



Finding of No Significant Impact for a FHWA Project

Proposed Action: US 59 Upgrade Shepherd to Cleveland

Project Limits: From FM 2914 to 0.65 mi South of SL 573

City: Shepherd/Cleveland **County:** San Jacinto/Liberty

State: Texas

TxDOT CSJ(s): 0177-02-057 and 0177-03-099

In accordance with 23 CFR Section 771.119 and Section 771.121, the Texas Department of Transportation (TxDOT) has determined that the US 59 Upgrade Shepherd to Cleveland project will not have a significant impact on the human or natural environment.

This Finding of No Significant Impact (FONSI) for the Preferred Alternative is based on the final Environmental Assessment (EA) dated July 2019 and the entire project record. This decision documents the selection of the build alternative, presented in the final EA as the Preferred Alternative, which is described as: converting US 59 from FM 2914 in Shepherd to 0.65 mile south of SL 573 in Cleveland to a controlled access highway by constructing two lane northbound and southbound frontage roads, two US 59 mainlanes in each direction and grade separations at Red Road and south of the San Jacinto/Liberty County line.

A Notice of Availability of the draft EA was issued on April 24 - 28, 2019.

A public hearing for this project was held on May 14, 2019.

No changes to the draft EA were made as a result of comments received on the draft EA during the posted comment period or from comments made at the public hearing.

Public Hearing Documentation has been prepared and is available for review on request.

The final EA and reports contained in the file of record have been independently evaluated by TxDOT and determined to adequately and accurately discuss the need, purpose, alternatives, environmental issues, impacts of the proposed project, and appropriate mitigation measures. These documents provide sufficient evidence and analysis for determining that preparation of an Environmental Impact Statement is not required. These documents are incorporated by reference into this decisional document.

Based upon TxDOT's review and consideration of the analysis and evaluation contained in the EA for this project, and after careful consideration of all social, economic, and environmental factors, including input from the public involvement process, TxDOT hereby issues this Finding of No Significant Impact for the US 59 Upgrade Shepherd to Cleveland project from FM 2914 to 0.65 mi south of SL 573.

TxDOT will ensure adherence and completion of all project commitments described in the final EA July 2019, Section 8. TxDOT will ensure that any and all local, state, or federal permit requirements and conditions are met and otherwise complied with.

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 the Memorandum of Understanding dated December 16, 2014, and executed by FHWA and TxDOT.



Finding of No Significant Impact for a FHWA Project

[Handwritten Signature]

TxDOT Environmental Affairs Division Director

8/14/19

Date



Environmental Document Certification Form

[Reset Form](#)

Project Name: US 59 Upgrade Shepherd to Cleveland

Control Section Job Number (CSJ): 0177-02-057 and 0177-03-099

Document Type: EA EIS FONSI

Document Stage: Draft Final

This checklist shall be used to certify that an environmental document is ready for public review (draft documents) or approval (final documents).

When all required items are satisfactorily completed, the District and ENV representatives will sign this form indicating the environmental document is certified and may proceed to public review or is ready for final approval.

This project meets all the following requirements:

- A. A project scope has been completed for the project.
- B. The document has been determined to be administratively complete.
- C. The document meets the requirements of technical review (43 TAC §2.49) as required to date.
- D. The required public participation has been completed as required to date.
- E. All consultation and coordination required for the environmental decision is complete and appropriately documented (for final environmental documents).
- F. Legal Review or Legal Sufficiency Review has been completed, as required.
- G. Current funding has been reviewed, and is as follows:

Mix of Federal/State/Local funding State-only funding Date Verified: 7/8/2019

Comments:

Signed: Jennifer H. Adams

Digitally signed by Jennifer H. Adams
DN: cn=Jennifer H. Adams, o=TXDOT, ou=Transportation Planning and Development,
email=Jennifer.Adams@txdot.gov, c=US
Date: 2019.07.08 17:23:07 -0500

District Core Team Member

Date: 7/8/2019

Print Name: Jennifer H. Adams

Signed: Jubal Grubb

Digitally signed by Jubal Grubb
DN: cn=Jubal Grubb, o=TXDOT, ou=ENV PD, email=Jubal.Grubb@txdot.gov, c=US
Date: 2019.07.24 16:03:59 -0500

ENV Core Team Member

Date: 7/24/2019

Print Name: Jubal Grubb



Environmental Document Review Checklist

Reset Form

Project Name: US 59 Shepherd to Cleveland		<input type="checkbox"/> State <input checked="" type="checkbox"/> Federal - Assigned <input type="checkbox"/> Federal - Not Assigned		
CSJ No.: 0177-02-057 and 0177-03-099		Federal-Aid No. (if applicable):	Date of Administrative Completeness: Mar 18, 2019	
District / County: Lufkin/San Jacinto Co. and Beaumont/Liberty Co.		Project Sponsor: TxDOT Lufkin District		
Document Type: <input checked="" type="checkbox"/> EA <input type="checkbox"/> EIS		Document Stage: <input type="checkbox"/> Draft <input checked="" type="checkbox"/> Final	Preparer/Consultant: Jennifer Adams/Atkins	
Preparer identify	Preparer check if content is:		Core Team check if content is:	Major Required Content
	Section in Document	Included	Not Applicable	
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Cover Sheet
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Follows TxDOT approved format
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Includes 23 U.S.C. 327 assignment language
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Title includes any cooperating agencies (EIS only)
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Signature block and contacts (only required for EIS)
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Abstract (only required for EIS)
no attached to Final EA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ROD (for Final EIS) / FONSI (for EA)
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Executive Summary (optional for EA, optional for combined FEIS/ROD, but required for EIS)
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Includes 23 U.S.C. 327 assignment language
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Summary of major conclusions, areas of controversy, preferred alternative, and commitments
3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Table of Contents: include list of tables, figures, and appendices
6	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	List of Acronyms
9	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Introduction
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Purpose of the Document: brief overview including appropriate figures
9	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description
9	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Existing Facility Description
9	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Proposed Project (General Description)
10	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Demonstrates logical termini and independent utility
11	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Planning and Programming Status
11	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Consistent with current Plan and Program (required for Final Environmental Document)
11	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Reference to plan sheet in appendix (required for Final Environmental Document)
11	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Purpose and Need
11	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Need statement(s)
11	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Supporting Facts and/or Data
12	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Purpose statement(s)
12	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Alternatives
12	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Build Alternative(s)
9	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Includes number of lanes, ROW requirements, median width, access control, estimated cost
12	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No-build Alternative
12	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Alternatives Considered But Eliminated From Further Consideration (if applicable)
13	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Affected Environment and Environmental Consequences (see page 2 for further detail)
35	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Agency Coordination
35	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Public Involvement
35	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Permits, Issues and Commitments
38	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Conclusion
38	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Identification of preferred alternative (required for Final Environmental Document)
38	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Locally preferred alternative, if one has been identified
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	List of Preparers (EIS only)
39	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	References Cited
40-155	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Exhibits (Maps, Photos, Schematics, Typical Sections)/Appendices
Comments: Pg. numbers above refer to page in PDF; more thorough description of the facility in the Proposed Project section instead of Build Alternative Section				



Preparer identify:	Preparer check if content is:			Core Team check if content is:	Affected Environment and Environmental Consequences
Section in Document	Included	Subject of Technical Report	Not Applicable	Acceptable	

Issues/resources determined to have no impact at scoping can be listed in the document. Summary discussion needed for issues/resources considered in detail. Discussion should address affected environment, environmental consequences, encroachment-alteration effect, and applicable avoidance, minimization, and mitigation measures for each issue/resource.

14	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Right of way/Displacements
14	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use
14	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Farmlands
14	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Utilities/Emergency Services
15	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Bicycle and Pedestrian Facilities
15-17	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Community Impacts (EJ and LEP)
17	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Visual/Aesthetics
18	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Archeological Resources - includes Section 106 statement for Federal projects
18	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Historic Properties - includes section 106 statement for Federal projects
19	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Section 4(f)/6(f)/Chapter 26 - includes Section 4(f) statement for Federal projects
19-23	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water Resources
23-26	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Biological Resources - includes Section 7 statement for Federal projects
27-28	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Air Quality
28-29	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Hazardous Materials
29-33	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Traffic Noise
33	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Indirect Impacts (Induced Growth Summary)
34	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Cumulative Impacts
35	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Construction Impacts

Comments: Pg. numbers above refer to page in PDF; tech reports available in ECOS

Core Team check if information is:			Supporting Documentation
Included as Appendix	Not applicable	Present in File	

The appendices and/or file of record must contain the following items/documents

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Plan and Program consistency documentation (compare against current E-STIP)
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Technical Reports: all technical reports as identified above have been completed, approved, and are present in the project file
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Agency coordination/consultation in appendices and/or file - Includes Distribution List for EIS only <input type="checkbox"/> USFWS <input checked="" type="checkbox"/> TPWD <input checked="" type="checkbox"/> THC <input checked="" type="checkbox"/> TCEQ <input type="checkbox"/> Other-List in Comments
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Section 4(f) Evaluation, Programmatic Section 4(f) Evaluation, Section 4(f) De Minimis Determination, or Section 6(f) Evaluation
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Public Meeting/Public Hearing Documentation (that includes public involvement certification)

Comments: PH summary with PH Certification has been uploaded to ECOS for review/approval.

Yes	No	Not applicable	Document Consistency (Core Team Completes)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Quantitative consistency between technical reports and Environmental Document (traffic, ROWs, etc.)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Quantitative consistency within Environmental Document
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Map and figure consistency (project limits, street names, key, etc.)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Exhibits and appendices listed in the Table of Contents are present in the Environmental Document

Comments:

Completed By: Jennifer H. Adams
District Core Team Member (Print Name)

Jennifer H. Adams Digitally signed by Jennifer H. Adams, DN: cn=Jennifer H. Adams, o=Texas Department of Transportation, email=Jennifer.H.Adams@tdot.state.tx.us, c=US, Date: 2016.07.08 12:42:00 -0500
Signature 7/8/2019
Date

Jubal Grubb
ENV Core Team Member (Print Name)

Jubal Grubb Digitally signed by Jubal Grubb, DN: cn=Jubal Grubb, o=Texas Department of Transportation, email=Jubal.Grubb@tdot.state.tx.us, c=US, Date: 2016.07.08 12:42:00 -0500
Signature 7/8/2019
Date

2019 Unified Transportation Program

Lufkin

Project Listing
Page 2 of 2

Polk County

CSJ 0176-04-056	District LUFKIN	COUNTY POLK	UTP AUTHORITY Construct	TOLL No	US 59	Ranking Tier 1
Limits From	3.4 MI N OF US 287					
Limits To	US 287					
Project Description	CONST 4 LANE FRWY ON WEST SIDE OF CORRIGAN					
Programmed Construction Funding						
Category	Description	Authorized	Other	Total		
4	REGIONAL CONNECTIVITY	\$88,600,000	\$0	\$88,600,000		
	Total	\$88,600,000	\$0	\$88,600,000		

Previously Authorized

Est Const Cost: \$88,600,000

CSJ 0176-05-104	District LUFKIN	COUNTY POLK	UTP AUTHORITY Construct	TOLL No	US 59	Ranking Tier 1
Limits From	US 287					
Limits To	3.0 MI S OF US 287					
Project Description	CONSTRUCT 4 LANE FRWY ON WEST SIDE OF CORRIGAN					
Programmed Construction Funding						
Category	Description	Authorized	Other	Total		
4	REGIONAL CONNECTIVITY	\$69,600,000	\$0	\$69,600,000		
	Total	\$69,600,000	\$0	\$69,600,000		

Previously Authorized

Est Const Cost: \$69,600,000

San Jacinto County

CSJ 0338-06-011	District LUFKIN	COUNTY SAN JACINTO	UTP AUTHORITY Construct	TOLL No	SH 105	Ranking Tier 2
Limits From	MONTGOMERY C/L					
Limits To	MONTGOMERY C/L					
Project Description	RECONSTRUCT PAVEMENT TO 4 LANE DIVIDED RURAL					
Programmed Construction Funding						
Category	Description	Authorized	Other	Total		
4	URBAN CONNECTIVITY	\$10,000,000	\$0	\$10,000,000		
	Total	\$10,000,000	\$0	\$10,000,000		

Previously Authorized

Est Const Cost: \$10,000,000

CSJ 0177-02-057	District LUFKIN	COUNTY SAN JACINTO	UTP AUTHORITY Develop	TOLL No	US 59	Ranking Tier 1
Limits From	FM 2914					
Limits To	LIBERTY C/L					
Project Description	CONVERT TO 4 LANE FWY W/ FRONTAGE RDS & GRADE SEPARATIONS					
Programmed Construction Funding						
Category	Description	Authorized	Other	Total		
4	REGIONAL CONNECTIVITY	\$67,910,000	\$0	\$67,910,000		
	Total	\$67,910,000	\$0	\$67,910,000		

Previously Authorized

Est Const Cost: \$67,910,000

2019 Unified Transportation Program **Beaumont**

Liberty County

CSJ 0177-03-096	District BEAUMONT	COUNTY LIBERTY	UTP AUTHORITY Let	TOLL No	US 59	Ranking Tier 2
Limits From	SOUTH END OF CLEVELAND BYPASS					Previously Authorized
Limits To	MONTGOMERY COUNTY LINE					
Project Description	WIDEN TO 6 MAIN LANES WITH FRONTAGE ROADS					

Est Const Cost: \$111,200,000

Programmed Construction Funding

Category	Description	Authorized	Other	Total
12	STRATEGIC PRIORITY	\$60,000,000	\$0	\$60,000,000
4	REGIONAL CONNECTIVITY	\$51,200,000	\$0	\$51,200,000
	Total	\$111,200,000	\$0	\$111,200,000

CSJ 0177-03-099	District BEAUMONT	COUNTY LIBERTY	UTP AUTHORITY Develop	TOLL No	US 59	Ranking Tier 1
Limits From	SAN JACINTO C/L					Previously Authorized
Limits To	.65 MILE SOUTH OF SL 573					
Project Description	CONVERT TO 4 LANE FWY W/ FRONTAGE RDS & GRADE SEPARATIONS					

Est Const Cost: \$47,900,000

Programmed Construction Funding

Category	Description	Authorized	Other	Total
12	STRATEGIC PRIORITY	\$47,900,000	\$0	\$47,900,000
	Total	\$47,900,000	\$0	\$47,900,000

CSJ 0028-04-069	District BEAUMONT	COUNTY LIBERTY	UTP AUTHORITY Develop	TOLL No	US 90	Ranking Tier 1
Limits From	FM 160, EAST					Previously Authorized
Limits To	SH 61					
Project Description	WIDEN & RECONSTRUCT TO 4 LANE DIVIDED RURAL					

Est Const Cost: \$40,000,000

Programmed Construction Funding

Category	Description	Authorized	Other	Total
4	URBAN CONNECTIVITY	\$40,000,000	\$0	\$40,000,000
	Total	\$40,000,000	\$0	\$40,000,000

CSJ 0028-04-077	District BEAUMONT	COUNTY LIBERTY	UTP AUTHORITY Develop	TOLL No	US 90	Ranking Tier 1
Limits From	FM 563					Previously Authorized
Limits To	FM 160					
Project Description	WIDEN TO 4 LANES WITH CLTL					

Est Const Cost: \$8,250,000

Programmed Construction Funding

Category	Description	Authorized	Other	Total
4	URBAN CONNECTIVITY	\$8,250,000	\$0	\$8,250,000
	Total	\$8,250,000	\$0	\$8,250,000

Orange County

CSJ 0028-14-091	District BEAUMONT	COUNTY ORANGE	UTP AUTHORITY Let	TOLL No	IH 10	Ranking Tier 1
Limits From	0.54 MILES EAST OF FM 3247					Funding Adjustment
Limits To	SABINE RIVER BRIDGE					
Project Description	WIDEN EXISTING MAINLANES FROM 4 TO 6 LANES					

Est Const Cost: \$50,070,000

Programmed Construction Funding

Category	Description	Authorized	Other	Total
12	STRATEGIC PRIORITY	\$18,400,000	\$0	\$18,400,000
2U	URBAN CORRIDOR	\$31,670,000	\$0	\$31,670,000
	Total	\$50,070,000	\$0	\$50,070,000

Adjustment: **CAT 2 Urban increased \$10M**