

APPENDIX M: AGENCY COORDINATION DOCUMENTATION

	Letter from	Letter to	Date
<i>Project Initiation and Request to Coordinate</i>			
Project Initiation Letter NHHIP.PDF	James Barta, Jr., TxDOT	Gary Johnson, FHWA	9/27/2006
Notification of Scoping Meeting; invitation to be Cooperating or Participating Agency	TxDOT	Cooperating and Participating Agencies	October 2011
2017-04-26 04_48_00_TCEQ_DEIS coordination request	Lisa Mitchell, TxDOT	TCEQ	4/26/2017
<i>Texas Parks and Wildlife Department</i>			
RE Early Coordination for North Houston Highway Improvement Project (NHHIP)	Sue Reilly, TPWD	Kelly Lark, TxDOT	10/13/2016
<i>U.S. Army Corps of Engineers</i>			
SWG-2019-00718 TxDOT — North Houston Highway Improvement Project	Terri Dedhia, TxDOT	Kevin Mannie, USACE	10/2/2019-11/15/2019
<i>Tribal Consultation</i>			
091200146_Consultation_Request_02-16-2017	Scott Pletka, TxDOT	Federally recognized Tribes	2/16/2017
Consultation Response_Alabama Coushatta 3.17.17	Bryant Celestine, Alabama-Coushatta Tribe	Sarah Stroman, TxDOT ENV	3/17/2017
Consultation Response_Comanche_3.22.2013	Comanche Nation Historic Preservation Office	Sarah Stroman, TxDOT ENV	3/22/2017
Consultation Response_Tonkawa 3.16.17	Lauren Norman-Brown, Tonkawa Tribe of Oklahoma	Scott Pletka, TxDOT	3/16/2017

	Letter from	Letter to	Date
Historic Resources			
HIST_SHPO_IN_Navigation_9.16	Linda Henderson, THC	Renee Benn, TxDOT	9/6/2016
Consulting Party Consultation Request 2.27.19	Kirk Farris/private landowner	Laura Cruzada, Carlos Calbillo, Laurie Payne	02/27/2019-03/04/2019
106_TxDOT_NHHIP HRSR Update 2019-09-09	Justin Kockritz, THC	Renee Benn, TxDOT	09/09/19
HIST_SHPO concurrence 2-27-20	Renee Benn, TxDOT	Justin Kockritz, THC	2/7/2020
Archeological Resources			
091200146_SHPOConc	Allen Bettis, TxDOT	THC/SHPO	2/2/2017
2018-02-15 01_36_16_Memo_Internal Review_HOU_IH45NHHIP_0976-02-086	Allen Bettis, TxDOT	ECOS	2/2/2018
2018-05-21 07_36_35_091200146_ArcheologicalDocumentation_05072018	Allen Bettis, TxDOT	TXDOT ENV	5/7/2018
2018-05-31 10_48_40_SHPO_05.25.18_0912-00-146_HOU_IH-45_Signed&Revised	Allen Bettis, TxDOT	THC/SHPO	5/24/2018
0912-00-146 Arch Survey Report NHHIP 02.08.2019 concurrence 02.25.2019.pdf	Jason Barrett, PhD, TxDOT	THC/SHPO	2/08/2019
Houston Galveston Area Council			
APPROVED_CMA_byHGAC_sept2018	Houston-Galveston Area Council	Charles Airiohuodion, TxDOT	9/26/2018
Cooperating Agency request			
METRO as Cooperating Agency_4.19.2012	Luis Lopez, FHWA	Pat Henry, TxDOT	4/19/2012
Participating Agency request			
Greater Northside Management District Letter	Greater Northside Management District	Pat Henry, TxDOT	4/5/2013
Request to be a Participating Agency from Hardy Near Northside 10.12.15	Edward Reyes, Hardy/Near Northside Redev. Authority	Pat Henry, TxDOT	9/8/2015

	Letter from	Letter to	Date
<i>Other Coordination</i>			
Letter to Mayor Turner 9.27.17	Quincy Allen, TXDOT	Sylvester Turner, City of Houston	9/27/2017



Texas Department of Transportation

DEWITT C. GREER STATE HIGHWAY BLDG. • 125 E. 11TH STREET • AUSTIN, TEXAS 78701-2483 • (512) 463-8585

S. Theiss

September 27, 2006

Harris County

IH 45 North Corridor: From US 59 North to Beltway 8 North and
Hardy Toll Road from IH 610 North to Beltway 8 North

Control 0912-00-146

Mr. Gary Johnson, P.E.
Acting District Engineer
Federal Highway Administration
300 East 8th Street, Room 864
Austin Texas 78701



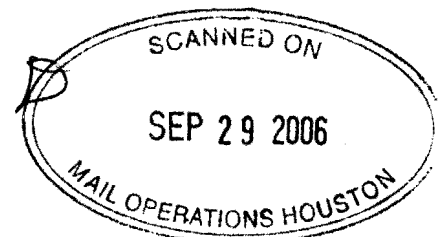
Dear Mr. Johnson:

In accordance with the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A legacy for Users (SAFETEA-LU), 23 USC 101, Section 6002, the Texas Department of Transportation hereby notifies the Federal Highway Administration (FHWA) of our intent to initiate the environmental review process for the subject projects.

TxDOT proposes to prepare an Environmental Impact Statement leading to a federal Record of Decision for the above-referenced project.

The project is included in the Houston-Galveston Area Council's 2025 Regional Transportation Plan. The project area is located on the north side of the Houston metropolitan area and spans IH 45 North from US 59 North to Beltway 8 North, and on the Hardy Toll Road from IH 610 North to Beltway 8 North, in Harris County. The project encompasses approximately 15 miles of IH 45 and approximately 9 miles of the Hardy Toll Road.

The Major Investment Study recommended the segment of IH 45 situated between IH 10 and Beltway 8 North as a 12-lane cross-section with 8 general purpose lanes and 4 managed lanes. This segment of IH 45 is currently a 9-lane cross-section with 8 general purpose lanes and 1 reversible HOV lane. Various transit alternatives were identified for the North-Hardy Corridor to accommodate identified future transportation needs in the corridor, including light rail transit service from downtown Houston to George Bush Intercontinental Airport, two-way Park & Ride service along IH 45, and an extension of the Hardy Toll Road from IH 610 southward to US 59 along the east side of downtown Houston.

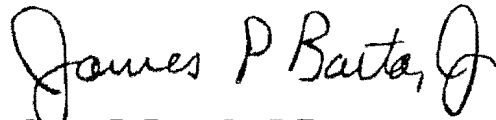


DPD

Mr. Gary Johnson, P.E.
September 14, 2006
Page 2

We look forward to working with you on this important regional project. If you have any questions about this request or if you require additional information, please contact me at (512) 416-2613 or Mr. Pat Henry, P. E. of the TxDOT Houston District at (713) 802-5241.

Sincerely,



James P. Barta Jr., P.E.
Director of Project Management
Environmental Affairs Division

LD/MAN

FHWA Determination/Approval

Date: _____

Federal Highway Administration

bcc: Houston District
FS-B
Reference: ENV 850

NOTIFICATION OF SCOPING MEETING

Agency Scoping Meeting

Notification by Mail

- Agency Meeting Letters with Mailing List - mailed by TxDOT and FHWA

Public Scoping Meeting

Legal Notice

Legal notices were placed in the following publications:

- Federal Register October 24, 2011
- Texas Register October 14, 2011
- Houston Chronicle October 16, 2011
- La Voz October 23, 2011
- Defender October 20, 2011

Electronic Notifications

- TxDOT Website Notice for Jefferson Davis High School Scoping Meeting - screenshot (pdf) printed December 13, 2011
- TxDOT Website Notice for Aldine Senior High School Scoping Meeting - screenshot (pdf) printed November 15, 2011
- Project Website Notice (ih45northandmore.com) - screenshot (pdf) printed December 13, 2011

Notifications by Mail

- Elected Official Letter and Attachments with Mailing List - mailed by TxDOT on October 17, 2011 (33 contacts)
 - Attachment 1 - Scoping Meeting Notice
 - Attachment 2 - Project Description
 - Attachment 3 - Project Limit Map
- Public Meeting Postcards with Mailing List - mailed on October 28, 2011 (4,805 contacts)

Messaging Sign

- Dynamic Messaging Sign - placed by TxDOT Area Office on November 17, 2011

Related Articles

- Houston Tomorrow November 2, 2011
- Off the Kuff November 3, 2011
- Houston Tomorrow printed November 11, 2011
- Chron.com printed November 14, 2011
- Chron.com November 15, 2011
- The Heights Life November 15, 2011
- Off the Kuff November 17, 2011
- Chron.com printed December 6, 2011
- Northeast News printed January 26, 2012

Date

Name

Title

Agency

Address

City, State ZIP

Subject: Participating Agency Involvement and Agency Scoping Meeting Invitation:
North Houston Highway Improvement Project Environmental Impact Statement

Dear Name:

The Federal Highway Administration (FHWA), in cooperation with the Texas Department of Transportation (TxDOT), is initiating an Environmental Impact Statement (EIS) for the North Houston Highway Improvement Project. Please reference the attached documents for a detailed project description with a project area map, and a copy of the project Notice of Intent.

With this letter, we extend to your agency an invitation to become a participating agency with FHWA and TxDOT in the development of the EIS for the proposed project. This designation does not imply that your agency either supports the proposal or has any special expertise with respect to the evaluation of the project.

Pursuant to Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), participating agencies are responsible for identifying, as early as possible, any issues of concern regarding the project's potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project. We suggest your agency's role in the development of the above project should include the following as they relate to your area of expertise:

1. Provide meaningful and early input on defining the proposed project's need and purpose, determining the range of alternatives to be considered, and the methods and level of detail required in alternatives analysis.
2. Participate in coordination meetings and joint field reviews, as appropriate.
3. Timely review and comment on the pre-draft or pre-final environmental documents to reflect the views and concerns of your agency on the adequacy of the document, alternatives considered, and the anticipated impacts and mitigation.

Please respond to TxDOT in writing with an acceptance or denial of the invitation **within 30 days of this letter**. If you have any questions or would like to discuss the project in more detail or agency roles and responsibilities during the preparation of this EIS, please contact me at 713-802-5241, or Ms. Kelly Lark at 713-802-5989.

In addition to this invitation to become a participating agency, you and other federal, state, and local agency representatives are invited to attend a focused meeting for agency discussion regarding the project, prior to the public scoping meeting. The agency scoping meeting will be held as follows:

Monday, November 14, 2011
10:00 a.m. to 12:00 p.m.
TxDOT Houston District, Conference Room 105
7600 Washington Avenue
Houston, Texas 77007

If you cannot attend the agency scoping meeting, please consider sending a representative. If you have any questions regarding this meeting, please contact me or Ms. Kelly Lark.

Scoping meetings for the general public will be held as follows:

Tuesday, November 15 6:00 p.m. – 8:00 p.m. Jefferson Davis High School 1101 Quitman Street Houston, TX 77009	Thursday, November 17 6:00 p.m. – 8:00 p.m. Aldine Senior High School 11101 Airline Drive Houston, TX 77037
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The purpose of the scoping meetings is to provide information about the proposed project and solicit feedback on the draft Project Coordination Plan and the draft Need and Purpose document. The Coordination Plan facilitates and documents TxDOT's and FHWA's interaction with the public and agencies, and informs the public on how coordination will be accomplished. The Need and Purpose document defines the transportation problem to be solved by the proposed project and provides data to support the project purpose. Meeting attendees will also have the opportunity to view project area maps identifying existing conditions and environmental constraints, ask questions of the study team, and discuss their concerns.

Thank you for your participation and interest in this project.

Sincerely,

Pat Henry, P.E.
Director of Project Development

Houston District

Cc: Mr. Gregory S. Punske, P.E., District Engineer, FHWA
Mr. Mark A. Marek, P.E., Interim Director, Environmental Affairs Division,
TxDOT

Enclosure: Project Description and Project Area Map (Figure 1)
Project Notice of Intent (NOI)

Date

Name

Title

Agency

Address

City, State ZIP

Subject: Cooperating Agency Involvement and Agency Scoping Meeting Invitation: North Houston Highway Improvement Project Environmental Impact Statement

Dear Name:

The Federal Highway Administration (FHWA), in cooperation with the Texas Department of Transportation (TxDOT), is initiating an Environmental Impact Statement (EIS) for the North Houston Highway Improvement Project. Please reference the attached documents for a detailed project description with a project area map, and a copy of the project Notice of Intent.

Due to your agency's jurisdiction over areas that may be affected by the proposed project, we are inviting you to become a cooperating agency with the FHWA in the development of the EIS for the proposed project.

If your agency is interested in becoming a cooperating agency for this project, your agency's involvement would entail only those areas under its jurisdiction, and no direct writing or analysis will be necessary for the document's preparation. The following activities are planned to maximize interagency cooperation:

- Coordination meetings,
- Technical study coordination,
- Joint field reviews, and
- Shared project information.

We look forward to your response to this invitation to join the project as a cooperating agency. If you have any questions or would like to discuss the project in more detail or agency roles and responsibilities during the preparation of this EIS, please contact Julia Ragsdale at 512-416-2612 or julia.ragsdale@txdot.gov.

In addition to this invitation to become a cooperating agency, you and other federal agency representatives are invited to attend a focused meeting for agency discussion regarding the project, prior to the public scoping meeting. The federal agency scoping meeting will be held as follows:

Monday, November 14, 2011
2:00 p.m. to 4:00 p.m.
TxDOT Houston District, Conference Room 105
7600 Washington Avenue
Houston, Texas 77007

If you cannot attend the agency scoping meeting, please consider sending a representative. If you have any questions regarding this meeting, please contact Pat Henry at 713-802-5241.

Scoping meetings for the general public will be held as follows:

Tuesday, November 15 6:00 p.m. – 8:00 p.m. Jefferson Davis High School 1101 Quitman Street Houston, TX 77009	Thursday, November 17 6:00 p.m. – 8:00 p.m. Aldine Senior High School 11101 Airline Drive Houston, TX 77037
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The purpose of the scoping meetings is to provide information about the proposed project and solicit feedback on the draft Project Coordination Plan and the draft Need and Purpose document. The Coordination Plan facilitates and documents TxDOT's and FHWA's interaction with the public and agencies, and informs the public on how coordination will be accomplished. The Need and Purpose document defines the transportation problem to be solved by the proposed project and provides data to support the project purpose. Meeting attendees will also have the opportunity to view project area maps identifying existing conditions and environmental constraints, ask questions of the study team, and discuss their concerns.

Thank you for your participation and interest in this project.

Sincerely,

Gregory Punske, P.E.
District Engineer
Federal Highway Administration

Cc: Mark A. Marek, P.E., Interim Director, Environmental Affairs Division, TxDOT
Michael W. Alford, P.E., Interim District Engineer, Houston District, TxDOT

Enclosure: Project Description and Project Area Map (Figure 1)
Project Notice of Intent (NOI)

North Houston Highway Improvement Project
Cooperating and Participating Agency Contact List

Type	Cooperating/Participating	Surname	Salutation	First Name	Last Name	Agency	Title	Department	Address 1	City	State	ZIP	Phone No.	E-mail
Federal	Lead	Mr.	Mr.	Gregory	Punske, P.E.	Federal Highway Administration	District Engineer	District B	300 East 8th Street, Rm 826	Austin	TX	78701	512-536-5960	Gregory.Punske@dot.gov
State	Joint-lead, Sponsor	Mr.	Mr.	Pat	Henry, P.E.	TxDOT, Houston District	Director	Project Development	P.O. Box 1386	Houston	TX	77251-1386	713-802-5241	PHenry@txdot.gov
Federal	Cooperating, Participating	Dr.	Dr.	Alfredo "Al"	Armendariz	US Environmental Protection Agency	Regional Administrator	Region 6	1445 Ross Avenue, Suite 1200, 6RA	Dallas	TX	75202-2733	214-665-2100	Armendariz.Al@epa.gov
Federal	Cooperating, Participating	Ms.	Ms.	Edith	Erfling	US Fish and Wildlife Service	Fish & Wildlife Biologist		17629 El Camino Real, Suite 211	Houston	TX	77058	281-286-8282	Edith_Erfling@fws.gov
Federal	Cooperating, Participating	Col.	Col.	Christopher W.	Sallese	US Army Corps of Engineers	District Engineer	Galveston District	P.O. Box 1229	Galveston	TX	77553-1229	409-766-3059	christopher.w.sallese@swg02.usace.army.mil
Federal	Cooperating, Participating	Capt.	Capt.	James H.	Whitehead	US Coast Guard	Commander	Houston-Galveston Sector	9640 Clinton Dr.	Houston	TX	77029	713-671-5100	N/A
State	Participating	Mr.	Mr.	Carter	Smith	Texas Parks and Wildlife Dept.	Executive Director		4200 Smith School Road	Austin	TX	78744-3291	512-389-4802	carter.smith@tpwd.state.tx.us
State	Participating	Ms.	Ms.	Rebecca	Hensley	Texas Parks and Wildlife Dept.	Regional Director	Science & Policy Resources	1502 FM 517 East	Dickinson	TX	77539	281-534-0108	Rebecca.Hensley@tpwd.state.tx.us
State	Participating	Ms.	Ms.	Donna	Phillips	Texas Commission on Environmental Quality	Area Director	Coastal and East Texas	5425 Polk St., Ste. H	Houston	TX	77023-1452	713-767-3659	igr@tceq.state.tx.us
State	Participating	Mr.	Mr.	Mark	Wolfe	Texas Historical Commission	Division Director	Archeology	P.O. Box 12276	Austin	TX	78711-2276	512-463-5863	mark.wolfe@thc.state.tx.us
State	Participating	Mr.	Mr.	John J.	Tintera	Texas Railroad Commission	Executive Director		P.O. Box 12967	Austin	TX	78711-2967	512-463-7068	John.Tintera@rrc.state.tx.us
State	Participating	Mr.	Mr.	Jeffrey	Davis	Texas General Land Office	Field Office Director	La Porte Field Office	11811 N. D. Street	LaPorte	TX	77571	281-470-1191	Jeffrey.Davis@glo.state.tx.us
State	Participating	Ms.	Ms.	Tara	Mealy	Texas General Land Office	Biologist		11812 N. D. Street	LaPorte	TX	77572	281-470-1192	Tara.Mealy@glo.state.tx.us
County	Participating	Mr.	Mr.	John R.	Blount, P.E.	Harris County	Director	Architecture & Engineering Div.	1001 Preston, 7th Floor	Houston	TX	77002	713-386-4877	JBlount@pid.hctx.net
County	Participating	Mr.	Mr.	Peter	Key	Harris County Toll Road Authority	Director		7701 Wilshire Place Dr	Houston	TX	77040	832-601-7800	N/A
County	Participating	Mr.	Mr.	Mike	Talbot	Harris County Flood Control District	Director		9900 Northwest Freeway	Houston	TX	77092	713-684-4000	MT@hcfcd.co.harris.tx.us
Regional	Participating	Mr.	Mr.	Alan C.	Clark	Houston-Galveston Area Council	Transportation & Air Quality Manager/MPO Director		P.O. Box 22777	Houston	TX	77227-2777	713-993-4585	Alan.Clark@h-gac.com
City	Participating	Ms.	Ms.	Marlene	Gafrick	City of Houston	Director	Planning & Development	611 Walker St, 6th Fl.	Houston	TX	77002	713-837-7701	pd.planning@houstontx.gov
County	Participating	Mr.	Mr.	George	Greanias	METRO	President & CEO		P.O. Box 61429	Houston	TX	77251-1429	713-739-4000	george.greanias@ridemetro.org

Lisa Mitchell

From: Lisa Mitchell
Sent: Wednesday, April 26, 2017 4:46 PM
To: 'NEPA@tceq.texas.gov'
Subject: Coordination for the North Houston Highway Improvement Project (NHHIP) Draft EIS / CSJ 0912-00-146

TxDOT requests that TCEQ evaluate the North Houston Highway Improvement Project (NHHIP) (which runs along IH 45N from Beltway 8 to Downtown Houston in Harris County, Texas) per 43 TAC 2.305(a)(2)(C). The proposed project would include the addition of four managed express (MaX) lanes (including high-occupancy vehicle [HOV] and toll lanes) on Interstate Highway 45 (I-45) from Beltway 8 North to Downtown Houston, including reconstruction of mainlanes and frontage roads, and the rerouting of I-45 in the Downtown area to be coincident with I-10 on the north side of Downtown and coincident with U.S. Highway (US) 59/I-69 on the east side of Downtown. The existing elevated I-45 roadway along the west and south sides of Downtown would be removed. Access to the west side of Downtown would be provided via "Downtown Connectors," which would provide access to and from various Downtown streets. Both I-10 and US 59/I-69 within the proposed project area would be realigned to eliminate the current roadway curvature, and four elevated I-10 Express lanes would be added between I-45 and US 59/I-69.

An electronic version of the Draft Environmental Impact Statement and all appendices will be transmitted to your office using our FTP system. Please let me know if you have any questions.

Thank you,

Lisa Mitchell, J.D., LL.M
Project Delivery Manager
Strategic Projects – Environmental Affairs Division
Texas Department of Transportation
125 East 11th Street
Austin, TX 78701-2483
512.416.3029
Lisa.Mitchell@txdot.gov

Ashley McLain

From: Sue Reilly <Sue.Reilly@tpwd.texas.gov>
Sent: Thursday, December 1, 2016 5:20 PM
To: Kelly Lark
Subject: RE: Early Coordination for North Houston Highway Improvement Project (NHHIP)

Kelly,

I do not have any comments on this project.

Thank you for submitting the following project for early coordination: IH 45 North Houston Highway Improvement Project (CSJ 0912-00-146). TPWD appreciates TxDOT's commitment to implement the practices listed in the Biological Evaluation Form submitted on Oct 13, 2016. Based on a review of the documentation, the avoidance and mitigation efforts described, and provided that project plans do not change, TPWD considers coordination to be complete. However, please note it is the responsibility of the project proponent to comply with all federal, state, and local laws that protect plants, fish, and wildlife.

Thank you,

Sue Reilly
Transportation Assessment Liaison
TPWD Wildlife Division
512-389-8021

From: WHAB_TxDOT
Sent: Thursday, October 13, 2016 2:04 PM
To: Kelly Lark
Cc: Sue Reilly
Subject: RE: Early Coordination for North Houston Highway Improvement Project (NHHIP)

The TPWD Wildlife Habitat Assessment Program has received your request and has assigned it project ID # 37136 . The Habitat Assessment Biologist who will complete your project review is copied on this email.

Thank you,

John Ney
Administrative Assistant
Texas Parks & Wildlife Department
Wildlife Diversity Program - Habitat Assessment Program
4200 Smith School Road
Austin, TX 78744

Office: (512) 389-4571

From: Kelly Lark [<mailto:Kelly.Lark@txdot.gov>]
Sent: Thursday, October 13, 2016 10:21 AM
To: WHAB_TxDOT <WHAB_TxDOT@tpwd.texas.gov>
Subject: Early Coordination for North Houston Highway Improvement Project (NHHIP)

Attached are the BEF and the Support information for early coordination with TPWD.

Please let me know if you need anything else at this time.

Thanks, Kelly

Kelly Lark
Environmental Coordinator, TxDOT, Houston District
(713) 802-5989



Ashley McLain

From: Mannie, Kevin S CIV USARMY CESWG (USA) <Kevin.S.Mannie@usace.army.mil>
Sent: Friday, November 15, 2019 12:25 PM
To: Terri Dedhia
Cc: 'Patty Matthews'; Denetia Robinson; 'Roy.Knowles@aecom.com';
'david.young@blantonassociates.com'
Subject: SWG-2019-00718 TxDOT - North Houston Highway Improvement Project

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Terri,

I have the AJD requests for Segments 3A and 3B. The SWG number is SWG-2019-00718. I will get an acknowledgement letter in the mail first thing next week. I don't need anything else at this time. If I discover that I need anything, I will let you know as soon as possible. Thank you.

Kind Regards,

Kevin Mannie, CFM
Regulatory Project Manager
U.S. Army Corps of Engineers
Galveston District
2000 Fort Point Road
Galveston, Texas 77550
Phone: 409-766-3016
Fax: 409-766-3931
Kevin.S.Mannie@usace.army.mil

Web: www.swg.usace.army.mil
Facebook: www.facebook.com/GalvestonDistrict
DVIDS: www.dvidshub.net/units/USACE-GD
Twitter: www.twitter.com/usacegalveston
LinkedIn: www.linkedin.com/company/3517332 To assist us in improving our service to you, please complete the survey found at http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0.

-----Original Message-----

From: Terri Dedhia [mailto:Terri.Leeson@txdot.gov]
Sent: Friday, November 15, 2019 12:18 PM
To: Mannie, Kevin S CIV USARMY CESWG (USA) <Kevin.S.Mannie@usace.army.mil>
Cc: 'Patty Matthews' <Patty.Matthews@aecom.com>; Denetia Robinson <Denetia.Robinson@txdot.gov>;
'Roy.Knowles@aecom.com' <Roy.Knowles@aecom.com>; 'david.young@blantonassociates.com'
<david.young@blantonassociates.com>
Subject: [Non-DoD Source] RE: TxDOT Request for Pre-JD Meeting - North Houston Highway Improvement Project

Kevin - I am following-up on our meeting from Oct 18. We submitted 2 AJD requests to the USACE for this project. Could you please send an acknowledgement letter with the SWG numbers assigned? Also, did you need anything further from us at this time?

Thanks,
Terri

-----Original Message-----

From: Mannie, Kevin S CIV USARMY CESWG (USA) [mailto:Kevin.S.Mannie@usace.army.mil]

Sent: Monday, October 07, 2019 9:04 AM

To: Terri Dedhia

Cc: 'Patty Matthews'; Denetia Robinson; Susan Shuffield; 'Roy.Knowles@aecom.com'; Cunningham, Felicity A CIV CPMS (USA)

Subject: RE: TxDOT Request for Pre-JD Meeting - North Houston Highway Improvement Project

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Not a problem. I have a room reserved for Friday, October 18 at 13:00. Thank you.

Kind Regards,

Kevin Mannie, CFM
Regulatory Project Manager
U.S. Army Corps of Engineers
Galveston District
2000 Fort Point Road
Galveston, Texas 77550
Phone: 409-766-3016
Fax: 409-766-3931
Kevin.S.Mannie@usace.army.mil

Web: Blockedwww.swg.usace.army.mil

Facebook: Blockedwww.facebook.com/GalvestonDistrict

DVIDS: Blockedwww.dvidshub.net/units/USACE-GD

Twitter: Blockedwww.twitter.com/usacegalveston

LinkedIn: Blockedwww.linkedin.com/company/3517332

To assist us in improving our service to you, please complete the survey found at

Blockedhttp://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0.

-----Original Message-----

From: Terri Dedhia [mailto:Terri.Leeson@txdot.gov]

Sent: Friday, October 4, 2019 3:23 PM

To: Mannie, Kevin S CIV USARMY CESWG (USA) <Kevin.S.Mannie@usace.army.mil>

Cc: 'Patty Matthews' <Patty.Matthews@aecom.com>; Denetia Robinson <Denetia.Robinson@txdot.gov>; Shuffield Susan <susan.shuffield@txdot.gov>; 'Roy.Knowles@aecom.com' <Roy.Knowles@aecom.com>; Cunningham, Felicity A CIV CPMS (USA) <Felicity.A.Cunningham@usace.army.mil>

Subject: [Non-DoD Source] RE: TxDOT Request for Pre-JD Meeting - North Houston Highway Improvement Project

Sorry, I did not factor in one person's schedule. Can we do Oct 18 at 1:00 pm?

-----Original Message-----

From: Terri Dedhia

Sent: Friday, October 04, 2019 3:22 PM

To: 'Mannie, Kevin S CIV USARMY CESWG (USA)'

Cc: 'Patty Matthews'; Denetia Robinson; Susan Shuffield; 'Roy.Knowles@aecom.com'; Cunningham, Felicity A CIV CPMS (USA)

Subject: RE: TxDOT Request for Pre-JD Meeting - North Houston Highway Improvement Project

After communicating with the team, it looks like Oct 17. Can we do 1:00 pm?

Also, will the conference room be capable of conference call too? I have 1 member of the team that may opt to call-in.

Thanks,

Terri

-----Original Message-----

From: Mannie, Kevin S CIV USARMY CESWG (USA) [mailto:Kevin.S.Mannie@usace.army.mil]

Sent: Friday, October 04, 2019 8:58 AM

To: Terri Dedhia

Cc: 'Patty Matthews'; Denetia Robinson; Susan Shuffield; 'Roy.Knowles@aecom.com'; Cunningham, Felicity A CIV CPMS (USA)

Subject: RE: TxDOT Request for Pre-JD Meeting - North Houston Highway Improvement Project

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning and happy Friday. I'm available after 11:00 am any of those dates.

Kind Regards,

Kevin Mannie, CFM

Regulatory Project Manager

U.S. Army Corps of Engineers

Galveston District

2000 Fort Point Road

Galveston, Texas 77550

Phone: 409-766-3016

Fax: 409-766-3931

Kevin.S.Mannie@usace.army.mil

Web: BlockedBlockedwww.swg.usace.army.mil

Facebook: BlockedBlockedwww.facebook.com/GalvestonDistrict

DVIDS: BlockedBlockedwww.dvidshub.net/units/USACE-GD

Twitter: BlockedBlockedwww.twitter.com/usacegalveston

LinkedIn: BlockedBlockedwww.linkedin.com/company/3517332

To assist us in improving our service to you, please complete the survey found at

BlockedBlockedhttp://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0.

-----Original Message-----

From: Terri Dedhia [mailto:Terri.Leeson@txdot.gov]

Sent: Friday, October 4, 2019 8:00 AM

To: Mannie, Kevin S CIV USARMY CESWG (USA) <Kevin.S.Mannie@usace.army.mil>

Cc: 'Patty Matthews' <Patty.Matthews@aecom.com>; Denetia Robinson <Denetia.Robinson@txdot.gov>; Shuffield Susan <susan.shuffield@txdot.gov>; 'Roy.Knowles@aecom.com' <Roy.Knowles@aecom.com>; Cunningham, Felicity A CIV CPMS (USA) <Felicity.A.Cunningham@usace.army.mil>

Subject: [Non-DoD Source] RE: TxDOT Request for Pre-JD Meeting - North Houston Highway Improvement Project

Good Morning - how about Oct 15, Oct 16, Oct 17 or Oct 18?

Thanks,
Terri

-----Original Message-----

From: Mannie, Kevin S CIV USARMY CESWG (USA) [mailto:Kevin.S.Mannie@usace.army.mil]

Sent: Thursday, October 03, 2019 1:30 PM

To: Terri Dedhia

Cc: 'Patty Matthews'; Denetia Robinson; Susan Shuffield; 'Roy.Knowles@aecom.com'; Cunningham, Felicity A CIV CPMS (USA)

Subject: RE: TxDOT Request for Pre-JD Meeting - North Houston Highway Improvement Project

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I'm available after 12:00 on Monday and Wednesday, October 7 and 9, and have a small window Tuesday, October 8, from 11:00 to 13:00.

-----Original Message-----

From: Terri Dedhia [mailto:Terri.Leeson@txdot.gov]

Sent: Thursday, October 3, 2019 11:39 AM

To: Mannie, Kevin S CIV USARMY CESWG (USA) <Kevin.S.Mannie@usace.army.mil>

Cc: 'Patty Matthews' <Patty.Matthews@aecom.com>; Denetia Robinson <Denetia.Robinson@txdot.gov>; Shuffield Susan <susan.shuffield@txdot.gov>; 'Roy.Knowles@aecom.com' <Roy.Knowles@aecom.com>; Cunningham, Felicity A CIV CPMS (USA) <Felicity.A.Cunningham@usace.army.mil>

Subject: [Non-DoD Source] RE: TxDOT Request for Pre-JD Meeting - North Houston Highway Improvement Project

Good Morning - unfortunately, those dates will not work. Are you available the next week (except Oct 14)?

Thanks!
Terri

-----Original Message-----

From: Mannie, Kevin S CIV USARMY CESWG (USA) [mailto:Kevin.S.Mannie@usace.army.mil]

Sent: Thursday, October 03, 2019 9:47 AM

To: Terri Dedhia

Cc: 'Patty Matthews'; Denetia Robinson; Susan Shuffield; 'Roy.Knowles@aecom.com'; Cunningham, Felicity A CIV CPMS (USA)

Subject: RE: TxDOT Request for Pre-JD Meeting - North Houston Highway Improvement Project

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning, Terri. I'm happy to meet with you to discuss forthcoming AJD requests for the subject project. I will touch base with folks from the Land Use team to see if anyone is available to cover 408 aspects. Otherwise I'm happy to lend my experience to those issues as I've been assisting our Operations Division with coordinating 408 reviews for the past month.

I'm available next week Thursday or Friday, October 10 or 11. Let me know if either of those dates work for you. Thank you.

Kind Regards,

Kevin Mannie, CFM
Regulatory Project Manager
U.S. Army Corps of Engineers
Galveston District
2000 Fort Point Road
Galveston, Texas 77550
Phone: 409-766-3016
Fax: 409-766-3931
Kevin.S.Mannie@usace.army.mil

Web: BlockedBlockedBlockedBlockedwww.swg.usace.army.mil
Facebook: BlockedBlockedBlockedBlockedwww.facebook.com/GalvestonDistrict
DVIDS: BlockedBlockedBlockedBlockedwww.dvidshub.net/units/USACE-GD
Twitter: BlockedBlockedBlockedBlockedwww.twitter.com/usacegalveston
LinkedIn: BlockedBlockedBlockedBlockedwww.linkedin.com/company/3517332
To assist us in improving our service to you, please complete the survey found at
BlockedBlockedBlockedBlockedhttp://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0.

-----Original Message-----

From: Terri Dedhia [mailto:Terri.Leeson@txdot.gov]
Sent: Wednesday, October 2, 2019 12:46 PM
To: Mannie, Kevin S CIV USARMY CESWG (USA) <Kevin.S.Mannie@usace.army.mil>
Cc: 'Patty Matthews' <Patty.Matthews@aecom.com>; Denetia Robinson <Denetia.Robinson@txdot.gov>; Shuffield Susan <susan.shuffield@txdot.gov>; 'Roy.Knowles@aecom.com' <Roy.Knowles@aecom.com>
Subject: [Non-DoD Source] TxDOT Request for Pre-JD Meeting - North Houston Highway Improvement Project

Kevin,

TxDOT-HOU would like to request a meeting with the USACE to discuss the upcoming submittal of 2 AJD requests for the North Houston Highway Improvement Project. This is a major project in the Houston-area, and we would like to brief you on the aspects of the project before submitting the requests.

The project will also involve Section 408 components, so it may be prudent to bring in someone from that section of the USACE as well.

Can you provide a few dates/times that are convenient for you so that I can coordinate with the team on this end?

Regards,
Terri

Terri Dedhia

Environmental Program Manager

Texas Dept. of Transportation - Houston District

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[A Texas Department of Transportation (TxDOT) message]<BlockedBlockedBlockedhttps://www.txdot.gov/inside-txdot/media-center/featured.html>

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[A Texas Department of Transportation (TxDOT) message]<Blockedhttps://www.txdot.gov/inside-txdot/media-center/featured.html>



125 EAST 11TH STREET, AUSTIN, TEXAS 78701-2483 | 512.463.8588 | WWW.TXDOT.GOV

February 16, 2017

RE: CSJ: 0912-00-146; North Houston Highway Improvement Project - Interstate Highway (IH) 45: Beltway (BW) 8 to IH 10 at United States Highway (US) 59/IH 69, Road Expansion, Section 106 Consultation; Harris County, Houston District

To: Representatives of Federally-recognized Tribes with Interest in this Project Area

The above referenced transportation project is being considered for construction by the Federal Highway Administration (FHWA) and the Texas Department of Transportation (TxDOT). Environmental studies are in the process of being conducted for this project. 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 FHWA and TxDOT.

The purpose of this letter is to contact you in order to consult with your Tribe pursuant to stipulations of the Programmatic Agreement among the Federal Highway Administration, the Texas Department of Transportation, the Texas State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding the Implementation of Transportation Undertakings (PA-TU). The project is located in an area that is of interest to your Tribe.

Undertaking Description

TxDOT's Houston District is proposing to widen and improve the existing IH 45 between BW 8 and IH 10 at US 59/IH 10 in Harris County, Texas (Exhibits A and B).

The proposed project would improve IH 45 between BW 8 and IH 10 at US 59/IH 69 in Harris County (Exhibit C). The proposed project would widen and improve Interstate 45 between Beltway 8 and I-610; the I-45 corridor between I-610 and to I-10; and the Downtown Loop at I-45 and US 59/I-69 at I-10 (CSJ: 0912-00-146). The proposed project is approximately 22 miles in length and composed of three segments: Segment 1: the I-45 corridor between Beltway 8 and I-610; Segment 2: the I-45 corridor between I-610 and I-10; and Segment 3: focused on I-45 and US 59/I-69 between I-10 and the interchange south of downtown Houston. The proposed highway improvement project involves the acquisition of new right-of-way (ROW). The total acreage that would be impacted by the proposed project is 614.7 acres. The typical construction ROW would be 130 meters (426.5 feet) wide; however, the actual ROW dimensions vary greatly between segments and alternatives. The area of potential effect (APE) is defined as the proposed project length, the existing and proposed ROW width, and the depth of construction impacts (as much as 100 feet for grade separations).

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OUR MISSION: *Through collaboration and leadership, we deliver a safe, reliable, and integrated transportation system that enables the movement of people and goods.*

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Area of Potential Effects

The project's area of potential effects (APE) comprises the following area.

- The project limits extend from BW 8 and IH 10 at US 59/IH 69 in Harris County. The total project length is approximately 22 miles.
- The existing right of way is approximately 400.0 feet in width, usual.
- The latitude and longitude for the end points of the project are:
 - Begin latitude: +29. 74454712 Begin longitude: -95. 36270141
 - End latitude: +29. 94062284 End longitude: -95. 41396379
- The existing right of way comprises an area estimated at 615 acre(s).
- New ROW would be acquired for this project, but has yet to be calculated.
- It is unknown if temporary construction easements would be needed for this project.
- The estimated depths of impact would be 3 feet usual for the roadway, up to 10 feet for drainage structures, and up to 100 feet for the overpass.
- For the purposes of this cultural resources review, the APE also includes an additional 50-foot area around the previously-described horizontal dimensions to account for potential alterations to the proposed APE included in the final project design. Consultation would be continued if potential impacts extend beyond this additional area, based on the final design

Identification Efforts

For this project, TxDOT has conducted a desktop-based study of available background information, which indicates that further field investigation is warranted.

The proposed project APE is located entirely within an area of relict soils. These relict soils are derived from predominately loamy and clayey ancient alluviums dating to the Pleistocene. These soils are located on stable landforms that generally predate human occupation. These soils have very little reasonable potential for Native American archeological materials except where intact soils are located in close proximity to a reliable source of freshwater. Soils within the APE have been extensively disturbed throughout the proposed project area and are described as being mixed with modern urban trash and fill and consist of Addicks-Urban land complex soils, Aldine-Urban land complex soils, Clodine-Urban land complex soils, Gessner loam, Gessner-Urban land complex soils, and Vamont-Urban land complex soils. A review of the Texas Historic Sites Atlas on 2/07/2017 revealed that there are several previously recorded archeological sites, archeological historic properties (36 CFR 800.16(l)) or State Antiquities Landmarks (13 TAC 26.8) located either within, adjacent to, or nearby the APE for this proposed project (Exhibit D). There are several archeological surveys just within 1,000 meters (3,300 feet) of the APE. The nearest of which being the Frost Town investigations performed between 2003 and 2016 by Prewitt and Associates, Inc. for the Elysian Viaduct project on behalf of the Texas Department of Transportation (TxDOT). The current IH 45 survey by Raba Kistner Environmental, Inc. (RKEI) recorded no archeological materials in the 23 parcels (2.25 acres) of previously identified high probability areas that had access or were granted

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right-of-entry (ROE). Items encountered consisted of modern trash and construction debris. The portion of the APE surveyed was found to be extensively disturbed by previous developmental activities. RKEI recommended that those parcels identified as warranting survey and denied ROE be surveyed once access has been acquired. Areas surveyed that warranted mechanical trenching were not performed due to the presence of hazardous material in the overlying fill. RKEI recommends that once this hazardous material can be addressed, the mechanical trenching of deeply buried deposits be completed. A single cemetery was identified within or adjacent to the APE, the remains of the Third City Cemetery in parcel 55 should be avoided if at all possible.

- The portion of the APE surveyed was found to be predominately disturbed and contained no archeological materials. These sediments have been previously disturbed by construction and modern land use practices. These activities would have destroyed more fragile archeological materials and would have moved more durable materials from their original location. Any sites that may occur within the APE would likely lack sufficient integrity of location, association, and materials to be able to address important questions of history and prehistory (36 CFR 60.4). No further investigation is warranted in the areas that were surveyed.
- The portion of the APE for which ROE was denied or where deep mechanical trenching is warranted, but not performed due to the presence of hazardous materials, will need to be investigated once access is acquired or the hazardous materials resolved.
- There is a reasonable probability to expect archeological historic properties (36 CFR 800.16(l)) in the remaining parcels to be surveyed, TxDOT shall be obligated to complete this investigation.

Findings and Recommendations

Based on the above, TxDOT proposes the following findings and recommendations:

- Since there is a reasonably favorable potential for intact archeological materials within the unsurveyed portion of the APE with moderate to high probability, a field investigation of this portion of the APE to identify potential archeological historic properties (36 CFR 800.16(l)) is warranted;
- that a zone of 50 feet beyond the horizontal project limits be considered as part of the cultural resources evaluation; and
- if any future changes to the project APE extend beyond the additional 50-foot zone or if archeological deposits are discovered, your Tribe would then be contacted for further consultation.

According to our procedures and agreements currently in place regarding consultation under Section 106 of the National Historic Preservation Act, we are writing to request your comments on historic properties of cultural or religious significance to your Tribe that may be affected by the proposed project APE and the area within the above defined buffer. Any comments you may have on the TxDOT findings and recommendations should also be provided. Please provide your comments within 30 days of receipt of this letter. Any comments provided after that time will be addressed to the fullest extent possible. If you do not object that the proposed findings and recommendations are

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appropriate, please sign below to indicate your concurrence. In the event that further work discloses the presence of archeological deposits, we will contact your Tribe to continue consultation.

Thank you for your attention to this matter. If you have questions, please contact Allen Bettis (TxDOT Archeologist) at 512/416-2747 (email: Allen.Bettis@txdot.gov) or Sarah Stroman at 512/416-2608 (email: Sarah.Stroman@txdot.gov). When replying to this correspondence by US Mail, please ensure that the envelope address includes reference to the Archeological Studies Branch, Environmental Affairs Division.

Sincerely,



Scott Pletka, Deputy Section Director
Environmental Affairs Division

Concurrence by:

Date:

Enclosure

cc w/ enclosure: ENV-ARCH ECOS

County Location Map

County: Harris County

Project CSJ: 0912-00-146

Project Name: North Houston Highway Improvement Project: IH 45 Expansion between BW 8 and IH 10 at US 59/IH 69

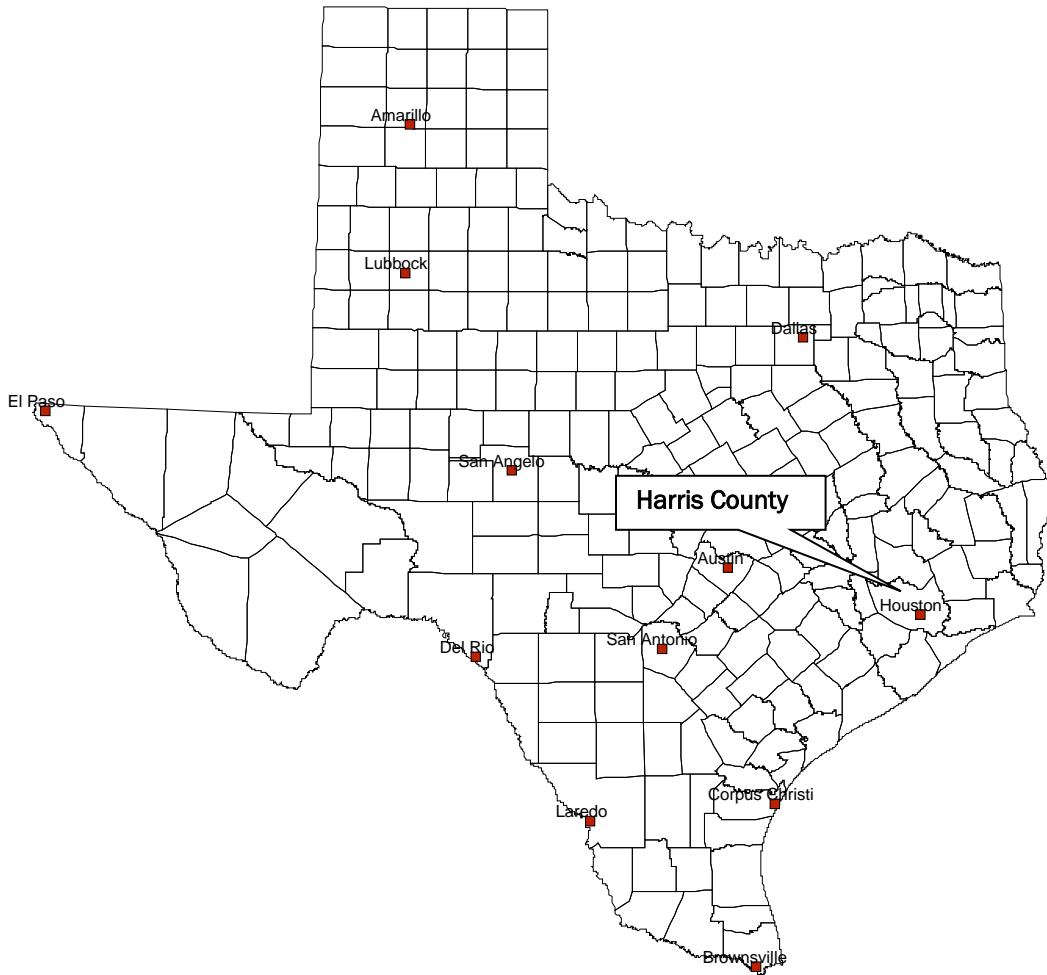


Exhibit A: County Location

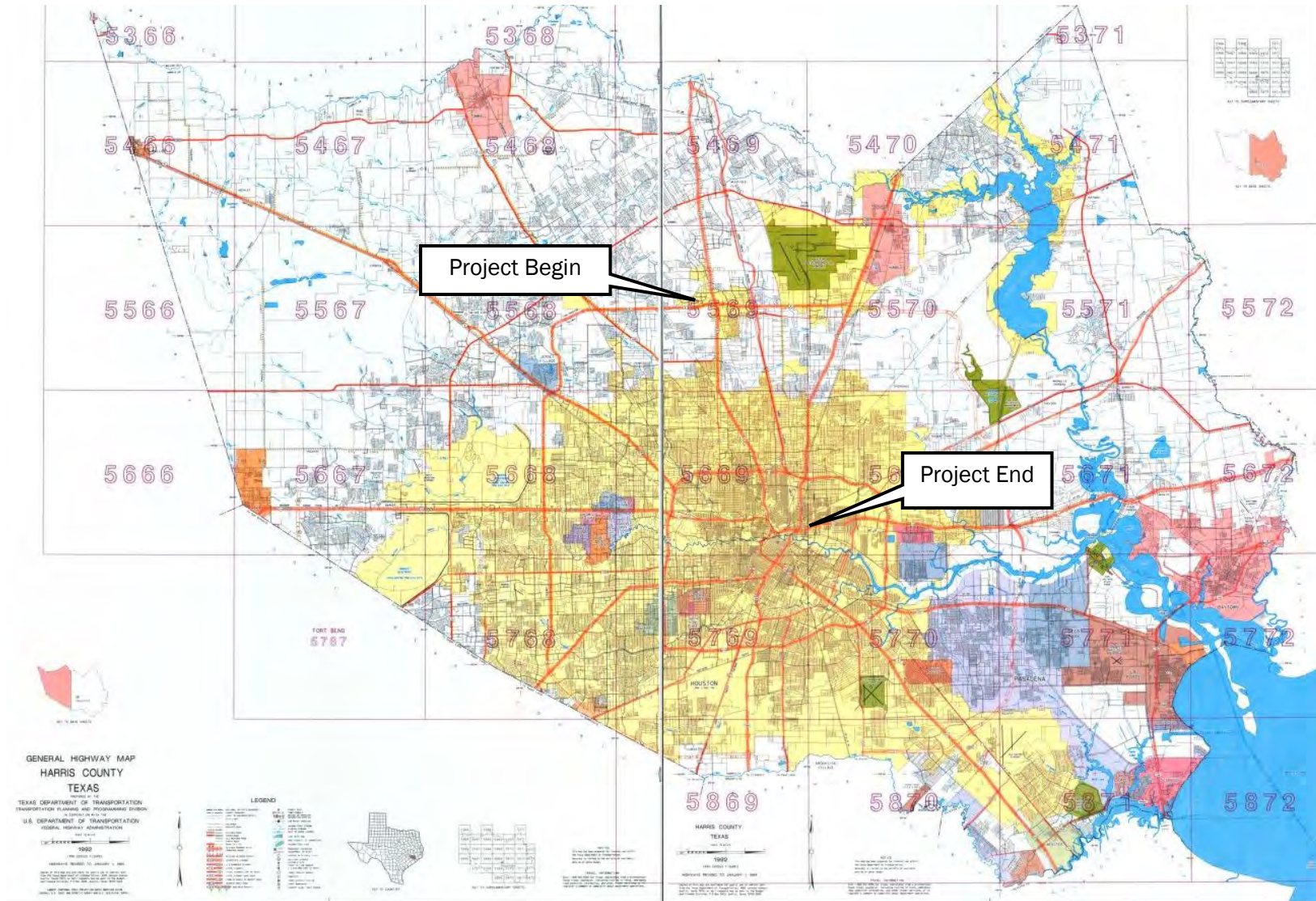


Exhibit B. Harris County Map

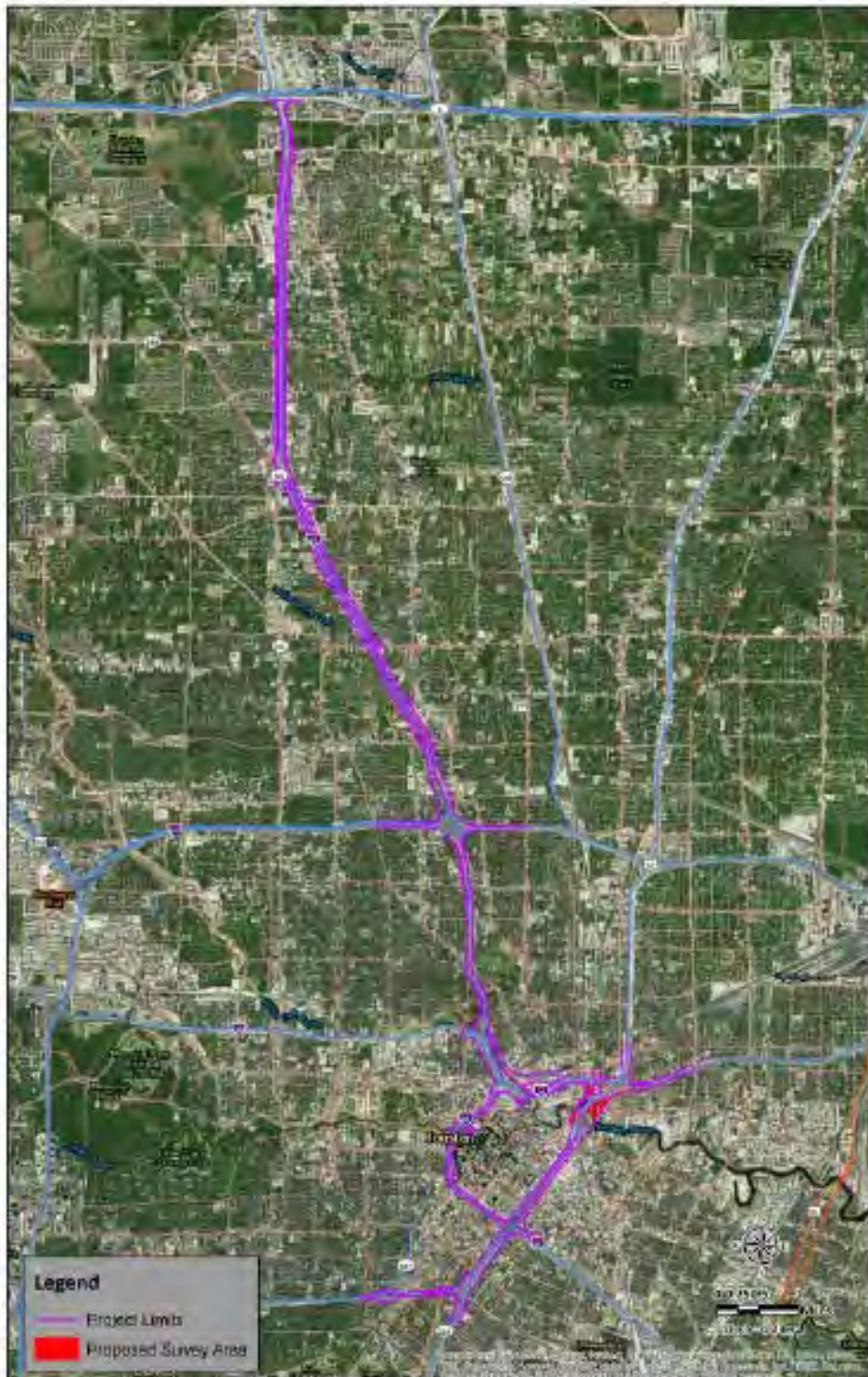


Exhibit C: Project Layout Map

Sarah Stroman

From: Bryant Celestine <Celestine.Bryant@actribe.org>
Sent: Friday, March 17, 2017 4:58 PM
To: Sarah Stroman
Subject: RE: Section 106 Consultation, Texas Department of Transportation, CSJ091200146

Dear Ms. Stroman:

On behalf of Mikko Colabe III Clem Sylestine and the Alabama-Coushatta Tribe, our appreciation is expressed on the efforts to consult us regarding CSJ 091200146 in Harris County.

Our Tribe maintains ancestral associations throughout the state of Texas despite the absence of written records to completely identify Tribal activities, villages, trails, or burial sites. However, it is our objective to ensure significances of American Indian ancestry, especially of Alabama-Coushatta origin, are administered with the utmost considerations.

Upon review of your February 16, 2017 submission, no known impacts to cultural assets of the Alabama-Coushatta Tribe of Texas are anticipated in conjunction with this proposal. In the event of the inadvertent discovery of human remains and/or archaeological artifacts, activity in proximity to the location must cease and appropriate authorities, including this Office, notified without delay for additional consultations.

Should you require further assistance, please do not hesitate to contact us.

Sincerely,

Bryant J. Celestine

Historic Preservation Officer
Alabama-Coushatta Tribe of Texas
571 State Park Rd 56
Livingston, Texas 77351
936 - 563 – 1181 (office)
936 - 933 – 7297 (cell)
celestine.bryant@actribe.org

COMANCHE NATION



Texas Department of Transportation
Attn: Ms. Sarah Stroman
125 East 11th Street
Texas 78701-2483

March 22, 2017

Re: CSJ: 0912-00-146; North Houston Highway Improvement Project-
Interstate Highway (IH) 45: Beltway (BH) 8 to IH 10 at United States
Highway (US) 59/IH 69, Road Expansion, Section 106 Consultation;
Harris County, Houston District

Dear Ms. Stroman :

In response to your request, the above reference project has been reviewed by staff of this office to identify areas that may potentially contain prehistoric or historic archeological materials. The location of your project has been cross referenced with the Comanche Nation site files, where an indication of "**No Properties**" have been identified. (IAW 36 CFR 800.4(d)(1)).

Please contact this office at (580) 595-9960/9618 if you require additional information on this project.

This review is performed in order to identify and preserve the Comanche Nation and State cultural heritage, in conjunction with the State Historic Preservation Office.

Regards

Comanche Nation Historic Preservation Office
Theodore E. Villicana ,Technician
#6 SW "D" Avenue , Suite C
Lawton, OK. 73502



**TONKAWA TRIBE OF OKLAHOMA
NATIVE AMERICAN GRAVES PROTECTION
AND REPATRIATION ACT (NAGPRA)**

1 RUSH BUFFALO ROAD - PHONE (580) 628-2561 - FAX (580) 628-2279
TONKAWA, OKLAHOMA 74653
www.tonkawatribe.com

March 16, 2017

Texas Department of Transportation
Attn: Scott Pletka, Deputy Section Director
Environmental Affairs Division
125 East 11th Street
Austin, TX 78701-2483

Re: Section 106 Request for Consultation: CSJ: 0912-00-146; North Houston Highway Improvement Project – Interstate Highway (IH) 45: Beltway (BW) 8 to IH 10 at United Stated Highway (US) 59/IH 69, road Expansion, Harris County, Houston District, Texas

Dear Mr. Pletka:

On behalf of President Russell L. Martin and the Tonkawa Tribe of Oklahoma in regards to: *Section 106 Consultation, CSJ: 0912-00-146; North Houston Highway Improvement Project – Interstate Highway (IH) 45: Beltway (BW) 8 to IH 10 at United Stated Highway (US) 59/IH 69, road Expansion, Harris County, Houston District, greatly appreciate the notification to consult with the Tonkawa Tribe of Indians of Oklahoma (TTIO) pursuant to stipulations of the Programmatic Agreement among the Federal Highway Administration, the Texas Department of Transportation (TxDOT), the Texas State historic Preservation Officer , and the Advisory Council on Historic Preservation Regarding the Implementation of Transportation Undertakings, TTIO fully concurs with the widening and to improve the existing IH 45 between BW 8 and IH 10 at US 59/IH 10 and the acquiring of new right-of-way (ROW) in Harris County, Texas; submitted and reviewed of the Area of Potential Effect (APE) of project, soils have been extensively disturbed throughout the proposed project area. TTIO concurs with the TxDOT's Findings and Recommendations for project, Houston district, Harris County, Texas, in addition; The Tonkawa Tribe has no specifically designated historical, religious and/or cultural significance in the Proposed Project Area;*

However if any human remains, funerary objects, or other evidence of historical or cultural significance is inadvertently discovered then the Tonkawa Tribe would certainly be interested in proper disposition thereof. The Tribe requests the eligible locations once established and/or determined.

The Tonkawa Tribe is willing to work with you and your representatives in any manner to uphold the provisions of NAGPRA to the extent of our capabilities as well as yours. Great success on this project and for those it will serve.

Respectfully,

Lauren J. Norman-Brown, NAGPRA Coordinator, (580) 628-7027

lbrown@tonkawatribe.com

TEXAS HISTORICAL COMMISSION
real places telling real stories

6 September 2016

Renée Benn, Historian
Historical Studies Branch
Environmental Affairs Division
Texas Department of Transportation
125 E. 11th Street
Austin, Texas 78701

Re: *Project review under Section 106 of the National Historic Preservation Act of 1966*
Determination of NRHP eligibility, Gulf Coast Rail District: Navigation Blvd at Commerce Street, Houston, Harris
County, Texas (FHWA/TXDOT CSJ 0912-71-001)

Dear Ms. Benn,

Thank you for submitting information to us about historic resources in the vicinity of the above-referenced project. This letter serves as official comment from Texas' State Historic Preservation Officer, the Executive Director of the Texas Historical Commission (THC).

THC staff led by Linda Henderson reviewed the materials and have the following comments:

- We concur with your findings that both the Franklin Underpass (Resource N-7) and the Gribble Building (Resource N-6) are individually eligible for listing in the National Register of Historic Places (NRHP). If Resource N-5, at 2102 Commerce Street, is historically associated with N-6, it should be considered as part of a Gribble complex.
- We cannot concur at this time about the NRHP eligibility of the following without additional research, which may or may not be warranted by this undertaking:
 - Resources N-9b, -9c, and -9d, at 2125 Commerce Street,
 - Resource N-11, at 2315 Commerce Street,
 - Resource N-12, at 2327 Commerce Street, and
 - Resource N-2, at 2001 Commerce Street.
- For the remaining properties included in the Historic Resources Survey Report, we concur with the findings related to individual NRHP eligibility due to alterations and conditions.
- We concur that there is not a sufficient concentration of historic-age properties with integrity enough to demonstrate significance as a historic district.

Thank you again for your efforts to identify and protect the state's irreplaceable historic resources. For any questions about this review, please contact us: linda.henderson@thc.state.tx.us or 512/463-5851.

Sincerely,



Linda Henderson, Historian

For:

Mark Wolfe, State Historic Preservation Officer

Cc: Diana DuCroz, City of Houston, Historic Preservation Officer
Thomas McWhorter



From: Laura Cruzada
To: ["lindagorski@cs.com"](mailto:lindagorski@cs.com); ["robert-sewell@att.net"](mailto:robert-sewell@att.net); ["lscovil@houstonhistoryalliance.org"](mailto:lscovil@houstonhistoryalliance.org); ["aolson@buffalobayou.org"](mailto:aolson@buffalobayou.org); ["ceottenweller@houstonhistoryalliance.org"](mailto:ceottenweller@houstonhistoryalliance.org); ["laszlomurdock@hotmail.com"](mailto:laszlomurdock@hotmail.com); ["Hhc.Janet@gmail.com"](mailto:Hhc.Janet@gmail.com); ["Diana.Ducroz@houstonx.gov"](mailto:Diana.Ducroz@houstonx.gov); ["Lorelei.willett@houstonx.gov"](mailto:Lorelei.willett@houstonx.gov); ["Matthew.Kriegl@houstonx.gov"](mailto:Matthew.Kriegl@houstonx.gov); ["Thomas.McWhorter@gmail.com"](mailto:Thomas.McWhorter@gmail.com); ["David@denenburg.com"](mailto:David@denenburg.com); ["KirkFarris@sbcglobal.net"](mailto:KirkFarris@sbcglobal.net)
Cc: [Scott Pletka](mailto:Scott.Pletka); [Jason Barrett](mailto:Jason.Barrett)
Subject: Comment on TxDOT Archeological Studies project - CSJ: 0912-00-146; Harris County, North Houston Highway Improvement Project
Date: Wednesday, February 27, 2019 4:07:00 PM

Greetings:

This email is to continue working with you as a consulting party for Sec. 106 of the National Historic Preservation Act on the above referenced project by the Houston TxDOT office to widen and improve the existing IH 45, known as the North Houston Highway Improvement Project.

Since Feb. 2017, TxDOT has revised schematics (see link below) have been revised and the [TxDOT Archeological Studies program](#) conducted further archeological surveys in 2018. Please let me know if you have any questions or concerns or if you would like to identify any known cultural areas within the project area.

If you want more information on how to get involved in Sec. 106 of the NHPA, visit: <https://www.achp.gov/sites/default/files/documents/2017-01/CitizenGuide.pdf>

Identification and Findings:

- Several of the high probability areas identified by the May 2018 survey include the 1840 City Cemetery and Freedman's Town, but these sites fall outside of the APE; therefore no further work was recommended.
- A second Oct. 2018 survey investigated two sites in downtown Houston associated with the historic [Frost Town](#) and Alacrán communities, one of the first immigrant neighborhoods in Houston dating back to the 1830s. Based on the level of disturbance documented, the lack of unique data, and the fact that TxDOT recently performed data recovery, oral histories, and is working on a video for a larger, more intact portion of these sites for an adjacent bridge project, TxDOT is not recommending any further work in this area.

Recommendations:

- Further field investigations are **not** warranted for the above referenced sites.
- The deposits found at Frost Town/Alacrán do not represent a contributing element to the eligibility of the above referenced sites.
- TxDOT will continue consultation for project areas that have not been reviewed due to accessibility issues, and will provide results when we gain access to those parcels.

If you would like to see the updated schematics and maps for more information, including survey results, here is a drop box link. Let me know if this works for you. <https://ftp.dot.state.tx.us/dropbox/pickup.php?claimID=xWcUCCfjg07pyCKT&claimPasscode=WoyENR2ga2TWtMaZ&emailAddr=laura.cruzada%40txdot.gov>

Thank you for your time and we look forward to hearing from you.

Laura Cruzada
512-416-2638

laura.cruzada@txdot.gov

Public Involvement Specialist & Tribal Liaison
Environmental Affairs Division
Cultural Resources Management

From: [Laura Cruzada](#)
To: [Kirk Farris](#); [Carlos Calbillo](#); [Laurie C. Payne](#)
Cc: [Jason Barrett](#); [Scott Pletka](#)
Subject: RE: Have you completed shovel test for fenced in area in Frost Town / Moody Additions.
Date: Monday, March 04, 2019 1:39:00 PM

Thanks. We will continue to consult if anything else changes.

Laura Cruzada
512-416-2638
laura.cruzada@txdot.gov
Public Involvement Specialist & Tribal Liaison
Environmental Affairs Division
Cultural Resources Management

From: Kirk Farris [mailto:kirkfarris@sbcglobal.net]
Sent: Friday, March 01, 2019 5:55 PM
To: Carlos Calbillo; Laurie C. Payne; Laura Cruzada
Cc: Jason Barrett; Scott Pletka
Subject: Re: Have you completed shovel test for fenced in area in Frost Town / Moody Additions.

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Frost Town maybe completed however...some serious effort should be applied to areas in Schrimpf's Field...under the freeway along the bayou and in areas behind Clayton Homes...as the other project will have impacts on those sites...and it is not part of the Elysian budget but should become a part of the new highway program.

If you would like to continue to look for a Frost Family house footing we will allow you access to our land...if you like or think you might get more lucky.

We did this before and enjoyed our friendships with Pruitt and Associates.

[Donate to Art and Environmental Inc](#)

[Frost Town Project](#)

[Frost Town News](#)

On Friday, March 1, 2019, 4:33:25 PM CST, Laura Cruzada <Laura.Cruzada@txdot.gov> wrote:

Hi Mr. Farris:

Thanks for responding. We have completed all fieldwork. The only architecture traces we identified were from the post-1950s community. No intact early deposits were identified.

Portions of the project area were not able to be excavated because of utility and Hazmat concerns. However, the proposed location of the Schrimpf home was excavated and no trace of the residence was found, nor did we find any intact early deposits at that location.

Some of your interests fall outside of our area of potential effect. Ultimately, when compared to Elysian, we found that construction of the freeway was a lot more destructive to the 19th century deposits and very little evidence of the former community remained.

Please let me know if you have any other questions. Thanks and have a good weekend.

Best,

Laura

Laura Cruzada

512-416-2638

laura.cruzada@txdot.gov

Public Involvement Specialist & Tribal Liaison

Environmental Affairs Division

Cultural Resources Management

From: Kirk Farris [mailto:kirkfarris@sbcglobal.net]

Sent: Wednesday, February 27, 2019 5:28 PM

To: Laura Cruzada; Carlos Calbillo; Laurie C. Payne

Subject: Have you completed shovel test for fenced in area in Frost Town / Moody Additions.

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

A couple of important family homes are within that scope..and finding evidence of the early homes for Schrimpf or

Frost would be important. Well worth a continued effort.

I suspect more could be done.



TEXAS HISTORICAL COMMISSION

real places telling real stories

September 9, 2019

Renee Benn
Texas Department of Transportation, Environmental Division
125 East 11th Street
Austin, Texas 78701-2483

Re: Project Review Under Section 106 of the National Historic Preservation Act, North Houston Highway Improvement Project, Historic Resources Survey Report—Update, Determinations of Eligibility and Assessment of Effects, Houston, Harris County (TxDOT/106, THC #201912479, CSJ 0912-00-146)

Ms. Benn:

Thank you for your correspondence of August 18, 2019, transmitting the North Houston Highway Improvement Project (NHHIP) Historic Resources Survey Report—Update prepared by Mead & Hunt, Inc., on behalf of the Texas Department of Transportation (TxDOT). Based on this Update and previous reports, your letter also includes TxDOT's determinations of eligibility for listing in the National Register of Historic Places and assessment of effects on historic properties. This letter serves as comment on the proposed undertaking regarding non-archeological historic resources from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission (THC); all consultation regarding archeological resources will be coordinated separately.

Overall, we are very pleased to see the additional historic context which allows for a thorough evaluation of the surveyed historic-age resources. We greatly appreciate the efforts made to compile the previous historic resources surveys, summarize the project's consultation record, and address questions raised in previous correspondence from THC and other consulting parties.

Determination of National Register Eligibility

For the purposes of compliance with Section 106 of the National Historic Preservation Act, THC concurs that all of the properties listed in the first table in your letter are listed in, or eligible for listing in, the National Register. Based on all available evidence, THC also concurs that the remaining properties within the project's Area of Potential Effect (APE) are not eligible for listing in the National Register at this time. Unless unanticipated discoveries of additional historic-age properties are made or the project's APE changes, no further identification and evaluation of historic properties is expected.

Although not addressed in this Update, THC recently concurred with your determination that the Goodwill Missionary Baptist Church (3405 Nance Street) is not eligible for listing in the National Register.

Assessment of Effects on Historic Properties

THC offers the following comments on your assessment of the project's effects on historic properties:

Table with 3 columns: Historic Property, TxDOT Effects Assessment, and THC Comments/Concurrence. Row 1: Near Northside Historic District (HD #1), No adverse effect, Concur—Taking of additional right-of-way and demolition of a non-contributing resource will have no adverse effect on the historic district. We look forward to receiving the Section 4(f) evaluation regarding this use of the historic property when available.

Historic Property	TxDOT Effects Assessment	THC Comments/Concurrence
Former Robert E. Lee Elementary School (ID 001, individually NR-eligible and a contributing resource to the Near Northside HD)	No adverse effect	Concur
Former Galveston, Harrisburg, and San Antonio Railroad Hospital (ID 002, individually NR-eligible and a contributing resource to the Near Northside HD)	No adverse effect	Concur
House and Garage , 109 Carl Street (ID 554, a contributing resource to the Near Northside HD)	No adverse effect	Concur—Demolition of the non-contributing Garage and minor right-of-way acquisition will have no adverse effect on the historic House or the Near Northside HD overall.
Germantown Historic District (HD#2)	No adverse effect	Concur, if prescriptives are incorporated into the design/build contract ensuring that the design and location of any noise barrier and high-mast lighting are developed in coordination with the consulting parties.
Houston Warehouse Historic District (HD #3)	Adverse effect (Demolitions)	Concur—Demolition of two contributing resources to the historic district will have an adverse effect on historic properties. We look forward to receiving the Section 4(f) evaluation regarding this use of these historic properties when available.
Reader's Wholesale Distributor's Warehouse (ID 024, individually NR-eligible and a contributing resource to the Houston Warehouse HD)	Adverse effect (Demolition)	Concur
San Jacinto Warehouse (ID 025, individually NR-eligible and a contributing resource to the Houston Warehouse HD)	No adverse effect	Concur, if design prescriptives are incorporated into the design/build contract to avoid any potential adverse vibratory effects.
Walter's Downtown (ID 028, a contributing resource to the Houston Warehouse HD)	No adverse effect	Concur, if design prescriptives are incorporated into the design/build contract to avoid any potential adverse vibratory effects.
Carlisle Plastics Warehouse (ID 029, northern metal building, a contributing resource to the Houston Warehouse HD)	Adverse effect (Demolition)	Concur
Carlisle Plastics Warehouse (ID 030, southern brick building, a contributing resource to the Houston Warehouse HD)	No adverse effect	Concur, if design prescriptives are incorporated into the design/build contract requiring consulting party review of the demolition plans for the adjacent Carlisle Plastics Warehouse (northern brick building, ID 029).

Historic Property	TxDOT Effects Assessment	THC Comments/Concurrence
METRO Transit Authority Building (ID 820, a contributing resource to the Houston Warehouse HD)	No adverse effect	Concur—Minor right-of-way acquisition will have no adverse effect on historic properties.
Third Ward Historic District (HD #4)	No adverse effect	Concur
Hidden Valley Historic District (HD #5)	No adverse effect	Concur
Brooke Smith Historic District (HD #6)	No adverse effect	Concur
1879/1926 Houston Waterworks (ID 004)	No adverse effect	Concur, if design prescriptives are incorporated into the design/build contract to avoid any potential adverse vibratory effects.
Kellum-Noble House (ID 007A)	No adverse effect	Concur
Former Albert Sidney Johnson Junior High School (ID 015)	No adverse effect	Concur
Check-Neal Coffee Company Building (ID 016)	Adverse effect (Property acquisition, but no building demolition)	Concur—Right-of-way acquisition will have an adverse effect on this historic property. Design prescriptives should be incorporated into the design/build contract to avoid or minimize any potential adverse vibratory and soil movement effects. We look forward to receiving the Section 4(f) evaluation regarding this use of this historic property when available.
Myers-Spalti Historic District (ID 017)	No adverse effect	Concur
Houston Fire Station No. 5 (ID 019)	No adverse effect	Concur
Former Phillips 66 Gas Station (ID 0179)	No adverse effect	Concur
Former Downtown Houston Post Office, Processing and Distribution Center (ID 581)	No adverse effect	Concur—Minor right-of-way acquisition will have no adverse effect on this historic property. We look forward to receiving the Section 4(f) evaluation regarding this use of this historic property when available.
Rossonian Cleaners (ID 590)	Adverse effect (Demolition)	Concur—Demolition of all or part of the building will have an adverse effect. We look forward to receiving the Section 4(f) evaluation regarding this use of this historic property when available. Demolishing only the southern half of the building, and preserving the northern half, could potentially minimize harm to the historic property.
Victorian House , 4120 Austin Street (ID 603)	No adverse effect	Concur
Gribble Stamp Company (ID 738)	No adverse effect	Concur

Historic Property	TxDOT Effects Assessment	THC Comments/Concurrence
Butler Brothers Union Terminal Warehouse (ID 908)	No adverse effect	Concur
L-Plan House , 3417 Baer Street (ID 956)	No adverse effect	Concur
Strauss-Bascule Railroad Bridge (ID 966)	No adverse effect	Concur, if design prescriptives are incorporated into the design/build contract to avoid any potential adverse effects during construction.
Judge Hernandez Tunnel (ID 975)	No adverse effect	Concur, if design prescriptives are incorporated into the design/build contract to avoid any potential adverse effects during construction.
Former Crawford Elementary School (ID 981)	No adverse effect	Concur
City Hall Annex (ID 983)	No adverse effect	Concur
Navigation Boulevard Underpass	No adverse effect	Concur

Resolution of Adverse Effects

The proposed minimization and mitigation measures summarized in the second table in your letter appear to be appropriate and we anticipate further developing these measures through continued consultation. We also anticipate further consultation regarding the programmatic agreement for the project and the design/build contract design prescriptives, to ensure that proper measures are in place to prevent additional adverse effects to historic properties.

We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. Thank you for your cooperation in this federal review process, and for your efforts to preserve the irreplaceable heritage of Texas. If you have any questions concerning our review, or if we can be of further assistance, please contact Justin Kockritz at 512-936-7403 or justin.kockritz@thc.texas.gov.

Sincerely,



Justin Kockritz, Lead Project Reviewer, Federal Programs
For: Mark Wolfe, State Historic Preservation Officer

- cc: City of Houston, Historic Preservation Office, *via email*
- Charles Duke and Janet Wagner, Harris County Historical Commission, *via email*
- David Bush, Preservation Houston, *via email*
- David Denenburg, Denenburg Interests, LLC, *via email*
- Kirk Farris, Art & Environmental Architecture, Inc., *via email*
- Thomas McWhorter, *via email*





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February 7 2020

**SECTION 106 REVIEW: DETERMINATION OF NRHP EFFECTS
SECTION 4(f) REVIEW: NOTIFICATION OF INTENT TO RENDER DE MINIMIS SECTION 4(f) FINDING, INDIVIDUAL
SECTION 4(f) FINDING**

Harris County / Houston District
North Houston Highway Improvement Project (NHHIP), Interstate 45
CSJ: 0912-00-146

Section 4(f) properties: De Minimis Properties: Near Northside Historic District, Residence at 109 Carl St (within Near Northside Historic District), San Jacinto Warehouse (within Warehouse Historic District), Walter's Downton/former Bottling Works (within Warehouse Historic District), METRO Transit Building (within Warehouse Historic District), Downtown Houston Post Office

Section 4(f) properties: Individual 4(f) Properties: Reader's Distributors Warehouse (within Warehouse Historic District), Carlisle Plastics Metal Warehouse (within Warehouse Historic District), Cheek Neal Coffee Company Building, Rossonian Cleaners Building

Mr. Justin Kockritz
History Programs
Texas Historical Commission
Austin, TX 78711

Dear Mr. Kockritz:

Regulatory Environment and Introduction

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 9, 2019, and executed by FHWA and TxDOT. As a consequence of these agreements, TxDOT's regulatory role for this project is that of the Federal action agency. In accordance with 36 CFR 800 and our Section 106 Programmatic Agreement for Transportation Undertakings (2015), this letter continues Section 106 consultation on final effects of the proposed undertaking with respect to historic properties located within the project's area of potential effects (APE).

In December 2016, May 2017, November 2017 and October 2018 the Texas Department of Transportation (TxDOT) coordinated this project with your office regarding eligibility of known or previously designated historic properties in the APE. These consultations resulted in questions raised by the SHPO. TxDOT conducted final determinations of eligibility with SHPO in September 2019. At this time, TxDOT seeks to finalize determinations of effect.

Project Description

The Texas Department of Transportation (TxDOT) is proposing improvements to create additional roadway capacity to manage congestion, enhance safety, and improve mobility and operational efficiency on Interstate Highway 45 (IH 45) from U.S. Highway 59 (US 59)/IH 69 to Beltway 8 North, including improvements along US 59/IH 69 between IH 45 and Spur 527 in Harris County, Texas.

The proposed project is broken into three contiguous segments and within each of those segments TxDOT considered three alternatives (for a total of nine alternatives). TxDOT, with public input, identified the preferred FEIS alternative as Alternative 4 for Segment 1, Alternative 10 for Segment 2, and Alternative 11 for Segment

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3. The majority of the historic properties are located along Segment 3. TxDOT completed a full historic resources survey of the preferred FEIS alternative for this project and coordinated that survey with consulting parties in 2019.

APE

TxDOT consulted with SHPO and determined the APE is the existing ROW where no new ROW is proposed; and 150' from proposed new ROW and easements and in areas of any newly proposed elevated structures which would represent a grade increase of at least 5' or more from the ground level. Additionally, in informal coordination with SHPO, TxDOT determined an APE of 300' from proposed ROW in areas with a newly proposed grade increase of at least 10', areas of a proposed multi-level or elevated component, such as a flyover, and other certain high probability areas.

Determination of Eligibility

On September 9, 2019 THC concurred with TxDOT on determinations of eligibility for properties in the APE for this project (see attached letter).

Segment 3 of this project in downtown Houston is a design-build project, where TxDOT provides the schematics to the bidding contractor with restrictions and prescriptives. TxDOT ENV will work closely with TxDOT's design build office as this project proceeds. The contractor must commit to building the project in the schematics as they are shown in this coordination and on the project website at <http://www.ih45northandmore.com/>. The design build office will notify TxDOT ENV of any changes to these schematics in vicinity of historic properties so that proper coordination with consulting parties and SHPO can occur if warranted. A copy of the design build contract and the prescriptives contained therein for historic properties is attached.

Consultation with Other Parties

All consulting parties reviewed this project; this is the final opportunity to comment on effects of the project. We request all parties review this 4(f) analysis concurrently with your office within a 20-day review period.

The Advisory Council for Historic Preservation (ACHP) chose to participate in consultation for this project. At the request of the ACHP, TxDOT developed a Programmatic Agreement (PA) for effects to historic properties for this project in consultation with their staff, that of the THC and consulting parties. Efforts to finalize this draft agreement are still pending additional feedback from these parties. As drafted, the PA embeds the prescriptives for the design build contract to codify commitments to avoid and minimize harm to historic properties.

Determination of Cumulative Effects

TxDOT made determinations of effect for historic properties based on the FEIS preferred alternative and determined that there are no adverse cumulative effects to historic properties. Adverse effects to historic resources as a result of this project have been minimized with careful planning and will be mitigated. TxDOT developed programmatic approaches to mitigation, including a historic resources survey of East Downtown as mitigation for the adverse effect to the Warehouse District and the Cheek-Neal Building. Project components have the potential to improve connectivity in project area historic districts. This project does not represent a deviation from the past, present, or anticipated future trends of development in the downtown area and would not significantly change the historic character of downtown Houston. Furthermore, future developments with potential to affect historic properties would be subject to compliance with applicable federal, state and local regulations.

Determination of De Minimis Finding- No Adverse Effect

As part of this coordination, TxDOT determined that the proposed project meets the requirements for Section 4(f) *de minimis* impact findings under 23 CFR 774 for six properties (see chart below). TxDOT based its determination on the fact that the use for the properties amounts to less than 10% of the properties' overall acreage and the project will have **no adverse effect** on the NRHP-eligible properties. The function of the properties will not be impaired, nor will it cease. This *de minimis* finding does not require the traditional

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second step of including all possible planning to minimize harm because avoidance, minimization, mitigation, or enhancement measures are included as part of this determination.

Property #	Name	Pages of HRSR with de minimis details
HD #1	Near Northside Historic District	204-208
554 (in HD #1)	Residence at 109 Carl St (within Near Northside Historic District)	212-214
025	San Jacinto Warehouse (within Houston Warehouse Historic District)	187-190
028	Walter's Downton/former Bottling Works (within Houston Warehouse Historic District)	191-195
820	METRO Transit Building (within Houston Warehouse Historic District)	200-203
581	Downtown Houston Post Office	230-232

Determination of Individual 4(f) finding- Adverse Effect

These properties were subject to individual 4(f) analyses. SHPO, stakeholders, and consulting parties concurred or did not comment on mitigation for adverse effects in September 2019.

Property #	Name	NRHP Criterion	Effect Determination	Proposed Mitigation
HD #3	Houston Warehouse Historic District, roughly bounded by railroad to the north, McKee St to the east, railroad track/Buffalo Bayou to the south, Vine St/Buffalo Bayou to the east. Seven contributing properties within APE.	NRHP-eligible, A & C	Adverse effect due to removal of two contributing properties within.	Possible documentation of East Houston warehouse area
024 (in HD #3)	Reader's Wholesale Distributor's Warehouse, 1201 Naylor St	Individually NRHP-eligible, C Contributing to potential Houston Warehouse Historic District	Adverse effect (demolition)	Documentation of property, possibly including interior
029 (in HD #3)	Carlisle Plastics Metal Warehouse, 1110 Naylor	Contributing to potential Houston	Adverse effect-resource to be demolished	Documentation of property, possibly

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NHHIP 45 CSJ: 0912-00-146

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		Warehouse Historic District		including interior
	Properties determined individually eligible for NRHP-listing			
016	Cheek-Neal Coffee Company Building, 2017 Preston Ave	NRHP-listed, 2016	Adverse effect, ROW purchase	Documentation of east side of Houston in this area-warehouses and industrial
590	Rossonian Cleaners, 3921 Alameda	C, architecture and A, community development	Adverse effect, partial demolition of property caused by ROW acquisition	Documentation of property prior to demolition, history of property and Alameda commercial area of Houston

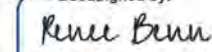
Conclusion

In accordance with 36 CFR 800 and our Section 106 Programmatic Agreement for Transportation Undertakings, I hereby request your signed concurrence with TxDOT's findings of **NRHP effect**. We additionally notify you that SHPO is the designated official with jurisdiction over Section 4(f) resources protected under the provisions of 23 CFR 774 and that your comments on our Section 106 findings will be integrated into decision-making regarding prudent and feasible alternatives for purposes of Section 4(f) evaluations. Final determinations for the Section 4(f) process will be rendered by TxDOT pursuant to 23 U.S.C. 327 and the aforementioned MOU dated December 9, 2019. If we do not hear from you within our Section 106 PA 20 day review period, we will assume you concur or have no comments on these findings

The PA for this project will be sent to your agencies soon and we will be in touch to set up a meeting to discuss timelines.

Thank you for your cooperation in this federal review process. If you have any questions or comments concerning these evaluations, please call me at (409) 898-5717.

Sincerely,
Signed by:



Renee Benn

Historic Preservation Specialist
Environmental Affairs Division

thru: Bruce Jensen, Cultural Resources Section Director

cc: Thomas McWhorter, Individual Consulting Party
David Denenburg, Individual Consulting Party
Kirk Farris, Individual Consulting Party

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CONCURRENCE WITH NON-ARCHEOLOGICAL SECTION 106 FINDINGS OF NRHP EFFECTS

NAME: Mark Wolfe DATE: 2/27/2020
for Mark Wolfe, State Historic Preservation Officer

NO COMMENTS ON DETERMINATION OF DE MINIMIS IMPACT UNDER SECTION 4(F) REGULATIONS

NAME: Mark Wolfe DATE: 2/27/2020
for Mark Wolfe, State Historic Preservation Officer

NO COMMENTS ON DETERMINATION OF INDIVIDUAL IMPACT UNDER SECTION 4(F) REGULATIONS

NAME: Mark Wolfe DATE: 2/27/2020
for Mark Wolfe, State Historic Preservation Officer



MEMO

February 2, 2018

To: ECOS
Project file, CSJ 0912-00-146, IH 45 NHHIP: US 59 – BW 8, Harris County, Houston District

From: Allen Bettis
Archeologist III, Environmental Affairs Division

Subject: Internal review under the Programmatic Agreement (PA) Among the Federal Highway Administration, Texas State Historic Preservation Office, Advisory Council on Historic Preservation, and the Texas Department of Transportation; and the Memorandum of Understanding (MOU) Between the Texas Historical Commission and the Texas Department of Transportation

Project Description: The proposed project would widen Interstate Highway (IH) 45 from four lanes to six lanes in Brazoria County.

APE Definition: The APE extends from approximately 25 miles from United State Highway (US) 59 to Beltway (BW) 8. The APE encompasses 1,653.4 acres of existing (1,205.2 acres) and proposed new right-of-way (448.2 acres). The existing ROW on IH 45 is approximately 200 feet in width, usual and up to 1,500 feet in width, maximum. The APE would also include improvements to the interchanges with US 59/IH 69 and Spur 527 south of Downtown Houston. Depth of construction impacts are a maximum of 50 feet for the proposed project.

Records Search Results: Archival background study by Cox/McLain Environmental Consulting, Inc. (Cox/McLain) indicted that the bulk of the APE had been previously assessed and cleared as no effect on any archeological resources, but a moderate to high priority for historic-age archeological materials through much of Downtown Houston. There is some potential across the northernmost portion of the APE and along Buffalo Bayou for shallow to deeply buried prehistoric archeological resources where the Houston Potential Archeological Liability Map (PALM) maps this area as PALM Map Unit #2 and #3a. Map Unit #2 recommends a surface survey and Map Unit 3a recommends mechanical trenching for deeply buried resources where deep construction impacts are expected. The intensive survey could not be completed due to a total lack of right-of-entry (ROE). Cox/McLain is recommending intensive survey of those areas with a reasonable potential for historic and prehistoric archeological resources in deposits of intact soils where ROE has been denied.

Justification for Further Work: Moderate to high potential for historic-age archeological materials in the Downtown Houston area as well as some moderate potential for prehistoric archeological deposits at the north end of the APE as well as along Buffalo Bayou.

Permission to conduct archeological investigations was denied by at least one landowner. Thus, as provided under Stipulation IX.B.3 of the PA, this undertaking may proceed with further project development, including completion of the environmental process and right of way acquisition without the concurrence of the SHPO. After obtaining access to the proposed right of way, TxDOT will complete the inventory on unsurveyed properties and conclude any additional work that may be required under the terms of the PA and MOU.

Approved by

Scott Pletka, Ph.D. Date

for TxDOT

February 15, 2018

Attachments (e.g., Property or Parcel Map)

CC: Sarah Wycoff
Project Manager, APD, Houston District

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 FHWA and TxDOT.

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Figure 1
Project Location
North Houston Highway Improvement Project

Basemap Source: FSRI (09/7)

Prepared for: TxDOT	Scale: 1" = 2 Miles
CSJ 0921-40-146	Date: 11/11/2017

ARCHIVAL BACKGROUND STUDY - 5/7/2018

North Houston Highway Improvement Project (NHHIP): Interstate Highway (IH) 45
Between US Highway (US) 59/IH 69 at Spur 527 and IH 45 at Beltway (BW) 8 North (N)

Roadway Improvements

Harris County – Houston District

CSJ: 0912-00-146

No Survey Warranted

Allen Bettis

The proposed project, known as the NHHIP, would improve IH 45 between US 59/IH 69 at Spur 527 and IH 45 at BW 8 N to create additional roadway capacity to manage congestion, enhance safety, and improve mobility and operational efficiency. The proposed project includes roadway improvements to add four managed express lanes on I-45 from Downtown Houston to Beltway 8 North, reroute IH 45 to be parallel with IH 10 on the north side of Downtown Houston and parallel to US 59/IH 69 on the east side of Downtown Houston, realign portions of IH 10 and US 59/IH 69 in the Downtown area to eliminate the current roadway curvature, and transition the proposed roadway improvements to the interchange of US 59/IH 69 and Spur 527 south of Downtown Houston. The proposed project also includes reconstruction of mainlanes and frontage roads, the addition of bicycle/pedestrian features along frontage roads, and the addition of express lanes on IH 10 from IH 45 to US 59/IH 69 (see Figure 1 & Figures 2a-2c).

At present, the area of potential effect (APE) is the preferred alignment that measures approximately 25 miles in length and ranges in width from approximately 200 feet on minor surface streets to more than 1,500 feet at major intersections. The estimated range of impact depths is similarly broad, from 2 feet or less at minor surface transitions to more than 30 feet at major intersections and waterway crossings. The project footprint covers a total area of 1,653.4 acres, of which 1,205.2 acres is existing right-of-way (ROW) and 448.2 acres is proposed ROW. For the purposes of this cultural resources review, potential impacts are considered within an area that includes the stated APE, as well as a 100 foot lateral buffer around the low probability parcels to account for potential alterations to the proposed APE included in the final project design (see attached map for buffer areas). Consultation would be continued if potential impacts extend beyond this buffer, based on the final design.

The proposed project APE is described as an area of predominately relict soils across a broad area of upland coastal plain, with an approximate elevation of 45 to 90 feet NGVD. The APE is located in an area of urban roadways with extensive residential and commercial development. Current land use is as existing urban roadway and mechanically maintained ROW. The proposed improvement project is depicted on the attached sections of the USGS Aldine, TX (2995-433) and the USGS Houston Heights, TX (2995-432) 7.5' topographic quadrangle maps.

The Geologic Atlas of Texas, Beaumont Sheet (BEG, UT-Austin: 1968 - photo revised 1992), depicts the current proposed project APE within a broad area mapped as Pleistocene Lissie Formation

and Pleistocene Beaumont Formation (see attached). The Web Soil Surveys (USDA-NRCS: 2008, <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>) for Harris County, Texas depicts the APE within an area mapped within the following relict soils; in the north end of the APE, soils are mapped predominately as Clodine fine sandy loam and Clodine-Urban Land; in the south end, nearly the entirety is mapped as Urban Land. Other minor areas of soils are identified as Addicks, Aris, Bacliff, Bernard, Gessner, Verland, Texla, and Vamont Series soils (see attached). No fully intact soils are known to exist in the project area, which has been profoundly disturbed by nearly 200 years of historic-period and modern settlement, industry, and drainage modification. Drainage in the proposed project area is via manmade channels and storm sewers.

A review of the Texas Historic Sites Atlas on 05/07/2018 revealed that there are at least two previously recorded archeological site, archeological historic properties (36 CFR 800.16(l)) or State Antiquities Landmarks (13 TAC 26.8) located within or immediately adjacent to the APE for this proposed project (see attached). These are 41HR982 and 41HR1037, both associated with the Frost Town subdivision. There are numerous other recorded sites located in close proximity, less than 1,000 meters (3,300 feet), of the APE. Most of these are located in the downtown area and include 41HR747 – a historic trash dump located northwest of Frost Town along Buffalo Bayou, 41HR1166 – the Peter Floeck Tracts located southwest of Frost Town, 41HR1167 – a gully that was filled with historic trash and debris, 41HR907 – a brick wall structure located along Buffalo Bayou, 41HR908 – a possible 19th century brick structure, and 41HR866 – Freedmen’s Town (the 4th Ward). The 2007 TxDOT archeological survey of the entire project APE did not encounter any archeological materials within the APE. There are several archeological surveys that either cross or are located adjacent or nearby the proposed project APE, these include the following. The 1990 State Department of Highways and Transportation survey of Farm-to-Market Road (FM) 525, the 1998 City of Houston survey of Little Whiteoak Bayou east of the NHHIP APE, the 2006 Federal Highways Administration (FHWA) survey of a bridge replacement project on Houston Avenue at Whiteoak Bayou, the 2005 Harris County Flood Control District (HCFCD) reconnaissance survey of Halls Bayou, the 2003 and 2014 TxDOT surveys of the Elysian Viaduct improvement project, the 2012 US Army Corps of Engineers (USACOE) – Galveston District survey for a commercial development west of the NHHIP at the northern end of the APE, the 2012 City of Houston survey of the Tiger Trails Project, and the 2017 FHWA/TxDOT survey by Raba Kistner of the NHHIP APE.

The APE is located within an area of predominately relict soils. These relict soils are located on a stable landform that generally predates human occupation and has very little reasonable probability for Native American archeological materials except where intact soils are located in close proximity to a reliable source of freshwater. There is a high probability for historic-age archeological materials throughout the Downtown area whenever intact features are encountered below modern developmental fill and disturbance. The APE is described as an area of urban roadway and urban development, the majority of the APE has been extensively disturbed by the above developmental activities. The 2017 Raba Kistner survey for TxDOT only surveyed a few minor areas of the NHHIP APE either because of right-of-entry issues (this was dealt with in separate coordination) or hazardous material concerns. Raba Kistner recommended that parcels with moderate probability for archeological materials at the northern end of the NHHIP APE and parcels with a high probability in the downtown area at the southern end of the NHHIP APE warranted intensive archeological survey (see Figures 2a-2c). TxDOT agreed with this recommendation. TxDOT also recommends that parcels within the NHHIP APE that are also within the Elysian Viaduct APE have already been surveyed and assessed by the Elysian Viaduct archeological survey (see Figures 3 & 4) and some of these parcels currently have data recovery investigations ongoing. TxDOT further recommends that the remainder of the NHHIP APE that

was not recommended for intensive survey is extensively disturbed by the above mentioned developmental activities and no further archeological investigations are warranted for the existing ROW and parcels containing proposed new ROW. Any archeological materials that might have occurred within the APE are disturbed and out of context and would lack sufficient horizontal and vertical integrity of location, association, and materials to be able to address important questions of history and prehistory (36 CFR 60.4). Review of available historic maps has revealed that there were no structures of more than 50 years in age within the portion of the NHHIP APE not recommend for intensive survey (see attached spreadsheet of parcels recommended for survey, excluding the parcels already being investigated by the Elysian Viaduct project).

Pursuant to Stipulation VI of the PA and 43 TAC 2.24(f)(1)(C) of the MOU, TxDOT finds that the proposed undertaking would not affect archeological historic properties (36 CFR 800.16(l)) or State Archeological Landmarks. No further investigations are warranted within the NHHIP APE, except for those parcels that warrant intensive survey, and the proposed project should be allowed to proceed to construction. The proposed project should be allowed to proceed to construction except for those parcels warranting intensive survey. As provided in Stipulation IX .D.6.a of the First Amended Programmatic Agreement among the Federal Highway Administration, the Texas Department of Transportation, the Texas State Historic Preservation Officer (SHPO), and the Advisory Council on Historic Preservation Regarding the Implementation of Transportation Undertakings, consultation with SHPO is not necessary for this undertaking. Based on the above findings, TxDOT proposes the following recommendations:

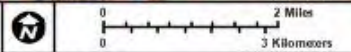
- an archival review has found that no archeological historic properties (36 CFR 800.16(l)) or SAL (13 TAC 26.8) would be affected by this project;
- that no further archeological investigation is warranted within the NHHIP APE, except for those parcels that warrant intensive survey, and the proposed project should be allowed to proceed to construction;
- that a buffer zone of 100 feet beyond the low probability parcels within the APE be considered as part of the cultural resources evaluation; and,
- if changes to the project APE extend beyond the 100-foot buffer around the low probability parcels and/or the remainder of the APE requires an archeological investigation, additional coordination with your office would be necessary;

In the event that unanticipated archeological deposits are encountered during construction, work in the immediate area will cease, and TxDOT archeological staff will be contacted to initiate post-review discovery procedures under the provisions of the PA-TU and MOU.



Figure 1
Project Location
North Houston Highway Improvement Project

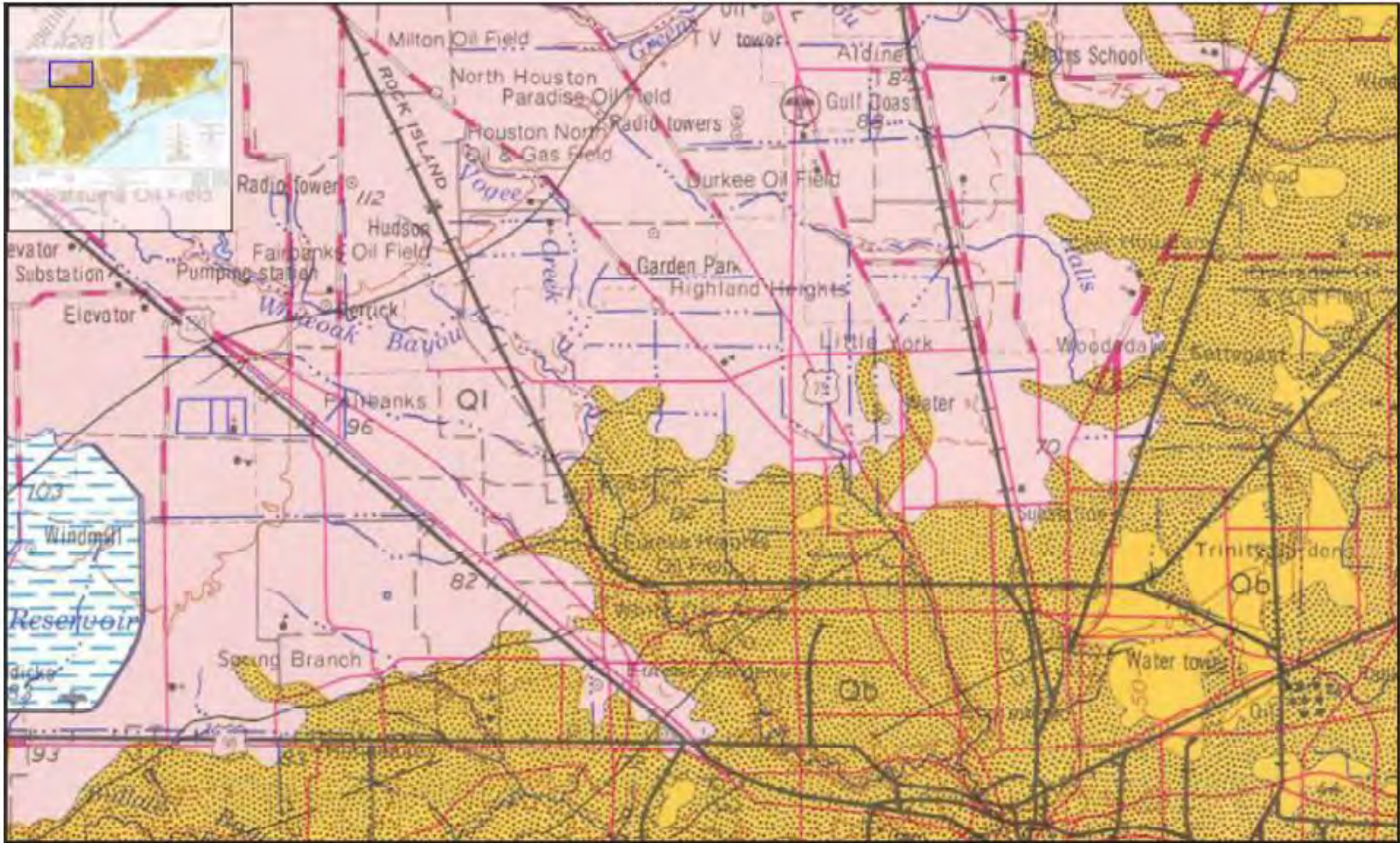
Project Location/APE



Prepared for: TxDOT	1 in = 2 miles
Basemap Source: ESRI (2017)	Scale: 1:128,720
CSJ: 0021-00-146	Date: 11/13/2017

G:\Projects\TXDOT\Statewide_Planning\145_NHHP\Arch_Figure_1_Project_Location_20171110.mxd





































Houston Sheet



Soil Map—Harris County, Texas
(North Houston Highway Improvement Project)

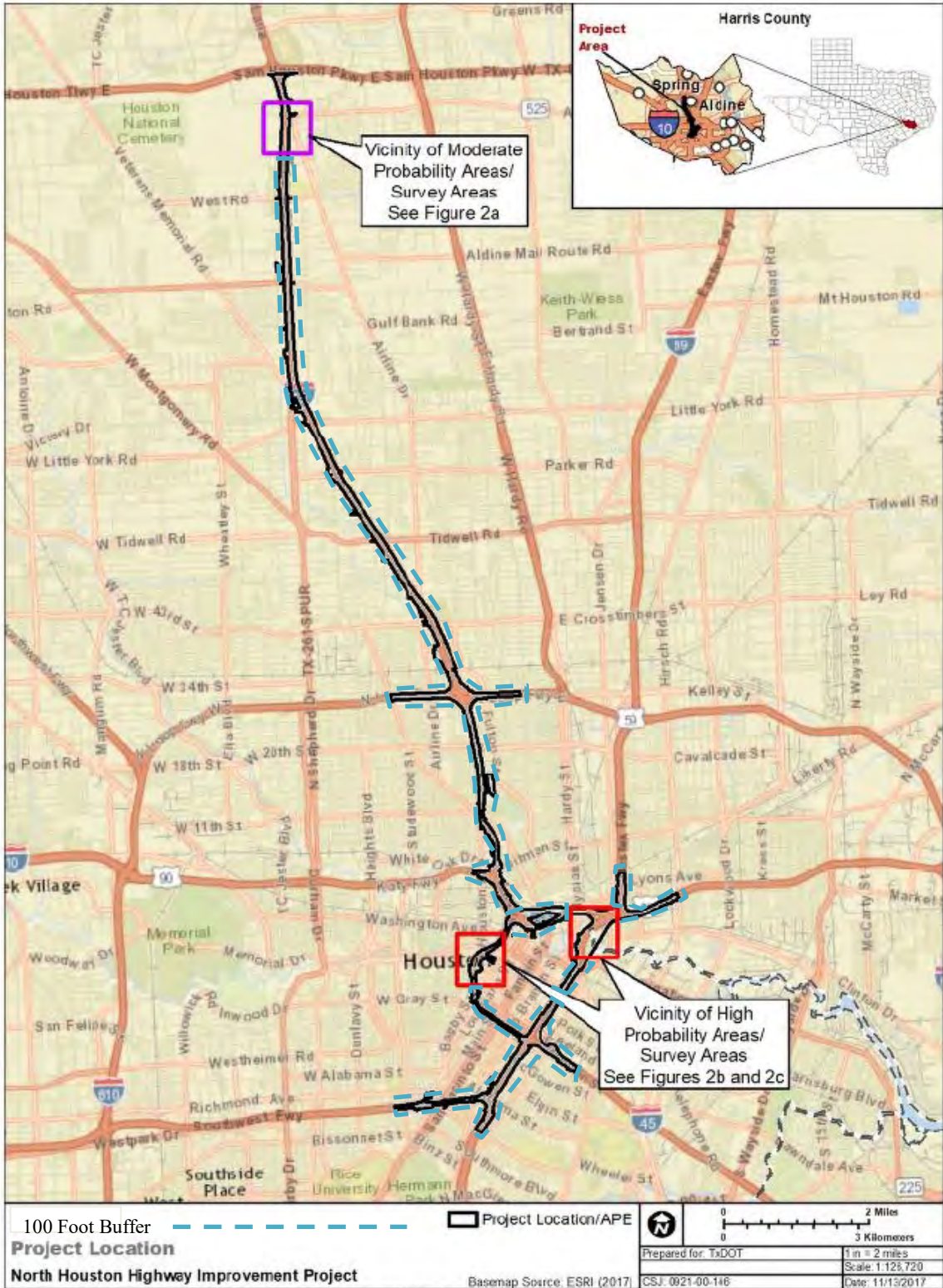


Soil Map—Harris County, Texas
(North Houston Highway Improvement Project)

MAP LEGEND		MAP INFORMATION
<p>Area of Interest (AOI)</p> <p> Area of Interest (AOI)</p>		<p>The soil surveys that comprise your AOI were mapped at 1:20,000.</p> <p>Please rely on the bar scale on each map sheet for map measurements.</p> <p>Source of Map: Natural Resources Conservation Service Web Soil Survey URL: Coordinate System: Web Mercator (EPSG:3857)</p> <p>Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.</p> <p>This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.</p> <p>Soil Survey Area: Harris County, Texas Survey Area Data: Version 18, Nov 7, 2017</p> <p>Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.</p> <p>Date(s) aerial images were photographed: Feb 5, 2011—Feb 15, 2017</p> <p>The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.</p>
<p>Soils</p> <p> Soil Map Unit Polygons</p> <p> Soil Map Unit Lines</p> <p> Soil Map Unit Points</p>		
<p>Special Point Features</p> <p> Blowout</p> <p> Borrow Pit</p> <p> Clay Spot</p> <p> Closed Depression</p> <p> Gravel Pit</p> <p> Gravelly Spot</p> <p> Landfill</p> <p> Lava Flow</p> <p> Marsh or swamp</p> <p> Mine or Quarry</p> <p> Miscellaneous Water</p> <p> Perennial Water</p> <p> Rock Outcrop</p> <p> Saline Spot</p> <p> Sandy Spot</p> <p> Severely Eroded Spot</p> <p> Sinkhole</p> <p> Slide or Slip</p> <p> Sodic Spot</p>		
<p> Spoil Area</p> <p> Stony Spot</p> <p> Very Stony Spot</p> <p> Wet Spot</p> <p> Other</p> <p> Special Line Features</p>		
<p>Water Features</p> <p> Streams and Canals</p>		
<p>Transportation</p> <p> Rails</p> <p> Interstate Highways</p> <p> US Routes</p> <p> Major Roads</p> <p> Local Roads</p>		
<p>Background</p> <p> Aerial Photography</p>		

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Ak	Addicks-Urban land complex	584.0	12.6%
As	Aris-Urban land complex	99.8	2.2%
BadA	Bacliff-Urban land complex, 0 to 1 percent slopes	207.4	4.5%
Bg	Bernard-Urban land complex	220.0	4.8%
Cd	Clodine fine sandy loam, 0 to 1 percent slopes	199.3	4.3%
Ce	Clodine-Urban land complex	734.7	15.9%
Ge	Gessner fine sandy loam, 0 to 1 percent slopes, occasionally ponded	6.8	0.1%
Gu	Gessner occasionally ponded-Urban land complex, 0 to 1 percent slopes	690.6	14.8%
Mu	Verland-Urban land complex	7.8	0.2%
TeuB	Texla-Urban land complex, 0 to 2 percent slopes	83.0	1.8%
URLX	Urban land	1,615.2	34.9%
VauA	Vamont-Urban land complex, 0 to 1 percent slopes	168.9	3.7%
W	Water	8.5	0.2%
Totals for Area of Interest		4,625.9	100.0%





Texas Department of Transportation



125 EAST 11TH STREET, AUSTIN, TEXAS 78701-2483 | 512.463.8588 | WWW.TXDOT.GOV

May 24, 2018

Section 106/Antiquities Code of Texas: Coordination, Review and Comments
Background Study: Interstate Highway 45 – North Houston Highway Improvement Project
Houston District; Harris County (CSJ: 0912-00-146)
AUG 5/31/2018

Ms. Patricia A. Mercado-Allinger
Division Director/State Archeologist
Archeology Division
Texas Historical Commission
PO Box 12276
Austin, TX 78711-2276

Dear Ms. Mercado-Allinger:

The proposed project will be undertaken with Federal funding. In accordance with Section 106 (and the Programmatic Agreement among the Texas Department of Transportation [TxDOT], the Texas State Historical Preservation Officer [TSHPO], the Federal Highway Administration [FHWA], and the Advisory Council on Historic Preservation) and the Antiquities Code of Texas (and the Memorandum of Understanding between the Texas Historical Commission [THC] and TxDOT), this letter continues formal Section 106 consultation for the proposed undertaking.

The proposed project, known as the North Houston Highway Improvement Project (NHHIP), would improve Interstate Highway (IH) 45 between US Highway (US) 59/IH 69 at Spur 527 and IH 45 at Beltway (BW) 8 N to create additional roadway capacity to manage congestion, enhance safety, and improve mobility and operational efficiency. The proposed project includes roadway improvements to add four managed express lanes on I-45 from Downtown Houston to Beltway 8 North, reroute IH 45 to be parallel with IH 10 on the north side of Downtown Houston and parallel to US 59/IH 69 on the east side of Downtown Houston, realign portions of IH 10 and US 59/IH 69 in the Downtown area to eliminate the current roadway curvature, and transition the proposed roadway improvements to the interchange of US 59/IH 69 and Spur 527 south of Downtown Houston. The proposed project also includes reconstruction of mainlanes and frontage roads, the addition of bicycle/pedestrian features along frontage roads, and the addition of express lanes on IH 10 from IH 45 to US 59/IH 69 (see Figure 1 & Figures 2a-2c).

At present, the area of potential effect (APE) is the preferred alignment that measures approximately 25 miles in length and ranges in width from approximately 200 feet on minor surface streets to more than 1,500 feet at major intersections. The estimated range of impact depths is similarly broad, from 2 feet or less at minor surface transitions to more than 30 feet at major intersections and waterway crossings. The project footprint covers a total area of 1,653.4 acres, of which 1,205.2 acres is existing right-of-way (ROW) and 448.2 acres is proposed ROW. For the purposes of this cultural resources review, potential impacts are considered within an area that includes the stated APE, as well as a 100 foot lateral buffer around the low probability parcels to account for potential alterations

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to the proposed APE included in the final project design (see attached map for buffer areas). Consultation would be continued if potential impacts extend beyond this buffer, based on the final design.

The proposed project APE is described as an area of predominately relict soils across a broad area of upland coastal plain, with an approximate elevation of 45 to 90 feet NGVD. The APE is located in an area of urban roadways with extensive residential and commercial development. Current land use is as existing urban roadway and mechanically maintained ROW. The proposed improvement project is depicted on the attached sections of the USGS Aldine, TX (2995-433) and the USGS Houston Heights, TX (2995-432) 7.5' topographic quadrangle maps.

The Geologic Atlas of Texas, Beaumont Sheet (BEG, UT-Austin: 1968 - photo revised 1992), depicts the current proposed project APE within a broad area mapped as Pleistocene Lissie Formation and Pleistocene Beaumont Formation (see attached). The Web Soil Surveys (USDA-NRCS: 2008, <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>) for Harris County, Texas depicts the APE within an area mapped within the following relict soils; in the north end of the APE, soils are mapped predominately as Clodine fine sandy loam and Clodine-Urban Land; in the south end, nearly the entirety is mapped as Urban Land. Other minor areas of soils are identified as Addicks, Aris, Bacliff, Bernard, Gessner, Verland, Texla, and Vamont Series soils (see attached). No fully intact soils are known to exist in the project area, which has been profoundly disturbed by nearly 200 years of historic-period and modern settlement, industry, and drainage modification. Drainage in the proposed project area is via manmade channels and storm sewers.

A review of the Texas Historic Sites Atlas on 05/07/2018 revealed that there are at least two previously recorded archeological site, archeological historic properties (36 CFR 800.16(1)) or State Antiquities Landmarks (13 TAC 26.8) located within or immediately adjacent to the APE for this proposed project (see attached). These are 41HR982 and 41HR1037, both associated with the Frost Town subdivision. There are numerous other recorded sites located in close proximity, less than 1,000 meters (3,300 feet), of the APE. Most of these are located in the downtown area and include 41HR747 – a historic trash dump located northwest of Frost Town along Buffalo Bayou, 41HR1166 – the Peter Floeck Tracts located southwest of Frost Town, 41HR1167 – a gully that was filled with historic trash and debris, 41HR907 – a brick wall structure located along Buffalo Bayou, 41HR908 – a possible 19th century brick structure, and 41HR866 – Freedmen's Town (the 4th Ward). The 2007 TxDOT archeological survey of the entire project APE did not encounter any archeological materials within the APE. There are several archeological surveys that either cross or are located adjacent or nearby the proposed project APE, these include the following. The 1990 State Department of Highways and Transportation survey of Farm-to-Market Road (FM) 525, the 1998 City of Houston survey of Little Whiteoak Bayou east of the NHHIP APE, the 2006 Federal Highways Administration (FHWA) survey of a bridge replacement project on Houston Avenue at Whiteoak Bayou, the 2005 Harris County Flood Control District (HCFCD) reconnaissance survey of Halls Bayou, the 2003 and 2014 TxDOT surveys of the Elysian Viaduct improvement project, the 2012 US Army Corps of Engineers (USACOE) – Galveston District survey for a commercial development west of the NHHIP at the northern end of the APE, the 2012 City of Houston survey of the Tiger Trails Project, and the 2017 FHWA/TxDOT survey by Raba Kistner of the NHHIP APE.

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The APE is located within an area of predominately relict soils. These relict soils are located on a stable landform that generally predates human occupation and has very little reasonable probability for Native American archeological materials except where intact soils are located in close proximity to a reliable source of freshwater. There is a high probability for historic-age archeological materials throughout the Downtown area whenever intact features are encountered below modern developmental fill and disturbance. The APE is described as an area of urban roadway and urban development, the majority of the APE has been extensively disturbed by the above developmental activities. The 2017 Raba Kistner survey for TxDOT only surveyed a few minor areas of the NHHIP APE either because of right-of-entry issues (this was dealt with in separate coordination) or hazardous material concerns. Raba Kistner recommended that parcels with moderate probability for archeological materials at the northern end of the NHHIP APE and parcels with a high probability in the downtown area at the southern end of the NHHIP APE warranted intensive archeological survey (see Figures 2a-2c). TxDOT agreed with this recommendation and coordinated the Raba Kistner survey report with your office on February 2, 2017, your office concurred with the recommendations made on February 21, 2017.

Based on the results of this background study, TxDOT further recommends that parcels within the NHHIP APE that are also within the Elysian Viaduct APE and have already been surveyed and assessed by the Elysian Viaduct archeological survey (see Figures 3 & 4) do not warrant any further investigation under this project (please note, some of these parcels may currently have data recovery investigations ongoing). TxDOT additionally recommends that the remainder of the NHHIP APE (low probability/no probability parcels) that was not recommended for intensive survey is extensively disturbed by the above mentioned developmental activities and no further archeological investigations are warranted for the existing ROW and parcels containing proposed new ROW. Any archeological materials that might have occurred within the APE are disturbed and out of context and would lack sufficient horizontal and vertical integrity of location, association, and materials to be able to address important questions of history and prehistory (36 CFR 60.4). Review of available historic maps has revealed that there were no structures of more than 50 years in age within the portion of the NHHIP APE not recommend for intensive survey (see attached spreadsheet of parcels recommended for survey, excluding the parcels already being investigated by the Elysian Viaduct project).

Pursuant to Stipulation VI of the PA and 43 TAC 2.24(f)(1)(C) of the MOU, TxDOT finds that the proposed undertaking would not affect archeological historic properties (36 CFR 800.16(1)) or State Archeological Landmarks. No further investigations are warranted within the NHHIP APE, except for those parcels that warrant intensive survey, and the proposed project should be allowed to proceed to construction. The proposed project should be allowed to proceed to construction except for those parcels warranting intensive survey. As provided in Stipulation IX .D.6.a of the First Amended Programmatic Agreement among the Federal Highway Administration, the Texas Department of Transportation, the Texas State Historic Preservation Officer (SHPO), and the Advisory Council on Historic Preservation Regarding the Implementation of Transportation Undertakings, consultation with SHPO is not necessary for this undertaking. Based on the above findings, TxDOT proposes the following recommendations:

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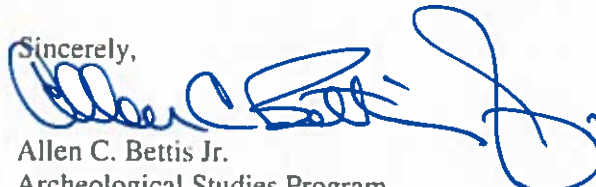
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- an archival review has found that no archeological historic properties (36 CFR 800.16(l)) or SAL (13 TAC 26.8) would be affected by this project;
- that no further archeological investigation is warranted within the NHHIP APE, except for those parcels that warrant intensive survey, and the proposed project should be allowed to proceed to construction;
- that a buffer zone of 100 feet beyond the low probability parcels within the APE be considered as part of the cultural resources evaluation; and,
- if changes to the project APE extend beyond the 100-foot buffer around the low probability parcels and/or the remainder of the APE requires an archeological investigation, additional coordination with your office would be necessary;

In the event that unanticipated archeological deposits are encountered during construction, work in the immediate area will cease, and TxDOT archeological staff will be contacted to initiate post-review discovery procedures under the provisions of the PA-TU and MOU.

TxDOT is seeking your formal concurrence on the above recommendations for Section 106 coordination. If you have no comments to make or objections to the above recommendations made, please sign below to indicate your concurrence.

Thank you for your consideration in this matter. If you have any questions or further need of assistance, please contact Allen Bettis of the TxDOT Archeological Studies Program at (512) 416-2747.

Sincerely,

 Allen C. Bettis Jr.
 Archeological Studies Program
 Environmental Affairs Division

Attachment

cc w/o attachments: Terri Dedhia, Houston District Office
 ACB ECOS


 Concurrence: _____ Date: 5/25/18
 for Mark S. Wolfe, State Historic Preservation Officer

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 FHWA and TxDOT.

February 08, 2019

Section 106 / Antiquities Code of Texas: Continuing Coordination
CSJ: 0912-00-146
Permit # 8613

RE: Transmittal of Intensive Archeological Survey for the Proposed North Houston Highway Improvement Project, Including Portions of 41HR982 and 41HR1037, Harris County, Texas.

Pat Mercado-Allinger
Division of Archeology, Texas Historical Commission
P.O. Box 12276
Austin, TX 78711

Dear Ms. Mercado-Allinger,

The above-referenced highway project is being considered for construction using funds from the Federal Highway Administration (FHWA). The project will also be constructed on state-owned right of way. In accordance with the terms of the Programmatic Agreement (PA) Among the Federal Highway Administration (FHWA), Texas State Historic Preservation Office, Advisory Council on Historic Preservation, and the Texas Department of Transportation (TxDOT); and the Memorandum of Understanding (MOU) Between the Texas Historical Commission and the Texas Department of Transportation, we are continuing consultation with your office regarding this undertaking.

Previously, Raba Kistner Environmental, Inc. (RKEI) completed an archeological survey of accessible portions of the APE in February 2016. That survey identified no archeological historic properties, but recommended that additional fieldwork be undertaken in several medium and high-probability areas once access was obtained. TxDOT received THC/SHPO concurrence with those findings on February 21, 2017.

TxDOT received revised schematics in 2018. These schematics contained changes to the right of way required for the project, so several of the high-probability areas identified by RKEI were found to fall outside the project's revised APE. These changes eliminated the high-probability areas identified near the Adath Israel Cemetery, the 1840 City Cemetery, and Freedmen's Town. TxDOT received THC/SHPO concurrence on May 25, 2018 for a recommendation that no further work was warranted for those previously identified high-probability parcels found to be outside the project's APE and for the low/no probability parcels identified in the 2016 RKEI survey report.

On October 19, 2018 your office issued Texas Antiquities Permit #8613 to Chris Dayton of Cox McLain Environmental Consulting, Inc. (CMEC) for the purpose of completing an archeological survey for two of the high-probability areas identified in the RKEI report. Those areas included two adjacent private property parcels along Nance Street (north of Buffalo Bayou) and within existing TxDOT right of way at the location of the historic Frost Town community, associated with trinomials 41HR982 and 41HR1037 (south of Buffalo Bayou).

TxDOT has recently completed its review of the intensive archeological survey report submitted by CMEC. TxDOT's review and the revised CMEC survey report are included with this letter for your consideration. CMEC found that the Nance Street properties did not warrant field investigations based on substantial previous disturbance related to buried utilities and commercial development.

CMEC excavated 24 machine trenches and one 50x50cm trench column within the Frost Town site boundaries. CMEC did not excavate trenches in portions of the Frost Town site due either to the nature and extent of utility impacts or to high levels of soil contamination. Within the area excavated, CMEC identified 28 subsurface features and over 1,000 artifacts. CMEC recovered 33 artifacts for further study and curation. While a number of 19th century artifacts were identified, recorded features were almost invariably associated with the later El Barrio del Alacrán period (post 1930; two features identified as utility pipes may date earlier). It is the opinion of CMEC that the substantial terrain impacts associated with construction of I-59 destroyed deposits associated with the 19th century Frost Town community falling within the proposed APE for the project. It is further the opinion of CMEC that deposits in the southern third of the survey area, which date to the post-1950 Alacrán period, exhibit a moderate degree of integrity, associate with distinct architectural and material culture styles, and thus represent data contributing to the significance of the historic community. Resulting from this assessment, CMEC has recommended that TxDOT undertake data recovery in this portion of the 41HR982. Finally, CMEC recommended that trinomial designation 41HR1037 be dropped in favor of using a single trinomial to represent the historic Frost Town / El Barrion del Alacrán community.

Upon review of the survey findings, TxDOT does not concur with most of CMEC's recommendations. The vast majority of features identified by CMEC were classified as anomalous soil stains, wooden posts and utility pole bases, highly disturbed trash pits, assorted pipe sections, and pockets of construction rubble. Only four of the identified features appear to retain enough integrity of location or workmanship to hold any research value. These include a partial brick sidewalk (post-1961), two residential house piers (post-1930s), and a walkway constructed of scavenged architectural fragments (post-1960). Each of those features, as well as the vast majority of the remaining 24 features believed to have no research potential, are associated with a small portion of the Alacrán community that remained settled for decades after US 59/IH 69 construction. While TxDOT agrees that the remnant post-1950s community is an important element of El Barrio del Alacrán's heritage, recent excavations by Prewitt and Associates, Inc. (PAI), associated with TxDOT's replacement of the Elysian Street Viaduct, have already excavated a substantial number of deposits from this period, many with greater overall integrity than those observed in the CMEC survey. Further, work by PAI includes a robust oral history component in which former Alacrán residents have provided first-hand accounts of the community through their personal experiences. Given this previous work, it is TxDOT's opinion that the archeological deposits identified by CMEC represent a redundant dataset incapable of yielding important new information. Thus, the deposits identified by CMEC do not contribute to the eligibility of site 41HR982. Finally, TxDOT agrees with the recommendation to abandon use of trinomial 41HR1037 in favor of using a single trinomial (41HR982) to represent the historic Frost Town / El Barrion del Alacrán community.

TxDOT recommends that no further work is warranted for the portion of the project reviewed under Texas Antiquities Permit #8631. This includes portions of archeological sites 41HR982 and 41HR1037, as well as the two highly disturbed parcels located on Nance Street. At this time, the State requests that the attached report be accepted in partial fulfillment of State Antiquities Permit #8631. Further, we request your explicit concurrence on the following points:

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- further field investigations are not warranted within the portion of the project's proposed APE that were reviewed under Texas Antiquities Permit #8631;
- the archeological deposits identified in CMEC excavations do not represent a contributing element to the eligibility of archeological sites 41HR982 and 41HR1037;
- the attached Archeological Intensive Survey Report, completed by CMEC on behalf of TxDOT, meets the minimum documentation and reporting requirements for allowing construction activities to proceed on the 2.3 acres surveyed;
- The remaining portions of the project's proposed APE that require further investigation and consultation are the medium probability areas defined in the RKEI report at the north end of the project, and the high probability area defined in the RKEI report at the location of Clayton Homes. Investigation and consultation for these areas shall be completed once assess is obtained; and
- Review requirements have been satisfied and construction activities may proceed in all other areas.

We look forward to receipt of your comments on the draft document so that we may complete our obligations under the Antiquities Code and the National Historic Preservation Act. If you have any questions, please contact me at (713) 802-5804.

Sincerely,

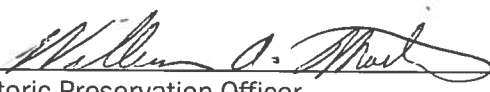


Jason W. Barrett, Ph.D.
Archeological Studies Program
Environment Affairs Division

cc w/o attachments: ECOS

Concurrence by:

For: Mark Wolfe, State Historic Preservation Officer

 2/25/19
Date

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 FHWA and TxDOT.

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DRAFT REPORT
ACCEPTABLE
by William A. Thacker
for Mark Wolfe
Executive Director, THC
Date 2/25/19
Track# _____



Archeological Survey/Testing Report

Assessment of 2.3 Acres of High Archeological Probability, Including Portions of 41HR982 and 41HR1037, for the North Houston Highway Improvement Project, Harris County, Texas

CSJ: 0912-00-146

Principal Investigators: Chris Dayton, PhD, RPA
Scotty Moore, MA, RPA

Report Authors: Scotty Moore, MA, RPA
Melissa M. Green, MA, RPA
Brett Lang, MS, RPA
Tom Nuckols
Chris Dayton, PhD, RPA
Cox|McLain Environmental Consulting, Inc.

February 2019

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 FHWA and TxDOT.



Houston-Galveston Area Council

Congestion Mitigation Analysis

CSJ 0912-00-146, et. al.

September 26, 2018

Analyst:

Stephan Gage

September 26, 2018

Mr. Charles Airiohoudion
Texas Department of Transportation
Houston District
7600 Washington Avenue
Houston, Texas 77007

RE: Congestion Mitigation Analysis for North Houston Highway Improvement Project (NHHIP) — CSJ# 0912-00-146, et.al.

Dear Mr. Airiohoudion:

The Houston-Galveston Area Council (H-GAC), the designated Metropolitan Planning Organization (MPO) for the region, has completed the Congestion Mitigation Analysis (CMA) for the above referenced project. Please review the findings of the CMA and forward them to the appropriate parties at the Texas Department of Transportation (TxDOT) and/or other organizations.

The documents you supplied which include (1) the need and purpose section from the final environmental impact statement, (2) North Houston Highway Improvement Project Freeway Operational Analysis, and (3) CMP Project Analysis Form, are wholly incorporated into this congestion mitigation analysis report, and are hereafter referred to as "documentation".

The results of analysis in the documentation indicate that the improvements proposed as part of the NHHIP will substantially increase the level of service on that portion of Interstate 45 from Beltway 8 through Downtown Houston, include those portions of Interstates 10 and 69 affected by the improvements. Furthermore, the NHHIP will improve safety by make operational improvements as a result of improve lane geometry and the addition or improvement of bicycle and/or pedestrian facilities. The improvements outlined in the NHHIP are justified.

If you have any questions or concerns about the CMA report, please do not hesitate to contact me at (713) 499-6692.

Sincerely,



Stephan Gage
Chief Transportation Planner
Houston-Galveston Area Council

Project Description

The proposed project, referred to as the North Houston Highway Improvement Project (NHHIP), begins at the interchange of I-45 and Beltway 8 North and continues south along I-45 to Downtown Houston where it terminates at the interchange of U.S. Highway (US) 59/I-69 and Spur 527 south of Downtown Houston. The project area also includes portions of I-10 and US 59/I-69 near Downtown Houston. The project area is composed of three study segments, Segments 1 through 3. The proposed improvements are described below. Additional information can be found on the project website: www.ih45northandmore.com

Segment 1: I-45 from Beltway 8 North to north of I-610 (North Loop)

The Preferred Alternative would widen the existing I-45 primarily on the west side of the roadway to accommodate four managed express (MaX) lanes. The proposed typical section would include eight to ten general purpose lanes (four to five lanes in each direction), four MaX lanes (two lanes in each direction), and four to six frontage road lanes (two to three lanes in each direction). The general purpose lanes and MaX lanes would be at-grade except at major cross streets, where they would be elevated over the intersecting streets. Approximately 200 to 225 feet of new ROW would be required for the roadway widening, mostly to the west of the existing I-45. New ROW would also be required on the west side of I-45 for proposed storm water detention areas. New ROW would be required to the east of the existing I-45 ROW at intersections with major streets and between Crosstimbers Street and I-610. Approximately 246 acres of new ROW would be required in Segment 1.

Segment 2: I-45 from north of I-610 (North Loop) to I-10 (including the interchange with I-610)

The Preferred Alternative would widen the existing I-45 to accommodate four MaX lanes. The proposed typical section would include ten general purpose lanes (five lanes in each direction), four MaX lanes (two lanes in each direction), and four to six frontage road lanes (two to three lanes in each direction). From north of Cottage Street to Norma Street, the general purpose lanes and the Max lanes would be depressed, while the frontage road lanes would be at-grade. The proposed I-45 and I-610 frontage roads would be continuous through the I-45/I-610 interchange. New ROW would be required from both the east and west sides of the existing I-45. The new ROW would include proposed storm water detention areas on the east side of I-45, south of Patton Street. Approximately 44 acres of new ROW would be required in Segment 2.

The Preferred Alternative provides a structural “cap” over a portion of the depressed lanes of I-45 from north of Cottage Street to south of N. Main Street. Future use of the structural cap area for another purpose would require additional development and funding by entities other than TxDOT.

Segment 3: Downtown Loop System (I-45, US 59/I-69, and I-10)

The Preferred Alternative would reconstruct all the existing interchanges in the Downtown Loop System and reroute I-45 to be parallel to I-10 on the north side of Downtown and parallel to US 59/I-69 on

Congestion Mitigation Analysis

the east side of Downtown. Access to the west side of Downtown would be provided via “Downtown Connectors” that would consist of entrance and exit ramps for various Downtown streets. A section of the Downtown Connectors would be below-grade (depressed) between approximately W. Dallas Street to Andrews Street. The existing elevated I-45 roadway along the west and south sides of Downtown would be removed. The portion of I-45 (Pierce Elevated) between Brazos Street and US 59/I-69 could be left in place for future use and redevelopment by others; however, an alternative use for the structure is not proposed by TxDOT.

To improve safety and traffic flow in the north and east portions of Segment 3, portions of both I-10 and US 59/I-69 would be realigned (straightened) to eliminate the current roadway curvature. I-45 and US 59/I-69 would be depressed along a portion of the alignment east of Downtown. South of the George R. Brown Convention Center, the rerouted I-45 would begin to elevate to tie to existing I-45 southeast of Downtown, while US 59/I-69 would remain depressed as it continues southwest toward Spur 527. US 59/I-69 would be widened from eight to twelve general purpose lanes between I-45 and SH 288, and would be reconstructed to ten general purpose lanes from SH 288 to Spur 527.

The four proposed I-45 MaX lanes in Segments 1 and 2 would terminate/begin in Segment 3 at Milam Street/Travis Street, respectively. I-10 express lanes (two lanes in each direction) would be located generally in the center of the general purpose lanes within the proposed parallel alignment of I-10 and I-45 on the north side of Downtown. The I-10 express lanes would vary between being elevated and at-grade.

New ROW to the east of the existing US 59/I-69 along the east side of Downtown would be required to accommodate the proposed realigned I-45. A new continuous southbound access road would be provided adjacent to US 59/I-69 and would tie to existing Hamilton Street on the south side of the Convention Center. The existing St. Emanuel Street would serve as a northbound access road. The project ROW would include areas to be developed as storm water detention. Approximately 160 acres of new ROW would be required, the majority of which would be for the I-10 and US 59/I-69 realignments (straightening) and to construct the proposed I-45 lanes adjacent to US 59/I-69 along the east side of Downtown.

Findings

The addition of high-occupancy lanes and other improvements proposed as part of the NHHIP substantially improve level of service and safety in the project area.

Background

The current Congestion Management Process (CMP) for the Houston-Galveston metropolitan area was adopted in January 2015. The CMP requires the performance of a Congestion Mitigation Analysis (CMA) on significant added capacity roadway projects. It is the stated policy of the CMP to apply cost-effective TSM and/or TDM measures as the first component of all congestion reduction strategies. Added capacity roadway projects, such as those being considered for this section of US 59 are typically only justified if cost-effective congestion reduction strategies fail to reduce vehicular congestion to acceptable levels.

Juan Valera-Lema - North Houston Highway Improvement Project -METRO

From: <Luis.D.Lopez@dot.gov>
To: <Pat.Henry@txdot.gov>
Date: 4/19/2012 10:53 AM
Subject: North Houston Highway Improvement Project -METRO
CC: <Daniel.Mott@dot.gov>, <Susan.Theiss@txdot.gov>, <Julia.Ragsdale@txdot.g...

Good morning,

After discussing within our office and Headquarters we have decided to invite the Metropolitan Transit Authority ("METRO") as a cooperating agency. METRO have direct operation of the FTA funded HOV/HOT lanes which is within the scope of the proposed project.

Per 40 CFR 1508.5 Cooperating Agency: "Cooperating agency" means any Federal agency other than a lead agency which has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposal (or a reasonable alternative) for legislation or other major Federal action significantly affecting the quality of the human environment. The selection and responsibilities of a cooperating agency are described in Sec. 1501.6. A State or local agency of similar qualifications or, when the effects are on a reservation, an Indian Tribe, may by agreement with the lead agency become a cooperating agency.

Please let me know if you have any comments or questions.

Thanks,

Luis

Luis D. López-Rivera, P.E.
Area Engineer
Federal Highway Administration | Texas Division
United States Department of Transportation
300 East 8th Street | Austin, TX 78701
Dir: 512.536.5963 | Fax: 512.536.5990



Greater Northside Management District

5305 Irvington Blvd., Houston, Texas 77009

(713) 229-0900 office (713) 695-6555 fax

April 5, 2013

Pat Henry, P.E.
Director of Project Development
Texas Department of Transportation
P. O. Box 1386
Houston, TX 77251

RE: North Houston Highway Improvement Project

Dear Mr. Henry:

The Greater Northside Management District (GNMD) would like to thank you for this opportunity to comment on the “Draft Agency Coordination and Public Involvement Plan” and the “Draft Need and Purpose Statement” as part of the development of the Draft Environmental Impact Statement (DEIS) for the North Houston Highway Improvement Project.

After reviewing the “Draft Agency Coordination and Public Involvement Plan” and on behalf of our Northside area stakeholders, we request **Participating Agency Status** for GNMD in the development of the DEIS for this important project.

GNMD was formed by an act of the 77th Texas Legislature in 2000 under enabling legislation located in Chapter 375 of the Local Government Code and pursuant to H.B. 3634. GNMD is bounded largely by freeways, including Interstate 10, Loop 610, Highway 59 and Interstate 45. We believe GNMD has the standing as a state-created agency to warrant Participating Agency Status. Furthermore, we believe GNMD has the ability to provide support and information in the development of this project.

After reviewing the “Draft Need and Purpose Statement” we request significant improvements to the following areas:

- Access to and from the Greater Northside Area with over 139,000 residents;
- Multi-modal connectivity for the existing and proposed Greater Northside neighborhoods, parks, retail, and commercial developments at the highway and local street levels;
- Connectivity to the future North Corridor Light Rail Transit System, Downtown, and to and from both airports;
- Safety to, from and around the Greater Northside area on highways, ramps, interchanges, and local streets.

We look forward to working with you to develop innovative, cost-effective and implementable solutions to enhance the social, environmental and economic well-being of our region



Greater Northside Management District

5305 Irvington Blvd., Houston, Texas 77009

(713) 229-0900 office (713) 695-6555 fax

Executive Director
Greater Northside Management District
5305 Irvington Blvd.
Houston, Texas 77009
(713) 229-0900



**Hardy/Near Northside Redevelopment Authority/
Reinvestment Zone Number Twenty-One, City of Houston, Texas**

September 8, 2015



Mr. Pat Henry, P.E.
Director of Project Development
Texas Department of Transportation
P.O. Box 1386
Houston, TX 77251

RE: North Houston Highway Improvement Project

Dear Mr. Henry:

The Hardy/Near Northside Redevelopment Authority/Reinvestment Zone No. 21, City of Houston (the "Authority") would appreciate the opportunity to comment on the Texas Department of Transportation's ("TxDot") proposal for the North Houston Highway Improvement Project and would like to participate in meetings with TxDot regarding this Project as it impacts the Authority's Project Plan.

We look forward to working with you to develop innovative, cost-effective, and practical solutions to enhance the social, environmental and economic well-being of our region. Please contact the Authority's attorney, Clark S. Lord, at 713.221.1202 who will assist in arranging for our attendance at your next meeting. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Edward Reyes".

Edward Reyes
Chair



P.O. BOX 1386, HOUSTON, TEXAS 77251.1386 | 713.802.5000 | WWW.TXDOT.GOV

September 27, 2017

The Honorable Sylvester Turner
Mayor, City of Houston
P.O. Box 1562
Houston, Texas 77251-1386

RE: North Houston Highway Improvement Project
Clayton Homes and Kelly Village

Dear Mayor Turner:

As we move forward with the North Houston Highway Improvement Project, I wanted to let you know that working with the Houston Housing Authority (HHA) to build replacement housing for Clayton Homes and Kelly Village is a top priority. We have a surveying contract underway to complete mapping for the right-of-way parcels at those locations. When the mapping is completed, we will be able to make offers for the properties. The offers would be based on replacement cost of the properties. Once an agreement is reached, we will need to seek final approval from the Department of Housing and Urban Development (HUD) which I understand takes about two months. At that time, we will issue a check to the City. The City can then purchase property and begin construction of the replacement housing. I understand the HHA is already looking for suitable property and construction should require about two years. Once acquisition of the two properties takes place, the City could continue to use both properties until the replacement units are completed. In case the replacement housing is not completed by the time the contractor should need the property, HUD vouchers would be available for the residents.

We are working to have the Environmental Impact Statement approved for the project in mid-2018. We plan to use a Design/Build contractor for the I-10, I-45 and I-69 ring around Downtown. The procurement for this contractor is expected to begin in 2018 and take a year to complete. Right now, we anticipate construction to begin in the Downtown area in 2021.

If there are any other concerns about this important project for the City of Houston, please contact Pat Henry, Director of Advanced Project Development, at (713) 802-5241.

Sincerely,

Quincy D. Allen, P.E.
District Engineer
Houston District

cc: Pat Henry, P.E.

OUR VALUES: People • Accountability • Trust • Honesty

OUR MISSION: Through collaboration and leadership, we deliver a safe, reliable, and integrated transportation system that enables the movement of people and goods.

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