



U.S. Department  
of Transportation  
Federal Highway  
Administration



# I-45 North Houston Highway Improvement Project (NHHIP)

## Voluntary Resolution Agreement (VRA) Progress Report #2

February 29, 2024



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## LIST OF ACRONYMS AND ABBREVIATIONS

BRT	Bus Rapid Transit
CFR	Code of Federal Regulations
CSJ	Control-Section-Job Number
DBE	Disadvantaged Business Enterprise
DGA	Displaced by Government Action
DOT	United States Department of Transportation
DRA	Del Richardson & Associates, Inc.
DS&S	Decent, Safe, & Sanitary
EPA	Environmental Protection Agency
FEIS	Final Environmental Impact Statement
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
GIS	Geographic Information System
HCFCDD	Harris County Flood Control District
HHA	Houston Housing Authority
HUD	United States Department of Housing and Urban Development
IH	Interstate Highway
LEP	Limited English Proficiency
LRT	Light Rail Transit
METRO	Metropolitan Transit Authority of Harris County, Texas
NHHIP	North Houston Highway Improvement Project
NTP	Notice to Proceed
RFP	Request for Proposal
ROD	Record of Decision
ROW	Right of way
SOP	Standard Operating Procedure
TCEQ	Texas Commission on Environmental Quality
TIRZ	Tax Increment Reinvestment Zone (City of Houston)
TSAHC	Texas State Affordable Housing Corporation
TxDOT	Texas Department of Transportation
TxDOT ROW	TxDOT Right of Way Division
TxDOT HOU	TxDOT Houston District
VR	Voluntary Resolution Agreement
WTC	METRO's Wheeler Transit Center

## DEFINITIONS

For the purpose of this report, the terms listed below shall have the following meanings:

**Appraisal** means a written statement independently and impartially prepared by a qualified appraiser setting forth an opinion of defined value of an adequately described property as of a specific date, supported by the presentation and analysis of relevant market information.

**Owner** means a person who purchases or holds any of the following interests in real property:

- (i) Fee title, a life estate, a land contract, a 99-year lease, or a lease including any options for extension with at least 50 years to run from the date of acquisition; or
- (ii) An interest in a cooperative housing project which includes the right to occupy a dwelling; or
- (iii) A contract to purchase any of the interests or estates described in subparagraphs (i) or (ii) of this section; or
- (iv) Any other interest, including a partial interest, which in the judgment of TxDOT warrants consideration as ownership.

**Tenant** means a person or entity who on February 1, 2021, and continuously thereafter, has the temporary use and occupancy of Residential Property or Business Property owned by another.

**Tax Increment Reinvestment Zones (TIRZs)** are special zones created by City Council to attract new investment in an area. These zones help finance costs of redevelopment and promote growth in areas that would otherwise not attract sufficient market development in a timely manner. Taxes attributable to new improvements (tax increments) are set-aside in a fund to finance public improvements within the boundaries of the zone.

## **EXECUTIVE SUMMARY:**

On March 6, 2023, the Federal Highway Administration (FHWA) and Texas Department of Transportation (TxDOT) entered into a Voluntary Resolution Agreement (VRA) to resolve the FHWA investigation of TxDOT regarding the North Houston Highway Improvement Project (Project) under Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d to 2000d-7 (Title VI). The VRA sets forth specific mitigation actions for the Project to ensure TxDOT carries out the Project consistent with the requirements of Title VI.

This report is the second report (Report No. 2), and it has been prepared in accordance with Article VI of the VRA to report on all actions set forth in the VRA and as referenced by Article throughout this Progress Report.

## **REPORTING PERIOD: AUGUST 1, 2023, THROUGH JANUARY 31, 2024**

The first VRA progress report, dated September 2, 2023, included information through July 31, 2023. Data tables in this second VRA progress report contain information for the period of August 1, 2023, to January 31, 2024. Data is provided through January 31, 2024, in order to give time to assemble the report. Meetings and submittals are listed for the period of August 30, 2023 through February 23, 2024.

During this reporting period, design, ROW acquisition, utility adjustment coordination and coordination with the Union Pacific Railroad continued in Segment 3, with primary activities related to the first three projects in the south half of Segment 3. As Segment 3 in the Downtown area will be delivered in phases consisting of multiple projects, priority of all efforts is focused on meeting the scheduled letting dates for the initial Segment 3 projects. Additionally, TxDOT is performing preliminary engineering in Segments 1 and 2.

TxDOT's NHHIP Air Monitoring website opened to the public on October 15, 2023, displaying collected data from August 1, 2023, to August 31, 2023. Monitored data, from August 1, 2023, to October 31, 2023, has not shown any exceedances of the criterial pollutants or VOCs when compared to the Environmental Protection Agency (EPA)'s National Ambient Air Quality Standards (NAAQS) and Texas Commission on Environmental Quality (TCEQ)'s Air Monitoring Comparison Values (AMCVs), respectively.

Per VRA Article IV.2.q, TxDOT will hold public engagement meetings twice each calendar year in each segment while design and construction are ongoing in the segment. As such, TxDOT was required to hold two public meetings by December 31, 2023 for Segment 3, which is the only area undergoing design or construction during this reporting period. Recognizing the importance of keeping impacted property owners, tenants, and communities in all three segments informed, TxDOT decided to hold two public meetings for each of the three project segments during this reporting period, for a total of six public meetings. This included two meetings for Segment 3 (currently under design) as well as two meetings each for Segments 1 and 2. See Figure 1 for the breakdown of project segments and projects within each segment. For the convenience of the affected communities, both in-person and virtual options were provided for the I-45 NHHIP Changes for the Better public meetings:

- Wednesday December 6, 2023: the in-person meeting for Segment 3 was held at St. John's Downtown Church at 2019 Crawford Street, from 5-7 pm.
- Thursday December 7, 2023: the virtual meeting for Segment 3 was held from 5-7 pm.

- Monday December 11, 2023: the in-person meeting for Segment 2 was held at the Moody Community Center at 3725 Fulton Street, from 5-7 pm.
- Tuesday December 12, 2023: the virtual meeting for Segment 2 was held from 5-7 pm.
- Wednesday December 13, 2023: the virtual meeting for Segment 1 was held from 5-7 pm.
- Thursday December 14, 2023: the in-person meeting for Segment 1 was held at the Aldine Ninth Grade Center at 10650 North Freeway, from 5-7 pm.

Approximately 964 impacted property owners, tenants, community members, stakeholders and other interested public attended the meetings series. More than a thousand comments were received.

Per VRA IV.8.k, TXDOT sent a survey to assess the sufficiency of translation, interpretation, and other language assistance services to the previously displaced residents and businesses by mail and email on June 23, 2023. All recipients received the survey in Arabic, English, French, Kinyarwanda, Spanish, Somali and Swahili, as these were the languages of residents that had relocated as of the execution date of the VRA. The survey was distributed by email and paper mail to 540 residents and 23 representatives of non-residential entities that had relocated as of the execution date of the VRA, for a total of 563 survey recipients. A report was submitted to FHWA on July 31, 2023, detailing efforts to comply with this provision. No survey recipients have requested TXDOT to provide additional non-English language assistance services.



**FIGURE 1 NHHIP SEGMENTS OVERVIEW**



## **PROGRESS ON ACTION ITEMS:**

### **1. REDUCING THE NHHIP FOOTPRINT DURING DETAILED DESIGN (IV.1)**

As previously reported, detailed design is ongoing in Segment 3 with three projects being advanced toward planned letting dates along the IH 69 corridor in the southern portion of Segment 3. In each of these projects, commonly referred to as NHHIP 3A, 3B-1, and 3B-2, the ROW area has been reviewed with final design considerations and, for these first three projects, only Project 3B-2 provides a potential ROW reduction that would still meet the Need and Purpose identified in the Final Environmental Impact Statement (FEIS) and the conditions identified in the VRA Article IV.1a. As noted in VRA Article IV.1a, TxDOT is evaluating ROW reduction opportunities with a focus on the following:

- i. Strengthening Houston's economy;
- ii. Reducing flooding on and off the freeway;
- iii. Making travel safer for all road users;
- iv. Providing long-term capacity for all users of the roadway, including automobile, freight, and transit;
- v. Serving and preserving the neighborhoods along the corridor while enhancing connectivity between neighborhoods;
- vi. Mitigating impacts to existing parks and open space while creating additional opportunity for open space; and
- vii. Ensuring accessible evacuation routes.

For Project 3B-2 at the interchange of IH 69 and SH 288, the benefit was actually creating an opportunity for additional surplus ROW to be returned to the City and the community. A review of the street grid connectivity along Chenevert and Jackson Streets resulted in a revised design opportunity that was shared with the public during the NHHIP December 2023 Public Meetings. The design change, subject to approval of the environmental re-evaluation that is progress, restores the original street grid network for Chenevert, Jackson, Holman, Francis, and Stuart Streets. The result is making travel safer for all users with conventional intersections and geometrics; preserving the neighborhood while enhancing connectivity and mobility; and identification of potential surplus property north of Chenevert Street to Jackson Street. This surplus property provides opportunities to strengthen Houston's economy and/or creates additional opportunity for open space depending on how the City of Houston and the community utilize the surplus once it is transferred from the State following construction.

As reported in VRA Progress Report No.1, TxDOT has identified proposed ROW reductions for 18 parcels for future projects in Segment 3. Eleven of these parcels are located along the IH 10 Eastbound Frontage Road between Cage Street to Providence Street, where the reconstruction of the frontage road to Buck Street and the extension of the frontage road going past Providence Street was realigned resulting in eliminating structure impacts to a multi-family housing unit between Cage Street and Bringhurst Street, and elimination of any acquisition for the other ten parcels. These reductions maintain providing long-term capacity for all users of the roadway while preserving the neighborhood and still providing opportunity for enhancing pedestrian and bicycle connectivity.

Reductions for Parcels 714 and 718 along the IH 10 Eastbound Mainlanes between Main Street and Vine Street will preserve existing buildings in the historic Warehouse District. Parcels 705 and 706 along the I-10 westbound frontage road at McKee Street and Hardy Street preserve the neighborhoods and strengthen Houston’s economy by avoiding displacement of two major Communications facilities that provide internet and communication services to the surrounding communities and the greater Houston region. Parcel 2 along the Downtown Connectors at the Walker Street entrance ramp eliminates increasing structure footprint over existing open space along Buffalo Bayou. Finally, reduction of access control on Parcels 331AC and 332AC along Hamilton Street, between Jefferson Street and Leeland Street, provide opportunity to strengthen Houston’s economy by not restricting potential development on these parcels due to access constraints.

The benefits noted above for these Segment 3 ROW reductions can be achieved without negatively impacting the other factors listed in VRA Article 1a.

Evaluation of the footprint for Segments 1 and 2 is now underway. Ideas that are being reviewed where shown to the public in the NHHIP December 2023 Public Meetings. Data collection to support a preliminary footprint analysis is underway but the effort is incomplete. Final results of these evaluations in Segments 1 and 2 will be reported in future VRA reports as such efforts are completed.

Assessment in Segment 2 will be evaluated with efforts to include a southbound exit ramp to North Main Street and northbound entrance ramp from North Main Street per stakeholder requests. Considerations will also include the proposed replacement of culverts along Little White Oak Bayou at I-610 and at I45 with bridges and associated channel improvements.

For Segment 1, as presented in the NHHIP December 2023 Public Meetings, concepts to reduce ROW that are being evaluated include the use of braided ramps between the frontage roads and main lanes, opportunities to minimize the ramp envelope distance between the frontage roads and mainlanes, and a review of the number of frontage road lanes combined with off-street pedestrian and bicycle accommodations.

The goal is to complete the initial evaluations of ROW reductions in Segments 1 and 2 including coordination with Harris County by Summer 2024, and then provide information to the public in the fall of this calendar year,

**TABLE 1-1 SUMMARY OF ROW FOOTPRINT REDUCTION ASSESSMENTS**

Segment (Project)	Parcel	Location	Original Taking (SF)	Revised Taking (SF)
<b>Not Applicable This Reporting Period</b>				

## 2. DISPLACEMENTS, RELOCATIONS, HOUSING, AND OTHER COMMUNITY IMPACTS (IV.2)

### 2.1. DISPLACEMENTS

TxDOT is committed to minimizing residential, business, and community resource displacements due to the Project to the extent practicable, consistent with meeting the purpose and need of the Project and consistent with Title VI requirements. In addition, TxDOT recognizes the impacts of the Project on the already limited availability of affordable housing in the Project area and is committed to mitigating such impacts as set forth in the Project Record of Decision (ROD) and the VRA. TxDOT will continue to engage and inform the public about project developments and construction impacts as the Project moves forward and provide competent language assistance services, interpretation and translation for persons with LEP.

#### 2.1.1. TABLE OF RESIDENTIAL AND NON-RESIDENTIAL DISPLACEMENTS (IV.2.a)

TxDOT will continue to comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601 et seq.) (Uniform Act) and associated regulations at 49 CFR Part 24 throughout the course of the Project. See Table 2-1, for data elements in Parts B and C of Appendix B, 49 CFR part 24, for all residential and non-residential displacements associated with the Project during this reporting period required by Article VI of this VRA.

**TABLE 2-1 RESIDENTIAL AND NON-RESIDENTIAL DISPLACEMENTS (this reporting period)**

<b>PART B. RESIDENTIAL RELOCATION UNDER THE UNIFORM ACT</b>	
5) Total Number of Residential Displacements (Households)	125
6) Residential Moving Payments	\$40,566.56
7) Replacement Housing Payments	\$854,309.44
8) Number of Last Resort Housing Displacements in Line 5 (Households)	252
9) Number of Tenants converted to Homeowners in Line 5 (Households using 24.402(c))	1
10) Total Costs for Residential Relocation Expenses and Payments (Sum of lines 6 and 7; excluding Agency Administrative Costs)	\$894,876.00
<b>PART C. NON-RESIDENTIAL RELOCATION UNDER THE UNIFORM ACT</b>	
11) Total Number of Non-Residential Displacements	10
12) Non-Residential Moving Payments – total Costs (Including 24.305)	\$93,629.10
13) Non-Residential Reestablishment Payments – Total Costs	\$75,000.00
14) Total Costs for Non-Residential Relocation Expenses and Payments (Sum of lines 12 and 13; excluding Agency Administrative Costs)	\$168,629.10

See APPENDIX C, Documentation of Benefits Provided in accordance with Uniform Act, which provides documentation of benefits provided in accordance with the Uniform Act for each displacement listed in Table 2-1 above. Note that personally identifiable information has been redacted from Appendix C documents as required.

**2.1.2. NON-RESIDENTIAL BUSINESSES, SERVICES, OR OTHER ORGANIZATIONS (IV.2.b)**

In accordance with the Uniform Relocation Act, during the current reporting period, a total of ten business relocations, providing various relocation benefits to displaces, have been facilitated to date including those completed, waived and in process. The total moving costs incurred during this reporting period amounted to \$93,629.10, covering expenses related to transportation, packing and unpacking of personal property, land planner services and fixed payments in lieu of actual moving expenses. Additionally, a sum of \$75,000.00 was incurred during this reporting period for reestablishment costs, encompassing expenditures related to repairs or modifications to the replacement site. Overall, the relocation benefits resulted in a total business relocation cost of \$168,629.10 during this reporting period.

**2.1.3. ACCESS TO ESSENTIAL SERVICES (IV.2.c)**

In accordance with requirements of Article IV.2.c of the VRA, TxDOT has prepared a plan to ensure that roadway, transit, and pedestrian/bicycle access to essential services, including but not limited to health care facilities, grocery stores, pharmacies, schools, places of worship, and voting locations, will be maintained during and after construction in neighborhoods where such essential services will be impacted by the Project. See APPENDIX B, ACCESS TO ESSENTIAL SERVICES PLAN which has been updated since Report No. 1 to highlight addressing LEP requirements, as well as coordination with schools and school districts.

**2.1.4. TABLE OF ACQUISITIONS OR DEMOLITIONS NOT INCLUDED IN FEIS OR ROD (IV.2.d)**

There were no acquisitions or demolitions of a parcel during this reporting period that was not included in the FEIS or ROD.

**TABLE 2-2 ACQUISITION OR DEMOLITION PARCELS NOT INCLUDED IN FEIS AND ROD**

Segment	Parcel	Action Required	Re-evaluation Result
<b>Not Applicable This Reporting Period</b>			

**2.1.5. REDUCTION TO ROW NEEDED OR DISPLACEMENT IMPACTS (IV.2.e)**

There were no new reductions to ROW identified during the past reporting period. Potential ROW reductions to date in Segment 3 are identified in the previous VRA Report No. 1 issued September 2, 2023. Future reports will note potential ROW reductions as applicable evaluations are completed.



### **2.1.6. FUNDING AFFORDABLE HOUSING INITIATIVES (IV.2.f)**

Pursuant to the ROD and VRA, TxDOT committed \$30 million to support affordable housing initiatives in the project area. Subsequent to signing the ROD, TxDOT had identified Texas State Affordable Housing Corporation (TSAHC) to assist with carrying out this commitment and has been working closely with TSAHC representatives on an agreement to define and govern this process.

The agreement will have two parts: Part 1, where TSAHC accepts proposals from entities and develops a plan for TxDOT's review and approval, based on public outreach and its own expertise, for granting of the funds to housing entities; and Part 2, where TSAHC and TxDOT memorialize the grant plan and outlines implementation and monitoring guidelines.

TSAHC and TxDOT are in the final phases of drafting the agreement. TxDOT is working to have a final draft to TSAHC for review by the end of February. Once TSAHC's legal team has approved the draft, TSAHC's governing board must approve the agreement prior to the parties' signature.

### **2.1.7. COORDINATION WITH THE CITY OF HOUSTON CONCERNING SURPLUS PROPERTY (IV.2.g)**

TxDOT is prepared to discuss with the City of Houston the use of the Project's future surplus right-of-way for affordable and workforce housing as developed by third parties in potential partnership with the City. TxDOT has identified, and is currently appraising, 34 tracts of potential surplus ROW in Segment 3. Some of the potential surplus ROW locations are subject to confirmation during final design development.

Potential surplus property identified between Chenevert and Jackson Streets was presented at the December 2023 Public Meetings for public comment.

## **2.2. RELOCATIONS**

### **2.2.1. SUMMARY OF DENIED RELOCATION BENEFITS (IV.2.h)**

TxDOT will make relocation benefits available to all eligible displacees and not deny benefits in cases that would result in exceptional and extremely unusual hardship to such a displacee. There were no displacees denied any relocation benefits during this reporting period.

### **2.2.2. ENHANCED RELOCATION SERVICES (IV.2.i)**

TxDOT provides enhanced relocation services to residential property owners and renters affected by the project. These services are delivered by qualified consultants contracted with TxDOT who offer personalized assistance throughout the entire relocation process. This includes individualized advisory services and workshops to help residents understand the available relocation benefits and assistance programs.

Currently residents of Clayton Homes Apartments, Lofts at the Ballpark Apartments, Midtown Terrace Suites, Veterans facility, and other qualifying residential relocations within the limits of Project 3A and 3B-2 have received tailored advisory services to meet their unique needs and preferences:

- Individual advisory services provided range from clarifying available relocation benefits to arranging transportation and securing comparable housing prior to displacement. Consultants also share up-to-date listings of similar properties and explain various processes such as acquisition, relocation, appraisal, and property tax impact. Additionally, displacees have been informed about federal and state programs that offer additional assistance, and counseling services have been provided to mitigate any challenges they may face during the relocation process. Language accommodations have also been made to overcome linguistic and cultural barriers.
- Community and individual workshops cover various topics, including understanding household members, identifying future goals and abilities, promoting culturally sensitive communication, determining specific needs and preferences, and explaining relocation benefits. Workshops also provide resources for moving, offer first-time homebuyer seminars, guide residents through the escrow process, assist with updating voter registration information, access social services and benefits, select a real estate agent, improve credit scores, manage household budgets, and enhance understanding of the transition process.

Table 2-3, Enhanced Relocation Services Provided shows the total number of displacees per location and services provided since 2020 along with the associated total costs of these services.

**TABLE 2-3 ENHANCED RELOCATION SERVICES PROVIDED SINCE 2020**

Total Number of Displacees	Location	Services Provided	Total Costs
70	Midtown Terrace Suites/Veterans facility, and residential relocations on Projects 3A and 3B-2	Individual Advisory Services, Community Workshops, and Individual Workshops	\$4,236,900
690	Lofts at the Ballpark Apartments, Beatriz Apartments, and Temenos Place II	Individual Advisory Services, Community Workshops, and Individual Workshops	\$6,458,550
128	Clayton Homes Apartments	Individual Advisory Services, Community Workshops, and Individual Workshops	\$9,727,171

Reference Appendix D List of Enhanced Relocation Services for a list of services requested and services provided to each request.

Midtown Terrace Suites is a 58-unit multi-family residential complex providing transitional and long-term housing and support services for veterans. TxDOT is proceeding with the advance acquisition of the property. During the relocation process, residents will be able to remain in the existing facility for an agreed amount of time negotiated between the property owner and TxDOT. Replacement units will be built in the same complex.

TxDOT is developing a draft of the plan for enhanced relocation services for use on all NHHIP segments and projects and will submit to FHWA in accordance with VRA Article IV.2.i. TxDOT will also document all discussions concerning the enhanced relocation services plan with relevant departments. TxDOT will track and report on the progress of

providing these services to residents, including the number of property owners and tenants who have benefited. Contracts for enhanced relocation services on additional relocation parcels are expected to be finalized.

### **2.2.3. ELIGIBILITY OF OWNERS OR RENTERS OUTSIDE FOOTPRINT FOR RELOCATION SERVICES (IV.2.j)**

TxDOT continues to focus on ROW acquisitions on the first projects in Segment 3, Projects 3A, 3B-1 and 3B-2, located along IH 69 from Spur 527 to IH 45, and storm sewer outfall improvements along St. Emanuel from IH 45 to Buffalo Bayou. Activities are also in process for other Segment 3 properties and as ROW acquisitions progress, TxDOT will review whether its planned acquisition for the NHHIP will leave any residential or non-residential owners or renters outside of the Project footprint isolated or cut off from the rest of the community and assess whether it must provide relocation assistance acquisition or assistance or advisory services pursuant to the Uniform Act and associated regulations of 49 CFR Part 24, as well as the VRA, to such owners or renters to mitigate such impacts. TxDOT shall report in future Progress Reports required by the VRA on this issue after the conclusion of each acquisition phase of the Project.

## **2.3. HOUSING**

### **2.3.1. STATUS OF OCCUPANCY AGREEMENT OPTIONS (IV.2.k)**

TxDOT will continue to inform both residential and non-residential property owners of the opportunity to enter into an Occupancy Agreement for parcels that TxDOT acquires. The Occupancy Agreement has allowed property owners and tenants to remain on the property with the necessary time and resources to find replacement locations for their businesses or residences.

To date, TxDOT has entered into Occupancy Agreements with 12 property owners involving multi-family residences, businesses, and places of worship. Nine of these agreements currently remain active.

A sample Occupancy Agreement is included in Appendix E.

### **2.3.2. PROJECT WEBSITE AND LANGUAGE TRANSLATION (IV.2.l)**

TxDOT maintains a publicly available multi-lingual project-specific website, <https://www.txdot.gov/nhhip.html>, in accordance with the requirements of VRA Article IV.2.l.

Language is used as an important tool for effective communication and inclusivity on the website. The website provides both historical and up to date information, and TxDOT will continue to use this site with applicable links throughout all phases of the NHHIP development. TxDOT will also continue to leverage various social media platforms including X (Twitter) and Facebook among others to highlight availability of new information.

The website offers translation options. Users can easily translate the content into Spanish by selecting it from the dropdown menu in the top menu bar. This allows Spanish-speaking residents to access the information and resources provided on the website in their native language. Additionally, other languages can be accessed through

the web browser settings. Individuals requiring translation for specific embedded graphics, images, or PDFs can request it by using the provided link. The website meets accessibility requirements.

Moreover, the website acknowledges the needs of residents with low literacy levels. Efforts are made to use simple and straightforward language that is easy to understand. The content is written in a concise and clear manner, avoiding jargon and technical terms whenever possible. This ensures that the information is accessible to individuals with limited reading or comprehension skills.

The NHHIP website can be translated into several languages and includes information to receive translations of specific graphics, images, and PDFs on the website.

During this reporting period, the website was updated with information for the December 2023 public meeting series, including provisions for translation options.

## 2.4. COMMUNITY IMPACTS

### 2.4.1. HOUSING RELOCATION SUPPLEMENTS (IV.2.m.ii and IV.2.n.i)

For Clayton Homes and Kelly Village residents, TxDOT will offer housing relocation supplements (up to market-valued rent), in addition to the Tenant Protection Vouchers that would be offered by the Houston Housing Authority (HHA), as an alternate relocation path under the Uniform Act.

As shown in Table 2-4, a total of 215 Clayton Homes units were identified to receive Tenant Protection Vouchers and housing relocation supplements under the Uniform Act. The process was initiated through a Notice of Eligibility (NOE) letter. Out of the 215 units, 86 residents lived on the Clayton Homes facility, while 128 residents moved before the issuance of the NOE. TxDOT successfully relocated the 86 onsite residents in September 2022, and Phase 2 was completed on January 18, 2024 after the property demolition. Efforts continue for residents who moved before the issuance of the NOE, with one resident having passed away. So far, seventeen residents have chosen the TxDOT rental supplement, and three have used their supplement as a down payment to purchase a new home.

HHA replacement units are under construction, with one location set to be completed by December 2024 and another by February 2025. TxDOT will collaborate with HHA to retain active contact information for Clayton Homes displacees to offer them the first option to move to replacement dwellings once completed.

**TABLE 2-4 TENANT PROTECTION VOUCHERS AND RELOCATION SUPPLEMENTS**

<b>PART B. HHA TENANT PROTECTION VOUCHERS AND HOUSING RELOCATION SUPPLEMENTS</b>	
5) Total Number of Residential Displacements (Households)	215
6) Residential Moving Payments	\$21,400.00
7) Replacement Housing Payments	\$1,089,661.62
8) Number of Last Resort Housing Displacements in Line 5 (Households)	132

<b>PART B. HHA TENANT PROTECTION VOUCHERS AND HOUSING RELOCATION SUPPLEMENTS</b>	
9) Number of Tenants converted to Homeowners in Line 5 (Households using 24.402(c))	3
10) Total Costs for Residential Relocation Expenses and Payments (Sum of lines 6 and 7; excluding Agency Administrative Costs)	\$1,111,061.62

#### **2.4.2. SERVICES NEEDED BY PERSONS EXPERIENCING HOMELESSNESS (IV.2.o)**

Temenos II Apartments is an 80-unit efficiency apartment facility managed by a nonprofit organization (Temenos Community Development Corporation) and offers affordable housing for low-income disabled individuals experiencing homelessness. 79 out of 80 units were occupied when relocation and supplemental services were initiated. A replacement facility was constructed less than one mile from Temenos II. During the relocation process, the residents were able to remain in the existing facility so that services could continue uninterrupted.

TxDOT will coordinate with the City of Houston and homeless service providers to develop a plan to assist in addressing services needed by persons experiencing homelessness within the project limits. TxDOT will submit this plan to FHWA for review within 30 days of finalization of the plan.

#### **2.4.3. STRATEGIES ON MEANINGFUL PUBLIC INVOLVEMENT IN TRANSPORTATION DECISION-MAKING (IV.2.p)**

Reference NHHIP VRA Report Number 1, dated September 2, 2023, for NHHIP strategies on meaningful public involvement in transportation decision-making, which was prepared in alignment with the November 2023 DOT report on “Promising Practices for Meaningful Public Involvement in Transportation Decision-Making” as well as best practices across the state in engaging stakeholders and leveraging public input throughout all phases of project development.

Some specific examples of our public engagement during the reporting period are included below:

- In advance of the December 2023 Changes for the Better public meeting series, TxDOT hosted an in-person briefing for elected officials at its Houston District office on November 13, 2023. Invitations were extended to elected officials representing areas within the project’s footprint, and 20 elected officials or their office representatives attended the meeting. As the primary objective of this briefing was to provide elected officials with a comprehensive update on NHHIP, the presentation included an interactive question and answer session. Additionally, the briefing served as a platform to inform elected officials of the December public meeting series and request their support in disseminating information about the public meetings to their constituents. To facilitate communication with their constituents, participants received presentation packets and bilingual meeting notice postcards.
- The IH 45 NHHIP Housing and Community Focus Group met on August 7, 2023. At present, the top priority for the Housing and Communities Focus Group is receiving an update on the execution of the TSAHC contract. TxDOT is actively



working to align schedules and identify a suitable date in late March or early April for the much-awaited reunion of the Focus Group.

- Reference Section 2.4.4 Public Engagement meetings, for summary of the I-45 NHHIP December 2023 public meeting series, which was held in accordance with requirement of VRA Article IV.2.q.

#### **2.4.4. PUBLIC ENGAGEMENT MEETINGS (IV.2.q)**

Before the VRA agreement in June 2023, a two-year FHWA administrative pause halted public meetings. Because of the pause, TxDOT had not provided updates since releasing the FEIS in February 2019.

Per VRA Article IV.2.q, TxDOT will hold public engagement meetings twice each calendar year in each segment while design and construction are ongoing in the segment. As such, TxDOT was required to hold two public meetings by December 31, 2023 for Segment 3, which is the only area undergoing design or construction during this reporting period.

Recognizing the importance of keeping impacted property owners, tenants, and communities in all three segments informed, TxDOT decided to hold two public meetings for each of the three project segments during this reporting period, for a total of six public meetings. This included two meetings for Segment 3 (currently under design) as well as two meetings each for Segments 1 and 2. For the convenience of the affected communities, both in-person and virtual options were provided for the I-45 NHHIP Changes for the Better public meetings.

The meeting venues were selected based on adherence to a set of stringent criteria which ensured accessibility and convenience for affected communities:

- Proximity to imminent construction areas
- Capacity for approximately 150 attendees in an open-house layout format
- Free parking
- Bicycle-friendliness
- Public transit accessibility
- Availability of the facility
- ADA accommodations

The public meetings were held as follows:

- Wednesday December 6, 2023: Segment 3 in-person meeting was held at St. John's Downtown Church at 2019 Crawford Street, from 5-7 pm.
- Thursday December 7, 2023: Segment 3 virtual meeting was held from 5-7 pm
- Monday December 11, 2023: Segment 2 in-person meeting was held at the Moody Community Center at 3725 Fulton Street, from 5-7 pm.
- Tuesday December 12, 2023: Segment 2 virtual meeting was held from 5-7 pm
- Wednesday December 13, 2023: Segment 1 virtual meeting was held from 5-7 pm
- Thursday December 14, 2023: Segment 1 in-person meeting was held at the Aldine Ninth Grade Center at 10650 North Freeway, from 5-7 pm.

The meetings were held in accordance with the FHWA-approved Environmental Handbook for Public Involvement, including meeting provisions and language access provisions. Meetings and outreach materials were all in English and Spanish with availability for other languages to accommodate requests from persons with LEP according to TXDOT's LEP SOP.

In advance of the public meetings, TxDOT engaged affected communities and provided meetings notices in English and in the most common languages spoken by individuals with LEP in the community as follows:

- Legal notices were published in newspapers, on TxDOT's Hearing and Meetings webpage <https://www.txdot.gov/projects/hearings-meetings/houston/2023/i45-nhhip-120623.html>, and on the TxDOT NHHIP website <https://www.txdot.gov/nhhip.html>. These print and electronic publications informed the public of the opportunity to receive language and ADA accommodations, written in the following languages: English, Spanish, French, Arabic, Somali, Swahili, and Kinyarwanda.
- Legal notices were published during the second week of November in prominent print media news outlets, including the Houston Chronicle Newspaper, La Voz Newspaper, and the Houston Defender Newspaper. The combined circulation of these publications totaled approximately 105,000.
- Colorful display advertisements were published in the community newspapers' advertisement sections, available in English, Spanish, Chinese (Mandarin), and Vietnamese. This effort aimed to accommodate the diverse linguistic backgrounds within the project's footprint and to enhance accessibility and understanding for property owners, tenants, communities, and stakeholders affected or likely to be affected by or interested in the project. Both the legal meeting notifications and the display advertisements clearly informed attendees about the procedure for requesting language accommodation prior to the meetings and outlined the associated deadlines for such requests. Samples of these legal notices and advertisement displays can be found in the appendix of the Public Meeting Series Summary Documentation Report.
- Bilingual meeting notice postcards were directly mailed to around 45,000 adjacent property owners, tenants (within a half-mile radius of the project footprint), elected officials and key stakeholders. These mailings were dispatched at least 20 days prior to the first meeting in series. See Figure 2 for public meeting series postcard.
- Bilingual meeting notices were also distributed via social media platforms including X (formerly Twitter), Facebook and NextDoor to maximize outreach, with follow-up reminders posted and emailed to maintain awareness.
- Flyers in English and Spanish advertising the meeting were strategically posted in community centers, schools, libraries, and other places where people gather in the project area.
- A total of 15,000 bilingual door hangers promoting the meetings were distributed to low-income residences and community frequented businesses within the project area five days before the meeting.

- Yard signs displaying the meeting dates and times were strategically placed on esplanades and sidewalks near the meeting locations.
- Meetings were advertised on TxDOT fixed and portable signs in the project area for 72 hours before the meetings.
- Meeting notices included a phone number the public can call to ask questions and access project materials during the project development process by appointment with TxDOT staff.

FIGURE 2 PUBLIC MEETING SERIES POSTCARD

**DECEMBER 2023  
PUBLIC MEETING SERIES  
CHANGES FOR THE BETTER**

The Texas Department of Transportation (TxDOT) invites you to the I-45 NHHIP "Changes for The Better" public meeting series. The purpose of these public meetings is for TxDOT to update the public on overall project status, design refinements, details regarding the Voluntary Resolution Agreement (VRA) and future construction schedule in an open house format. The public meeting series includes two public meetings for each of the three segments (in-person and a live virtual meeting). Please note that both the virtual and in-person public meetings will be conducted in English with real-time Spanish translation.

**PROJECT DESCRIPTION**

The project limits are I-45 from US 59/I-69 to Beltway 8 North, including improvements on US 59/I-69 between I-45 and Spur 527 in Harris County, Texas. The Segment 3 public meeting will also present proposed design changes specific to the Segment 3B re-evaluation. Segment 3B limits are US 59/I-69 from State Highway (SH) 288 to I-45.

**Feedback from the public regarding the project may be submitted in any language by mail to: TxDOT I-45 NHHIP Ambassador, TxDOT Houston District, P.O. Box 1386, Houston, Texas 77251-1386. Feedback may also be submitted by email to: nhhip.ambassadors@txdot.gov or HOI-PDWebmail@txdot.gov. All feedback must be received or postmarked by Fri., January 5, 2024.**

**Should you need assistance with meeting access services, translation services, or other accommodations, please call (713) 862-5199 no later than 4 p.m. by the following dates for:**

- Segment 3 meetings, Thurs., Nov. 30, 2023
- Segment 2 meetings, Mon., Dec. 4, 2023
- Segment 1 meetings, Fri., Dec. 8, 2023

**If you do not have internet access, you may call (713) 866-7040 between the hours of 8 a.m. and 5 p.m., Monday through Friday, to ask questions and access project materials during the project development process, by appointment only with TxDOT staff. Those without internet access are encouraged to attend in-person meetings.**

During the public meetings, TxDOT provided the community with up-to-date information regarding the Project, including overall project status; segment-specific details including design refinements and future construction schedule; ROW acquisition specifics; and informational assistance regarding the decision-making process and implementation of this VRA. Information was provided in an open forum for the community to provide feedback, raise issues, and ask questions about the NHHIP as well as TxDOT's compliance with the VRA. The Segment 3 public meetings also included the applicable environmental re-evaluations for the proposed design changes including the extension of Cleburne Street over IH 69 and reconfiguration of the local street grid along Chenevert Street and Jackson Street.

The public meetings were meticulously organized to engage the community and provide vital updates. TxDOT thoughtfully planned, advertised and presented the series of six public meetings to ensure that each experience, whether in-person or virtual, allowed LEP persons full access to all the information and interactions with the project team and TxDOT. TxDOT took the following steps provide meaningful access for persons with LEP, including the provision of language assistance services free of cost to persons with LEP:

- Meeting content and handouts were prepared in English and Spanish. Notifications allowed for accommodation in other languages and/or by interpreter by request if made within three days prior to the meeting.
- Public meetings were staffed with professionals fluent in English, Spanish and Mandarin. Staff wore badges in the language of their fluency at the meetings.
- Real-time Spanish translation was provided during both the in-person and virtual meetings. Real-time Spanish translation included both headsets and bilingual staff presence.
- In-person meetings included American Sign Language interpreters available for the hearing impaired.
- Spanish speaking subject matter experts were on hand to answer questions and provide translation if requested. There were three chat room conversations in Spanish during the Segments 1 and 3 virtual meetings.
- The virtual meeting software provided simultaneous closed caption translation in the language of a viewer's choosing to accommodate both LEP individuals as well as the hearing impaired.
- Each in-person meeting venue met ADA requirements to ensure accessibility.
- Wayfinding signs, in both English and Spanish, were utilized on the day of the meetings to guide attendees from parking areas to the meeting sites.
- LEP accommodation forms were available at each meeting for attendees to request translation during the event. During the first public meeting, a single individual, who spoke Mandarin, utilized the LEP accommodation form to request in writing that all public meeting information be translated in Mandarin, Vietnamese and Arabic. The participant was provided with a Mandarin translator during the public meeting, though a request for the accommodation was not made in advance.
- Resource tables were set up during the in-person meetings dedicated to assisting property owners in determining if their properties fell within the project's footprint. TxDOT Right of Way bilingual specialists were available for personalized consultations. Attendees could complete comment forms, surveys, and seek general information. Additionally, a continuously-playing 10-minute general project update video was available, with real-time language interpretation for those who requested it.
- As shown in Figure 3, Interactive project exhibit banners at each station of the in-person meetings featured QR codes with Spanish translation of English content. These banners also included QR codes for online public comment forms and surveys in English and Spanish. Attendees were given the choice to use laptops, tablets, or personal mobile devices to access segment exhibits, resources, and provide feedback, either at the meeting or online.
- All meeting collaterals were posted to the project website.



FIGURE 3 INTERACTIVE PROJECT BANNERS



TxDOT provided a variety of mechanisms for the public to provide feedback, with a deadline of January 5, 2024 for providing feedback related to the December 2023 public meetings:

- Bilingual project-specific surveys related to design questions were provided at the in-person public meetings, in both electronic and hard-copy formats. See Figure 4 for example survey question included in the structural cap survey.
- Bilingual general public comment forms were provided at the in-person public meetings, in both electronic and hard-copy formats.
- Display banners used at in-person public meetings included QR codes that led users to electronic surveys in both English and Spanish.
- During the virtual public meetings, questions could be asked during the general presentation and in a resource room accessible at any time. Questions could be asked in Spanish during the virtual meetings. Links and QR codes to surveys were also posted during the general presentation.
- Individuals could also offer feedback by reaching out to Ombudsman and Houston Public Information Officer via email or submit feedback via U.S. postal mail.



FIGURE 4 EXAMPLE STRUCTURAL CAP SURVEY QUESTION

**3**

**Would you support the inclusion of public art installations on the structural caps, even if it requires additional public or private funding?**

**¿Apoyaría la inclusión de instalaciones de arte público en las cubiertas estructurales, aunque requiera financiación adicional pública o privada?**

Choose one of the following answers

Definitely / *Definitivamente*

Maybe, depending on the nature of the art/ *Tal vez, dependiendo de la naturaleza del arte*

Not sure/ *No estoy segura*

No/ *No*

Approximately 964 impacted property owners, tenants, community members, stakeholders and other interested public attended the meetings series. More than a thousand comments were received.

Appendix F includes the public meeting summary document cover sheet, with a link to the full document which will be posted on the NHHIP website. TxDOT is reviewing the feedback received associated with the December 2023 public meetings and will consider and incorporate information provided at these meetings, as applicable, during the design and construction of the project.

TxDOT is also actively engaging in an array of third-party coordination meetings, briefings and presentation to help educate the public on the status of the project and invite input on detailed design elements as the project advances. A list of the meetings held during this reporting period are provided in APPENDIX G, Third-Party Coordination Meetings.

### **3. FLOODING**

#### **3.1. SEGMENT 1 DETAILED DRAINAGE STUDY (IV.3.b)**

NHHIP Segment 1 Drainage Studies have been completed and were prepared under four separate reports. These four studies, which were submitted with the first VRA progress report dated September 2, 2023, document drainage mitigation improvements (per the schematic dated December 2019) to ensure drainage criteria met Atlas 14 requirements.

These Segment 1 drainage reports have been posted to the NHHIP project website along with Segment 2 and 3 reports that have been completed to date. These reports will be updated as design progresses and to reflect any design changes and the applicable updates will be posted as they are completed and approved.

#### **3.2. REGIONAL DRAINAGE IMPROVEMENTS (IV.3.e-j)**

TxDOT and the City of Houston executed an Advance Funding Agreement on April 11, 2023, for the planning, design, and construction of the City's proposed North Canal Project which involves regional flood control benefits with implementation of the North and South Canals. The North and South Canals, inclusive of proposed channel improvements on White Oak Bayou at Yale Street and Studemont Street, involves the HCFCD and FEMA in addition to the City of Houston and TxDOT.

TxDOT continues to coordinate with the city as they proceed with design of these proposed improvements. TxDOT participates in periodic update meetings with the City and HCFCD on the City's design efforts such as the most recent meetings on February 13, 2024 and February 20, 2024, as well as design coordination meetings for TxDOT's projects such as the January 30, 2024 meeting concerning TxDOT's design efforts on Project 3B-1 and 3B-2.

TxDOT's second payment of \$18,779,862.00 towards project construction is expected to be issued upon completion and approval of the North Canal Project's design and permitting.

As previously reported, NHHIP Segment 3B Drainage Study Addendum, Dated August 2023, documents drainage mitigation improvements to ensure consistency with City of Houston and Harris County regional projects, including North and South Canals. TxDOT will submit any future design updates for the 3B Drainage Study to each agency for review. On-going coordination includes:

- Use of most recent City of Houston hydraulic models from North Canal project to define base conditions on Buffalo Bayou, at the Segment 3B drainage outfall
- Demonstration of no increase in flooding to Buffalo Bayou or to City of Houston storm sewers or neighborhoods along the Segment 3B project

The Segment 3B Drainage Study Addendum prepared by TNP has been posted to the project website and the appropriate link for that study is

<https://www.txdot.gov/content/dam/project-sites/nhhip/docs/seg-3b-addendum-drainage-study.pdf>.

#### **3.3. TRAIL INITIATIVES (IV.3.K)**

Trails identified in the VRA to be designed, constructed, operated and maintained are within the limits of upcoming projects. TxDOT will engage with HCFCD and other governmental

entities when detailed project development begins for the applicable projects. TxDOT has initiated discussions with HCFCD, the City of Houston, and the Houston Parks Board concerning proposed trail construction on an adjacent project along White Oak Bayou between Studemont Street and I-45 which has connectivity to the proposed NHHIP additional trails. HCFCD and the Houston Parks Board have provided draft specifications and standards that they are preparing for trails in this region and TxDOT will utilize these materials to guide applicable design and construction for trails to be constructed with the NHHIP. The entities are also discussing shared responsibilities concerning maintenance for these new trails.

Specific meetings with HCFCD and the City of Houston and will be scheduled this calendar year to review the proposed trails identified in the VRA and discuss other potential opportunities. Following meeting with HCFCD, TxDOT will also use the monthly multi-agency meetings forum to begin these discussions with the management districts and other stakeholders in Segment 3. Updates will be provided in future VRA reports as coordination efforts progress.

#### 4. AIR QUALITY MITIGATION (IV.4)

TxDOT placed an air quality monitor in Segment 3 at 2014 Cleburne Street on June 28, 2023 and began collecting data August 1, 2023. The monitor is located within 200 feet from State Highway TX 288, adjacent east of the Young Woman's College Preparatory Academy in Houston's Third Ward, at the corner of Cleburne Street and Chartres Street in Houston, Texas. This site was selected due to close proximity to Segments 3A and 3B, which are the initial planned construction projects within Segment 3.

The monitor was installed and operational one year in advance of the planned start of the Segment 3B construction project, which is the initial construction project for Segment 3. Air quality will be monitored through the duration of construction. Since NHHIP will be constructed in phases, TxDOT will determine optimal locations in each segment to place future monitors and place them based on construction schedules of each segment.

Ambient air measurements taken at the monitoring site are provided by TxDOT's contractor (AECOM) and they are quality assured. The contractor operates and maintains the site, validates the data, reviews and quality checks the data, and reports the data to TxDOT on a monthly basis. TxDOT updates the graphs on the website and makes the data available to the public at a similar frequency. The air monitoring data is available by navigating to the air monitoring link on the Multilingual Website home page or directly at the following link:

<https://www.txdot.gov/nhhip/about-air-monitoring.html>.

Measurements are collected for the following parameters, in order to compare to EPA's National Ambient Air Quality Standards (NAAQS) and TCEQ's Air Monitoring Comparison Values (AMCVs):

- Carbon Monoxide (CO)
- Nitrogen oxide (NO)
- Nitrogen dioxide (NO<sub>2</sub>)
- Oxides of nitrogen (NO<sub>x</sub>)
- Particulate Matter (PM<sub>2.5</sub>)
- Volatile Organic Compounds (VOCs): Benzene, 1, 3-Butadiene, Formaldehyde, Acetaldehyde, Naphthalene
- Meteorological Data: Wind Direction and Speed, Outdoor/Indoor Temperature, Relative Humidity, and Barometric Pressure

TxDOT's NHHIP Air Monitoring website opened to the public on October 15, 2023, displaying collected data from August 1, 2023, to August 31, 2023. The website includes additional air quality resources such as links to access daily air quality conditions from the EPA and TCEQ.

Monitored data, from August 1, 2023, to October 31, 2023, has not shown any exceedances of the criterial pollutants or VOCs when compared to the EPA's NAAQS and TCEQ's AMCVs, respectively. Air monitoring data has been collected to date and published through December 31, 2023.

It is noted that TxDOT discovered a transposition error with the PM<sub>2.5</sub> 24-hour data for November 2023 that was posted to this website prior to February 5, 2024. TxDOT has subsequently corrected this error and updated this website accordingly. Any time after February 5, 2024, the November 2023 PM<sub>2.5</sub> data that is available for download from this

website is accurate and up to date. The TxDOT Houston District, TxDOT Environmental Affairs Division, TxDOT's consultants have met to develop a standard operating procedure for uploading collected data to prevent future errors or interruptions to the NHHIP TxDOT's NHHIP Air Monitoring website.

Per the NHHIP Record of Decision (ROD), there is a commitment to include an early warning system using the EPA and TCEQ Air Quality Index triggers on the NHHIP website. The website will be updated to provide a link to the TCEQ website Air Quality Index Report, [https://www.tceq.texas.gov/cgi-bin/compliance/monops/aji\\_rpt.pl](https://www.tceq.texas.gov/cgi-bin/compliance/monops/aji_rpt.pl). The TCEQ website, which is updated hourly, includes near real-time ambient air quality for continuous gaseous, particulate data and volatile organic compounds. The website includes an Air Quality Index with six classifications:

- Good
- Moderate
- Unhealthy for Sensitive Groups
- Unhealthy
- Very Unhealthy
- Hazardous



## 5. STRUCTURAL CAPS (IV.5)

As reported in VRA Progress Report No. 1 dated September 2, 2023, there are five structural cap opportunities being discussed with various third-party partners as noted in Table 5-1, Structural Caps. The first four locations are as identified in the VRA with potential opportunities to increase their respective lengths pending third party funding agreements. The fifth location is an additional potential cap based on the planned extension of Cleburne across I-69. The large angle of Cleburne Street across IH 69 makes it more efficient to build a small cap with beams perpendicular to IH 69. The result is an opportunity to provide a small cap area either side of Cleburne. Based on coordination with the City of Houston, Midtown Redevelopment Authority, OST/Alameda Redevelopment Authority, and TIRZ No. 7, these agencies have expressed interest in partnering with TxDOT to potentially support the design and construction of a larger cap inclusive of Cleburne Street and Alameda Street.

**TABLE 5-1 STRUCTURAL CAPS**

Location	Segment (Project)	Design Stage	Partner Agencies
(1) IH 69: METRO Red Line and Fannin St.	3 (3A)	Detailed Design	METRO; City of Houston
(2) IH-69: Caroline and Wheeler Ave.	3 (3A)	Detailed Design	Midtown Redevelopment Authority; City of Houston
(3) IH-69/IH-45: Lamar St to Commerce St.	3 (3D)	Preliminary Design	Central Houston; East Downtown Management District; TIRZ 15; City of Houston
(4) IH-45 at N. Main St.	2	Preliminary Design	To Be Determined
(5) IH-69: Cleburne Street and Alameda Street (Opportunity)	3 (3A)	Detailed Design	OST/Alameda Corridors Redevelopment Authority; TIRZ #7; Midtown Redevelopment Authority; Greater Southeast Management District; City of Houston

TxDOT, the City of Houston, and the potential partner management districts and TIRZs listed in Table 5-1 have been coordinating over the past six months specifically for cap locations 1, 2, and 5 to assess opportunities and begin development of draft agreements to support potential cap extensions as well as future development of amenities on the cap structures. TxDOT has provided analysis and estimated costs for extending these three caps as requested by the partner agencies. Estimates have included additional structure costs and additional fire/life/safety elements for potential extensions that would require third-party funding. Cost estimates have also been provided for maintenance to include potential cost sharing if cap structures are extended. TxDOT is currently waiting for decisions and confirmation of commitments from the partner agencies to progress detailed design at these locations. TxDOT detailed design will include all structural elements to be constructed by TxDOT's construction contractor, and applicable fire/life/safety, interior lighting, drainage, and ITS components at each cap location.

For these cap locations in Segment 3, the City of Houston on behalf of the various partner agencies, has submitted a federal grant request in response to the Office of the Secretary of Transportation release of a joint Notice of Funding Opportunity for the Reconnecting Communities Pilot and Neighborhood Access and Equity programs. TxDOT is supportive of the

City's efforts in seeking these funding opportunities. The grant was submitted in September 2023. The grant request was for the structural elements to support extended cap opportunities which would maximize the possibilities for amenities and green space enhancing community connectivity at these locations. The grant request also included potential amenities and planter opportunities within the pedestrian-bicycle realms on all the cross-street bridges in Segment 3 as noted in Section 6 of this report.

TxDOT and the City of Houston obtained advanced funding agreement examples from projects in the Dallas District involving similar caps and amenities as a baseline for agreement discussions. Subsequently, the City and TxDOT have developed initial draft agreement terms which were provided to the partner agencies at the February 16, 2024, Multi-Agency Coordination Meeting. The next steps include the City incorporating TxDOT comments, obtaining input from the management districts and TIRZs, confirming partner agency commitments and which parties will be participating in which agreements at the three cap locations in Project 3A, and then developing final agreements with applicable legal support from each entity.

TxDOT, METRO and the City continue to hold periodic design coordination meetings concerning the cap at the LRT crossing and Fannin Street as noted in Appendix F, Third Party Coordination Meetings.

## **6. PARKS, OPEN SPACES, TRAILS, AND PEDESTRIAN AND BICYCLE FACILITIES (IV.6)**

The VRA identifies new trail opportunities along White Oak Bayou, Little White Oak Bayou and Buffalo Bayou which provides a baseline for development of a map of potential new trail links within existing and proposed right-of-way, and for connection opportunities terminating outside the State's right-of-way. These connection points outside of the State's right of way require coordination with the City of Houston and HCFCD. With the November 2023 elections, and the associated changes to City of Houston leadership, TxDOT is engaging with the newly elected and appointed City of Houston personnel to coordinate design for all cross-street bridges in Projects 3A and 3B along IH-69 from Main Street to McGowen Street, including Cleburne Street.

TxDOT is also coordinating with the City of Houston on the final design of Project 3B to include bicycle accommodations in addition to pedestrian facilities along St. Emanuel Street or an equivalent complimentary route, and is coordinating all design currently in Projects 3A and 3B to accommodate and provide connectivity with the City of Houston's bike plan and in accordance with requirements in the VRA Article 6. The milestone submittal plans for Projects 3B-2 incorporate the proposed pedestrian-bicycle realm featuring a 5 feet buffer from the curb adjacent the travel lane, a five feet bicycle lane, and a seven feet sidewalk at all cross streets over and under the interstate and highway facilities. TxDOT has been in coordination with the Management Districts and TIRZs on either side of I-69 at Elgin, Tuam, and McGowen Streets for potential inclusion of shade canopies and amenities over these pedestrian realms on the proposed arch bridge structures at these three street crossings. These amenities are subject to applicable third-party funding agreements which have been included in the monthly Multi-Agency Meetings discussions. TxDOT has funded the preliminary design of concepts to support what may be required to be incorporated into the structures to accommodate these potential amenities. TxDOT has also developed cost estimates and shared these concepts and estimates with the potential funding parties.

TxDOT also continues to discuss potential garden bridge opportunities where planters may be added in the buffer zone of the pedestrian realms for some of the cross-street bridges. Current discussions are focused on Projects 3A and 3B-2. The City included costs to support these potential garden bridge elements with the federal grant submittal noted in Section 5 of this report under the Reconnecting Communities Pilot and Neighborhood Access and Equity programs. TxDOT is designing the cross-street bridges to accommodate this potential planter loading.

### **6.1. KELLY VILLAGE OPEN SPACE MITIGATION (IV.6.h)**

The acquisition is impacting a 1.85-acre portion of the Kelly Village open space. TxDOT has agreed to acquire additional property and pay for the reestablishment of impacted open space for the remaining residents of Kelly Village. The reconstruction of the park will require the demolition of an additional four buildings and relocation of the residences in these buildings. Laundry Building A is also impacted by the acquisition. The facility is located within the area designated for the reconstruction of the open space. TxDOT is currently updating the appraisal for the property.

## **6.2. CITY PARKS DEVELOPMENT AND REHABILITATION (IV.6.i)**

TXDOT has committed to provide \$1.5 million to the City of Houston Parks and Recreation Department for the development or rehabilitation of park facilities and amenities in City parks located in the vicinity of the project.

TXDOT is drafting an agreement to be executed with the City of Houston Parks and Recreation Department to provide \$1.5 million for the development or rehabilitation of park facilities and amenities in City parks located in the vicinity of the project. TXDOT does not have a template agreement for this circumstance and is drafting an agreement to address the conditions of VRA Article IV.6.i. This agreement will require a Minute Order to be approved by the Texas Transportation Commission.

## **6.3. EVALUATION OF NORTH STREET BRIDGE ALTERNATIVE PEDESTRIAN/BICYCLE ROUTES (IV.6.j)**

TXDOT continues evaluating different options for pedestrians and bicyclists to cross the proposed IH 45 freeway at or near North Street in lieu of the existing North Street Bridge over IH 45 which is planned for permanent removal in Segment 2 of the NHHIP. Options currently being considered include:

1. A new pedestrian bridge over IH 45 adjacent to North Street with cut-back style landings that do not increase the footprint of the proposed ROW.
2. A tunnel underneath IH 45 adjacent to North Street.
3. An alternative pedestrian/bicycle route utilizing an additional shared use path along the north side of Little White Oak Bayou crossing under IH 45 (located approximately 400 ft south of North Street) with connections to North Street.

The evaluation of these alternatives has not yet been completed and would be part of a future re-evaluation for Segment 2. The North Street pedestrian bridge alternative for pedestrian/bicycle routes was noted in materials shown in the NHHIP December 2023 Public Meetings. Design for this area has not progressed since VRA Report 1.

## **6.4. EMANCIPATION NATIONAL HISTORIC TRAIL CONNECTIVITY (IV.6.k)**

TXDOT is committed to assisting and supporting efforts to develop the Emancipation Trail in accordance with the VRA. TXDOT will engage with the National Park Service on how the NHHIP pedestrian-bike realm can complement the potential study outcomes and any other transportation-related aspects of the Emancipation National Historic Trail. TXDOT will evaluate the results of the National Park Service's Emancipation National Historic Trail Feasibility Study when they are available. Through ongoing detailed design TXDOT is evaluating the pedestrian-bike realms within the State's ROW and how those can connect with adjacent pedestrian and bike facilities.

Table 6-1, Connectivity to Emancipation Trail notes the currently planned features by segment and project and the Emancipation Trail benefits. The Segment 3 items noted Table 6-1 are being implemented in design plans; the Segment 2 items will progress once Segment 2 design begins.

**TABLE 6-1 CONNECTIVITY TO EMANCIPATION TRAIL**

<b>Segment (Project)</b>	<b>Feature</b>	<b>Emancipation Trail Benefit</b>
3 (3B-1)	Shared Use Path from Alameda Road to Cleburne St parallel to IH 69 NB to SH 288 SB Direct Connector	Enhanced accessibility to Emancipation Park and at least two other Texas Historical Marker and one other National Register sites
3 (3B-1)	17-foot pedestrian realms either side of Cleburne St, Alabama St, Elgin St, Tuam St, and McGowen St	Enhanced accessibility to Emancipation Park and at least two other Texas Historical Marker and one other National Register sites
3 (3B-1)	Shared Use Path from Cleburne Street to Alabama St along SH 288 NB Frontage Rd	Enhanced accessibility to Emancipation Park and at least two other Texas Historical Marker and one other National Register sites
2	Shared Use Path under IH 610 at North Main St	Enhanced accessibility to Independence Heights Residential Historic District and two other National Register sites
3 (3D)	Shared Use Path on Brazos St from Pierce St to Pease St and along St. Joseph Parkway adjacent detention pond	Enhanced accessibility to Antioch Missionary Baptist Church site
3 (3D)	Reconnection of Andrews St with dedicated bike-pedestrian crossing over the Downtown Connector	Accommodates the Emancipation Trail within the project limits as noted in the VRA
3 (3D)	17-foot pedestrian realms either side of Dallas St over the Downtown Connector	Enhanced accessibility to Headquarter for the Ancient Order of Pilgrims Texas Historical Site and Kellum-Noble House at Sam Houston Park
3 (3D)	20-foot pedestrian realm with two-way bike path along Heiner St from Allen Parkway to Cleveland St	Strategic link between historic sites in Midtown and the Buffalo Bayou Trail with direct access to Andrews St and the Emancipation Trail

**6.5. SUPPORT FOR OLIVEWOOD CEMETERY LISTING IN NATIONAL REGISTER OF HISTORIC PLACES (IV.6.k.vii)**

TXDOT has engaged the Descendants of Olivewood Inc. to offer assistance in efforts of listing the Olivewood Cemetery in the National Register of Historic Places. TxDOT did a field visit on October 12, 2023, and that was followed up with a meeting with the Descendants of Olivewood on October 31, 2023. The meeting was held on site at the cemetery and featured a walk through as well as advising representatives of the Descendants of Olivewood on the VRA commitment.

TxDOT Houston District personnel introduced the Descendants of Olivewood to TxDOT Environmental Division Cultural Resource Subject Matter Expert on January 23, 2024, and then a meeting was held with the Descendants of Olivewood and TxDOT’s Cultural Resource personnel on February 16, 2024. This meeting provided an opportunity to discuss efforts to date and the opportunity for TxDOT to assist in assembling the necessary data to support applying and submitting the Olivewood Cemetery for listing in the National Register of Historic Places, if the Descendants of Olivewood are interested in submitting.

## 7. ACCESS DURING CONSTRUCTION (IV.7)

### 7.1. SCHOOL ACCESS (IV.7.a)

During detailed design of individual projects TXDOT is identifying schools near the project that access could be impacted due to construction. Once identified, TXDOT is meeting with representatives from the schools and school district to provide them an overview of the construction project phasing and detours that could impact access to the school. The discussion at these meetings is to understand the internal circulation of each school campus and how buses, drivers, pedestrians, and bicyclists access the campus. From these meetings TXDOT is better able to understand whether construction phasing may need to be modified or particular work identified to be completed when school may not be in session and traffic to the school be lighter or non-existent.

TXDOT will continue to identify and meet with impacted schools throughout final design and construction.

### 7.2. TRANSIT ACCESS (IV.7.b)

During detailed design of individual projects TXDOT is coordinating with METRO to identify transit stop locations, bus routes, light rail routes, and upcoming work to be performed by METRO in and around the project area. Reoccurring meetings have been taking place between METRO and TXDOT to discuss how the planned construction will affect the existing bus stops and routes.

Reference Table 7-1, METRO Meetings and Submittals for a list of coordination meetings with METRO as well as correspondence and submissions to METRO for the Segment 3 project.

**TABLE 7-1 METRO MEETINGS AND SUBMITTALS**

Segment (Project)	Date	Activity	Subject
3 (3A)	8/29/2023	Submittal	Traffic Control and Bus Routings
3 (3A)	9/7/2023	Submittal	Draft Track Alignment
3 (3A)	9/14/2023	Submittal	Specifications for Approval
3 (3A)	9/19/2023	Submittal	Phase Construction of Main St Exhibit
3 (3A)	10/4/2023	Submittal	Platform Canopy Concept Design
3 (3A)	10/25/2023	Meeting	Spur 527 Bridge over I-69 Phasing Discussion
3 (3A)	11/3/2023	Submittal	Clarification on Traction Power and Overhead Catenary System (OCS) design



Segment (Project)	Date	Activity	Subject
3 (3A)	11/3/2023	Meeting	Wheeler Transit Center Site Follow-Up Coordination Meeting
3 (3A)	12/13/2023	Meeting	Track and Structural Discussion
3 (3A)	12/14/2023	Submittal	Track Slab Standard Drawing
3 (3A)	12/15/2023	Submittal	Turnouts for Light Rail Transit (LRT)
3 (3A)	1/24/2024	Submittal	Track Alignment-Turnout Shift PDF
3 (3A)	1/15/2024	Submittal	Track Alignment CADD
3 (3A)	1/16/2023	Meeting	LRT Bid Items
3 (3A)	1/17/2024	Submittal	Track Re-Alignment at bridge
3 (3A)	2/1/2024	Submittal	Draft Traffic Control Plan, Narrative, Bus Routes
3 (3B)	2/1/2024	Submittal	Track Geometry Review

### 7.3. TRAFFIC MANAGEMENT (IV.7.c)

As outlined in the previous report, TXDOT is gearing up to tackle traffic management head-on during construction. The Traffic Management Steering Committee's input will play a pivotal role in shaping construction and traffic control phasing plans aimed at enhancing mobility, minimizing disruptions, and advocating for alternative travel options. From optimizing modal choices to urging motorists to explore alternative routes and travel times, the Committee's recommendations will be integral to promoting smoother traffic flow.

TxDOT's decision to delay reactivation of the steering committee post-lifting of the pause was strategic, considering the anticipated changes in local governmental administrations and the wave of transportation agency retirements in late 2023. With several key members having moved on due to retirements or staff turnovers, it's time for a refresh.

Currently, TxDOT is in the process of coordinating schedules to pinpoint a suitable date in late March or early April for the Committee's eagerly anticipated reunion. Stay tuned for further updates as we gear up to revolutionize traffic management strategies together.

As noted in the VRA, TXDOT is committed to providing 14 calendar days public notice of bus and light rail service disruptions on the project webpage. TXDOT will work with METRO whether these notices can be posted on their webpage as well to increase the exposure to the public.

## **8. MEANINGFUL ACCESS FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY (LEP) (IV.8)**

TxDOT has developed a draft of the updated Language Assistance Plan, to ensure language assistance services are adequately provided and documented on TxDOT projects, The Plan, which is consistent with the U.S. Department of Justice's 2002 LEP guidance on updating recipient LEP plans, has been submitted to FHWA for their review and approval. TxDOT is currently addressing FHWA comments on the Plan. In accordance with Article IV.8 of the VRA, the updated Language Assistance Plan is due by March 6, 2024, which is one year after the effective date of the VRA.

### **8.1. LANGUAGE ACCESS PROGRAM (IV.8.a)**

TxDOT is implementing its language access program in accordance with Title VI and DOT regulations and consistent with Title VI guidance issued by DOT.

### **8.2. TRANSLATION SERVICES (IV.8.b)**

TxDOT will provide translation services for vital print or digital communications without relying solely on automatic translation. TxDOT provides print and digital communication in English and Spanish as a standard practice. Seven languages, including English and Spanish, have been identified to be spoken in the Project area and TxDOT has provided print and digital communication in these languages to accommodate those who have limited English proficiency. The NHHIP website can be translated into several languages and includes information to receive translations of specific graphics, images, and PDFs on the website.

All materials translated for the December 2023 public meeting series were quality checked before publication.

### **8.3. LEP NEEDS OF PENDING DISPLACEMENTS (IV.8.c)**

TxDOT will continue to document, track, and monitor the LEP needs of anyone still to be displaced. TxDOT's SOPs provide guidance on how staff and consultants are to handle this effort.

### **8.4. TIMELY LANGUAGE ASSISTANCE SERVICES (IV.8.e)**

TxDOT is committed to making language assistance services available in a timely way for relocation and acquisition services. TxDOT has not delayed language assistance services to individuals with LEP and timeframes for receiving information, benefits, or other aspects of the relocation and acquisition activities have been on a timeframe consistent with individuals with non-LEP. If such a situation arises, TxDOT will document this per the commitment in the VRA.

TxDOT Right of Way bilingual specialists were available for personalized consultations during the December 2023 public meeting series.

### **8.5. DOCUMENTATION OF FUTURE INTERACTIONS (IV.8.f)**

Future interactions between TxDOT's resource providers and relocation contractors and persons with LEP will be documented to include the person's name, the specific language(s)

and dialects needed, how spoken and written language needs are identified, date language assistance services are requested, date language assistance services are provided, and how language assistance services were provided to that person. TXDOT's LEP Right of Way SOP includes documentation requirements for LEP encounters. This documentation is reported to TXDOT's CIV Division quarterly and then a Title VI questionnaire is reported annually at the end of each fiscal year.

#### **8.6. STANDARD OPERATING PROCEDURE (SOP) DEVELOPMENT (IV.8.g)**

TxDOT developed Standard Operating Procedures (SOP) for both the Environmental Affairs Division and the Right of Way Division, as both Divisions employ personnel who potentially interact with LEP individuals. The SOPs describe the roles and responsibilities for TxDOT resource providers, relocation contractors, and TxDOT staff regarding interactions with persons with Limited English Proficiency (LEP). The SOPs include procedures for documentation, communication, notice of free language assistance services available to persons with LEP, language access complaints, and issue resolution. FHWA comments on the SOP have been addressed and the SOPs were finalized on June 6, 2023.

#### **8.7. TXDOT PROVIDED INTERPRETER (IV.8.h)**

The LEP Right of Way SOP includes direction that TXDOT will have an agency-sponsored interpreter present to ensure accuracy and completeness of presented information when an individual with LEP prefers to bring an interpreter of their choosing. This direction is captured in a note for Item 6.1.3 in TXDOT's LEP Right of Way SOP.

TxDOT-sponsored interpreters were present at the December 2023 public meetings.

#### **8.8. TRANSLATION OF DOCUMENTS AND MATERIALS (IV.8.i)**

TxDOT's Right of Way SOP includes direction to staff and consultants on the requirements to provide all translated relevant documents and materials to displaced in their preferred language prior to requesting signatures or other legal commitments.

#### **8.9. LEP TRAINING (IV.8.j)**

TxDOT developed a training to educate TXDOT employees and consultants on the LEP SOP implementation. The training, which was initially performed on June 27, 2023, was recorded for future use. As new TXDOT staff or consultants begin working on the NHHIP, they will be required to watch the training to become familiar with the SOPs and their use.

A list of attendees for the June 27, 2023 training session is included as Appendix H.

#### **8.10. SURVEY OF DISPLACED INDIVIDUALS (IV.8.k)**

VRA Section IV.8.k states that "within 120 days of signing this VRA, TxDOT will conduct a survey to identify displaced residents and businesses who have already been relocated under the Project in order to assess the sufficiency of translation, interpretation, and other language assistance services. Based on results of that survey, TxDOT will notify, both verbally (by phone or in person) and in writing in the respondent's preferred language, those who responded that they did not receive sufficient language assistance services that they have the right to supplemental language services, and TxDOT will provide such supplemental language assistance services to those respondents who request them."

TXDOT sent a survey to assess the sufficiency of translation, interpretation, and other language assistance services to the previously displaced residents and businesses by mail and email on June 23, 2023. All recipients received the survey in Arabic, English, French, Kinyarwanda, Spanish, Somali and Swahili, as these were the languages of residents that had relocated as of the execution date of the VRA. The survey was distributed by email and paper mail to 540 residents and 23 representatives of non-residential entities that had relocated as of the execution date of the VRA, for a total of 563 survey recipients.

A report was submitted to FHWA on July 31, 2023, detailing efforts to comply with this provision. No survey recipients have requested TxDOT to provide additional non-English language assistance services.

### **8.11. LANGUAGE ASSISTANCE SERVICES DURING PUBLIC ENGAGEMENT (IV.8.I)**

The meetings and the outreach materials for the December 2023 public meeting series were all in English and Spanish. The public meetings were staffed with professionals fluent in English, Spanish and Mandarin, with staff wearing badges in the language of their fluency. American Sign Language interpreters were provided at in-person events in both English and Spanish, ensuring comprehensive accessibility.

The public meeting notification included a statement that public meeting attendees who needed language accommodations beyond English and Spanish were asked to submit those requests to TxDOT three days in advance of the meeting. No requests for language accommodation were received in advance of the meetings. All surveys were completed in English and participants chose to view videos in English.

LEP accommodation forms were available at each meeting for attendees to request translation during the event. During the first public meeting, a single individual, who spoke Mandarin, utilized the LEP accommodation form to request in writing that all public meeting information be translated in Mandarin, Vietnamese and Arabic. The participant was provided with a Mandarin translator during the public meeting, though a request for the accommodation was not made in advance.

The virtual public meeting software provided simultaneous closed caption translation in the language of a viewer's choosing to accommodate both LEP individuals as well as the hearing impaired. Spanish speaking subject matter experts were available to answer questions and provide translation if requested. The virtual public meetings included three conversations in Spanish. All virtual meeting attendees chose English for viewing and participating in the meetings.