APPENDIX E  AGENCY CORRESPONDENCE

METROPOLITAN TRANSIT AUTHORITY
ATTN MS RHONDA BOYER
P O BOX 61429
HOUSTON TX 77208-1429

Dear Ms. Boyer:

We have received your letter dated January 26, 2004 regarding the continuing Alternative Analysis/Draft Environmental Impact Statements (DEIS) for the North-Hardy, Southeast-Universities-Hobby and Uptown-West Loop Corridors in Houston, Harris County, Texas.

Our action will be limited to evaluating any waterways crossed by the projects for bridge permitting requirements and to determine if we will have any involvement in this segment of independent utility. The first step will be for the applicant to identify all waterways crossed and provide known data for each crossing submitted separately. Each will then be evaluated and if sufficient data exists, a decision will be returned. If additional information is required, that will also be communicated. Also, please provide information on any other agency involvement in the project.

As reference, you can obtain a Coast Guard Bridge Permit Application Guide from our web site at http://www.uscg.mil/hq/g-0/g-opt.htm. Please note that the mailing address only for our office has been changed to 500 Poydras Street, New Orleans, Louisiana, 70130-3310. If we can be of any further assistance, please contact us.

Sincerely,

[Signature]

MARCUS N. REDFORD, P.E.
Chief, Bridge Administration Branch
U.S. Coast Guard
By direction

RECEIVED
APR 09 2004
Southeast Corridor

February 5, 2004

Mr. Stan Graves
Architecture Director
Texas Historical Commission
P.O. Box 12276
Austin, TX 78711-2276

Re: Section 106 Consultation for Southeast-Universities-Hobby Corridor and North Hardy Corridor Projects, Houston, TX

Dear Mr. Graves:

The Federal Transit Administration (FTA), in accordance with the regulation of the Advisory Council on Historic Preservation (36 CFR Part 800 – Protection of Historic Properties, Section 800.2(c)) hereby authorizes the Metropolitan Transit Authority (METRO), as an FTA grant applicant, to initiate the Section 106 Consultation on its behalf for these proposed projects: the Southeast-Universities-Hobby Corridor and the North Hardy Corridor in Houston, Texas. This delegation does not extend to making determinations of effects or to resolving adverse effects through an Agreement document. FTA remains responsible for these determinations and any agreement that may be necessary.

METRO will be contacting your office regarding these projects in the near future. The METRO contact is Rhonda Boyer, Manager of Environmental Planning, 713-739-6836. FTA contact is Jesse Balleza, Community Planner, 817-978-0559.

Sincerely,

Robert C. Patrick
Regional Administrator

Co: Rhonda Boyer, METRO
February 5, 2004

Mr. James E. Bruseth
Archeology Director
Texas Historical Commission
P.O. Box 12276
Austin, TX  78711-2276

Re: Section 106 Consultation for Southeast-Universities-Hobby Corridor
and North Hardy Corridor Projects, Houston, TX

Dear Mr. Bruseth:

The Federal Transit Administration (FTA), in accordance with the regulation of the Advisory Council on Historic Preservation (36 CFR Part 800 – Protection of Historic Properties, Section 800.2(c) ) hereby authorizes the Metropolitan Transit Authority (METRO), as an FTA grant applicant, to initiate the Section 106 Consultation on its behalf for these proposed projects: the Southeast-Universities-Hobby Corridor and the North Hardy Corridor in Houston, Texas. This delegation does not extend to making determinations of effects or to resolving adverse effects through an Agreement document. FTA remains responsible for these determinations and any Agreement that may be necessary.

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Sincerely,

Robert C. Patrick
Regional Administrator

Cc: Rhonda Boyer, METRO
February 5, 2004

Mr. James E. Bruseth
Archeology Director
Texas Historical Commission
P.O. Box 12276
Austin, TX 78711-2276

Re: Section 106 Consultation for Southeast-Universities-Hobby Corridor and North Hardy Corridor Projects, Houston, TX

Dear Mr. Bruseth:

The Federal Transit Administration (FTA), in accordance with the regulation of the Advisory Council on Historic Preservation (36 CFR Part 800 – Protection of Historic Properties, Section 800.2(c)) hereby authorizes the Metropolitan Transit Authority (METRO), as an FTA grant applicant, to initiate the Section 106 Consultation on its behalf for these proposed projects: the Southeast-Universities-Hobby Corridor and the North Hardy Corridor in Houston, Texas. This delegation does not extend to making determinations of effects or to resolving adverse effects through an Agreement document. FTA remains responsible for these determinations and any Agreement that may be necessary.

METRO will be contacting your office regarding these projects in the near future. The METRO contact is Rhonda Boyer, Manager of Environmental Planning, 713-739-6836. FTA contact is Jesse Balleza, Community Planner, 817-978-0559.

Sincerely,

Robert C. Patrick
Regional Administrator

Cc: Rhonda Boyer, METRO
January 30, 2006

Ms. Kathy Roydston
Wildlife Habitat Assessment Program
Texas Parks and Wildlife Department
4200 Smith School Road
Austin, Texas 78744

RE: Houston METRO Southeast Corridor Draft Environmental Impact Statement
Harris County, Texas
BOA Project No. D185

Dear Ms. Beydston:

Parsons Brinckerhoff (PB), on behalf of Metropolitan Transit Authority (METRO) of Harris County, has contracted BERG + OLIVER ASSOCIATES, INC. to update its evaluation of the ecosystems present within the study area for the Southeast Corridor Draft Environmental Impact Statement. METRO is evaluating a study area for “fixed guideway transit” (e.g., light rail transit (LRT) and bus rapid transit (BRT)) in Houston, central Harris County, Texas (see attached maps).

PB performed the initial coordination with TPWD back in early 2004 for the same proposed study area. At that time, the Texas Biological and Conservation Data (TxBiCD) System indicated no documented occurrences of federal or state listed species, critical habitat, or rare vegetation series exist within the study area.

Since that time, the Threatened and Endangered Species List for Harris County has been updated (June 2005), potential subway alignment has been eliminated, and the project has been a bit more refined. There are 3 Build alternatives: 1 LRT alternative, one BRT alternative, and one convertible BRT alternative (which allows conversion to LRT in the future). The alternatives would be largely semi-exclusive with the trackway located within existing or widened street right-of-ways (ROWs). The main route for the LRT alternative was evaluated back in 2004, but now there is an optional alignment along Wheeler and MLK, which is shown on the attached 11” x 17” map as a dashed blue line. Several stations, park-and-rides, a Transit Center, and a yard and shop for LRT maintenance and storage would be required.

The BRT alignments are essentially the same as the LRT alignment, and would be largely semi-exclusive with the guideway located within existing or widened street ROWs. No new maintenance and storage facilities would be required.

Therefore, due to the additional T&E species and the slight project scope changes, we are requesting that the TxBiCD System be reviewed again for any occurrences of federal or state listed species, critical habitat, or rare vegetation series. The proposed project is located in the Gulf Coast Prairies and Marshes ecoregion and, according to The Vegetation Types of Texas (McManan et al., 1984), the project area habitat is described as “urban.”

The study area is characterized by residential, commercial, industrial, and institutional uses, along with maintained road and railroad ROWs (see attached 2004 aerial photo). These areas have little to no remnant native vegetation and provide sparse, fragmented habitat for common species adapted to urban environments.
The majority of the trees, shrubs, and herbaceous cover along the study area streets are landscaped, as are several street medians in the study area. Where present, dominant trees included live oak (Quercus virginiana), loblolly pine (Pinus taeda), Texas sugarberry (Celtis laevigata), willow oak (Quercus phellos), post oak (Quercus stellata), and introduced palm trees. Shrubs were generally absent from the study area, but where present generally consist of crepe myrtle (Lagerstroemia indica) in street medians. Dominant herbaceous species were present primarily in landscaped areas and consisted of Bermuda grass (Cynodon dactylon), St. Augustine grass (Stenotaphrum secundatum), annual ryegrass (Lolium multiflorum), and yellow clover (Melilotus officinalis), interspersed with annual “weedy” species such as sow thistle (Sonchus oleraceus).

One portion of the new optional alignment passes through the City of Houston’s MacGregor Park, along MLK between Old Spanish Trail and Brays Bayou. The road ROW and median are dominated by Bermuda and St. Augustine grasses. The only shrub species observed was Chinese privet (Ligustrum sinense). Trees present within and along the edges of the ROW were dominated by loblolly pine (DBH: 10-18", avg. 13" / Ht: 35-45", avg. 40") and post oak (DBH: 8-22", avg. 16" / Ht: 30-45", avg. 35"). Canopy coverage within the total road ROW was approximately 10%. Numerous ornamental tree/shrub saplings had been recently planted within the median of MLK through the park.

Berg Oliver Associates, Inc. is respectfully requesting expedited documented clearance and consultation regarding the proposed transit project. It is our opinion that the proposed project would have no adverse effects any listed threatened & endangered species or their habitat. Several location and alignment maps/exhibits and site photos are attached, which identify the study area and LRT/BRT alignment options. A re-review of the TxDOT System has already been conducted and again resulted in no occurrences within the study area. If you require any further information or maps, please feel free to contact me.

Sincerely,

Amy M. Baylor
Sr. Project Manager

Attachments: Project Location and Study Area Map (8½” x 11”)
MOS Alignment Map (8½” x 11”)
Updated 2006 Map (hand-labeled - 8½” x 11”)
METRO Phase 2 - Southeast Corridor Map (11” x 17”)
2004 Aerial Photograph of Study Area (11” x 17”)
Site Photographs
March 20, 2006

Metropolitan Transit Authority
Attn: Rhonda Boyer
1201 Louisana
P.O. Box 61429
Houston, TX 77208

RE: North Hardy Corridor DEIS Cultural Resources Survey Update

Dear Ms. Boyer,

Thank you for your February 14, 2006 correspondence concerning the above referenced project. This letter serves as comment from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission, on the determinations of eligibility within the survey.

The review staff, lead by Hannah Vaughan, has completed a review of the Supplemental Report to the Reconnaissance Standing Structures Survey. We concur with all determinations made in the report, except in regards to Site Supp 9. Because the garage is recessed, the original design of the house is still apparent. If the garage is the only addition to the house we would consider the house to be contributing to a potential Lindale Park Historic District.

Thank you for your cooperation in this federally mandated review process. If you have any questions regarding our review, or if we can be of further assistance, please contact Hannah Vaughan at 512/463-6046.

Sincerely,

Hannah Vaughan, Historian
For F. Lawrence Oaks, SHPO
March 20, 2006

Metropolitan Transit Authority
Attn: Rhonda Boyer
1201 Louisiana
P.O. Box 61429
Houston, TX 77208

RE: Section 106 Review of Proposed Southeast Corridor Transit Improvements, Huston, TX

Dear Ms. Boyer,

Thank you for your February 14, 2006 correspondence concerning the above referenced project. This letter serves as comment from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission, on the determinations of eligibility within the survey.

The review staff, lead by Hannah Vaughan, has completed a review of the Cultural Resources Survey Report for the METRO Mobility Southeast-Universities-University Planning Study and addendum. We concur with the determinations of eligible (to include those determined "potentially eligible") and not eligible contained in the report.

Thank you for your cooperation in this federally mandated review process. If you have any questions regarding our review, or if we can be of further assistance, please contact Hannah Vaughan at 512/463-6046.

Sincerely,

Hannah Vaughan, Historian
For F. Lawrence Oaks, SHPO