

## **PUBLIC HEARING SUMMARY**



**NUECES, KLEBERG, KENEDY, WILLACY, AND CAMERON COUNTIES**

**CSJ: 1111-07-004**

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## **HEARING SUMMARY**

### **Districts/Counties**

TxDOT Corpus Christi District/TxDOT Pharr District  
Nueces, Kleberg, Kenedy, Willacy, and Cameron Counties

### **Roadway/Limits**

US 77 from I-37 to US 83

### **CSJ**

1111-07-004

### **Introduction**

This report presents a summary and analysis of the public hearings that were conducted for the upgrade of US 77 to a controlled access facility that meets Interstate standards. The Public Hearing Certificate is presented in *Appendix A*.

### **Existing Facility**

The existing US 77 is functionally classified as a rural principal arterial. Between the project termini, the majority of the existing United States (US) Highway 77 (US 77) configuration consists of a four-lane facility divided by a center grassy median except through Driscoll, Ricardo, and Riviera where the facility is four-lane with a center turning lane. The right-of-way (ROW) width varies between 200 feet and 380 feet and consists of two 12 feet wide lanes in both the northbound and southbound direction for a total of four main lanes. Outside shoulders are eight to 10 feet wide, and inside shoulders are four to 10 feet wide. All intersection crossings along this segment of US 77 are at-grade with the exception of the existing overpasses and ramps in the vicinities of Robstown, Kingsville, Bishop, and Raymondville. The at-grade cross-overs generally consist of one 12 feet wide eastbound and one 12 feet wide westbound lane, with 10 feet wide outside shoulders. The posted speed is 70 miles per hour (mph) outside of urban areas. There are many at-grade crossroads that intersect US 77 within the project limits.

### **Proposed Improvements**

The Federal Highway Administration (FHWA) and the Texas Department of Transportation (TxDOT) have proposed the completion of upgrading US 77 to a controlled access facility that meets Interstate standards, including two highway relocations around Driscoll and Riviera. The proposed US 77 Upgrade Project area is approximately 122 miles in length and is defined by its northern logical terminus at the interchange of US 77 and Interstate Highway 37 (IH 37) in Corpus Christi, Texas to the interchange of US 77 and US 83 in Harlingen, Texas.

The upgrade of US 77 between IH 37 and US 83 to meet Interstate standards has been an ongoing program. Several sections of US 77 within the project limits already meet Interstate standards as a result of past projects. In addition, several upgrade projects are in various stages of completion within the project limits and have been or are being advanced under separate environmental documents. The intent of this project is to upgrade the remaining sections of US 77 to Interstate standards. The US 77 Upgrade Project would be phased based on the

availability of federal and state funding. Currently, a total of approximately \$179 million has been obligated to advance the US 77 Upgrade Program, of which \$119 million is obligated for this project. TxDOT has developed a project development plan to complete the US 77 Upgrade Program. This plan identifies the construction phasing, project costs, and reasonably anticipated funding for the next 25 years (2037).

The Texas Transportation Commission (TTC) has identified congestion reduction and safety improvement projects statewide which could be accelerated by an element that would allow for managed or tolled lanes for new additional capacity. The US 77 Upgrade Project would provide additional capacity in the form of new relief routes around Driscoll and Riviera. As such, the decision to toll the relief routes around Driscoll and Riviera was based on the TTC policy that transportation projects that provide added capacity and/or on new location are to consider tolling as a mechanism to generate funding for the project and/or its maintenance. In recent years, traditional funding sources have not kept up with maintenance needs of existing statewide highways and previously authorized transportation projects that received appropriations. Therefore, major highway projects will be delayed without new funding methods that consider how to supplement traditional funding sources such as gasoline tax revenue.

The primary component of the US 77 Upgrade Project which is to upgrade the existing facility to Interstate highway standards would not be eligible for tolling, as there is no added capacity. However, the secondary component of the US 77 Upgrade Project, which would be considered eligible for tolling, includes the relief routes around Driscoll and Riviera, as the relief routes would provide added capacity. System users would continue to have the non-tolled option in this area of US 77 by using the existing US 77 lanes through Driscoll and Riviera.

### **Date/Time/Location**

February 2, 2012, 4:30 pm – Open House, 5:30 pm – Public Hearing  
L.E. Franks Tourist Center, 501 S. 7<sup>th</sup> Street, Raymondville, Texas 78580

February 6, 2012, 4:30 pm – Open House, 5:30 pm – Public Hearing  
Sarita ISD (Elementary Cafeteria), 150 E. La Parra Avenue, Sarita, Texas 78385

February 7, 2012, 4:30 pm – Open House, 5:30 pm – Public Hearing  
Riviera ISD (Cafeteria), 203 Seahawk Drive, Riviera, Texas 78379

February 8, 2012, 4:30 pm – Open House, 5:30 pm – Public Hearing  
Holiday Inn Express, 2400 South Highway 77, Kingsville, Texas 78363

February 9, 2012, 4:30 pm – Open House, 5:30 pm – Public Hearing  
Driscoll ISD (Elementary Cafetorium), 410 W. Avenue D, Driscoll, Texas 78351

### **Purpose**

- To present the proposed construction project/design for US 77;
- To present the results of the environmental studies for the upgrade of US 77;
- To allow interested citizens and public officials the opportunity to present information and/or comment on the proposed project; and

- To develop a record of public views and participation.

## **Format**

An open house session began at 4:30 pm during which project staff were available to interact with the public and answer questions. The open house session was followed by a technical presentation beginning at 5:30 pm. The technical presentation included an overview of the project need and purpose, the project description and geometric design, funding based on a project development plan and the findings of the recently completed environmental studies that were conducted. A review of the public involvement process and anticipated schedules were also discussed. The public hearing concluded with public testimony.

## **Public Notice**

The public hearing was announced and advertised through a variety of methods. Thirty days prior to the public hearing, TxDOT began engaging in an extensive effort to announce the hearing through mailings and published advertisements. Postcard notices announcing the public hearing time, location, and purpose were mailed to a project-specific mailing list of landowners, interested community members and resident citizens (*Appendix B*). An informational letter announcing the public hearing time, location, and purpose were sent to public officials (*Appendix C*). Notice of the public hearing (*Appendix D*) was published in newspapers with local and city-wide circulation. Legal notices in English and Spanish were published in the *Valley Morning Star* and the *Corpus Christi Caller-Times* on December 29, 2011 and January 23, 2012 (approximately 30 and 10 days prior to the first public hearing). Display ads in English and Spanish were also published in two publications, the *Valley Morning Star* (January 18, 2012 and January 27, 2012) and the *Corpus Christi Caller-Times* (February 3, 2012). In addition, display ads in English and Spanish also were published in the following publications: *Raymondville Chronicle* (January 18, 2012 and February 1, 2012), *Kingsville Record* and *Bishop News* (January 18, 2012 and February 1, 2012), *Nueces County Record Star* (January 19, 2012 and February 2, 2012) and *El Nuevo Herald* (January 18, 2012 and January 27, 2012). Additionally, articles were written about the US 77 Upgrade project which can be found in *Appendix D*.

## **Attendance**

A total of 261 individuals (234 private citizens, 22 public officials and 5 media) registered their attendance at the public hearings. It is estimated that the number of people who did not sign-in is negligible; thus, the total estimated attendance for these hearings is approximately 261 people. Representatives from TxDOT and members of the consultant team, Jacobs Engineering, were also in attendance. Copies of the sign-in sheets are included in *Appendix E*. Photographs from the public hearings are included in *Appendix F*.

## **Recording/Transcription**

The presentations by the project team and testimony were recorded and transcribed by Tricia Fox Williams, and Julie Ann Lumbrezer of DepoTexas. These certified transcripts can be found in *Appendix G*.

## **Display/Materials**

Informational materials available at the public hearing included a handout package (*Appendix H*) consisting of:

- Agenda
- Goals for Tonight's meeting
- Need and Purpose
- Environmental Assessment Locations
- Glossary of Technical Terms
- Project Location Map
- Project Development Plan
- Comment Card

A schematic layout showing the Project Location and Design, Environmental Assessment (EA) and large displays of the Project Location Map, Project Development Plan, Goals for Tonight's Meeting, and Need and Purpose were available for viewing during the open house session. ROW maps and corresponding property owner information tables were made available at each meeting along with pamphlets in English and Spanish for State's Purchase of Right-of-Way and Relocation Assistance. Also available were Speaker Cards for attendees to register to provide public testimony following the technical presentation.

### **Deadline**

Comments received and/or postmarked on or before Tuesday, February 21, 2012, are included in this report (*Appendix I*).

### **Summary of Public Comments**

Of the 261 individuals who attended the public hearing, 2 public officials and 10 citizens made verbal comments. Written comments were submitted by 30 people either at the hearings or by the February 21, 2012 deadline. The main comments expressed verbally or in written form, were as follows:

- A. Need for project and improvements
- B. Impacts to personal property
- C. Community impacts resulting from the relief routes
- D. Impacts to access
- E. Impacts to quality of life resulting from the relief routes
- F. Preferences for relief routes to the east, west, or through Driscoll and Riviera
- G. Economic impacts to communities
- H. Drainage
- I. Safety and mobility
- J. Environmental features in the study area
- K. Tolling.

In summary, the comments received were generally in favor of improvements to US 77, with the majority having concerns regarding the implementation of the proposed design.

### **Comment and Response Report**

The public comment period for US 77 was open from February 2, 2012 to February 21, 2012. During this time, the public was invited to submit comments verbally via public testimony and in written format. The US 77 EA was made available to the public at the following locations:

- Texas Department of Transportation Corpus Christi District Office  
1701 S. Padre Island Drive

Corpus Christi, TX 78416

- Texas Department of Transportation Corpus Christi Area Office  
1701 S. Padre Island Drive  
Corpus Christi, TX 78416
- Texas Department of Transportation Pharr District Office  
600 W. US Expressway 83  
Pharr, TX 78577
- Texas Department of Transportation Raymondville Maintenance Office  
3/8 Mile North BU 77  
Raymondville, TX 78580
- City of Driscoll  
130 W Avenue D  
Driscoll, TX 78351
- Robert J. Kleberg Public Library  
220 N. 4<sup>th</sup> Street  
Kingsville, TX 78363
- Kleberg County – Precinct 3 County Commissioner’s Office  
433 E. County Road 2310  
Riviera, TX 78379
- Kenedy County Courthouse  
151 N. Mallory  
Sarita, TX 78385

As shown in *Appendix I*, Table 1 presents a list of commenter’s along with a number reference for each comment made by that commenter.

Copies of the original comments are included in *Appendix I*. To find a commenter’s original comment (in the form of a transcript for verbal comments or a photocopy for letters), cross-reference the commenter’s name (listed alphabetically in Table 1) with his or her assigned “Commenter Number.” As shown in *Appendix I*, Table 1, the commenter number is placed at the beginning of each original comment.

## **Resolutions**

During the Public Comment period, 3 resolutions regarding the proposed project were received. Specifically, resolutions were received from:

1. City of San Benito, Texas
2. Commissioners’ Court of Cameron County, Texas
3. Riviera Independent School District - Riviera, Texas

Copies of the resolutions are included in *Appendix J*.

## **Public Hearing Certification**

The Corpus Christi District Engineer and the Pharr District Engineer of TxDOT have certified that five US 77 Environmental Assessment public hearings were held between February 2, 2012 and February 9, 2012, and they were conducted in accordance with the statutory provisions of the Civil Rights Act of 1964, Civil Rights Restoration Act of 1987, and the rules promulgated by the State of Texas in the Texas Administrative Code. The certifications are contained in *Appendix A*.