



Directors

3/13/2019

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Mr. Quincy Allen, P.E.
Houston District Engineer
Texas Department of Transportation
P.O. Box 1386
Houston, Texas 77251

**RE: North Houston Highway Improvement Project [NHHIP] – CSJ 0912-00-146
– Addendum 1 to Visual Impact Assessment Report / Draft Noise Technical
Report**

Dear Mr. Allen,

Following are the Houston Parks Board's [HPB] comments regarding TxDOT's recent release of the Visual Impact Assessment and Draft Noise Technical Report of the NHHIP. These comments support the Make I-45 Better Coalition's further comments regarding these technical reports and the accompanying Noise and Hazardous Materials report.

Procedural Deficiencies

As detailed in the Irvine Connor letter dated July 20, 2018 after last summer's release of technical reports, all this information should have been included in the NHHIP Draft EIS [DEIS]. Release of key technical reports after publication of the DEIS fails to meet NEPA's technical requirements or its intent that the DEIS provide comprehensive disclosure to inform public comment. Understanding the visual and noise impacts of major highway projects is fundamental to a DEIS. Had the information been provided as part of the DEIS, it would have greatly influenced the ability of the public to understand the impact of the project.

Furthermore, additional technical reports that should have been part of the DEIS, including those related to community impacts and cumulative impacts, have yet to be released. Therefore, the Houston Parks Board maintains its position that the DEIS comment period should remain open until all technical reports are released or that a supplemental DEIS be provided at the completion of all technical reports so that the comprehensive impacts of the NHHIP can be fully understood and commented upon. HPB retains the right to comment on any aspect of the project until all the reports are released.

Visual Impacts to Parks

HPB will focus its comments on the visual impacts to parkland, though the visual impacts of the project as a whole remain significant through the length of the project north of UH Downtown [UHD]. It is unclear how these impacts could be mitigated as TxDOT defers any landscaping plans until after the EIS.

Stephen Wright
*Director, Houston Parks and
Recreation Department*
Ex-Officio

Beth White
President & CEO

The limited proposed detention areas¹ are described as potential greenspace and recreation areas “where feasible” while expressly stating that, “they will not be parks.” Overall, the report considers the visual quality of Segment 1 as “Moderately low” and Segment 2 “Moderate” without acknowledging the existing highway as contributing to negative visual qualities in the affected communities.

A. Sam Houston Park and Buffalo Bayou Park

The report states that “the project would significantly reduce the highway foot print in the area of Sam Houston Park and Buffalo Bayou Park, creating opportunities for additional greenspace.” However, no visual impact analysis is provided to support that claim.

B. White Oak Bayou Greenway

The EIS remains flawed in failing to acknowledge White Oak Bayou Greenway north of UHD as public parkland, thereby triggering the requirements of Section 4(f) of the U.S. Department of Transportation Act of 1966. Per the Federal Transit Administration:

Section 4(f) of the U.S. Department of Transportation (USDOT) Act of 1966 prohibits the FTA and other USDOT agencies from using land from publicly owned parks, recreation areas (including recreational trails), wildlife and water fowl refuges, or public and private historic properties, unless there is no feasible and prudent alternative to that use and the action includes all possible planning to minimize harm to the property resulting from such a use. See 23 CFR Part 774.

Section 4(f) has since been recodified but it is still referred to as Section 4(f) today.

The report states that, “The existing visual quality on the Heights Bike Trail at White Oak Bayou is moderate, as no large elevated transportation facilities obstruct the view of Downtown (figure 5); however, the bayou has moderate to moderately low quality visual appeal because there are no improvements to the bayou or concrete drainage system to enhance the quality of landscaping in the area.” However, since the bayou has grass and wild flowers to its edge in this area (not concrete), and there is a line of trees that blocks the view of the current alignment of I-10, we contend that the current view of Downtown from the trail (Figure 5) is high visual quality. As it pushes a combined I-10 and I-45 against the very edge of White Oak Bayou’s southern shoreline, the NHHIP project obliterates the tree line that currently blocks views of present I-10 looking toward downtown. Along with the new elevated overpasses, this changes the view quality from high to low. The report’s Figures 5 and 6 do show that impact even as it distracts the analysis with images of park benches and canoes. Nor are the before and after views comparable. The canoes and water shown in Figure 6 would not be visible without realigning the bayou, which to our understanding is not planned and therefore should not be shown in the rendering.

While the project eliminates the I-10 overpass adjacent to UHD, that present alignment is massed with the UHD buildings and Main Street minimizing the overall impact. However, The NHHIP reroutes 20 lanes of highway with some 7 new overpasses directly over the presently open parkland upstream of UHD. That impact is far more significant both qualitatively and in its overall scope and scale than what would be removed. HPB had previously noted a net impact to

¹ Note that TxDOT has not committed to mitigate the cumulative impacts of the completely rebuilt NHHIP. We have recommended that TxDOT commit to this level of mitigation as well as immediately address historic flooding issues in communities like Independence Heights directly resulting from the existing interstate highway system. Such mitigation would greatly expand the projects detention requirements while creating new potential park and alternative transportation opportunities. See HPB’s Near Northside Open Space and Connectivity Plan.

18 acres of open space. The report's Figure 4 illustrates the new overpasses as a distant image, unrelated to the parkland it impacts. "Miscellaneous aesthetic improvements" are offered as mitigation.

HPB had commissioned its own visual impact analysis of NHHIP at White Oak Bayou Greenway Park (Exhibit A). We have shown it to a number of community groups over the past year. At each showing it elicits strong reactions of surprised shock. Again, the visual impact analysis should have been included in the DEIS so that the public could understand the significant impact during the main comment period.

C. Freed Nature Park

The report's analysis misrepresents the impact at Freed Art and Nature Park. The photos in Figures 7 and 8 are taken looking downstream along Little White Oak Bayou. The Greenway trail bridge is visible in the middle distance; the park to the right. Figure 8 suggests that the highway will remain in its present alignment, south of the bridge and away from the park. However, TxDOT's own plans show the ramps crossing north of the bridge over Little White Oak Bayou and over a corner of the park (Exhibit B). Thus, the ramp would be much more in the foreground of the exhibit 8 photo.

D. Hogg Park

As shown in Figures 9 and 10, NHHIP impacts Hogg Park and Lionel Community Center also as it again monopolizes the south side of the Greenway and significantly changes the park experience.

Noise Impacts to Parks

While the Draft Traffic Noise Technical Report does offer noise mitigation to Woodland Park, questions remain regarding impacts to White Oak Bayou Greenway.

At Freed Nature Park (R6) the analysis indicates a slight noise reduction resulting from the project though the ramp system has moved approximately 200 closer to and over a corner of the park. Hogg Park (R8) shows a remarkably high noise level drop of 11 db despite the combined I-10 and I-45 lanes pressed to the south side of the bayou across from the park. The apparent drop in noise level in these locations merit further explanation.

The report offers no noise readings along the White Oak Bayou Greenway between Hogan Street and UHD. However, the project will remove trees buffering highway on the south side of the Greenway, push the highway within the southern bank of the Greenway and relocate seven new overpasses across the Greenway. Despite this lack of highly relevant impact disclosure on parkland, readings taken along the south side of the highway, opposite the Greenway, show projected db readings of 75 (R10), 70 (R12), 76 (R14) and 72 (R15). All those readings far exceed the FHWA noise abatement criteria of 67 db for active sports areas and parks. Given the like proximities, one would expect similar if not higher readings on the north side of the highway along the Greenway itself.

Finally, where noise impacts are acknowledged along White Oak Bayou Greenway at Freed Nature Park and White Oak Park, mitigation is not recommended.

Conclusion

We maintain our position that TxDOT has not met its responsibilities under Section 4(f) to avoid and mitigate impacts on parkland as the DEIS and the recent additional technical reports fail to acknowledge these impacts. The impacts to parkland are not just visual and noise but extend to habitat, flooding and water quality as well. Even where TxDOT has the opportunity to mitigate through landscape or use of detention as parkland, the analysis minimizes or dismisses the opportunity. HPB continues to implore TxDOT to acknowledge the NHHIP's impacts to parks, and therefore to avoid and mitigate impacts to parks per Section 4(f).

HPB has constructively provided TxDOT with a plan for a Little White Oak Bayou Greenway. While that proposal does not directly mitigate the impacts to White Oak Bayou Greenway, it would help mitigate the interstate system's multiple impacts of flooding, broken connectivity, noise and visual degradation that have long affected communities through segments 1 and 2 while providing them with a distinct park amenity. HPB encourages TxDOT to lead implementation of the Little White Oak Bayou Greenway proposal to offset the negative impacts of the existing highway system and the proposed NHHIP.

Sincerely,



Beth White
President & CEO

Houston Parks Board is a nonprofit 501(c)(3) dedicated to providing access to quality parks and greenspace for all people. Houston Parks Board creates, improves, protects and advocates for parkland in the Greater Houston region. Since 1976, the organization has utilized public-private partnerships and its extensive philanthropic, government and community relationships to improve parks large and small.

Houston Parks Board is currently leading the transformational Bayou Greenways 2020 project to create a 150-mile network of connected parks and trails along Houston's major waterways.

WHITE OAK BAYOU GREENWAY FROM THE TRAIL NEAR HOGAN STREET LOOKING SOUTHEAST TOWARDS DOWNTOWN



White Oak Bayou Greenway

Segment WO01: Before I-45 Expansion



Legend

- Major Area of Change
- Trails and Existing Shared Use**
- Existing Bayou Greenways
- Proposed Bayou Greenways
- Other Trails

Aerials (HGAC 2016-01)

White Oak Bayou Greenway

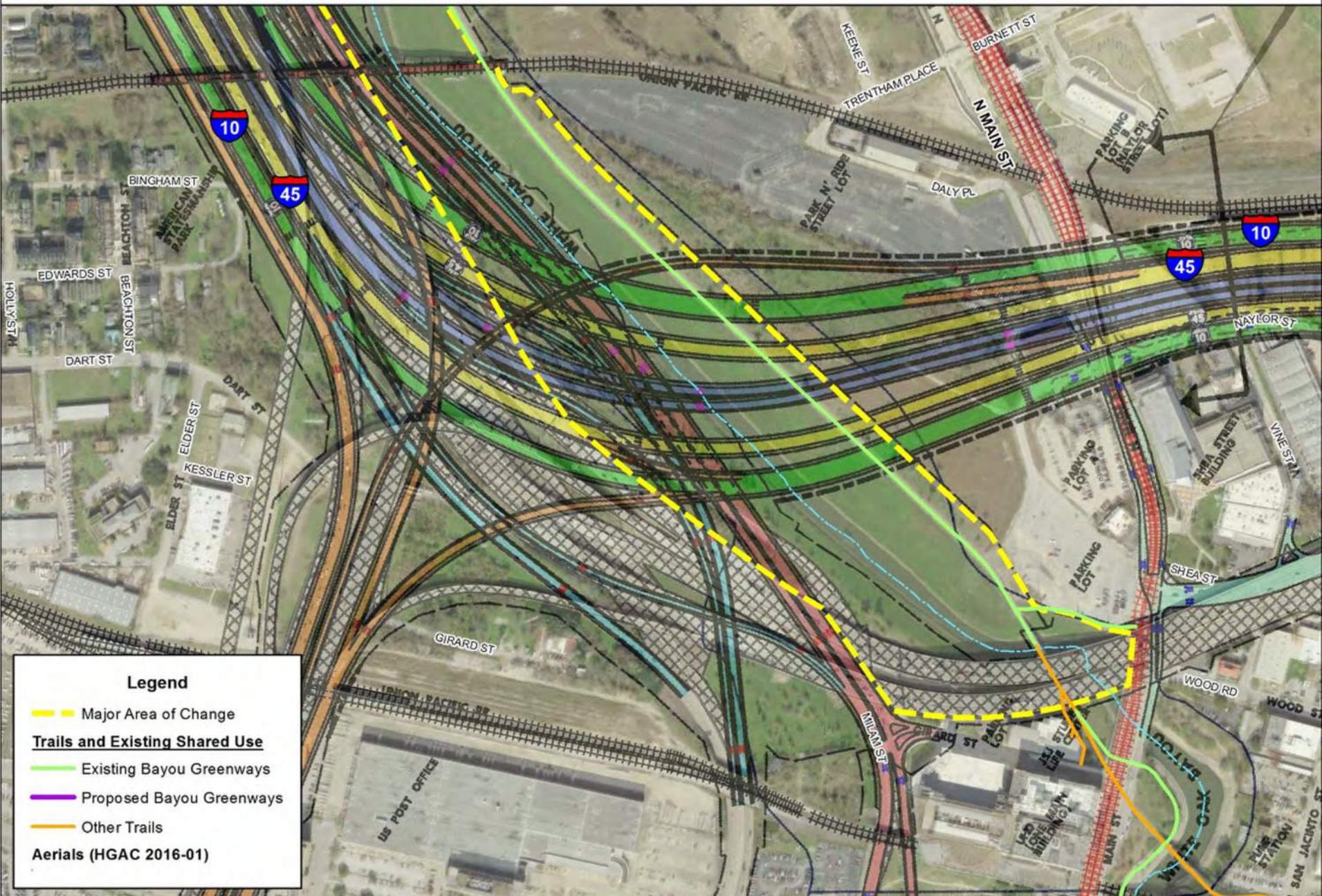
Segment WO01: After I-45 Expansion



HOUSTON
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400
Feet
1 inch = 400 feet



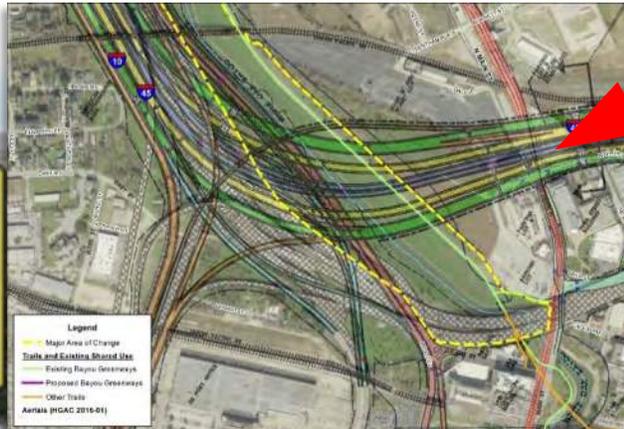
VIEW OF PROPOSED TxDOT HIGHWAYS



Downtown Connector



WHITE OAK BAYOU GREENWAY TRAIL



WHITE OAK BAYOU GREENWAY LOOKING TOWARDS DOWNTOWN



WHITE OAK BAYOU GREENWAY LOOKING TOWARDS DOWNTOWN



WHITE OAK BAYOU GREENWAY LOOKING NORTHWEST TOWARDS HOGAN STREET FROM THE UNIVERSITY OF HOUSTON DOWNTOWN



WHITE OAK BAYOU GREENWAY LOOKING NORTHWEST TOWARDS HOGAN STREET FROM THE UNIVERSITY OF HOUSTON DOWNTOWN



ECOLOGY IMPACT - 81 SPECIES OF BIRDS IDENTIFIED WITHIN THE IMPACT ZONE

AMERICAN KESTREL



SCISSOR-TAILED FLYCATCHER



WESTERN KINGBIRD



BELTED KINGFISHER



SAVANNA SPARROW



ANHINGA



SWAINSON'S HAWK



OSPREY



EXHIBIT A -
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Figure 5: White Oak Bayou at Heights Bike Trail – Existing



Source: TxDOT 2018.

Figure 6: White Oak Bayou at Heights Bike Trail – Proposed NHHIP



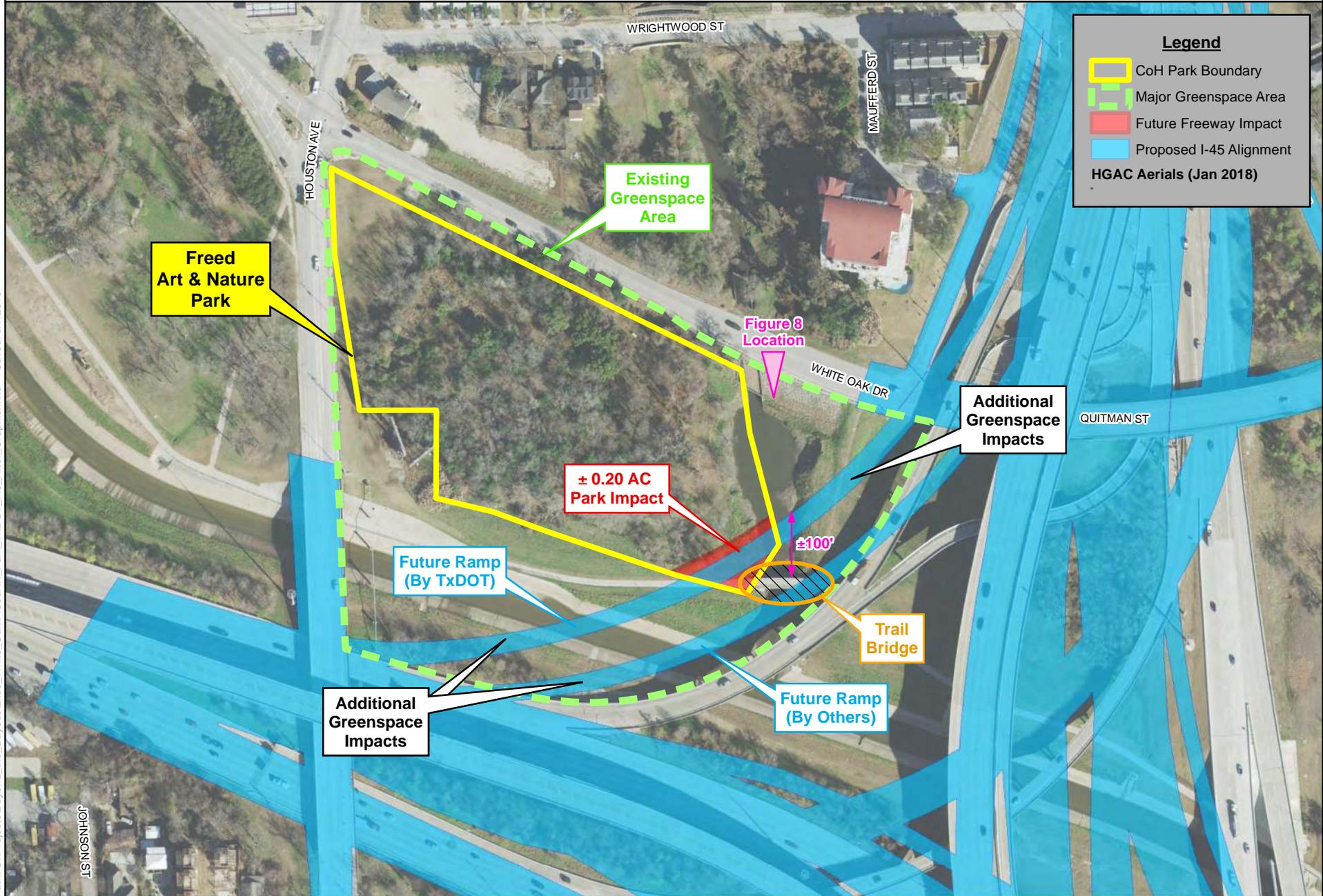
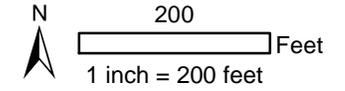
Source: TxDOT 2018.

~~Note. Some of the features shown in the rendered image are conceptual only, including pedestrian and recreation amenities, and landscaping enhancements.~~

HOUSTON PARKS BOARD UPDATE TO TxDOT FIGURE 6

White Oak Bayou Greenway

Freed Art & Nature Park: After I-45 Expansion



Path: G:\Projects\Beyond_the_Bayous\Little_White_Oak\FreedAN_Park_TxDOT_145_After_Graphic.mxd Saved: 3/7/2019

Figure 7: White Oak Drive east of Freed Art and Nature Park – Existing



Source: TxDOT 2018.

HOUSTON
PARKS BOARD
ESTIMATE OF
LOCATION OF
TxDOT RAMP



Source: TxDOT 2018.

Note: Some of the features shown in the rendered image are conceptual only, including pedestrian and recreation amenities, and landscaping enhancements.