



City of Denton

215 E McKinney, Denton, Texas 76201

October 13, 2010

The Honorable Tommy Williams
Senate Committee on Transportation & Homeland Security
P.O. Box 12068 – Capitol Station
Austin, TX 78711

Mr. Chairman:

I am writing today on behalf of the IH 35E Stakeholders Group which consists of locally elected officials and community leaders from the cities and counties along a 28 mile segment of IH 35E that starts at IH 635 in Dallas and ends at US 380 in Denton. Our singular goal is to identify an option which will accelerate the timetable for the badly needed improvements and widening of IH 35E. We believe a public private partnership, which will need legislative authority, will give us the financing mechanism we need to successfully fund the IH 35E expansion project and accelerate the construction timetable by over 20 years.

The Texas Department of Transportation (TxDOT) estimates that the total cost of the 28 mile IH 35E expansion project is \$4.4 billion. There are currently no significant state or federal funds allocated towards the expansion of this section of IH 35E to alleviate current and future projected traffic congestion. Denton County has pledged \$590 million towards the IH 35E expansion project. A public/private partnership can construct this project in five to seven years. By contrast, the “pay as you go” appropriations method with motor fuels tax revenue could delay implementation of this project for an additional 20-30 years.

Since 2000, TxDOT has been working closely with local elected officials, stakeholders and communities along this section of IH 35E on expansion plans. Significant public involvement has occurred in the development of the IH 35E design including multiple public meetings and forums. The TxDOT design plans call for the construction of four general purpose lanes, three access road lanes, and two managed lanes in each direction. This design allows motorists to choose between using the four managed lanes, or **the 14 (fourteen) general purpose free lanes**. The use of managed lanes on IH 35E has been authorized by the Federal Highway Administration (FHWA) through approval of an Expressed Lane Demonstration Program entered into between TxDOT and FHWA on Sept. 30, 2009.

The managed lane element of the plan will keep traffic moving at a faster and more reliable speed, by adjusting the toll rate to ensure a minimum 50 mph travel time within the corridor. Managed lanes provide drivers options, by allowing them to choose to drive the general purpose lanes, or choose to pay for a higher level of service on managed lanes. Drivers can expect to pay more to use managed lanes during peak travel times than at off-peak hours.

Managed lanes provide a means of collecting revenue to finance the entire project, through a public/private partnership. This alternative allows the project to be constructed years in advance of the availability of gas tax supported improvements. Managed lanes also improve the operational characteristics of the facility by reducing congestion on the general purpose lanes and by segregating "long" trips from inter-city trips. There is also no issues associated with "non compete" clauses in a managed lane project since the developer would be required to build the free flowing lanes directly adjacent to the managed lanes as a part of the project.

As you know, IH 35E is a major north/south corridor in the DFW Metroplex and an international trade route for commerce. The 28 mile segment we are focused on average between 175,000 and 200,000 vehicles per day. With DFW's anticipated growth, that number will exceed 330,000 vehicles per day by 2030 volumes.

For these reasons, the IH 35E Stakeholders Group, and numerous elected officials in North Texas, understand the need for and support the inclusion of managed lanes in the congested IH 35E Corridor. Utilizing innovative financing mechanisms, including public/private partnerships, remains the only viable alternative to complete the construction of IH 35E, within a time horizon of 5-7 years. IH 35 E public hearings are scheduled for Fall of 2010 with environmental clearance and the issuance of a Finding of No Significant Impact expected by the first quarter of 2011. So now is the time to find a way to deliver this critical roadway.

We are asking for your support in getting legislative authority for TxDOT to utilize innovative financing mechanism, including a public/private partnership, for the funding of the IH 35E expansion project. We thank you for all that you do for Texas and for transportation in our state. Please feel free to contact me if you require more information on this very important issue for North Texas.

Sincerely,

A handwritten signature in black ink that reads "Pete Kamp". The signature is written in a cursive, flowing style.

Pete Kamp,
Mayor Pro Tem

Cc: Senate Committee on Transportation & Homeland Security