

Public Hearing

IH 35E

**From: President George Bush Turnpike
To: FM 2181**

**November 18, 2010
Lewisville, TX**

Project Location

Project Limits:

- President George Bush Turnpike
- FM 2181
- Project Length: Approximately 12 miles

Project Location

Public Hearing Agenda

- Introduction
Mr. Kelly Selman, P.E.
- Project Design Presentation
Mr. Phil Ullman, P.E.
- Environmental Presentation
Ms. Jennifer Halstead
- Right-of-Way Acquisition and Relocation
Mr. Cecil Saldana
- 20 Minute Recess
Questions
- Public Comments
Mr. Kelly Selman, P.E.

Public Hearing Purpose

1. Inform the public of project status and present recommendations
2. Describe the project so the public can determine how they may be affected
3. Provide the public another opportunity to provide input
4. To develop a record of public participation

Public Inquiries

Schematics may be viewed at:

TxDOT Dallas District Office 4777 East Highway 80 Mesquite, TX 75150	Town of Hickory Creek 1075 Ronald Regan Ave. Hickory Creek, TX 75065
TxDOT Denton County Area Office 2624 West Prairie Denton, TX 76201	City of Carrollton 1945 E. Jackson Road Carrollton, TX 75006
City of Lewisville 151 W. Church Street Lewisville, TX 75057	City of Highland Village 1000 Highland Village Rd. Lewisville, TX 75077
City of Corinth 3300 Corinth Parkway Corinth, TX 76208	City of Lake Dallas 212 Main Street Lake Dallas, TX 75065

<http://www.keepitmovingdallas.com/>

Project Description

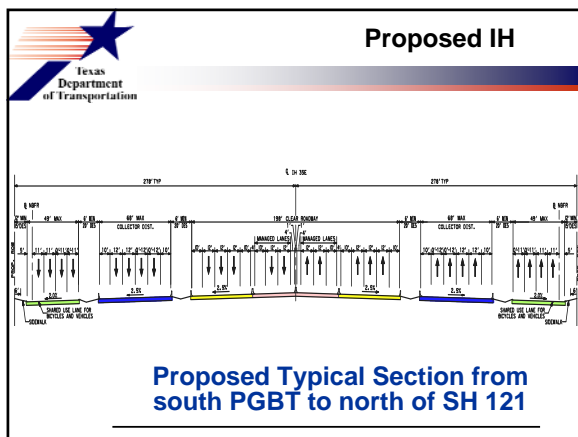
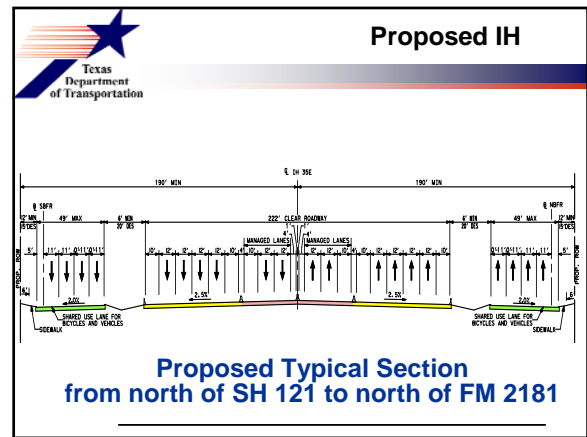
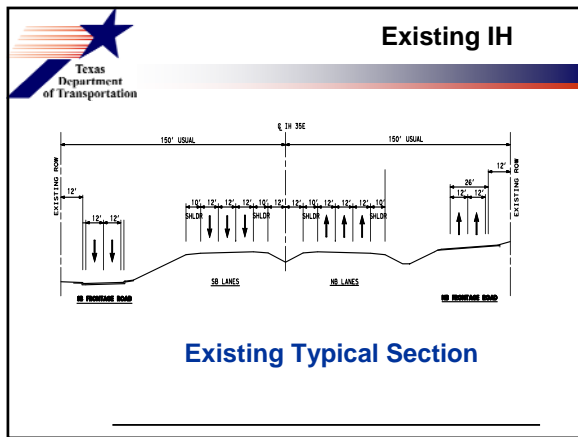
IH 35E Middle Section

- ✓ From north of SH 121 to north of FM 2181: Mainlanes on the IH 35E middle section would generally be expanded from six to eight 12-ft wide lanes (four in each direction) with inside and outside shoulders
- ✓ From south of PGBT to north of SH 121: two to four collector distributor lanes will be incorporated (in each direction), and six 12-ft wide Mainlanes will be maintained (three in each direction), each with inside and outside shoulders

Project Description

IH 35E Middle Section continued...

- ✓ Four lanes of concurrent flow HOV/Managed lanes, each 12-ft wide, with maximum 10-ft wide shoulders (to the outside)
- ✓ The northbound and southbound HOV/Managed lanes would be separated by a 10-ft wide median and a concrete traffic barriers (CTB)
- ✓ The concurrent HOV/Managed lanes would be tolled (using variable pricing) per NCTCOG policy
- ✓ Continuous frontage roads varying from two to four lanes (each direction), which includes a 16-ft wide outside shared use bicycle/vehicle lane including 2-ft curb offset (max width 49-ft throughout the length of the project)
- ✓ Continuous pedestrian sidewalks are proposed along each side of the entire project



HOV/Managed Lanes Defined

- Managed Lanes are tolled lanes where traffic is kept moving at a more reliable speed (50 mph or greater) by adjusting the toll rate up and down (variable pricing) as the number of vehicles or congestion increases or decreases respectively
- Discounts for HOVs
- Managed on the basis of time of day, vehicle type & occupancy, and pricing/tolls
- A Draft Traffic and Toll Revenue Study was prepared for the IH 35E project to analyze proposed Managed Lanes

Regional Transportation Council Managed Lane Policy

- Managed Lane Policy (Adopted May 11, 2006, Mod. September 13, 2007)
- Toll rate established to maintain a minimum 50 mph average managed lane speed
- Toll rate set up to \$0.75 per mile during fixed-schedule phase within first six months
- Market-based tolls applied during the dynamic-pricing phase after the first six months of operations
- Single-occupant vehicles pay full rate and trucks pay a higher rate
- HOV2+ vehicles pay full rate in the off- peak period
- HOV2+ vehicles receive 50% discount during Peak Period (phases out after Air Quality Attainment Maintenance Period)

HOV/Managed Lanes

HOV/Toll - Managed Lanes - Value Pricing

	Mainlanes	M/HOV/Toll Lanes	Mainlanes
	Mixed Flow	HOV & SOV	Mixed Flow
1 Morning Peak 8:30 a.m. to 9:00 a.m. (approx. 47.2/mile)	Non-tolled	HOV - \$\$ SOV - \$\$\$\$	Non-tolled
2 Midday Off-Peak 9:00 a.m. to 2:00 p.m. (approx. 13.2/mile)	Non-tolled	HOV - \$\$ SOV - \$\$	Non-tolled
3 Evening Peak 3:00 p.m. to 6:30 p.m. (approx. 47.2/mile)	Non-tolled	HOV - \$\$ SOV - \$\$\$\$	Non-tolled
4 Late Night Off-Peak 12:00 a.m. to 5:00 a.m. (approx. 7.6/mile)	Non-tolled	HOV - \$ SOV - \$	Non-tolled

HOV - High Occupancy Vehicle
SOV - Single Occupancy Vehicle

•The estimated average travel distance per household that would use the proposed tolled HOV/managed lanes on IH 35E from PGBT to FM 2181 would be 8 miles out of the total 12-mile section (16 miles for a round trip).

•TxDOT estimates that HOV/Managed lane use would average 2.5 trips per week for the morning peak and evening peak scenarios, and would average 2 trips per week for the off-peak scenarios.

Other Issues

RIGHT-OF-WAY

- Existing:
 - The existing right-of-way width for this stretch of IH 35E varies from 256 to 300 feet.
- Proposed:
 - The proposed project would be constructed within a proposed ROW width that varies from approximately 380 to 556 ft.
 - The proposed IH 35E improvements would require approximately 179 acres of proposed ROW and approximately 54 acres of proposed easement. This includes 20.7 acres of impact on USACE Section 4(f) property & 0.5 acre impact on Highland Lakes Park Section 4(f) property.

UTILITIES

- Underground and Overhead Utilities
 - Adjustments and relocations are required
 - No substantial interruptions anticipated

Estimated

Construction:	\$ 1,175,530,000
Right-of-Way:	\$ 504,256,000
Total:	\$ 1,679,786,000

NEPA

Environmental Assessment

<ul style="list-style-type: none"> •Need and Purpose •Proposed Design •Right-of-Way/Easements •Project Cost and Funding •Displacements and Relocations •Waters of the US, including Wetlands •Lakes, Rivers, and Streams •Water Quality •Floodplains •Socio-Economic Impacts •Community Cohesion and Environmental Justice •Public Facilities and Services 	<ul style="list-style-type: none"> •Parkland/Section 4(f) Properties •Threatened/Endangered Species and Wildlife Habitat •Historic and Archeological Sites •Aesthetic Considerations •Topography and Soils •Land Use •Air Quality Assessment •Traffic Noise Assessment •Hazardous Materials •Construction Impacts •Indirect and Cumulative Impacts
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EA Specifics

Programmatic Section 4(f) Net Benefit Evaluations

- Highland Lakes Park:
 - City of Lewisville
 - 0.5 acre of impact
- USACE Property, including Copperas Branch Park:
 - USACE Property near Lewisville Lake
 - City of Highland Village
 - 20.7 acre of impact

• 4(f) Net Benefit Determination Pending FHWA review after this Public Hearing

EA Specifics				
Natural Resources	Right-of-way (ROW)	Floodplains	Waters of the U.S. including wetlands	4(f)
	179 acres of proposed ROW & 54 acres of proposed easement	No increase in the base flood elevation Facility would permit the conveyance of the 100-year flood	8 wetlands, and 19 potential jurisdictional waters (approx. 67 acres) located within the proposed right-of-way. Section 404 USACE permits required	20.7 acres of impact on USACE Section 4(f) property at Lewisville Lake & 0.5 acre impact on Highland Lakes Park Section 4(f) property. 4(f) Net Benefit Determination Pending
Human Environment	Displacements		Noise	
	93 commercial entities (Approx. 1,181 employees potentially impacted) 19 vacant buildings 3 govt municipal buildings 65 Single family homes	Employment Opportunities Impact Assessment study included in EA Comparable housing appears to be available for a majority of the potential residential displacements.	8 Noise barriers determined to be feasible and reasonable at various locations Final decision to construct would be after project design completed, utility evaluation & approval of adjacent property owners.	
<p>*Workforce Solutions for North Central Texas will offer various services to assist displaced employees. *Relocation efforts would be consistent with the requirements of the Civil Rights Act of 1964, the Uniform Relocation Assistance and Real Properties Acquisition Act of 1970 as amended, and the Housing and Urban Development Act of 1974.</p>				

NEPA

Studies and evaluation of the proposed project indicate no significant environmental effects

Project

What Happens After the Public Hearing?

- Public Comment Period
- Environmental Clearance
- Plan Preparation
- Right-of-Way Acquisition
- Utility Clearance
- Construction

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 the acquisition process

Right-of-Way Acquisition Process


2. Agency orders:

- Property title information
- Five-year sales data
- Preliminary title commitment

Right-of-Way Acquisition Process

3. Acquiring agency assigns independent appraisers:

- Appraisers contact 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
- d. Begin eminent domain proceedings, if agreement on value is not reached



Right-of-Way Acquisition Process

5b. When owner accepts:


- Owner signs deed and Memorandum of Agreement
- TxDOT issues warrant to owner and 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 and TxDOT
- Commissioners decide award
- TxDOT deposits award in registry of court and 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
- Available to those who qualify as a result of the acquisition of right-of-way



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 39 of the “Relocation Assistance” booklet)



Right-of-Way Acquisition Process

6d. Relocation Assistance (cont.)

- See pages 31 and 32 in the “Relocation Assistance” booklet for regulations governing the relocation of advertising signs which are not purchased by the acquiring agency as real property



Public


- 20 minute recess
- Comment period following recess



Public

Comment Period

Please note that we will not attempt to respond to your comments at this time



Public

Mailing Address


- TxDOT Dallas District
Attn: Robert Hall, P.W.S, CFM
P.O.Box 133067
Dallas, TX 75313-3067
- Written Comments must be
post-marked by Monday, November 29, 2010
- <http://www.keepitmovingdallas.com/>



Public

Speaker's Time Remaining:

0:00



**Thank you for your interest
in the IH 35E
Improvement Project**

Texas Department of Transportation
