

## **IH 635**

**FROM: East of Luna Road  
TO: Greenville Avenue**

## **IH 35E**

**FROM: South of Loop 12/IH 35E Split  
TO: Valwood Parkway**

**Dallas County**

**CSJs:**

**IH 635: 2374-07-046, 2374-01-032, -068, -069**

**IH 35E: 0196-03-137**

# **PUBLIC HEARING DOCUMENTATION**

**U.S. Department of Transportation  
Federal Highway Administration  
and  
Texas Department of Transportation**

**- June 2009 -**

## Public Hearing Summary and Analysis

**District / County:** Dallas District / Dallas County

**Highway / Limits:** Interstate Highway (IH) 635 – from east of Luna Road  
to Greenville Avenue  
IH 35E – from Loop 12/IH 35E split to south of Valwood Parkway

**CSJs:** IH 635 - 2374-07-046, 2374-01-032, -068, -069  
IH 35E - 0196-03-137

**Proposed Project:** Pursuant to the authority granted under Texas Transportation Code, Chapter 223, the Texas Department of Transportation (TxDOT) has solicited proposals and recommended selection of a proposer for award of a comprehensive development agreement (CDA) for the design, development, construction, financing, maintenance, and operation of the I-635 managed lanes project along I-635 from east of Luna Road to Greenville Avenue and on I-35E from south of the Loop 12/I-35E split to south of Valwood Parkway, including the reconstruction of existing facilities, construction of frontage roads and the addition of managed lanes. Pursuant to the CDA, only the new managed lanes will be tolled. On February 26, 2009, in Minute Order 111703, the Texas Transportation Commission determined that the proposal submitted by LBJ Infrastructure Group (formerly LBJ Development Partners) provides the apparent best value to TxDOT and authorized TxDOT to commence and complete negotiations necessary to finalize the CDA.

The CDA will be for a term of 52 years, including the construction and operations periods, and will provide the developer with a lease of the facilities. TxDOT owns and will continue to own the Project.

**Comprehensive Development Agreement (CDA) Conditional Award:** The Texas Transportation Commission conditionally awarded the CDA to LBJ Infrastructure Group (previously LBJ Development Partners) on February 26, 2009.

**Notices and Articles:** Notices were published in the following major newspapers:

The *Dallas Morning News* on April 28, 2009 and May 5, 2009.

*Al Dia* on May 2, 2009 and May 9, 2009.

The *Fort Worth Star Telegram* on April 28, 2009 and May 5, 2009.

**Public Hearing Date and Place:** An Open House and Public Hearing were held on Thursday, May 7, 2009, at the WT White High School Cafeteria, located at 4505 Ridgeside Drive, Dallas, Texas 75244. The Open House was held from 5:00 p.m. to 7:00 p.m. and the Public Hearing began at 7:00 p.m.

**Attendance:** The registration attendance totaled 167. Eighteen LBJ project staff members from TxDOT and their consultants also attended. Twelve individuals made verbal comments during the Public Hearing.

**Conducted By:** The presiding official for the Public Hearing was Mr. Bob Brown, P.E., Deputy District Engineer for the TxDOT Dallas District Office. Mr. Brown convened the hearing and introduced key TxDOT staff and the elected/local officials in attendance. Officials in attendance included Richard Grady, a City of Plano Commissioner and Claude Spivey representing State Senator Yvonne Davis.

**Exhibits:** Plans illustrating the proposed improvements were displayed for public view and comments. These included schematic plan and profile drawings, typical sections, and artistic renderings of the project. Copies of the Comprehensive Development Agreement were also available for review and comment.

**Comments from Elected / Local Officials:**

No comments from elected/local officials were received.

**Comments from Public:**

Forty-five citizens made fifty-three comments.

**Verbal:** Seven comments were made to a court reporter during the open house portion of the Public Hearing. Nine comments were made during the public comment time of the hearing.

**Written:** Thirty-seven written comments were submitted. Fourteen were submitted during the Public Hearing, two were submitted via email after the hearing and twenty-one were submitted via postal mail after the hearing.

Eight citizens commented twice. Three citizens made verbal comments to a court reporter and during the public comment time of the hearing. Three citizens submitted verbal and written comments. One citizen submitted two separate written comments. One citizen submitted two copies of the same comment.

**Summary of How Comments/Issues Were Addressed:**

Of the fifty-three comments provided by interested parties, twenty-one raised concern about the impact of the project on a neighborhood creek, seven requested information on noise walls, and five felt that public transportation was not accounted for in the project. Four comments were in complete support of the project.

*TxDOT Response to most recurrent Public Hearing Comments*

1) Neighborhood creek - In the months before construction begins, TxDOT will investigate all sources of flow during wet and dry periods. Once sources of flow are determined, TxDOT will evaluate reasonable and feasible mitigation measures with the City of Dallas and affected property owners.

2) Noise walls – each request regarding a noise wall was addressed independently. Five requests about a noise wall in a specific location were answered affirmatively: the noise analysis conducted indicates that a noise wall is proposed near each home. One request for a noise wall between the frontage road and main lanes was denied. The noise analysis indicated a reduction in the decibel level was not achieved with a wall at that location. The final noise request concerning who votes on proposed noise walls was responded to by indicating that adjacent property owners vote on proposed walls.

3) Public transportation - The addition of managed lanes in the IH 635 corridor forms a part of the overall air quality mitigation program developed by the North Central Texas Council of Governments. The Dallas Area Rapid Transit has a master plan that covers projects to be undertaken by the transit agency through 2030 in the 13-city DART Service Area; however, it currently does not have plans to build a light rail system in the IH 635 corridor. Light rail has been evaluated for the IH 635 corridor and will continue to be evaluated in the future. Therefore, in order to preserve an envelope for a future rail line, TxDOT and DART have worked together to identify the likely location for a future light rail system and space within the corridor has been allocated for a future light rail system. Please see DART's website provided below for more public transportation information.

<http://www.dart.org/images/newsroom/jpgs/DART2030Map26oct06.jpg>

TxDOT thoroughly analyzed and responded to all comments. See attached Verbal and Written Comment Report.

**IH 635**

From: East of Luna Road  
To: Greenville Avenue

**IH 35E**

From: South of Loop 12/IH 35E split  
To: South of Valwood Parkway

**I. Verbal Comment and Response Report**

## **ANALYSIS OF VERBAL COMMENTS**

### **COMMENT #1 – Mr. Hester – Citizen**

Mr. Hester is concerned about the creek that runs from the Preston – LBJ area to White Rock Creek. He requests that a solution to keep the creek be found for the sake of the animals, trees and property values. He also requests that this issue is not overlooked. He has set up a web site, [www.theinternetsite.com/creek](http://www.theinternetsite.com/creek), to help find a solution.

### **RESPONSE TO COMMENT #1**

In the months before construction begins, TxDOT will investigate all sources of flow during wet and dry periods. Once sources of flow are determined, TxDOT will evaluate reasonable and feasible mitigation measures with the City of Dallas and affected property owners.

### **COMMENT #2 – Mr. Jim Soich – Citizen**

Mr. Soich states that he is not sure that more expensive toll lanes are going to work. He believes that the tolls will not encourage most people to take those lanes. He states that using the “express lane demonstrative project” will change the price of the toll every five minutes and he does not agree with using this method to change traffic patterns. He states that DART was not taken into consideration and that a DART rail line could be placed down the center of the roadway to the airport.

### **RESPONSE TO COMMENT #2**

Public input and regional planning have shown that non-toll lanes and toll lanes are the preferred solution in managing congestion in the IH 635 corridor. Toll rates would vary from 9 cents/mile to 53 cents/mile (2009 dollars). To use the managed lanes from IH 35E to US 75 (8.89 miles) it would cost a motorist anywhere from 80 cents to \$4.70 in 2009 dollars.

Toll rates are allowed to change at five-minute intervals in order to regulate the number of vehicles in the managed lanes and maintain an average speed of 50 miles per hour. Changes in toll rates will be provided to users through message signs with enough advanced notice to decide whether to enter, exit or stay in the managed lanes. The managed lanes will have three segments: 1) IH 35E from the IH 35E/Loop 12 split to the IH 635/IH 35E interchange, 2) IH 635 from east of Luna Road to the Dallas North Tollway and 3) IH 635 from the Dallas North Tollway to Greenville Avenue. Motorists will have the opportunity to enter/exit the managed lanes at each segment break. A motorist could be charged a different rate for each segment but will only be charged one rate per segment. Charges for using the managed lanes will be billed to the motorist in the same manner currently used by the North Texas Tollway Authority.

The addition of managed lanes in the IH 635 corridor forms a part of the overall air quality mitigation program developed by the North Central Texas Council of Governments. The Dallas Area Rapid Transit has a master plan that covers projects to be undertaken by the transit agency through 2030 in the 13-city DART Service Area; however, it currently does not have plans to build a light rail system in the IH 635 corridor. Light rail has been evaluated for the IH 635 corridor and will continue to be evaluated in the future. Therefore, in order to preserve an envelope for a future rail line, TxDOT and DART have worked together to identify the likely location for a future light rail system and space within the corridor has been allocated for a future light rail system. Please see DART’s website provided below for more public transportation information.

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**COMMENT #3 – Mr. Tom Boughton – Citizen**

Mr. Boughton asks if there is a foreign company involved in this project who will receive the money from the tolls. He also states that he owns a business on 3001 LBJ Freeway. He has been talking with TxDOT for about two years and he still does not know if his business will be affected. Therefore, he requests to know for certain whether or not he will have to move his business. He also wanted to state that changing the toll price every five minutes is not favorable.

**RESPONSE TO COMMENT #3**

LBJ Infrastructure Group was awarded the Comprehensive Development Agreement. The LBJ Infrastructure group is comprised of both American and foreign owned companies. Toll revenue from the project will be used to cover the cost of maintenance (e.g., pothole repair, debris removal) and operations (e.g., signage, toll collection, toll enforcement) of the managed lanes, general purpose lanes and frontage roads, and used by the Developer to repay its debt and equity investment.

The information regarding impacts to the property at 3001 LBJ is currently being determined. All businesses impacted by TxDOT right of way acquisition will be notified when information is available.

The right-of-way acquisition process follows the Uniform Relocation Assistance and Real Properties Acquisition Policies Act of 1970, as amended. The process provides for fair and equitable treatment of those properties that would be acquired. The process includes initial property appraisal, determination of just compensation, negotiations, payments, and rights under eminent domain.

Toll rates are allowed to change at five-minute intervals in order to regulate the number of vehicles in the managed lanes and maintain an average speed of 50 miles per hour. Changes in toll prices will be provided to users through message signs with enough advanced notice to decide whether to enter, exit or stay in the managed lanes. The managed lanes will have three segments: 1) IH 35E from the IH 35E/Loop 12 split to the IH 635/IH 35E interchange, 2) IH 635 from east of Luna Road to the Dallas North Tollway and 3) IH 635 from the Dallas North Tollway to Greenville Avenue. Motorists will have the opportunity to enter/exit the managed lanes at each segment break. A motorist could be charged a different rate for each segment but will only be charged one rate per segment. Charges for using the managed lanes will be billed to the motorist in the same manner currently used by the North Texas Tollway Authority.

**COMMENT #4 – Mr. Dave Davis – Citizen**

Mr. Davis stated his appreciation for Kathy Ingle, Bob Brown, Matt MacGregor and John Hudspeth who have been working on the project for many years. He also stated that this project has and will earn more money for local people. He also wanted to recognize how the Dallas Police and Firefighters have been investing locally to solve local problems.

**RESPONSE TO COMMENT #4**

Thank you for your comment.

**COMMENT #5 – Mr. Kenneth Harvey – Citizen**

Mr. Harvey states that the project is an example of poor engineering and that congestion problems will not be solved by the proposed design. A main problem with LBJ is that there are exit ramps on the left-most fast lane and entrance ramps on the left-most fast lane, slowing

down traffic. If they were all in the right, slow lane there would not be many back-ups in the fast lane. He also suggested some practices used on the European Autobahn. He gave a few examples like restricting 18-wheelers to the right lane since it disrupts traffic when they change lanes. He also recommended that there be cameras to manage lanes to catch speeders and hopefully control tailgating. This tailgating is the main cause of the rear-end collisions that congest traffic.

#### **RESPONSE TO COMMENT #5**

The majority of the proposed new construction will have entrances and exits on the right hand side of the freeway. The exceptions are the portions of the project that are not reconstructed and the managed lanes entrances/exits at each end of the project that transition to existing lanes. These remaining left hand access points will be reconfigured when the corridor is fully reconstructed.

A pilot study that restricts truck traffic from the left lane is currently taking place on IH 20 between Dallas and Fort Worth. Results and effectiveness will be studied by the North Central Texas Council of Governments. Truck restrictions may be implemented on other DFW freeways based on the IH 20 pilot study.

Enforcement of traffic regulations such as speeding and tailgating is provided by law enforcement agencies with jurisdiction in the area.

#### **COMMENT #6 – Mr. Roger Gaind – Citizen**

Mr. Gaind lives on the north side of LBJ between Preston and Hillcrest. He states that there are about 4 homes in the project area that do not have a noise wall proposed for their property. He understands there are too many driveways to build a noise wall, but he requests that there be a noise wall between the highway and the service road.

He is also upset that the only change is to add toll lanes, not change the general purpose lanes.

#### **RESPONSE TO COMMENT #6**

A noise wall between the frontage road and the main lanes was studied during the National Environmental Protection Act (NEPA) process. The results indicated that placing a noise wall at that location would not reduce noise levels by the 5 dBA needed to justify placement.

The project is more than the addition of managed lanes. It will improve the entire facility – general purpose lanes, entrance/exit ramps, cross-streets, and frontage road lanes.

#### **COMMENT #7 – Mr. Al Stiles – Citizen**

Mr. Stiles requests to know why there is no service road entrance between Webb Chapel Road and Josey Lane. He also states that he has asked this question for several years now and has never received a satisfactory answer. The movie theater and the hospital cannot be accessed from the frontage road. There are no service entrances on the service road from the services.

#### **RESPONSE TO COMMENT #7**

The original IH 635 corridor design did not include frontage roads in the area between Webb Chapel Road and Josey Lane. The property owners may request service road access from TxDOT if the access meets certain guidelines.

**COMMENT #8 – Mr. Gordon Peterson – Citizen**

Mr. Peterson is concerned about the 2061 toll price presented in 2009 dollars (\$2.36 a mile for 13 miles). He figures it will be 25 to 30 [dollars] to pass between US 75 and IH 35E. He is also concerned about who will be receiving the money from the collected tolls. He recommends increasing the gas tax by 10 cents a gallon, that way this money will go directly towards paying for public infrastructure not corporations. He is also concerned that the toll lanes will stay even after the project is paid for, like the Dallas North Tollway.

**RESPONSE TO COMMENT #8**

Public input and regional planning have shown that non-toll lanes and toll lanes are the preferred solution in managing congestion in the IH 635 corridor. Toll rates would vary from 9 cents/mile to 53 cents/mile (2009 dollars). To use the managed lanes from IH 35E to US 75 (8.89 miles) it would cost a motorist anywhere from 80 cents to \$4.70 in 2009 dollars.

The addition of managed lanes in the IH 635 corridor forms a part of the overall air quality mitigation program developed by the North Central Texas Council of Governments. The Dallas Area Rapid Transit has a master plan that covers projects to be undertaken by the transit agency through 2030 in the 13-city DART Service Area; however, it currently does not have plans to build a light rail system in the IH 635 corridor. Light rail has been evaluated for the IH 635 corridor and will continue to be evaluated in the future. To preserve an envelope for a future rail line, TxDOT and DART have worked together to identify the likely location for a future light rail system and space within the corridor has been allocated for a future light rail system. Please see DART's website provided below for more public transportation information.

<http://www.dart.org/images/newsroom/jpgs/DART2030Map26oct06.jpg>

The gas tax has not changed since 1991 and the authority to increase the gas tax resides with the State Legislature.

Toll revenue from the project will be used to cover the cost of maintenance (e.g., pothole repair, debris removal) and operations (e.g., signage, toll collection, toll enforcement) of the managed lanes, general purpose lanes and frontage roads, and used by the Developer to repay its debt and equity investment.

After the term of the agreement, toll rates will be used to manage traffic and maintain a 50-mph average speed in accordance with the North Central Texas Council of Government's regional managed lanes policy. Toll revenue will be used to cover the cost of operations and maintenance of the managed lanes, general purpose lanes and frontage roads. Toll revenues that exceed the costs above will be used by TxDOT on other transportation projects in the region.

**COMMENT #9 – Ms. Kathy Ingle – Citizen**

Ms. Ingle states that she has been working as a volunteer with transportation issues in the Dallas area since 1990. She stated that the public limited TxDOT to a "no higher, no wider" solution for the IH 635 congestion. She believes the managed lanes proposed are not the be-all, end-all solution but that it will help congestion in a corridor where this is no more room. She stated that she liked the idea about limiting access to 18-wheelers presented by another attendee. She states that although funding construction through the gas tax would be favorable, it is not sufficient because it has not been raised since 1991. She encouraged everyone

present to lobby their legislators to give more funds to transportation. She also stated that the questions presented publicly could be answered by the TxDOT representatives in the room and suggested those with questions seek out TxDOT representatives for an official response.

#### **RESPONSE TO COMMENT #9**

Thank you for your comment.

#### **COMMENT #10 – Ms. Margaret Johnson – Citizen**

Ms. Johnson lives at 12179 High Meadow. She requests to know where the noise wall is going to be constructed and how high. She also requests to know what is going to happen to the creek and if she is going to have to move.

#### **RESPONSE TO COMMENT #10**

The noise wall to be constructed adjacent to Ms. Johnson's property will be 8 feet to 12 feet high and will be placed at the edge of TxDOT right-of-way.

The drainage ditch near Ms. Johnson's house will be replaced by other drainage structures such as box culverts.

Ms. Johnson's house will not be acquired for project right-of-way.

#### **COMMENT #11 – Mr. Gordon Peterson – Citizen**

Mr. Peterson states that he lives at 3124 Pine Oak Court in Farmers Branch. He requests to know to whom the money collected from tolls will go to after the project is paid off – will it be returned to the State of Texas? He also requests to know why the Dallas North Tollway is still a tollway and not a freeway like IH-30. And he does not understand why this project will not return to a freeway after it is paid off. It appears to him that there is not an upper limit on what can be charged.

Mr. Peterson also suggests raising money for infrastructure through a rise in gas prices. He suggests doing this to control demand instead of letting oil companies gain all the profits.

#### **RESPONSE TO COMMENT #11**

After the term of the agreement, toll rates will be used to manage traffic and maintain a 50-mph average speed in accordance with the North Central Texas Council of Government's (NCTCOG) regional managed lanes policy. Toll revenue will be used to cover the cost of operations and maintenance of the managed lanes, general purpose lanes and frontage roads. Toll revenues that exceed the costs above will be used by TxDOT on other transportation projects in the region.

A toll rate cap has been established. However, during times of heavy congestion that decrease speeds below 50-mph, the rate cap may be temporarily exceeded.

Please see the regional managed lanes policy at NCTCOG's website:

[http://www.nctcog.org/trans/committees/rtc/ManagedLanePolicies\\_091307.pdf](http://www.nctcog.org/trans/committees/rtc/ManagedLanePolicies_091307.pdf)

The Dallas North Tollway is owned and maintained by the North Texas Tollway Authority (NTTA). Questions concerning the Tollway should be provided to NTTA.

The gas tax has not changed since 1991 and the authority to increase the gas tax resides with the State Legislature.

**COMMENT #12 – Mr. William Martin – Citizen**

Mr. Martin states that he lives at 3414 Morningstar Lane in Dallas. He requests to know where the toll money collected will go in 41 years. He also states that the inside break-down lane is too small. No cars can fit in a four-foot wide space and if State law requires a space, it should be big enough for a car. Eight feet would be good. If there is a disabled car a wider space would allow motorist to pass on the left. He believes that that will help with the flow of traffic. He also asks if there was a study done to see how traffic would flow at lower speed limits – he believe drivers can get nervous and slow down too much. A 40 mph speed limit might be better than a 65 mph speed limit.

**RESPONSE TO COMMENT #12**

After the term of the agreement, toll rates will be used to manage traffic and maintain a 50-mph average speed in accordance with the North Central Texas Council of Government’s regional managed lanes policy. Toll revenue will be used to cover the cost of operations and maintenance of the managed lanes, general purpose lanes and frontage roads. Toll revenues that exceed the costs above will be used by TxDOT on other transportation projects in the region.

The inside managed lanes shoulder is 4-feet wide for the majority of the project length. If there is a disabled vehicle on any lane or shoulder, the LBJ Infrastructure Group is required to respond to the site within 15-minutes and return the lanes to normal traffic flow within an additional 15-minute period.

TxDOT is mandated to perform a speed study at the completion of the construction phase. TxDOT must set the speed limit based on the result of the speed study and other engineered traffic analyses.

**COMMENT #13 – Mr. Al Stiles – Citizen**

Mr. Stiles states that he lives at 3674 Morningstar. He requests to know why there are some “missing exits and entrances and service roads” on IH 35E. He understands that there wasn’t money for an elaborate highway in the 1950s but now that new projects have paintings and murals, why has IH 35E been neglected? It is a very important freeway.

**RESPONSE TO COMMENT #13**

The IH 635 Project will provide managed lane connectors from IH 35E and Loop 12 to IH 635. The addition of the managed lanes connectors are intended to reduce congestion on IH 35E from the Loop 12/IH 35E split to Valwood Parkway. The North Central Texas Council of Governments-Regional Transportation Council and TxDOT recognize the importance of IH 35E in the region. The Metropolitan Transportation Plan shows IH 35E is scheduled for improvement by 2030 or when funding is available.

**COMMENT #14 – Mr. Sonny Loper – North Dallas Chamber of Commerce**

Mr. Loper presented his comment as a representative of the North Dallas Chamber of Commerce. The Chamber is supportive of the project as it has been presented. The design

reflects what the community asked for – “no higher, no wider.” The public-private partnership has accelerated the project by many years and will allow local funds to be used on other needed transportation projects in the area.

#### **RESPONSE TO COMMENT #14**

Thank you for your comment.

#### **COMMENT #15 – Mr. Tom Boughton – Citizen**

Mr. Boughton has been requesting information from TxDOT for two years concerning his business. He stated that neither TxDOT nor the building where he is a tenant has been able to tell him if the building will be taken as part of the project. His business is 25 years old and he requests information on whether he will need to move his business.

#### **RESPONSE TO COMMENT #15**

The information regarding impacts to the property at 3001 LBJ is currently being determined. All businesses impacted by TxDOT right of way acquisition will be notified when information is available.

The right-of-way acquisition process follows the Uniform Relocation Assistance and Real Properties Acquisition Policies Act of 1970, as amended. The process provides for fair and equitable treatment of those properties that would be acquired. The process includes initial property appraisal, determination of just compensation, negotiations, payments, and rights under eminent domain.

#### **COMMENT #16 – Mr. Kenneth Harvey – Citizen**

Mr. Harvey states that the project is an example of poor engineering and that congestion problems will not be solved by the proposed design. A main problem with LBJ is that there are exit ramps on the left-most fast lane and entrance ramps on the left-most fast lane, slowing down traffic. If they were all in the right, slow lane there would not be many back-ups in the fast lane. He also suggested some practices used on the European Autobahn. He gave a few examples like restricting 18-wheelers to the right lane since it disrupts traffic when they change lanes. He also recommended that there be cameras to manage lanes to catch speeders and hopefully control tailgating. This tailgating is the main cause of the rear-end collisions that congest traffic.

#### **RESPONSE TO COMMENT #16**

The majority of the proposed new construction will have entrances and exits on the right hand side of the freeway. The exceptions are the portions of the project that are not reconstructed and the managed lanes entrances/exits at each end of the project that transition to existing lanes. These remaining left hand access points will be reconfigured when the corridor is fully reconstructed.

A pilot study that restricts truck traffic from the inside lane is currently taking place on IH 20. Results and effectiveness will be studied by the North Central Texas Council of Governments. Truck restrictions may be implemented on other DFW freeways based on the IH 20 pilot study.

Enforcement of traffic regulations such as speeding and tailgating is provided by law enforcement agencies with jurisdiction in the area.

**IH 635**

From: East of Luna Road  
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**IH 35E**

From: South of Loop 12/IH 35E split  
To: South of Valwood Parkway

**II. Written Comment and Response Report**

## **ANALYSIS OF WRITTEN COMMENTS**

### **COMMENT #1 - Rev. Jonell Lindh – Chapel Hill United Methodist Church**

Rev. Lindh requests that the existing noise wall from Marsh, west to the Joe Ratcliff walkway, not be extended west past the walkway. She states that the extension of the noise wall is not necessary because it would be by an open field a block away from the church. She asks that TxDOT consider not building a noise wall between the walkway and Medical City Parkway.

### **RESPONSE TO COMMENT #1**

The proposed noise wall #2 from Webb Chapel to Marsh Lane was analyzed in the noise wall study. Based on the study, termination of the noise wall at the Joe Ratcliff walkway will mitigate for impacts to adjacent residents. The length of the wall will be approximately 2,900 feet and will extend from the walkway to Marsh Lane.

### **COMMENT #2 - Mr. Gary Farrar – Town North Bank**

Mr. Farrar would like to know what is going to happen to the alley behind Haverty's and REI when the developer builds their office on the northwest corner of Welch and LBJ. He states that the alley is used extensively by customers and employees of Town North Bank, Haverty's and REI.

### **RESPONSE TO COMMENT #2**

The alley is not within TxDOT's existing or proposed right-of-way for the LBJ project. Maintenance of the alley is outside of TxDOT's responsibility and not impacted by this project. The City of Farmers Branch may have additional information regarding property ownership and maintenance.

### **COMMENT #3 - Mr. Marc Schlueter- Citizen**

Mr. Schlueter states that TxDOT's neglect of incorporating public transportation into LBJ's plan is a lack of climate control, and general forethought. He believes that creating a public East-West connection to businesses growing along IH 635 from Luna to the airport would be preferred.

### **RESPONSE TO COMMENT #3**

The addition of managed lanes in the IH 635 corridor forms a part of the overall air quality mitigation program developed by the North Central Texas Council of Governments. The Dallas Area Rapid Transit has a master plan that covers projects to be undertaken by the transit agency through 2030 in the 13-city DART Service Area; however, it currently does not have plans to build a light rail system in the IH 635 corridor. Light rail has been evaluated for the IH 635 corridor and will continue to be evaluated in the future. To preserve an envelope for a future rail line, TxDOT and DART have worked together to identify the likely location for a future light rail system and space within the corridor has been allocated for a future light rail system. Please see DART's website provided below for more public transportation information.

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**COMMENT #4 - Mr. Layton Lang – Citizen**

Mr. Lang is concerned that TxDOT has failed to provide any form of traffic noise mitigation for his area of IH 635. The decibel level is 72 dBA in his neighborhood, well above the FHWA acceptable level of 67 dBA. The noise will only increase with increased traffic, he says.

**RESPONSE TO COMMENT #4**

Based on the noise analysis, the proposed decibel level near Mr. Lang's house is 73 dBA in 2030 without a noise wall. A proposed 9-foot high noise wall between Copenhill Road and Hughes Drive and between Hughes Drive and Ridgeview Circle would reduce 2030 noise levels by more than 5 dBA rendering the wall reasonable and feasible.

**COMMENT #5 -Mr. Sreedhar Pinapati – Valley View Home Owners Association**

Mr. Pinapati states that the proposed construction would not ease traffic because it would take so long just to complete the project. He believes that the focus should be on a metro or light rail because it will reduce traffic, pollution, congestion and cost almost a third of the price of the current project. Going this route will certainly be more environmentally friendly and more efficient. His final statement is that the Valley View Homeowners Association strongly opposes the proposed project.

**RESPONSE TO COMMENT #5**

The design and construction period is anticipated to begin in the 2010/2011 timeframe and will be completed in a maximum of 5-years.

The need and purpose of the proposed project is as follows:

- Provide traffic congestion relief on the I-635 facility and on the surrounding arterial street system.
- Provide increased capacity and improved mobility with a continuous frontage road system by linking existing segments.
- Provide more balanced and better access to the surrounding facilities and thoroughfares by modifying ramps to meet future growth conditions.
- Provide improved cross street/frontage road intersections.
- Provide improved access to HOV and rail mode choices.
- Incorporate value pricing into the corridor to permit improved traffic management.
- Improve the facility design to address current safety concerns (current roadway design standards, lighting standards, signing standards, and roadside standards).
- Accommodate additional I-635 traffic and traffic movements between the major interchanges at I-35 E and the DNT, as well as integrate into the US 75 interchange.
- Replace the existing facility, which is more than 30 years old and has experienced increased frequency of pavement repairs and exceeded its design capacity.

The addition of managed lanes in the IH 635 corridor forms a part of the overall air quality mitigation program developed by the North Central Texas Council of Governments. The Dallas Area Rapid Transit has a master plan that covers projects to be undertaken by the transit agency through 2030 in the 13-city DART Service Area; however, it currently does not have plans to build a light rail system in the IH 635 corridor. Light rail has been evaluated for the IH 635 corridor and will continue to be evaluated in the future. To preserve an envelope for a future rail line, TxDOT and DART have worked together to identify the likely location for a future light rail system and space within the corridor has been allocated for a future light rail system. Please see DART's website provided below for more public transportation information.

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**COMMENT #6 - Mr. Robert B. Powell – Capstar Commercial Real Estate Services**

Mr. Powell requests to be added to the mailing list for information on this project.

**RESPONSE TO COMMENT #6**

Mr. Powell has been added to the mailing list.

**COMMENT #7 –Mr. Tom Boughton – Apollo Dallas**

Mr. Boughton has had a business on IH 635 and Webb Chapel Road for over 25 years. He would like to know if his building (3001 LBJ) will be affected by the project. He would also like to know if there would be any compensation if his business is affected.

**RESPONSE TO COMMENT #7**

The information regarding impacts to the property at 3001 LBJ is currently being determined. All tenant businesses impacted by TxDOT right-of-way acquisition will be notified when information is available.

The right-of-way acquisition process follows the Uniform Relocation Assistance and Real Properties Acquisition Policies Act of 1970, as amended. The process provides for fair and equitable treatment of those properties that would be acquired. The process includes initial property appraisal, determination of just compensation, negotiations, payments, and rights under eminent domain.

**COMMENT #8 –Mr. David Forsythe – Rosser Park Homeowners Association**

Mr. Forsythe states that the screen wall on the south side of LBJ, east of Rosser Road, belongs to the Homeowners Association. He is assuming that the new noise wall will be placed where the screen wall is now. He is asking, who gets to vote on the new wall at the future meetings, the Homeowners Association or individual homeowners?

**RESPONSE TO COMMENT #8**

The proposed noise wall will be built on TxDOT right-of-way. The existing structure is off TxDOT right-of-way and will remain in place.

Only property owners adjacent to the proposed wall will be able to vote on noise walls at future noise workshops held in the early stages of the project.

**COMMENT #9 –Mr. Al Daniels – Glen Cove/Meadow Park Homeowners Association**

Mr. Daniels had three requests/recommendations:

1) A detailed layout of Midway Road and Marsh Lane intersections showing right turn lanes and left turn lanes and the lengths of both.

2) A detailed layout of the Rosser Road bridge including sidewalks on both Dallas and Farmers Branch sides. He also states that currently there is no sidewalk on west side on north end of TxDOT property and no sidewalk continuing on Farmers Branch property to the first street (Ridge Oak) north of LBJ.

3) A detailed layout of expansion lanes from eastbound LBJ to northbound and southbound US 75. He recommends adding an additional south bound US 75 merge lane would help. A separate two lane exit ramp to south bound US 75 is needed.

**RESPONSE TO COMMENT #9**

1) and 2) – You may view as-built plans available at TxDOT, 4777 E. Highway 80, Mesquite, Texas 75150 by contacting the District Librarian at 214-320-6100. Copies of the plans may be obtained for a fee to offset reproduction costs.

3) The IH 635/US 75 interchange “the High Five” has already been expanded and is not part of the current proposed project.

**COMMENT #10 – Mr. Merle Martin – Citizen**

Mr. Martin requests to be added to the mailing list for information on this project.

**RESPONSE TO COMMENT #10**

Ms. Martin has been added to the mailing list.

**COMMENT #11 –Mr. Howard Freed – Freed’s Furniture Showcase, Inc.**

Mr. Freed believes that this project will not help. He states that the toll lanes are too expensive for most citizens to take everyday. He suggests that there be seven toll lanes in each direction and the toll reduced to \$1.50 or \$2.00 for the entire corridor. It would make the toll way more affordable to more people. He states that 167,000 cars at \$1.50 = \$91 million/year = \$3.6 billion in 40 years with no increase in traffic would be more favorable.

**RESPONSE TO COMMENT #11**

The purpose of the managed lanes is to provide a reliable and predicable option for travel within the corridor that motorists can choose to use.

Public input and regional planning have shown that non-toll lanes and toll lanes are the preferred solution in managing congestion in the IH 635 corridor. Toll lane rates would vary from 9 cents/mile to 53 cents/mile (2009 dollars). To use the managed lanes from IH 35E to US 75 (8.89 miles) it would cost a motorist between 80 cents and \$4.70 in 2009 dollars.

**COMMENT #12 –Mr. Bruce McDonald – Citizen**

Mr. McDonald owns property on Copenhill Road that has a creek. He is concerned that the construction would divert his creek (both runoff and spring fed). He is concerned that any diversions would affect the plants, animals and property value. The creek begins on the south side of IH 635, goes under IH 635 and runs along Copenhill Road, through the golf course and ends at White Rock Creek. He thanked TxDOT for looking into this issue.

**RESPONSE TO COMMENT #12**

In the months before construction begins, TxDOT will investigate all sources of flow during wet and dry periods. Once sources of flow are determined, TxDOT will evaluate reasonable and feasible mitigation measures with the City of Dallas and affected property owners.

**COMMENT #13 –Mr. Mark G. Goode, III – Chairman of the Transportation Task Force**

Mr. Goode states that the Greater Dallas Planning Council (GDPC) recognizes that an air quality and mobility crisis exists within the Dallas-Fort Worth region. It is imperative that funding solutions be substantive and sufficient to address our mobility problems in a meaningful, rational and sustainable way. As of Aug. 2008 the GDPC has a policy to:

1) Consolidate and streamline regional organizations and agencies responsible for planning, delivering and administering transportation infrastructure and services. While maintaining a high degree of regional autonomy, the GDPC supports greater coordination with federal and state transportation agencies to improve mobility and sustainable development.

2) Expanding funding for transportation through a balanced approach of reallocating existing local sales tax authority, indexing fuel taxed and user fees. Revenue programs and policies should be structured to positively affect transportation demand and air quality. Increased revenues resulting from regional programs must be retained for use within the region without sacrificing revenues from state or federal resources. Strategies and programs for increasing regional revenue should be developed by the region, but adopted and imposed by state action.

He also states that the public/private partnership proposed for this project is a very positive way to fund transportation projects for our region. The arrangement with the Cintra team speeds development of the project. Rebuilding existing free lanes and the addition of frontage roads is a significant plus for taxpayers. He feels the project is responsive to the community's "no higher, no wider" request.

**RESPONSE TO COMMENT #13**

Thank you for your comment.

**COMMENT #14 –Mr. Mike Micheletti - Citizen**

Mr.Micheletti comments that he hopes that the jobs created will go to citizens of this county.

**RESPONSE TO COMMENT #14**

The majority of the jobs needed to design, construct, operate and maintain the project will be created or located in North Texas. The LBJ Infrastructure Group expects 1,500 local jobs to be engaged in the design and construction of the project.

**COMMENT #15 – Ms. Jenny Stone – Citizen**

Ms. Stone is concerned about the excessive speed on the WB frontage road between Hillcrest and Preston Roads. She states that it is often difficult to enter the frontage road from Hughes Lane because of the speed of the other vehicles.

**RESPONSE TO COMMENT #15**

A speed study will be conducted after completion of the project to determine the posted speed for the frontage roads. Enforcement of the speed limit is the responsibility of the law enforcement agency with jurisdiction in the area.

**COMMENT #16 – Mr. Fred Hurst – Citizen**

Mr. Hurst lives in Garland and is a teacher in Carrollton. He carools with other teachers everyday using the LBJ HOV lanes. He states that one-way minimum would be \$1.25 during off

peak hours and a maximum of \$7.00 during peak hours after the project is complete. He states that the cost of using the toll-way after this project is finished will be a heavy financial burden. He feels that this project was intentionally brought to the public too late for anyone to do anything about it.

#### **RESPONSE TO COMMENT #16**

HOV users receive a half price rate during peak periods per the Regional Transportation Council Toll Policy. Public input and regional planning have shown that non-toll lanes and toll lanes are the preferred solution in managing congestion in the IH 635 corridor. Toll rates would vary from 9 cents/mile to 53 cents/mile (2009 dollars). To use the managed lanes from IH 35E to US 75 (8.89 miles) it would cost a motorist between 80 cents and \$4.70 in 2009 dollars.

This project has been presented at numerous public meetings over the past 6 years. The following is a summary of each meeting that was held.

\* June 3, 2003 – TxDOT sponsored a Public Meeting prior to the Finding Of No Significant Impact. Managed lanes were discussed that included value pricing by time of day and occupancy restrictions for those who might be able to travel for free or at a reduced rate.

\* November 10, 2005 - TxDOT sponsored a Community Open House. The purpose of which was to discuss the Comprehensive Development agreement but included a discussion on Managed Lanes (see following slide show). The Region's Managed Lane Policies had not been approved, therefore, many options were presented including "prices vary[ing] by - level of congestion - time of day - occupancy - and vehicle type." These options were addressed in the RTC Managed Lane Policies.

\* April 24, 25, 26, 2006 - The North Central Texas Council of Governments held 3 public meetings across the metroplex (one in Farmers Branch, one in Arlington and one in Ft. Worth) to address and solicit public feedback regarding defined regional Managed Lane Policies, including the tolling of HOV's, and how it would be implemented on the LBJ corridor and others.

\* May 11, 2006 - The Regional Transportation Council, at a regularly scheduled public meeting of regional elected and appointed officials, openly discussed and debated the Regional Managed Lane Policies, including the pricing of HOV 2+ at a half price discount and ultimately voted unanimously to approve the policy.

\* November 16, 2006 - TxDOT sponsored a Public Meeting presenting the change from a tunnel configuration to an open trench design between US 75 and IH 35E. It was noted in the presentation that pricing of the tolled portion of the facility was to be in accordance with the Regional Managed Lane Policies. Several people noted in their comment forms that they were aware of many of the points of the regional managed lanes policy including the provisions for "dynamic pricing" and the requirement for the developer to "maintain 50 mph" highlighting that the public was aware of this new policy.

#### **COMMENT #17 – Mr. Layton Lang – Homeowner**

Mr. Lang believes that the IH 635 Expansion Project will have a definite ecological footprint. He states that redirecting the creek that flows from the south side of LBJ, near Preston Road, to the north will impact the homeowners south of Northwood Country Club. He says that the section of highway that goes by his home is not scheduled for a noise wall and wished to have a wall planned for his area.

### **RESPONSE TO COMMENT #17**

In the months before construction begins, TxDOT will investigate all sources of flow during wet and dry periods. Once sources of flow are determined, TxDOT will evaluate reasonable and feasible mitigation measures with the City of Dallas and affected property owners.

A 9-foot high noise wall is proposed along the IH 635 westbound frontage road between Hughes Drive and Ridgeview Circle.

### **COMMENT #18 – Mr. Mohammad A. Hooshyar – Homeowner**

Mr. Hooshyar states that the purpose of this project is to improve the quality of life for DFW residents, but he believes it will only provide the opposite. He believes that the added noise, vibration and loss/diversion of the neighborhood creek will adversely affect quality of life for the residents. Also, he says that the decrease of property value will reduce homeowner taxes and decrease income to the City of Dallas. He adds that we cannot just continue widening the lanes for the increased traffic, but provide better public transportation. He states that expanding lanes just delays the inevitable. Improving public transportation, he says, will reduce energy dependence on foreign countries, improve air quality and reduce greenhouse gasses.

### **RESPONSE TO COMMENT #18**

The need and purpose of the proposed project is as follows:

- Provide traffic congestion relief on the I-635 facility and on the surrounding arterial street system.
- Provide increased capacity and improved mobility with a continuous frontage road system by linking existing segments.
- Provide more balanced and better access to the surrounding facilities and thoroughfares by modifying ramps to meet future growth conditions.
- Provide improved cross street/frontage road intersections.
- Provide improved access to HOV and rail mode choices.
- Incorporate value pricing into the corridor to permit improved traffic management.
- Improve the facility design to address current safety concerns (current roadway design standards, lighting standards, signing standards, and roadside standards).
- Accommodate additional I-635 traffic and traffic movements between the major interchanges at I-35 E and the DNT, as well as integrate into the US 75 interchange.
- Replace the existing facility, which is more than 30 years old and has experienced increased frequency of pavement repairs and exceeded its design capacity.

A noise analysis was conducted during the environmental assessment and re-evaluation process. Mitigation for noise impacts was proposed based on state and federal guidelines.

In the months before construction begins, TxDOT will investigate all sources of flow during wet and dry periods. Once sources of flow are determined, TxDOT will evaluate reasonable and feasible mitigation measures with the City of Dallas and affected property owners.

The addition of managed lanes in the IH 635 corridor forms a part of the overall air quality mitigation program developed by the North Central Texas Council of Governments. The Dallas Area Rapid Transit has a master plan that covers projects to be undertaken by the transit agency through 2030 in the 13-city DART Service Area; however, it currently does not have plans to build a light rail system in the IH 635 corridor. Light rail has been evaluated for the IH

635 corridor and will continue to be evaluated in the future. To preserve an envelope for a future rail line, TxDOT and DART have worked together to identify the likely location for a future light rail system and space within the corridor has been allocated for a future light rail system. Please see DART's website provided below for more public transportation information.

<http://www.dart.org/images/newsroom/jpgs/DART2030Map26oct06.jpg>

An air quality analysis was also conducted during the environmental assessment and re-evaluation process. It was determined that there would be no significant effect on air quality from the proposed project.

**COMMENT #19 – Mr. Brett Hester - Citizen**

Mr. Hester is concerned about the creek near Preston and LBJ that flows north from the south side of LBJ. This creek is important to the trees, wildlife, and property values, he states. He requests contact information of anyone involved in the approval process. He also requests a timeline of events that would affect the area around the creek.

**RESPONSE TO COMMENT #19**

In the months before construction begins, TxDOT will investigate all sources of flow during wet and dry periods. Once sources of flow are determined, TxDOT will evaluate reasonable and feasible mitigation measures with the City of Dallas and affected property owners.

Mr. Hester may contact the TxDOT LBJ Project Manager at 214-320-6100.

The design and construction period is anticipated to begin in the 2010/2011 timeframe and will be completed in a maximum of 5-years.

**COMMENT #20 – Mr. John Davis and Mrs. Ann Davis – Citizens**

Mr. and Mrs. Davis would like to state that they do not wish the creek behind their home redirected. The creek, they say, is a source of water for the trees that line its bank and the various wildlife. They add that it is one of the few places in Dallas that will support the frogs they enjoy.

**RESPONSE TO COMMENT #20**

In the months before construction begins, TxDOT will investigate all sources of flow during wet and dry periods. Once sources of flow are determined, TxDOT will evaluate reasonable and feasible mitigation measures with the City of Dallas and affected property owners.

**COMMENT #21 – Mr. David Quisenberry – President of Northwood Country Club**

Mr. Quisenberry is concerned about the creek that is fed from water run-off from the south side of IH 635. He states that the loss of this creek will deprive White Rock Creek of one of its sources of water. This creek, he states, is an important part of this habitat. He adds that he would appreciate an opportunity to help plan a way to keep the creek the way it is.

**RESPONSE TO COMMENT #21**

In the months before construction begins, TxDOT will investigate all sources of flow during wet and dry periods. Once sources of flow are determined, TxDOT will evaluate reasonable and feasible mitigation measures with the City of Dallas and affected property owners.

**COMMENT #22 – Mr. Joe Stout and Mrs. Fredda Stout – Citizens**

Mr. and Mrs. Stout are deeply concerned about the creek in their neighborhood. They state that it is home to a great deal of wildlife which is dependent on the water. Trees that are over 100 years old will die and erosion is certain, they say. They also state that The City of Dallas values their creek lots exactly double more than the lots across the street because of their creek. Their property values will be cut in half and the creek will stagnate and become a breeding ground for mosquitoes. They request that the plans change to not divert the creek.

**RESPONSE TO COMMENT #22**

In the months before construction begins, TxDOT will investigate all sources of flow during wet and dry periods. Once sources of flow are determined, TxDOT will evaluate reasonable and feasible mitigation measures with the City of Dallas and affected property owners.

**COMMENT #23 – Ms. Ann Alexander – Citizen**

Mr. Alexander requests that the creek not be affected by the project. Drying up the creek will harm the property values. She also requests that there be a noise wall built.

**RESPONSE TO COMMENT #23**

In the months before construction begins, TxDOT will investigate all sources of flow during wet and dry periods. Once sources of flow are determined, TxDOT will evaluate reasonable and feasible mitigation measures with the City of Dallas and affected property owners.

A 9-foot high noise wall is proposed along the westbound frontage road from Copenhill Road to Hughes Drive.

**COMMENT #24 – Mr. Thomas P. Webster and Mrs. Leola Webster**

Mr. and Mrs. Webster request more information on the impact of the LBJ project on the creek that runs from North Dallas Bank to White Rock Creek. They state that the storm water drainage over the years has developed and maintained a vital ecosystem in their neighborhood. They believe that reducing the flow of the creek by 2/3 will be a very negative impact to the neighborhood. They ask whether a drainage study or an environmental impact study has been conducted for this project.

**RESPONSE TO COMMENT #24**

In the months before construction begins, TxDOT will investigate all sources of flow during wet and dry periods. Once sources of flow are determined, TxDOT will evaluate reasonable and feasible mitigation measures with the City of Dallas and affected property owners.

The drainage study produced for the IH 635 corridor is available online at the IH 635 project page ([http://www.txdot.gov/business/partnerships/i\\_635.htm](http://www.txdot.gov/business/partnerships/i_635.htm)) of the TxDOT website ([www.TxDOT.gov](http://www.TxDOT.gov)). On the project page, scroll down to the Request for Proposals information. The drainage study will be located in the Studies and Reports section.

An environmental assessment of the project was prepared and a Finding of No Significant Impact (FONSI) was determined by FHWA on 4/29/04. A re-evaluation of the project was

conducted in 2008 and FHWA determined that the FONSI determination was still valid after design changes had been made.

**COMMENT #25 – Ms. Kathleen Smith – Citizen**

Ms. Smith requests that TxDOT not redirect the creek, a valuable source of water. She states that the environmental impact would be devastating to the local area wildlife and ecosystem. Losing this creek would affect the aesthetics of the area and decrease property values in an already depressed real estate market.

**RESPONSE TO COMMENT #25**

In the months before construction begins, TxDOT will investigate all sources of flow during wet and dry periods. Once sources of flow are determined, TxDOT will evaluate reasonable and feasible mitigation measures with the City of Dallas and affected property owners.

**COMMENT # 26 – Mr. Jim Soich – Citizen**

Mr. Soich states that he appreciates the effort by all parties involved in recognizing the current and long-term problems facing commuters. He also states that TxDOT has an obligation to tax payers and local businesses, first and foremost. The part of LBJ in this project was designed for much fewer vehicles than it currently serves and it is expected to increase. His neighbors and he find the current effort by TxDOT flawed and lacking an “outside the box” approach. Their concerns are that North Texans are not “moving forward into the 21<sup>st</sup> century”. He disagrees that the Managed Toll Lanes will minimize Air Pollution. The same cars will be on the highway, just in different places, he states. The current plan, he says, does not take into account or promote integration of connecting DART rail. This will positively and definitely reduce auto traffic as well as pollution.

He suggests leaving continuous Frontage Roads at 2- each way, top level – leave 4 Main lanes in place, sub-terrain level – reduce to 2 in each direction and cede 2 lanes down the center for DART, net pick up –going from 5 lanes in each direction to 6 lanes in each direction or a +20% pick up plus 2 lanes for DART.

He states the Cintra will lose money on this project because not as many people will be able to take the toll way as expected. What will they do to recover the money, he asks?

He believes that addressing mass transit would benefit retirement funds for Dallas Police and Fire Department, school teachers, and government workers.

He also is concerned about IH 35E and W, SH 183, IH 30, IH 20, Loop 12, US 67, IH 635 and US 75 as destined to be addressed under the concepts of experimental managed toll roads. He is also concerned that the toll costs will change on a 5-minute interval. The damage that will be done due to construction to the side roads such as Forest, Royal, Alpha, Spring Valley and Belt Line are a concern as well.

He also believes that all exits should be from the right side of the highway, not split in half like at the intersection of IH 635/ LBJ.

He also states that the timing of this project is wrong. The Super Bowl is planned for 2012 and the project is scheduled for 2011. The construction will cause great difficulties.

He requests information about some of the companies involved: Cintra, Meridiam Infrastructure, and Ferrovial Agroman.

He concludes by saying he is against the managed toll lanes with Cintra and the lack of mass transits and a plan to spread out the cost to make it more affordable for everyone.

### **RESPONSE TO COMMENT #26**

The addition of managed lanes in the IH 635 corridor forms a part of the overall air quality mitigation program developed by the North Central Texas Council of Governments. The Dallas Area Rapid Transit has a master plan that covers projects to be undertaken by the transit agency through 2030 in the 13-city DART Service Area; however, it currently does not have plans to build a light rail system in the IH 635 corridor. Light rail has been evaluated for the IH 635 corridor and will continue to be evaluated in the future. To preserve an envelope for a future rail line, TxDOT and DART have worked together to identify the likely location for a future light rail system and space within the corridor has been allocated for a future light rail system. Please see DART's website provided below for more public transportation information.

<http://www.dart.org/images/newsroom/jpgs/DART2030Map26oct06.jpg>

The traffic and revenue risk within the managed lanes is solely the responsibility of the Developer. If use is lower than expected, there is no recourse for the Developer to recoup lost revenue from TxDOT.

The limits of this project are from the Loop 12/IH 35E split to Valwood Parkway on IH 35E and from west of Luna Road to west of Greenville Avenue on IH 635. Operation or configuration changes affecting the other stated corridors will be addressed during public involvement stages of each respective corridor. The Regional Transportation Council has a map of all the roads that are planned for managed lanes. <http://www.nctcog.org/trans/outreach/MandLan0209.pdf>

Toll rates are allowed to change at five-minute intervals in order to regulate the number of vehicles in the managed lanes and maintain an average speed of 50 miles per hour. Changes in toll rates will be provided to users through message signs with enough advanced notice to decide whether to enter, exit or stay in the managed lanes. The managed lanes will have three segments: 1) IH 35E from the IH 35E/Loop 12 split to the IH 635/IH 35E interchange, 2) IH 635 from east of Luna Road to the Dallas North Tollway and 3) IH 635 from the Dallas North Tollway to Greenville Avenue. Motorists will have the opportunity to enter/exit the managed lanes at each segment break. A motorist could be charged a different rate for each segment but will only be charged one rate per segment. Charges for using the managed lanes will be billed to the motorist in the same manner currently used by the North Texas Tollway Authority.

A minimum of 4 main lanes must be maintained during the peak travel periods throughout the construction period in order to minimize impacts to surrounding roadway networks in general and during special events.

Information on the companies involved can be found at the following websites:

[www.ferrovial.com/en/](http://www.ferrovial.com/en/)

<http://www.cintra.es/>

[www.meridiam.com/](http://www.meridiam.com/)

**COMMENT #27 – Mr. Patrick DeComsey and Mr. Rene Franco – Citizens**

Mr. DeComsey and Mr. Franco are concerned about plans to redirect the creek behind their home. They state that it will 1) significantly decrease the property value; and 2) adversely impact the plant life and wildlife in the creek's zone. They ask the decision makers at TxDOT to reconsider this plan.

**RESPONSE TO COMMENT #27**

In the months before construction begins, TxDOT will investigate all sources of flow during wet and dry periods. Once sources of flow are determined, TxDOT will evaluate reasonable and feasible mitigation measures with the City of Dallas and affected property owners.

**COMMENT #28 – T.J. & Katherine Jabbar – Citizens**

Mr. and Mrs. Jabbar are concerned about the possible loss of the creek. They state that the creek adds to their property value and allows wildlife to flourish. They request to know the plans to help keep the creek.

**RESPONSE TO COMMENT #28**

In the months before construction begins, TxDOT will investigate all sources of flow during wet and dry periods. Once sources of flow are determined, TxDOT will evaluate reasonable and feasible mitigation measures with the City of Dallas and affected property owners.

**COMMENT #29 – Ms. Carole Hester – Citizen**

Ms. Hester states that the project is detrimental to the environment, the trees, wildlife, and property values along the creek. She requests that the creek continue as is and its water source not be decreased.

**RESPONSE TO COMMENT #29**

In the months before construction begins, TxDOT will investigate all sources of flow during wet and dry periods. Once sources of flow are determined, TxDOT will evaluate reasonable and feasible mitigation measures with the City of Dallas and affected property owners.

**COMMENT #30 – Ms. Lori Cohen – Citizen**

Ms. Cohen states that when this project began planning, they were told that there would be noise mitigation like noise walls. She says that is the only thing that kept them from moving. She feels the project is a violation of trust because blocking the creek was never mentioned. She provided a photo of a real estate sign that has "CREEK" on it to emphasize how this is an important selling point. She is also concerned about her safety if traffic overflows into her neighborhood streets.

**RESPONSE TO COMMENT #30**

Noise wall limits and heights were studied during the National Environmental Protection Act (NEPA) process. Noise walls are provided in the areas that meet specified criteria and will be placed along the edge of the TxDOT right of way.

In the months before construction begins, TxDOT will investigate all sources of flow during wet and dry periods. Once sources of flow are determined, TxDOT will evaluate reasonable and feasible mitigation measures with the City of Dallas and affected property owners.

A minimum of 4 main lanes must be maintained during the peak travel periods throughout the construction period in order to minimize impacts to surrounding roadway networks. TxDOT does not expect traffic to be rerouted to neighboring streets because the majority of lanes will continue to be open on IH 635 during construction. The City of Dallas may provide information on additional traffic mitigation measures.

**COMMENT #31 – Wing Hoi & Shirley Tam – Citizens**

Mr. and Mrs. Tam are concerned about the water source of the creek and the dust from construction.

**RESPONSE TO COMMENT #31**

In the months before construction begins, TxDOT will investigate all sources of flow during wet and dry periods. Once sources of flow are determined, TxDOT will evaluate reasonable and feasible mitigation measures with the City of Dallas and affected property owners.

The LBJ Infrastructure Group is required to institute dust control measures to minimize air quality impacts. The dust control measures must be adjusted as necessary based on construction traffic, forecasted wind speeds, and persistent dry weather.

**COMMENT #32 – Mr./Ms. Shore – Citizen**

Mr./Ms. Shore states that the “Need and Purpose” of the LBJ project per the website is intended to improve the quality of life. He/She states they believe that it will decrease the quality of life for residents in the area, and trees and animals that depend on the creek will be adversely affected. It will also result in declining property values and lost taxes for the City of Dallas. They request convenient public transportation instead of this project.

**RESPONSE TO COMMENT #32**

The need and purpose of the proposed project is as follows:

- Provide traffic congestion relief on the I-635 facility and on the surrounding arterial street system.
- Provide increased capacity and improved mobility with a continuous frontage road system by linking existing segments.
- Provide more balanced and better access to the surrounding facilities and thoroughfares by modifying ramps to meet future growth conditions.
- Provide improved cross street/frontage road intersections.
- Provide improved access to HOV and rail mode choices.
- Incorporate value pricing into the corridor to permit improved traffic management.
- Improve the facility design to address current safety concerns (current roadway design standards, lighting standards, signing standards, and roadside standards).
- Accommodate additional I-635 traffic and traffic movements between the major interchanges at I-35 E and the DNT, as well as integrate into the US 75 interchange.
- Replace the existing facility, which is more than 30 years old and has experienced increased frequency of pavement repairs and exceeded its design capacity.

In the months before construction begins, TxDOT will investigate all sources of flow during wet and dry periods. Once sources of flow are determined, TxDOT will evaluate reasonable and feasible mitigation measures with the City of Dallas and affected property owners.

The addition of managed lanes in the IH 635 corridor forms a part of the overall air quality mitigation program developed by the North Central Texas Council of Governments. The Dallas Area Rapid Transit has a master plan that covers projects to be undertaken by the transit agency through 2030 in the 13-city DART Service Area; however, it currently does not have plans to build a light rail system in the IH 635 corridor. Light rail has been evaluated for the IH 635 corridor and will continue to be evaluated in the future. To preserve an envelope for a future rail line, TxDOT and DART have worked together to identify the likely location for a future light rail system and space within the corridor has been allocated for a future light rail system. Please see DART's website provided below for more public transportation information.

<http://www.dart.org/images/newsroom/jpgs/DART2030Map26oct06.jpg>

**COMMENT #33 – Mr. Dennis Raymond, M.D. – Citizen**

Mr. Raymond is concerned about the current LBJ plan interfering with the neighborhood creek. The creek supports many plants, trees and animals, he says. The loss of this creek would affect them as well as his property values. He requests that plans to reduce the water of the creek be reworked to save the creek and his neighborhood.

**RESPONSE TO COMMENT #33**

In the months before construction begins, TxDOT will investigate all sources of flow during wet and dry periods. Once sources of flow are determined, TxDOT will evaluate reasonable and feasible mitigation measures with the City of Dallas and affected property owners.

**COMMENTS #34 and #35 – Mr. G. D. Reynolds “Dale” – Citizen**

Mr. Reynolds states that the I-635 Managed Lanes project will cut off and redirect the major water source, the spring water, which supplies the creek year round. He states that if this creek area is made to depend upon rainfall alone, the creek will probably be dry most of the year. Several small ponds and dams have been built through the years making it a beautiful wooded area with wildlife, which enhance the value of the neighborhood. He states without the creek the various wildlife and the wonderful trees would be lost. He requests that the neighborhood creek be saved.

**RESPONSE TO COMMENTS #34 and #35**

In the months before construction begins, TxDOT will investigate all sources of flow during wet and dry periods. Once sources of flow are determined, TxDOT will evaluate reasonable and feasible mitigation measures with the City of Dallas and affected property owners.

**COMMENT #36 – Ms. Mary Lou Avera – Citizen**

Ms. Avera requests that the level of the creek on the LBJ project not be affected. She lives on the creek and is concerned that it will lower her property value if the creek level is impacted.

**RESPONSE TO COMMENT #36**

In the months before construction begins, TxDOT will investigate all sources of flow during wet and dry periods. Once sources of flow are determined, TxDOT will evaluate reasonable and feasible mitigation measures with the City of Dallas and affected property owners.

**COMMENT #37 – Ms. Rena Winfield – Citizen**

Ms. Winfield states that the creek has been enjoyment for many families who live on it. She bought her home because it was an added plus for the value of her home and she knows many who live on the creek feel this way. She is concerned that if the creek was to be diverted it would ruin her property value, what she had treasured for her living quality, and what nature created.

**RESPONSE TO COMMENT #37**

In the months before construction begins, TxDOT will investigate all sources of flow during wet and dry periods. Once sources of flow are determined, TxDOT will evaluate reasonable and feasible mitigation measures with the City of Dallas and affected property owners.