



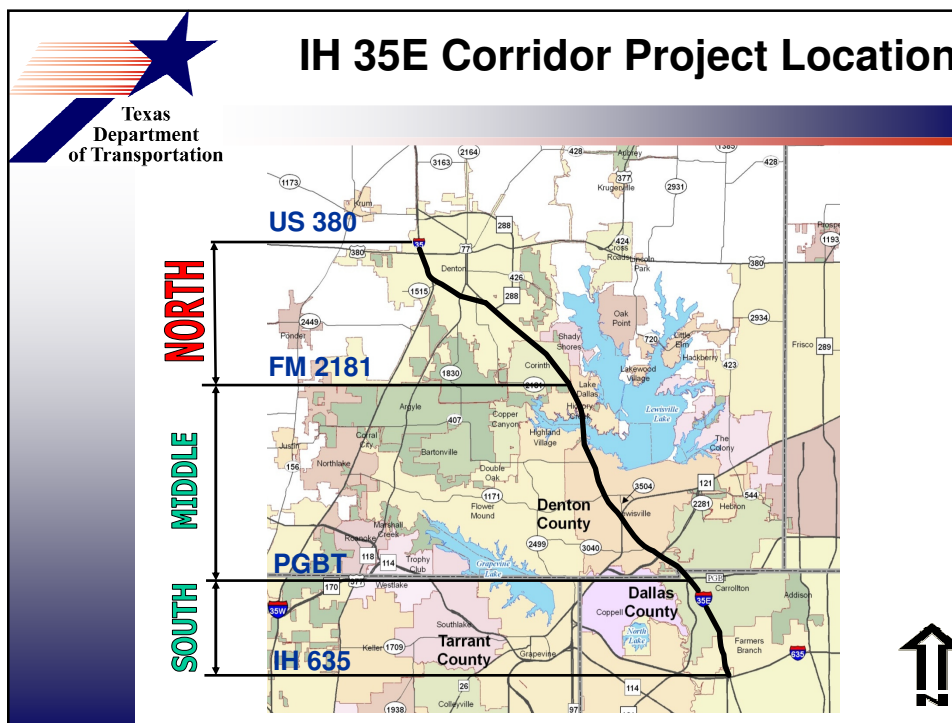
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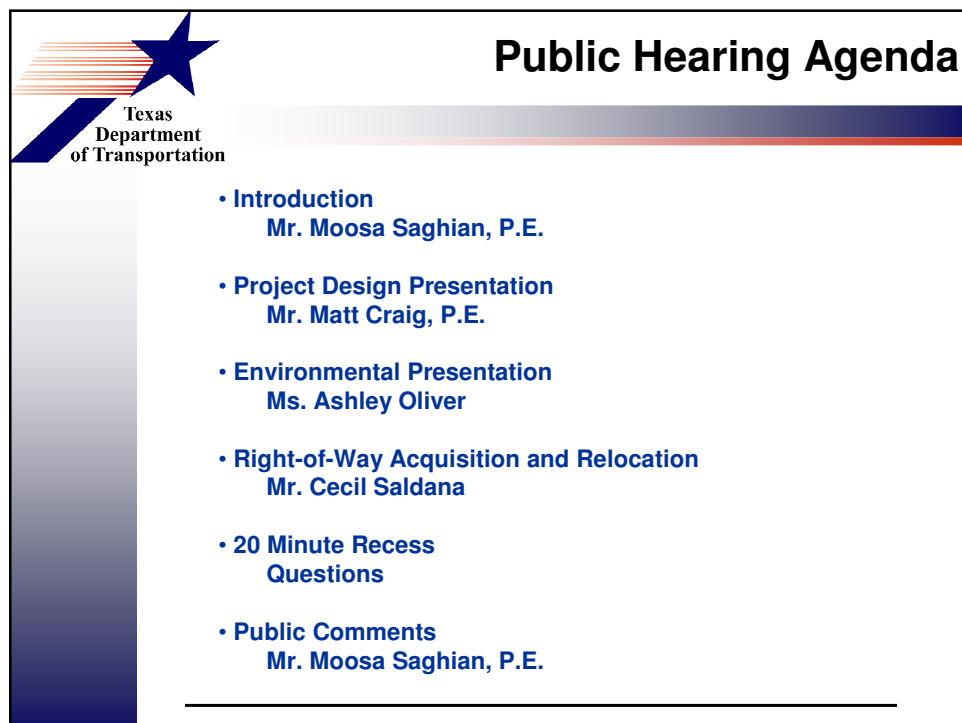
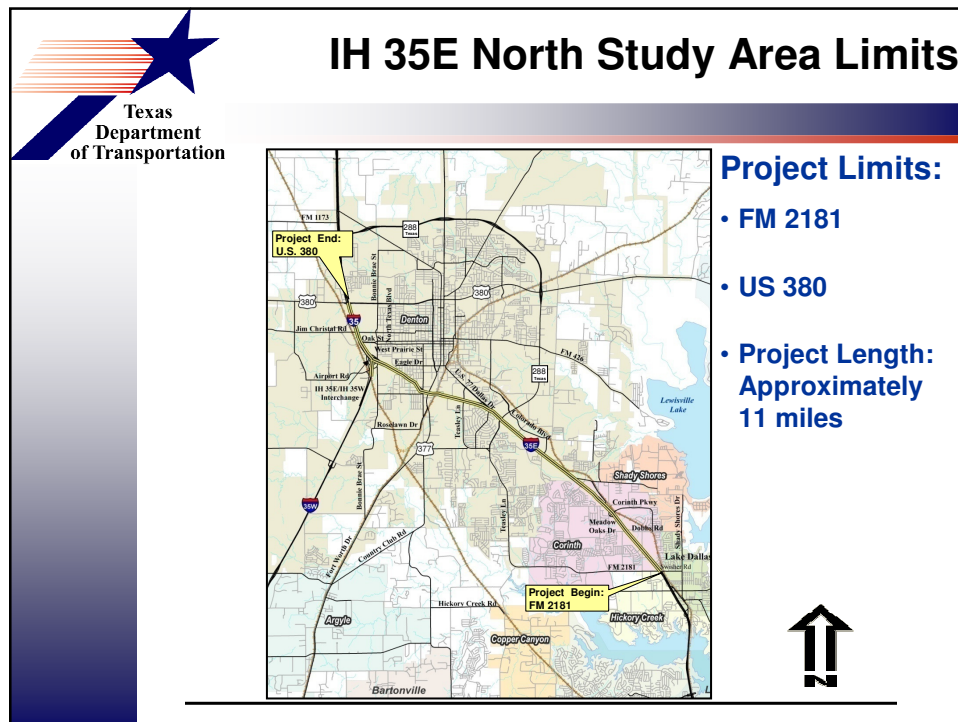
# Public Hearing


## IH 35E

From: FM 2181  
To: US 380

October 20, 2011  
Denton, TX








**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

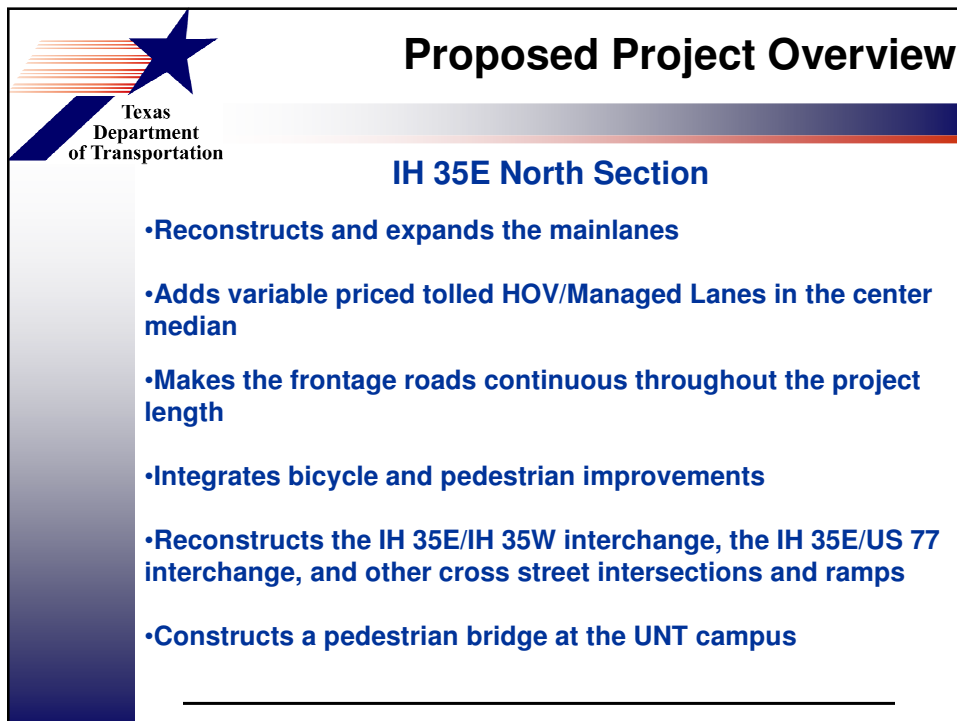
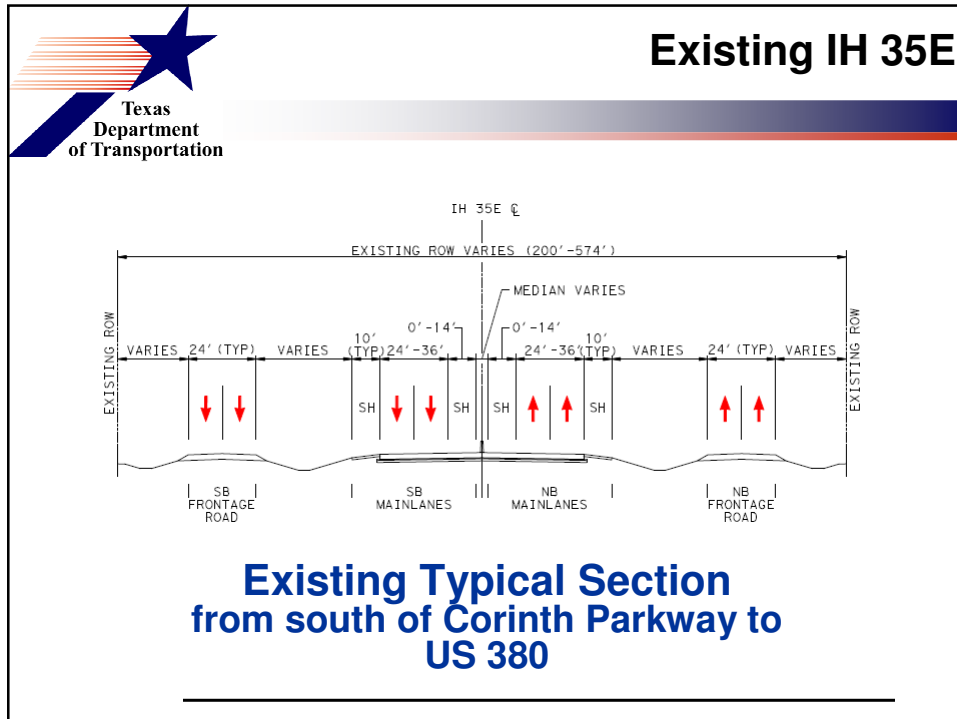



**Public Inquiries**

**Schematics and Environmental Assessment may be viewed at:**

<b>TxDOT Dallas District Office</b> 4777 East Highway 80 Mesquite, TX 75150	<b>City of Corinth City Hall</b> 3300 Corinth Parkway Corinth, Texas 76208
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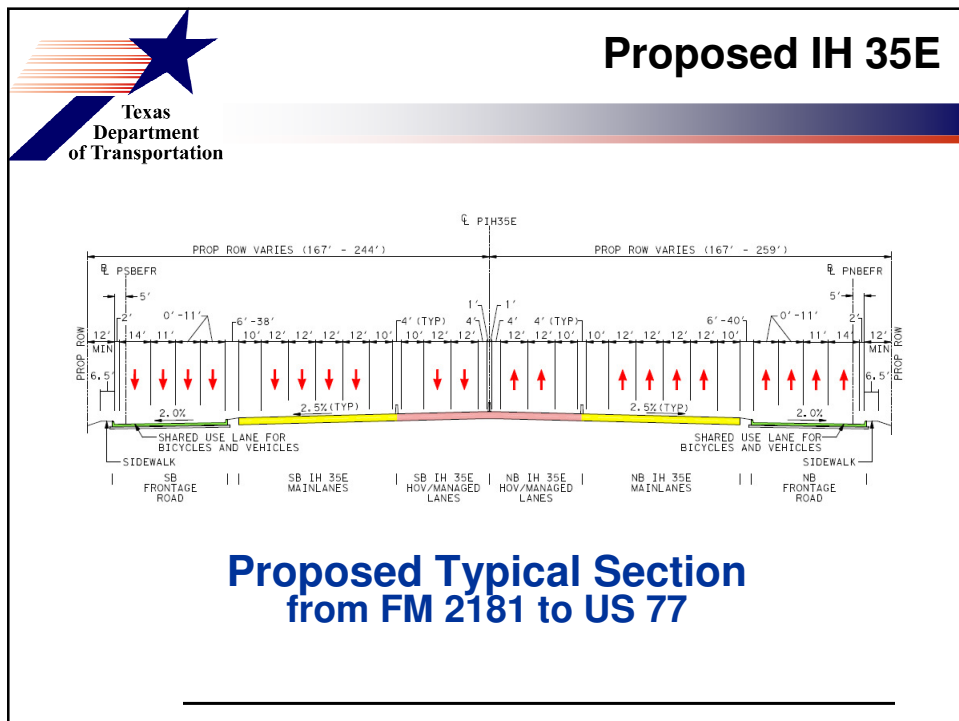





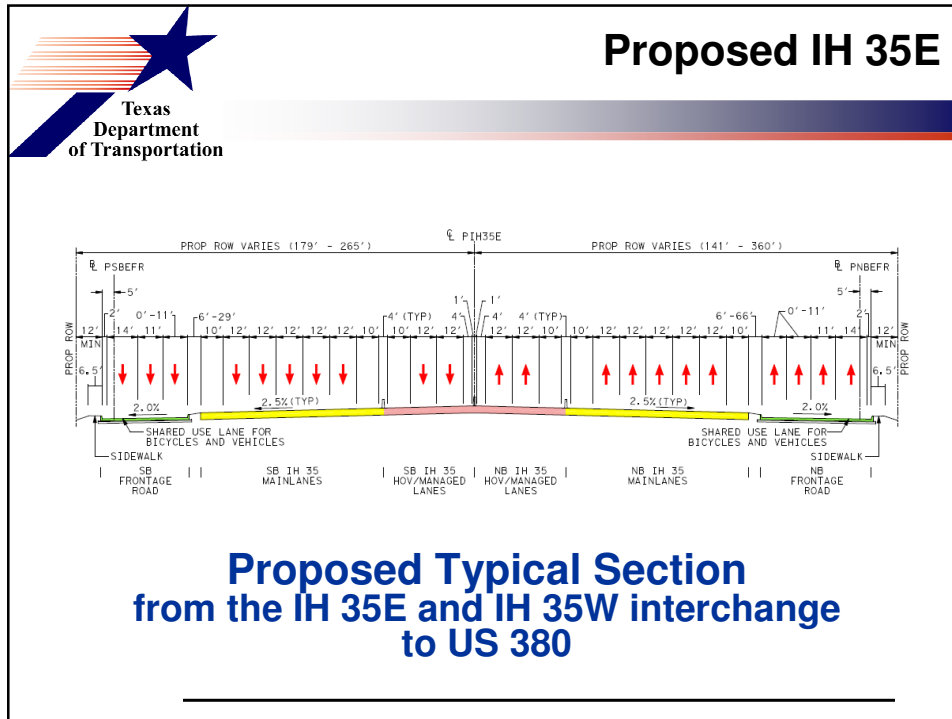
## Proposed Project Description

### IH 35E North Section

- Three to five mainlanes in each direction, each 12-ft wide, with maximum 10-ft wide shoulders (to the outside)
- One to two concurrent flow HOV/Managed Lanes in each direction, each 12-ft wide
- The northbound and southbound HOV/Managed lanes are separated by shoulders and concrete traffic barriers. The HOV/Managed lanes are separated from the mainlanes by shoulders and concrete traffic barriers
- Continuous frontage roads varying from two to four lanes in each direction; includes a 14-ft wide outside shared use bicycle/vehicle lane throughout the length of the project
- Continuous 6-ft pedestrian sidewalks along each side of the frontage roads for the entire length of the project








**Other Issues**

**RIGHT-OF-WAY**

- Existing right-of-way width varies from 200 to 574 feet.
- The proposed ROW width varies from ~ 325 to 613 ft.
- Requires approximately 107 acres of new ROW.
- Displaces 17 residential properties and 40 commercial properties


**UTILITIES**

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




**Estimated Cost**

**Total Project Cost:  
Approximately \$1.3 Billion**



**HOV/Managed Lanes Defined**  
(Based on Current RTC Policy)

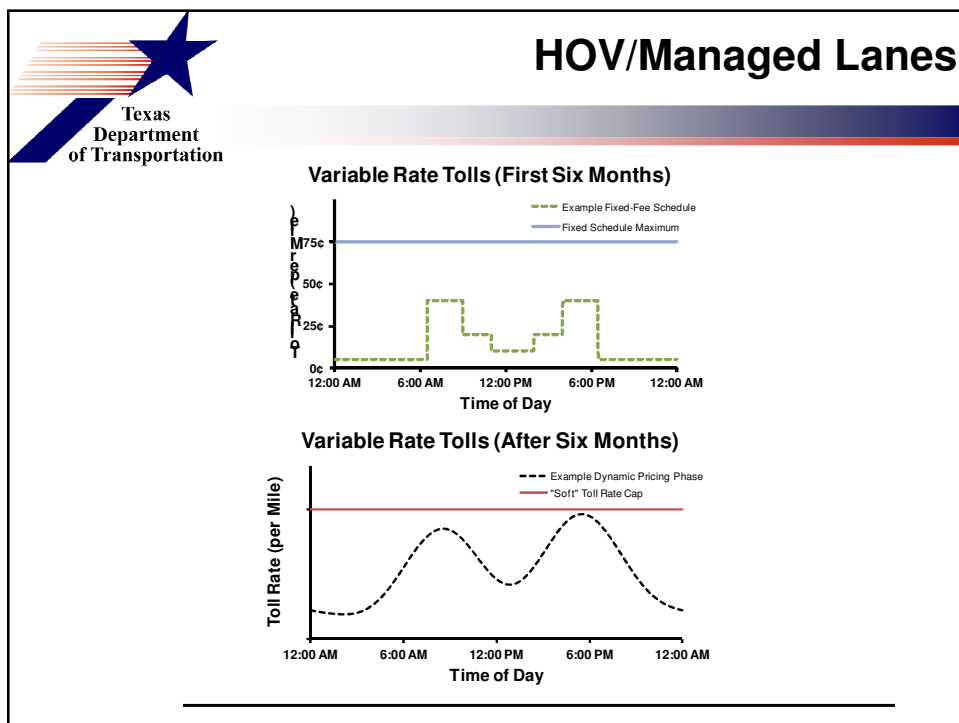
- **Managed Lanes** are tolled lanes where traffic is kept moving at a more reliable speed (50 mph or greater) by adjusting the toll rate up or down (variable pricing) as the number of vehicles or congestion increases or decreases respectively
- Lanes are managed on the basis of time of day, vehicle type & occupancy, and pricing/tolls
- Discounts for HOVs during peak periods
- A Level 2 Traffic and Toll Revenue Study was prepared for the IH 35E project to analyze proposed Managed Lanes




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## Summary of Current Regional Transportation Council Managed Lane Policy

- RTC 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 - Dynamic Pricing**

	Mainlanes Mixed Flow	MJHOV/Toll Lanes HOV & SOV	Mainlanes Mixed Flow
<b>1 Morning Peak</b> 6:30 a.m. to 9:00 a.m. (approx. 40¢/mile)	Non-tolled	HOV - \$\$ SOV - \$\$\$\$	Non-tolled
<b>2 Midday Off-Peak</b> 9:00 a.m. to 3:00 p.m. (approx. 8¢/mile)	Non-tolled	HOV - \$\$ SOV - \$	Non-tolled
<b>3 Evening Peak</b> 3:00 p.m. to 6:30 p.m. (approx. 40¢/mile)	Non-tolled	HOV - \$\$ SOV - \$\$\$\$	Non-tolled
<b>4 Late Night Off-Peak</b> 12:00 a.m. to 5:00 a.m. (approx. 8¢/mile)	Non-tolled	HOV - \$ SOV - \$	Non-tolled

HOV - High Occupancy Vehicle  
SOV - Single Occupancy Vehicle

•According to the Level 2 Traffic and Toll Revenue Study prepared for this project, the estimated average travel distance per household that would use the proposed tolled HOV/managed lanes on IH 35E from FM 2181 to US 380 would be 7 miles out of the total 11-mile section (14 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.



## NEPA Process


### Environmental Assessment

- 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

- Parkland/Section 4(f) Properties
- Threatened/Endangered Species and Wildlife Habitat
- Historic and Archeological Sites
- Aesthetic Considerations
- Topography and Soils
- Prime, Unique and Special Farmland Impacts
- Land Use
- Air Quality Assessment
- Traffic Noise Assessment
- Hazardous Materials
- Airway-Highway Clearance
- Construction Impacts
- Indirect and Cumulative Impacts


EA Specifics			
Natural Resources	Right-of-way (ROW)	Floodplains	Waters of the U.S. including wetlands
	Approximately 107 acres of proposed ROW	Would not increase base flood elevation beyond regulated levels  Facility would permit the conveyance of the 100-year flood	11 jurisdictional waters of the U.S., including wetlands (approx. 1.5 acres of streams and a pond; approx 0.19 acre of wetlands) located within the proposed right-of-way.  Section 404 USACE NWP 14 required
Human Environment	Displacements		Noise
	40 commercial properties includes 44 separate commercial entities (Approx. 372 to 764 employees potentially impacted)	Employment Opportunities Impact Assessment study included in EA	5 Noise Walls 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.
	17 single family residences and one apartment complex with 16 units	Comparable housing appears to be available for a majority of the potential residential displacements.	

•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.



## NEPA Process

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




**Project Schedule**

**What Happens After the Public Hearing?**

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

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**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

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**Right-of-Way Acquisition Process**

**2. Agency orders:**

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

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**Right-of-Way Acquisition Process**

**3. Acquiring agency assigns independent appraisers:**

- Appraisers contact owner
- Appraisers submit appraisals
- TxDOT reviews appraisals for approval

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**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

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**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

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**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

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**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

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## 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

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## 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

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## 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

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## 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

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## 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)

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## 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

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**Public Comments**

- 20 minute recess
- Comment period following recess




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**Public Comments**


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## **Comment Period**

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

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**Public Comments**

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## **Mailing Address**

- **TxDOT Dallas District  
Attn: Robert Hall, P.W.S, CFM  
PO Box 133067  
Dallas, TX 75313-3067**
- **Written Comments must be  
post-marked by Monday, October 31, 2011**
- **<http://www.keepitmovingdallas.com/>**

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**Public Comments**

**Speaker's Time Remaining:**

**0:00**

Please limit your comment to 3 minutes and state  
your name and address

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

**Texas Department of Transportation**

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