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TEXAS DEPARTMENT OF TRANSPORTATION

PUBLIC HEARING

INTERSTATE HIGHWAY IH 35E

FROM PRESIDENT GEORGE BUSH TURNPIKE TO FM 2181

DALLAS AND DENTON COUNTIES

CSJ NOS: 0196-02-068, 0196-01-096, 0196-02-073,

0196-02-114, 0196-03-245

THURSDAY, NOVEMBER 18, 2010

LEWISVILLE HIGH SCHOOL AUDITORIUM

1098 WEST MAIN STREET

LEWISVILLE, TEXAS 75067

BE IT REMEMBERED THAT on Thursday, the 18th day of
November, 2010, the above entitled came on for public
hearing at Lewisville High School Auditorium, 1098 West
Main Street, City of Lewisville, County of Denton, State
of Texas, and the following proceedings were had, to
wit:

A P P E A R A N C E S

Elected Officials:

Mary Horn, Denton County Judge

Patrick Davis, Highland Village City Council

Charlotte Wilcox, Highland Village City Council

Mayor Ron Branson, City of Carrollton

Mayor John Smith, Hickory Creek

William Meek, Highland Village City Council

John Gorena, City Council, Lewisville

Bobbie Mitchell, Denton County Commissioner

Also Present:

Phil Ullman, HDR, Incorporated

Jennifer Halstead with HNTB

Charles Emery, Denton County Transit Authority

Jerry Goodall, City of Corinth

Tom Hammons, Transportation Engineer, City of Carrollton

Steve Bacchus, Assistant City Manager, Lewisville

Todd King, Lewisville City Manager

Michael Leavitt, Highland Village City Manager

Mark Nelson, Denton Transportation Director

Matt McCormick, Lewisville Chamber of Commerce

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A P P E A R A N C E S

(Continued)

TxDOT Staff:

Stan Hall, Robert Hall, Nasser Askari, Moosa Saghian,
Cynthia Northrop-White, Bob Brown, Don Toner.

Area Engineers: Gary Bailey, David Hensley, Barry
Heard, Bruce Smiley and John Williams.

Right-of-Way Section:

Erma Wisham, Nisha Thomas, Carlitha Womack, Susan
Saghian, Travis Henderson and Cecil Saldana.

U.S. Army of Corps of Engineers:

Doug Cox, James Murphy, Dale King and Brandon Moseley

1 (November 18, 2010; 7:05 p.m.)

2 MR. SELMAN: Good evening, ladies and
3 gentlemen. It's now 7 o'clock, so if you'll please take
4 your seats we'll begin tonight's public hearing. I'm
5 Kelly Selman, Director of Transportation Planning and
6 Development for the Dallas District Office of the Texas
7 Department of Transportation. I'm here representing our
8 District Engineer Bill Hale. We appreciate your
9 interest in the IH 35E middle section improvement
10 project of President George Bush Turnpike to FM 2181.
11 We welcome each of you here this evening.

12 Later this evening, you'll be invited to
13 directly participate in the Opportunity for Public
14 Comment portion of this hearing. We want to express our
15 appreciation to Lewisville High School for the use of
16 this facility this evening. The study area limits for
17 the planned and proposed improvements of IH 35E are from
18 President George Bush Turnpike to FM 2181. The total
19 length is approximately 12 miles within Dallas and
20 Denton Counties.

21 Before proceeding further, I would like to
22 introduce members of the federal, state and local
23 elected officials who are in attendance tonight or who
24 were able to stop by during the open house. First of
25 all, we have Denton County Judge Mary Horn; Patrick

1 Davis from Highland Village City Council; Charlotte
2 Wilcox, Highland Village City Council; Mayor Ron
3 Branson, City of Carrollton; Mayor John Smith, Hickory
4 Creek; William Meek, Highland Village City Council; and
5 John Gorena, City Council, Lewisville.

6 Have I overlooked any other elected
7 officials? We appreciate your attendance and we thank
8 you for your interest in this project. Now I'd like to
9 introduce several members of the Texas Department of
10 Transportation, U.S. Army Corps of Engineers, Cities of
11 Carrollton, Lewisville, Highland Village, Lake Dallas,
12 Corinth and the Town of Hickory Creek as well as Dallas
13 and Denton County officials who are present tonight to
14 assist you and answer your questions. We have Charles
15 Emery from the Denton County Transit Authority. Jerry
16 Goodall, City of Corinth. Tom Hammons, Transportation
17 Engineer, City of Carrollton. Steve Bacchus, Assistant
18 City Manager in Lewisville. Todd King, Lewisville City
19 Manager. Michael Leavitt, Highland Village City
20 Manager. Mark Nelson, Denton Transportation Director,
21 and Matt McCormick with Lewisville Chamber of Commerce.
22 From the U.S. Army of Corps of Engineers we have Doug
23 Cox, James Murphy, Dale King and Brandon Moseley.

24 And the TxDOT staff tonight in attendance
25 from our Right-of-Way Section, Erma Wisham, Nisha

1 Thomas, Carlitha Womack, Susan Saghian, Travis Henderson
2 and Cecil Saldana.

3 Other TxDOT staff; Stan Hall, Robert Hall,
4 Nasser Askari, Moosa Saghian, Cynthia Northrop-White,
5 Bob Brown, Don Toner. Our Denton County Area Engineer
6 Gary Bailey, David Hensley from our Denton County Area
7 Office. Barry Heard, Bruce Smiley and John Williams.

8 Our specific study team members are Phil
9 Ullman, HDR, Incorporated, and Jennifer Halstead with
10 HNTB.

11 These individuals will be available during
12 the recess to answer your particular questions regarding
13 the IH 35E improvement project from George Bush Turnpike
14 to 2181. We thank those of you who had an opportunity
15 to attend the open house earlier this evening. As you
16 arrived you were given the opportunity to register your
17 attendance for this hearing. Our registration forms are
18 the 8 1/2 by 11 sheets at the front sign-in table and
19 provide you the opportunity to express your interest in
20 this project and indicate that you would like to make a
21 verbal statement during tonight's Opportunity for Public
22 Comment portion of the hearing. In this event if you
23 did not register and would like to, please do so during
24 the upcoming recess.

25 Many of you may have attended previous

1 public hearings conducted by the Texas Department of
2 Transportation. However, for the benefit of those of
3 you who have never attended one, I would like to explain
4 how the Department conducts its public hearing.

5 Following my initial comments, Mr. Phil
6 Ullman will give a detailed presentation concerning the
7 location and design features of the project. And Ms.
8 Jennifer Halstead will follow with the environmental
9 effects for the proposed improvements to IH 35E from
10 President George Bush Turnpike to FM 2181. Following
11 Ms. Halstead, Mr. Cecil Saldana of our Dallas District
12 Right-of-Way Office will explain the right-of-way
13 acquisition procedures and relocation assistance program
14 of the displaced persons and businesses. At that time
15 we will recess the hearing for 20 minutes and allow you
16 to view the project design currently on display here
17 tonight.

18 During the recess you are encouraged to ask
19 any questions which the Department representatives will
20 address and answer. Following the recess we will
21 reconvene the hearing and ask those persons who
22 indicated on the registration form who would like to
23 make a statement to come forward to our floor
24 microphone, state your name and address for the Record,
25 and provide any comments concerning the project.

1 Following the registered speakers, anyone else who did
2 not register will also be given the opportunity for
3 comment. You might be asking; what is the purpose of
4 the public hearing? The four essential purposes of the
5 public hearing are to:

6 (1) Inform the public of the status of
7 planning on the project and present recommendations
8 based on studies performed to date.

9 (2) Describe the recommended location and
10 design so that those attending can determine the
11 project's potential to affect their lives and property.

12 (3) Provide the public an opportunity to
13 present information and their views at a stage in the
14 planning process when flexibility to respond to comments
15 still exists and before location and design decisions
16 are finalized.

17 (4) And finally, to develop a record of
18 public views and participation to accompany
19 recommendation for subsequent decisions.

20 This public hearing is being held in
21 compliance with both federal and state laws. The State
22 is required to certify to the Secretary of
23 Transportation that a public hearing was held concerning
24 the IH 35E improvement project from President George
25 Bush Turnpike to FM 2181. For the official Record a

1 transcript of this hearing will be made. For this
2 reason we ask that all comments be made from the floor
3 microphone.

4 Following this hearing the Department will
5 proceed with the preparation of the final environmental
6 documentation. Your statements and comments, whether
7 positive or negative, will be addressed by TxDOT in the
8 project's documentation and will be given full
9 consideration in the preparation of the final
10 recommendation of design for the IH 35E improvement
11 project from President George Bush Turnpike to FM 2181.

12 This public hearing is being convened to
13 discuss the design features and environmental effects of
14 the proposed improvements to IH 35E from President
15 George Bush Turnpike to FM 2181. The total project
16 length is approximately 12 miles. A design schematic
17 has been developed showing typical cross sections,
18 roadway profiles and proposed right-of-way boundaries.
19 The proposed IH 35E improvements would require
20 approximately 179 acres of proposed right-of-way and
21 approximately 54 acres of proposed easement.

22 Of the total proposed easement acreage the
23 proposed project would require approximately 20.7 acres
24 of the U.S. Army Corps of Engineers property at
25 Lewisville Lake. In addition to the proposed project

1 would convert approximately 0.5 acre of the 1.4 acre
2 Highland Lakes Park for transportation use. The
3 proposed reconstruction would result in approximately
4 180 displacements.

5 An environmental assessment document has
6 also been prepared which analyzed the social, economic,
7 and environmental effects of the project.

8 The design schematic and environmental
9 document for IH 35E from President George Bush Turnpike
10 FM 2181 improvement project are available for inspection
11 and reproduction at the Texas Department of
12 Transportation, Dallas District Office located at 4777
13 East Highway 80 in Mesquite, Texas 75150; or at the City
14 of Lewisville City Hall, 151 West Church Street,
15 Lewisville, Texas 75057; City of Corinth City Hall, 3300
16 Corinth Parkway, Corinth, Texas 76208; Town of Hickory
17 Creek, 1075 Ronald Reagan Avenue, Hickory Creek, Texas
18 75065; City of Lake Dallas City Hall, 212 Main Street,
19 Lake Dallas, Texas 75065; City of Carrollton City Hall,
20 1945 East Jackson Road, Carrollton, Texas 75006; City of
21 Highland Village City Hall, 1000 Highland Village Road,
22 Lewisville, Texas 75077; and at the TxDOT Denton County
23 Area Office 2624 West Prairie, Denton, Texas 76201.

24 In addition, the design schematic may be
25 viewed on the Internet at www.keepitmovingdallas.com.

1 Highway planning and construction requires
2 close cooperation on all levels of government. The
3 design from IH35 E from President George Bush Turnpike
4 to FM 2181 is being developed cooperatively by the U.S.
5 Army Corps of Engineers, the Cities of Carrollton,
6 Lewisville, Highland Village, Lake Dallas, Corinth, and
7 the Town of Hickory Creek, Denton and Dallas Counties,
8 the State, the Metropolitan Planning Organization, and
9 the Federal Highway Administration. TxDOT has worked
10 closely with these local governments and has previously
11 received input regarding the proposed design.

12 At the conclusion of the major investment
13 study phase of this project, TxDOT held a public meeting
14 on March 20th, 2003, to share their design information
15 and the environmental analysis. Between the time period
16 from the first public meetings held in 2003 and 2008 the
17 proposed IH 35E project underwent schematic design
18 modifications and additional coordination with the
19 adjacent municipalities occurred.

20 TxDOT held over 20 Stakeholder meetings
21 between August of 2008 and January of 2010, where
22 stakeholders had an opportunity to discuss the variety
23 of topics including the project financing and
24 construction phasing, managed lanes in addition to
25 bicycle and pedestrian features to the proposed project.

1 These meetings were open to the public. Public input
2 was also gathered previously from a public meeting held
3 in November of 2008.

4 At this time Mr. Ullman will discuss the
5 geometric design features and cost estimates followed by
6 Ms. Halstead who will discuss the environmental effects
7 of the proposed project.

8 MR. ULLMAN: Thank you, Mr. Selman. The
9 presentation tonight will cover the proposed
10 improvements to IH 35E middle section from President
11 George Bush Turnpike to FM 2181. The 12-mile IH 35E
12 middle section from President George Bush Turnpike to FM
13 2181 includes proposed improvements consisting of adding
14 mainlanes; adding variable priced HOV/managed lanes in
15 the center union, making frontage roads continuous
16 throughout the length of the project, and integrating
17 bicycle and pedestrian improvements.

18 Existing mainlanes would not be converted
19 into variable priced tolled HOV/managed lanes. The
20 proposed project would require some improvements to
21 intersections and would result in constructing,
22 rebuilding, or upgrading the existing and proposed
23 overpasses, bridges, and interchanges along IH 35E from
24 President George Bush Turnpike to FM 2181.

25 Some of the overpasses, bridges, and

1 interchanges will be developed as standalone projects.
2 The proposed IH 35E corridor reconstruction would
3 generally follow the existing IH 35E alignment, although
4 portions of the IH 35E alignment would be re-aligned to
5 either the east or west to accommodate the proposed
6 reconstruction while minimizing adverse impacts.

7 Mainlanes on the IH 35E from President
8 George Bush Turnpike to FM 2181 would generally be
9 expanded from six to eight 12-foot wide lanes, four in
10 each direction, with inside and outside shoulders from
11 north of SH 121 to north of FM 2181. In the segment of
12 IH 35E from south of PGBT to north of State Highway 121,
13 collector distributor lanes would be incorporated, and
14 six mainlanes will be maintained.

15 Collector distributors consist of parallel
16 lanes running between the mainlanes and the frontage
17 roads that collect the traffic from closely spaced
18 entrance ramps and then distribute it onto the facility
19 at a single entrance ramp beyond the congested areas.
20 Four 12-foot wide concurrent flow variable priced toll
21 HOV/managed lanes with outside shoulders would be added
22 from President George Bush Turnpike to FM 2181.
23 Continuous frontage roads would consist of two to four
24 lanes in each direction, which includes a 16-foot wide
25 outside shared-use bicycle and vehicle lane including

1 the 2-foot curb offset. In addition, continuous
2 pedestrian sidewalks are proposed along each side of the
3 entire project.

4 Design schematics for this project have
5 been prepared and are displayed in the foyer area
6 outside of this auditorium. These schematics depict the
7 horizontal and vertical alignments of the improvements
8 previously mentioned, along with existing and proposed
9 right-of-way lines.

10 The existing facility is located within a
11 primarily urbanized area with a few undeveloped areas
12 adjacent to the right-of-way. The existing facility
13 consists of six 12-foot wide mainlanes and has a posted
14 speed limit of 60 miles per hour. The mainlanes are
15 divided by a concrete traffic barrier, CTB, throughout
16 the project limits. The inside shoulders of the
17 mainlanes vary from 0 to 10 feet wide and the outside
18 shoulders are 10 feet wide. The frontage roads consist
19 of 12-foot lanes and are mostly continuous along the
20 corridor with the exception of the segment from FM 407
21 to Denton Drive where there are no frontage roads.

22 Interim High Occupancy Vehicle lanes in the
23 median of IH 35E currently extend from IH 635 to near
24 SH 121, terminating in the southern portion of this
25 segment of IH 35E. Along the corridor, Denton County

1 Transit Authority is currently developing a commuter
2 Rail Line to the east of IH 35E which will help to
3 reduce commuter travel demand for the IH 35E corridor.
4 This rail line will ultimately run from Downtown Denton
5 to Carrollton and link to Dallas Area Rapid Transit
6 stations in Carrollton. It is not anticipated that the
7 proposed improvements to IH 35E to President George Bush
8 Turnpike to FM 2181 would substantially change any
9 existing or future land usage in the project area.

10 The proposed improvements would generally
11 consist of eight 12-foot wide lanes, four in each
12 direction, with 10-foot wide inside and outside
13 shoulders and two to four collector distributor lanes,
14 each direction, from south of PGBT to north of SH 121.
15 Frontage road lanes would generally be 11 feet wide.
16 However, the outside lane would be 14 feet wide in order
17 to accommodate shared bicycle/vehicle usage. The number
18 of frontage road lanes include three lanes each
19 direction from State Highway 121 to FM 407 and two lanes
20 from FM 407 to FM 2181. Auxiliary lanes would be
21 included after exit ramps in order to reduce the weaving
22 along the frontage roads. The maximum frontage road
23 width for the three-lane frontage road, plus added
24 auxiliary lane after an exit ramp, would be 49 feet
25 wide, including the gutter width. The frontage roads

1 would be continuous throughout the length of the
2 project. Four 12-foot wide concurrent flow variable
3 priced toll HOV/managed lanes with 10-foot wide
4 shoulders to the outside would be added from PGBT to FM
5 2181.

6 As mentioned, in the segment from IH 35E
7 from south of PGBT to north of State Highway 121,
8 collector distributor lanes would be incorporated, and
9 six mainlanes will be maintained.

10 The term "variable priced toll HOV/Managed
11 lanes" encompasses several types of lane management
12 strategies, including vehicle occupancy and price-based
13 lane or facility management; which means, for example,
14 that HOV lanes could be variably priced, ranging from 7
15 cents to 47 cents per trip, according to occupancy, time
16 of day, congestion level, etc.

17 The term "concurrent" indicates travel in
18 the variable priced toll HOV/managed lane is the same
19 direction as the mainlanes of the roadway facility. The
20 northbound and southbound variable priced toll
21 HOV/managed lanes would be separated by 10-foot wide
22 shoulders, median sections, and a concrete traffic
23 barrier. The design speed of the proposed project is
24 70 miles per hour on the mainlanes, 70 miles per hour on
25 the variable priced toll HOV/managed lanes, 40 miles per

1 hour on the frontage roads, and 40 miles per hour on the
2 ramps. Concrete traffic barriers would be used to
3 separate the mainlanes from the variable priced toll
4 HOV/managed lanes.

5 These concurrent variable priced toll
6 HOV/managed lanes would operate as variable priced or a
7 toll lane, which means that users of the IH 35E
8 HOV/managed lanes would be charged a toll which would be
9 collected for both single occupancy and HOV users;
10 defined as having two or more occupants.

11 A reduced toll rate, half price, would be
12 applied towards HOV users during the a.m. and p.m. peak
13 periods. During the off-peak periods HOVs would pay the
14 same toll as single occupancy vehicles (SOV). The
15 Regional Transportation Council, RTC, the independent
16 transportation policy body of the Metropolitan Planning
17 Organization comprised of elected or appointed officials
18 representing cities, counties, and transportation
19 providers adopted this managed lane policy because it
20 provides the ability to: Provide and manage additional
21 capacity in the corridor; increase trip reliability for
22 HOV and transit; potentially improve air quality through
23 the encouragement of increased vehicle occupancy and
24 person movements; and generate revenue to construct,
25 operate, and maintain the facility.

1 The Managed Lane Policy, also known as
2 Business Terms for TxDOT- Sponsored Managed Lane
3 Facilities, was adopted by the RTC on May 11, 2006. The
4 policy was modified in September 2006 and
5 September 2007, and the final policy is detailed in the
6 Environmental Assessment and has been displayed here
7 tonight during the open house.

8 According to this policy, a fixed-fee
9 schedule would be applied during the first six months of
10 operation and dynamic-fee pricing may be applied
11 thereafter. Toll rates would be updated monthly during
12 the fixed-fee schedule phase. The toll rate could be
13 set up to \$0.75 per mile during the fixed-fee schedule
14 phase in accordance with current policy. However, that
15 toll rate is not likely to be established. Three
16 potential toll rates that users of the IH 35E Managed
17 Lanes are likely to be charged, assuming an opening year
18 of 2020 are presented in the Environmental Assessment
19 and include: Morning Peak; 6:30 a.m. to 9:00 a.m.,
20 which may be .47 cents per mile.

21 Mid-day Peak Off-Peak, which is 9:00 a.m.
22 to 3:00 p.m. which may be .13 cents per mile.

23 Evening Peak, which is 3:00 p.m. to 6:30
24 p.m., would be .47 cents per mile.

25 Late Night Off-Peak, which is midnight to

1 5:00 a.m., which may be .07 cents per mile.

2 Varying toll rates, or dynamic-fee pricing
3 allows operators to set market-based toll rates based on
4 corridor demand, and those rates could fluctuate at any
5 time throughout the day, even in realtime, in response
6 to changing traffic conditions. As a reminder, the
7 policy does include a reduced toll rate, half price,
8 that would be applied toward HOV users, two or more
9 occupants, during the a.m. and p.m. peak periods
10 (weekday periods from 6:30 a.m. to 9:00 p.m. and from
11 3:00 p.m. to 6:30 p.m. respectively).

12 The toll rate would be established to
13 maintain a minimum average corridor speed of 50 miles
14 per hour during the dynamic-pricing phase, travelers
15 would receive rebates if the average speed drops below
16 35 miles per hour.

17 However, rebates would not apply if speed
18 reduction is out of the control of the operator. During
19 the off-peak periods, HOV users would pay the same toll
20 as single occupancy vehicles. Users of the tolled
21 HOV/managed lanes would be notified of the toll rate
22 before entering the designated lanes by an electronic
23 message board. Clearly posted overhead signage would
24 designate the lane that drivers should use to enter and
25 exit the facility. Mainlanes and frontage roads,

1 including the proposed added capacity, would remain as
2 non-tolled options for all users.

3 According to the draft, Level 2 Traffic and
4 Toll Revenue Study conducted for the IH 35E Managed
5 Lanes between IH 635 and U.S. 380, the average travel
6 distance per household that would use the proposed toll
7 HOV/managed lanes on IH 35E from PGBT to FM 2181 would
8 be 8 miles out of the total 12-mile section. This
9 equates to 16 miles for a round trip. TxDOT estimates
10 that HOV/managed lane use would average 2 1/2 trips per
11 week for the morning peak and the evening peak scenarios
12 at an annual cost ranging from \$224 to \$281 per year,
13 and would average two trips per week for the off-peak
14 scenarios at an annual cost of \$112 per year.

15 The existing right-of-way width for this
16 stretch of IH 35E varies from approximately 256 to
17 300 feet. The proposed project will be constructed
18 within the proposed right-of-way width that varies from
19 approximately 380 to 556 feet. The proposed IH 35E
20 improvements would require approximately 179 acres of
21 proposed right-of-way and approximately 54 acres of
22 proposed easement. Of the total proposed easement
23 acreage, the proposed project would require
24 approximately 20.7 acres of USACE property at Lewisville
25 Lake. In addition, the proposed project would convert

1 approximately a half-acre of the 1.4 acre Highland Lakes
2 Park for transportation use. The proposed
3 reconstruction of IH 35E would result in approximately
4 180 displacements.

5 Utilities such as water lines, sewer lines,
6 gas lines, and other underground and overhead utilities
7 may require adjustments. The adjustment and relocation
8 of any utilities will be handled so that no substantial
9 interruptions will take place while these adjustments
10 are being made.

11 Currently, the total estimated cost for the
12 project is approximately \$1.7 billion. This includes
13 the cost of construction and right-of-way costs.

14 Now, Ms. Jennifer Halstead will discuss an
15 overview of the environmental evaluation of the project.

16 MS. HALSTEAD: Thank you, Mr. Ullman.

17 Ladies and gentlemen, an Environmental
18 Assessment Document has been prepared for this project.
19 The document has been written to document the
20 environmental analyses performed for this proposed
21 project and is in accordance with the National
22 Environmental Policy Act, also known as NEPA. The
23 environmental analyses are necessary to identify the
24 potential effects and to avoid and minimize effects to
25 the human and natural environments.

1 The Environmental Assessment Document
2 describes the need and purpose for the project, the
3 description of the alternatives considered, the affected
4 environment and the environmental consequences, and the
5 recommendation of the preferred alternative. The
6 environmental document covered the following topics:

7 Need and Purpose

8 Proposed design, including alternatives, traffic,
9 and typical sections

10 Right-of-way/easements

11 Project Cost and Funding

12 Displacement and Relocations

13 Waters of the U.S., including Wetlands

14 Lakes, Rivers, and Streams

15 Water Quality

16 Floodplains

17 Socio-economic Impacts

18 Community Cohesion and Environmental Justice

19 Public Facilities and Services

20 Parklands/Section 4(f) Properties

21 Threatened and Endangered Species and Wildlife

22 Habitat

23 Historical and Archeological Sites

24 Aesthetic Considerations

25 Topography and Soils

1 Land Use
2 Air Quality Assessment
3 Traffic Noise Assessment
4 Hazardous Materials
5 Construction Impacts
6 And Indirect Cumulative Impacts

7 The document was approved for further
8 processing by the Department's Environmental Affairs
9 Division in Austin and by the Federal Highway
10 Administration, and has been coordinated with the U.S.
11 Army Corps of Engineers and other public agencies. The
12 Environmental Assessment for this project is available
13 here tonight for your review.

14 I want to share some specifics from the
15 Environmental Assessment. As stated previously, the
16 proposed project would require approximately 179 acres
17 of new right-of-way to construct this project. The
18 right-of-way acquisition would result in approximately
19 180 displacements. Of the total proposed ROW/easement
20 acreage, the proposed project would require a total of
21 20.7 acres from USACE Section 4(f) property at
22 Lewisville Lake and a total of 0.5 acre of Highland
23 Lakes Park Section 4(f) property. As part of this
24 project, the Federal Highway Administration is
25 considering Programmatic Section 4(f) Net Benefit

1 determinations for impacts to Highland Lakes Park in the
2 City of Lewisville, and USACE Property, including
3 Copperas Branch Park, around Lewisville Lake. A total
4 of 20.7 acres of impact would occur on the USACE Section
5 4(f) property and a total of 0.5 acre of impact would
6 occur at Highland Lakes Park Section 4(f) property. A
7 Section 4(f) Net Benefit finding means that this project
8 would have an impact on the resource, but the Federal
9 Highway Administration in consultation with TxDOT and
10 the officials with jurisdiction over the resource, has
11 made a preliminary determination that the use of the
12 Section 4(f) property would result in a net benefit to
13 the Section 4(f) property. The FHWA will consider
14 comments received during this Public Hearing before
15 making final Section 4(f) Net Benefit determinations.

16 The project is located within the Federal
17 Emergency Management Agency (FEMA) designated 100-year
18 floodplain at the Elm Fork Trinity River, Timber Creek,
19 Prairie Creek, a tributary of Prairie Creek, Lewisville
20 Lake and a tributary of Lewisville Lake. The hydraulic
21 design for this project would be in accordance with the
22 current Federal Highway Administration and TxDOT design
23 policies. The facility would permit the conveyance of
24 the 100-year flood without causing significant damage to
25 the facility, stream, or other property. The proposed

1 project would not increase the base flood elevation to a
2 level that would violate applicable floodplain
3 regulations and ordinances. Eight wetlands, totaling
4 approximately 11 acres, and 19 water features, totaling
5 approximately 67 acres, are located within the proposed
6 right-of-way and are considered potentially
7 jurisdictional. The proposed project would result in
8 the placement of temporary or permanent dredge or fill
9 material into these jurisdictional features and would
10 require a Section 404 USACE permit.

11 It is estimated that 93 commercial entities
12 would require relocation. A total of approximately
13 1,181 employees would be potentially impacted by the
14 displacement of the 93 anticipated commercial entities.
15 An Employment Opportunities Impact Assessment technical
16 report was prepared as part of the environmental
17 assessment and was included in Appendix I. This report
18 assessed whether any adverse effects would be caused by
19 the implementation of the proposed IH 35E improvements
20 given the current economic climate and the potential
21 effects to existing employment opportunities if the
22 businesses anticipated to be displaced by the proposed
23 reconstruction cannot reestablish successfully. While
24 uncertainty exists in predicting the outcome of
25 reestablishment within close proximity to the

1 businesses' original locations, and it is unknown which
2 of the business owners would choose or be able to
3 continue operation, sites with suitable zoning and in
4 close proximity are currently available in the
5 Employment Opportunities Impact Assessment study area.
6 Loss of key employees may occur if the businesses are
7 displaced and employees are not willing to travel in
8 order to remain employed at the relocation site. This
9 could affect the business' ability to reestablish itself
10 at the new location. However, the severity of this type
11 of employment impact varies with the type of business,
12 the distance to and attractiveness of the relocation
13 site, as well as the employees' interest in continued
14 employment with the business.

15 There appear to be future employment
16 opportunities of varying skill requirement intensities
17 identified within this report. Again, Appendix I of the
18 Environmental Assessment report and this is based on
19 information provided by the NCTCOG's development
20 Monitoring database, and DART and DCTA regional rail
21 expansions, as well as interviews with stakeholders
22 including local chambers of commerce and economic
23 development representatives within the study area. The
24 addition of new businesses would create additional
25 employment opportunities throughout the study area and

1 may represent an opportunity to absorb many employment
2 impacts that could result in the proposed IH 35E
3 improvements within the affected municipalities. The
4 expansion of the DART and DCTA transit lines also
5 enhance future employment opportunities by providing new
6 centers for employment at the newly developed rail
7 stations and access to locations such as City of Denton
8 and the Dallas Central Business District and additional
9 regional employment centers in between.

10 The City of Lewisville's IH 35E Corridor
11 Development Plan is being advanced to retain the
12 potentially displaced businesses, recapture the lost tax
13 revenue associated with the potential displacements, and
14 increase future tax revenue along the IH 35E corridor.
15 If approved to proceed to construction, the IH 35E
16 improvement project would create a number of job
17 opportunities related to construction and operation of
18 the facility.

19 Representatives from the Workforce Solutions
20 for North Central Texas are here tonight and the agency
21 will be proactive in assisting any employees that will
22 be affected as a result of the displacements associated
23 with the proposed reconstruction of IH 35E. As
24 presented in Appendix I of the Environmental Assessment,
25 Workforce Solutions for North Central Texas can

1 coordinate with employers identified for relocation by
2 TxDOT via the right-of-way acquisition phase of project
3 development to engage provide 1- to 2-hour rapid
4 response workshops if requested by the employers,
5 regardless of the number of employees anticipated to be
6 impacted. Multiple rapid response workshops could be
7 conducted by the Workforce Solutions for North Central
8 Texas to distribute information to all employees
9 potentially impacted by the proposed IH 35E project.
10 Efforts by Workforce Solutions' services are targeted
11 toward assisting the individual employees and can help
12 prepare those employees to find work in other
13 occupations if the employee is unable to find work in or
14 chooses to leave their current field of employment.
15 Workforce Solutions staff are here tonight at the
16 proposed project's open house/public hearing to provide
17 handouts and answer questions regarding Workforce
18 Solutions services.

19 Approximately 65 single family homes would be
20 displaced by the proposed project. According to the
21 Environmental Assessment, a total of 233 homes within
22 comparable price ranges are currently available in the
23 municipalities associated with the potential single
24 family displacements. Based on current available market
25 data, comparable housing appears to be available for a

1 majority of the potential residential displacements.
2 All relocation efforts would be consistent with the
3 requirements of the Civil Rights Act of 1964, the
4 Uniform Relocation Assistance and Real Properties
5 Acquisition Act of 1970, as amended, and the Housing and
6 Urban Development Act of 1974.

7 Eight noise barriers were determined to be
8 both feasible and reasonable along portions of the
9 IH 35E corridor as a means to mitigate for anticipated
10 traffic noise impacts. The final decision to construct
11 the proposed noise barriers would be made upon
12 completion of the project design, utility evaluation,
13 and the polling of adjacent property owners.

14 In conclusion, the studies and evaluations
15 performed thus far indicate that the proposed
16 improvements would cause no significant environmental
17 effects. And now I return the hearing back to
18 Mr. Selman.

19 MR. SELMAN: Thank you, Ms. Halstead.

20 Following this hearing, documentation of this
21 public hearing will be forwarded to our Austin Office
22 for final environmental clearance and design approval.
23 Assuming there are no major issues arising from this
24 hearing that cannot be addressed within the reasonable
25 time frame, final environmental clearance is expected by

1 January of 2011. It is at this stage of project
2 development where we are able to proceed with detailed
3 construction plans and right-of-way acquisition.

4 Subject to availability of funds and approval of
5 construction plans, project letting is expected by
6 2013-2014 time frame.

7 At this time Mr. Cecil Saldana from our
8 District Right-of-Way Office will provide an overview of
9 our right-of-way acquisition procedures.

10 MR. SALDANA: Thank you, Mr. Selman.

11 Good evening, ladies and gentlemen. I
12 would like to take a few minutes to present some
13 information about the right-of-way acquisition phase of
14 this project. This project, as previously described,
15 will be the object of my remarks and will require
16 approximately 179 acres of additional right-of-way and
17 54 acres of proposed easement to accommodate
18 improvements to IH 35E Middle Section from President
19 George Bush Turnpike to FM 2181. The right-of-way to be
20 acquired consists of land on properties owned by various
21 entities, including private individuals and commercial
22 businesses on both sides of the roadway along the length
23 of the project. The proposed project would result in
24 approximately 180 displacements. As previously
25 mentioned, some of the proposed easement acreage would

1 require 20.7 acres USACE property Section 4(f) at Lake
2 Lewisville and 0.5 acres Highland Lakes Park Section
3 4(f) property. No places of worship or cemeteries would
4 be displaced as a result of the proposed project. The
5 following will help describe our right-of-way
6 procedures.

7 Two booklets are available for you at the
8 right-of-way table in the foyer area outside the
9 auditorium. One is titled The Purchase of Right-of-Way
10 and the other one is titled Relocation Assistance. If
11 there is a possibility that some of your property may be
12 acquired and you did not pick up the booklets, you may
13 secure copies at the right-of-way table during the
14 break. These booklets contain a significant amount of
15 information. Rather than trying to cover all of this
16 material in detail this evening, I would like to
17 acquaint you with the answers to the most commonly asked
18 questions.

19 Before the right-of-way acquisition process
20 may begin, the Texas Department of Transportation, also
21 known as TxDOT, has to obtain environmental clearance,
22 local agency agreements, an approved right-of-way map,
23 and funding. With the route approved, maps will be
24 prepared by registered professional land surveyors to
25 show the exact amount of land to be acquired from each

1 affected property owner. The additional right-of-way
2 will be used for roadway purposes and will be acquired
3 in the name of the State of Texas.

4 Standard procedure for many projects is
5 that the local governments will be responsible for land
6 acquisition and utility relocation. However, if
7 requested, it may be done by the State of Texas. Costs
8 associated with the purchase of real property will be
9 the responsibility of TxDOT. In some cases the adjacent
10 cities may be responsible for increased costs due to
11 more stringent zoning ordinances or building codes than
12 state law. All acquisitions must be conducted in
13 accordance with the Uniform Relocation Assistance and
14 Real Property Acquisition Policies Act of 1970, as
15 amended.

16 After the release is obtained from the
17 Austin Right-of-Way Division, TxDOT will order property
18 title information, five-year sales data, and preliminary
19 title commitments. The acquiring agency, whether TxDOT
20 or a local government, in order to establish land
21 values, may employ independent real estate appraisers to
22 determine their opinions of the fair market value for
23 the part of each owner's property to be acquired.

24 This procedure is explained on Pages 3 and
25 4 of The Purchase of Right-of-Way booklet. The

1 appraisers will contact each owner before proceeding
2 with appraising the properties. Each of you as owners
3 will be given the opportunity to accompany the real
4 estate appraiser on an inspection of your property.
5 Once the property is appraised and submitted to TxDOT
6 for review and approval, a written offer will be made to
7 you, the property owner.

8 TxDOT's acquisition agent presents the
9 offer to the property owner. This offer will be based
10 upon the amount of the approved appraised value with any
11 compensable damages to the remaining real property.
12 TxDOT will also provide relocation assistance to those
13 who are eligible.

14 The decision of whether the offer is
15 acceptable or not, of course, remains with each owner.
16 An owner may wish to donate land for the project for
17 various reasons. In these cases, the appraisal process
18 will not be necessary provided that the property owner
19 signs a waiver to waive their right to receive fair
20 market value and an appraisal of the property. This
21 does not include donations at less than fair market
22 value or partial donations which must be appraised.

23 If the property owner chooses to receive
24 compensation for the needed right-of-way, then the
25 following are the options available to the property

1 owner. The owner may accept the offer or submit a
2 counter offer, if appropriate. Also, as another option
3 the booklet further describes the procedures by which
4 right-of-way is acquired when the property owner does
5 not agree with the acquiring agency's the determination
6 of fair market value. This procedures is known as
7 eminent domain and is described on Page 9.

8 When the owner accepts the approved value,
9 a deed and a Memorandum of Agreement is prepared for the
10 owner's signature. TxDOT will issue a warrant, a check,
11 made out to the title company for the owner. The owner
12 closes at the title company and is then compensated for
13 the newly acquired right-of-way.

14 The owner may submit a counter offer if the
15 owner believes the offer does not represent fair market
16 value. TxDOT reviews the counter offer and either
17 accepts or rejects it. If rejected, the owner may still
18 accept the original offer or proceed with eminent
19 domain. In eminent domain, the Court points three
20 independent Commissioners who themselves are land owners
21 and live in the county, to hear the owner and TxDOT.
22 Based on the evidence presented, the Commissioners will
23 decide the award to the owner. TxDOT deposits the
24 award, which the owner may withdraw, in the registry of
25 the Court, and at that point TxDOT will take possession

1 of the needed right-of-way. If desired, either the
2 owner or TxDOT shall have the right to appeal the award
3 to a jury trial.

4 The State's relocation program for personal
5 property, administered solely by the State with no local
6 government funding required, is available to those of
7 you who may qualify for certain benefits as a result of
8 the acquisition of properties. Monetary payment for
9 incidental expenses which are the owners' out-of-pocket
10 expenses to convey good title to the State may be
11 eligible for reimbursement and are applicable whether or
12 not a displacement occurs.

13 These benefits are applicable to all
14 individuals, families, businesses, farmers, ranchers,
15 and nonprofit organizations, without regard to race,
16 color, religion, sex, or national origin. This
17 information is contained in the Relocation Assistance
18 booklet. If you believe a move is to be necessitated by
19 the proposed project, the Department would caution you
20 not to move before negotiations have begun unless you
21 first secure a written notice of "Intent to Acquire"
22 from the acquiring agency. This must be done so as to
23 avoid the possibility of your loss of personal property
24 relocation benefits to which you may otherwise be
25 eligible for reimbursement by the Department.

1 Should a displacee be dissatisfied with any
2 of the amounts offered for relocation reimbursement,
3 appeal procedures are available. These are discussed on
4 the last page of the Relocation Assistance booklet, Page
5 39. Additional information is available from TxDOT's
6 Dallas District Office should you need for relocation
7 assistance.

8 Lastly, regulations governing the
9 relocation of advertising signs which are not purchased
10 by the acquiring agency as real property are discussed
11 on Pages 31 and 32 of the Relocation Assistance booklet.
12 This concludes my presentation. Thank you for your
13 attention.

14 MR. SELMAN: Thank you, Mr. Saldana. I
15 would like to mention that we will not attempt to answer
16 your questions while you have the floor during the
17 Opportunity For Public Comment. This procedure is
18 necessary so that everyone is given the opportunity to
19 speak and because your comments will be given due
20 consideration. We'd be happy to answer your questions
21 during the recess or even after the public hearing. All
22 verbal and written comments and questions presented
23 tonight will be addressed in, and made part of, the
24 final environmental document for this project. This
25 document will then be made available for public review

1 and copying at the Dallas District Office located at
2 4777 East Highway 80, Mesquite, Texas 7150; or at the
3 City of Lewisville City Hall, 151 West Church Street,
4 Lewisville, Texas 75057; City of Corinth City Hall 3300
5 Corinth Parkway, Corinth, Texas 76208; Town of Hickory
6 Creek City Hall, 1075 Ronald Reagan Avenue, Hickory
7 Creek Texas, 75065; City of Lake Dallas City Hall, 212
8 Main Street, Lake Dallas, Texas 75065; City of
9 Carrollton City Hall, 1945 East Jackson Road,
10 Carrollton, Texas 75006; City of Highland Village City
11 Hall, 1000 Highland Village Road, Lewisville, Texas
12 75077; and at the TxDOT Denton County Area Office, 2624
13 West Prairie, Denton, Texas 76201.

14 For the benefit of you who may have arrived
15 late, I would ask the members of the Department,
16 consultant team, and local government staff to please
17 stand. They are available to answer your questions and
18 discuss your concerns regarding the project.

19 At this time, we'll take a 20-minute recess
20 and reconvene at 8:15. Thank you.

21 (Break taken from 7:54 to 8:19 p.m.)

22 MR. SELMAN: Okay. Ladies and gentlemen,
23 we are now going to reconvene tonight's public hearing.

24 If you will please take your seats, we're
25 now reconvening the hearing. Before we start we failed

1 to recognize Bobbie Mitchell Denton County Commissioner.
2 She's in attendance. We thank you for her attendance.

3 Okay. We made our presentation on the
4 latest available information on the project, and now
5 it's time for us to listen to your comments. Again,
6 please be aware that we will not attempt to answer your
7 questions during this comment period. Some of you may
8 not wish to make a statement from the microphone. In
9 that event, your written statements will be equally
10 accepted both tonight and for the next 10 calendar days
11 following this hearing. For those of you who wish to
12 submit a written comment tonight, a comment box is
13 located at the registration table. Questions and
14 comments may also be mailed to the Texas Department of
15 Transportation, attention Robert Hall, TxDOT Dallas
16 District Environmental Coordinator, P.O. Box 133067,
17 Dallas, Texas 75313-3067.

18 All of your statements, comments and
19 questions will be given careful consideration before
20 final design features are determined. Furthermore, all
21 information developed in regard to the proposed design
22 is available for public inspection and copying and is
23 also posted at www.keepitmovingdallas.com.

24 The final deadline for our acceptance of
25 statements or comments is by a postmarked date of Monday

1 November 29th, 2010.

2 We have a listing of 13 people registered
3 who would like to make statements. Please limit your
4 speaking time to 3 minutes so that everyone who wishes
5 to speak may have an opportunity to do so. For the
6 official transcript, please state your name and address
7 as you take the floor before proceeding with your
8 statements.

9 Our first speaker tonight is Mary Horn.

10 MS. HORN: Good evening, my name is Mary
11 Horn, Denton County Judge, address is 110 West Hickory
12 Street, Denton, Texas 76201. First, I want to thank
13 TxDOT for all the hours of work put in to date to get
14 this project to the point of being able to hold a public
15 hearing. Interstate Highway 35E from I-635 in Dallas to
16 US 380 in Denton is a 28-mile major north/south corridor
17 in the D/FW Metroplex.

18 With ever increasing mobility and air
19 quality issues, the completion of this project is vital
20 to the economic well-being of the region, the safety of
21 our residents and a trade route for international
22 commerce. Currently the most congested segments of
23 I-35E averages between 175,000 to 200,000 vehicles per
24 day. With D/FW's anticipated growth, it is projected
25 that volumes for Interstate 35E will exceed 330,000

1 vehicles by 2030.

2 Since 2000 the Texas Department of
3 Transportation has been working closely with local
4 elected officials, stakeholders and communities along
5 this section of I-35E on expansion plans. Significant
6 public involvement has occurred in the development of
7 the Interstate Highway 35E design including multiple
8 public meetings and forums. All communities along the
9 I-35E corridor are in support of the proposed TxDOT
10 design and the use of public/private partnerships to
11 deliver this project which will be evidenced by the
12 resolutions provided tonight and during the 10-day
13 comment period.

14 This design schematic for Interstate 35E
15 which includes managed lanes in the corridor has already
16 been approved by the Federal Highway Administration.
17 Since every major roadway in Denton County at some point
18 feeds to Interstate 35E, the quality of life of our
19 citizenry is directly related to the expansion of I-35
20 and every day, congestion grows more and more
21 intolerable. Every day motorists waste more of their
22 time sitting in traffic. Any accident on I-35E shuts
23 down a significant portion of the county for hours at a
24 time. Commerce is impacted, people's lives are
25 needlessly disrupted, we have heard from our citizens in

1 the form of phone calls and letters and certainly by
2 their yes votes in two county bond elections to dedicate
3 funds to advance this project.

4 Rightfully so, they expect their elected
5 officials to do something about the congestion on I-35E.
6 Denton County calls on TxDOT and the Federal Highway
7 Administration to quickly process the environmental
8 assessment and commit to clearing this critical project
9 by January 2011. This project has been debated, value
10 engineered, shown to the public and adjusted multiple
11 times to address Federal Highway Administration
12 comments.

13 Now is the time to clear this project and
14 deliver this critical highway to the traveling public.
15 Thank you for your time.

16 MR. SELMAN: Thank you. Next we have
17 Geraldine Kuehne? Okay.

18 John McTernan? Nope?

19 Tile & Marble Clearinghouse Company? Okay.
20 Sira Olinda de Oramas? Okay. Tim House.

21 MR. HOUSE: I would like to first of all
22 echo what's just been said. I'm a part of Denton
23 County's traveling public on I-35 and the congestion is
24 sometimes intolerable. Thank you for considering those
25 issues. I'm here tonight though representing GNL

1 Properties. We own about a half mile of frontage on
2 I-35 in the City of Carrollton. This property includes
3 several buildings which is leased to several different
4 tenants, and we also have vacant land which will be used
5 for development.

6 Our properties have for years been
7 encumbered by the uncertainty of this project. As you
8 know, it's been rumored for 10 years plus that something
9 was going to happen. This affects our ability to lease
10 to our tenants. We've lost tenants. We've also not
11 been able to proceed with development plans which we
12 would like to move forward with.

13 We are effectively in a state of limbo
14 until we know for certain what's going on with this I-35
15 project. And we are here tonight to strongly encourage
16 TxDOT to move forward as quickly as possible. It'd be
17 appreciated by all -- not just travelers -- but also the
18 landowners. Thank you very much.

19 MR. SELMAN: Thank you.

20 Darrell and Diana Oliver? Okay.

21 Jack Graham? Jack Graham? Okay. Sandy
22 Wesch?

23 MS. WESCH: Good evening. My name is Sandy
24 Wesch. My address is 616 Six Flags Drive, Arlington,
25 Texas. I am here this evening representing the Regional

1 Transportation Council and the North Central Texas
2 Council of Governments, together serving as the
3 Metropolitan Planning Organization for the Dallas-Fort
4 Worth area. Interstate 35E is a vital transportation
5 corridor that sustains the local, regional, state and
6 national economy.

7 In the North Texas region this corridor
8 also serves the primary route for local commuters. The
9 improvements to 35E presented this evening are vital to
10 the management of congestion in this corridor and the
11 continued enhancements to the quality of life enjoyed by
12 area residents. Commuters and other travelers on 35E
13 regularly experience mere congestion between President
14 George Bush Turnpike and FM 2181 in Dallas and Denton
15 Counties.

16 As communities along this corridor and the
17 North Texas region as a whole continue to grow, traffic
18 flow is expected to further deteriorate on 35E. The
19 recommended improvements for this section including the
20 general purpose lanes, tolled managed lanes, and
21 continuous frontage roads are consistent with Mobility
22 2030 which is the region's metropolitan transportation
23 plan. Mobility 2030 identifies the need for active
24 management, a regional transportation corridor through
25 auto occupancy and tolls as critical elements as

1 combatting congestion. The managed lane revenue can
2 also accelerate the delivery of projects such as 35E and
3 offset maintenance and operation costs for the entire
4 corridor.

5 Because of the critical nature of this
6 project, the North Central Texas Council of Governments
7 is willing to provide any assistance in the planning,
8 design and implementation of the proposed improvements
9 on 35E. Thank you.

10 MR. SELMAN: Thank you. Holly Moore?
11 Okay. Kent Bass?

12 MR. BASS: My name's Kent Bass. I live at
13 1003 League Road in Lewisville, Texas. I also own
14 property at 24 Shore Haven Drive in Hickory Creek, that
15 is which I am here for and what I'm addressing. My
16 comments are really directed to that stretch of the
17 highway between Swisher and the south side of -- or the
18 south end of Lake Lewisville bridge.

19 My concern with this project, really, all
20 along has been the noise pollution that will be
21 generated by the project. I am gratified to see that
22 TxDOT has addressed during the last four years some of
23 those concerns by adding noise screening walls through
24 Hickory Creek and to some portion of the Lake Lewisville
25 bridge.

1 However, I think that the noise pollution
2 that is created by the Lake Lewisville bridge has always
3 been underestimated. The bridge creates a tremendous
4 amount of noise because there's nothing to abate the
5 noise as it goes across the water. So I would like
6 TxDOT, as they go forward in this, to think about the
7 noise pollution of that bridge for property owners.
8 Property values in Hickory Creek and the quality of life
9 of the citizens of Hickory Creek.

10 I have two suggestions; one is to extend
11 the screening wall -- noise screening walls further out
12 on Lake Lewisville bridge from where they are currently
13 shown to help alleviate some of that noise. Secondly, I
14 think it would be good to have some type of surface
15 other than concrete surface on that bridge. There is a
16 product I know that's called Asphalt Rubber Permeable
17 Friction Course, which is a noise-abating asphalt
18 surface. I would like to see that across -- all the way
19 across the bridge, and quite frankly, all the way
20 through Hickory Creek and Lake Dallas. Thank you for
21 your time.

22 MR. SELMAN: Thank you. All right. Kevin
23 Toth? Okay. And Bonnie Brown? Okay.

24 Is there anyone else who would like to come
25 forward and make a statement? Okay. Ladies and

1 gentlemen, we sincerely appreciate your attendance and
2 interest concerning the proposed design of IH 35E. All
3 of your questions, comments and concerns will receive
4 careful consideration subsequent to tonight's public
5 hearing. Thank you very much. This hearing is now
6 adjourned.

7 (Public Hearing concluded at 8:34 p.m.)

8
9 ***Reporter's Note: The address for Mr. Tim House is 240
10 McMakin Road, Double Oak, Texas 75077.

1 STATE OF TEXAS)

2 COUNTY OF DENTON)

3

4 I, Carmel Martinez, Certified Shorthand Reporter in
5 and for the State of Texas, do hereby certify that the
6 facts as stated in the caption hereto are true and that
7 the foregoing 46 pages are a full, true, and correct and
8 complete transcript of the public hearing had on the
9 date and at the place set forth.

10

11 GIVEN UNDER MY HAND AND SEAL of office on this
12 the 24th day of November, 2010.

13

14

15

16

Carmel Martinez

Carmel Martinez

17

CSR No. 8128 Expiration: 12/31/12

18

Steven H. Gentry & Associates, Inc.

19

Firm Registration No. 195

20

2379 Gus Thomasson Road, Suite 100

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Mesquite, Texas 75150

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