U.S. Department
of Transportation
**Federal Highway
Administration**

Texas Division
August 1, 2013

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In Reply Refer To:
HB-TX

CSJs: 0389-05-088, 0389-05-116 and 0389-06-095
Highway: SH 146 from Red Bluff to FM 518
Counties: Harris and Galveston

Ms. Julia Ragsdale
Project Delivery Section Team Leader
Environmental Affairs Division
Texas Department of Transportation
Austin, Texas 78701

Dear Ms. Ragsdale:

The Federal Highway Administration has completed the review of the May 2013 Environmental Assessment (EA) and the Public Hearing Summary Report for the referenced project from the Texas Department of Transportation. Based upon on our own agency review and consideration of the analysis and evaluation contained in the EA for this project and after further consideration of all social, economic and environmental factors, including input from the public involvement process, we hereby approve issuance of a Finding of No Significant Impact (FONSI) for the SH 146 project.

We concur in the finding of the May 2013 EA in that 1) the Preferred Alternative identified in the document best meets the need for and purpose of the project, 2) the widening of SH 146 from Red Bluff to FM 518 (CSJs: 0389-05-088, 0389-05-116 & 0389-06-095) is included in and consistent with the H-GAC financially constrained 2035 RTP Update, 2013-2016 TIP, Appendix D, page 37, which was adopted April 27, 2012, and 3) the Preferred Alternative would have no significant impacts on the quality of the human or natural environment under NEPA. In addition, based on this review, we find that an Environmental Impact Statement (EIS) is not required for this project.

If you have any questions or concerns, please contact me at 512-536-5963 or send me an email to Luis.D.Lopez@dot.gov.

Sincerely,

Luis D. López-Rivera
Area Engineer

Enclosures

FEDERAL HIGHWAY ADMINISTRATION

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

For

SH 146: From Red Bluff to Farm-to-Market 518
Harris and Galveston Counties, Texas
TxDOT CSJs: 0389-05-088, 0389-05-116 & 0389-06-095

INTRODUCTION

In accordance with 23 CFR Section 771.119 and Section 771.121, the Federal Highway Administration (FHWA) has determined, in, that the proposed reconstruction and improvements for State Highway (SH) 146 from Red Bluff to Farm-to-Market (FM) 518, located in Harris and Galveston counties, Texas, 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 revised May 2013 in Environmental Assessment (EA) and the entire project record. The EA was approved by FHWA for public involvement September 26, 2011. The Public Hearing Summary and Analysis, and the Comment and Response Report (that contains responses to public comments), were prepared by the Texas Department of Transportation (TxDOT) in April 2013, and have been incorporated into the project.

The draft June 2011 EA, the revised May 2012 EA, the revised May 2013 EA, the Public Hearing Summary and Analysis, and the Comment and Response Report have been independently evaluated by the FHWA and determined to adequately and accurately discuss the need, purpose, alternatives, environmental issues, and impacts of the proposed SH 146 reconstruction project and appropriate mitigation measures. These documents provide sufficient evidence and analysis for determining that an Environmental Impact Statement (EIS) is not required. Finally, these documents are incorporated by reference into this decisional document.

PROJECT BACKGROUND

Currently, SH 146 is a multi-lane, paved highway that consists of four 11- to 12-foot main lanes (two in each direction) with no sidewalks. The existing right-of-way (ROW) along the project corridor ranges from 100 to 440 feet at stream crossings or in areas that include intersections. Intersections are all at-grade, including Red Bluff, Repsdorph Road, NASA Road 1, FM 2094, and FM 518. An existing bridge is located at the Clear Creek Channel.

The needs for the project, or reasons for the project, are identified in the EA. Residents (generally located south of the proposed project) responding to warnings of approaching hurricanes have experienced significant delays using SH 146 as a main evacuation route. The shipping industry has made substantial investments to existing and new container

port facilities for the Bayport Ship Channel Container/Cruise Terminal near La Porte and Shoal Point Terminal in Texas City. Tourism and recreational activities are highly visible in the Cities of Seabrook and Kemah, with recent commercial development and sailboat/yacht facilities associated with Clear Lake and Galveston Bay. Furthermore, residential development has been keeping pace with the increased employment in the study area and along the east and west roadways connecting to SH 146, and the Galveston Bay communities such as Shoreacres and Bacliff. With the high growth in both population and employment that the city of Houston and surrounding areas are experiencing, travel demand along the SH 146 Corridor is exceeding its capacity causing severe congestion and bottlenecks along the proposed project (including intersections at Red Bluff, NASA Road 1, FM 2094, and FM 518) during peak hour time periods.

The purpose of the SH 146 reconstruction project is to reduce traffic congestion and improve mobility along SH 146, which would improve safety. Additionally, SH 146 serves as a hurricane evacuation route, and the proposed improvements would help to facilitate these evacuation efforts.

The EA for the SH 146 reconstruction project was developed in accordance with the National Environmental Policy Act (NEPA) of 1969, Council on Environmental Quality (CEQ) Regulation for Implementing the Procedural Provisions of the NEPA (40 CFR 1500-1508), FHWA Environmental Impact and Related Procedures (23 CFR Part 771), Public Involvement Rules (43 TAC Chapter 2), and other related federal and state requirements.

REVIEW OF THE EA

TxDOT completed the draft EA June 2011, revised the EA in May 2012, and completed a final revision to the EA in May 2013 per comments received at the public hearing. The EA considered and analyzed the potential social, economic, and environmental impacts related to the proposed reconstruction and improvements of SH 146. Specifically, the EA studied the potential impacts associated with various alternatives and alignments, which included a build and a no build alternative.

The potential impacts studied include direct, indirect, and cumulative impacts of the project. Direct effects are defined by the CEQ regulations (40 CFR Section 1508) as being "caused by the action and occur at the same time and place." Indirect effects are defined as effects that are "caused by an action and occur later in time or farther removed in distance, but are still reasonably foreseeable," and may "include growth-inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems." Cumulative impacts are the incremental impacts that the project's direct or indirect effects have on a resource in the context of the myriad of other past, present, and future effects on that resource from unrelated activities.

Various alternatives and alignments were evaluated to assess their ability to reasonably and feasibly satisfy the need for and purpose of the project, and to minimize adverse impacts to the human and natural environments of the project area. The assessments

began with an evaluation that provided a framework through which potential alternatives and alignments could be comparatively analyzed. The comparative analysis determined how well the alternatives and alignments addressed the need for and purpose of the proposed project. As a result, the 3 most feasible route(s) were selected for further investigation and for presentation to the public during public meetings held on December 14, 2004 and December 15, 2004 in Texas City. A second public meeting was held on March 19, 2007 in Seabrook, Texas. Subsequently, a No Build Alternative and a Build Alternative were considered during the planning process.

The Build Alternative proposed for this project proposes to improve a segment of State Highway (SH) 146 from Red Bluff to Farm-to-Market (FM) 518 in Harris and Galveston Counties, Texas. The 4.0 mile project is located in Harris and Galveston Counties and passes through the cities of Seabrook, League City, and Kemah. The Preferred Alternative consists of a facility with a six to twelve lane divided freeway (three to six lanes in each direction) with grade separations at major intersections (including Red Bluff, Repsdorph Road, and NASA Road 1), access roads in selected locations, and express lanes (two in each direction) over Clear Creek. The freeway main lanes would be divided by concrete traffic barriers. Additionally, a sidewalk is proposed along the entire length of the east side of the project. The original design included a proposed Bike Path for bicycle and pedestrian travel on the railroad/utility ROW paralleling the west side of the proposed project on SH 146. Based on public comment during the Public Hearing held on January 26, 2012 and coordination with public officials, the City of Seabrook requested to have the shared use path within the City of Seabrook moved off of the SH 146 ROW in order to reduce ROW takings in that area, and has agreed to design and build the shared use path, for the section within the City of Seabrook, on the Centerpoint Energy high-line corridor that bisects the City of Seabrook, north to south, parallel to the SH 146 alignment (letter dated April 5, 2013). The design modification reduces the amount of right-of-way needed for the proposed project by 2.74 acres; this does not result in a reduction in the number of displacements. The Preferred Alternative includes the following improvements.

- The existing at-grade crossing of SH 146 at Red Bluff would be converted to a grade separated facility.
- From south of the grade separation at Red Bluff to 976 feet north of a new grade separation at Repsdorph Road, a distance of approximately 1,689 feet, SH 146 would include eight main lanes (four in each direction) with two auxiliary/access lanes (one in each direction).
- The existing at-grade crossing of SH 146 at Repsdorph Road would be converted to a grade-separated facility in the same manner as Red Bluff.
- From approximately 716 feet south of the new grade separation at Repsdorph Road to approximately 1,461 feet north of NASA Road 1, SH 146 would be widened to consist of eight mainlanes (four in each direction) with two 2-lane access roads in each direction.
- From approximately 1,461 feet north of NASA Road 1, the SH 146 mainlanes

would transition into express lanes as the proposed facility proceeds south towards the Kemah Bridge.

- Over Clear Creek, the Kemah Bridge would be widened to consist of six main lanes (three in each direction), with inside and outside shoulders.
- Express lanes over Clear Creek would be constructed as a new structure paralleling the Kemah Bridge main lanes, and would consists of four main lanes (two in each direction), and inside and outside shoulders.
- South of the Kemah Bridge the SH 146 main lanes would descend and consist of six 12-foot main lanes (three in each direction) at-grade with a southbound right-turn lane, a grassy median, and outside shoulders. The proposed express lanes would consist of four lanes (two in each direction), outside shoulders and inside shoulders. The express lanes would descend south of the Kemah Bridge to just south of FM 518 where the SH 146 main lanes and express lanes would merge.
- South of FM 2094 the proposed northbound and southbound SH 146 access roads would transition toward the SH 146 main lanes, which would consist of six main lanes (three in each direction) with a grassy median and outside shoulders. The proposed express lanes would consist of four lanes (two in each direction), and outside and inside shoulders.
- South of FM 518 the project would be completed with four lanes (two in each direction) separated by the proposed express lanes. The proposed express lanes would consist of four lanes (two in each direction), and outside and inside shoulders. The proposed northbound and southbound SH 146 express lanes would descend and transition into the proposed northbound and southbound SH 146 main lanes.
- Three new grade separated intersections would be constructed at Red Bluff, Repsdorph Road, and NASA Road 1.

The Build Alternative is described above as the Preferred Alternative. As a result of public involvement and the project development process, the Build Alternative, which would widen and restructure the existing facility and require additional ROW, is selected as the Preferred Alternative. Based on public input during the planning phase, public meetings, a Public Hearing, and coordination with local city officials, the Preferred Alternative was chosen to improve mobility and safety, reduce traffic congestion, improve hurricane evacuation, create a facility consistent with thoroughfare and transit plans, and provide travel options while minimizing adverse environmental effects.

The No Build Alternative would leave the existing facility as is; it would remain an urban facility. Normal routine maintenance would continue, and all other pending, previously authorized actions would proceed as long as they do not require additional travel lanes.

In accordance with the regulatory requirements of Section 106 of the National Historic Preservation Act and the terms of the First Amended Programmatic Agreement, coordination with the Texas Historical Commission for Historic Structures and Archeology has been completed, and concurrences of "no adverse effect" were received.

Coordination with the Texas Parks and Wildlife Department (TPWD) was completed on May 4, 2009. Additional coordination with the City of Seabrook regarding the Mohrhusen Park was completed on July 8, 2013 (see Appendix A). The Build Alternative would not require the use of any publicly owned land from a public park, recreation area, wildlife/waterfowl refuge, or any significant historic site. Therefore, neither a Section 4(f) nor a 6(f) evaluation would be required for the proposed project. The results of the air quality assessment indicate that no mitigation is necessary. The results of the noise analysis indicate that noise abatement measures would not be feasible and reasonable; therefore, no abatement measures are proposed for this project. In order to construct the overpasses and main lanes, the Preferred Alternative requires a USACE Section 10/404 Individual Permit for unavoidable impacts to wetlands prior to construction.

The proposed project (Preferred Alternative) would be constructed in phases, dependent on funding, and will not be tolled. The Federal Highway Administration (FHWA) approved the EA as 'Satisfactory for Further Processing' on September 26, 2011. The Houston District held a public hearing on January 26, 2012, to present the proposed improvements to the public and to gather public input.

Support Rationale

Implementation of the Preferred Alternative would reduce the existing and predicted number of vehicles per lane by increasing capacity along SH 146, reduce traffic congestion, improve mobility, and improve existing design deficiencies. This alternative would also support economic development as well as provide for a safe and efficient hurricane evacuation route. The Preferred Alternative would be constructed using standard, proven techniques at a reasonable cost and would not restrict consideration of reasonable alternatives for future improvements to SH 146.

The Preferred Alternative widens and restructures the existing facility and is consistent with local and regional plans. This alternative would comply with all Federal, State, and local environmental laws and regulations. All permits from regulatory agencies would be attained before proceeding with construction of this project.

As noted above, the EA examined the direct, indirect, and cumulative impacts of the project, which identified potential impacts of special concern to include: 1) displacements and relocations; 2) vegetation impacts; 3) storm water runoff; 4) hazardous materials; 5) tidal and non-tidal waters; 6) wetlands; 7) wildlife; and 8) construction.

The EA concluded:

1. The Build Alternative is the recommended Preferred Alternative for the SH 146 reconstruction project.
2. The Build Alternative meets the need for and purpose of the project, with the least amount of impacts to the resource areas.
3. The proposed project would have no significant impacts on the quality of the human or natural environment.
4. TxDOT recommends a Finding of No Significant Impact for the SH 146 reconstruction project.

TxDOT's recommendation of the Build Alternative resulted from a process that involved the public and coordination with various federal, state, and local government agencies.

PUBLIC INVOLVEMENT

Public involvement is an integral and critical component of the NEPA project development process. Comprehensive public involvement was developed to incorporate all of the different types of stakeholders and their needs, from safety, to mobility, to environmental concerns. The public involvement team for this project included representatives from the TxDOT Houston District and the environmental and engineering consultants. The process also included consultation with FHWA and TxDOT – Environmental Affairs Division.

Public Meetings and Public Hearing

The Texas Department of Transportation (TxDOT) has been engaging the public since the beginning of the MIS (Major Investment Study) process for the SH 146 Corridor. Early in the MIS process TxDOT adopted a Public Involvement Program that offered several opportunities for the public to participate in the process. Public meetings were held to encourage the participation of agencies, businesses, public representatives, and concerned citizens. Other public involvement techniques included regular meetings of a municipal advisory committee, presentations to community groups, and solicitation of written comments. Four series of public meetings were held during the MIS process from August 2000 to April 2003.

Public involvement continued through the National Environmental Policy Act (NEPA) process. The effort was initiated with public meetings held on December 14, 2004 and December 15, 2004 in Texas City. A second public meeting was held on March 19, 2007 in Seabrook, Texas. TxDOT received comments from these public meetings regarding design alternatives for SH 146 from Red Bluff Road to FM 518.

A public hearing was held adjacent to the project area on January 26, 2012 in League City, Texas, regarding the proposed reconstruction of SH 146 from Red Bluff Road to FM 518. TxDOT participated in discussions with those in attendance regarding the proposed project during the open house held prior to the hearing, and then received verbal comments from elected officials and the public during the official public hearing.

A total of twelve (12) oral comments were made during the hearing. Throughout the hearing, attendees had the chance to submit written comments. Comment tables and comment drop boxes were set up in the open house area. Written comments could also be mailed in or e-mailed during the comment period. A total of eighteen (18) written comments were submitted during the hearing and/or mailed/e-mailed during the comment period.

Summary of Comments

The comments received at the public hearing were generally in concurrence with the findings of the Environmental Assessment in regards to demand exceeding or

approaching capacity during daily commute periods, inefficient hurricane and emergency evacuation options, congestion due to competing uses, roadway design deficiencies, and predicted increases in truck traffic due to growth. Comments received were generally in regards to design inquiries and direct impacts to local businesses. Each comment, whether written, emailed, or given orally, was considered equally.

Stakeholder Involvement

Coordination occurred with federal, state, county and local governmental agencies including the Federal Highway Administration, Houston-Galveston Area Council, the Texas Historical Commission, United States Fish and Wildlife Service (USFWS), Texas Parks and Wildlife Department (TPWD), and the United States Army Corps of Engineers (USACE). As part of the public involvement process federal, state, and local public officials were invited to attend all meetings conducted with the public. In addition, the project team conducted informal meetings with various community groups, businesses, and elected officials from the City of Seabrook, the City of Kemah, and other local and city offices throughout and adjacent to the project limits. This coordination has been ongoing throughout project development.

Media Coordination

Website postings regarding the project were available on the TxDOT Houston District website including the public hearing notices and the public hearing summary report. Copies of the schematic layout showing the location and design, the draft environmental assessment, and other information related to the project were on file and made available for public review at TxDOT's Houston District Office located at 7600 Washington Avenue in Houston, Texas and the TxDOT South-East Harris Area Office located at 702 FM 1959 in Houston.

Notices for the public meetings and the public hearing were advertised in the Houston Chronicle and La Subasta for each of the public involvement phases.

Changes Made to the SH 146 Improvement Project as a Result of Public Input

Based on the information in the draft SH 146 EA (from Red Bluff to FM 518) and comments received during the Public Hearing, TxDOT recommended implementation of the Preferred Alternative with a minor design modification in response to comments. The minor design modification includes removing the 10-foot shared use path from the proposed design within the City of Seabrook. The City of Seabrook requested the change, and has committed to locate a shared use path along the Centerpoint Energy high-line corridor that bisects the City of Seabrook, north to south, and parallel to the SH 146 alignment. The shared use path within the City of Seabrook will be constructed independently by the City of Seabrook. This design modification reduces the amount of right-of-way required for the proposed roadway project by 2.74 acres; this does not result in a reduction in the number of displacements. With the exception of two intersections (at FM 2094 and FM 518), the proposed design adds a 14-foot outside lane on the frontage roads, from Red Bluff to FM 518, to accommodate bicycles. There are two right turn bays (at FM 2094 and FM 518) where the 14-foot outside lane cannot be provided due to structural constraints. In these areas an adjacent 10-foot shared use path will be

provided to accommodate bicycles. The EA has been revised to reflect this design modification.

MITIGATION/COMMITTMENTS

A majority of the potential impacts associated with construction of the Preferred Alternative are proposed to be avoided or minimized as documented in the EA. The design and construction of the SH 146 reconstruction project would incorporate measures to minimize harm to the environment, as described below.

Land Use

The Preferred Alternative would impact approximately 7.23 acres of commercial land use, 0.36 acre of industrial land use, 0.03 acre of municipal land use, 0.5 acre of land belonging to places of worship, 0.56 acre of residential land use, 25.41 acres of railroad land use, 3.21 acres of utilities land use, 3.26 acres of unclassified land use, 0.01 acres of vacant land, 2.53 acres of water, and 1.90 acres of adjacent transportation uses. A total of 45 acres of land use and adjacent transportation uses would be converted to roadway ROW by the proposed project. Overall, these factors are not anticipated to substantially alter current or future land use as a result of the Preferred Alternative. The alternative is consistent with regional and local plans.

Mitigation Commitment: No mitigation is required or recommended.

Relocations and Right-of-Way Acquisition

The Preferred Alternative would require approximately 45 acres of additional ROW. Under the Build Alternative, approximately 57 businesses, two single-family residences, one multi-family housing unit, two churches, and a municipal facility would be affected from the proposed widening of SH 146. Some of these effects include changes in access and loss of frontage or parking, while other effects include business displacements.

Mitigation Commitment: Access to residences or use of any commercial or industrial area would be maintained at all times during and after project construction.

Compliance with Uniform Relocation Assistance and Real Property Acquisition Act Policies of 1970 and Other Applicable Standards

The Uniform Relocation Assistance and Real Property Acquisition Act (URARPAA) requires that comparable, decent, safe, and sanitary replacement housing within a person's financial means be made available to all affected residents. The State's Relocation Assistance Program would be available to all individuals, families, businesses, farmers, ranchers, and nonprofit organizations displaced as a result of the proposed project.

Mitigation Commitment: Acquisitions of businesses and residential relocations would be conducted in accordance with the URARPAA, as amended in 1987. Relocation assistance would be made available to all businesses and residences without

discrimination, consistent with the requirements of the Civil Rights Act of 1964 and the Housing and Urban Development Amendment of 1974.

Community Cohesion

Community cohesion is expected remain intact since SH 146 is an existing facility that serves as a boundary between neighborhoods and communities. There are no distinct neighborhoods, ethnic groups, or other specific groups directly adjacent to the proposed project. As a result, the Preferred Alternative is not expected to affect, separate, or isolate any distinct neighborhoods, ethnic groups, or other specific groups.

Mitigation Commitment: No mitigation is required or recommended.

Travel Patterns

The Preferred Alternative would offer opportunities to not only link with existing roadway improvements but also provide joint development opportunities with public agencies and private development, resulting in changes to the existing transportation patterns in the area. Such changes include the following:

- *Transportation Links to other Transportation Improvements*: Within the surrounding area, there are several roadway improvement projects occurring, planned, or proposed. The Build Alternative would directly link with additional capacity improvements planned on SH 146 as well as several Smart Street Improvements (see the *Cumulative Impacts* section of this document for additional roadway improvement projects in the project vicinity). These improvements would either benefit from a new interchange with the proposed project or be located within proximity to the proposed project.

  With the completion of SH 146 from Red Bluff to FM 518, it would be a six- to 12-lane facility through Harris and Galveston Counties that would tie into a planned six-lane facility to the north (from Fairmont Parkway to Red Bluff in Harris County) and to the south (from FM 518 to SH 3 in Galveston County). SH 146 would then be a continuous interstate-quality facility from La Porte to Texas City.

- *Transportation Links to regional shopping, recreation, and employment areas*: The Build Alternative would improve access and provide improved travel times to and from regional shopping districts, recreational facilities and employment centers, including the Kemah Boardwalk, the numerous marinas and shipyards located along the SH 146 Corridor, and Galveston Island. Additionally, the Build Alternative would improve access to the Shoal Point Container Terminal in Texas City as well as the Bayport Ship Channel Container/Cruise Terminal near La Porte.

- *Bicycle and Pedestrian Patterns*: The Build Alternative would provide a 14-foot outside lane along the frontage lanes to accommodate bicycles. A sidewalk is proposed along the entire length of the east side of the project.

Mitigation Commitment: As per an agreement between the City of Seabrook and TxDOT, a shared use path would be constructed along the Centerpoint Energy high-line corridor that bisects the City of Seabrook, north to south, and parallel to the SH 146 alignment. The shared use path within the City of Seabrook is to be constructed independently by the City of Seabrook.

Safety

The Preferred Alternative is anticipated to provide an adequate transportation system with improved traffic operations through the following components:

- Conversion of the existing four-lane divided facility to a six- to 12-lane divided freeway;
- Frontage roads would be added providing improved access for existing and future residents and businesses;
- Construction of express lanes that would accommodate truck traffic from the Shoal Point Terminal and reduce car/truck interaction on the SH 146 main lanes;
- Removal of at-grade and signalized intersections along the main lanes of SH 146 that would result in traffic separation and operational improvements such as U-turns and ramps;
- Construction of grade-separated intersections at Red Bluff, Repsdorph Road, and NASA Road 1; and
- Addition of a 14-foot outside lane along the frontage roads to accommodate bicycles.

Mitigation Commitment: No mitigation is required or recommended.

Environmental Justice

Individual minority and low-income persons would be equally affected by the Preferred Alternative. No disproportionate adverse effect on any minority or low-income population would result from either alternative. Although some census tracts have a relatively higher percentage of minority and/or low-income populations, effects from the proposed project would not be isolated within these census tracts but would be distributed throughout the length of the project corridor. The proposed project consists of widening the existing roadway, and over the long term, the entire corridor would benefit from the project as a result of improved safety and regional circulation. The requirements of Executive Order 12898 appear to be satisfied.

Mitigation Commitment: No mitigation is required or recommended.

Soils and Farmlands

Out of the 45 acres of additional ROW to be acquired for the proposed project, none (zero acres) of the proposed new ROW occurs over prime farmland soils. The additional ROW has been scored using Form CPA-106. Based on a final assessment and calculation of Part VI of the form, the project received a score less than 160; therefore, no further consideration with the NRCS is required.

Mitigation Commitment: No mitigation is required or recommended.

Air Quality

The proposed project is located within Harris and Galveston Counties, which are designated as "marginal" nonattainment areas in accordance to the 2008 8-hour Ozone Standards; therefore, the transportation conformity rules apply. Design year (2035) traffic is estimated to be 63,700 vehicles per day; therefore, a Traffic Air Quality Analysis (TAQA) is not required. Though the project is adding capacity, the design year average annual daily traffic (ADT) is less than 140,000 vehicles per day. The 140,000 ADT rate is a threshold based on a TxDOT modeling study which demonstrated that it is highly unlikely that the NAAQS for carbon monoxide would ever be exceeded on any project with traffic numbers below this level.

The widening of SH 146 from Red Bluff to FM 518 (CSJ: 0389-05-088) is included in and consistent with the H-GAC financially constrained 2035 RTP Update, 2013-2016 TIP, Appendix D, page 37, which was adopted April 27, 2012.

Traffic Noise

As indicated in the EA, the Preferred Alternative would result in traffic noise impacts of 18 receivers. (Note: The predicted traffic noise levels were modeled for year 2035 and not 2025 as indicated in the EA.)

Mitigation Commitment: Noise abatement measures for the impacted receivers were determined to not be feasible and reasonable; therefore, no abatement measures are proposed for this project.

Hazardous Materials

In order to construct the Preferred Alternative, seven properties listed as potentially containing hazardous materials would be acquired. In addition, two properties listed as potentially containing hazardous materials would be partially acquired.

Mitigation Commitment: These sites are currently in various stages of corrective action and would be addressed during the ROW negotiation and acquisition process.

Coordination with property owners, tank owners, operators, and TCEQ on these sites would be an ongoing process up to and during construction.
During final design, additional investigations would be required to confirm if contamination would be encountered during construction from this site or other potential hazardous material sites located up gradient from the roadway and/or outside of the proposed ROW. If contamination is confirmed, then TxDOT would develop appropriate soils and/or groundwater management plans for activities within these areas.

Furthermore, the contractor would take appropriate measures to prevent, minimize and control the potential spill of fuels, lubricants, and hazardous materials in the construction staging area. All materials being removed and/or disposed of by the contractor would be done so in accordance with state and federal laws and by the approval of the Project Engineer.

Water Quality
The proposed project lies within two watersheds of the San Jacinto-Brazos Coastal Basin, which includes the Upper Galveston Bay Watershed and the Clear Lake Watershed. Several water bodies are located within the Upper Galveston Bay Watershed, including Taylor Lake, Taylor Bayou, Clear Lake, and a 0.9 square mile navigation channel (Bayport Channel) on the western shore of the watershed. The Clear Lake Watershed extends from the border of Harris and Galveston Counties along the Clear Lake Channel, to just south of the SH 146 intersection with FM 2094.

- **Impaired Waters** – Stormwater runoff from construction of the Preferred Alternative would flow into several creeks which all flow into two classified segments of the San Jacinto-Brazos Coastal Basin. Segment 2421 {Upper Galveston Bay} is listed on the 2008 Clean Water Act Section 303(d) list as impaired for dioxin and polychlorinated biphenyls (PCBs) found in edible tissue. Segment 2425B {Jarbo Bayou} is listed on the 2008 Clean Water Act Section 303(d) list as impaired due to elevated levels of bacteria.

The Build Alternative would have a negligible effect with regard to changes in surface runoff qualities and the amount of impervious cover added to the San Jacinto-Brazos Coastal Basin or its associated watersheds. The greatest potential for adverse effects to water quality exists during the construction phase of the project due to the quantity of soil being disturbed. In regards to the Build Alternative, every effort would be made to protect the water quality within the study area.

303(d) Listed Waters
Runoff from construction of the Preferred Alternative would discharge to a threatened or impaired stream segment and is within five miles upstream of a designated segment.

Mitigating Commitment: Because Segments 2421 and 2425B are classified as Section 303(d) waters, TxDOT will coordinate the proposed project with the Texas Commission on Environmental Quality (TCEQ) per the Memorandum of Understanding (§2.23). No mitigation is proposed because there are no specified tools or Best Management Practices

(BMPs) that can effectively address water quality concerns related to bacterial contamination in oyster waters and PCBs and dioxin found in edible tissue.

Section 401 Compliance
The Build Alternative would affect more than the allowable threshold acreages in tidal and non-tidal waters to qualify for a Nationwide Permit; therefore, it is anticipated that a U.S. Army Corps of Engineers (USACE) Section 404 Individual Permit would be required for the proposed project.

Mitigation Commitment: TxDOT will coordinate with the USACE to obtain a Section 404 Individual Permit in order to construct the project.

TxDOT will require the use of BMPs to manage water quality on construction sites in accordance with Section 401 of the Clean Water Act. TCEQ's recommended BMPs would address erosion control, sedimentation control, and post-construction total suspended solids control. Erosion control would be addressed by applying temporary reseeding (native vegetation) and mulch in disturbed areas. Sedimentation control would be addressed by installing silt fences combined with rock berms. Post-construction total suspended solids control would be addressed by planting permanent vegetation to create grass-lined drainage. The ditches would accept roadway runoff as sheet flow and filter it along the front slopes and the bottoms of the ditches. Because TCEQ's recommended BMPs would be implemented to prevent any degradation to water quality as a result of either alternative, long-term water quality effects are not anticipated.

Texas Pollutant Discharge Elimination System
The Preferred Alternative would disturb more than one acre of land.

Mitigation Commitment: TxDOT is required to comply with the TCEQ - Texas Pollutant Discharge Elimination System General Permit for Construction Activity. The project would disturb more than five acres; therefore, a Notice of Intent (NOI) would be filed to comply with TCEQ stating that TxDOT would have a Storm Water Pollution Prevention Plan (SW3P) in place during construction of the proposed project. This SW3P utilizes the temporary control measures as outlined in the Department's manual "Standard Specifications for the Construction of Highways, Streets, and Bridges". Effects would be minimized by avoiding work by construction equipment directly in the stream channels and/or adjacent areas. No long-term water quality impacts are expected.

In addition, the proposed project operates within a Municipal Separate Storm Sewer System (MS4) (Phase II) area; therefore, a Phase II MS4 Permit is required for construction activity and the contractor would need to coordinate the proposed project with the appropriate MS4 operator and the TCEQ prior to any discharge into the MS4 system.

The contractor would take appropriate measures to prevent, minimize, and control the spill of fuels, lubricants, and hazardous materials in the construction staging area. All

materials being removed and/or disposed of by the contractor would be done in accordance with state and federal laws and by the approval of the Project Engineer.

Groundwater

No adverse effects to the quality and quantity of groundwater in the project area are expected. Subsurface water would not be required.

Mitigation Commitment: TxDOT will ensure that any existing wells encountered during construction or located on properties potentially requiring acquisition would be sealed utilizing currently accepted methods to protect local groundwater quality.

Floodplains

Avoidance of floodplains for the alternative alignment analysis, with the exception of the No Build Alternative, is not possible because the watercourses in the study area run relatively perpendicular to SH 146 and traverse the entire study area. The Build Alternative's four-lane express facility is on bridge structure; therefore, impacts to the floodplain are minimal.

The hydraulic design practices for this project would be in accordance with current TxDOT design policy and standards. The hydraulic design of the roadway would be done with the most recent floodplain data that is available for use. The final hydraulic design would be done in accordance with the applicable federal, state, and local policies, and in accordance with 23 CFR 650.113. Policy III in Section 1.3.3 of the HCFCD Policy Criteria and Procedure Manual, October 2004, states that "projects by others shall avoid increasing flood risks or flood hazards or creating new flood hazard areas." The highway facility would permit conveyance of the 100-year flood levels, inundation of the roadway being acceptable, without causing significant damage to the highway, stream, or other property. Harris and Galveston Counties and the communities of Seabrook and Kemah are participants in the National Flood Insurance Program. Approximately 23 acres of 100-year flood plain occur within the Preferred Alternative ROW.

In accordance with 23CFR Section 650.113, the FHWA shall not approve a proposed action which includes a significant floodplain encroachment unless it finds that the proposed encroachment is the only practicable alternative.

Here, FHWA has determined that the project's reasonable alternative crosses a floodplain. Avoidance of the floodplain was not possible as the watercourse in the project area runs relatively perpendicular to the proposed project.

The FHWA has determined that the Selected Alternative is the only practicable alternative which meets the purpose and need for this project. The Selected Alternative also conforms to applicable State and local floodplain protection standards as described in the EA.

Mitigation Commitment: Coordination with the local floodplain administrator would be required.

Coastal Management Program

The Preferred Alternative is located within a coastal county and within the Texas Coastal Management Program (CMP) boundary; therefore, the Texas CMP applies to the proposed project.

It is not anticipated that the Preferred Alternative would have an adverse effect to coastal resources. The Preferred Alternative is consistent with the goals and policies of the Texas CMP (§501.31 of the Texas Administrative Code {TAC}) and would not constitute a major action.

Mitigation Commitment: No mitigation is required or recommended.

Waters of the U.S. including Wetlands

The Preferred Alternative would require USACE authorization under Section 404 of the Clean Water Act prior to the discharge of fill materials into waters of the U.S., including wetlands. The Preferred Alternative would affect more than the allowable threshold acreages in tidal and non-tidal waters to qualify for a Nationwide Permit; therefore, a USACE Section 404 Individual Permit would be required. It is likely that the Preferred Alternative would involve the discharge of dredged or fill materials into greater than 0.5 acre of non-tidal water bodies and greater than 0.33 acre of tidally-influenced water bodies. Additionally, because a navigable waterway (Clear Creek) lies within an area traversed by the proposed project, permitting under Section 10 (administrated by the USACE) of the Rivers and Harbors Act is anticipated.

Mitigation Commitments: All appropriate permits, including Section 404 and Section 10, would be acquired by TxDOT prior to construction. TxDOT will coordinate with the USACE to obtain a Section 404 Individual Permit in order to construct the project. A review of USACE requirements would be conducted as design plans are finalized. Compensatory mitigation for Section 404 effects would be coordinated with the USACE and performed in accordance with the terms of the approved permits.

Potential Mitigation for the 404 Permit

In accordance with the provisions of Section 404(b)(1) Guidelines, an applicant must demonstrate that the proposed project has avoided and minimized effects to waters of the U.S., including wetlands, to the greatest extent practicable before compensatory mitigation can be proposed. A majority of the proposed project has been aligned immediately adjacent to the existing ROW, thus avoiding and minimizing effects to surrounding areas to the greatest extent practicable.

Restoring minor wetlands within the ROW is not generally compatible with TxDOT goals, where shedding water from the road is essential to prevent hazards during precipitation events. On-site mitigation within the ROW is not feasible due to the long-term commitments associated with mitigation sites, and placement of a mitigation area within the proposed ROW would effectively prohibit the use of the site for future projects. Mitigation for effects to non-jurisdictional wetlands is not required by the CWA.

Several mitigation options may be available to compensate for unavoidable effects associated with the proposed project. These options include in-lieu fee (ILF) agreements, mitigation banking, and preservation/conservation off-site. TxDOT and FHWA guidance recommends mitigation banking be used for mitigation as much as practicable, then ILF agreements, and then other options such as restoration, enhancement, creation, preservation, and/or conservation.

Mitigation banking options available include the use of the Coastal Bottomlands Mitigation Bank available for use by TxDOT, and the Greens Bayou Wetland Mitigation Bank administered by the HCFCD. The ILF options available include the Armand Bayou Nature Center, Galveston Bay Foundation, and The Nature Conservancy of Texas.

Coordination with the USACE and other agencies would be conducted to determine whether any of the options listed above are feasible and reasonable to compensate for the proposed project effects.

Vegetation

Clearing, grading, and other roadbed preparation activities associated with construction of the Build Alternative would permanently or temporarily affect less than 14.63 acres of natural vegetation within the existing and proposed ROW. These natural vegetation communities include aquatic features, tidally influenced marshes, periodically inundated wetlands (including jurisdictional and non-jurisdictional aquatic resources), and upland forest. The vegetated portions of the existing and proposed ROW would be converted to maintained ROW, excavated for the installation of culvert extensions and bridge crossings, or cleared, graded, and paved to accommodate construction.

Mitigation Commitment: No mitigation is required or recommended. If applicable, TxDOT would consult with TPWD to determine mitigation requirements for regulated wildlife habitats affected by the proposed project.

Wildlife

Given that the proposed project is along an existing transportation corridor, no new barriers to wildlife movement would be introduced. Instead, construction of the Preferred Alternative may broaden or widen existing barriers resulting in permanent and temporary effects to wildlife habitat. Temporary effects to wildlife habitat include the decreased attractiveness of habitat adjacent to the project corridor as well as possible disturbances to normal behavior patterns on wildlife as a result of increased noise levels due to construction activities.

The Preferred Alternative is expected to result in permanent effects on wildlife habitat, including small amounts of habitat loss through its conversion to transportation infrastructure and maintained ROW. Wildlife in the study area has and would continue to be slowly dominated by species that are better able to adapt to a disturbed physical environment and could tolerate possible disturbances from the proposed project. The potential loss or displacement of wildlife populations into adjacent habitats could

increase competition for food and shelter for many resident and migratory species. Although construction of the Build Alternative could remove and/or convert habitat and therefore, displace wildlife in certain areas, habitat loss and the resulting effects on wildlife are expected to be less than 14.63 acres.

Mitigation Commitment: Adjacent wildlife habitats would be protected from stormwater runoff by implementing BMPs under the SW3P, which would provide erosion and sedimentation control. Additionally, the contractor would be notified about and be responsible for complying with the Migratory Bird Treaty Act (MBTA) for migratory birds that may inhabit the study area throughout the duration of the construction project.

Threatened and Endangered Species

No threatened or endangered species were observed during field investigations. The FHWA has determined that the Preferred Alternative will have no effect to threatened or endangered species.

Mitigation Commitment: No mitigation is required or recommended.

Migratory Birds

The Preferred Alternative is not expected to affect the migration patterns of any migratory species.

Mitigation Commitment: In the event that migratory birds or their nests are observed prior to construction activities, measures would be taken to avoid harm to migratory birds, their nests, eggs, or young. To ensure compliance with the Migratory Bird Treaty Act (MBTA), clearing vegetation and work within the project area would be conducted outside of the normal nesting season (April 1 to July 15) or measures would be taken to discourage birds from nesting in existing structures.

Essential Fish Habitat

The Preferred Alternative will be designed to avoid and minimize effects to Clear Lake to the greatest extent practicable. The Preferred Alternative would have only minimal effects to EFH.

These effects would occur during the installation or demolition of bridge columns or pilings, embankment fill, or culvert extensions, as appropriate. Construction activities may temporarily increase sedimentation and turbidity of the water bodies in the immediate area and for a short distance downstream. To minimize effects, Best Management Practices (BMPs) would be used to reduce potential turbidity and sedimentation. Since the proposed bridge structures would not change existing channel widths and water bodies would be restored to pre-construction conditions, these effects would be temporary and would not result in long-term effects to EFH. Construction activities may temporarily disturb bottom sediments, increasing turbidity in the water column, which could discourage habitat utilization by brown and white shrimp.

Mitigation Commitment: To minimize effects, Best Management Practices (BMPs) will be used to reduce potential turbidity and sedimentation.

Cultural Resources

Archeological Resources

The probability of any significant archeological resources remaining in the area of potential effects of the Preferred Alternative was evaluated as very low. No further archeological resource investigations are recommended.

Mitigation Commitment: No mitigation is required or recommended.

Historic Structures

TxDOT has consulted with the Texas State Historic Preservation Officer (SHPO) to finalize the determination of eligibility for historic resources identified within the project's APE. Based on the previously coordinated historical resources survey for the larger SH 146 widening project from Fairmont Parkway to SH 3, the SHPO concurred with the eligibility determinations for historic resources and there would be no adverse effect to historic resources as a result of implementation of the Preferred Alternative.

Mitigation Commitment: No mitigation is required or recommended.

Parkland and Section 4(f) / 6(f) Properties

The Preferred Alternative will not require the use of any publicly owned land from a public park, recreation area, wildlife/waterfowl refuge, or any significant historic site.

The following discussion addresses the presence of Mohrhusen Park within the vicinity of the proposed project, but was not evaluated in the EA. The park is located in the northwest corner of 2nd Street and Cook Street and is owned and operated by the City of Seabrook. Mohrhusen Park is a small, urban pocket park that has a single table with surrounding benches, two benches near a waist high monument, two benches under a trellis, a fountain, a flower garden area and a walkway amidst painted pelican statues.

Environmental Consequences

The No Build Alternative would have no effect to the Mohrhusen Park.

The Build Alternative would not require the use of Mohrhusen Park. Due to the proximity of the proposed project to the park, existing and predicted traffic noise levels were modeled (see Table 22 in the EA). The proposed project would result in traffic noise impacts to the park (receptor [R21]) and noise abatement measures were considered as indicated in the EA. The change in noise levels was a +8 dBA. With approximately 3,550 peak hour vehicles driving by it on 2nd Street in the design year, it is likely more "noise-influenced" by the local traffic than by the proposed SH 146 improvements. To confirm this information, a rerun of this analysis without the SH 146 traffic noise was performed

for the design year condition. The results produced a sound level contribution of 70.9 dBA (unrounded) from just the 2nd Street traffic. The unrounded total from all sources is 72.4 dBA.

After accomplishing additional coordination with the City of Seabrook, a letter dated on the 8th of July, 2013 (Appendix A) from the City was received indicating that the proposed project would not result in substantial impairment to the property's activities, features, or attributes that qualify the property for protection under Section 4(f).

Based on a review of the noise impact analyses, the FHWA has determined that the Preferred Alternative will not result in a constructive use of the Mohrhusen Park or other Section 4(f) properties. Therefore, neither a Section 4(f) nor a 6(f) evaluation is required.

Mitigation Commitment: No mitigation is required or recommended.

Summary of Cumulative and Indirect Impacts

The region (including Harris and Galveston Counties as well as the City's of Seabrook, Kemah, and League City) considered in this cumulative and indirect impact analysis is expected to continue with the existing trend of urbanization. While the Preferred Alternative is expected cause both adverse and beneficial effects from induced development, implementation of the proposed project and its resulting effects is a relatively small addition to what would happen under the No Build Alternative. Overall, the anticipated indirect and cumulative impacts to the resources evaluated in this analysis are not likely to be substantial.

Monitoring or Enforcement

All commitments and conditions of approval stated in the EA will be monitored by TxDOT and other appropriate state, federal and local agencies to ensure compliance.

Summary

Table 1: Summary of Environmental Constraints

Environmental Constraints	Units	Preferred Alternative	
		Impacts	Mitigation Commitments
Land Use (within ROW)			
Commercial	Acres	7.23	No mitigation is required or recommended.
Municipal	Acres	0.03	
Places of Worship	Acres	0.50	
Residential	Acres	0.56	
Southern Pacific Railroad	Acres	25.41	
Industrial	Acres	0.36	
Utility	Acres	3.21	
Adjacent Transportation Uses	Acres	1.90	
Vacant	Acres	0.01	No mitigation is required or recommended.
Water	Acres	2.53	
Unclassified	Acres	3.26	
Total	Acres	45	
Relocations and ROW Acquisition			
Potential Partially Impacted Properties	Number	12	Access to any residences or use of any commercial and industrial area would be maintained at all times during and after project construction. The project would be in compliance with URARPAA Policies of 1970 and Other Applicable Standards.
Relocations	Number	52	
Community Cohesion			
Distinct neighborhoods, ethnic groups, or other specific groups	Effect	No	No mitigation is required or recommended.
Travel Patterns and Safety			
Travel Patterns and Safety	Effect	No	As per an agreement between the City of Seabrook and TxDOT, a shared use path would be constructed along the Centerpoint Energy high-line corridor that bisects the City of Seabrook, north to south, and parallel to the SH 146 alignment. The shared use path within the City of Seabrook is to be constructed independently by the City of Seabrook.
Environmental Justice Populations			
Minority and/or low-income populations	Effect	No	No mitigation is required or recommended.
Soils and Farmlands			
Prime Farmlands Soils Within ROW	Acres	0	TxDOT coordinated with NRCS. No mitigation is required or recommended.
Air Quality			
Air Quality	Effect	No	No mitigation is required or recommended. The widening of SH 146 from Red Bluff to FM 518 (CSJ: 0389-05-088) is included in and consistent with the H-GAC financially constrained 2035 RTP Update, 2013-2016 TIP, Appendix D, page 37, which was adopted April 27, 2012.
MSATs: Sensitive Receptors	Number	6	No mitigation is required or recommended.
Traffic Noise			
Noise Wall	Yes/No	No	Noise abatement measures for the impacted receivers were determined to not be feasible and reasonable; therefore, no abatement measures are proposed for this project.

Table 1: Summary of Environmental Constraints (Cont.)

Environmental Constraints	Units	Preferred Alternative	
		Impacts	Mitigation Commitments
Hazardous Materials			
Potential Hazardous Waste Sites Within ROW	Number	8	During final design, additional investigations would be required to confirm if contamination would be encountered during construction from this site or other potential hazardous material sites located up gradient from the roadway and/or outside of the proposed ROW. Furthermore, the contractor would take appropriate measures to prevent, minimize and control the spill of fuels, lubricants, and hazardous materials in the construction staging area. All materials being removed and/or disposed of by the contractor would be done so in accordance to state and federal laws and by the approval of the Project Engineer.
Water Quality			
Impaired Waters	Number	2	Because Segments 2421 and 2425B are classified as Section 303(d) waters, TxDOT will coordinate the proposed project with the TCEQ per the Memorandum of Understanding (§2.23); however, no mitigation is proposed because there are no specified tools or BMPs that can effectively address water quality concerns related to elevated levels of bacteria and PCBs and dioxin found in edible tissue.
Additional Impervious Cover	Acres	83	
Texas Pollutant Discharge Elimination System	Effects	Yes	TxDOT is required to comply with the TCEQ - TPDES General Permit for Construction Activity because the project would disturb more than one acre. TxDOT will have a SW3P in place during construction. TxDOT will ensure that appropriate measures are taken to prevent, minimize, and control the spill of fuels, lubricants, and hazardous materials in the construction staging area. All materials being removed and/or disposed of by the contractor would be done in accordance to state and federal laws and by the approval of the TXDOT Project Engineer.
Groundwater			
Groundwater	Effect	No	TxDOT will ensure that any existing wells encountered during construction or located on properties potentially requiring acquisition would be sealed utilizing currently accepted methods to protect local groundwater quality.
Floodplain Impacts (within ROW)			
100-year Floodplain Area	Acres	23	Coordination with the local floodplain administrator would be required.
Coastal Management Program			
Coastal Resources	Effect	No	No mitigation is required or recommended.
Waters of the U.S., including Wetlands			
Wetlands (approximate impacts)	Acres	2.36	All appropriate permits including Section 404 and Section 10 would be acquired by TxDOT prior to construction. TxDOT will coordinate with USACE to obtain a Section 404 Individual Permit in order to construct the project. A review of USACE requirements would be conducted as design plans are finalized. Compensatory mitigation for Section 404 effects would be coordinated with the USACE and performed in accordance with the terms of the approved permits.
Water of the U.S (approximate impacts)	Acres	15.66	
Vegetation			
Aquatic Feature	Acres	<12.00	No mitigation is required or recommended. If applicable, TxDOT would consult with TPWD to determine mitigation requirements for regulated wildlife habitats affected by the proposed project.
Tidally Influenced Marshes	Acres	0.76	
Periodically Inundated Wetlands	Acres	1.80	
Upland Forest	Acres	0.07	

Table 1: Summary of Environmental Constraints (Cont.)

Threatened and Endangered Species / Wildlife			
Threatened and Endangered Species / Wildlife	Effect	No	No mitigation is required or recommended.
Migratory Birds	Effect	No	In the event that migratory birds or their nests are observed prior to construction activities, measures would be taken to avoid harm to migratory birds, their nests, eggs, or young. To ensure compliance with the MBTA, clearing vegetation and work within the project area would be conducted outside of the normal nesting season (April 1 to July 15) or measures would be taken to discourage birds from nesting in existing structures.
Essential Fish Habitat			
Essential Fish Habitat	Effect	Minimal	To minimize effects, BMPs would be used to reduce potential turbidity and sedimentation.
Cultural Impacts			
Archeological Resources	Effect	No	No mitigation is required or recommended.
Historic Structures	Effect	No	No mitigation is required or recommended.
Parkland and Section 4(f) / 6(f) Properties			
Parks Impacts	Number	0	No mitigation is required or recommended.

FHWA DECISION

FHWA has reviewed all the relevant documents and materials and all of the previous environmental studies and findings. Based upon our own independent review and evaluation we find that the revised EA dated May 2013, analyzed and considered all the relevant potential environmental impacts and issues. FHWA concurs with the findings made in the EA in that:

(1) the Preferred Alternative identified in the document best meets the need for and purpose of the project,

(2) the widening of SH 146 from Red Bluff to FM 518 (CSJs: 0389-05-088, 0389-05-116 & 0389-06-095) is included in and consistent with the H-GAC financially constrained 2035 RTP Update, 2013-2016 TIP, Appendix D, page 37, which was adopted April 27, 2012, and

(3) the Preferred Alternative would have no significant impacts on the quality of the human or natural environment under NEPA.

Therefore, the Preferred Alternative would not result in significant impacts to the quality of the human or natural environment under the NEPA.

Based upon our own agency review and consideration of the analysis and evaluation contained in the EA for this project, and after further careful consideration of all social, economic, and environmental factors, including input from the public involvement process, FHWA hereby issues this Finding of No Significant Impact for the SH 146 reconstruction project from Red Bluff to FM 518. .

As to project mitigation, TxDOT is hereby required to ensure completion of all mitigation outlined above and set out specifically in the in the revised EA Dated May 2013. TxDOT is also required to ensure that any and all local, state, or federal permit requirements and conditions are met and otherwise complied with.

For Federal Highway Administration

8/01/2013
Date

Appendix A:

1. City of Seabrook Coordination

SEABROOK

8 July 2013

Mr. Pat Henry, PE
Texas Department of Transportation
Post Office Box 1386
Houston, TX 77251-1386

RE: **Finding of No Significant Impact for Mohrhusen Park, Seabrook, TX**
Project 23 CFR 744.15

Dear. Mr. Henry:

Regarding the anticipated improvements to State Highway 146, we can foresee no impact to the activities, attributes or features of Mohrhusen Park. The project itself will not be contiguous to this small, urban, pocket park and the staff and I can foresee no interruption in the operation or function of the park that will be brought on by either temporarily by the construction or permanently by the actual highway improvements.

Please feel free to contact me if you need any additional information related to this matter.

Best regards,

Kelly E. Templin
City Manager

1700 First Street, Seabrook TX 77586 281.291.5600 ph 281.291.5690 fax www.seabrooktx.gov