



I-45 North Houston Highway Improvement Project

WHAT IS AN FEIS?



Any major federal action, such as the North Houston Highway Improvement Project (NHHIP), is subject to review under the National Environmental Policy Act (NEPA). At its essence, the purpose of NEPA is to require federal agencies to consider the environmental consequences of a proposed action, and the input of the public and other agencies, before deciding on a course of action. Examples of environmental consequences that may be considered in a NEPA review include impacts to endangered species, historic properties, and low-income communities, to name just a few. NEPA does not prohibit adverse environmental effects or require the decisionmaker to select the environmentally preferable alternative. Rather, the goal is to make more informed and better decisions with regard to the proposed project. In Texas, the Texas Department of Transportation (TxDOT) acts as the lead federal agency for NEPA reviews of federally funded highway projects under a 2014 agreement with the Federal Highway Administration (renewed in 2019).

Under NEPA, there are three environmental review classifications: categorical exclusions, environmental assessments, and environmental impact statements (EISs). An EIS is the most intensive level of review, and is required for a major federal action significantly affecting the quality of the human environment.

The EIS process begins with publication of a notice of intent to prepare an EIS in the Federal Register, followed by a public scoping process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action. Major milestones following the public scoping process include development and issuance of a draft environmental impact statement (EIS), a final EIS, and a record of decision (ROD). The final EIS and ROD are oftentimes combined into a single document and issued at the same time. However, for the NHHIP, TxDOT is issuing the final EIS and ROD as separate documents, with a 30-day waiting period in between.

The Draft EIS

A draft EIS includes a statement of purpose and need for the project, a description of reasonable alternatives, and an analysis of the environmental consequences of those alternatives, among other components. If a preferred alternative has been identified, it may be developed to a higher level of detail than the other reasonable alternatives being evaluated. The draft EIS is made available for public review and comment, and a public hearing is held. At the conclusion of the comment period on the draft EIS, the federal agency considers all public comment and agency input received, and begins work on a final EIS.

The Final EIS

An FEIS is more refined and definitive than a draft EIS. It incorporates the input received on the draft EIS, and may reflect changes to the project proposed as a result of that input. Since the release of the NHHIP draft EIS in 2017, TxDOT has continued public engagement through community meetings and posting updated technical reports for public comments. Feedback received since release of the draft EIS resulted in project design changes as well as new information on the project's environmental concerns, impacts and mitigation, which have been incorporated into the FEIS.

When the agency has completed the FEIS, it issues a notice of availability of the FEIS, including publication of the notice in the Federal Register. The FEIS does not reflect the agency's decision on the project – that is made in the ROD. If, after circulation of the draft EIS, there are substantial changes or significant new circumstances or information relevant to environmental concerns, then there must be a 30-day waiting period after publication of the notice of availability of the FEIS in the Federal Register before the agency can issue the ROD. TxDOT will follow that procedure for the NHHIP. Developing the FEIS for the NHHIP has taken more than a decade of study, more than 300 public and stakeholder meetings, consultations with experts and interested parties, and constant design improvements. But it is not the end of the NEPA process.



The ROD

The ROD will identify the selected alternative; present the basis for the decision; identify the alternatives considered; specify the environmentally preferable alternative; and provide information on adopted means to avoid, minimize, and compensate for environmental impacts. Achieving environmental clearance via the ROD is a necessary step before final project design can occur.

What happens after the ROD is issued?

After the ROD, then project development would continue, including final design, right-of-way acquisition (advance acquisition of some parcels has already begun), utility relocation, mitigation activities related to environmental impacts, and construction of the project.

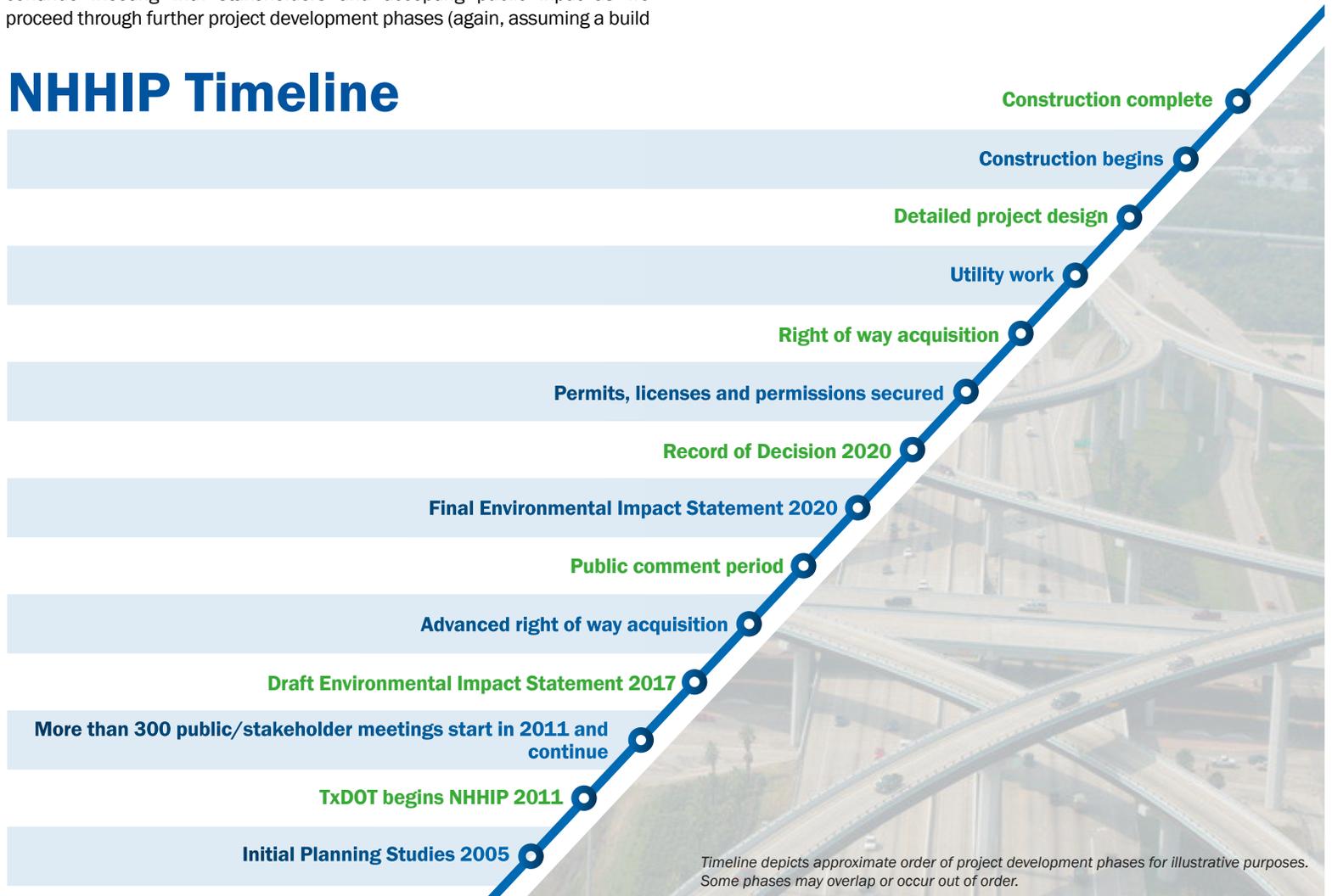
Although the ROD marks the end of the NEPA process, TxDOT intends to continue meeting with stakeholders and accepting public input as we proceed through further project development phases (again, assuming a build

alternative is selected). For example, TxDOT would coordinate with the City of Houston and affordable housing providers on plans for building affordable housing for displaced residents. TxDOT would also continue coordinating with the City of Houston during the final design phase. TxDOT is committed to making major safety improvements on I-45 while minimizing impacts to adjacent neighborhoods and businesses. We want to continue to hear from you as we move forward on this important project for Houston.

Can a project's design change after the ROD is issued?

Yes, it is possible. The NHHIP is a large scale, multi-year project. New technology and unforeseen circumstances, as well as new ideas or concerns from stakeholders including the public, may or may not result in design changes or refinements. If there are changes, then, depending on the scale of any such changes, one or more reevaluations of the FEIS could be required, and there could also be a need for additional formal public involvement opportunities.

NHHIP Timeline



Timeline depicts approximate order of project development phases for illustrative purposes. Some phases may overlap or occur out of order.

Content prepared and distributed by:

TxDOT Houston District
7600 Washington Avenue
Houston, TX 77007

To learn more about the NHHIP, scan or click the QR code and watch the Changes for the Better video.



For more information about the project please visit: www.ih45northandmore.com
Also, find out more about TxDOT at www.txdot.gov, or contact us by email at: HOU-PIOWebmail@txdot.gov
and follow us on Facebook, Twitter and/or Instagram @TxDOTHouston.