







PUBLIC HEARING FM 2499 Section 4





From FM 407 to FM 2181
October 4, 2003

University of North Texas Coliseum
600 North Texas Boulevard
Denton, Texas





Tonight's Agenda

- Welcome & Introduction
- History and Status of the Project
- Project Design
- Environmental Presentation
- Right-of-Way Acquisition & Relocation
- Recess
- Public Comment











Purpose of Tonight's Hearing

- Inform Community of the Status of the Planning Efforts and Present Evaluations Based on Studies Performed to Date
- Describe the Preferred Alternative
- Provide the Community an Opportunity to Present Information & Their Views When There is Flexibility to Respond to Comments & Before Location & Decisions are Finalized
- Develop a Record of Public Views & Participation to Accompany Recommendations for Subsequent Decisions

Location Map



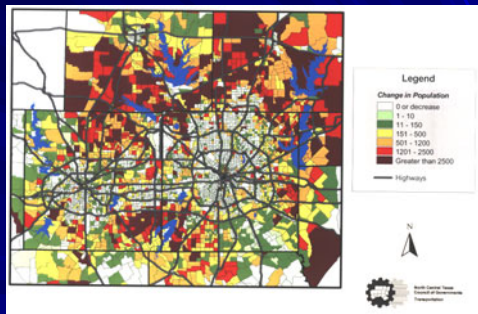
Purpose and Need

- The Purpose and Need for FM 2499 Section 4 is to address:
 - Rapid Regional Growth
 - Transportation Demand
- and the Need for:
 - Improved Mobility and Reduced Congestion
 - Improved System Linkages
 - Improved Economic Development

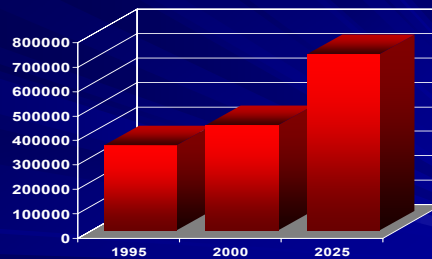





Population Growth



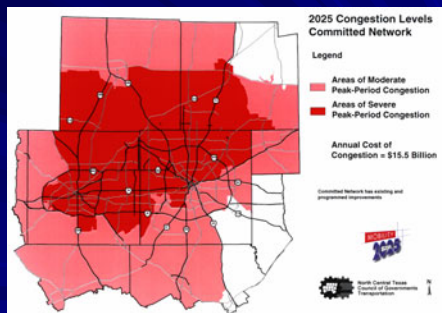
Denton County Population



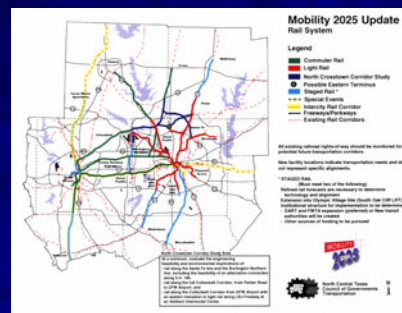
Source: NCTCOG, 2025 Demographic Forecast, August 2000



Congestion Levels



Rail System Map



History of Project

- 1985 Denton County Comprehensive Transportation Study identifies need for north/south corridor in south central Denton County
- 1987 FM 2499 Task Force was formed
- 1988 Feasibility Study identifies 10 alternative alignments



Feasibility & Justification Study



Technically Preferred Alignment



Locally Preferred Alternative



History of Project

- 1990 Alternative 4 and Alternative 3 identified as technically and locally preferred alternatives.
- 1995 TxDOT Authorizes Development of Environmental Assessment for FM 2499-4.
- 1996 US Congress Update National Highway System which includes FM 2499.
- 1997 Corps of Engineers requires all alternatives be environmentally reviewed at same level of detail – become cooperating agency.
- 2001 - 2002 Corps of Engineers, Highland Village and Copper Canyon mitigation requests included in environmental document.
- Nov 2002 Final Draft EA submitted to TxDOT/FHWA for clearance.
- Apr 2003 FHWA clears FM 2499 EA for further processing and public comment.



Public Involvement and Resolutions

- TxDOT Minute Order No. 91656 Accepting Extension of FM 2499.
- Highland Village Resolution No. 87-276 Supporting FM 2499 Corridor.
- Town of Copper Canyon Resolution 93-04 Support of FM 2499 East of Corporate Limits.
- Denton County Letter of Support to Develop FM 2499-4.



Three Alternatives Studied in the Environmental Assessment



Project Description

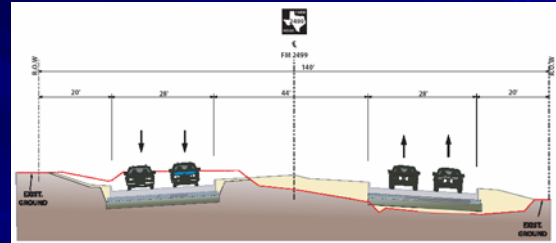
The proposed action is the construction of a four-lane divided urban arterial on a new location extending from FM 407 to FM 2181, a distance of approximately 4.7 miles.



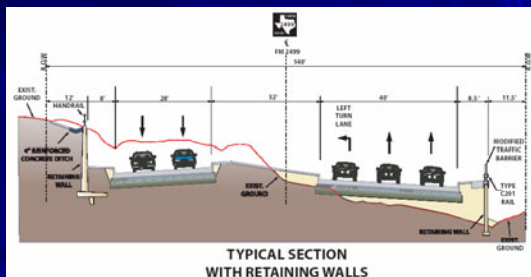
Three Alternatives Studied in the Environmental Assessment



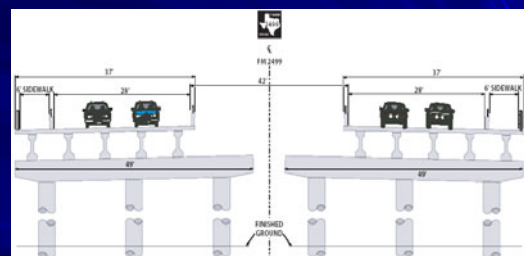
Typical Section



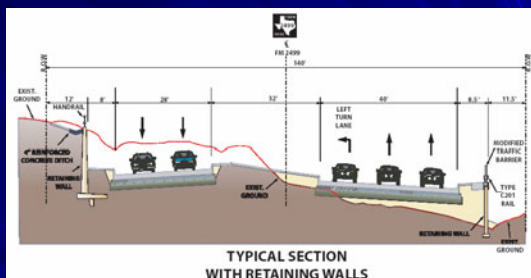
Typical Section With Retaining Walls



Bridge Typical Section



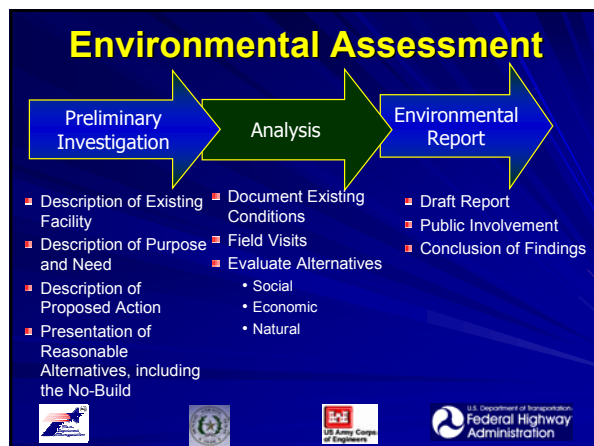
Typical Section With Retaining Walls



Environmental Process/NEPA

- Type of Document: Environmental Assessment.
- Document has Received State and FHWA Approval for Public Comment.
- Discusses the Social, Economic & Environmental Effects of the Alternatives.
- EA Outline:
 - Summary, Purpose & Need, Alternatives Considered, Affected Environment, Environmental Consequences, Section 4(f) Evaluation, Public & Agency Involvement, and Appendices.





Environmental Assessment





<ul style="list-style-type: none"> ■ Land-Use ■ Social Impacts ■ Relocation and Right-of-Way Requirements ■ Economic Development ■ Environmental Justice ■ Air Quality ■ Noise ■ Permits ■ Water Quality ■ Wetlands/Jurisdictional Waters ■ Floodplains ■ Visual Impacts 	<ul style="list-style-type: none"> ■ Construction Impacts ■ Prime and Unique Farmlands ■ Pedestrian and Bicycle facilities ■ 4(f) and 6(f) Properties and Open Space ■ Recreational Uses ■ Vegetation Wildlife ■ Wild and Scenic Rivers ■ Threatened and Endangered Species ■ Historic and Archaeological Preservation ■ Hazardous Waste Sites
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Comparison of Alternatives

Comparison Factors	Unit of Measure	No Build	FM 2499 Alternatives		
			3	4	6
Satisfy Purpose	Yes/No	N	Y	Y	Y
Satisfy Need	Yes/No	N	Y	Y	Y
Total Length	Miles	0	4.7	4.3	5.5
Total Land Converted to ROW	Acres	0	79.8	72.9	93.3





Comparison of Alternatives

Comparison Factors	Unit of Measure	No Build	FM 2499 Alternatives		
			3	4	6
Est. Cost (Construction + ROW)	2002 Dollars (Million)	0	\$24.5 M	\$26.8 M	\$25.0 M
Local Government Support	Yes/No	N	Y	N	N
Consistent w/Local Land Use Plans/Policies	Yes/No	N	Y	N	N
Community Cohesion Adverse Impact	Low/Med/High	L	L	H	H
Residential Displacements	Number	0	0	10	3
Commercial Displacements	Number	0	0	2	0
Community/Public Facility Displacements	Number	0	0	0	0

Comparison of Alternatives

Comparison Factors	Unit of Measure	No Build	FM 2499 Alternatives		
			3	4	6
Noise Receivers Impacted	Number	0	90	30	9
Consistent with EJ Order	Yes/No	Y	Y	Y	Y
Threatened and Endangered Species	Number	0	0	0	0
Corps of Engineers Section 4(f) Land	Acres	0	21.13	28.93	9.64
Equestrian Trail Impacts	Yes/No	N	Y	Y	Y
Other Section 4(f) Lands	Number	0	0	0	0
Other Woodland and Grassland	Acres	0	32.9	20.8	82.0
Wetlands and Waters of the U.S.	Acres	0	8.2	11.4	6.5
Proximity to Potential Historic Sites	Number	0	0	2	2
Hazardous Material Sites Impacted	Number	0	0	0	0

Right-of-Way Acquisition Process

1. TxDOT Obtains:

- Environmental Clearance
- Local Agency Agreements
- Approved Right of Way Map
- Funding
- Release from TxDOT Austin to Begin Acquisition Process



Right-of-Way Acquisition Process

2. TxDOT Orders:

- Property Title Information
- Five Year Sales Data
- Preliminary Title Commitment

...TxDOT then makes pre-appraisal contacts with property owners.



Right-of-Way Acquisition Process

3. TxDOT Assigns Independent Appraisers:

- Appraisers Contacts Owner
- Appraisers Submit Appraisals
- TxDOT Reviews Appraisals for Approval



Right-of-Way Acquisition Process

4. TxDOT's Acquisition Agent Presents Offer to Property Owner, Including:

- Appraised Value of Property
- Compensable Damages to Remaining Real Property
- Relocation Assistance



Right-of-Way Acquisition Process

5. Property Owner may then:

- a. Donate Land,
- b. Accept Offer,
- c. Submit Counter Offer, if Appropriate, and
- d. Begin Eminent Domain Proceedings, if Agreement on Value is not Reached.



Right-of-Way Acquisition Process

5b. When Owner Accepts:

- Owner Signs Deed & Memorandum of Agreement
- TxDOT Issues Warrant to Owner & Title Company
- Owner Closes at Title Company and is Compensated for New Right-of-Way



Right-of-Way Acquisition Process

5c. Owner Counter Offers:

- Owner May Submit Counter Offer if Owner Believes it does not Represent Fair Market Value
- TxDOT Reviews Counter Offer and Either Accepts or Rejects It
- If Rejected, Owner may Accept Original Offer or Proceed to Eminent Domain



Right-of-Way Acquisition Process

5d. Eminent Domain:

- Court Appoints 3 Commissioners to Hear Owner & TxDOT
- Commissioners Decide Award
- TxDOT Deposits Award in Registry of Court & Takes Possession
- Either Owner or TxDOT Shall Have the Right to Appeal to Jury Trial



Right-of-Way Acquisition Process

6. Relocation Assistance

- Administered by the State with no local government funding
- Available to those who qualify as a result of the acquisition of R.O.W. – Residential & Business
- For businesses, benefits may include personal moving costs and some reestablishment costs or a fixed payment



Right-of-Way Acquisition Process

6a. Relocation Assistance - CONT.

- The Benefits Are Applicable To All Individuals, Families, Businesses, Farmers, Ranchers And Non-Profit Organizations Without Regard To Race, Color, Religion, Sex, Or National Origin.



Right-of-Way Acquisition Process

6b. Relocation Assistance - CONT.

- If The Owner Will Need to Move, Do Not Do So Until Negotiations Have Begun Unless You First Secure A Written Notice Of "Intent To Acquire" From The Acquiring Agency.



Right-of-Way Acquisition Process

6c. Relocation Assistance - CONT.

- Appeal Procedures Are Available For Displacees Who Do Not Agree With Any Amounts Offered For Relocation Reimbursement. (See Page 49 Of The "Relocation Assistance" Booklet.)



Right-of-Way Acquisition Process

6d. Relocation Assistance - CONT.

- See Pages 39 Thru 41 In The "Relocation Assistance" Booklet For Regulations Governing The Relocation Of Advertising Signs Which Are Not Purchased By The Acquiring Agency As Real Property.



Submission of Comments

- Verbal Comments and Written Comment Cards will be Accepted Tonight.
- Submit Written Comments to:
David Morgan
c/o Half Associates
8616 Northwest Plaza Drive
Dallas, Texas 75225
- Comments must be Postmarked by October 14, 2003



Thank You!