



# Virtual Public Hearing Pre-Recorded Presentation

**I-35 Improvement Project  
From Farm-to-Market 3002 To  
Mile Marker 1/Merle Wolfe Road**

**Cooke County, Texas to Love County, Oklahoma  
CSJs: 0194-01-010, 0194-02-081, 0194-02-092, 0195-01-087,  
0195-01-111, 0195-01-119, and 0903-15-100**

Tuesday, Sept. 15, 2020 to Wednesday, Sept. 30, 2020

Welcome to the Texas Department of Transportation Wichita Falls District's virtual public hearing for the I-35 Improvement Project from Farm-to-Market (FM) 3002 in Cooke County, Texas to Mile Marker 1/Merle Wolfe Road in Love County, Oklahoma. This is a pre-recorded presentation. My name is Adele Lewis, the Public Information Officer for the Texas Department of Transportation Wichita Falls District and I would like to welcome you and thank you for participating in this virtual public hearing.

This presentation is available for viewing starting at 5:00 p.m. on

During the virtual hearing, you may pause the presentation and navigate forward or backward using your video player.

## I-35 Improvement Project Public Hearing



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This virtual public hearing is being held to introduce the proposed project, present the Recommended Build Alternative being considered, summarize the results of the Draft Environmental Assessment and gather public input. You are encouraged to submit comments on the proposed project after reviewing the hearing materials and listening to this presentation.



TxDOT changed the traditional in-person public hearing to an online format in response to the COVID-19 outbreak

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This virtual public hearing and information on TxDOT's project website provides the same information as an in-person hearing would have including:

- Project information
- Recorded presentation
- Proposed schematic
- Estimated project timeframe
- Process for submitting comments
- Key contacts

Given the unique circumstances of the COVID-19 pandemic, along with the department's commitment to protecting public health during this national emergency, TxDOT is conducting this virtual public hearing to avoid in-person contact. At this time, an online public hearing is being conducted in-lieu of an in-person public hearing.

This presentation covers the same information that the Wichita Falls District would have presented at an in-person public hearing. The comment process for the virtual public hearing will be described near the end of this presentation.

All hearing materials can be found at [TxDOT.gov](https://www.txdot.gov) and keyword search I-35 Cooke County.

## I-35 Outreach/Notification Methods



- Elected Official Letters were mailed/e-mailed on 8/24/2020
- Notices were mailed directly to adjacent property owners on 8/25/2020
- Public Hearing Notices were published in:
  - Weekly News of Cooke County on 8/26/2020
  - Gainesville Daily Register on 8/27/2020
- Information was posted to the TxDOT website on 8/28/2020
- E-mail sent to those that have subscribed to the I-35 Cooke County project on 9/8/2020 and 9/14/2020
- On Twitter @TxDOTWF

Notices for this public hearing were sent to or published on:

- Elected Official Letters were mailed/e-mailed on 8/24/2020
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- On Twitter @TxDOTWF

## National Environmental Policy Act



The project would receive federal funds and, as such, the potential environmental effects of the proposed project must be assessed in accordance with Federal standards. The process that is followed is called the National Environmental Policy Act (NEPA) process. The NEPA process provides analyses of the potential impacts to the natural and manmade environment and helps the decision maker to make an informed decision on whether to proceed with the project. The lead agency under the National Environmental Policy Act (NEPA) for the proposed I-35 project is the Federal Highway Administration (FHWA).

The I-35 project would receive federal funds, and because of the federal component, TxDOT is required to assess the potential environmental effects of the proposed project in accordance with Federal standards. The process that is followed is called the National Environmental Policy Act process, otherwise known as NEPA. The NEPA process provides analyses of the potential impacts to the natural and manmade environment and helps the decision maker to make an informed decision on whether or not to proceed with the project. The lead agency under NEPA for the proposed project is the Federal Highway Administration (FHWA).

## I-35 Project Overview



### Project Limits:

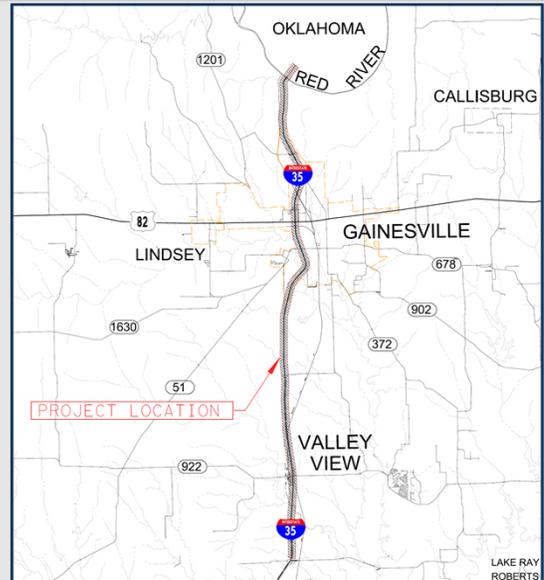
FM 3002 in Cooke County, Texas to  
Mile Marker 1/Merle Wolfe Road in  
Love County, Oklahoma

### Project Length:

21.6 miles

### Project Setting:

The proposed project is predominately rural and  
passes through the Cities of Valley View and  
Gainesville



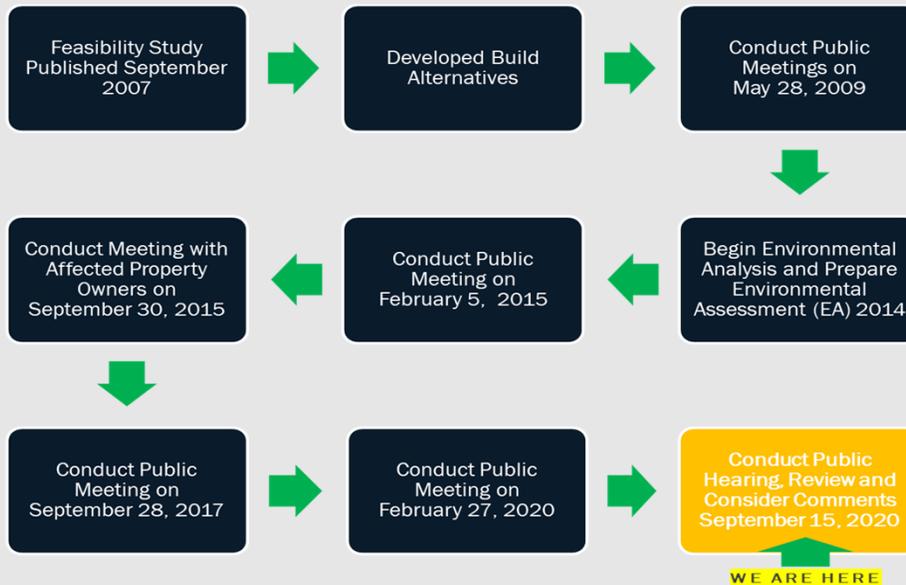
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TxDOT and FHWA are proposing to widen 21.6 miles of I-35 from near FM 3002 in Cooke, Texas to Mile Marker 1/Merle Wolfe Road in Love County, Oklahoma. The proposed project is predominately rural and passes through the Cities of Valley View and Gainesville, Texas.

## Background of the I-35 Improvement Project



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In September 2007 the I-35 Feasibility Study was published and the Wichita Falls District then began developing proposed build alternatives. Public meetings were conducted in May 28, 2009 to present a preliminary schematic and environmental studies began in 2014 for the proposed project per the proposed build alternatives developed based on public input. Subsequent public involvement was held in February 5, 2015 (public meeting to present the proposed Build Alternative and purpose and need), September 30, 2015 (MAPO in the City of Thackerville, to update the extension of the project limits to mile marker 3/Rogers Road) and another public meeting in September 28, 2017 (in the City of Valley View, to present the proposed rail alignment).

After an agreement could not be reached between TxDOT and BNSF, the proposed rail alignment alternative was removed from the project and a public meeting was held in Valley View on February 27, 2020 to update the public of the design changes and the environmental studies were revised.

The purpose of this public hearing to provide the public with the Recommended Build Alternative, present the potential impacts based on the Draft Environmental Assessment and receive public comment on the proposed project.

## Project Purpose and Need



- **What are we trying to do? (Project Purpose)**
  - Improve mobility
  - Add capacity
  - Accommodate economic development opportunities
  - Improve the safety
- **What problems need to be addressed? (Project Need)**
  - The proposed project is needed because the roadway's capacity is inadequate to safely meet current and future local and regional traffic volumes, resulting in congestion, and reduced mobility on this stretch of highway

The purpose of the proposed I-35 project is to improve mobility, add capacity, accommodate economic development opportunities, and improve the safety for existing and future travelers in the region.

The proposed I-35 project is needed because the roadway's capacity is inadequate to safely meet current and future local and regional traffic volumes, resulting in congestion, and reduced mobility on this stretch of highway.

## Schematics



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We will now discuss the I-35 Recommended Build Alternative. The schematic design has been posted on the project website (visit [txdot.gov](http://txdot.gov) and keyword search I-35 Cooke County) and is also available to view in the virtual room at the schematic table.

## Project Description



- Widening the existing four-lane I-35 to ultimately eight lanes (four lanes in each direction).
- The proposed typical section would include four, 12-foot-wide travel lanes and 10-foot-wide inside and outside shoulders in each direction.
- Convert existing non-continuous, two-way frontage roads to continuous, one-way frontage roads. Studies of one-way traffic patterns have identified one-way frontage roads as a safer option for the traveling public.
- Grade separated crossover access would be provided approximately every 1.5 miles throughout the whole project.
- The Recommended Build Alternative for the roadway would require two new bridges for the main lanes at the Red River and one existing bridge would be used for a two-way frontage road over the Red River.

The proposed Recommended Build Alternative proposes to widen existing I-35 to eight lanes (four lanes in each direction) following the existing alignment.

The proposed typical section would include four, 12-foot-wide travel lanes and 10-foot-wide inside and outside shoulders in each direction.

Studies of one-way traffic patterns have identified one-way frontage roads as a safer option for the traveling public. Therefore, the Recommended Build Alternative would convert existing non-continuous, two-way frontage roads to continuous, one-way frontage roads.

Grade separated crossover access would be provided approximately every 1.5 miles throughout the whole project.

In addition, two new bridges would be constructed for the main lanes and one existing bridge would be used for a two-way frontage road over the Red River.

The schematic has been posted on the project website (visit [txdot.gov](http://txdot.gov) and keyword search I-35 Cooke County) and is also available to view in the virtual room at the schematic table.



- Estimated Construction Cost is approximately \$675 million for the interim six-lane facility. For an additional \$78 million the ultimate 8-lane facility would be built, for a total estimated construction cost of \$753 million.
- A portion of the proposed project is consistent with the TxDOT 2020 Unified Transportation Program (UTP). FHWA will not take final action on the environmental document until reasonable available funding for the project is demonstrated.

The proposed project would be funded with a combination of federal and state funds. Texas would fund the portion of the project in Texas and Oklahoma would fund the portion in Oklahoma. The estimated construction cost is approximately \$675 million for the interim six-lane facility. For an additional \$78 million the ultimate 8-lane facility would be built, for a total estimated construction cost for the project of \$753 million.

The 2035 Texas Rural Transportation Plan, the rural component of the 2035 Statewide Long-Range Transportation Plan, identifies improvements to I-35 between the Denton County line and the Texas/Oklahoma state line (Red River Bridge), as the top four ranked improvement projects for the TxDOT Wichita Falls District. A portion of the proposed project is consistent with the TxDOT 2020 Unified Transportation Program (UTP). The proposed project would be funded with federal and state funds. Final NEPA action cannot be completed unless funding for the project described in the environmental document is reasonably available. TxDOT is currently working on identifying reasonably available funding for the proposed project. FHWA will not take final action on the environmental document until reasonably available funding for the project is demonstrated.

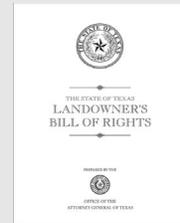


## Right-of-Way (ROW) Acquisition Information



- Approximately 124 acres of additional right of way (ROW) would be required for the proposed project
- Proposed project would potentially displace six commercial structures
  - Two abandoned structures (a warehouse and motel)
  - Luigi's Italian Restaurant
  - Lone Star Exxon
  - Joe McElreath Company
  - Hilltop Conoco
- No residential displacements are anticipated

42 USC CH. 61: UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES FOR FEDERAL AND FEDERALLY ASSISTED PROGRAMS From Title 42—THE PUBLIC HEALTH AND WELFARE	
CHAPTER 61—UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES FOR FEDERAL AND FEDERALLY ASSISTED PROGRAMS	
SUBCHAPTER 1—GENERAL PROVISIONS	
401.	Definitions.
402.	Effect upon property acquisition.
403.	Additional expenditures for moving costs, relocation benefits and other expenses.
404.	Excluded in acquisition of lands for National Park System: waiver of benefits.
405.	Certification.
406.	Displaced persons not eligible for assistance.
SUBCHAPTER 2—UNIFORM RELOCATION ASSISTANCE	
407.	Declaration of findings and policy.
408.	Moving and related expenses.



Please visit [www.txdot.gov](http://www.txdot.gov) for more information about the Uniform Act and TxDOT Relocation Assistance Program information

The proposed I-35 project would, subject to final design considerations, require 124 acres of additional right of way for the proposed right-of-way and would require 163 parcels and displace six commercial structures. Two of the commercial properties are currently abandoned (a warehouse and a motel). Of the four properties left, two have already been acquired through the early acquisition process and have already relocated (Luigi's Italian Restaurant and Joe McElreath Company). One commercial property, Hilltop Conoco, is currently in early acquisition discussions with TxDOT. Early acquisition of Lone Star Exxon is currently on hold.

No residential displacements are anticipated.

TxDOT offers relocation counseling and financial assistance to residences and businesses that are displaced by the acquisition of highway right-of-way in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. TxDOT would provide assistance to potentially displaced businesses.

## Environmental Analysis Resource Areas



- Air Quality
- Archeological Properties
- Farmlands
- Groundwater
- Non-Archeological Historic Properties
- Tribal Coordination

Based on the studies conducted and continuing coordination, it was determined that the Recommended Build Alternative would have no impacts on the following resource categories: air quality, archeological properties, farmlands, groundwater, non-archeological historic properties, or tribal resources. However, the Recommended Build Alternative could affect a number of other resources and I would like to summarize those potential impacts next.



- **Biological Resources including Threatened and Endangered Species and Habitat**
- Community Impacts and Environmental Justice
- Floodplains and floodways and Waters of the United States, including wetlands
- Hazardous Materials
- Section 4(f) and 6(f) Properties
- Traffic Noise

Based on the environmental studies conducted, it was determined that the Recommended Build Alternative would have impacts on the following resources:

Field studies were conducted to determine impacts to biological resources; like vegetation, habitat and wildlife (included Threatened and Endangered Species Habitat). Based on these studies and coordination to date, there are no impacts to threshold vegetation communities, threatened and endangered species, Species of Greatest Conservation Need, or wildlife resources protected by the Migratory Bird Treaty Act and the Bald Eagle Protection Act.

TxDOT would follow Best Management Practices (BMP's) for the Texas Horned Lizard, as well as bird, fish and freshwater mussel BMPs.

In accordance of the Migratory Bird Treaty Act, in the case that a bird could nest in a structure to be affected by construction, the contractor would remove all old migratory bird nests between October 1 and February 15 from any structure where work would be done. In addition, the contractor would be prepared to prevent migratory birds from building nests between February 15 and October 1.

TxDOT would complete the interior least tern species surveys and any necessary coordination with USFWS and TPWD prior to construction.

Updated biological data used for these no impact determinizations are currently being reviewed. Once approved, technical reports documenting the analysis and conclusions of these studies will be available for review and the Final Environmental Assessment will be updated.

## Environmental Analysis Resource Areas



- Biological Resources including Threatened and Endangered Species and Habitat
- **Community Impacts and Environmental Justice**
- Floodplains and floodways and Waters of the United States, including wetlands
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- Section 4(f) and 6(f) Properties
- Traffic Noise

Impacts related to environmental justice consider a proposed project's impact on minority and low-income populations. The proposed project would not have an adverse impact to community facilities, nor affect community cohesion. The construction of pedestrian facilities and accommodations for bicyclists on frontage roads would improve cohesion by providing more transportation connections and options within the populated areas of Gainesville and Valley View.

While the proposed project would potentially displace four active businesses, none of the affected businesses are located within areas identified as predominately minority or low income.

The demographic study area currently experiences the effects of being adjacent to a major interstate highway. The proposed project is not anticipated to cause substantial changes that would result in other adverse impacts affecting the surrounding communities, such as adverse noise impacts, impacts to air quality, and adverse visual impacts.

After considering potential adverse and beneficial effects of the Recommended Build Alternative, disproportionately high and adverse impacts to environmental justice populations are not anticipated.

## Environmental Analysis Resource Areas



- Biological Resources including Threatened and Endangered Species and Habitat
- Community Impacts and Environmental Justice
- **Floodplains and floodways and Waters of the United States, including wetlands**
- Hazardous Materials
- Section 4(f) and 6(f) Properties
- Traffic Noise

The protection of floodplains and floodways is required by Executive Order 11988. The hydraulic design of the Recommended Build Alternative would be prepared in accordance with current TxDOT and FHWA design policies and procedures. The facility would permit the conveyance of the 100-year flood, inundation of the roadway being acceptable, without causing significant damage to the facility, stream, or other property. The Recommended Build Alternative would not increase the base flood elevation to a level that would violate applicable floodplain regulations or ordinances. Coordination with the local Floodplain Administrator would be required.

Jurisdictional waters of the U.S. within the Recommended Build Alternative included five perennial streams, 10 intermittent streams, and 22 ephemeral streams, comprising 12,777 linear feet. All impacts to jurisdictional waters will be authorized by the U.S. Army Corps of Engineers Tulsa District under a Section 404 Individual Permit. The General Bridge Act of 1946 and Sections 9 and 10 of the Rivers and Harbors Act of 1899 prohibit the unauthorized obstruction (including bridge construction) or alteration of any navigable waters of the U.S., unless the work has been authorized by permit from the U.S. Coast Guard. While the U.S. Coast Guard would not exercise jurisdiction for the Red River Bridge, the U.S. Army Corps of Engineers does consider the Red River navigable; therefore, a Section 10 permit would be processed along with the Section 404 Individual Permit.

## Environmental Analysis Resource Areas



- Biological Resources including Threatened and Endangered Species and Habitat
- Community Impacts and Environmental Justice
- Floodplains and floodways and Waters of the United States, including wetlands
- **Hazardous Materials**
- Section 4(f) and 6(f) Properties
- Traffic Noise

Regulated facilities that would intersect with the Recommended Build Alternative, would be acquired through ROW acquisition. The acquisition of hazardous material sites/facilities would present a liability risk to TxDOT. Based on visual observations in the field and a records database search, further environmental investigation may be necessary for the active CES SWD Oil and Gas Well Pad site located within the proposed ROW, as well as, additional investigations are recommended for eight (8) “high risk” sites within the proposed ROW, prior to construction, to determine the potential of encountering hazardous materials contamination. Should hazardous materials/substances be encountered during construction, the authorities would be notified, and steps would be taken to protect personnel and the environment. If necessary, the plans, specifications, and estimates would include provisions for the appropriate soil and/or groundwater management plans for activities within the contaminated area.

Besides the demolition and renovation of bridges and overpasses within project area, three properties of potential concern were identified that would require the demolition of facilities within the proposed ROW as the buildings may contain asbestos containing materials or lead-based paint. Asbestos and lead-based paint inspections, specification, notification, license, accreditation, abatement and disposal, as applicable, would comply with federal and state regulations. Asbestos issues would be addressed during the ROW process prior to construction.

## Environmental Analysis Resource Areas



- Biological Resources including Threatened and Endangered Species and Habitat
- Community Impacts and Environmental Justice
- Floodplains and floodways and Waters of the United States, including wetlands
- Hazardous Materials
- **Section 4(f) and 6(f) Properties**
- Traffic Noise

Three parks (Leonard Park, David's Park and Moffett Park) and U.S. Army Corps of Engineers Federally owned property are located within the project study area. The proposed project would not impact any of the three parks, but the proposed project would require 5.6 acres of easement from the U.S. Army Corps of Engineers Lake Texoma property. The impacted Lake Texoma property is not accessible to the general public, there are no recreational facilities on the property and no public access to the Red River; therefore, it was determined that a Section 4(f) would not be required. In addition, none of the parks or the Lake Texoma property received funding from the U.S. Department of the Interior Land and Water Conservation Act; therefore, Section 6(f) would not apply.

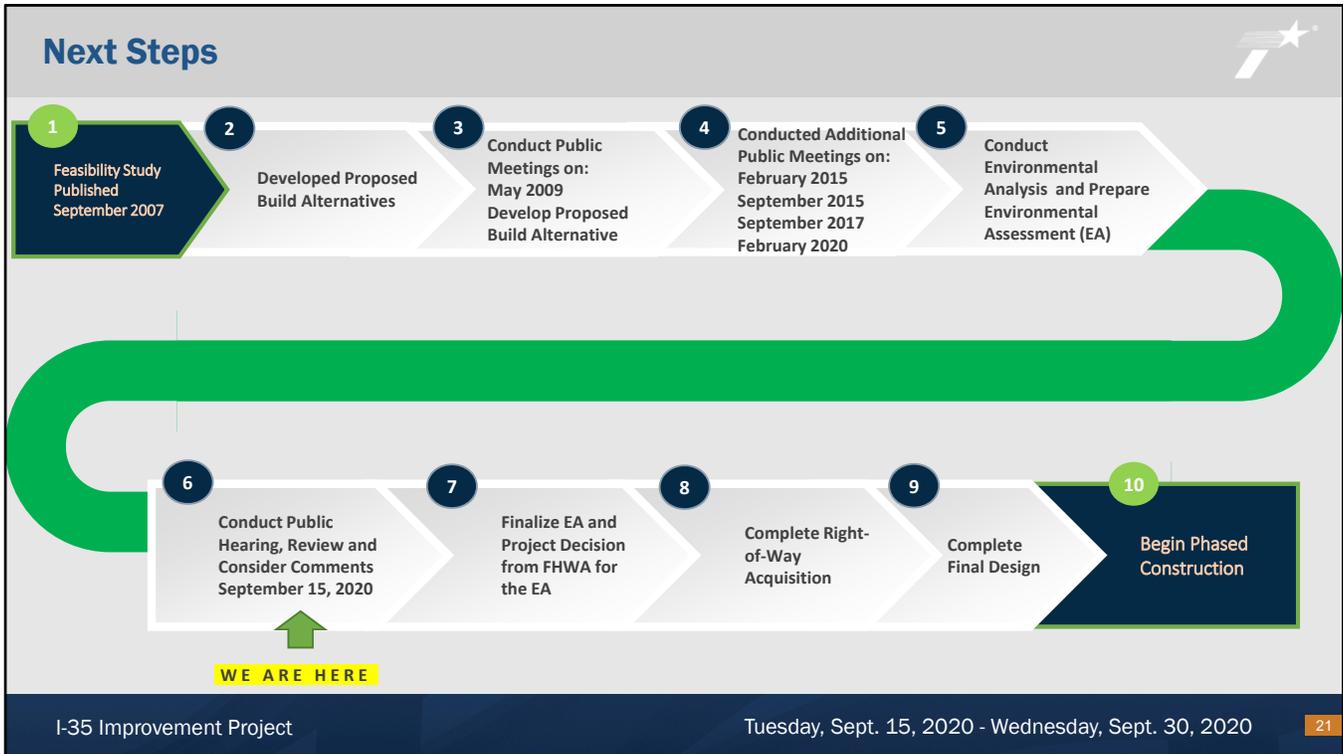
However, mitigation would be required for the take of Lake Texoma (federal land). Coordination has begun with the U.S. Army Corps of Engineers to determine required mitigation.

## Environmental Analysis Resource Areas



- Biological Resources including Threatened and Endangered Species and Habitat
- Community Impacts and Environmental Justice
- Floodplains and floodways and Waters of the United States, including wetlands
- Hazardous Materials
- Section 4(f) and 6(f) Properties
- **Traffic Noise**

Existing and predicted traffic noise levels were modeled at representative land use activity areas (receptors) adjacent to the project that might be impacted by traffic noise and would potentially benefit from feasible and reasonable noise abatement. The traffic noise analysis determined that 52 representative receivers would be expected to have a noise increase at or above the criteria for absolute or relative impacts; therefore, noise barriers were considered for the proposed project. Three noise barriers were found to be reasonable and feasible for the proposed project (Draft EA Section 5.11, Exhibit 6). The final decision to construct the proposed noise barrier would not be made until completion of the project design, utility evaluation and polling of adjacent property owners and residents.



We want to highlight the estimated project timeline moving forward (Next Steps). Look for the yellow “We are here” arrow at the bottom left of the slide. The purpose of this public hearing to present the public with the Recommended Build Alternative, present the potential impacts from the based on the Draft Environmental Assessment and receive public comment on the proposed project.

After the comment period closes TxDOT and FHWA will review the comments received and prepare a virtual hybrid public hearing summary report. The summary report will be posted to the project website approximately three months after the close of the comment period.

The next steps include finalizing the environmental document and submit to FHWA for approval. Provided the environmental document is approved, the project would continue to finalize the detailed design and complete the right-of-way acquisition process. As stated earlier, phased construction is programmed to begin in 2021.

## Public Hearing Materials



Public hearing materials are provided on the TxDOT website or in the Virtual Room:

- Schematics
- Environmental constraints map
- Draft EA
- ROW Pamphlets
- Public hearing exhibit boards
- Downloadable Comment card
- Fact sheet
- Presentation and Script

The project website and the virtual public hearing room contains additional materials; schematic layouts of Recommended Build Alternative, the environmental constraints map, Draft EA, ROW pamphlets, public hearing exhibit boards, a downloadable comment card, a project fact sheet, and the Presentation and accompanying script.

Some of these files are large and may require more time to download than the other project materials.

## How to Submit Your Comments



Please submit your comments regarding the design modifications presented in this Virtual Public Hearing by using any of the four methods below by Wednesday, September 30, 2020.



**Leave a Voicemail**  
(833) 933-0430



**Email Us**  
MyProjectsWichitaFalls@txdot.gov



**Mail-in Comments**  
Texas Department of Transportation  
1601 Southwest Parkway  
Wichita Falls, Texas 76302



**Comment Button**  
Click on the Comment Button in the Virtual Room

The public may call project staff at (940) 665-5071 during regular office hours or email project staff to ask questions about the project at any time in the project development

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TxDOT encourages you to review the materials posted on the virtual public hearing web site and to provide your comments on what you like about the project and/or any concerns you may have.

Comments must be received via voicemail, the on-line comment form, emailed or mailed and postmarked by September 30, 2020 to be included in the official virtual public hearing summary report.

You can submit comments in the following ways:

- Leave a Voicemail at (833) 933-0430
- Via email to MyProjectsWichitaFalls@txdot.gov
- Via mail to the TxDOT Wichita Falls District, 1601 Southwest Parkway, Wichita Falls, Texas, 76302 (a printable form can be found online by visiting [www.TxDOT.gov](http://www.TxDOT.gov) and searching in the upper right-hand search box for keyword search “I-35 Cooke County”)
- Click on the Comment Button in the Virtual Room

Again, responses to comments received during the comment period will be included in the Virtual Public Hearing Summary report that will be posted on the project website in approximately three months. The project website is [www.txdot.gov](http://www.txdot.gov); key word search keyword search “I-35 Cooke County”

## Quick Contacts – Engage TxDOT Online



- TxDOT Wichita District Office  
Shaun Barnes (940) 720-7744
- TxDOT Gainesville Area Office  
Mike Hallum (940) 665-5071
- Email:  
[MyProjectsWichitaFalls@txdot.gov](mailto:MyProjectsWichitaFalls@txdot.gov)
- Follow us: Twitter:  
<https://twitter.com/TxDOTWF>



Secondly, don't hesitate to contact us with any questions.

Please feel free to contact Shaun Barnes at the Wichita Falls district office or Mike Hallum at the Gainesville Area Office with any questions or comments. And don't forget to follow us on Twitter for ongoing road closures and construction updates on the Wichita Falls District Twitter page.



**Thank you for participating in  
this virtual public hearing**

**Please remember to submit comments by  
Wednesday, September 30, 2020**

Thank you for participating in this virtual public hearing and please remember to submit comments by Wednesday, September 30, 2020.