



Virtual Public Hearing Pre-Recorded Video Presentation

Farm-to-Market (FM) 565 Improvement Project
From State Highway (SH) 99 to SH 146

Chambers County, Texas

CSJ: 1024-01-077

Public Hearing Date: Tuesday, May 21, 2024

The Texas Department of Transportation, Beaumont District, would like to welcome you to this virtual public hearing with an in-person option. This presentation will provide information on the proposed Farm-to-Market 565 project from State Highway 99 to State Highway 146 in Chambers County, Texas. This is a pre-recorded presentation. We would like to thank you for participating in this public hearing.

Please note, for the virtual public hearing, you can pause this presentation at any point to allow more time to view the slides or view other documents on the website.



National Environmental Policy Act (NEPA) Assignment to the Texas Department of Transportation

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 Dec. 9, 2019, and executed by FHWA and TxDOT.

This project is anticipated to receive federal funds, and because of the federal component, TxDOT is required to assess the potential environmental effects of the proposed project in accordance with Federal standards. The process that is followed is called the National Environmental Policy Act process, otherwise known as NEPA. The NEPA process provides analyses of the potential impacts to the natural and manmade environment and helps the decision maker to make an informed decision on whether or not to proceed with the project. On Dec. 9, 2019, TxDOT received a signed Memorandum of Understanding from the Federal Highway Administration that permits TxDOT to assume responsibility from the Federal Highway Administration for reviewing and approving certain assigned NEPA projects. This review and approval process applies to this project.



HELP #EndTheStreakTX

End the streak of daily deaths on Texas roadways.



[TxDOT.gov](https://www.txdot.gov) (Keyword: #EndTheStreakTX)

#EndTheStreakTX Toolkit

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November 7, 2000, was the last deathless day on roadways in Texas. That means for more than 23 years, at least one person has died every single day. We all have a part to play to change that. This message is that reminder – to End the Streak of deaths on Texas highways. We need drivers and passengers to act more responsibly and help us reach our goal of zero deaths by 2050. Texans can play a major role in ending fatal crashes with a few simple driving habits: wear seatbelts, drive the speed limit, put away the phone and other distractions, and never drive under the influence of alcohol or drugs. So please do your part and share this message with your friends and family.

Virtual Public Hearing Agenda



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In this presentation, I will first outline the notification process leading up to this public hearing.

Then, I will provide an overview of the project, followed by an environmental overview concerning the project.

Afterwards, I will discuss the Project schedule and next steps, and lastly, inform you how to submit written and verbal comments.

Outreach and Notification Methods



Information was posted on the TxDOT website on Monday, May 6, 2024



Social Media posts were made on TxDOT X, Facebook, and Nextdoor pages



Elected Official Letters were sent by mail on Tuesday, April 16, 2024



Notices were mailed directly to adjacent property owners and local schools, emergency services, and neighborhood associations on Monday, April 29, 2024



A notice in English and Spanish was published in the *Baytown Sun* on Tuesday, May 7, 2024
A notice in Spanish was published in *La Prensa de Houston* from Sunday, May 5, 2024, to Saturday, May 11, 2024



Changeable message boards with meeting information were placed along FM 565 from Friday, May 17, 2024, to Tuesday, May 21, 2024

In preparation for this public hearing, notices in both English and Spanish were published on the TxDOT webpage on Monday, May 6, 2024.

Links to the meeting notice were posted on the TxDOT Facebook page, the TxDOT Beaumont District X page, and on Nextdoor.

Elected officials were notified of this public hearing by mail on Tuesday, April 16, 2024.

Notices in both English and Spanish, along with project location maps, were then mailed to adjacent landowners on Monday, April 29, 2024.

The notice in English and Spanish was also published in the *Baytown Sun* on Tuesday, May 7, 2024. *La Prensa de Houston* published the notice in Spanish on Sunday May 5, 2024, to Saturday, May 11, 2024.

TxDOT advertised the meeting on roadside variable message signs along FM 565 from Friday, May 17, 2024, to Tuesday, May 21, 2024.

Recommended Alternative: Project Overview



- The proposed improvements to the approximately 2.9-mile-long project include:
 - Widen the existing two-lane roadway to two 12-foot travel lanes in each direction separated by a 16-foot raised median (with periodic left turn lanes) and 10-foot outside shoulders
 - A new Farm to Market (FM) 565 bridge is proposed to overpass the Union Pacific Railroad (UPRR) crossing
- The project is estimated to cost \$63 million and is fully funded

Following the Public meeting in December 2021, TxDOT selected alternative 5B as the recommended alternative based on the public comments received.

The overall proposed improvements to the approximately 2.9-mile-long project include: Reconstructing, realigning, and widening the existing two-lane roadway to accommodate two 12-foot travel lanes in each direction.

Adding a four-lane divided roadway with shoulders and a median.

Adding a new FM 565 bridge to overpass the Union Pacific Railroad (UPRR) crossing.

The project is estimated to cost \$63 million and is fully funded.

Why is the Proposed Project Needed?



- FM 565 is inadequate to meet current and future traffic, resulting in congestion and reduced mobility
- The existing roadway does not have designated turn lanes and does not meet current design standards
- Increasing congestion at the UPRR crossing causes decreased response time of emergency vehicles

Traffic Prediction*

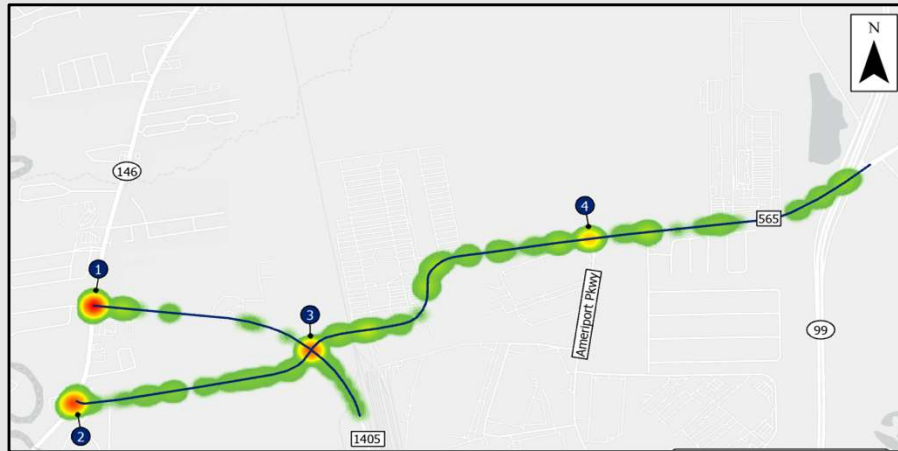
Projected (2028)		20,250 vehicles per day
Projected (2048)		26,650 vehicles per day
Projected (2058)		29,600 vehicles per day

* Traffic volumes were generated by the TxDOT Transportation Planning and Programming Division.

Let's first walk through the needs that have been identified along the corridor.

Currently motorists traveling on FM 565 experience elevated levels of traffic congestion between State Highways 99 and 146, which decreases operational efficiency and safety, and does not meet current and future traffic demands. The existing roadway does not have designated turn lanes and does not meet current design standards, and because of these designs and increased congestion, there is a decreased response time of emergency vehicles in the vicinity.

Where are crashes occurring along FM 565 and FM 1405?



Crash Density (2016 - 2020)

Fewer Crashes
More Crashes

Crash Locations

- 1 SH 146 and FM 1405 (40 crashes)
- 2 SH 146 and FM 565 (35 crashes)
- 3 FM 1405 and FM 565 (33 crashes)
- 4 FM 565 and Ameriport Pkwy (19 crashes)

This image depicts the existing crashes along FM 565 and FM 1405 in a heat map. In these maps, bright red indicates a high density of crashes.

According to data collected between 2016 and 2020, crashes along the corridor were concentrated at the following intersections: SH 146 and FM 1405 Intersection with 40 crashes, SH 146 and FM 565 Intersection with 35 crashes, FM 1405 and FM 565 Intersection with 33 crashes, and FM 565 and Ameriport Parkway Intersection with 19 crashes.

Next, we would like to provide you with a summary of our public involvement efforts – giving you a quick look at how TxDOT used public feedback to guide the decision-making process.

Online Comment Opportunity – August 2, 2019, to September 6, 2019



Online Comment Opportunity :

- 804 Total Page views with 559 unique visitors
- 17 written comments were received
- Public feedback included:
 - Support for UPRR Bridge
 - Property impact concerns
- Based on feedback, TxDOT:
 - Identified two potential alternatives for further study
 - Reviewed and revised/minimized property impacts where possible

The online comment report
is available online at
www.txdot.gov

TxDOT previously solicited the public's continued input regarding proposed alternatives through an online engagement survey, which was live from Aug. 2, 2019, to Sep. 6, 2019. During this timeframe, the webpage had 804 total views, with 559 unique visitors.

The purpose of the online engagement was to receive feedback from stakeholders and the community along the FM 565 corridor to assist TxDOT in making the selection of a recommended alternative. The alternatives presented included: 1) a crossing of the UPRR within existing ROW with a new FM 1405 intersection north of the existing intersection; 2) crossing of the UPRR on new right-of-way with a new FM 1405 intersection north of the existing intersection; and 3) a crossing of the UPRR on new right-of-way with a new FM 1405 intersection west of the existing intersection.

TxDOT received 17 comments from the public as part of the first public meeting outreach effort. TxDOT used this feedback to identify two potential options, which were both variations of Alternative 1. In addition, TxDOT received feedback regarding property impact concerns in the project area. In response, TxDOT reviewed areas of concern and identified solutions to minimize impacts.

Project Alternatives as of December 2021: FM 565 and FM 1405 Intersection



- Alternative 4B, in blue, would move the intersection of FM 565 and FM 1405 further to the west
- Alternative 5B, in green, would re-route FM 565 traffic to SH 146 by way of FM 1405

As a result of public feedback received in the August 2019 online comment opportunity, the project was revised to include two alternative intersections of FM 565 and FM 1405. The intersection must be moved further to the west so the bridge over the UPRR has room to safely reach existing ground level.

On December 9, 2021, the following alternatives were presented to the public in a virtual public meeting with an in-person option:

Alternative 4B, in blue, would move the intersection of FM 565 and FM 1405 further to the west.

Alternative 5B, in green, would re-route FM 565 traffic to SH 146 by way of FM 1405.

Virtual public meeting with in-person option – December 9, 2021



Virtual public meeting :

- 20 comments received
- Public feedback included:
 - Higher public support for 5B over 4B
 - Property and work-related impact concerns
 - Positive feedback for increased number of lanes
- Based on feedback, TxDOT:
 - Reviewed property and work-related impacts
 - Selected 5B as the recommended alternative from the two alternatives
 - Concerns about the project were reviewed and shared with the TxDOT area office

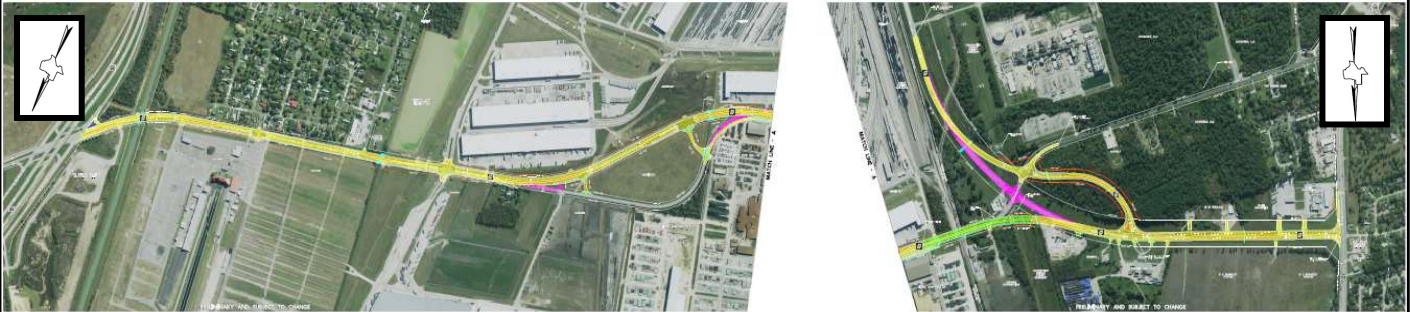
All comments included
December 2021/January 2022
public meeting comment report
are available online at
www.txdot.gov

TxDOT solicited the public's continued input regarding proposed alternatives through an online engagement survey, which was live from December 9, 2021, to January 7, 2022.

The purpose of the engagement was to receive feedback from stakeholders and the community along the FM 565 corridor to assist TxDOT in making the selection of the two preferred alternatives. The alternatives presented included: 1) Alternative 4B, which would move the intersection of FM 565 and FM 1405 further to the west. 2) Alternative 5B, which would re-route FM 565 traffic to SH 146 by way of FM 1405.

TxDOT received 20 comments from the public as part of the first public meeting outreach effort. Out of the individuals who selected an option, 5B had more support over 4B. TxDOT used this feedback to the Recommended Alternative 5B. In addition, TxDOT received feedback regarding property and work-related impact concerns in the project area. In response, TxDOT reviewed and forwarded areas of concern in the area to minimize impacts and identify solutions.

Schematic Detail: FM 565, SH 99 to SH 146 Recommended Alternative 5B



LEGEND

	EXISTING ROW		PROPOSED PAVEMENT
	PROPOSED ROW		PROPOSED BRIDGE
	CONTROL OF ACCESS		PROPOSED MEDIANS
	CONSTRUCTION EASEMENT		EXISTING ROADWAY TO REMAIN
	RETAINING WALL		PROPOSED BIKE PATH
	PROPOSED TRAFFIC ARROW		EXISTING PAVEMENT TO BE REMOVED

ROW : RIGHT OF WAY

Following the Public Meeting Comment period in December 2021, Alternative 5B was selected as the recommended alternative.

Here is a screenshot of the schematic design plan for 5B.

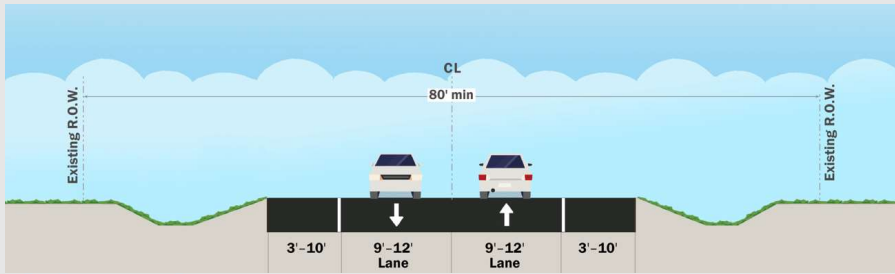
Below the schematic design plan is a screenshot of the legend for the schematics that you can find on the website. This legend is included on each page of the schematics so you can reference it as you review the schematics.

The schematic design and profile sheet are available online at txdot.gov, keyword search "FM 565 Chambers County" and at the in-person public hearing option for detailed review.

Existing Roadway Design vs. the Proposed Roadway Design

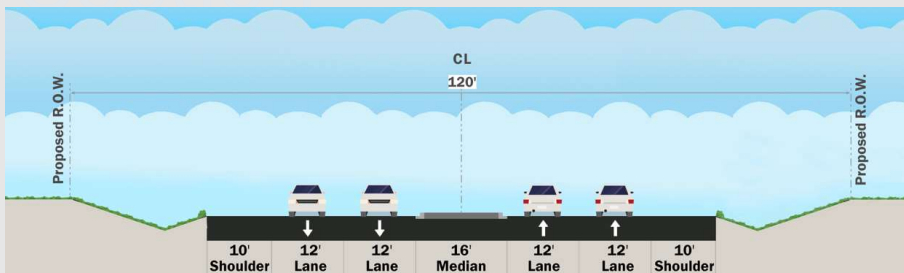


Existing Typical Section



- One 9- to 12-foot-wide lane in each direction
- 3- to 10-foot-wide shoulders
- Located within a right-of-way (ROW) of approximately 80 feet

Proposed Typical Section



- Two 12-foot-wide lanes in each direction
- A 16-foot raised median
- 10-foot-wide shoulders
- Located within a typical ROW width of 120 feet

Let's talk about the proposed design.

Within the project limits, FM 565 is a two-lane, undivided highway with one nine to twelve-foot-wide travel lane in each direction, with three to ten-foot-wide outside shoulders. The typical right of way width is approximately 80 feet. There are currently no bicycle or pedestrian facilities within the project limits.

The proposed typical section illustrates how the roadway would look in the future once the project is complete. The roadway would consist of two 12-foot-wide main lanes in each direction separated by a 16-foot-wide raised median, and ten-foot-wide shoulders to provide access for emergency vehicles. Adding the additional travel lanes and shoulder space would require a typical right-of-way width of 120 feet.










Environmental Analysis



The environmental studies that were performed, identified, and assessed the potential impacts by the proposed project to the natural and human environment include: air quality, archeological resources, non-archeological historic properties, community impact assessment, biological resources including threatened and endangered species and vegetation types, hazardous materials, indirect and cumulative impacts, traffic noise, water resources, as well as Section 4(f) and Section 6(f) resources. Section 4(f) of the U.S. Department of Transportation Act protects publicly owned parks, recreation areas, wildlife and waterfowl refuges, and historic sites. Section 6(f) of the Land and Water Conservation Fund Act (LWCF) protects property acquired or developed with LWCF funds for use as public outdoor recreation.

Environmental Assessment – Alternative 5B



CRITERIA	BUILD	NO BUILD
Proposed ROW (Acres)	 15.5	0
Potential Displacements	 0	0
Waters of the U.S. including Wetlands (Acres)	 0.047 acres of wetlands permanently impacted 363 linear feet of streams permanently impacted	0
100-Year Floodplain (Acres)	 Approximately 16 acres. No significant encroachment on floodplains	No
Federal or State-Listed Threatened Species	 Monarch Butterfly <i>Danaus plexippus</i> (Current Status Candidate Species): May Affect 1 Proposed Endangered Species: Potential Habitat (Tri-Colored Bat <i>Perimyotis subflavus</i>) 17 Species of Greatest Conservation Need: May Impact Appropriate Best Management Practices would be applied	No
Archeological Resources	 Archeological survey determined no historic properties would be impacted by the improvements	No
Historic Resources	 1 National Register-eligible property is located on the north of FM 565; this resource would not be impacted by the improvements.	No
Air Quality Impacts	 No	No
Noise Impacts	 23 first-row receptors could experience noise impacts. One noise barrier has been evaluated as potentially reasonable and feasible. However, due to utilities at this location, the barrier is not constructible. Therefore, no noise mitigation is proposed.	No

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Now let's talk about the Environmental Assessment criteria for Alternative 5B.

The proposed right-of-way is 15.5 acres.

No displacements are anticipated under the recommended alternative.

0.047 acres of wetlands and 363 linear feet of Waters of the US would be permanently impacted. Mitigation is not required for impacts to wetlands and other Waters of the US.

Approximately 16 acres of floodplains would be within the project area, however, there would be no significant encroachment on the floodplains.

The proposed project has habitat for one candidate species, the monarch butterfly, and one proposed endangered species, the tri-colored bat. The proposed project may affect the monarch butterfly. If the species are listed prior to construction, TxDOT will coordinate with US Fish and Wildlife. 17 species of greatest conservation need may be impacted. Appropriate Best Management Practices would be applied for candidate species and species of Greatest Conservation Need.

Archeological surveys have been completed. It has been determined that no historic properties would be impacted by the improvements.

One national Register-eligible historic property is located north of FM 565; this resource would not be impacted by the improvements.

No air quality impacts are anticipated to result from the proposed project.

Twenty-three first-row residential receptors could experience noise impacts with the proposed project. One noise barrier was proposed in the traffic noise analysis as reasonable and feasible under TxDOT's Traffic Noise Analysis guidelines. However, based on utility conflicts at this location, the noise barrier is not constructible, and therefore no noise mitigation is proposed.

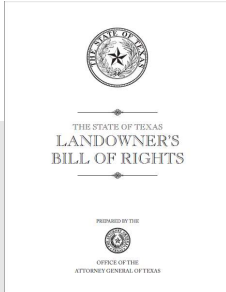
Right-of-Way (ROW) Acquisition Information



42 USC Ch. 61: UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES FOR FEDERAL AND FEDERALLY ASSISTED PROGRAMS
From Title 42—THE PUBLIC HEALTH AND WELFARE

CHAPTER 61—UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES FOR FEDERAL AND FEDERALLY ASSISTED PROGRAMS

		SUBCHAPTER I—GENERAL PROVISIONS
Sec.	Definitions.	
4601.	Effect upon property acquisition.	
4602.	Additional appropriations for moving costs, relocation benefits and other expenses	
4603.	Incurred in acquisition of lands for National Park System: waiver of benefits.	
4604.	Certification	
4605.	Displaced persons not eligible for assistance.	
		SUBCHAPTER II—UNIFORM RELOCATION ASSISTANCE
4621.	Declaration of findings and policy.	
4622.	Moving and related expenses.	



Uniform Act
Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Public Law 91-646)

Please visit www.txdot.gov for more information about the Uniform Act and TxDOT Relocation Assistance Program information

- Proposed ROW as well as construction and drainage easements are approximately 15.5 acres of new ROW with 77.4 acres of existing ROW.
- The proposed project would not displace residences or businesses.

Let's talk about the right-of-way acquisition process.

Additional right-of-way, as well as construction and drainage easements, are approximately 15.5 acres of new right-of-way with 77.4 acres of existing right-of-way.

The proposed project would not have residential or business displacements.

We invite you to review more information about the TxDOT Relocation Assistance Program concerning services and benefits for displaced persons and businesses if needed on the TxDOT website on www.txdot.gov.

Estimated Project Timeline*



WE ARE HERE



**Aug. 2, 2019,
to Sep. 6, 2019**

Online Engagement



**Dec. 9,
2021**

Virtual and
In-Person Public
Meeting



Ongoing

Schematic
Design and
Env. Studies



**Spring
2024**

Public Hearing
May 2024



**Fall
2024**

Targeted
Env.
Clearance



**Fall
2024**

Begin ROW
Acquisitions
and Utility
Adjustments



**Late
2026**

Construction
Begins



Ongoing Communication and Public Involvement



* Subject to Change

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We wanted to also highlight the estimated project timeline.

Look for the orange “We are here” arrow, which indicates where we are in the project process right now. Currently, design refinements are underway. A draft environmental document has been completed and is available for review during this public hearing. Following this hearing, public comments will be incorporated. Environmental clearance is anticipated in the Fall of 2024. Right-of-way acquisition and utility relocations would be initiated after environmental clearance and are expected to begin in the Fall of 2024. Construction is then anticipated to start late 2026. Construction communication will be provided on the Beaumont District X page, and we’ll feature more information about how to stay informed in just a few minutes.

How to Submit Your Comments



- **Email:** bmtprojects@txdot.gov
- **Mail:** Texas Department of Transportation,
Timothy Chern, P.E.
8350 Eastex Freeway Beaumont, TX 77708
- **Call:**
 - (832) 680-0978 to leave a recorded voicemail in English or Spanish from May 21, 2024, until June 5, 2024
 - (409) 898-5732 with any questions throughout the project development process

Comments must be received or postmarked by Wednesday, June 5, 2024, to be included in the public hearing summary report.

*For more information, visit www.TxDOT.gov
In the upper right-hand Search box, enter:
FM 565 - Chambers County*

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TxDOT is committed to continuing our efforts to gain public feedback about this project. We understand that this virtual public hearing format is a bit different, so let's take a few minutes and explain the comment process – the most important part of this video.

The Beaumont District is asking the public to provide their comments in the following ways:

Email your comments to: bmtprojects@txdot.gov

Mail your comments to:

Texas Department of Transportation

Timothy Chern, P.E.,

8350 Eastex Freeway

Beaumont, Texas 77708

Submit your comments online:

Visit www.txdot.gov

In the “Search” box in the upper-right hand corner, enter: FM 565 - Chambers County

Click on the “Submit Your Comments” button at the top right of the page, or click on the Email link at the bottom of the page

Call (832) 680-0978 to leave a recorded voicemail in Spanish or English. The comment line opens on Tuesday, May 21st at noon and closes on Wednesday, June 5th at 11:59 p.m.

If you would like your comments to be part of the official public hearing record, please be sure to submit your comments no later than Wednesday, June 5, 2024. The responses to your comments submitted during the comment period will be included in the online virtual public hearing summary report. This report will be posted to the TxDOT website as soon as it becomes available.

Call 409-898-5732 if you have any questions throughout the project development process.

We appreciate your understanding of this comment process.



Sign up for email updates by visiting www.txdot.gov and search keywords: **FM 565 - Chambers County**



Home / Projects / Projects and studies / Beaumont

FM 565 - Chambers County

TxDOT's Beaumont District is proposing to reconstruct FM 565 from SH 99 to SH 146 on the east side of Baytown in Chambers County, Texas.

Proposed benefits


The proposed project is anticipated to improve safety, enhance mobility and reduce congestion.

Proposed improvements

The approximately 2.9 mile project includes:

- Reconstructing, realigning, and widening the existing two-lane roadway to accommodate two 12-foot travel lanes in each direction
- Adding a 16-foot raised median and 10-foot outside shoulders
- Building a new FM 565 bridge overpass that would be constructed over the Union Pacific Railroad, eliminating the at-grade crossing
- Adding sidewalks in certain locations

The proposed project would, subject to final design considerations, require additional right of way and potentially displace two residential structures. The purpose of this project is to improve safety and mobility in the project area. FM 565 is inadequate to meet current and future traffic resulting in congestion and reduced mobility, does not have designated turn lanes and does not meet current design standards.



Subscribe to updates

Subscribe to Email Updates



We encourage the public to stay informed about the project in the following ways:

First, sign up to receive email updates. Visit www.txdot.gov and in the upper-right hand corner, enter: FM 565 - Chambers County in the search box. Click on the project page, and then submit your email address. When there is a project update, an email will be sent to you.

We also invite you to view the various project materials on the TxDOT website. For example, the detailed schematics allowing you to see the design alternatives in detail is available online now.

Quick Contacts – Engage TxDOT Online



- Contact the TxDOT Beaumont District office with any questions at: **(409) 898-5732**
- **Email:** bmtprojects@txdot.gov
- **Follow us:**
 - X @TxDOTBeaumont
 - Facebook @TxDOTBeaumontTX
 - Instagram @txdotbeaumont



Secondly, please don't hesitate to contact the Beaumont District office with any questions.

You can contact the Beaumont District by calling (409) 898-5732 or email bmtprojects@txdot.gov.

And don't forget to follow us on X, at TxDOT Beaumont for ongoing road closures, and construction updates on the Beaumont District X page. You can also keep up with TxDOT news on our TxDOT Facebook and Instagram pages.



Thank you for attending!

*Please submit your comments by
Wednesday, June 5, 2024.*

Thank you for attending this public hearing. Please remember to submit your comments no later than Wednesday, June 5, 2024, to be included in the official public hearing documentation.

This concludes the presentation.