering space consolidation, how they're going to do  
8 it, and from the words that I heard early on, to be able  
9 to protect the environment the best they can to keep it  
10 to a minimum, so...

11 MR. REITZ: Thank you.

12 That's the last of the comment cards I  
13 have.

14 MS. QUINLAN: (Indicating).

15 MR. REITZ: Yes, ma'am. Please state your  
16 name and --

17 MS. QUINLAN: Hi, my name is Mary Quinlan;  
18 and I've been down here for 30 years or so on the island.  
19 And I have to say, Mr. Younger, I agree 100 percent.  
20 That's one of my main concerns is -- aside from the fact  
21 that I think it's going to be a monstrosity of an  
22 eyesore, what is going to happen with a hurricane?

23 This land is eroding. It's eroding fast.  
24 We had a storm about a month ago, and I go out there to  
25 the beach. I walked out on the beach and I can see a

1 substantial amount of beach gone just from, you know, a  
2 rather rough storm out there. And I don't see how  
3 possibly there's going to be enough land for this bridge  
4 to be built out there and not be affected by erosion -- I  
5 mean, major erosion -- if we have any type of big  
6 hurricane at all.

7 Another concern I have is we have a lot of  
8 weekenders down here. They're partying, they're  
9 drinking, they're young kids, they're young adults. And  
10 they're coming down a bridge that, wow, isn't this fun,  
11 that bridge is dangerous. I was looking at bridges that  
12 were built like that -- very few of them, I couldn't find  
13 very many -- and they were considered some of the most  
14 dangerous bridges in the world, I mean, very dangerous.  
15 And this is just -- I mean, the location here -- the  
16 geography here at the bridge is going to be very  
17 dangerous.

18 No. 3, why do we have to have a corkscrew  
19 on the land side? We don't need a corkscrew on the land  
20 side. I mean, I'm not an engineer. So, you know, maybe  
21 there's a good reason that I'm not aware of. But I mean,  
22 is that just to say that we don't have to buy or purchase  
23 more land down the road for something because the bridge  
24 already -- the State already owns the land that the  
25 bridge building is on? I don't know about that.

1           As far as the comment, having a heart  
2     attack on the island, if somebody had a heart attack on  
3     the island, by the time they contacted EMS, the EMS --  
4     the bridge will stay open for emergency vehicles. So, I  
5     don't think that's something anybody needs to worry about  
6     there. In fact, it might be safer than the ambulance  
7     going down the corkscrew bridge. I don't know.

8           As I look at this, being a staunch  
9     environmentalist, if we are furthering the profits of the  
10    oil companies by building this bridge -- and that's  
11    probably basically what it comes down to, what this is  
12    all about, and, you know, promoting American consumerism  
13    which I think as we know is blowing up our environment,  
14    which is probably a cause of the erosion and so forth and  
15    so on.

16           And lastly, I had one other comment about  
17    oil and chemical companies -- and I guess that's about  
18    it. I could go on and on.

19           MR. REITZ: As I said at the beginning of  
20    the hearing, citizen input and participation are very  
21    important in this process. I know you could be at home  
22    with your families doing something else this evening.  
23    So, I thank you again for attending and participating  
24    tonight. The Texas Department of Transportation mission  
25    is to work with others to provide safe and reliable

1 transportation solutions for Texas. Thank you for  
2 working with us on this proposed bridge replacement  
3 project. We look forward to receiving additional  
4 comments.

5 Thank you again for participation and  
6 drive safely.

7 (Hearing concluded)

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1 THE STATE OF TEXAS )

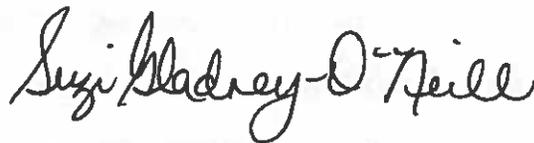
2 COUNTY OF MATAGORDA )

3 I, Suzi Gladney-O'Neill, CSR, RPR, Certified  
4 Shorthand Reporter in and for the State of Texas, do  
5 hereby certify that the above and foregoing contains a  
6 true and correct transcription of all portions of  
7 evidence and other proceedings requested in writing by  
8 counsel for the parties to be included in the statement  
9 of facts, in the above styled and numbered cause, all of  
10 which occurred and were reported by me.

11 I further certify that this transcription of the  
12 record of the proceedings truly and correctly reflects  
13 the exhibits, if any, offered by the respective parties.

14 I further certify that the total cost for the  
15 preparation of this Reporter's Record is \$\_\_\_\_\_.

16 Given under my hand and official seal of  
17 office this the 14th day of September, 2015.

18  
19 

20  
21 \_\_\_\_\_  
SUZI GLADNEY-O'NEILL, CSR, RPR  
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<hr/> <b>\$</b> <hr/>	<hr/> <b>5</b> <hr/>	<b>ahead</b> 13:10
<b>\$12</b> 7:3	<b>5</b> 16:6	<b>allowed</b> 15:5
<b>\$28</b> 16:19	<b>500,000</b> 7:1	<b>alternative</b> 6:13 9:7,8,9,10,12,14, 18,22,23,24,25 10:1,2,4,5
<b>\$42</b> 15:1	<b>55</b> 18:12	<b>alternatives</b> 5:13 9:4,5
<hr/> <b>1</b> <hr/>	<hr/> <b>6</b> <hr/>	<b>ambulance</b> 23:6
<b>10</b> 7:3	<b>6</b> 13:18	<b>American</b> 23:12
<b>10-minute</b> 4:18	<b>60</b> 14:8	<b>amount</b> 9:19 22:1
<b>100</b> 8:17 21:19	<hr/> <b>7</b> <hr/>	<b>annual</b> 14:25
<b>12-foot</b> 7:22	<b>7</b> 8:3	<b>annually</b> 15:1
<b>13</b> 18:4	<b>73</b> 8:9,10	<b>anticipated</b> 6:13,16 12:3
<b>14th</b> 6:6	<b>75</b> 8:17	<b>anymore</b> 18:21
<b>17</b> 13:18	<hr/> <b>8</b> <hr/>	<b>apparent</b> 14:15
<hr/> <b>2</b> <hr/>	<b>8</b> 18:9	<b>appearance</b> 20:7
<b>20-year</b> 15:20	<b>80s</b> 14:4	<b>approached</b> 14:8
<b>2013</b> 11:17	<hr/> <b>A</b> <hr/>	<b>approaching</b> 11:19
<b>2016</b> 12:4	<b>accepted</b> 15:18	<b>approved</b> 8:19 12:2 20:4
<b>225-foot</b> 8:10	<b>access</b> 6:19	<b>approved</b> 6:25
<b>24</b> 12:4	<b>Accessing</b> 8:18	<b>approximately</b> 6:16 12:4
<b>28</b> 6:16	<b>accommodate</b> 8:4	<b>area</b> 8:6 10:6,7
<hr/> <b>3</b> <hr/>	<b>accommodating</b> 7:10	<b>areas</b> 20:9
<b>3</b> 20:24,25 21:2 22:18	<b>acquisition</b> 11:9	<b>assessment</b> 10:20 11:23 12:9
<b>30</b> 14:8 21:18	<b>act</b> 15:6	<b>assumed</b> 10:12
<b>30-mile-per-hour</b> 7:21	<b>additional</b> 9:19 24:3	<b>astounding</b> 14:6
<b>32</b> 7:22	<b>address</b> 12:23 20:23	<b>Astoundingly</b> 15:4
<b>35</b> 13:15	<b>addresses</b> 6:2 12:21	<b>Atlantic</b> 14:17
<hr/> <b>4</b> <hr/>	<b>administration</b> 10:15	<b>attack</b> 19:7 23:2
<b>4</b> 7:23 8:1 16:6	<b>adults</b> 22:9	<b>attended</b> 11:16
<b>44</b> 17:18	<b>advocate</b> 13:22	<b>attending</b> 23:23
<b>457</b> 18:10 19:17	<b>affected</b> 22:4	<b>Austin</b> 11:24
	<b>agent</b> 13:17	<b>authorities</b> 13:20
	<b>agree</b> 21:19	<b>authority</b> 10:12
		<b>average</b> 14:7
		<b>aware</b> 22:21
		<hr/> <b>B</b> <hr/>
		<b>back</b> 5:20 6:4 8:24,25

<b>barge</b> 6:21 7:15 8:8	<b>business</b> 12:22	21:6
<b>barges</b> 7:10	<b>businesses</b> 8:18	<b>companies</b> 23:10,17
<b>basically</b> 23:11	<b>busy</b> 4:11	<b>complete</b> 12:17
<b>basis</b> 14:25	<b>buy</b> 22:22	<b>compressed</b> 15:20
<b>Bay</b> 11:5,6		<b>compromised</b> 19:20
<b>beach</b> 10:7 13:19 14:7,11,14,15, 19,21,22 16:7,11,19,24 18:18 20:2 21:25 22:1	<b>C</b>	<b>concern</b> 22:7
<b>began</b> 11:16	<b>cabanas</b> 18:20	<b>concerned</b> 19:15
<b>beginning</b> 23:19	<b>call</b> 5:16,17 6:10 13:2	<b>concerns</b> 21:20
<b>begins</b> 4:18	<b>called</b> 9:3,8 10:20	<b>concluded</b> 24:7
<b>benefit</b> 18:17	<b>canal</b> 14:25	<b>concludes</b> 12:12
<b>benefits</b> 20:19	<b>canals</b> 17:22	<b>concrete</b> 6:10 7:25
<b>bid</b> 12:3	<b>card</b> 12:18,22 13:9	<b>condition</b> 19:19
<b>big</b> 22:5	<b>cards</b> 12:22 13:1 21:12	<b>Congress'</b> 15:6
<b>bikes</b> 8:4	<b>care</b> 19:22	<b>Congressmen</b> 15:7
<b>billion</b> 15:1	<b>cars</b> 16:18	<b>consideration</b> 16:15,23
<b>blowing</b> 23:13	<b>Cat</b> 20:24,25 21:2	<b>considerations</b> 7:19
<b>boards</b> 8:25	<b>Category</b> 16:6	<b>considered</b> 5:2 6:18 8:17,19 9:6, 11,16,23 10:23 22:13
<b>boat</b> 7:15	<b>ceremony</b> 17:24	<b>consolidation</b> 21:7
<b>box</b> 6:1	<b>chemical</b> 15:13 18:12 23:17	<b>constructed</b> 12:1,11
<b>Brazos</b> 18:13	<b>citizen</b> 4:9 23:20	<b>constructing</b> 5:8
<b>breached</b> 18:4	<b>citizens</b> 15:6,8	<b>construction</b> 8:20,22 10:6,18 12:3,5 19:16 20:3,15
<b>break</b> 4:19 5:21 12:13,24	<b>City</b> 11:5,6 14:18	<b>consumerism</b> 23:12
<b>breaking</b> 17:24	<b>Claudette</b> 18:4	<b>contact</b> 12:23
<b>Brian</b> 19:2	<b>clear</b> 8:21	<b>contacted</b> 23:3
<b>bridge</b> 4:8 5:1 6:10,11,15,18,20,23 7:2,4,5,6,8,9,11,13,14,17,18,20 8:3,8,9,12,14,17,20 9:10,12,14 10:17 11:4,20 13:23 16:2,4 18:17 19:7,12 20:3,15,25 21:1 22:3,10, 11,16,23,25 23:4,7,10 24:2	<b>close</b> 19:1	<b>control</b> 6:14 13:19
<b>bridges</b> 7:7 22:11,14	<b>closed</b> 7:14	<b>conversations</b> 20:10
<b>brought</b> 4:22	<b>closest</b> 15:24	<b>corkscrew</b> 6:11 7:5,6,8,13,20 8:2, 8,20 9:12,14 22:18,19 23:7
<b>Bryan</b> 18:24	<b>Coast</b> 18:7	<b>Corps</b> 14:24 15:4,19
<b>buffer</b> 10:6	<b>coastal</b> 13:17	<b>cost</b> 6:16 7:18
<b>building</b> 8:7 16:2 22:25 23:10	<b>comment</b> 4:14,17,18,21 5:5,17,25 6:1 12:16 13:1,3,6,7,9 17:11 21:12 23:1,16	<b>costly</b> 6:25 7:2
<b>built</b> 22:4,12	<b>comments</b> 4:17,22,23 5:12,14,15, 16,19,23 6:4 11:22,23 12:8,16,19, 20 13:10 17:5 24:4	<b>costs</b> 7:1
<b>Bureau</b> 16:25	<b>commerce</b> 15:1	<b>county</b> 13:15,17
	<b>communities</b> 14:17	<b>created</b> 18:12
	<b>community</b> 14:4 17:15 20:13,19	<b>current</b> 6:10,15,18,23 7:14 9:9

D	drove 17:21	Excuse 17:2
<b>danger</b> 15:10	<b>E</b>	<b>expected</b> 12:1
<b>dangerous</b> 22:11,14,17	<b>e-mail</b> 12:20	<b>expensive</b> 6:24
<b>darn</b> 19:1	<b>e-mailed</b> 6:2,5	<b>extension</b> 13:16
<b>December</b> 10:12	<b>EA</b> 10:20,21	<b>eyesore</b> 21:22
<b>decision</b> 11:25 12:1,10	<b>early</b> 21:8	<b>F</b>
<b>delays</b> 7:16	<b>easier</b> 9:1	<b>fact</b> 20:4 21:20 23:6
<b>Department</b> 4:5 23:24	<b>easily</b> 8:2	<b>factored</b> 8:22
<b>describe</b> 4:25	<b>East</b> 18:7	<b>factors</b> 5:2 8:7,15 9:2,16,17
<b>design</b> 7:7,19,20,22 8:12,19 16:15	<b>Economic</b> 16:25	<b>families</b> 23:22
<b>designed</b> 7:21	<b>effort</b> 16:12 21:5	<b>fast</b> 21:23
<b>designing</b> 8:7	<b>eliminate</b> 6:20 7:16	<b>fax</b> 12:20
<b>detail</b> 7:5 9:7 10:9	<b>emergency</b> 6:22 7:16 23:4	<b>faxed</b> 6:2
<b>details</b> 5:10 6:9 9:1	<b>EMS</b> 23:3	<b>federal</b> 10:12,14 13:20
<b>determination</b> 10:17	<b>encouraged</b> 20:16	<b>feet</b> 7:22 8:1,9,10 14:8
<b>developed</b> 11:19	<b>encouraging</b> 20:14	<b>felt</b> 14:18
<b>Development</b> 4:4	<b>end</b> 11:19 16:19	<b>fewer</b> 10:3,4
<b>direction</b> 6:12	<b>engineer</b> 22:20	<b>figure</b> 15:2
<b>directly</b> 16:7	<b>Engineers</b> 14:24 15:4,19	<b>fill</b> 13:2
<b>Director</b> 4:3	<b>enjoy</b> 20:1,2	<b>filled</b> 5:17
<b>discuss</b> 9:7	<b>entire</b> 14:7	<b>final</b> 11:25 12:9
<b>displace</b> 6:14	<b>environment</b> 9:21 10:24 21:9 23:13	<b>finalized</b> 7:20
<b>displacements</b> 9:19 10:4	<b>environmental</b> 5:2 8:15 10:9,11, 13,20 11:23 12:9	<b>find</b> 22:12
<b>display</b> 8:25	<b>environmentalist</b> 23:9	<b>finish</b> 17:5
<b>distance</b> 14:9	<b>equipment</b> 19:19	<b>fishing</b> 16:20
<b>District</b> 4:4	<b>eroding</b> 21:23	<b>five-minute</b> 12:24
<b>documented</b> 10:21	<b>erosion</b> 13:19 14:6 16:17,23 18:8, 14 22:4,5 23:14	<b>flush</b> 7:24
<b>dollars</b> 14:2,16	<b>estimation</b> 15:20	<b>FM457</b> 4:8 11:4
<b>doubt</b> 19:20	<b>evaluate</b> 11:22 12:8	<b>folks</b> 21:3
<b>Dow</b> 18:12	<b>evaluated</b> 10:23	<b>foot</b> 7:23
<b>draft</b> 10:21 11:2,18	<b>evaluating</b> 9:2 10:16	<b>form</b> 5:25 6:2
<b>drawbridge</b> 17:20	<b>evening</b> 4:17 5:5 23:22	<b>formal</b> 4:12,14,17 12:12
<b>drinking</b> 22:9	<b>eventually</b> 14:20 15:9	<b>format</b> 4:15
<b>drive</b> 16:18 17:19 20:16 24:6		<b>forms</b> 5:25
<b>driving</b> 7:21		<b>forward</b> 9:25 10:18 12:1,11 20:22 24:3

<b>free</b> 15:13	<b>hearing</b> 4:6,7,12,16 5:4,6,9 6:7 11:21 12:7,12 23:20 24:7	<b>island</b> 7:11,25 8:16 19:7 21:18 23:2,3
<b>fun</b> 22:10	<b>heart</b> 19:7 23:1,2	<b>issue</b> 13:21
<b>funded</b> 10:14	<b>heavy</b> 19:17,18	<b>items</b> 10:24
<b>furthering</b> 23:9	<b>height</b> 7:9	
<b>future</b> 14:13	<b>helpful</b> 13:25	<hr/> <b>J</b> <hr/>
<hr/> <b>G</b> <hr/>	<b>high</b> 8:10	<b>J.D.</b> 17:12
<b>Galveston</b> 14:17	<b>highway</b> 10:14	<b>Jersey</b> 14:18
<b>general</b> 18:20	<b>history</b> 14:3 17:14	<b>jetty</b> 18:2,6
<b>gentleman</b> 17:14	<b>hit</b> 16:7	<b>July</b> 12:3
<b>gentlemen</b> 20:10	<b>hold</b> 16:5,9	<b>June</b> 19:3
<b>geography</b> 22:16	<b>home</b> 23:21	<b>justified</b> 14:15
<b>Geology</b> 16:25	<b>homes</b> 8:18	<hr/> <b>K</b> <hr/>
<b>give</b> 5:3,21 16:3	<b>hope</b> 14:22 16:7,14	<b>Katrina</b> 15:24
<b>glaringly</b> 14:14	<b>hot</b> 14:8	<b>keeping</b> 8:21
<b>goal</b> 9:18 14:11	<b>house</b> 5:8	<b>kelp</b> 18:8
<b>good</b> 14:1 21:4 22:21	<b>houses</b> 4:13 17:22	<b>kids</b> 22:9
<b>grade</b> 7:12 8:3	<b>human</b> 10:23	<b>kind</b> 14:18
<b>great</b> 15:10 20:6	<b>hurricane</b> 16:7 21:22 22:6	<hr/> <b>L</b> <hr/>
<b>Greg</b> 11:9	<hr/> <b>I</b> <hr/>	<b>land</b> 17:23 20:9 21:23 22:3,19,23, 24
<b>ground</b> 17:24	<b>idea</b> 19:12 21:4	<b>landing</b> 16:4
<b>grow</b> 19:12	<b>identify</b> 15:5	<b>lane</b> 6:12 7:23
<b>guess</b> 18:1 23:17	<b>impacted</b> 14:12	<b>lanes</b> 6:12
<b>Gulf</b> 14:10 16:5 17:20,21	<b>impacts</b> 9:20,24 10:4,23	<b>lasting</b> 14:1
<b>guys</b> 19:2	<b>important</b> 4:9 5:7 6:21 8:13 23:21	<b>lastly</b> 23:16
<hr/> <b>H</b> <hr/>	<b>included</b> 6:6 10:24	<b>laydown</b> 20:9
<b>half</b> 13:16,18	<b>Indicating</b> 21:14	<b>leaders</b> 13:19
<b>hands</b> 19:8	<b>industry</b> 15:10,11	<b>learn</b> 5:9
<b>happen</b> 15:23 16:16 19:17 21:22	<b>information</b> 8:23,25 12:23 13:24	<b>leave</b> 5:12 9:9 12:20
<b>happened</b> 19:5	<b>inland</b> 20:9	<b>left</b> 14:11
<b>hard</b> 8:24	<b>input</b> 4:9 23:20	<b>lesson</b> 14:3
<b>hauling</b> 19:18	<b>interested</b> 15:3	<b>levees</b> 15:25
<b>headquarters</b> 10:15 11:24 12:10	<b>Intracoastal</b> 6:19 8:11,21 14:10, 23 18:5	<b>lighthouses</b> 18:7
<b>hear</b> 17:16	<b>investment</b> 14:1	<b>limited</b> 7:11 8:15
<b>heard</b> 20:14 21:8	<b>involved</b> 11:13	

<b>list</b> 16:22	<b>members</b> 14:4	<b>numbers</b> 7:1
<b>listed</b> 10:25 12:21	<b>mentioned</b> 5:15 9:16 11:1 12:6	
<b>lives</b> 14:13	<b>mess</b> 18:12	<hr/> <b>O</b> <hr/>
<b>local</b> 13:19	<b>Mexico</b> 16:5	<b>observations</b> 13:24
<b>locals</b> 14:12	<b>Miami</b> 14:17	<b>office</b> 11:5,6,7
<b>location</b> 8:13 22:15	<b>mic</b> 17:17	<b>Officer</b> 4:6
<b>long</b> 13:25 20:21	<b>microphone</b> 5:18 13:12	<b>officials</b> 13:20
<b>longer</b> 12:25	<b>mid</b> 14:4	<b>oil</b> 23:10,17
<b>looked</b> 14:17 21:6	<b>middle</b> 7:23 8:1	<b>online</b> 11:3
<b>lose</b> 16:16	<b>mile</b> 17:21	<b>open</b> 4:13 5:8 6:20 8:22 11:6 23:4
<b>losing</b> 14:7	<b>miles</b> 18:9	<b>opened</b> 7:13
<b>lot</b> 8:23 19:4,17,24,25 20:19 21:5 22:7	<b>million</b> 6:16 7:3 16:20	<b>opportunity</b> 5:9
<hr/> <b>M</b> <hr/>	<b>mind</b> 20:3	<b>opposite</b> 9:13
<b>made</b> 12:10 14:24	<b>minimum</b> 21:10	<b>option</b> 6:12
<b>mail</b> 12:20	<b>minute</b> 9:7,8	<b>options</b> 9:3
<b>mailed</b> 6:2	<b>minutes</b> 12:13	<b>order</b> 6:6
<b>main</b> 8:12 21:20	<b>mission</b> 23:24	<b>Orleans</b> 15:25
<b>Maine</b> 18:7	<b>Mississippi/missouri</b> 15:15	<b>overview</b> 5:3 6:9 10:10
<b>maintain</b> 6:24 7:18	<b>Monday</b> 11:7	<b>owns</b> 22:24
<b>maintained</b> 19:21	<b>money</b> 18:3	<hr/> <b>P</b> <hr/>
<b>maintenance</b> 7:1 11:7	<b>monstrosity</b> 21:21	<b>pace</b> 16:18
<b>major</b> 6:25 22:5	<b>month</b> 17:19 21:24	<b>participating</b> 23:23
<b>make</b> 5:19,24 8:2 10:16 11:24 12:16,19 13:3,10 15:13 20:2,5,8, 12,13,23	<b>months</b> 12:4	<b>participation</b> 4:9 11:17 23:20 24:5
<b>manner</b> 19:14	<b>move</b> 9:25 10:18 20:22	<b>partying</b> 22:8
<b>marine</b> 13:16,17	<b>moved</b> 19:3	<b>pass</b> 7:10
<b>Mary</b> 21:17	<b>moves</b> 11:25 12:11	<b>patience</b> 11:17
<b>Matagorda</b> 13:15	<b>Moving</b> 11:15	<b>Paul</b> 4:3
<b>maximum</b> 8:3	<hr/> <b>N</b> <hr/>	<b>pavement</b> 7:24
<b>median</b> 7:23 8:1	<b>natural</b> 10:5,24	<b>pay</b> 18:14
<b>meet</b> 9:18	<b>needed</b> 14:19	<b>pedestrians</b> 8:4
<b>meeting</b> 4:13 14:23 17:25 20:10	<b>newcomer</b> 19:3	<b>people</b> 15:2 18:18 19:4,13 20:20
<b>meetings</b> 11:16	<b>no-build</b> 9:8,10	<b>percent</b> 8:3 21:19
<b>meets</b> 10:2	<b>north</b> 15:14	<b>period</b> 4:14,17,18,22 5:5 12:16 13:6,7
	<b>note</b> 11:6	<b>person</b> 19:6,8
	<b>number</b> 9:19	

<b>petrochemical</b> 15:9,11	17,18 10:3,19 11:20 24:2	<b>recommended</b> 9:23,25
<b>phase</b> 20:3	<b>proposing</b> 7:6	<b>record</b> 6:7
<b>pictures</b> 9:13,15 20:6	<b>prospect</b> 16:16	<b>record-breaking</b> 16:17
<b>pier</b> 16:20	<b>protect</b> 20:8,12,13 21:9	<b>records</b> 14:6
<b>piles</b> 20:15	<b>protective</b> 10:7	<b>refuse</b> 16:21
<b>place</b> 9:10 19:6	<b>provide</b> 23:25	<b>registration</b> 12:18
<b>plan</b> 16:11	<b>public</b> 4:5,7,12,14,16 5:5,6,9,19 6:6 11:21,22 12:7,8,12,15 13:1 18:20	<b>rehab</b> 7:3
<b>planning</b> 4:4,10	<b>purchase</b> 22:22	<b>Reitz</b> 4:1,3 13:5,13 17:2,4,7,10 18:23 21:11,15 23:19
<b>plastic</b> 18:8	<b>purpose</b> 6:17 10:2	<b>reliable</b> 6:19,22 23:25
<b>point</b> 15:17	<b>put</b> 15:12 17:8,23 18:9,19 21:4	<b>repairs</b> 6:25 7:2
<b>Polasek</b> 11:9	<b>putting</b> 15:21	<b>replace</b> 6:9
<b>portion</b> 5:5		<b>replacement</b> 4:8 5:1 10:17 11:20 24:2
<b>possibly</b> 16:8 22:3	<hr/> <b>Q</b> <hr/>	<b>replacing</b> 6:18
<b>postmarked</b> 6:5	<b>questions</b> 4:16,20 5:12 11:10,12 12:15,25 18:1	<b>replied</b> 6:4
<b>potential</b> 7:16 8:16	<b>Quinlan</b> 21:14,17	<b>report</b> 10:21,23 11:2,4,23 12:9
<b>potentially</b> 5:7 8:7	<hr/> <b>R</b> <hr/>	<b>reports</b> 16:10
<b>precarious</b> 16:2		<b>represent</b> 14:1
<b>predict</b> 16:9	<b>raised</b> 7:24,25	<b>required</b> 9:22 19:18
<b>prefer</b> 12:19	<b>ramp</b> 7:12	<b>requirements</b> 8:12
<b>preferred</b> 5:13 6:12 9:6,25 10:1,2	<b>ramps</b> 9:13,14	<b>requires</b> 6:23 10:3
<b>prepare</b> 12:8	<b>rate</b> 14:9	<b>rerouting</b> 18:13
<b>prepared</b> 17:13	<b>rates</b> 16:17	<b>residence</b> 6:14
<b>presentation</b> 4:15,21,25 12:13	<b>re-nourish</b> 14:19	<b>resident</b> 13:15
<b>pretty</b> 19:1	<b>react</b> 15:8	<b>resolved</b> 13:21
<b>problems</b> 15:5	<b>read</b> 11:1 16:10	<b>respect</b> 20:20
<b>proceeding</b> 4:6	<b>reality</b> 14:20	<b>respond</b> 4:23,24
<b>process</b> 4:10 11:13 12:6 19:16 23:21	<b>reap</b> 20:19	<b>responding</b> 4:16
<b>produce</b> 15:12	<b>reason</b> 22:21	<b>response</b> 6:22 7:16
<b>product</b> 15:13	<b>rebuilding</b> 15:24	<b>rest</b> 17:5
<b>profits</b> 23:9	<b>receiving</b> 24:3	<b>resume</b> 12:15
<b>project</b> 4:14 5:3,4,8,10,11,13 6:8, 9,13,17 7:3,8 8:19 9:3,4,5,17,18 10:3,12,16,18,19 11:15,16,20,21, 25 12:2,7,11,14 13:23 15:20 24:3	<b>recess</b> 13:4	<b>retained</b> 18:4
<b>projects</b> 9:11 10:14	<b>recognition</b> 15:18	<b>return</b> 16:17
<b>promoting</b> 23:12	<b>recognized</b> 14:5	<b>revetment</b> 15:21 16:12,13 17:23 18:3,9,19
<b>proposed</b> 4:8,25 5:3,10,11,13 6:11,13,15 7:6,17 8:8,14,17 9:2,11,	<b>recommendations</b> 15:7	<b>review</b> 10:22
		<b>reviewed</b> 11:5

**reviewing** 10:15  
**reviews** 10:13  
**right-of-way** 9:20 11:9,11,13,14  
**rise** 16:11  
**Rivers** 15:15  
**road** 7:19 19:19,20 22:23  
**room** 8:24 9:1  
**rough** 22:2  
**round-the-clock** 6:24

---

**S**

---

**safe** 19:13 23:25  
**safely** 24:6  
**safer** 23:6  
**sank** 14:20  
**Sargent** 5:1 6:15 13:19 14:5,7,21, 22 15:21 16:7,23 17:15 19:11  
**save** 14:11,14,21,22 16:12 18:8  
**saved** 18:7  
**saving** 14:15,22  
**schedule** 4:11 11:15 19:23  
**searching** 11:4  
**seat** 13:7,8  
**seaward** 16:13  
**send** 11:22 12:9  
**September** 6:6  
**sheet** 5:17  
**shipped** 15:14  
**shoulders** 7:23  
**show** 19:8  
**side** 7:11 9:15 17:22 19:13 22:19, 20  
**sides** 9:13  
**sign-in** 5:20 6:1 12:18  
**sir** 13:13 17:3  
**slide** 10:25  
**small** 14:9

**smart-ass** 17:25  
**solution** 13:25 14:19  
**solutions** 24:1  
**space** 7:11 8:15 21:7  
**span** 8:11,12,13  
**speak** 13:22,23  
**speaker** 12:17 17:12 18:24  
**SPEAKERS** 17:16  
**spending** 4:2 18:3  
**spent** 13:16,18  
**spot** 16:2  
**spots** 14:8  
**staff** 4:19 5:11 11:21 12:7,14  
**staffing** 6:24  
**stage** 11:19  
**standpoint** 21:6  
**started** 6:8 13:5,7,8,10 18:13  
**state** 13:20 14:5 15:10 21:15 22:24  
**statement** 14:24  
**staunch** 23:8  
**stay** 23:4  
**Stayton** 17:12,13,18  
**step** 5:7,18  
**steps** 12:6  
**storm** 8:16 21:24 22:2  
**studied** 9:6,11,16  
**studies** 16:24  
**study** 10:11,16,19,20,22 11:2,18  
**studying** 5:7  
**style** 20:15  
**submit** 5:14,23,24  
**submitted** 5:15  
**substantial** 22:1  
**substructure** 8:14  
**supervisor** 11:11  
**support** 8:13 19:11  
**surge** 8:16

**sustain** 20:24 21:1  
**sustaining** 20:25  
**swing** 4:8 5:1 6:10,15,18 7:17,18 9:10 21:1

---

**T**

---

**table** 5:20 6:1 8:23 9:1 12:18  
**takes** 15:5  
**taking** 4:11  
**talk** 4:19,21 5:11 10:10  
**taxes** 18:15  
**taxpayers** 18:15  
**taxpayers'** 14:2  
**tens** 19:24  
**terms** 14:16  
**terrific** 20:6  
**tested** 16:6  
**Texas** 4:5 15:12,14 16:25 23:24 24:1  
**Theros** 18:24 19:1,2  
**thing** 18:22 20:5  
**things** 16:22 19:4,11,15 20:14  
**threw** 17:24  
**Thursday** 11:7  
**time** 4:2,11 11:18 13:3 14:11 20:21 21:5 23:3  
**timeline** 5:3  
**times** 6:22  
**Tombigbee** 15:15  
**tonight** 4:2,23,24 6:7 10:22 11:3, 10 12:17,20 23:24  
**tonight's** 4:6,12 5:6,8 11:21 12:7  
**tore** 18:10  
**tower** 6:14  
**town** 19:3  
**traffic** 6:21 7:15 8:9 19:17,24  
**transportation** 4:3,5,10 10:13 23:24 24:1

trucks 8:1  
turn 8:2  
turned 13:9  
Txdot 4:7,19 9:2 10:12,15 11:5,11,  
23,24 12:10 21:4  
txdot.gov 11:3  
type 22:5  
types 20:15

---

**U**

---

undergoing 10:19  
underground 8:14  
underneath 7:10  
understand 19:4 20:20  
UNIDENTIFIED 17:16  
unique 7:7 8:6  
University 16:25  
unrestricted 7:15  
utilize 20:9

---

**V**

---

variety 8:6  
vegetation 10:6  
vehicle 7:15  
vehicles 8:4 19:18 23:4  
verbal 5:16,17 12:15,16  
verbally 5:24  
visit 11:11 12:14  
voters 15:8

---

**W**

---

waiting 6:20  
walked 21:25  
wall 15:21 16:3,8,12,13,17 17:23  
18:3,5,9,19 20:23  
water 8:10 17:22  
waters 20:1

waterway 6:20 8:11,21 14:10,23  
waterways 15:16 20:8  
ways 5:15  
weekend 19:24  
weekenders 19:25 22:8  
welcomes 4:7  
wetlands 10:5  
wide 7:22 8:1  
wildlife 10:8 20:13

Willie 13:11,14  
word 15:9  
words 21:8  
work 7:8 18:11 19:23 23:25  
work-in-process 20:7  
working 13:18 18:11 24:2  
world 14:7 22:14  
world's 15:13  
worried 20:24  
worry 23:5  
wow 22:10  
wrap 5:4  
writing 4:23 6:4  
written 5:21,25 6:4 12:19  
wrong 18:25

---

**Y**

---

y'all 4:1 16:22  
year 7:2 12:2 14:8,9 19:4  
years 8:18 13:15,18 15:22 17:18  
18:4,10,13,18 19:5 21:18  
yesterday 14:24  
Yoakum 4:4 11:5  
young 22:9  
Younger 13:11,12,14 17:2,3,6,8  
21:19

---

**Z**

---

zone 8:21

