

CORRIDOR ADVISORY COMMITTEE



A CITIZENS' REPORT  
ON THE CURRENT AND FUTURE NEEDS  
OF THE I-35 CORRIDOR

NOVEMBER 12, 2008

THE ADVISORY COMMITTEE FOR THE I-35 CORRIDOR WAS CHARGED TO:

- STUDY THE IMPACT OF CORRIDOR-WIDE ISSUES, INCLUDING ECONOMIC, POLITICAL, SOCIETAL, DEMOGRAPHIC, POPULATION TRENDS, USE OF EXISTING/NEW/UPGRADED FACILITIES, MULTI-MODAL SOLUTIONS AND FINANCING OPTIONS
- MAKE RECOMMENDATIONS ON CORRIDOR PLANNING, DEVELOPMENT AND PUBLIC INVOLVEMENT
- ENHANCE PARTICIPATION AND INPUT BETWEEN THE TEXAS DEPARTMENT OF TRANSPORTATION AND AFFECTED COMMUNITIES, GOVERNMENTAL ENTITIES AND INTERESTED PARTIES





## INTRODUCTION

The I-35 Corridor is more than an interstate highway. It is one of the state's primary freight and passenger vehicle corridors. As a system rather than a series of individual projects, the road and rail segments of I-35 represent important elements in a statewide network, which moves significant volumes of people and freight daily. Perhaps I-35 is best described as a strategic geographic region created by a transportation route that provides vital mobility opportunities for Texans, facilitates national and international freight movement and serves as an engine for the state's economy. To say its role in Texas' future is crucial would be an understatement. Following are some specific examples of its importance.

At its southern end, I-35 connects Texas to one of the busiest land ports with Mexico; and at its northern end it connects Texas to distribution centers throughout the United States. Day and night, at any location on I-35, commercial trucks are a common sight. To serve the state's increasing population, businesses must rely on these trucks for the delivery of their goods and services. Located in the middle of the North American trade route, Texas is a worldwide logistics and distribution hub, and we need a reliable I-35 Corridor for continued economic growth.

I-35 is a primary artery whose influence on Texas businesses and residents extends far beyond the interstate footprint, and whose importance cannot be understated. Forty-five percent of the state's population resides within 50 miles of I-35, living in several major metropolitan cities, dozens of suburban communities and hundreds of smaller cities that are experiencing unprecedented growth. I-35 also supports commuters, business travelers and tourists.

As important as it already is, future projections only show that its importance will grow. In 2005, estimated daily vehicle miles traveled on I-35 was 38.2 million and is projected to increase 57 percent by 2025. There is an urgent demand for better mobility and improved safety along the corridor, particularly on stretches of I-35 where traffic volumes push the limit of the road's design capacity. Our existing transportation infrastructure cannot meet

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the current transportation demand, much less the demands of the future. Based on these circumstances, no one can dispute that if nothing is done to meet the future transportation demand on I-35, there will be a negative impact on Texas. At the same time, decision makers must take care to ensure that, any improvements they propose benefit the communities and businesses that rely on the corridor, as well as the commuting needs of people living nearby.

This committee recognizes that the initial Trans-Texas Corridor (TTC) concept attempted to address needed improvements along the I-35 Corridor. Despite the urgent need for capacity improvements along the I-35 Corridor, and the boldness with which the vision tried to meet that need, the public has reacted strongly against the TTC's "one-size fits all" approach to solving Texas' transportation problems. From its launch several years ago through today, the TTC has come to represent what Texans do not want in transportation project delivery. Though the TTC concept lacks public and political support, the needs it attempted to address have not gone away. Rather, the importance of the I-35 Corridor has become even more evident.

This advisory committee does not support the TTC concept. Instead we recommend a more inclusive solution that respects local communities and private property rights while addressing statewide and local transportation needs.

It is against this backdrop that the I-35 Corridor Advisory Committee has prepared this report for the Texas Department of Transportation and the Texas Transportation Commission. The advisory committee also agrees that the Legislature and the Texas congressional delegation must respond without delay to improve mobility along the I-35 Corridor. Inaction may result in a loss of economic development opportunities and an increased threat to the safety of the traveling public. Deliberate steps must be taken by the Legislature and other state leaders to advance funding, establish policies and create processes that will accelerate I-35 Corridor improvements without any further delay.

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## CURRENT AND FUTURE TRANSPORTATION NEEDS

The transportation needs for the I-35 Corridor will not be met with a single approach. It will be necessary to improve existing highway segments, where possible, and create new infrastructure segments where existing urban density makes expansion impractical.

The advisory committee believes the future needs of the I-35 Corridor should adhere to certain principles. The following overarching principles set the stage for the remainder of this report and the recommendations of the advisory committee.

- **Alternative modes should be a part of any future development plans for the I-35 Corridor.** Given current freight and passenger traffic, a road only option will not sustain projected growth. Rail alternatives, technology improvements and other transportation advances should be explored to their fullest potential for the corridor.
- **Corridor funds allocated to I-35 must stay on I-35.** While the state has other priority transportation projects, funds already allocated to I-35 should not be diverted to other projects.
- **Maintenance of I-35 must be a priority.** Finding revenues for capital improvements is only half the task. Sufficient long-term funding must be identified and allocated to maintain I-35 into the future. Failure to properly maintain it will detract from the value that I-35 brings to Texas and the nation.
- **The use of existing rights of way wherever possible should be considered first.** Where the route must follow the existing alignment and additional right of way is necessary, acquisitions should be limited in nature. For new alignments, local elected officials should fully vet alternatives and decisions so that the best choices are made for the benefit all of the users of I-35. In all cases, efforts should be made to minimize the impact to private property owners.

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- **Obtain utility easements rather than purchasing right of way.** Every effort should be made to allow land owners to retain title to their property while still achieving the purposes of the I-35 improvements.
- **The I-35 Corridor should be developed based on need.** Projects should be prioritized and built based on where the needs are the greatest.
- **The I-35 Corridor should serve as a gateway for communities.** As improvements are made, special attention should be given to aesthetics as the corridor enters a community. Efforts should be made to blend the physical features of the corridor with the community that it serves. In all cases an analysis of impacts on communities should be conducted and appropriate mitigation measures employed.
- **Build consensus for transportation projects from the bottom up.** The decision-making process should be all inclusive, transparent and one that encourages the expression of all viewpoints. Local officials and stakeholders should be aware of their needs and should drive the timing and nature of these improvements.

**RECOMMENDATION: The I-35 Corridor must include rail improvements.** Double tracking some rail segments and building new rail alignments can complement the existing and future road improvements. Rail improvements will include both high-speed passenger service as well as efficient freight service. The corridor should provide for safety, capacity and multi-modal transportation choices.

**RECOMMENDATION: Connections to communities are essential.** Whether it is improvements to the existing interstate or a new route, connections are needed to, from and through the communities along I-35.



### SPECIFIC PROJECT RECOMMENDATIONS

A discussion of the future transportation needs in the I-35 Corridor will logically recognize two categories of projects. The first category of capital improvements includes those that are clearly in the future and will be necessary as the state's population grows and business needs continue to grow. The timing and types of projects should reflect collaboration between TxDOT and local government officials, as well as other stakeholder whose inputs will ensure appropriate investments along the corridor.

The second category of capital improvement projects includes those that have already gone through a planning and prioritization process and need to be built. These are projects that need no further study or justification. Many critical projects fall into this category. However, they lack funding, leadership or the resolve to get them built. These projects, which are well documented and contribute to the goals of I-35, are included in their respective Metropolitan Planning Organization (MPO) plans and other transportation plans.

The listing of projects provided in this report must not be construed as all inclusive. Rather, it comprises a sampling of major corridor improvements and of other typical projects that will contribute to the operational effectiveness of the I-35 Corridor. Some are already in various transportation plans and others must be added as appropriate.

### HIGHWAY IMPROVEMENTS

- North Tarrant Express (Tarrant County)
- SH 170 (Tarrant and Denton County)
- DFW Connector (Dallas and Tarrant Counties)
- DFW Outer Loop/Connector (Dallas, Ellis and Tarrant Counties)

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- I-35W and I-35E Improvements (Dallas, Denton, Ellis and Tarrant Counties)
- Additional international bridges in Laredo
- SH 360 (Dallas, Tarrant County)

### RAIL IMPROVEMENTS

- Tower 55 Improvements (Tarrant County)
- USDOT South Central High Speed Rail Corridor
- Austin-San Antonio Commuter Rail Corridor
- Freight rail relocation between Austin and San Antonio

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### FUNDING SUMMARY

Without sufficient funding, the goals of improving mobility, reducing congestion, and spurring economic development opportunities along the I-35 Corridor are nothing more than wishful thinking and a futile exercise. Without funding, needed transportation projects will merely become plans on a shelf. If road and rail projects are going to be built to support the state's expected growth, then state leaders need to make tough decisions now to define and secure long-term, dedicated funding sources in order to make these plans a reality.

The advisory committee recognizes the difficulty in financing I-35 improvements, especially when so many other parts of the state also need funding from dwindling transportation revenues. Current funding sources are already committed, large portions of which must be applied to maintaining the current system. Nevertheless, time is of the essence, and Texas needs new revenue streams to meet the transportation needs.

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Failure to find additional revenue sources for building key projects will only set the stage for even more difficult scenarios in the future.

Air quality and congestion levels are also important factors in transportation planning for cities small and large. Without deliberate and specific action today, congestion and air quality will worsen and our quality of life will diminish. Therefore environmental impacts of any transportation plans must be carefully considered.

**RECOMMENDATION:** TxDOT should seek all possible federal funding available in reauthorization efforts for SAFETEA-LU and through any other congressional action. Texas must leverage every opportunity possible to seek federal assistance in securing funds for projects such as I-35, which have national significance.

**RECOMMENDATION:** Funding committed to the I-35 Corridor should remain in place. Where funding has been identified, those projects should move ahead without delay and with local input.

**RECOMMENDATION:** Seek private capital and investment to meet some of the needs along the I-35 Corridor. To protect the taxpayers and gain the needed political acceptance, appropriate policy and fiscal controls must be implemented.

**RECOMMENDATION:** Capitalize the Texas Rail Relocation and Improvement Fund. Rail systems parallel to I-35 Corridor will compliment the existing highway system by providing more capacity and safety, thereby increasing transportation efficiency. These improvements will only be made possible if there is a dedicated revenue source for long-term investment.

**RECOMMENDATION:** Create a task force to implement provisions of the recently enacted HR2095 Railroad Safety Enhancement Act of 2008, which includes the South Central Rail Corridor and funding for other high priority corridors in Texas.



**RECOMMENDATION:** State elected officials should explore all available means for raising money for I-35 Corridor improvements. Funding options could include stopping the diversion of the state’s fuel tax to non-highway construction and maintenance operations; imposing fees paid on rental cars; indexing the state’s fuel tax; increasing the state fuel tax; maximizing the use of managed lanes (High Occupancy Vehicle and High Occupancy Toll). It is also important to allow projects to be funded based on local needs and requests. The I-35 financial plan should also incorporate innovative funding ideas.

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## OPPORTUNITY AND IMPACTS FOR COMMUNITIES

### ECONOMIC DEVELOPMENT

Transportation improvements can change a community. With proper planning, societal and environmental changes can be turned into opportunities benefiting a community while minimizing any adverse impacts.

For balance, local leaders, stakeholders and interested groups should evaluate all aspects of a transportation project in determining what is in the community’s best interest.

As experienced in Hutto, Texas, the new SH 130 toll road attracted economic development opportunities bringing this community a larger tax base, new residential developments, and new businesses. Its proximity to SH 130 has also brought new educational partnerships for the school district.

When planning for state transportation projects, a community should begin planning early to maximize the benefits from economic development opportunities. However, smaller communities may not have sufficient staff or resources to prepare master planning documents.



**RECOMMENDATION:** Communities should be provided with planning assistance from TxDOT and/or other state agencies to create a master plan that will guide land use development within proximity of the transportation improvements. For communities that prefer to stay as they are, planning assistance will help them achieve this goal.

**RECOMMENDATION:** Several directional signs for cities should be placed well in advance of exit ramps, including during a project's construction so that motorists are aware of ongoing improvements. These signs will benefit the traveling public as well as the cities along the roadway.

**RECOMMENDATION:** Transportation planning groups, interested stakeholders and economic development groups should be brought in early in project development discussions so that issues can be addressed. Local involvement in corridor segment committees is a good start and should serve as a template for all future transportation projects.

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#### CONNECTIVITY AND CONTINUITY

It is desirable for all communities, rural areas and established businesses to have adequate connections to transportation, particularly new road and rail alignments. Each segment has its own concerns and deserves careful consideration.

Communities bypassed by a new transportation project need convenient means of connecting to it, so they may benefit from the economic development opportunities resulting from the shift in traffic. On the other hand, rural areas are usually more concerned with the potential disruption of access and the impacts to the agricultural industry.

When determining improvements to the I-35 Corridor, the challenge facing transportation planners and elected officials is to find a balance which preserves the integrity of the rural

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transportation grid, provides connections to communities and businesses and improves mobility throughout the corridor.

**RECOMMENDATION:** Local planning authorities and elected officials should be consulted when addressing connectivity and continuity issues to ensure the plans meet local transportation needs. If necessary, legislative remedies should be considered to make certain that rural transportation needs are met.

**RECOMMENDATION:** Public-private partnerships should include the cost of road or rail connections and improvements to overpasses, local arterials and FM roads. This will reduce the financial burden for small communities.

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### AGRICULTURAL CROSSINGS

In Texas, there are more than 40,000 miles of farm-to-market and ranch roads. In rural communities, these roads provide vital connections to major highways, allow agricultural equipment to be moved between farms and bring livestock and crops to market. Moving products to market is made more difficult when farm land is divided by transportation projects. If not properly planned and managed, this situation can become a safety issue for the farmers as well as the motorists traveling these roads.

Texas needs to prepare for future transportation needs, while minimizing the impact on the agribusiness community. The state must recognize the fragility of the agricultural industry and work to minimize and mitigate any impacts to a property owner's access to the property and viability of the land. More work is needed to balance farmers and rural communities' interests with statewide transportation needs.



**RECOMMENDATION:** TxDOT should coordinate with Texas Farm Bureau and other agricultural groups on how to minimize transportation impacts on the farming and ranching community, as well as to improve safety.

**RECOMMENDATION:** Farmers and ranchers, whose land will be divided by a transportation project, should be consulted early when determining placement and cost of agricultural crossings to ensure adequate spacing and minimum inconvenience.

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#### **PUBLIC INVOLVEMENT**

Transportation affects everyone, from the commuter to the commercial truck driver. Each group has different transportation needs that should be recognized. Public involvement should begin early and include all stakeholders. TxDOT has taken a good first step in creating the corridor segment committees, but more is needed to ensure local interests are heard.

The ultimate success of corridor improvements will depend on gaining understanding and support from the local elected leadership.

**RECOMMENDATION:** More outreach activities should be conducted with the general public, as well as targeted activities with specific groups, so that they can be included in the decision-making process to determine their transportation needs. These groups include, but are not limited to truckers, farmers and ranchers, educators, public safety officials and businesses.

**RECOMMENDATION:** Communication materials should be improved. Better materials are needed to explain project development and right-of-way acquisition practices for traditional highways, toll roads and rail projects.



**RECOMMENDATION:** The project development and environmental process should be transparent and understandable to the public. TxDOT should do more to better explain the environmental process, the associated federal requirements, and public comment rules.

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#### PROJECT DEVELOPMENT

Transportation improvements are needed to the I-35 Corridor so that the communities it serves as well as the rest of the state can prosper. There are many positive results from well planned and executed transportation projects, including improved safety and air quality. Other benefits such as the creation of park space and reduction in urban sprawl need to be understood and explained to the general public. During project development, consideration should be given to environmental protection, historical use, appropriate land use and compensation for landowners.

Local transportation plans already include some solutions for I-35. Since these plans are financially constrained, there may be other unfunded, long-term projects that can provide additional solutions to improve mobility on I-35.

As future transportation projects are considered for the I-35 Corridor, “The Guiding Principles on Toll Projects and Trans-Texas Corridor” adopted by the Texas Transportation Commission, should be followed. The advisory committee endorses these principles and supports their expansion as other issues are raised.

**RECOMMENDATION:** Use existing right of way where possible to minimize the amount of additional land needed. Land should be purchased only for a defined transportation need, in compliance with state law. (See guiding principles on page 16.)



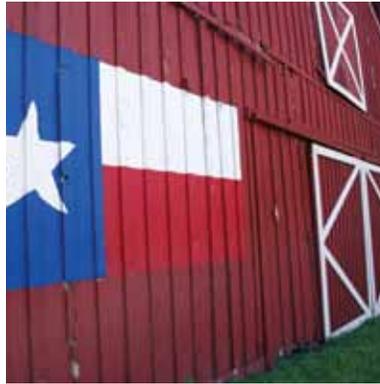
**RECOMMENDATION:** The public and local elected leadership should be involved throughout project planning. By bringing these stakeholders into the process early, they can be included in the decisions, and misconceptions can be addressed.

**RECOMMENDATION:** The name “Trans-Texas Corridor” should be eliminated and applicable sections of the Texas Transportation Code should be revised to remove the reference. The conceptual 1200-foot cross-section also should be eliminated. The opportunity for a productive public discussion has been largely eclipsed by the overwhelming negative response to the original concept.

**RECOMMENDATION:** The creation of conservation easements should be considered. These easements can protect the environment and future land use immediately adjacent to the I-35 Corridor.

**RECOMMENDATION:** A dedicated Rail Division, with experts in rail issues, should be established within TxDOT in order to aggressively pursue freight and passenger rail development in Texas.

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### GUIDING PRINCIPLES FOR TOLL PROJECTS AND THE TRANS-TEXAS CORRIDOR

To meet the state's future mobility needs, toll projects and the Trans-Texas Corridor (TTC) may be developed by the Texas Department of Transportation (department).

In the development, construction and operation of these projects, state transportation planners will follow these guiding principles.

As provided in state law and as ordered by the commission:

- All state highway facilities will be completely owned by the State of Texas and shall remain public property (Transportation Code, §223.206(a)). The department will not enter into a comprehensive development agreement (CDA) that would transfer ownership of this public property to a private developer.
- The department may purchase or “buy-back” the interest of a private developer in a CDA at anytime (Transportation Code, §223.208(b)). In addition, all CDAs for a lease of state owned facilities that are part of the TIC shall include this provision.
- The commission shall approve, in a public meeting, the initial toll rates charged for the use of a toll project on the state highway system and the methodology for increasing the amount of tolls, as well as any proposed changes in an approved methodology for the setting of a toll (Transportation Code, §223.208(g)). In addition, the department shall consult with any appropriate local metropolitan planning organizations in carrying out these activities.
- Only added capacity to an existing highway will be tolled and there will be no reduction in the number of non-tolled lanes that exist today (Transportation Code, §228.201).

## *Guiding Principles*



- No contract entered into by the department will include any limitations or prohibitions on improvements needed to existing or future highways (Transportation Code, §371.103). The department or another governmental entity may construct, reconstruct, expand, rehabilitate, or maintain any highway or other transportation project, regardless of any nearby or adjacent toll project or TIC project.

In recognition of the Texas Legislature's commitment to protecting landowners' property rights and in following the department's long-standing practice with other transportation projects:

- The department will always consider the use of existing right of way that satisfies the purpose and need of the project as a possible project location when conducting environmental studies.
- In order to minimize potential disturbance to private property, and subject to the requirements of applicable environmental and other laws, the department shall plan and design facilities to the extent practical so that a landowner's property is not severed in two or more separate tracts and the original shape of the property is preserved.

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MEMBERS OF THE ADVISORY COMMITTEE

BIOGRAPHIES AND PORTRAITS

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**TIM BROWN**

Tim Brown is a recipient of Road Hand Award for his service in promoting transportation in Texas. A Bell County Commissioner since 1995, he is active in the numerous organizations promoting local governments, economic development and courthouse preservation. A sixth generation native of Bell County, he earned bachelor's and a master degrees from Texas A&M University.



**STEVE BONNETTE**

Steve Bonnette is Senior Vice President with Pape-Dawson Engineers, Inc. in San Antonio. He is a board member of the San Antonio Mobility Coalition, the San Antonio-Bexar County MPO Transportation Policy Board, and the Bexar County Watershed Improvement Advisory Committee. Mr. Bonnette, a graduate of Louisiana State University, is a registered professional engineer in 4 states.



**MARIA ELENA CAMARILLO**

Maria Elena Camarillo is the Environmental Director with Poznecki-Camarillo, Inc. in San Antonio. She was formerly Director of the Sims Bayou Urban Nature Center and a biologist for the Texas Parks and Wildlife Department where she received an award for Natural Quality Service. She has also been honored with the Presidential Award for outstanding performance for her work as an environmental planner.



**WILLIAM L. CONLEY**

William L. Conley is Chief Executive Officer of The Bondurant Group, LLC. An expert in global logistics and international supply chain management, he is a recognized leader in the industry with published articles. He also serves on numerous non-profits and is a member of the National Trust for Historic Preservation and the Council of Supply Chain Management Professionals.

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**SHEILA COX**

Sheila Cox is an active volunteer in various organizations in the Gainesville area. She is a retired Realtor and former teacher who has received national recognition in real estate marketing and teaching. She previously served on an advisory committee with Plano I.S.D. in educational and transportation issues.



**JOHN P. ERWIN, JR., M.D.**

John P. Erwin is the Mayor of Hillsboro. He previously served on the city council and on the board of the Hillsboro Independent School District, in which he served as president. He is a member of the Texas High Speed Rail and Transportation Corporation and is a retired physician.



**DON GREENE**

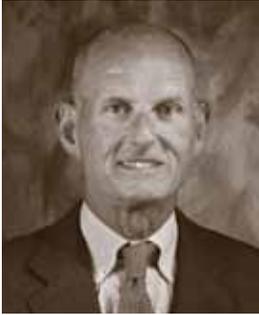
Don Greene is a tenured Professor of Earth Sciences at Baylor University in Waco. He is a retired meteorologist at KXXV-TV in Waco and is a member of National Weather Association and American Meteorological Society.



**LESLIE BENDER JUTZI**

Leslie Bender Jutzi is director of Government & Community Relations with the Allen Group in Grand Prairie. She earned a bachelor's in International Relations from Michigan State University and a law degree from Chicago-Kent College of Law.

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**TOM KRAMPTIZ**

Tom Kramptiz is an attorney in Fort Worth specializing in governmental affairs, transportation and economic development. He is a member of the Tarrant Regional Transportation Coalition and the I-35W Coalition.



**PETER J. LECODY**

Peter J. LeCody is a Dallas businessman, Executive Administrator of the Texas Rail Advocates and a Texas representative of the National Association of Railroad Passengers. He also served on the Regional Transportation Task Force in Coppell, Texas and is past president of the Texas Jewelers Association.



**KAREN MARSTALLER**

Karen Marstaller is a high school English teacher in Waco. She and her family own a ranch east of Waco, which has been in the family for five generations.



**ROSS MILLOY**

Ross Milloy is the president of the Austin-San Antonio Corridor Council and the Interim Director of the Austin-San Antonio Commuter Rail District. He also serves on the Executive Committee of Envision Central Texas.

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**SUSAN NARVAIZ**

Susan Narvaiz is the mayor of San Marcos. She is Chairman of the Capital Area Council of Governments. She has received numerous awards including the Sam Walton Business Leader Award and Woman of Distinction Award. She is president and CEO of Core Strategies, Inc.



**DONNA PARKER**

Donna R. Parker is Senior Director at Jacobs in Fort Worth/Dallas. She serves on numerous boards and executive committees of transportation, education and civic organizations in the North Texas area, and was named one of the 2002 US Most Influential Women in Transportation.



**RAUL PERALES**

Raul Perales is the Director of Laredo Development for Fasken Oil and Ranch Ltd. He was member of the Border Trade Alliance and remains involved in trade issues between the United States and Mexico. He is a board member of the Scared Heart Children's Home in Laredo.



**CHRIS STEUART**

Chris Steuart is vice-president and partner of Norco Corp. in Saginaw. He has volunteered for Guardianship Services and the Texas Scholars Program. He received bachelor's degree from Texas A&M University.

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**LANA WOLFF**

Lana Wolff is serving her third term council member with the City of Arlington and also serves as Mayor Pro-Tem. She has extensive community service in Arlington and was the past vice-president of Economic Development for the Arlington Chamber of Commerce.

**CHARMAIGNE SEYMOUR** (Georgetown, TX)