Guidance

Public Comment Response Matrix

This guidance outlines the Texas Department of Transportation standards and provides the recommended process and tools for addressing and responding to public comments resulting from a notice and opportunity to comment, public meeting, opportunity for public hearing (when comments are received), or public hearing.

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1.0   Introduction

This guidance explains the Texas Department of Transportation (TxDOT) standards for documenting comments and responses resulting from a notice and opportunity to comment, public meeting, opportunity for public hearing (if comments were received), or public hearing held for state and federal projects. The guidance also provides the recommended process for addressing and responding to those comments.

Any Documentation of Notice and Opportunity Comment, Documentation of Public Meeting, Documentation of Public Hearing Opportunity (if comments were received), or Documentation of Public Hearing that does not include a public involvement comment response matrix (matrix) that satisfies these standards cannot be approved for further processing by the Environmental Affairs Division (ENV), regardless of whether the project is a categorical exclusion (CE), environmental assessment (EA), or environmental impact statement (EIS).

1.1   Instructions Regarding Required Content of Comment Responses

The comment responses that are prepared for inclusion in a matrix under this guidance must specifically address the specific issue(s) or concern(s) raised in the comments to the maximum extent practicable. This is particularly important on projects involving substantial controversy or a high level of public interest.

In 2011, the Texas Transportation Commission established TxDOT's Public Involvement Policy, which states the following:

> *"The Texas Department of Transportation (TxDOT) commits to purposefully involve the public in planning and project implementation by providing for early, continuous, transparent, and effective access to information and decision-making processes. TxDOT will regularly update public involvement methods to include best practices in public involvement and incorporate a range of strategies to encourage broad participation reflective of the needs of the state's population." Texas Transportation Commission Minute Order No. 112555, January 27, 2011.*

Additionally, the Federal Highway Administration's Texas Division in its oversight role under the NEPA assignment program has emphasized to TxDOT that the matrix must clearly address all substantive agency, stakeholder, and public comments.

When a public commenter reads TxDOT's response to their comment in the matrix, they should feel that TxDOT gave proper consideration to the concern or issue raised and provided a thoughtful response. It is not sufficient to respond to comments that raise specific concerns or issues concerning the project with a repeated canned response like "Thank you for your comment." A dismissive or repeated canned response may cause the commenter to feel that TxDOT did not actually consider their comment in contradiction of the spirit of the policy and regulation cited above. Additionally, if a comment raises a substantive issue or concern regarding the project and TxDOT does not provide a specific response, this may be used to argue that TxDOT failed to adequately document its consideration of alternatives or reasonably foreseeable environmental consequences under NEPA.

For all the above reasons, the following guidelines must be followed when preparing responses for inclusion in a matrix:

- If the comment does not raise any specific issue or concern regarding the project, but rather states only general support or opposition (e.g., "Project looks great!" or "I am opposed to this project"), then it is acceptable to respond with a standard response such as "TxDOT appreciates the commenter's support of the project" or "The commenter's opposition to the project is noted".

However, if the comment <u>does</u> raise a specific issue or concern regarding the project, the response <u>must</u> provide TxDOT's position on that specific issue or concern.

- If the issue or concern raised by the comment has already been addressed in the NEPA document or other publicly available documentation, then direct the commenter to the specific section of the document that addresses the issue or concern.

- If the comment raises a concern how impacted property owners will be compensated, indicate in the response that all property acquisition will be conducted in accordance with the Relocation Assistance and Real Property Acquisition Policies Act of 1970 (i.e., the "Uniform Act").

- If the comment requests a change or modification to the project, explain whether the change or modification will be made. If the change or modification will not be made, briefly explain why not.

Generally speaking, it is not okay to respond by saying something non-committal like "TxDOT will evaluate whether this can be done". This leaves the project file ambiguous on how the comment was actually resolved. If the public comment concerns a detail that's relevant to the level of design being used for the environmental review (e.g., 30%), then the response needs to definitively indicate whether any requested change will be made. It's only okay to "kick the can down the road" in the comment response matrix if:

1. the comment concerns a detail that's only relevant to final design and will not be resolved until after environmental review is over (e.g., timing of traffic signals), in which case the response matrix may say that the comment will be taken into consideration in a future design phase of the project; or

2. there will be future public involvement on the project and TxDOT does not want to give a definitive answer until all public involvement has been concluded, in which case the resolution needs to be documented in either the comment/response matrix for the later public involvement or elsewhere in the project file (e.g., in the EA or EIS if there is one).

1.2   Instructions Regarding Making the Completed and Approved Matrix (or the responses contained therein) Available to the Commenters

For an EA or EIS, the matrix for the comments received in connection with the notice of availability of draft EA or EIS/public hearing or opportunity for public hearing will be attached as an appendix to the final EA or final EIS; therefore, there is no separate requirement to provide the matrix or the response contained therein to the commenters.

For all other matrices (i.e., notice and opportunity to comment, public meeting, or public hearing on a CE project), after the matrix has been completed and approved in ECOS, district environmental staff must make the matrix, or the responses contained therein, available to the commenters. This can be done in a variety of different ways, including but not limited to the following:

- mailing or emailing the entire matrix to all of the commenters

- mailing or emailing the individual responses contained in the matrix in a letter/email format to the individual commenters to which the response is being provided (i.e., don't send the whole matrix, but just send each commenter the response to their specific comment); or

- posting the matrix on a project website.

2.0 Public Involvement Comment Response Matrix

A matrix is required for all projects (CE, EA, or EIS) for which a notice and opportunity to comment, public meeting, opportunity for public hearing (if comments or received), or public hearing is conducted (however a matrix is not required for an EIS public scoping meeting). The matrix records TxDOT's responses to all comments, including comments from the public, agencies, elected officials, and more.

The matrix can be built using any software as long as it contains the required columns shown in Table 1, but Excel is preferred. Refer to Table 8 in Section 4.6.3 for an example of a final matrix.

Table 1: Required Columns

Comment Number	Commenter Name	Date Received	Source	Comment Topic	Response
1				*Topic 1*	
				Topic 2 (if needed)	
				Topic 3 (if needed)	
2					
3					

3.0 EIS Comment Reporting

For EIS projects, TxDOT is legally required to report the types of comments received from the public in connection with a public hearing to the Texas Transportation Commission, in accordance with Transportation Code §201.811(b) and Texas Administrative Code (TAC) Title 43, Part 1, Chapter 2, Subchapter E, Rule 2.107(e)(2). The comments must be categorized as positive, negative, or neutral and the tally is reported in accordance with the guidance provided in the Standard Operating Procedure: Environmental Impact Statement Positive, Negative, or Neutral Public Comments Report.

The categorization of the EIS comments as positive, negative, or neutral may be included in the draft matrix, which is reviewed internally and not uploaded to ECOS, or it may be done in a separate version of the matrix after the matrix and Public Hearing Documentation is finalized. Either way, the categorization of the EIS comments as positive, negative, or neutral in a matrix is not uploaded to ECOS, not included in the Public Hearing Documentation, and not posted on-line. This is because the NEPA public involvement process should not be treated as a "vote." The categorization of the EIS comments as positive, negative, or neutral is done solely to prepare the report called for by Transportation Code §201.811(b), and therefore is not considered part of the environmental review of the project. As explained in the Standard Operating Procedure: Environmental Impact Statement Positive, Negative, or Neutral Public Comments Report, the report that is generated from the categorization of the EIS comments as positive, negative, or neutral is submitted to the Commission and posted by ENV on its external website.

4.0 Recommended Process

The following steps outline the recommended process for preparing a matrix, including two optional columns used to help manage projects with numerous comments and one column used to report EIS comments. The recommended process streamlines the comment and response review process by

increasing efficiency and ensuring consistency in individual matrices prepared for a single project and across all matrices prepared by TxDOT as it responds to public comments.

The following process is conducted by the matrix preparer. Initiate the process once all comments related to a public meeting or hearing have been received.

Step One – For each comment received, enter a comment number, commenter name, date the comment was received, source of the comment, and comment topics, as described in Section 4.1. If the same issue is raised by multiple commenters, it is also possible to group the comments into a single row, as described in Section 4.1.

Step Two – This step is optional for all classes of projects. If the core team and production team decide to include resource categories and codes, assign each topic a resource category and code. Enter the category and code in the matrix as described in Section 4.2.

Step Three – Include the response to the comment, as described in Section 4.3.

Step Four – For CE and EA projects, skip this step. Only for EIS projects, record the category – positive, negative, or neutral – of each comment made by the public and associated with the public hearing, as described in Section 4.4 (this part may alternatively be done in a separate version of the matrix after it has been finalized and included in the Public Hearing Documentation).

Step Five – Conduct an internal review of the matrix, as described in Section 4.5.

Step Six – Finalize the matrix by deleting any internal content, updating commenter numbers as needed, and visually grouping the topics of each multiple-topic comment, as described in Section 4.6.

Step Seven – This step is optional for all classes of projects. Create a commenter index, as described in Section 4.7.

4.1   Comment Information – Columns 1-5

4.1.1   Comment Information – Columns 1-4

Once all the comments have been gathered, for any comments that will not be grouped (see below) enter the information in Columns 1-4 for each comment, as shown in Table 2. Each comment is assigned a number, and commenters can submit comments using multiple sources, typically letter, email, comment cards, or transcripts of verbal comments. If a single commenter provides comments submitted using multiple sources, give the comment from each source its own number, as shown in the John Doe rows of Table 2.

It is good practice to not change the comment numbers during the development and review of the matrix to provide consistent responses. If necessary, comment numbers can be changed for the final matrix to allow for continuity of comment numbers, as described in Section 4.6.2.

TxDOT may respond to individual comments, or groups of comments. Therefore, if the same issue is raised by multiple comments, then it is not necessary to separately list each of those comments in their own row and respond to each one individually. Instead, the preparer should group the comments that address the same issue and respond once to that group of comments. To group comments, dedicate a single row in the spreadsheet to the grouped comments, and simply list the names of all the commenters who made the comment, and list the Date Received and Source as "Various" (unless all the comments that are grouped together came in on the same day and by the same source), as shown in the last two rows of Table 2 below. If ten or more commenters raised the same issue, then instead of listing the names of the commenters, simply indicate the number of commenters in the "Commenter Name" column (e.g., "15

commenters"). Note that comments should only be grouped if they raise the same issue. Comments that raise similar, but slightly different issues, should not be grouped.

Table 2: Columns 1-4

1	2	3	4	5	6	7	8	9
Comment Number	Commenter Name	Date Received	Source	Comment Topic	Resource Category	Code	Response	Positive, Negative, or Neutral
1	John Doe	6/7/15	letter					
2	John Doe	6/8/15	email					
3	Joe Public	6/8/15	transcript					
4-6	Mary Smith, Jane Doe, and Bill Jones	Various	Various					
7-8	Mary Smith, Bob Lee)	Various	Various					

4.1.2 Comment Topics – Column 5

Enter the topics of each comment in Column 5. It is recommended that the preparer review the entire comment to determine the topic or multiple topics. Because a comment can address multiple topics, each topic from a single comment should be included in the matrix as a separate row to ensure it is clear which response goes with each topic. In Table 3, Comment Number 1 is a comment with multiple topics, and Comment Numbers 2 and 3 are single topic comments. As shown in Table 3, the information in Columns 1-4 of rows for multiple topics are the same. Add a row for each additional topic and paste the information from Columns 1-4 of the first topic into Columns 1-4 of the row for each additional topic.

Quote the text verbatim from the comment if possible. However, it is appropriate to summarize or include paraphrased content with a quotation if there is not a succinct quotation that clearly communicates the topic of the comment. When determining the topics, avoid extraneous information, and consider the practice of bracketing or highlighting text directly on a copy of the comment. For topics with a quotation, include a reference to the section and page number in the documentation of public meeting or hearing where the complete comment is included. Each quotation must be identified with quotation marks.

For grouped comments, it will usually not be possible to quote the text verbatim, as it is likely that each commenter will have used different language to convey the same idea. So for grouped comments, it will usually be necessary to summarize or paraphrase the issue raised by multiple commenters, as shown in the last two rows of Table 3 below.

Table 3: Column 5

	1	2	3	4	5	6	7	8	9
	Comment Number	Commenter Name	Date Received	Source	Comment Topic	Resource Category	Code	Response	Positive, Negative, or Neutral
	1	John Doe	6/7/15	letter	I want to thank TxDOT for the extensive public involvement.				
	1	John Doe	6/7/15	letter	I am concerned that peak travel conditions will not change and that idling at the Smith Street light will continue to cause exhaust problems for children walking through the Smith Street crosswalk.				
	1	John Doe	6/7/15	letter	I have been asked by residents of the Shady Lane when they can vote to donate land for a noise wall.				
	2	John Doe	6/8/15	email	The commenter is concerned with the project's proximity to Houston Toad Habitat. "I recommend that TxDOT installs roadside barriers to prevent the toads from entering the roadway." *See John Doe letter in Section X, page X of the Documentation of Public Hearing.*				
	3	Joe Public	6/8/15	transcript	I am concerned about idling at Smith Street.				
	4	Multiple (15 total commenters)	Various	Various	Multiple commenters suggested re-aligning Alternative A to avoid Big Bear Woods.				
	5	Multiple (10 total commenters)	Various	Various	Multiple commenters expressed concern about impacts to wetlands.				

4.2   Optional Categorization – Columns 6 and 7

To aid in the preparation and review of responses, the creation of categorized topics is recommended. The use of additional columns and the process described below are optional for all projects, regardless of type of environmental documentation. The core team and production team determine whether to include these columns. This content will not be published, and it is deleted after the internal review is completed as described in Section 4.5. If it is decided not to include these columns, proceed to Section 4.3. The use of Columns 6 and 7 is one method for categorizing topics by the use of resource categories and codes.

Resource categories – such as air, noise, water, threatened and endangered species, etc. – can be included to categorize comments and topics. Categorizing them allows information related to a category to be located easily by searching for the category, which makes it easier to provide consistent responses. Each resource category can include multiple subcategories, and each subcategory is assigned a code. The example shown in Table 4 includes an alphanumeric code that uses the first letter of the category

and sequentially increasing numbers. For example, the third subcategory in the air resource category would be A3. The subcategories should be based on similar types of topics, which in turn necessitate similar responses that will be included in Column 8.

Table 4: Columns 6 and 7

1	2	3	4	5	6	7	8	9
Comment Number	Commenter Name	Date Received	Source	Comment Topic	Resource Category	Code	Response	Positive, Negative, or Neutral
1	John Doe	6/7/15	letter	I want to thank TxDOT for the extensive public involvement.	Public Involvement	PI1		
1	John Doe	6/7/15	letter	I am concerned that peak travel conditions will not change and that idling at the Smith Street light will continue to cause exhaust problems for children walking through the Smith Street crosswalk.	Air	A1		
1	John Doe	6/7/15	letter	I have been asked by residents of the Shady Lane when they can vote to donate land for a noise wall.	Noise	N1		
2	John Doe	6/8/15	email	The commenter is concerned with the project's proximity to Houston Toad Habitat. "I recommend that TxDOT installs roadside barriers to prevent the toads from entering the roadway." *See John Doe letter in Section X, page X of the Documentation of Public Hearing.*	Threatened and Endangered Species	TES1		
3	Joe Public	6/8/15	transcript	I am concerned about idling at Smith Street.	Air	A1		
4	Multiple (15 total commenters)	Various	Various	Multiple commenters suggested re-aligning Alternative A to avoid Big Bear Woods.	Natural Resources	NR1		
5	Multiple (10 total commenters)	Various	Various	Multiple commenters expressed concern about impacts to wetlands.	Natural Resources	NR2		

4.3   Response – Column 8

In Column 8, enter a response to each topic, as shown in Table 5. The responses should be consistent with the environmental documentation. If applicable, include a reference to the section in the environmental review document or supporting technical reports where the topic was addressed. If resource categories and codes are included, use same or similar responses for all topics to ensure response consistency.

Table 5: Column 8

1	2	3	4	5	6	7	8	9
Comment Number	Commenter Name	Date Received	Source	Comment Topic	Resource Category	Code	Response	Positive, Negative, or Neutral
1	John Doe	6/7/15	letter	I want to thank TxDOT for the extensive public involvement.	Public Involvement	PI1	Comment noted	
1	John Doe	6/7/15	letter	I am concerned that peak travel conditions will not change and that idling at the Smith Street light will continue to cause exhaust problems for children walking through the Smith Street crosswalk.	Air	A1	Approximately 3% of vehicles will take the new road, reducing the number of vehicles idling at the Smith Street light. See FEIS Section 4.2.1.	
1	John Doe	6/7/15	letter	I have been asked by residents of the Shady Lane when they can vote on installing a noise wall.	Noise	N1	A noise workshop will be held to determine whether residents want to have a noise wall built. See FEIS Section 4.3.	
2	John Doe	6/8/15	email	The commenter is concerned with the project's proximity to Houston Toad Habitat. "I recommend that TxDOT installs roadside barriers to prevent the toads from entering the roadway." *See John Doe letter in Section X, page X of the Documentation of Public Hearing.*	Threatened and Endangered Species	TES1	TxDOT will install barriers in the vicinity of the Houston Toad Habitat. See FEIS Section 7.2.	
3	Joe Public	6/8/15	transcript	I am concerned about idling at Smith Street.	Air	A1	Approximately 3% of vehicles will take the new road, reducing the number of vehicles idling at the Smith Street light. See FEIS Section 4.2.1.	
4	Multiple (15 total commenters)	Various	Various	Multiple commenters suggested re-aligning Alternative A to avoid Big Bear Woods.	NR	NR1	TxDOT considered re-aligning Alternative A to avoid Big Bear Woods, but determined that it will not be done	

								because doing so would require displacement of 30 additional residences.	
5	Multiple (10 total commenters)	Various	Various	Multiple commenters expressed concern about impacts to wetlands.	NR	NR2	Impacts to wetlands have been minimized as explained in Section 5.10.3 of the EA.	

4.4   EIS Comment Reporting – Column 9

For CE and EA projects, proceed to Section 4.5. Column 9 is included only for EIS projects and is used to report the types of comments made by the public as a result of the public hearing, as described in Section 3.0 and in accordance with the Standard Operating Procedure: Environmental Impact Statement Positive, Negative, or Neutral Public Comments Report. Column 9 is not part of the final matrix and is deleted after the internal review described in Section 4.5. Also, as indicated above, Column 9 may, alternatively, be added to a separate version of the matrix after it has been finalized and included in the Public Hearing Documentation. Either way, no version of the matrix including Column 9 should be uploaded to ECOS, included in the Public Hearing Documentation, or posted on-line.

Determine if each overall comment made by the public is positive, negative, or neutral. When determining the category, if the overall comment can in any way be considered negative, even if one topic is positive, consider the comment to be negative, as shown in Table 6, Comment 1. If the comment has multiple topics, merge the rows in Column 9 into a single cell. For each comment, not each topic, enter the category in Column 9. If a commenter submitted more than one comment (e.g., once by email and once by comment card), assign just one positive, negative, or neutral value for all that person's comments (i.e., they don't get counted twice).

If comments raising the same issue have been grouped, then in tallying the total number of positive, negative, or neutral comments for the report to the Commission, the value for the grouped comment should be counted in accordance with the number of commenters who made that comment (i.e., if 15 people made the same negative comment, then it would get counted 15 times in the tally).

Table 6: Column 9

1	2	3	4	5	6	7	8	9
Comment Number	Commenter Name	Date Received	Source	Comment Topic	Resource Category	Code	Response	Positive, Negative, or Neutral
1	John Doe	6/7/15	letter	I want to thank TxDOT for the extensive public involvement.	Public Involvement	PI1	Comment noted.	Negative
1	John Doe	6/7/15	letter	I am concerned that peak travel conditions will not change and that idling at the Smith Street light will continue to cause exhaust problems for children walking through the Smith Street crosswalk.	Air	A1	Approximately 3% of vehicles will take the new road, thus reducing the number of vehicles idling at the Smith Street light. See FEIS Section 4.2.1.	
1	John Doe	6/7/15	letter	I have been asked by residents of the Shady Lane when they can vote to donate land for a noise wall.	Noise	N1	A noise workshop will be held to determine whether residents want to donate land to have a noise wall built. See FEIS Section 4.3.	
2	John Doe	6/8/15	email	The commenter is concerned with the project's proximity to Houston Toad Habitat. "I recommend that TxDOT installs roadside barriers to prevent the toads from entering the roadway." *See John Doe letter in Section X, page X of the Documentation of Public Hearing.*	Threatened and Endangered Species	TES1	TxDOT will install barriers in the vicinity of the Houston Toad Habitat. See FEIS Section 7.2.	
3	Joe Public	6/8/15	transcript	I am concerned about idling at Smith Street.	Air	A1	Approximately 3% of vehicles will take the new road, thus reducing the number of vehicles idling at the Smith Street light. See FEIS Section 4.2.1.	Negative
4	Multiple (15 total commenters)	Various	Various	Multiple commenters suggested re-aligning Alternative A to avoid Big Bear Woods.	NR	NR1	TxDOT considered re-aligning Alternative A to avoid Big Bear Woods, but determined that it will not be done	Negative

							because doing so would require displacement of 30 additional residences.	
5	Multiple (10 total commenter s)	Various	Various	Multiple commenters expressed concern about impacts to wetlands.	NR	NR2	Impacts to wetlands have been minimized as explained in Section 5.10.3 of the EA.	Negative

4.5   Draft Matrix Internal Review

For an EA or EIS, email the draft matrix for internal review to the core team (preferably in native form to allow for filtering responses by category, i.e., Excel). The core team will determine the applicable reviewers for each response. The reviewers can include TxDOT ENV, district, and General Counsel Division staff. Update the matrix as appropriate depending on the reviewers' feedback. The review of the draft matrix is done by email and is not tracked in ECOS.

Only for EIS projects and after the review and any updates are complete, tally the types of public comments regarding a public hearing, and submit the tally to the core team by email in accordance with the Standard Operating Procedure: Environmental Impact Statement Positive, Negative, or Neutral Public Comments Report.

4.6   Final Matrix

After all responses have been reviewed, any EIS reporting content has been reviewed and tallied, and all review-related changes have been made to the draft matrix, the final matrix is prepared and included in the Documentation of Notice and Opportunity Comment, Documentation of Public Meeting, Documentation of Public Hearing Opportunity (if comments were received), or Documentation of Public Hearing that is uploaded to ECOS. While the process and the actions recommended to produce the final matrix are intended to increase review efficiency and consistency, a matrix with the columns shown in the example in Table 8 is required. Once the actions in this section are complete, the matrix is ready for inclusion in the Documentation of Notice and Opportunity Comment, Documentation of Public Meeting, Documentation of Public Hearing Opportunity (if comments were received), or Documentation of Public Hearing and is optional to include in an EA as an appendix (the public hearing matrix must be appended to an EIS). An optional commenter index as described in Section 4.7 may be included with the final matrix.

4.6.1   Draft Review Content – Columns 6, 7, and 9

If these columns were not included, proceed to Section 4.6.2. Otherwise, delete Columns 6, 7, and 9, as shown in Table 7, and adjust the width of the remaining columns.

Table 7: Example of Required Content

Comment Number	Commenter Name	Date Received	Source	Comment Topic	Response
1	John Doe	6/7/15	letter	I want to thank TxDOT for the extensive public involvement.	Comment noted.
1	John Doe	6/7/15	letter	I am concerned that peak travel conditions will not change and that idling at the Smith Street light will continue to cause exhaust problems for children walking through the Smith Street crosswalk.	Approximately 3% of vehicles will take the new road, thus reducing the number of vehicles idling at the Smith Street light. See FEIS Section 4.2.1.
1	John Doe	6/7/15	letter	I have been asked by residents of the Shady Lane when they can vote to donate land for a noise wall.	A noise workshop will be held to determine whether residents want to donate land to have a noise wall built. See FEIS Section 4.3.
2	John Doe	6/8/15	email	The commenter is concerned with the project's proximity to Houston Toad Habitat. "I recommend that TxDOT installs roadside barriers to prevent the toads from entering the roadway." *See John Doe letter in Section X, page X of the Documentation of Public Hearing.*	TxDOT will install barriers in the vicinity of the Houston Toad Habitat. See FEIS Section 7.2.
3	Joe Public	6/8/15	transcript	I am concerned about idling at Smith Street.	Approximately 3% of vehicles will take the new road, thus reducing the number of vehicles idling at the Smith Street light. See FEIS Section 4.2.1.
4	Multiple (15 total commenters)	Various	Various	Multiple commenters suggested re-aligning Alternative A to avoid Big Bear Woods.	TxDOT considered re-aligning Alternative A to avoid Big Bear Woods, but determined that it will not be done because doing so would require displacement of 30 additional residences.
5	Multiple (10 total commenters)	Various	Various	Multiple commenters expressed concern about impacts to wetlands.	Impacts to wetlands have been minimized as explained in Section 5.10.3 of the EA.

4.6.2 Commenter Number Changes

If necessary, commenter numbers can be changed at this time. However, the original numbers are retained and hidden in the matrix for quality assurance. The renumbering may be needed to maintain numbered continuity if certain circumstance call for the inclusion or exclusion of certain comments.

4.6.3 Visually Grouped Topics

The last step of finalizing the matrix is visually grouping the topics associated with a single comment and providing definition between comments, as shown in Table 8. For each comment with multiple topics, the content in the first four columns is the same for each topic. At this time, the redundant information is only included once, and the table cells are merged or the cell borders are removed. Shading every other comment is recommended to make the grouping clearer by helping readers more easily see the beginning and end of each comment, especially those with multiple topics.

For inclusion in the applicable documentation, convert the final matrix into a pdf. Please review the pdf to ensure the full content of the cells is shown.

Table 8: Example of Final Matrix

Comment Number	Commenter Name	Date Received	Source	Comment Topic	Response
1	John Doe	6/7/15	letter	I want to thank TxDOT for the extensive public involvement.	Comment noted.
				I am concerned that peak travel conditions will not change and that idling at the Smith Street light will continue to cause exhaust problems for children walking through the Smith Street crosswalk.	Approximately 3% of vehicles will take the new road, thus reducing the number of vehicles idling at the Smith Street light. See FEIS Section 4.2.1.
				I have been asked by residents of the Shady Lane when they can vote to donate land for a noise wall.	A noise workshop will be held to determine whether residents want to donate land to have a noise wall built. See FEIS Section 4.3.
2	John Doe	6/8/15	email	The commenter is concerned with the project's proximity to Houston Toad Habitat. "I recommend that TxDOT installs roadside barriers to prevent the toads from entering the roadway." *See John Doe letter in Section X, page X of the Documentation of Public Hearing.*	TxDOT will install barriers in the vicinity of the Houston Toad Habitat. See FEIS Section 7.2.
3	Joe Public	6/8/15	transcript	I am concerned about idling at Smith Street.	Approximately 3% of vehicles will take the new road, thus reducing the number of vehicles idling at the Smith Street light. See FEIS Section 4.2.1.
4	Multiple (15 total commenters)	Various	Various	Multiple commenters suggested re-aligning Alternative A to avoid Big Bear Woods.	TxDOT considered re-aligning Alternative A to avoid Big Bear Woods, but determined that it will not be done because doing so would require displacement of 30 additional residences.
5	Multiple (10 total commenters)	Various	Various	Multiple commenters expressed concern about impacts to wetlands.	Impacts to wetlands have been minimized as explained in Section 5.10.3 of the EA.

4.7   Optional Comment Index

A comment index can be helpful by allowing readers to locate specific comments easily and providing an overview of the comments received, much like a table of contents. The example in Table 9 includes the comment number, the commenter name, and page number on which the comment and its response appear. To maintain consistent page numbering, the numbering should begin with the first page of the public involvement comment response matrix, regardless if it is included with the Documentation of Notice and Opportunity Comment, Documentation of Public Meeting, Documentation of Public Hearing Opportunity (if comments were received), or Documentation of Public Hearing or as an appendix to the environmental document.

Table 9: Example of Commenter Index

Comment Number	Commenter Name	Response Page Number
Public Comments		
1, 2	John Doe	1
3	Joe Public	3
Agency Comments		
4	Texas Parks and Wildlife Department	4
5	United States Environmental Protection Agency	5
Elected Official Comments		
6	U.S. Senator Ted Cruz	7
7	Governor Greg Abbott	9
Organization Comments		
8	Sierra Club	11
Grouped Comments		
9	Joe Smith, Jane Jones, Bob Carpenter, Suzie Brown, and Citizens for Better Highways	12

5.0   Frequently Asked Questions

Q: Are separate matrices created for comments from public officials?

A: No, all comments must be included in one matrix. Never separate agency or elected official comments from public comments. Including all comments in one matrix helps ensure that similar comments have consistent responses.

Q: How are elected official comments categorized?

A: If an elected official speaks and does not state that he or she is commenting on his or her own behalf, assume those comments are the comments of the elected official in their official capacity. Record the person and their official position as the commenter.

Q: How are illegibly written comments handled?

A: Try to decipher them. If it is not possible, state in the Comment Topic Column that the comment was illegible.

Q: How is a comment letter that repeats the same topics handled?

A: Include the topic and its response once. Do not create multiple rows for the same topic.

Q: How is it ensured that the topics of a comment are correctly summarized?

A: Use professional judgment to determine the topics of a comment, and include a reference to the actual comment in the documentation of the public meeting and/or hearing documentation. Using quotations in Comment Topic Column helps reduce misinterpretation.

6.0   Acronyms and Abbreviations

CE	Categorical Exclusion
EA	Environmental Assessment
EIS	Environmental Impact Statement
ENV	Environmental Affairs Division
FEIS	Final Environmental Impact Statement
Matrix	Public Meeting and Hearing Comment and Response Matrix
TAC	Texas Administrative Code
TxDOT	Texas Department of Transportation

Appendix A: Document Revision History

The following table shows the revision history for this guidance document.

Revision History	
Effective Date Month, Year	**Reason for and Description of Change**
April 2025	Version 5 was released. Removed discussion of how CEQ rules require agencies to respond to comments on an EIS (we had added this a while back to reinforce how important it is to provide solid responses). Removed citation to CEQ rules about how we can group comments for purposes of responding (but keep that instruction).
March 2023	Version 4 was released. Added new Section 1.1, "Instructions Regarding Required Content of Comment Responses" Added new Section 1.2, "Instructions Regarding Making the Completed and Approved Matrix (or the responses contained therein) Available to the Commenters" Added clarification in Section 2.0 that a matrix is not required for an EIS public scoping meeting Added instructions in Section 4.1.1 regarding adding the "commenter name" to the matrix when grouping comments Added instruction in Section 4.5 regarding keeping matrix in native format when sending to the core team for review Added instruction in Section 4.6.3 to convert matrix to pdf format when complete, and check to make sure the full content of the cells is shown
September 2020	Version 3 was released. Revised to allow grouping of comments addressing the same issue so that only a single response is needed in accordance with new 40 CFR 1503.4(a).
August 2020	Version 2 was released. Title change. Revised to remove instruction about excluding elected official and agency comments in tally of positive/negative/neutral comments on an EIS. Revised to remove instruction about putting the positive/negative/neutral tally for an EIS on the cover of the public hearing documentation.

	Clarified that the positive/negative/neutral categorization for an EIS may be done in a version of the matrix that is separate from the one that is prepared for the Public Hearing Documentation. Clarified that this guidance applies to a notice and opportunity to comment, public meeting, opportunity for public hearing (when comments are received), or public hearing. Clarified that in preparing the positive/negative/neutral categorization of comments for an EIS, a person who submitted multiple comments is only counted once.
July 2016	Version 1 was released.