



BE SAFE.
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PUBLIC HEARING IH 45 CENTRAL WALKER COUNTY

Segment 2A

Walker County, Texas



CSJs: 0675-07-097 and 0675-06-108

Thursday, August 9, 2018

Good evening. My name is **Doug Marino**. I am the **Director of Transportation Planning & Development** for the Texas Department of Transportation (TxDOT) – Bryan District.

Today is **Thursday, August 9, 2018** and the time is **6:XX pm**. On Behalf of TxDOT, I would like to thank you for your interest and participation in this public hearing. We would also like to thank **Walker County Storm Shelter** for the use of this facility.

Please silence all cell phones and electronic devices at this time.

As you entered tonight, you were asked to register at one of our sign-in tables. If you have not already done so, please register before you leave tonight, so that we have a record of your participation at this public hearing. Also, there will be a formal comment period at the end of the presentation.

You have had an opportunity to view the project exhibits located at the back of the room as part of the open house portion of tonight's meeting. These displays will be available for as long as we are here tonight and then they will continue to be available at our offices and on our project website. The web address can be found on the Bryan District information cards we have available this evening.

Please feel free to continue viewing the exhibits during this presentation.



Before we begin the technical presentation, I would like to welcome and recognize the elected officials who are in attendance tonight.

If there are any other elected officials present tonight, please raise your hand to be recognized. Each of you will be given the opportunity to speak prior to the public comment period.

Thank you.

NEPA Assignment

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

The TxDOT Bryan District conducted the environmental study and documentation for this IH 45 Segment 2A project in compliance with the National Environmental Policy Act (NEPA).

We are required to share the statement shown on this slide at all of our public outreach activities and environmental documentation. It's purpose is to notify the public and other agencies that the Federal Highway Administration (FHWA) has delegated some of its responsibilities to TxDOT when it comes to the environmental review and approval of certain types of transportation projects.

Meeting Information

- **Purpose of the Public Hearing:** To present the planned improvements and receive comments from the public
- **Options for Commenting:**
 - 1) Verbal comments will commence after the presentation
 - 2) Written comments can be placed in the comment box
 - 3) E-Mail comments to: <http://bit.ly/BryanComments>
 - 4) Mail comments to: Neal Riddle, P.E., Project Engineer
TxDOT Bryan District
2591 North Earl Rudder Freeway
Bryan, TX 77803

Deadline for comments: Friday, August 24, 2018

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The purpose of this public hearing is to present the project and then collect public comments to become a formal part of the environmental documentation. We are recording this hearing and will include a verbatim transcript of all that is said tonight in the final documentation. We will not respond to comments or questions during the comment period as part of TxDOT public hearing procedure, but we will be available to answer your questions once the hearing has adjourned.

There are several ways to comment on the proposed project. You may present your comments verbally here tonight. If you would like to speak for the public record, and have not filled out a speaker card, please pick up a speaker card from the sign-in table or from one of our staff members. Speakers will be called in the order in which they sign up. The verbal comment session will begin after we present the project information.

You may also submit your comments in writing. We have provided a comment box if you choose to leave your completed form tonight. Your comment forms may also be mailed or sent electronically to the addresses shown here and listed on the form.

All comments must be submitted or postmarked by Friday, August 24, 2018, to be part of the official public hearing record.

Both written and verbal comments will be considered equally. If you submit your comments in writing, it is not necessary to repeat your comments verbally.

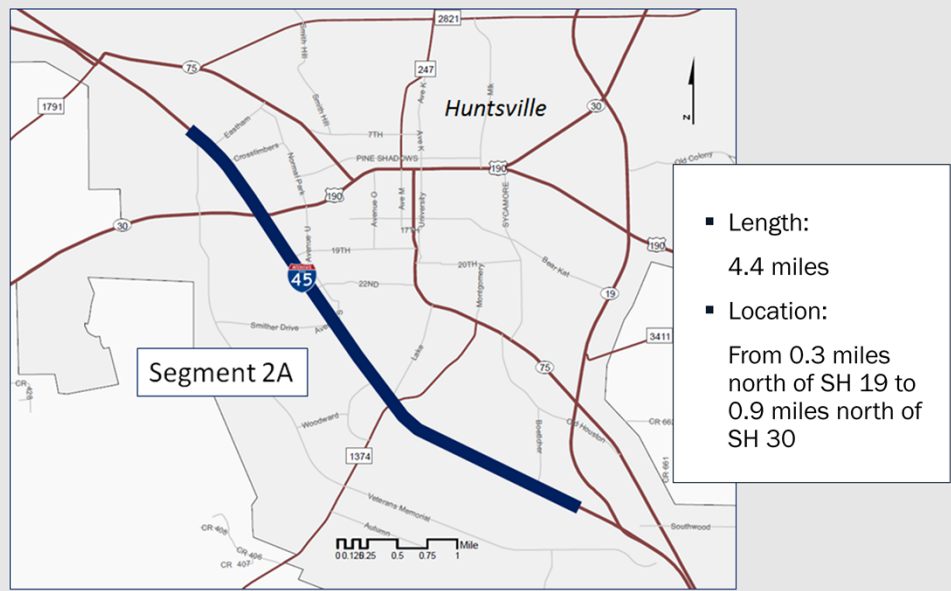


During tonight’s hearing we will present and explain the purpose and need for the project and the preferred alternative for addressing that purpose and need.

Staff will provide an overview of the project, environmental documentation, and right-of-way acquisition process. Then we will have the elected official and public comment period. This official public hearing will adjourn after all verbal comments have been heard.

I would now like to introduce Neal Riddle, the project engineer, who will provide the project overview.

Project Description – IH 45 Segment 2A



* Length= 4.4 miles

* Location= From 0.3 miles north of SH 19 to 0.9 miles north of SH 30

Purpose and Need

Purpose

- Enhance freight mobility and address congestion

Need

- IH 45 in its existing configuration is not sufficient to accommodate the traffic expected with predicted population growth

Average Daily Traffic Projections

(vehicles per day)

Location \ Year	2020	2040	2050
From FM 1696 To SH 19	49,800	68,000	76,600

54% Increase
(2020-2050)

- 56% vehicle crash rate increase from 2012 to 2016
- Existing congestion, at the Smither Dr. intersection in particular, will continue to worsen over time

The purpose of this project is to enhance freight mobility, address congestion along the IH 45 corridor and locally for the citizens of Huntsville. The project will increase safety by utilizing the latest design standards and additionally improve the corridor's function as a primary hurricane evacuation route.

The Texas Demographic Center predicts that the State's population could double between now and 2050, much of which will be within the areas between Houston and Dallas; and with additional people comes additional traffic. Traffic projections from TxDOT's Transportation Planning and Programming Division indicate an increase in average daily traffic of approximately 54% between 2020 and 2050. The existing roadway will not be able to accommodate the expected traffic growth. The corridor also exhibited a 56% crash rate increase between 2012 and 2016. Finally, the corridor currently exhibits peak-hour congestion that will only worsen over time without the proposed improvements

Proposed Improvements – IH 45 Segment 2A

- Widen from four (4) to six (6) travel lanes – Improve shoulders
- Replace existing pavement with concrete pavement
- Increase vertical clearance at main lane bridges to 19'
- Provide pedestrian and bicycle facilities along urban frontage roads
- Improve drainage structures and interchanges
- Add collector-distributor roads, which are roads that parallel and connect the main travel lanes and frontage roads



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- * Widen I-45 from four to six lanes
- * Replace existing pavement with concrete pavement
- * Increase vertical clearance at main lane bridges to 19'
- * Provide pedestrian and bicycle facilities along the urban areas of the frontage roads
- * Improve drainage structures and interchanges
- * Add collector-distributor roads, which are roads that parallel and connect the main travel lanes and frontage

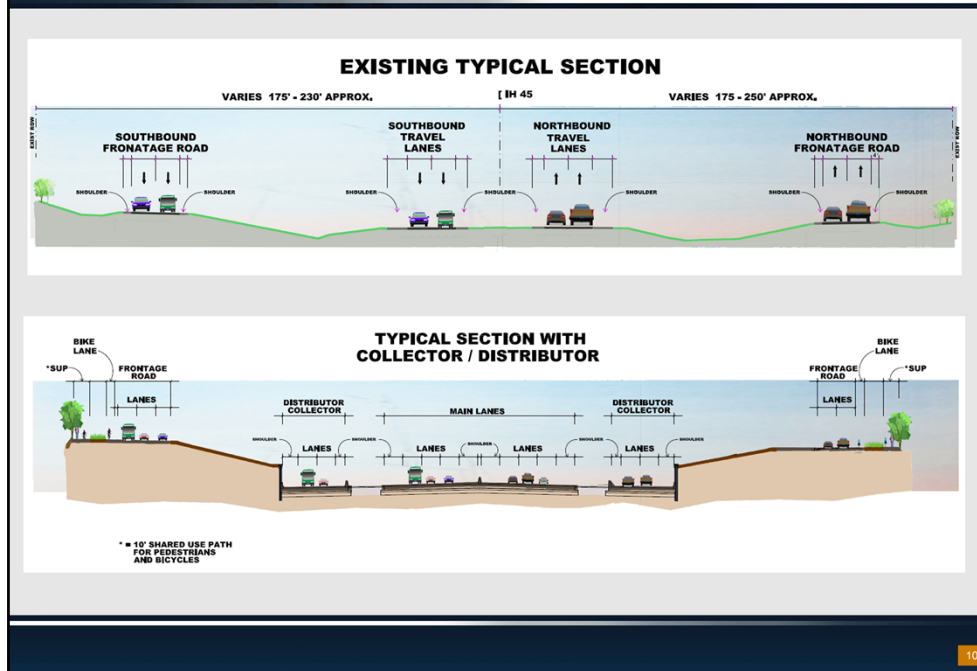
Collector-Distributor Road – IH 45 Segment 2A



- Separate regional & local traffic and not allow them to mix
- Improves traffic flow by allowing motorists to bypass traffic signals
- Enhances safety by allowing more distance for vehicles to merge
- Allows for consistent main lane traffic speed

- * Separate regional & local traffic and not allow them to mix
- * Improves traffic flow by allowing motorists to bypass traffic signals
- ** Our case has 3 bridges close together (FM 1374, Smither Dr, SH 30) so the C-D extends past all of them
- * Enhances safety by allowing more distance for vehicles to merge
- * Allows for consistent main lane traffic speed

IH 45 Segment 2A Typical Sections



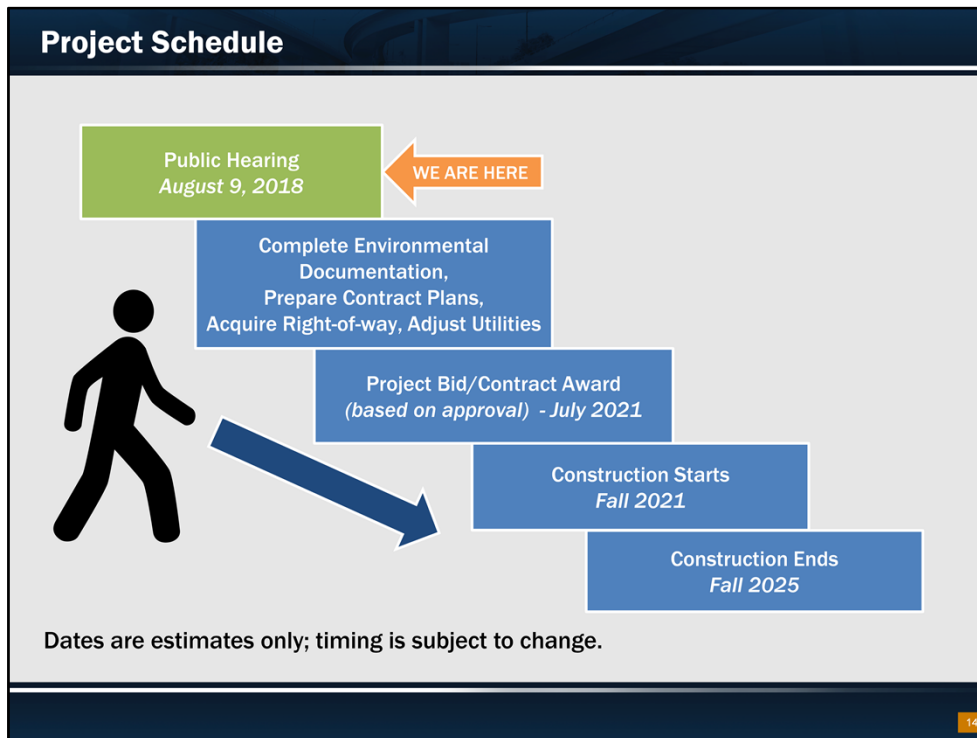
- * Six Main Lanes (three each direction)
- * Four Collector-Distributor Lanes (two each direction)
- * Four Frontage Road Lanes (two each direction)
- * Wider shoulders for on-street bicycle traffic
- * Ten foot sidewalk for majority of project (urban areas)
- * Various Auxiliary Lanes and Ramps in between C-D lanes and frontage road will come and go

Project Funding

- Project CSJs 0675-07-097 and 0675-06-108
- The proposed project is include within the Statewide Transportation Improvement Program (STIP) and 10-year Unified Transportation Program (UTP)
- Total Estimated Construction Cost: \$200,000,000
- Funding Source: Federal and State Funds
Category 4 Rural Connectivity

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The proposed project has an estimated construction cost of approximately \$200 million dollars. This estimate is preliminary and subject to change. The source of funds are from the Category 4 Rural Connectivity program, which consists of an 80% federal and 20% state funding contribution.



The general project development schedule is as shown on this slide.

We are currently in the process of completing environmental documentation and developing contract construction plans.

Construction is anticipated to begin in **Fall 2021** and will take approximately **4 years** to complete.

Environmental Overview

An Environmental Study was conducted for the proposed project to comply with the National Environmental Policy Act (NEPA).

The study identified and assessed potential impacts to the natural and human environment, including:

- Air Quality
- Archeological Resources
- Non-Archeological Historic Properties
- Community Impacts
- Biological Resources
- Hazardous Materials
- Section 4(f)/Chapter 26
- Traffic Noise
- Water Resources

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As mentioned earlier, the environmental study and documentation was conducted to comply with NEPA. The study identified and assessed potential impacts by the proposed project regarding specific aspects of the natural and human environment listed on the slide.

Environmental Overview

Project Coordination

- City of Huntsville
- Walker County
- Sam Houston State University
- Chamber of Commerce
- Law enforcement and emergency medical services
- Adjacent property owners
- Federally-recognized Tribes with interest in TxDOT projects
- Texas Parks and Wildlife Department (TPWD)
- The US Army Corps of Engineers - Galveston

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TxDOT coordinated with various state and federal agencies, as well as local stakeholders. This was done in order to develop a project that complies with all applicable regulations and takes in to account the concerns of civic and business interests as well as private citizens.

Environmental Overview

- Air Quality**
 - National Ambient Air Quality Standards (NAAQS)
 - No Impact
- Archeological Resources**
 - Research/Databases
 - Archeological Background Study
 - No Impact
- Non-Archeological Historic Properties**
 - National Register of Historic Places – no properties listed or eligible
 - No Impact
- Community Impacts**
 - No disproportionately high or adverse impacts to Environmental Justice or Limited English Proficiency populations

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The results of the environmental study for the proposed IH 45 is summarized as follows:

The project will not impact air quality.

There will be no impact to undisturbed archeological resources or any historic properties.

A community impact analysis determined that any minor impacts to community cohesion would be offset by the improved mobility and connectivity as a result of the project. Therefore, no permanent community impacts are anticipated.

It was also determined that there would be no disproportionately high or adverse impacts to Environmental Justice or Limited English Proficiency populations.

Environmental Overview

Biological Resources

- Threatened and Endangered Species - Walker County
 - Three federally-listed: no potential habitat - no effect
 - Three state-listed: BMPs to be implemented for potential habitat
- Vegetation Types – potential impacts
 - Urban
 - Mixed woodlands and piney woods
 - Disturbed grassland

Hazardous Materials

- Initial Site Assessment
 - Regulatory Databases / Site Visit –leaking petroleum storage tank sites identified
- Testing
 - Lead-based paint – not present
 - Asbestos containing materials – not present

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The project will have no effect on any federally listed species or its habitat. Potential habitat for 3 state listed species is present within the study area. TxDOT will implement best management practices as specified in its programmatic agreement with the Texas Parks & Wildlife Department to avoid impacts to state listed species.

The proposed project was reviewed by the Texas Parks and Wildlife Department's Wildlife Habitat Assessment Branch and they had no comments.

An assessment was performed to identify hazardous materials within the project area. Leaking petroleum storage tank sites were identified through a regulatory database review. Additional investigations are on-going regarding these sites to determine if any remediation measures are needed.

Bridges to be replaced within the study area were tested for both asbestos containing materials and lead-based paint. No asbestos or lead-based paint was identified.

Environmental Overview

Traffic Noise

- Traffic Noise Model – TNM (FHWA approved)
- 31 representative receivers modeled; 29 showed a noise increase
- Greatest noise increase +3 decibels
- Noise abatement measures were determined to be not feasible or reasonable for any of the impacted representative receivers

Water Resources

- Construction General Permit is applicable (coordinate with TCEQ)
- Waters of the US are present. Work will be covered under a Nationwide Permit #14 with preconstruction notification to the US Army Corps of Engineers

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Existing and predicted traffic noise levels were modeled using the approved FHWA traffic noise model. An increase of no greater than 3 decibels was predicted. Noise abatement measures were evaluated where the noise impacts were anticipated. But this evaluation determined that noise abatement measures are not reasonable and feasible for this project.

For impacts to water resources, TxDOT will comply with all state construction permitting, storm water management, and notification requirements.

It is anticipated that work within Waters of the U.S. will be covered under a Nationwide Permit 14 with preconstruction notification to the US Army Corps of Engineers.

Section 4(f)/Chapter 26 Resource – Raven Nest Golf Course

- Section 4(f) legislation established under U.S. DOT Act of 1966 provides protection for publicly-owned parks, recreation areas, wildlife and/or waterfowl refuges, or land of historical sites of national, state, or local significance from conversion to transportation use.
- Chapter 26 of the Parks and Wildlife Code requires TxDOT to determine that there is no feasible and prudent alternative to the use or taking of such land and that all reasonable planning to minimize harm to the public land has been undertaken.
- The Raven Nest Golf Course is protected under Section 4(f) and Chapter 26.
- Proposed improvements would require 0.2 acres of undeveloped land from the facility for drainage improvements.
- Project would not adversely affect activities, features, or attributes that qualify Raven Nest Golf Course for protection.
- Based on the proposed impacts, a Section 4(f) *de minimis* determination is recommended.

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TxDOT is evaluating the Raven Nest Golf Course under Section 4(f) of the Department of Transportation Act for a *de minimis* impact. Approximately 0.2 acres of the golf course will be required for the proposed project. A Section 4(f) *de minimis* finding means that the proposed project will not adversely affect the activities, features, or attributes that qualify the Raven Nest Golf Course for protection under Section 4(f). TxDOT will consider comments received during the environmental process before making a final Section 4(f) *de minimis* determination. This property is also subject to protection under Parks and Wildlife Code Section 26 regarding the use or take of property from a state owned designated recreation area. Therefore TxDOT will also follow Section 26 requirements for evaluating this property.

Environmental Overview

CATEGORICAL EXCLUSION

a class of action that normally does not individually or cumulatively have significant environmental impacts. This action does not induce significant impacts to planned growth or land use for the area; does not require the relocation of significant numbers of people; does not have a significant impact on any natural, cultural, recreation, or historic resource; does not involve significant air, noise, or water quality impacts; does not have significant impacts on traffic patterns; or does not otherwise, either individually or cumulatively, has any significant environmental impact.

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The findings of the environmental study show that this project has no significant impact on the environment and that no unusual circumstances exist and thus, the project qualifies to be categorically excluded from the requirements to prepare an environmental assessment or environmental impact statement under NEPA.

The approved classification request for an open-ended “d” list categorical exclusion and technical reports are available for review this evening as part of the exhibits available at the back of the room.

The proposed project plans and details on the environmental studies performed and the conclusions reached, will continue to be available for review at the TxDOT Bryan District Office.

Right-of-Way Acquisition Overview

Project Impact

- 11.5 acres of new right-of-way
- Four commercial property displacements

Uniform Act

- The Uniform Relocation Assistance and Real Property Acquisition Policies Act, as amended, commonly called the *Uniform Act*, is the primary law for acquisition and relocation activities on Federal or federally-assisted projects and programs. This law was passed by Congress in 1970 for making public acquisition of private property as fair and equitable as possible. Several provisions of the law were amended in 1987 as part of Surface Transportation and Uniform Relocation Assistance Act of 1987 (STURAA).

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The project requires approximately 11.5 acres of new right-of-way which includes displacements of four commercial properties. TxDOT follows the Uniform Act when acquiring right-of-way.

The acquisition process begins with a survey of the proposed right of way parcels at each tract of land by a registered land surveyor. The surveyor will produce a map of all right of way for the project as well as a parcel sketch and legal land description for each parcel of land requiring acquisition. These documents are turned over to an independent contracted appraiser who will notify the landowner to set a meeting to conduct an appraisal of the parcel and property.

The appraiser will determine the fair market value of the parcel, including the value of any damages to the remainder, and the value of all improvements on the parcel, and TxDOT will provide the landowner with a copy of that report along with a letter offering that value as the purchase price. The landowner may make one counteroffer if there are elements affecting the value that have been neglected in the report.

TxDOT has an administrative settlement team who will consider this counteroffer and recommend whether to accept it or not. If the landowner agrees to the offered value or an administrative settlement value, then TxDOT will process the necessary records of the transaction to take possession of the right of way.

If the landowner does not agree with the value of the offer and an administrative settlement is not reached, then the next avenue available to the landowner is a special commissioners hearing. The special commissioners are three local citizens knowledgeable of local land values who are appointed by the district judge whose court has jurisdiction over the area. These commissioners hear from the landowner and from TxDOT as to the value of the property and then make their own judgment as to that value. The amount of that judgment is deposited by the state in the registry of the court and the state takes possession of the right of way at that time. The landowner may decide whether to withdraw the amount awarded or seek further remedy through a jury trial. The state may also seek a jury trial if the state does not agree with the commissioners' award. The trial is heard before a jury in the district court and the jury decides the appropriate award. This jury award may also be appealed by either side through the civil appeals process.

Right-of-Way Acquisition Overview

Relocation Assistance

- The Uniform Act provides for relocation assistance to those who are displaced by a project.
- Relocation assistance may cover moving expenses, business losses during the move, and other expenses for a commercial displacement.
- It may cover moving expenses for relocating residents, whether they are tenants or owners.
- Eligible expenses may include the costs of moving real or personal property and possibly supplemental funds if similarly valued properties are not available.
- The move must be to a decent, safe, and sanitary location that is of equal or greater value than the original location.
- Relocation resources would be made available to all eligible displaced residents, including tenants, without discrimination, consistent with the requirements of the Civil Rights Act of 1964 and the Housing and Urban Development Act of 1974.

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The Uniform Act also provides for relocation assistance to those who are displaced by a project. This assistance may cover moving expenses, business losses during the move, and other expenses for a commercial displacement. It may cover moving expenses for relocating residents, whether they are tenants or owners. Eligible expenses may include the costs of moving real or personal property and possibly supplemental funds if similarly valued properties are not available. The move must be to a decent, safe, and sanitary location that is of equal or greater value than the original location. Relocation resources would be made available to all eligible displaced residents, including tenants, without discrimination, consistent with the requirements of the Civil Rights Act of 1964 and the Housing and Urban Development Act of 1974.

Our right-of-way staff is available this evening at the back of the room to answer any questions you may have.



That concludes the project description portion of the presentation. We are now going to begin the verbal comment period.

If you want to make verbal comments tonight, please be sure to fill out a speaker card.

Before we start the public comment session, we will now give the elected officials or their representatives an opportunity to speak.

Are there any elected officials or representatives that would like to say a word at this time?

Options for Commenting:

- 1) Verbal comments will commence now
- 2) Written comments can be placed in the comment box
- 3) E-Mail comments to: <http://bit.ly/BryanComments>
- 4) Mail comments to: Neal Riddle, P.E., Project Engineer
TxDOT Bryan District
2591 North Earl Rudder Freeway
Bryan, TX 77803

All comments must be submitted or postmarked by Friday, August 24, 2018, to be included in the public hearing summary report.

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If you do not wish to make a verbal comment during the public comment session, you can submit written comments. You can leave the written comments in the comment box tonight **or** you have the option to email or mail comments after tonight's hearing. Please make sure your comments are emailed or postmarked by Friday, August 24, 2018 to be included in the public hearing summary report.

Both written and verbal comments will be considered equally. If you submit your comments in writing, it is not necessary to repeat your comments verbally this evening.

Public Comment Session

- Submit a Speaker Registration Card
- Limit your comments to 3 minutes
- Use the microphone
- State your name and whom you represent (if applicable)
- Unused time may not be given to another speaker

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For this public comment session, the procedure does not allow for responding to questions or comments. Comments will be addressed in the public hearing summary report developed after this hearing.

We ask that you make your comments concise and limit them to 3 minutes so everyone has equal opportunity to speak. A timer, located on the screen, will indicate the beginning of your three minutes. After three minutes, you will be asked to be seated so the next speaker can make his or her comments. Unused time may not be given to another speaker. If you have additional comments, please complete a written comment form.

When I announce your name, please come to the microphone and clearly state your name and whom you may represent, any interest you may have in the project, and provide your comments. Those of you that I call as the 2nd and 3rd speaker are asked to make your way to the front and wait next to Mr. Moravec who is helping me out at the microphone this evening.

And now I will call the speakers listed on the comment registration cards in the order they signed up. First we will hear from _____, followed by _____, and then _____ if you could please make your way to the front or raise your hand if you need assistance. (Again, you will have 3 minutes to make your comments.)

Align Mr./Mrs. _____, please proceed.

Thank you. Next we will have _____, followed by _____, and then _____.

Is there anyone else that would like to speak? If so raise your hand to fill out a speaker registration form.

Thank You For Your Participation!

Please remember to submit your comments on or before Friday, August 24, 2018, to be included in the public hearing summary report.

- Written comments can be placed in the comment box
- E-Mail comments to: <http://bit.ly/BryanComments>
- Mail comments to: Neal Riddle, P.E., Project Engineer
TxDOT Bryan District
2591 North Earl Rudder Freeway
Bryan, TX 77803

This concludes the verbal comment session. I would like to thank you for all of your comments.

Your statements and comments will be given consideration in the preparation of the final design of the project. After the closing date of the hearing comment period on August 24, 2018, TxDOT will process all of the comments received and complete a Public Hearing Summary Report for review and approval, which can be obtained at the TxDOT District Office.

As a reminder, if you did not sign in when you came in, please do so now. This is for our records in documenting attendance at this hearing.

Please feel free to continue viewing the project exhibits. The TxDOT staff with name tags are available to answer your questions.

On behalf of TxDOT, again, let me thank you for your participation in this public hearing. It is now **X:XX PM** and the public hearing for IH 45 Segment 2A is officially adjourned. Thank you.