



P.O.BOX 1386, HOUSTON, TEXAS 77251-1386 | 713.802.5000 | WWW.TXDOT.GOV

December 17, 2020

Steve Wright, Director
Houston Parks and Recreation Department
2999 S. Wayside Drive
Houston, Texas 77023

**RE: NOTIFICATION OF INTENT TO PURSUE EXCEPTION TO SECTION 4(f)
White Oak Bayou Trail, Harris County
I-610N to I-610: Shepherd Drive and Durham Drive
Control 0912-72-607**

Dear Mr. Wright:

In accordance with 23 CFR 774.13, we are seeking concurrence for the above referenced project, which would be carried out with Federal funds. This letter requests review and concurrence as TxDOT intends to pursue an exception to the requirement of Section 4(f) review.

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried-out by TxDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 9, 2019, and executed by FHWA and TxDOT.

Introduction

The Texas Department of Transportation (TxDOT), in cooperation with the Memorial Heights Redevelopment Authority (MHRA), proposes to build a connection from the proposed Shepherd Drive Bike Lane to the White Oak Bayou Trail, as part of the Shepherd and Durham Major Investment Project. The connection would be from the Shepherd Drive and Larkin Street intersection to an existing "Y" in the White Oak Bayou Trail.

Determination of No Adverse Effects and Certification of 4(f) Exception for Transportation Enhancement

Survey determined that the White Oak Bayou Trail on which the transportation enhancement activities would take place has significance under the requirements of 23 CFR 774.13. In order to qualify for a Section 4(f) exception, it was established that the project activities met the following condition:

- The use of the property is solely for the purposes of preserving or enhancing an activity, feature or attribute that qualifies the property for Section 4(f) protection.

If you feel that TxDOT has met the above requirement and have no additional comments about the project, then please endorse this letter and return. This endorsement will signify your concurrence that there is no adverse effect to the above property. Additional information about Section 4(f) requirements can be found at the following or you may request additional information from TxDOT: [http://environment.fhwa.dot.gov/\(S\(1vyep545s3wmhuubnvexkmm2\)\)/4f/index.asp](http://environment.fhwa.dot.gov/(S(1vyep545s3wmhuubnvexkmm2))/4f/index.asp)

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Conclusion

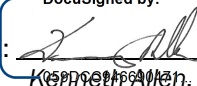
In accordance with 23 CFR 774.13, I hereby request your signed concurrence with the finding of no adverse effects. Furthermore, TxDOT determined that the proposed project activities would not constitute a use within the meaning of Section 4(f). As a result, TxDOT intends to pursue an exception to the requirement for Section 4(f) approval.

Thank you for your assistance with the federal review process. Your response by January 12, 2021 will facilitate delivery of this important transportation project. If you need further information, please call me at (713)802-5840.

Sincerely,



Sue Theiss
Director of Advanced Project Development
Houston District

CONCUR:	
<p>DocuSigned by:</p> <p>NAME:  _____</p> <p><i>Kenneth Allen, Interim Director</i> <i>Houston Parks and Recreation Department</i></p>	<p>DATE: <u>1/6/2021</u></p>

W 6th St



BIKE LANE

WHITE OAK BAYOU TRAIL

TRAIL CONNECTION

Darling St

Larkin St

Shepherd Dr

Cornish St

Sardman St

Durham Dr

