

**Attachment 1**  
**Re-Evaluation Support Documentation**

**SUPPORT DOCUMENTATION  
FOR THE  
RE-EVALUATION 2  
OF THE  
FINAL ENVIRONMENTAL IMPACT STATEMENT**

**FOR**

**State Highway 99  
Grand Parkway  
Segment H and I-1**

**FROM: US 59(N)/I-69  
TO: I-10(E)**

**MONTGOMERY, HARRIS, LIBERTY and CHAMBERS COUNTIES, TEXAS**

**CSJs: 3510-07-003, 3510-08-001, 3510-09-001, 3510-09-002, 3510-10-001**

**U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION**

**and**

**TEXAS DEPARTMENT OF TRANSPORTATION**

**March 2016**

## INTRODUCTION & BACKGROUND

This document supports the second re-evaluation of the approved State Highway (SH) 99, Grand Parkway, Segment H and I-1 Final Environmental Impact Statement (FEIS) for the construction of a 37.4-mile new location, four-lane, controlled access toll road with intermittent frontage roads within a 400-foot right-of-way (ROW) from United States Highway (US) 59 North (N)/Interstate Highway (I) 69 to I-10 East (E) in Montgomery, Harris, Liberty and Chambers Counties, Texas (**Attachment 2**). The Federal Highway Administration (FHWA) and the Texas Department of Transportation (TxDOT) jointly approved the FEIS for the project in February 2014. A Record of Decision (ROD) was issued by FHWA on June 24, 2014.

As described in the ROD, the Selected Alignment provided the best opportunity to avoid and minimize impacts to the natural, social, and cultural environment while meeting the transportation need and purpose for the project. Approximately 1,996 acres of ROW was to be required for the Selected Alternative to accommodate the transportation facility, as well as utility line adjustments.

The ROD approved the Selected Alternative alignment was modified and evaluated using the TxDOT Reevaluation Consultation Checklist (RCC); the RCC was approved on January 25, 2016. Approximately 2,001 acres of ROW would be required for the Approved Realignment to accommodate the transportation facility, as well as utility line adjustments. The first re-evaluation considered alignment shifts in 5 areas: (1) future Community Drive, (2) the proposed CMC Rail Development near US 90, (3) a single parcel near FM 1413; (4) near the ExxonMobil Plant expansion; and (5) the existing canal near SH 146 and FM 565. These shifts were located on approximately 480 acres of ROW not evaluated in the FEIS.

## DESCRIPTION OF RE-EVALUATION

The purpose of this second re-evaluation is to describe the design modifications that have occurred since the approval of the first realignment (January 25, 2016). Furthermore, this re-evaluation will assess how the proposed realignment would affect the previous environmental impacts analysis and determine whether a new and comprehensive analysis of the entire project is needed. This re-evaluation complies with FHWA regulations (23 Code of Federal Regulations [CFR] 771.129). For comparison purposes, this re-evaluation documentation will compare the proposed realignment environmental impacts with the approved realignment ROW.

The project revisions include a 3.6 mile proposed alignment shift in Mont Belvieu near State Highway (SH) 146. The alignment shift begins at the proposed Grand Parkway approximately 0.5 miles west of SH 146 (or 0.6 miles southwest of the SH 146 and FM 3360 intersection) and shifts north of the FEIS alignment, then connects back to the existing alignment approximately at the proposed Langston Road (or approximately 1.0 mile north of I-10) (see Project Location Map in **Attachment 2**). This proposed alignment shift is referenced as the “Proposed Realignment.”

The Proposed Realignment would increase the amount of additional ROW by approximately 5 acres from the Approved Realignment requiring a total of 2,006 acres of ROW. Although the Proposed Realignment would require an additional 5 acres of ROW, the alignment shift is located on approximately 132 acres of ROW not evaluated in the FEIS or under the Approved Realignment. **Table 1** presents the changes in ROW for the proposed alignment shift.

**Table 1: Proposed Right-of-Way**

Alignment Shift Area	Selected Alternative (ROD Approved) ROW (acres)	Proposed Realignment ROW (acres)
SH 149 to proposed Langston Road	128	132

Public feedback and preference was taken into consideration throughout the development of the FEIS and has continued subsequent to the issuance of the ROD. TxDOT and GPA individually met with affected property owners and stakeholders throughout February and March 2016 to discuss the potential realignment (see the stand-alone Meetings with Affected Property Owners and Stakeholders Summary Report). **Table 2** presents the meeting dates with seven affected property owners and three stakeholders.

**Table 2: Meetings Held During Re-Evaluation**

Affected Property Owners		
Property Owner	Point of Contact	Date of Meeting
Placid Refining Co	Ron Hurst	Declined meeting
SRM Petroleum	Syed Mohiuddin	2/29/2016
Texas Home Development Corp	Jim Davis	2/26/2016
Jean Kelly Nicholson	Barclay Nicholson	3/2/2016
Benes Family LTD	Randy Hopper	Declined meeting
Park Block LTD J M Little	John Ballis	2/16/2016
Mont Belvieu Caverns (Enterprise)	John Sanchez	2/3/2016
Stakeholders		
City of Mont Belvieu	Ricardo Villagrand	2/29/2016
Coastal Water Authority	Greg Olinger	3/1/2016
Chambers County	N/A	N/A <sup>1</sup>

Note: 1. Tucker Ferguson, Beaumont District Engineer, met with Chambers County Commissioner Rusty Senac and Chambers County Engineer Bobby Hall on February 25, 2016 and showed them the proposed realignment exhibits and updated them on project status. They offered no comments to the proposed alignment change.

With the alignment shift, the majority of the ROW associated with the Approved Realignment will still require acquisition; however, some parcels will have a different ROW requirement than identified in the first re-evaluation. **Table 3** provides a list of affected parcels, including newly affected parcels and parcels with different ROW requirements, based on the Proposed Realignment (**Attachment 5**).

Table 3: Proposed Realignment ROW

Parcel ID 2014	County	Total Parcel Acres	Approved Realignment Acres in ROW	Proposed Realignment Acres in ROW	Change (Acres)
330	Chambers	258.1	21.82	21.84	0.02
331	Chambers	132.89	22.11	20.93	-1.18
332	Chambers	16.21	6.41	10.46	4.05
333	Chambers	5.93	0.21	0.00	-0.21
334	Chambers	9.25	5.06	0.94	-4.12
335	Chambers	11.18	1.02	1.02	0.00
336	Chambers	3.85	0.50	0.00	-0.50
337	Chambers	0.64	0.37	0.08	-0.29
338	Chambers	1.1	0.20	0.00	-0.20
339	Chambers	28.26	0.39	6.10	5.71
340	Chambers	41.91	6.42	8.06	1.64
341	Chambers	39.76	1.10	0.00	-1.10
342	Chambers	36.13	6.43	6.30	-0.13
343	Chambers	38.82	6.39	6.55	0.16
344	Chambers	69.56	14.55	12.23	-2.32
345	Chambers	64.94	10.19	9.98	-0.21
346	Chambers	80.7	11.74	11.99	0.25
347	Chambers	121.36	9.96	9.88	-0.08
348	Chambers	42.69	0.02	5.48	5.46
349	Chambers	10.74	9.84	0.47	-9.37
350	Chambers	22.75	6.77	11.97	5.20
351	Chambers	37.06	9.08	9.15	0.07
352	Chambers	40.7	7.02	8.44	1.42
353	Chambers	25.51	2.49	0.00	-2.49
354	Chambers	255.93	52.89	55.60	2.71

Desktop surveys were performed to analyze possible environmental impacts associated with the Proposed Realignment. The desktop exercise included, but was not limited to: land use, waters of the U.S., floodplains, threatened and endangered species habitat, noise, socioeconomic resources, cultural resources, hazardous materials, and conformity with planning for Montgomery, Harris, Liberty and Chambers counties.

This re-evaluation examines all the environmental issues that were originally investigated and reported in the ROD and the first re-evaluation approved on January 25, 2016. This examination has determined that the Proposed Realignment would result in no substantial change in project impacts to the natural resources and environmental issues shown in **Table 4**.

**Table 4: Comparison of Approved Realigned and Potential Realignment Impacts**

Resource/Issue		Proposed Alternative Result in Change to Impacts?	Approved Realignment Impacts	Proposed Realignment Impacts	Proposed Alternative Impacts Change Validity of Original NEPA Determination (ROD)?
Land Use (acres) (H-GAC 2015 Q1 dataset)	Commercial	N	5	5	N
	Gov/Med/Education	N	0.02	0.02	N
	Industrial	Y	0	0	N
	Multiple	Y	70	70	N
	Parks/Open Space	Y	9	9	N
	Residential	Y	92	92	N
	Undevelopable	Y	209	209	N
	Vacant (includes agriculture)	Y	1,270	1,270	N
	Water	Y	13	13	N
	Pavement	Y	66	67	N
	Unknown	Y	267	271	N
	<b>Total ROW</b>	<b>Y</b>	<b>2,001</b>	<b>2,006</b>	<b>N</b>
Natural Resources (acres)	Non-Forested Wetland (ac)	Y	6.44	5.27	N
	Forested Wetlands (ac)	Y	25.08	23.39	N
	Ecologically Significant Streams Crossed	N	3 streams	3 streams	N

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Resource/Issue		Proposed Alternative Result in Change to Impacts?	Approved Realignment Impacts	Proposed Realignment Impacts	Proposed Alternative Impacts Change Validity of Original NEPA Determination (ROD)?
	TES/SOC	N	The habitats and land use patterns are nearly identical between the ROD and Approved Realignment, so the list of species will likely not change. The vegetation communities occurring within the realignment ROW consist primarily of cultivated agricultural land or forested areas dominated by loblolly pine. No suitable habitat for federally-listed species exists within the realignment ROW. A Biological Evaluation (BE) addressing both federal and state listed species was completed for the areas of new ROW and coordination with TPWD was completed on Jan. 21, 2016.	The Proposed Realignment ROW is located slightly north of the Approved Realignment ROW, and land use patterns and habitats are nearly identical from those reported in the BE previously submitted on Dec. 14, 2015, and approved by TPWD Wildlife Division on Jan. 21, 2016. Habitat does not exist for any federally protected species listed in the USFWS Official Species List or the IPac report generated for this project. There is no designated critical habitat for any federally listed species within the project limits.	N
	Floodway (ac)	N	68.94	68.94	N
	100-yr Floodplain (ac)	Y	181	186 See Table 5.	N
	Prime Farmlands (ac)	Y	944	948.76	N <sup>1</sup>
Cultural Resources	Historic Resources	N	For the Approved Realignment, a Supplemental HRSR completed in September 2015. Supplemental HRSR recommended that there were no historic resources on parcels investigated as a result of changes to the Area of Potential Affect resulting from design changes. SHPO concurred on Nov 19, 2015 that the proposed project would have no adverse effect to the historic properties present within the APE.	Project was noted as clear with an EPIC to coordinate the design at two historic canals.	N

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Resource/Issue		Proposed Alternative Result in Change to Impacts?	Approved Realignment Impacts	Proposed Realignment Impacts	Proposed Alternative Impacts Change Validity of Original NEPA Determination (ROD)?
Cultural Resources	Archeological Resources	N	Further investigation of potential Archeological resources in areas of design modifications will be conducted and coordinated with TxDOT ENV and THC prior to construction. Since ROE was not obtained for the entire APE, the areas not examined during the FEIS and the new areas associated with the subsequent re-evaluations will be examined by a qualified archaeologist as part of the developer's responsibility.	Further investigation of potential Archeological resources in areas of design modifications will be conducted and coordinated with TxDOT ENV and THC prior to construction. Since ROE was not obtained for the entire APE, the areas not examined during the FEIS and the new areas associated with the subsequent re-evaluations will be examined by a qualified archaeologist as part of the developer's responsibility.	N
Traffic Noise		Y	The FEIS traffic noise analysis concluded that the Selected Alternative would result in traffic noise impacts with no feasible and reasonable noise abatement. A noise analysis was conducted for the Approved Realignment using the same methodology of the FEIS. The analysis also concluded that noise abatement would not be feasible and reasonable for the traffic noise impacts associated with the alignment shift.	The proposed realignment is in the vicinity of traffic noise receivers not evaluated in the FEIS. A traffic noise analysis was completed for year 2039 for the alignment shift area following the same methodology of the FEIS. A total of four receivers were evaluated for potential noise impacts. The results of the analysis are included in the Traffic Noise Technical Report (February 2016) and shown on <b>Attachment 11</b> .	N
MTP/TIP Consistency		N	The proposed action is consistent with the areas financially constrained 2035 Regional Transportation Plan (RTP) Update, as revised, and the 2013-2016 Transportation Improvement Program (TIP). Both the RTP and the TIP were found to conform to the TCEQ SIP by FHWA on Jan. 25, 2011 and Nov. 1, 2012, respectively.	The proposed action is included in the 2013-2016 District Statewide TIP. The proposed action is included in the recently approved 2040 RTP (approved Sept. 11, 2015). The new STIP pages are included as <b>Attachment 8</b> .	N

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Resource/Issue		Proposed Alternative Result in Change to Impacts?	Approved Realignment Impacts	Proposed Realignment Impacts	Proposed Alternative Impacts Change Validity of Original NEPA Determination (ROD)?
Socioeconomic/EJ	Residential Displacements	N	81	81	N
	Commercial Displacements	N	19	19	N
	Church Displacements	N	1	1	N
	Community Cohesion	N	<p>The FEIS determined that potential degradation of aesthetics and community character for residences adjacent to the facility; and temporary construction impacts.</p> <p>Approved Realignment would not impact any additional churches or schools, nor did the approved realignment create any additional restrictions.</p>	<p>No additional churches or schools would be displaced nor will the Proposed Realignment create any additional restrictions.</p>	N
	EJ Issues	N	<p>Approved Realignment would have no additional minority or low-income populations affected so FEIS conclusion remains valid.</p>	<p>Proposed Realignment would have no additional minority or low-income populations affected so FEIS conclusion remains valid.</p>	N

Resource/Issue		Proposed Alternative Result in Change to Impacts?	Approved Realignment Impacts	Proposed Realignment Impacts	Proposed Alternative Impacts Change Validity of Original NEPA Determination (ROD)?
	Summary	N/A	The Approved Realignment would impact 14 census block groups with high minority populations. This includes one additional census block evaluated in the re-evaluation approved in January 2016.	<p>The Proposed Realignment would impact 14 census block groups with high minority populations; no additional blocks with high minority populations would be affected by the proposed alignment shift. The census block groups are illustrated in <b>Attachment 10</b>.</p> <p>Individual meetings with affected property owners were conducted in February and March of 2016 to present the proposed design modifications.</p>	N/A
Water Wells	Public	N	7	7	N
	Private	N	0	0	N
Hazardous Materials <sup>2</sup>	Regulated Sites <sup>3</sup>	Y	9	8	N
	Oil Wells	N	11	11	N

Notes:

1. The Proposed realignment would increase prime farmland impacts from 944 ac to 949 ac. Project-related impacts to farmland soils in Chambers County were determined to be minimal according to final land evaluation and site assessment scoring conducted on the NRCS Form AD-1006. The proposed project would convert farmland subject to the FPPA to a nonagricultural, transportation use. However, the combined scores of the relative value of the farmland and the site assessment completed by TxDOT do not warrant further consideration for protection. The Proposed Realignment scored too low to require coordination with NRCS and the conclusion made in the ROD remains the same.
2. No additional regulated sites and oil wells would be impacted by the realignment. The exhibits included in **Attachment 9** illustrate the locations of the regulated facilities and the changes in alignment.
3. The *Grand Parkway Segments H and I-1 Corridor Phase I Initial Site Assessment (ISA)* (June 2015) includes findings and recommendations for the regulated sites within the ROW of Proposed Realignment.

As shown in **Table 5**, the Proposed Realignment would increase the acres of 100-year floodplains within the right-of-way by approximately 5 acres. The acreage changes were associated with Smith Gully and Hackberry Gully, which are shown on **Attachment 7**.

In January 2016, the *Corridor Drainage Impact Report* was updated to assess the impacts associated with the Proposed Realignment. During the update the report, the study team coordinated with the City of Mont Belvieu, Chambers County and the Coastal Water Authority to discuss the project and project requirements.

**Table 5: 100-year Floodplain within Alternative ROW**

Waterbody	100-year Floodplain within ROW (Acres)	
	Approved Realignment	Proposed Realignment
Caney Creek	31.7	31.7
Peach Creek	48.4	48.4
Church House Gully	0.8	0.8
East Fork San Jacinto	27.1	27.1
Luce Bayou	14.3	14.3
Cedar Bayou	31.3	31.3
West Prong Old River	11.5	11.5
Smith Gully	8.9	7.8
Hackberry Gully	6.5	12.7
<b>Total</b>	<b>180.6</b>	<b>185.6</b>

## CONCLUSION

This re-evaluation does not involve any new resource features that were not examined in the ROD and would not introduce any new indirect or cumulative impacts to them (including, but not limited to those resources listed in **Table 4**) beyond what was reported in the ROD. The Grand Parkway Area of Influence (AOI) is undergoing rapid population and employment growth and is anticipated to continue through the year 2025 and beyond, regardless of when or if the Grand Parkway is constructed. However, the Segment H and I-1 Selected Alternative, as presented in the ROD, will compliment and reinforce the development pattern and effects. The Grand Parkway, combined with other local/regional development efforts, would serve to accommodate growth and development, either present or planned. In addition, a number of regulatory mechanisms are in place to offset or minimize the adverse effects of social and economic growth. Efforts have been made to avoid and minimize project effects to all resources at both the corridor and alignment development phases of the project, and measures would be implemented to mitigate the loss of resources, where practicable.

In accordance with 23 CFR 771.129 and the FHWA Technical Advisory T 6640.8A, Section XI, TxDOT, in coordination with FHWA, has prepared this second re-evaluation of the Grand Parkway Segment H and I-1 project as it proceeds with “major approvals,” e.g., the USACE Section 404 permit. This detailed design has proceeded, and the environmental documentation for the project has been reviewed. Overall, there would be an increase in the amount of ROW acquisition, prime farmland, and floodplains, but a decrease in wetland impacts as compared to the Approved Realignment.

Resource agency coordination will continue as detailed schematics for the construction of Segment H and I-1 become available. Further investigation of potential NRHP-eligible resources in areas of design modifications will be conducted and coordinated with TxDOT ENV and THC prior to construction. Further investigation of potential Archeological resources in areas of design modifications will be conducted and coordinated with TxDOT ENV and THC prior to construction. TxDOT will continue coordination with the USACE regarding Section 404 permits; and TPWD should wildlife and habitat or sensitive natural resource areas be encountered during construction. All coordination and concurrences will occur prior to construction.