PUBLIC HEARING SUMMARY AND ANALYSIS REPORT

FOR

FARM–TO–MARKET ROAD 1626

FROM: RANCH–TO–MARKET ROAD 967

TO: BRODIE LANE

HAYS AND TRAVIS COUNTIES

CSJ: 1539-01-005, 1539-02-018, & 1539-02-028

LIMITS OF PROPOSED PROJECT: The limits of the proposed project are from Ranch-to-Market Road (RM) 967 in Hays County to Brodie Lane in Travis County. The overall length of the proposed project is approximately 3.76 miles.

PROPOSED IMPROVEMENTS: The proposed improvements would consist of widening FM 1626 to an overall pavement width of 82 feet that would consist of four 12-foot travel lanes (two in each direction), a 14-foot continuous left turn lane, and 10-foot shoulders. The usual right-of-way width of the proposed improvements would be 160 feet.

PURPOSE AND NEED: The purpose of the proposed project is to improve the safety and mobility in the project area. Safety would be improved by widening the travel lanes, providing shoulders, separating left turning movements from the through travel lanes, and increasing mobility. In addition, by improving both the horizontal and vertical alignments of the roadway and establishing a 30-foot clear zone, sight distances along the roadway would be improved; thereby, increasing the safety of the roadway. Mobility would be improved by adding a travel lane in each direction and separating left turning movements from the travel lanes through the installation of a continuous left turn lane. There is a need to address the increasing traffic volume on this segment of FM 1626. In 1985, the 24-hour average daily traffic volume (ADT) on FM 1626 within the limits of the proposed project was 2,600 vehicles per day. By 2004, the ADT had reached 12,800 vehicles per day. In 2024, the ADT is projected to be 20,400 vehicles per day. The proposed project is included in the Capital Area Metropolitan Planning Organization 2035 Regional Transportation Plan (adopted May 24, 2010).

PREVIOUS PUBLIC INVOLVEMENT: A public meeting was held on May 6, 2004 to discuss the proposed improvements to FM 1626. Approximately 250 people attended the meeting which was held in the cafeteria of Akins High School. Overall there were 45 comments and one constraint map received as a result of the public meeting. Sixteen of the comments were in favor of the proposed project. Of these 16 comments, 10 had additional general comments on the proposed project. There were five comments received that were in opposition to the proposed project. The five opposition comments focused on the proposed project leading to an increase in development in the area, leading to higher fatalities and more traffic through neighborhoods, connecting IH 35 to proposed SH 45 Southwest, and increased noise. Twenty-four of the comments received did not express a position on the proposed project, but were general comments on the proposed project.

ENVIRONMENTAL DOCUMENT APPROVAL: The Federal Highway Administration approved the environmental assessment as "satisfactory for further processing" on October 16, 2009.

NOTICES AND ARTICLES: Notice of the public hearing was published in the *Austin American Statesman* (November 8th and 28th, 2009) and *The Free Press* (November 11th and 25th, 2009). In addition, letters of invitation were sent to owners of property adjacent to FM 1626 within the project limits. **Appendix A** contains a copy of the public hearing notice.

PUBLIC HEARING DATE AND PLACE: December 8, 2009, Elm Grove Elementary School located at 801 FM 1626 in Buda, Texas.

ATTENDANCE: A total of 403 people signed the public involvement register. Of the 403, nine identified themselves as either elected officials or representatives of elected officials. Copies of the public involvement registers are found in **Appendix B.**

PRESENTATION OVERVIEW:

Introduction and Hearing Format

Marcus Cooper, TxDOT - Public Information Officer

Technical Presentation

Don Nyland, P.E., TxDOT - South Travis Area Engineer

Environmental Presentation

Dennis Nielsen, TxDOT - Environmental Specialist

Right-of-Way Acquisition and Relocation Assistance

Bob Harwood, Attorney, TxDOT – South Regional Service Center

EXHIBITS, HANDOUTS AND PHOTOGRAPHS: Typical sections and a preliminary schematic of the project were displayed at the public hearing. The environmental assessment was available for review along with State Purchase of Right of Way and Relocation Assistance brochures were available to attendees. Hand-outs included: a welcome letter, an agenda, an overview of the project, a project location map, typical sections, information about right-of-way acquisition and relocation assistance, and a comment form. Copies of the hand-outs are found in **Appendix C**. Photographs taken at the public hearing are included in **Appendix D.**

SUMMARY OF PUBLIC COMMENTS: Sixteen people presented comments verbally at the public hearing. Of these, six were public officials (or representatives thereof) and ten were private citizens. A total of 145 written comments (letters, emails, completed comments forms) were received in response to the public hearing. Copies of the speaker registration cards are found in **Appendix E.** A copy of the certified transcript of the public hearing, which includes a verbatim transcript of the verbal comments, is found in **Appendix F**. **Appendix G** contains copies of the written comments**.**

Of the 161 comments received, 139 (86.3 percent) expressed support for the proposed project and seven (4.4 percent) expressed opposition. Fifteen commenters (9.3 percent) expressed neither support nor opposition to the proposed FM 1626 improvements, but instead provided specific comments about one or more aspects of proposed project.

MAJOR COMMENTS: Hays County recommended several "community-based" design refinements including enhanced bike/pedestrian facilities, reduced speed limits for portions of the project length, additional turn lanes, and vegetative filter strips for water quality protection. The design refinements were subsequently endorsed by several other commenters.

Several commenters expressed concern about terminating the proposed improvements at Brodie Lane and the impact it would have on Brodie Lane traffic and neighborhoods. Other commenters questioned the benefit of constructing the FM 1626 project prior to others projects in the CAMPO 2035 Regional Transportation Plan, particularly State Highway 45 and/or FM 2304 (Manchaca Road).

Other comments focused on the adequacy of the environmental assessment, indicating that project-related impacts would be significant and that an environmental impact statement should be prepared. Potential environmental concerns focused on water quality, threatened/endangered

species, and community impacts. Other environmental-assessment related concerns focused on logical termini/independent utility and the scope of the alternatives analysis.

Improved safety and enhanced mobility were the most commonly cited issues expressed by those in support of the project.

SUMMARY OF HOW MAJOR COMMENTS/ISSUES ARE ADDRESSED: The design refinements requested by Hays County have been evaluated by TxDOT. Many of the refinements have been incorporated into the project, and the environmental assessment and project schematic have been modified accordingly.

In response to comments regarding impacts to Brodie Lane, a traffic analysis was performed (see **Appendix H**). The traffic analysis concludes that construction of the proposed project would not result in a change to the CAMPO traffic congestion category on Brodie Lane through the year 2035. The traffic analysis supports Brodie Lane as a logical termination point for the proposed improvements while also serving to establish the independent utility of the project.

Comments regarding the adequacy of the environmental assessment and the need for an environmental impact statement were carefully evaluated. The Federal Highway Administration will consider the findings of the environmental assessment as well as the input received through the public hearing process when making its decision to either issue a finding of no significant impact or require the preparation of an environmental impact statement.

The project alternatives analysis has been expanded by addressing a broader range of potential alternatives, and the environmental assessment has been updated accordingly.

Due to the range of questions regarding various aspects of the proposed project, the reader is encouraged to read the comment response report which summarizes each comment and provides a specific response to each.

RECOMMENDATION: All comments, both verbal and written, have been adequately addressed. The environmental assessment has been revised, as necessary, to reflect design refinements requested by Hays County and accepted by TxDOT. The refined design of the project meets the purpose and need, as stated in the environmental document, while avoiding, minimizing and mitigating potentially adverse impacts. The revised environmental assessment concludes that the proposed project would not result in significant environmental impacts; thus, project approval and a finding of no significant impact is recommended.

COMMENT AND RESPONSE

Section 1:

COMMENT OVERVIEW/GENERAL ISSUES

The vast majority of verbal and written comments received expressed support for the proposed project because it will significantly increase safety and mobility on FM 1626 between RM 967 and Brodie Lane. Some commenters supported the project but requested certain adjustments or changes to further improve mobility efficiency or enhance safety. Those comments are addressed in connection with the responses to individual commenters (**Section 2**). A few commenters expressed opposition to the proposed project and/or questioned the sufficiency of the environmental assessment. The Texas Department of Transportation (TxDOT) appreciates all the comments received, whether positive or negative, and has carefully considered each one.

While those who were critical of the environmental assessment made several comments, most of them could be grouped according to a few general categories: I) logical termini and independent utility; II) threatened and endangered species; III) water quality; and IV) alternatives. The purpose of this section is to provide general responses as to those issues, while the responses to the individual commenters (**Section 2**) will address each specific comment. This will ensure that the responses are thorough while avoiding unnecessary repetition.

Some commenters raised questions that were, in whole or in part, grounded in the interpretation of traffic data. These questions primarily related to two issues: (1) the need for the proposed 5-lane alternative versus a 3-lane alternative with a center turn lane; and (2) the potential impact of the project on Brodie Lane traffic and surrounding neighborhoods. In response to these comments, an additional traffic analysis using data through 2008 (and where available from 2010 counts) was prepared to address these issues. A copy of the traffic analysis can be found in **Appendix H.** The results of that traffic analysis have addressed these comments and the data will be incorporated as necessary into the environmental assessment. As discussed below, the traffic analysis demonstrates that the continued growth of traffic along FM 1626 supports the need for the 5-lane proposed alternative for both safety and mobility reasons. With respect to Brodie Lane, the traffic analysis concludes that the construction of the proposed alternative would have no impact to the resulting CAMPO congestion category on Brodie Lane through the year 2035.

I. General Issue #1: LOGICAL TERMINI / INDEPENDENT UTILITY

A Federal Highway Administration (FHWA) regulation outlines the general principles that are used to frame a project and identify the scope of its review. The basic goal of the rule is to ensure that projects—and their required environmental reviews—are not improperly segmented. FHWA and TxDOT (when working on federal aid projects) apply this rule based on their own guidance and Council on Environmental Quality regulations (including 40 CFR § 1508.25), all of which is further informed by the NEPA jurisprudence of the federal courts. More specifically, 23 CFR § 771.111(f) states as follows:

> In order to ensure meaningful evaluation of alternatives and to avoid commitments to transportation improvements before they are fully evaluated, the action evaluated in each environmental impact statement or finding of no significant impact shall:
>
> 1. Connect logical termini and be of sufficient length to address environmental matters on a broad scope;
> 2. Have independent utility or independent significance, i.e., be usable and be a reasonable expenditure even if no additional transportation improvements in the area are made; and
> 3. Not restrict the consideration of alternatives for other reasonably foreseeable transportation improvements.

Three commenters alleged (directly or indirectly) that the project was not scoped in compliance with 23 CFR § 771.111(f). Specifically, two commenters directly questioned whether the project had logical termini or independent utility. Another commenter indirectly implicated these principles in its criticism of the project's purpose and need, which of course influences the scope of review for the project.

The purpose and need of the project is twofold: to improve safety and mobility. The project limits are established as the 3.76-mile length of FM 1626 that is largely within Hays County, beginning at RM 967 to the south and ending across the Travis County line at Brodie Lane to the north. FHWA guidance on the development of logical termini states that "logical termini for project development are defined as (1) rational end points for a transportation improvement, and (2) rational end points for a review of the environmental impacts."[1]

A. Establishing the Rational End Points for the Proposed Improvements

[1] Federal Highway Administration, The Development of Logical Project Termini (November 5, 1993).

According to FHWA guidance, the most common termini are points of major traffic generation, especially intersecting roadways. For projects involving safety improvements, almost any termini (such as political jurisdictions or geographical features) can be appropriate. In this instance, the proposed project has the dual purpose of increasing safety and mobility. However, as explained below, FHWA's concurrence that RM 967 and Brodie Lane are rational end points for the proposed improvements would comply with the applicable guidance even if increased mobility were the sole purpose of the project.

1. Safety Considerations

The safety and mobility components of the purpose and need are both driven by growth, which has contributed heavily to the substantial increase in traffic on FM 1626 in this area. Several of the verbal and written comments received expressed support for the project for safety reasons. The environmental assessment details the number of accidents and injury accidents from 1998-2002, and states that a majority of these accidents involved either intersection-related rear-end collisions and run-off-the road/fixed object or overturn collisions. More recent data from 2007-2009 confirms the need for the proposed improvements to address the safety issues.

Year	**Number of Accidents**
2007	26
2008	33
2009	28
3-YEAR TOTAL	*87*

Source: TxDOT Accident Records

Of these, the vast majority involved rear-end (49 percent) or run run-off-the road/fixed object or overturn collisions (25 percent). There were three head-on collisions. Forty-five percent of the accidents during this three-year period were injury accidents and there was one fatal accident. As described in the environmental assessment, the proposed improvements include a center-turn lane, shoulder improvements and the straightening of certain potentially-troublesome curves in the existing alignment. It is believed that these changes would improve conditions that were involved in the significant majority of these accidents. For example, construction of the 14-foot

continuous center turn lane is expected to significantly reduce the number of rear-end collisions by allowing through traffic to flow around turning vehicles. Shoulder improvements (typically from 0 to 3 feet currently to 10 feet as proposed) and shifts in the vertical and horizontal alignment of the roadway to meet current design standards should also help reduce the run-off-the-road accidents. These two types of accidents accounted for 74 percent of the accidents along the proposed limits of the project from 2007-2009.

2. Growth of Traffic to from FM 967 to the Brodie Lane Terminus

The substantial growth of the surrounding area is well-documented in the environmental assessment, as is the significant increase (492 percent) in the 24-hour average daily traffic volume within the limits of the proposed project from 1985-2004, when it reached 12,800 vehicles per day. Pursuant to FHWA guidelines, planning for the proposed project is based on a 20-year horizon. Therefore, based on when the process began, traffic projections for the project reflect the 2024 design year, when traffic within the limits of the proposed improvements is expected to be 20,400 vehicles per day.

A few commenters criticized the environmental assessment on grounds that more current data was not utilized. In response to that comment, the traffic analysis was prepared utilizing TxDOT average daily traffic (ADT) counts from 2005 through 2008, as well as ADT counts from early 2010 that were obtained by ARTC Traffic Consulting. To ensure the consistency of the data, ARTC utilized TxDOT's collection points within the proposed project limits as well as from Brodie Lane to FM 2304 (Manchaca Road).[2] The results of the traffic analysis have addressed these comments, and the updated data contained in the traffic analysis will be incorporated into the environmental assessment.

One commenter questioned the need for the project based on ADTs from 2005-2008, which allegedly show that traffic on FM 1626 was "flattening" and had even shown a slight decrease in 2008. However, a review of the ADTs from those years reveals that the commenter was basing their position on only that segment of the project between the proposed State Highway 45 (roughly the county line) and Brodie Lane. Indeed, in 2008, the ADTs on that segment of FM 1626 decreased by 2.1 percent (from 14,100 in 2007 to 13,800 in 2008). By early 2010, however, the ADTs on that segment had rebounded to 15,962, an increase of 13 percent over 2007 counts and 16 percent over 2008 counts.

In any event, while there may be yearly fluctuations up or down, the significance of those fluctuations can be overstated unless examined in the context of a longer sample. During the

[2] The scope of ARTC's work did not include securing 2010 counts from the FM 1626 segment south of the proposed project (FM 2770 to RM 967).

2005-2008 period of "flattening" cited by the commenter, ADTs on FM 1626 between State Highway 45 and Brodie Lane increased by 5.3 percent. Moreover, on the longer segment of the project from RM 967 to State Highway 45, ADTs from 2005 to 2008 *increased* by 39.4 percent. The 2010 ADTs that were gathered for the traffic analysis further reinforce the continued growth trend. From 2005 to 2010, ADTs on FM 1626 from RM 967 to the proposed State Highway 45 increased 71.8 percent (which includes a 23 percent increase from 2008-2010), and ADTs on FM 1626 from State Highway 45 to Brodie Lane increased 21.8 percent (including a 16 percent increase from 2008-2010).

The data show no indication that the longer-term growth trend has abated (or can reasonably be expected to abate in the future) to any significant degree. When the more recent year counts are added to the body of data considered in the prior version of the environmental assessment, the picture of longer-term historic growth in ADTs within the proposed project limits becomes even more clear. Consider the following 16-year comparison including the updated 2005-2010 data (which exceeds the 2008 counts suggested by the commenter). Note that the two shaded segments comprise the proposed limits of the project:

FM 1626 Limits (south to north)	1995 ADT	2010 ADT	% Growth
FM 2770 to RM 967	3100	9900 *	219.4% *
RM 967 to State Highway 45	4300	13060	203.7%
State Highway 45 to Brodie Lane	8400	15692	86.8%
Brodie Lane to FM 3204 (Manchaca Rd.)	9800	13270	35.4%

* The ADT for FM 2770 to RM 967 is from 2008; a 2010 ADT was not available for this segment. As a result, the growth rate is from 1995-2008.

These numbers in part reflect why the current level of service on FM 1626 within the proposed project limits is "E" on a scale of "A" (best) to "F" (worst). They also reflect (in part) why FHWA concurred that the appropriate northern terminus was Brodie Lane rather than Manchaca Road as suggested by two of the commenters—the segment of FM 1626 from Brodie to Manchaca has not experienced anywhere near the same level of significant growth as the segment leading to the proposed terminus.

As far as the longer-term picture is concerned, one commenter suggested that the need for the project has abated due to slower growth in the area brought about by the recent economic recession. Hays County's long-term growth will be driven by a mix of internal and external forces. Hays County is located between two of Texas' largest counties – Bexar and Travis. Both counties are experiencing strong population and employment growth, which has ripples effects along the IH 35 corridor. For example, the U.S. Census Bureau estimates roughly 70 percent of Hays County residents commute to jobs outside of the County each day. Hays County remains an appealing location for major economic development projects such as Texas State University's expansion plans and the Seton Family of Hospitals new facility. Over the past year, Hays County's population grew at twice the State of Texas rate, 4.1 percent and 1.9 percent respectively. Despite the economic recession, high unemployment rate, and fluctuating gas prices, the fundamental factors shaping Hays County have not changed.

B. <u>Establishing the Rational End Points for Reviewing Environmental Impacts</u>

With respect to the second element of logical termini—scope of review for the environmental impacts—the environmental assessment is scoped to study the direct effects of the proposed project within its limits and the indirect and cumulative effects over a much broader area. The scope for indirect effects is generally bound by IH 35 and FM 2770 on the east, an area approximately midway between FM 1626 and RM 1826 on the west, RM 150 on the south and Slaughter Lane on the north. The indirect effects study area encompasses approximately 45,000 acres. The study area for cumulative effects varies based on the resource being evaluated, but generally reaches beyond the indirect effects study area. (*See* **Chapter VII** and **Figures 8-14**).

For both indirect and cumulative effects, the scope was established by applying generally-accepted and agency-recommended guidance including the following:

- National Cooperative Highway Research Program (NCHRP) Report 466: *Desk Referencing for Estimating the Indirect Effects of Proposed Transportation Projects.* Transportation Research Board-National Research Council (2002).
- CEQ and FHWA regulations.
- FHWA Technical Advisory T 6640.8A (1987).
- *Considering Cumulative Effects Under the National Environmental Policy Act*, Council on Environmental Quality (1997).

- *Questions and Answers Regarding the Consideration of Indirect and Cumulative Impacts in the NEPA Process,* Federal Highway Administration (2003).
- *Guidance on the Consideration of Past Actions in Cumulative Effects Analysis,* Council on Environmental Quality (2005).
- *Guidance on Preparing Indirect and Cumulative Impact Analysis,* Texas Department of Transportation (2010).

Following the criteria established by these regulations and guidance is expected to yield an appropriate scope of inquiry, especially in this instance where an environmental assessment is prepared and considering that most of the guidance is designed for use in connection with an environmental impact statement. With respect to the concerns of some commenters regarding the evaluation of the potential effects of the project on Brodie Lane traffic, that issue is addressed below as well as in the traffic analysis.

C. Independent Utility

1. Generally

Two commenters suggested that the proposed project did not have independent utility because it should be considered with other proposed projects in the area that are at varying stages of planning and development. In particular, one commenter suggested that the project is not a reasonable expenditure unless State Highway 45 is constructed or if the proposed project is not extended to include the segment of FM 1626 to Manchaca Road (FM 2304).

The proposed FM 1626 improvements between RM 967 and Brodie Lane is one of at least three projects planned for upgrading FM 1626 in the CAMPO 2035 Regional Transportation Plan. Likewise, State Highway 45 is also included in the CAMPO plan as a separate project. Those future projects would be subject to environmental study and public involvement prior to construction. Environmental review under NEPA would be a prerequisite for federal financial participation.

When evaluating whether or not a project in a metropolitan area has been improperly segmented, federal courts have often focused on whether or not that project will contribute to the alleviation of traffic problems in the area, or will serve some other highly useful traffic purpose, such as improving safety. As a result, even though a project may become a component in a broader metropolitan transportation network, it may still have independent justification. Conversely, a project does not have independent utility when it is "simply illogical when viewed in isolation." *See, e.g., Save Barton Creek Association v. FHWA,* 950 F.2d 1129 (5th Cir. 1992).

As the analysis of ADTs and accidents in the environmental assessment and these responses demonstrate, there is a clear need for safety and mobility improvements on FM 1626 between

RM 967 and Brodie Lane. The number of annual accidents along this 3.76-mile stretch of roadway is increasing. From 1999-2001, there were an average of 21.3 accidents per year, over half of which involved injury accidents including one fatal accident. By 2007-2009, the average number of accidents had escalated to 29 per year, 45 percent of which involved injury accidents including one fatal accident. As discussed above, it is anticipated that the proposed improvements will improve conditions involved in the vast majority of accidents along FM 1626 within the project limits. The improvement of these conditions, in and of itself, serves the highly useful traffic purpose of increasing safety.

It is also anticipated that the proposed project would contribute to the alleviation of traffic problems in the area. The effects of growth over the last 25 years have resulted in a reduction in the level of service within the proposed project limits to its current peak hour level of "E", which is one level short of the poorest rating. Without the proposed improvements, the traffic analysis indicates that level of service would deteriorate to level "F". This would occur long before (by at least 2018) the ADT within the project limits reaches the projected level of 20,400 vehicles per day for the 2024 design year. With the proposed improvements, however, the level of service within the project limits is expected to be level "B" in the design year.

2. Brodie Lane

The same commenters also expressed concern that the proposed project would have significant impacts on Brodie Lane traffic levels at a time when further capacity improvements to Brodie are not being contemplated. According to these commenters, the proposed project merely funnels the increased traffic onto an already overburdened Brodie Lane, and the only way to alleviate that condition is to construct State Highway 45 (and also perhaps further improvements to FM 1626 from Brodie to Manchaca as well as on Manchaca itself). Thus, the main thrust of the commenters' argument is that absent the construction of State Highway 45, the project cannot have independent utility because it just moves a bottleneck from one place to another.

As explained below, the project's potential impact on Brodie Lane was evaluated in the traffic analysis, which concludes that the construction of the proposed alternative would not result in a change to the CAMPO traffic congestion category on Brodie Lane through the year 2035. While the construction of other area projects would enhance mobility in the area, this does not mean that the proposed FM 1626 project has no independent utility.

Generally speaking, it is usually reasonable to expect that the addition of new highway capacity to the transportation network in a given area would improve the function and level of service on the individual arterial or collector components in that same network. Applying that general rule to this area, it is reasonable to assume that the construction of other proposed projects in the area—including particularly State Highway 45—would alleviate both existing and future conditions on Brodie Lane under either the build or no-build scenarios for FM 1626. The same

could be said for the effect that these additional projects would likely have on FM 1626 traffic, or on Manchaca Road traffic for that matter.

Commuter traffic is motivated by the shortest travel time, not necessarily the shortest distance traveled. As the Brodie Lane corridor traffic volumes increase, the overall level of service would decrease, causing travel times along the Brodie Lane corridor to become longer. As that occurs, Brodie Lane would become a less desirable option for the FM 1626 commuter. If the other proposed projects in this area are eventually built, the FM 1626 commuter would have either new alternatives (State Highway 45) or existing alternatives (FM 1626 north of Brodie and Manchaca) would be enhanced, which would provide shorter travel times than Brodie Lane.

At the same time, however, it is also generally true that a project to improve the function of an individual component—such as FM 1626 from RM 967 to Brodie lane—can still have independent justification and serve a useful purpose even if its function would later be further enhanced by the construction of other improvements or projects in the network. For this reason, the federal courts interpreting NEPA and its related regulations have recognized the distinction between independent utility on the one hand, and maximum or optimal utility on the other hand. The law does not require maximum utility. Indeed, if maximum utility was required, it would be virtually impossible to construct a transportation network in a metropolitan area in phases. In order to satisfy the requirement for independent utility, a project must contribute to the alleviation of traffic problems or serve some other highly useful purpose, such as improving safety. As discussed above, the proposed project is expected to both (a) alleviate congestion and improve mobility on FM 1626 from RM 967 to Brodie Lane; and (b) substantially improve safety. The need for the project is substantiated by the available data.

Courts applying the independent utility test also may ask whether or not a project is simply illogical when viewed in isolation. The commenters who raised the Brodie Lane issue suggest that the proposed project is illogical because it improves conditions on FM 1626 at the expense of substantially worsened conditions on Brodie Lane. This issue was addressed in the traffic analysis and summarized below.

The 2008 AM peak hour turning movements indicate that 43 percent of cars traveling north on FM 1626 turn left onto Brodie Lane, which demonstrates that FM 1626 commuter traffic currently affects Brodie Lane. (It also supports the conclusion that Brodie Lane is a logical termini for the proposed project.) However, the Brodie Lane traffic counts from 2005 and 2010 show 12 percent growth on Brodie Lane at FM 1626, despite the FM 1626 corridor showing a much larger average of 47 percent growth from RM 967 to Brodie Lane over the same period. Because the traffic growth on FM 1626 does not equate to a similar rate of growth on Brodie Lane, the traffic analysis states that FM 1626 commuters are already using travel alternatives instead of Brodie Lane. The traffic numbers indicate that the commuter traffic is roughly split

between Brodie and upstream alternatives (including Manchaca, 1st Street and IH-35). The split will likely persist with no proposed improvements to Brodie Lane. Building or not building the FM 1626 project should not have a significant impact on Brodie Lane, and would have no impact on the congestion.

5-YEAR AADT GROWTH RATES			
Limits (South to North)	*2005 AADT*	*2010 AADT*	*% Growth*
Brodie Lane (Between Hewitt Lane & Frate Barker)	9550	10731	12.4%
FM 1626 (RM 967 to Proposed State Highway 45)	7600	13060	71.8%
FM 1626 (Proposed State Highway 45 to Brodie Lane)	13100	15692	21.8%
5-Year Average Growth FM 1626 (RM 967 to Brodie)			46.8%

To further demonstrate the effect that the proposed FM 1626 project would have on Brodie Lane, we utilized the adopted 2035 CAMPO model. The CAMPO model is a travel demand model developed to evaluate regional transportation performance. The model is created from behavioral assumptions combined with roadway and transit networks applied with demographics. The resulting output from the model is congestion and roadway performance data which is used for impact analyses throughout the CAMPO 5-county region.

The intersection of FM 1626 and Brodie Lane currently operates at a LOS of D and is considered a congested area. To demonstrate what impact FM 1626 has on Brodie Lane we evaluate points on Brodie Lane and FM 1626 as if they were independent of the intersection. The points we

choose were in alignment with nodes on the 2035 CAMPO model, one on Brodie Lane just north of FM 1626 and one on FM 1626 just west of Brodie Lane.

Using the CAMPO model forecasted ADTs and volume to capacity ratios, we compared 2015, 2025 and 2035 "build" vs. "no-build" scenarios at the Brodie Lane evaluation point.

- The "no-build" scenario utilizes the 2010 existing transportation network (i.e. no FM 1626 improvements and no proposed SH 45 construction) with future demographics for the proposed given year.
- The "build" condition incorporates the transportation projects that are included in the CAMPO 2035 Regional Transportation Plan and demographics for the proposed given year.
- The "build" condition in the year 2015 and beyond considerers FM 1626 as a 4 lane section through the study area.

The analysis indicates that building or not building FM 1626 has very little effect on the Brodie Lane volume to capacity ratio and has no impact on the traffic congestion category (see Table 14 and Table 15). It is important to note that in the year 2015, which is prior to the proposed SH 45 anticipated construction, the CAMPO model indicates no change to the congestion category on Brodie Lane. Although the congestion category for Brodie Lane at the evaluation point is non-congested, this does not imply that the intersection of FM 1626 and Brodie Lane as a whole is non-congested or functions well; it is just demonstrating the influence of FM 1626 on Brodie Lane ADTs as an independent point.

If we observe the evaluation point for 2015 "no-build" vs. the 2025 "no-build" on Brodie Lane we notice a reduction in the ADT forecast from 2015 to 2025, yet the same years on FM 1626 see an increase in ADT. The CAMPO model is demonstrating that even with no change to the 2010 roadway network, the traffic will reroute due to congestion to alternatives besides Brodie Lane. This reaffirms that the traffic growth on FM 1626 does not exclusively influence traffic growth on Brodie Lane.

Using the same CAMPO model, we observed the evaluation point on FM 1626 (see Table 16). The conclusion is that building FM 1626 and the surrounding roadway network improvements will improve the FM 1626 traffic congestion category and this is consistent with the surrounding nodes on the CAMPO model.

The different results on the two evaluated points support the discussion above that FM 1626 traffic growth will have less impact on Brodie Lane in the future as more commuter alternatives become available. The analysis also indicates that building the proposed FM 1626 project will have no impact to the resulting congestion category on Brodie Lane through the year 2035. (See excerpted tables from the traffic analysis below.)

Table 14: Volume to Capacity Ratio - Traffic Congestion Category

Volume to Capacity Ratio - Category of Congestion (Source - CAMPO)
< 1, non-congested
1-1.3, congested
> 1.3, severely congested

Table 15: 2035 CAMPO Model "Build" vs. "No-Build" - Brodie Lane Point

	Brodie Lane ADT (North of FM 1626 Intersection)		
	Source: 2035 CAMPO Model		
Scenario	ADT	Volume to Capacity Ratio	Category of Congestion
2010 Network	9800	0.495	< 1 non-congested
2015 Demographics on 2010 Network "No Build"	11300	0.571	< 1 non-congested
2025 Demographics on 2010 Network "No Build"	10500	0.53	< 1 non-congested
2035 Demographics on 2010 Network "No Build"	11500	0.581	< 1 non-congested
2015 Demographics on 2015 Network "Build"	10600	0.535	< 1 non-congested
2025 Demographics on 2025 Network "Build"	9100	0.46	< 1 non-congested
2035 Demographics on 2035 Network "Build"	6900	0.556	< 1 non-congested

Table 16: 2035 CAMPO Model "Build" vs. "No-Build" - FM 1626 Point

	FM 1626 ADT (West of Brodie Lane Intersection)		
	Source: 2035 CAMPO Model		
Scenario	ADT	Volume to Capacity Ratio	Category of Congestion
2010 Network	19600	1.556	> 1.3 severely congested
2015 Demographics on 2010 Network "No Build"	22000	1.746	> 1.3 severely congested
2025 Demographics on 2010 Network "No Build"	24500	1.944	> 1.3 severely congested
2035 Demographics on 2010 Network "No Build"	28500	2.262	> 1.3 severely congested
2015 Demographics on 2015 Network "Build"	31500	1.125	1 to 1.3 congested
2025 Demographics on 2025 Network "Build"	29000	1.036	1 to 1.3 congested
2035 Demographics on 2035 Network "Build"	30000	1.071	1 to 1.3 congested

For the foregoing reasons, the proposed project has independent utility such that it is a reasonable expenditure even if no other transportation improvements in the area are made. It is clearly anticipated to improve safety conditions and improve mobility in an area that has already experienced significant growth, and is reasonably expected to incur additional growth in the future.

II. General Issue #2: THREATENED AND ENDANGERED SPECIES

Some commenters expressed concern that the draft environmental assessment did not provide sufficient analysis of potential impacts of the proposed project on federally listed species. However, the environmental assessment includes an evaluation of potential project-related direct,

indirect, and cumulative effects which satisfies the requirements of 23 CFR Chapter 771, and is consistent with other environmental assessments prepared for transportation projects of similar scale. FHWA has made a determination that the proposed project "may affect, but is not likely to adversely affect" the golden-cheeked warbler and Barton Springs salamander – species listed as endangered by the U.S. Fish and Wildlife Service (the "Service"). Concurrence from the Service on the Barton Springs salamander was received on July 26, 2011 and concurrence from the Service on the golden-cheeked warbler was received on August 3, 2011.

There were some comments questioning the adequacy of mitigation measures proposed by the project proponent. Some of these comments focused specifically on measures aimed at mitigating potential impacts to listed species. Best management practices proposed for this project include silt fence, rock filter dams, seeding and vegetated filter strips. TxDOT is evaluating the potential to limit the peak runoff rate by using Permeable Friction Course (PFC) surfacing on the roadway. Additionally, a hazardous material trap is proposed to be placed near Little Bear Creek and would intercept a large quantity spill if a collision or accident occurs in that area. TxDOT has indicated that the proposed project will not cause take of the golden-cheeked warbler or Barton Springs salamander. Concurrence from the Service on the Barton Springs salamander was received on July 26, 2011 and concurrence from the Service on the golden-cheeked warbler was received on August 3, 2011. The ESA does not require compensatory mitigation be provided through the ESA Section 7 consultation process. Indeed, according to Service's Consultation Handbook (1998), "it is not appropriate [for the Service] to require compensatory mitigation for the impacts of incidental take." Consultation Handbook at 4-50.

Commenters also alleged that the proposed project is located in or near, or will impact, endangered species habitat. With respect to endangered karst invertebrates, the environmental assessment indicates that the proposed project is located entirely within an area mapped "Zone 3" by George Veni. Areas within Zone 3 are those that "probably do not contain endangered species." Moreover, the environmental assessment provides a detailed analysis regarding the potential impacts of the proposed project on the Barton Springs salamander and golden-cheeked warbler, and that analysis concluded that no significant impacts to either of those species are anticipated as a result of the proposed project. For example, the environmental assessment indicates that activities associated with the proposed project would occur at least 1,000 feet away from the nearest area of potential golden-cheeked warbler habitat. The Service typically takes the position that activities occurring 300 feet or more from potential golden-cheeked warbler habitat do not cause take of that species. Concurrence from the Service on the Barton Springs salamander was received on July 26, 2011 and concurrence from the Service on the golden-cheeked warbler was received on August 3, 2011.

With respect to comments concerning potential impacts to the Barton Springs salamander, it is worth noting that in the Service's final rule listing the salamander, the Service acknowledged that, "[g]enerally, new development and construction designed and implemented pursuant to State and local water quality protection regulations in effect as of the date of this rule will not result in a violation of section 9 [the take prohibition in the ESA]." 62 Fed. Reg. 23391 (April 30, 1997). As discussed in the environmental assessment, since that time, state and local water quality regulations (discussed below) have only become more stringent.

Finally, as noted above, concurrence from the Service on the Barton Springs salamander was received on July 26, 2011 and concurrence from the Service on the golden-cheeked warbler was received on August 3, 2011.

III. General Issue #3: WATER QUALITY

The proposed project would involve construction within the Edwards Aquifer recharge and contributing zones; however, as indicated in the environmental assessment, impacts to the aquifer would be negligible. The proposed project would add 3.9 acres of impervious cover over the recharge zone and 3.0 acres of impervious cover over the contributing zone. This additional impervious cover would account for 0.007 percent of the recharge and contributing zones within the watersheds crossed the project (Bear, Little Bear and Onion Creeks) and less than 0.004 percent of the entire recharge and contributing zones of the Barton Springs segment of the Edwards Aquifer. Construction of the proposed project would comply with the Texas Commission on Environmental Quality's (TCEQ's) Edwards Rules to the extent required, and a water pollution abatement plan, according to the provisions of the Rules, would be required. Construction of the proposed project would also comply with all applicable laws and regulations, including, without limitation, section 404 of the Clean Water Act (potentially through utilization of Nationwide Permit 14) and the TCEQ's TPDES program. Best management practices proposed for this project include silt fence, rock filter dams, seeding and vegetated filter strips. TxDOT is evaluating the potential to limit the peak runoff rate by using Permeable Friction Course (PFC) surfacing on the roadway. Additionally, a hazardous material trap is proposed to be placed near Little Bear Creek and would intercept a large quantity spill if a collision or accident occurs in that area. With respect to the five water bodies present within the action area, the environmental assessment indicates that no significant impacts are expected from activities associated with the proposed project. Impacts to Garlic Creek and the two tributaries to Little Bear Creek have been minimized by utilizing most of the existing alignment. Impacts to Little Bear Creek and Bear Creek have been minimized by designing the bridges to span the creek channels.

IV. General Issue #4: ALTERNATIVES ANALYSIS

With regard to additional alternatives, the alternatives analysis for the project would be expanded to include Transportation System Management, Transportation Demand Management, and transit strategies. In addition a broader range of build alternatives would be evaluated. The expanded alternatives analysis would be documented in the final environmental assessment.

Section 2:

INDIVIDUAL COMMENTS/COMMENT RESPONSES

Verbal Comments: (in alphabetical order)

Barton, Jeff

Mr. Barton introduced himself as the County Commissioner for Precinct 2 and the project manager for the Hays County-TxDOT partnership on FM 1626. Commissioner Barton explained that this project has been in process over several years and that several public meetings have been conducted. He noted that Hays County voters overwhelmingly approved the bond package associated with the project in 2008. He stated that the project has also had support of elected officials from both counties throughout its history. Commissioner Barton noted that he conducted additional task force meetings addressing context sensitive design and that the results of these meetings would be presented by the county engineer. Proposals to the current project include sidewalks, bike paths and 'smart road concepts'. Commissioner Barton stated that the rumor that the planning for the project has been 'rushed through' or secretive are not true. He went on to state that the need for the project is urgent and that safety issues are a great concern. He noted that his 'Commissioner's Court' passed a resolution asking for the project to be 'expedited and approved.' Commissioner Barton requested all persons supporting the project at the meeting to stand and say 'Fix 1626'.

Response: Comment noted.

Borcherding, Jerry

Mr. Borcherding identified himself as the County Engineer for Hays County. He proposed the following changes to the current TxDOT schematic for the project (a copy of proposed changes were also received by mail):

Hays County is requesting the following changes to the FM 1626 TxDOT Schematic:

For the entire project limits:

- County requests a project total of 45 new acres of ROW (no displacements) for the project constructability issues and water quality measures.

  Response: The water quality measures anticipated for use on the project are water quality inlets, vegetative filter strips and grass swales. TxDOT is evaluating the potential to limit the peak runoff rate by using Permeable Friction Course (PFC) surfacing on the roadway. Additionally, a hazardous material trap is proposed to be placed near Little Bear Creek and would intercept a large quantity spill if a collision or accident occurs in that area. The right-of-way footprint, as presented at the public hearing, will accommodate the proposed water quality controls while minimizing constructability issues. Should it be determined during final design that additional right-of-way is

necessary to accommodate water quality controls or for constructability purposes, environmental study of the affected area would be undertaken and a re-evaluation would be prepared.

- The addition of water quality measures to project such as grass filter strips

  Response: The proposed project will include temporary (construction phase) and permanent (operational) water quality controls. The water quality measures anticipated for use on the project are water quality inlets, vegetative filter strips and grass swales. TxDOT is evaluating the potential to limit the peak runoff rate by using Permeable Friction Course (PFC) surfacing on the roadway. Additionally, a hazardous material trap is proposed to be placed near Little Bear Creek and would intercept a large quantity spill if a collision or accident occurs in that area.

<u>Roadway Section – Sta.74+18.02 to Sta. 93+15.57 (approx. 1900' or .36 miles) from FM 967 to end of Balcones Bank property line</u>

- Lowering design speed to 45 mph

  Response: Development adjacent to this section of roadway is characterized as suburban. As such, in accordance with TxDOT's functional classification map, a reduced design speed may be utilized; thus, the County's recommendation will be implemented.

- Revising the roadway typical section to a 5-lane section with concrete curb and gutter. Consisting of 15' outside lanes, 12' inside lanes and a continuous 14' two way left turn lane.

  Response: TxDOT's preference is to maintain the two 12-foot lane concept (presented at the public hearing). In addition, a 4-foot shoulder is proposed between the outside lane and the lip (inside edge) of the storm gutter.

- Adding a right turn lane from SB FM 1626 onto WB FM 967

  Response: The addition of the requested right turn lane is consistent with the stated purpose and need for the project ("improve safety and mobility") and would serve to enhance the overall benefit of the proposed project; thus, the County's recommendation will be implemented.

- Adding an 8' wide sidewalk along SB FM 1626

  Response: The addition of a sidewalk is consistent with the stated purpose and need for the project and would serve to enhance pedestrian mobility in the project area; thus, the proposed project will be modified to include a sidewalk. However, right-of-way constraints may dictate a sidewalk width of less than 8 feet.

- Adding storm sewer system

Response: Storm water runoff volume will be assessed during the design process and an effective stormwater management system will be provided. Should the design process reveal that a storm sewer system is warranted to effectively manage stormwater, a storm sewer system will be incorporated as an element of the project.

- Revising the proposed ROW to vary from 180'(min) to 200' (max)

  Response: The improvements described in the environmental assessment can be accommodated within the 160-foot right-of-way contemplated in the environmental assessment. If during final design it is determined that additional right-of-way is required for any reason, environmental study of the affected area would be undertaken and a re-evaluation would be prepared

<u>Roadway Section – Sta.93+15.57 to Sta. 118+51.95 (approx 2500' for .5 miles) from the end of Balcones Bank property to the Jerry's Lane/Westway Drive intersection</u>

- Lowering design speed to 45 mph

  Response: Development adjacent to this section of roadway is characterized as suburban. As such, in accordance with TxDOT's functional classification map, a reduced speed may be utilized; thus, the County's recommendation will be implemented.

- Revising the roadway typical section to 2537' curb and gutter section with a raised center median. Consisting of 15' outside lanes, 12' inside lanes and a raised center median of varying widths (4'-16').

  Response: The use of a raised median in this area would not be consistent with the proposed roadway and the current environmental document and would require additional environmental studies of the affected area. The roadway typical section that will be implemented into the project is a 5-lane concrete curb and gutter section. This section will consist of two 4' shoulders, four 12' lanes and a continuous 14' two way left turn lane with no raised median.

- Adding a left turn and right turn lanes at Maybrook Dr.

  Response: The addition of the requested turn lanes is consistent with the stated purpose and need for the project ("improve safety and mobility") and would serve to enhance the overall benefit of the proposed project; thus, the County's recommendation will be implemented.

- Adding a left turn and right turn lanes at CR 143 (West Way/Jerry's Ln)

  Response: The addition of the requested turn lanes is consistent with the stated purpose and need for the project ("improve safety and mobility") and would serve to enhance the overall benefit of the proposed project; thus, the County's recommendation will be implemented.

- Adding an 8' wide sidewalk along SB FM 1626

  Response: The addition of a sidewalk is consistent with the stated purpose and need for the project and would serve to enhance pedestrian mobility in the project area; thus, the proposed project will be modified to include a sidewalk. However, right-of-way constraints may dictate a sidewalk width of less than 8 feet.

- Adding storm sewer system

  Response: Storm water runoff volume will be assessed during the design process and an effective stormwater management system will be provided. Should the design process reveal that a storm sewer system is warranted to effectively manage stormwater, a storm sewer system will be incorporated as an element of the project.

- Revising the proposed ROW to vary from 180'(min) to 200' (max)

  Response: The improvements described in the environmental assessment can be accommodated within the 160-foot right-of-way contemplated in the environmental assessment. If during final design it is determined that additional right-of-way is required for any reason, environmental study of the affected area would be undertaken and a re-evaluation would be prepared.

<u>Roadway Section – Sta. 118+51.95 to Sta. 264+84.71 (approx. 14, 644' or 2.77 miles) from the Jerry's Lane/Westway Drive intersection to the end of project at 600' south of the Brodie Lane intersection.</u>

- No proposed change to the design speed of 60 mph per TxDOT schematic.

  Response: Comment noted.

- No proposed change to the 5-lane rural section per TxDOT schematic.

  Response: Comment noted.

- Stop project improvements at Bliss Spiller

  Response: The limits of the proposed project as described in the environmental assessment and presented at the public hearing would extend from FM 967 to Brodie Lane. Improvements within these limits are necessary to accommodate projected traffic volumes within the project area and provide logical termini for the proposed project.

- Adding a grading for a future 8' sidewalk up to the Manchaca Youth Optimist baseball complex

Response: The feasibility of grading for a future sidewalk will be evaluated during final design. If it is determined that the requested grading can be accommodated within the right-of-way of the proposed project, grading would be included in the project plans.

- Widened the proposed Little Bear Creek Bridge to accommodate an 8' wide sidewalk

  Response: The addition of a sidewalk is consistent with the stated purpose and need for the project and would serve to enhance pedestrian mobility in the project area; thus, the bridge design will be modified to include the requested sidewalk.

- Adding a 550' long transition section to tie back to the existing pavement just south of the Bear Creek Bridge

  Response: The Bear Creek Bridge is now proposed to be replaced under the proposed project. Therefore, a transition section to tie back to the existing pavement would be incorporated into the plans north of Brodie Lane.

- Alter the Lakewood Drive tie in with 1626 and coordinate design with the Lakewood Drive County Bond project.

  Response: The proposed FM 1626 improvements will be designed to be compatible with the County's Lakewood Drive project.

- Complete a signal warrant study at Lakewood Drive/FM 1626 and add a signal to the schematic for the ultimate configuration of the intersection.

  Response: The need for a traffic signal at the intersection of FM 1626 and Lakewood Driver will be evaluated during final design. If it is determined that a traffic signal is warranted, a signal would be incorporated into the project plans.

- Revising the proposed ROW to vary from 180' (min) to 250' (max)

  Response: The improvements described in the environmental assessment can be accommodated within the 160-foot right-of-way contemplated in the environmental assessment. If during final design it is determined that additional right-of-way is required for any reason, environmental study of the affected area would be undertaken and a re-evaluation would be prepared.

Bradsher, Brad

Mr. Bradsher stated his support of the project but expressed concerns that without the construction of State Highway 45 it will not be sufficient. He urged residents to get involved and support the construction of State Highway 45.

Response: The proposed FM 1626 improvement project, which was the subject of the December 8, 2009, public hearing, is separate and distinct from the proposed State

Highway 45 project. A separate, stand-alone environmental document will be required and a public hearing will be held as part of the development process for the proposed State Highway 45 project.

Bryant, Ray

Mr. Bryant was identified as a Kyle City Councilman and expressed his agreement with Commissioner Barton's comments and that he strongly supports the project.

Response: Comment noted.

Carney, Linda

Dr. Carney identified herself as a physician within the project area. She stated that many of her patients are treated as a result of injuries sustained in accidents on FM 1626. She expressed her support of the project for safety reasons.

Response: Comment noted.

Castillo, Rick

Mr. Castillo stated that he is a resident of the project area and has been involved in the project planning for 13 years. He noted his support of the project but stated that he is also in favor of the changes proposed by the County engineer. He would like to see these changes incorporated into the plan as soon as possible to avoid any further delay.

Response: Comment noted.

Conley, Will

Mr. Conley was identified as a Hays County Commissioner. Commissioner Conley stated that he was responsible for negotiating the funding for this project. He asked for the continued support of Hays County residents to see the project to completion.

Response: Comment noted.

Frensley, Melissa

Ms. Frensley identified herself as a resident of the project area and expressed safety concerns for her family while driving on FM 1626. She noted her support for the project and requested it be completed quickly. She noted that there are rumors that Travis County does not support the project and she asks that TxDOT consider that the money for the project has been provided by Hays County.

Response: Comment noted.

Gieselman, Joe

Mr. Gieselman identified himself as the Transportation Executive Manager for Travis County. He expressed his concern for widening FM 1626 without the completion of State Highway 45. He requested that TxDOT consider the impacts of the project on Travis County.

> **Response:** The proposed FM 1626 improvement project, which was the subject of the December 8, 2009, public hearing, is separate and distinct from the proposed State Highway 45 project. A separate, stand-alone environmental document will be required and a public hearing will be held as part of the development process for the proposed State Highway 45 project.
>
> The proposed project is being considered in accordance with the National Environmental Policy Act of 1969. Accordingly, an environmental assessment has been prepared. The environmental assessment includes an evaluation of potential project-related direct, indirect and cumulative effects with regard to a wide range of issues and resources. Potential impacts include land use and socio-economic impacts that would occur in Hays and Travis Counties. Regional and community growth, public facilities and services, community cohesion, and environmental justice are among the socio-economic impacts evaluated in the environmental assessment.

Gonzalez, Mike

Mr. Gonzalez was identified as the Mayor of Kyle. He stated that in addition to his role as mayor he is also the CAMPO representative for all small cities in Hays County. He expressed his support for the project. He urged residents to consider the impact that project will have on those who travel to and from Travis County. He stated his support for the construction of State Highway 45 in relation to this project and that they are both needed for the success of this project. He noted that the project is needed for safety reasons.

> **Response:** The proposed FM 1626 improvement project, which was the subject of the December 8, 2009, public hearing, is separate and distinct from the proposed State Highway 45 project. A separate, stand-alone environmental document will be required and a public hearing will be held as part of the development process for the proposed State Highway 45 project. Comments regarding project support and safety are noted.

Hagan, Brad

Mr. Hagan stated his support of the project and thanks all involved. He expressed concern for the length of time to get the project reviewed by FHWA. He asked anyone at the meeting interested in organizing by neighborhoods to support the project to contact him.

> **Response:** Comment noted.

Henderson, Melissa

Ms. Henderson identified herself as a representative of State Representative Patrick Rose. Commissioner Barton's office asked her to read a list of those who submitted letters of support for the project. The list includes the names of: State Senator Jeff Wentworth, State Representative Patrick Rose, Hays County Constable James Kohler, Hays County Constable David Peterson, Hays County Fire Marshal Mark Chambers, San Marcos-Hays County EMS Director Tom Partin, Kyle Fire Department Chief Glen Whitaker, Buda Fire Department Chief Clay Huckabee, Hays CISD Superintendent Dr. Jeremy Lyon, City of Kyle mayor Mike Gonzalez, City of San Marcos mayor Susan Narvaiz, Kyle City Manager Tom Marris, Kyle Chamber of Commerce, former Kyle City Council member Ray Bryant, Buda Economic Development Corporation, City of Hays City Council Members Tracy Jane Brown, Alan McCorkle, and Claudette Walter, former City of Hays Mayor Jolene Brown, former City of Hays Council members Amy Wurst and Kathy Davidson, City of Hays Administrator Wayne Ford, City of Hays Secretary Pat Ford, the Seton Hays Foundation Executive Director Gerald Hill, YMCA Director Jim Pacey, Hays Hills Baptist Church pastor David Sweet, Elm Grove Elementary PTA president Shelley Dunnett, Texas-Lehigh Cement President Bob Kendale, as well as several dozen letters from constituents and neighborhood leaders.

> **Response:** Comment noted. All but five of these individuals submitted letters of support and are reflected in this document.

Kallerman, Dick

Mr. Kallerman identified himself with the Save Our Springs Alliance. He noted that the projects passes over the aquifer recharge zone and within the contributing zone and the organization is concerned about the effects of this project on the area. Mr. Kallerman requested additional time to review the environmental assessment stating that 10 days was not enough time to thoroughly review it.

> **Response:** Notice of the public hearing was published in newspapers having general circulation in the project area 30-days (and again 10-days) prior to the public hearing. The public hearing notice stated that the environmental assessment was available for review and identified locations where the document was available. In addition, to maximize accessibility to interested parties, the environmental assessment was also posted on TxDOT's website. A ten day post-hearing comment period is consistent with TxDOT's Environmental and Public Involvement Rules as promulgated in the Texas Administrative Code. When considering the 30-day period prior to the public hearing that the document was available combined with the 10-day post hearing comment period, the public review period was actually 40-days. For these reasons, the request for a comment period extension is denied.

He expressed his preference for the inclusion of sidewalks, bike lanes and other non-pedestrian related infrastructure within the project. Mr. Kallerman proposes a reduction to 3 lanes and the

inclusion of bicycle and pedestrian facilities with the intention of adding additional lanes in the future.

> **Response:** See response to Hays County Engineer Jerry Borcherding's request for sidewalks and grading for possible future sidewalks. The proposed five-lane facility is necessary to accommodate projected future traffic volumes in the project area. Although bike lanes are not proposed, four- or ten-foot paved shoulders would be provided for the length of the project. These shoulders would accommodate bicycle traffic.

Mr. Kallerman stated that TxDOT does not have enough money to maintain our roads and that is significant if you're depending on State Highway 45 SW to be completed to complete 1626. And it may be that you're going to have a five-lane highway that ends on a two-lane highway at Brodie Lane and Manchaca.

> **Response:** Comment noted. The proposed FM 1626 improvement project, which was the subject of the December 8, 2009, public hearing, is separate and distinct from the proposed State Highway 45 project. A separate, stand-alone environmental document will be required and a public hearing will be held as part of the development process for the proposed State Highway 45 project.

Lane, Bobby

Mr. Lane stated his support of Commissioner Barton's comments. He noted that the project has been in the planning stages for a 'long time' and that the residents of Buda showed overwhelming support in the 2008 vote. He expressed gratitude for the work of TxDOT, Commissioner Barton and the County regarding the project.

> **Response:** Comment noted.

Von Fange, Reinold

Mr. Von Fange identified himself as a resident in the project area who uses Lakewood Drive daily. He expressed his support for the project due to safety concerns.

> **Response:** Comment noted.

Weisheit, Tim

Mr. Weisheit stated that he owns a working ranch along FM 1626 and will be financially impacted by the project. He supports the project and requests that the proposed speed limits along the road be reduced, especially for trucks, for safety reasons.

> **Response:** As indicated in the response to Hays County Engineer Jerry Borcherding's comments regarding speed limits, in areas characterized as suburban, a 45 miles per hour "design speed" will be utilized. Upon completion, a speed study would be conducted in

accordance with requirements of Texas law to establish a safe and prudent "posted" speed limit for the improved facility.

Written Comments: (in alphabetical order)

Acord, Janet

Ms. Acord stated that she opposes the project, indicating the project would create faster traffic not safer traffic.

Response: Comment noted.

Ms. Acord commented that Buda and Kyle have a water utility to purchase water for the area and because the project would encourage population growth, acquisition of water would be more of a problem.

Response: The purpose of the proposed project is to improve safety and mobility in the project area. As documented in the environmental assessment, the project area has experienced a rapid rate of development in recent years. The increase in development has been accompanied by a 492 percent increase in traffic. The proposed project is intended to address the needs associated with the growing population and the corresponding increase in traffic. The proposed project is responding to demand generated by rapid growth and development rather than introducing infrastructure necessary to encourage/attract growth and development in the project area.

Ms. Acord commented that the plan is not aligned with planned roads for Travis County.

Response: The proposed FM 1626 improvement project is included in the regional transportation improvement plan (*CAMPO 2035 Regional Transportation Plan*). The plan, developed and adopted by the Capital Area Metropolitan Planning Organization – the designated metropolitan planning organization for the Austin metropolitan area, is the official transportation plan for the three-county area that includes Hays, Travis and Williamson Counties. The plan is the product of a comprehensive, collaborate regional transportation planning process and includes all state and federally-funded transportation improvement projects as well as other locally significant projects in the three-county area.

Ms. Acord commented that the road is expensive to build and will not coincide well with future road development.

Response: Comment regarding expense is noted. As evidenced by virtue of inclusion in the *CAMPO 2035 Regional Transportation Plan*, the proposed project is an element of the comprehensive network of transportation improvements planned for the Austin metropolitan.

Ms. Acord commented that taxes will increase to build this dangerous road.

Response: The proposed project was included in a November 4, 2008, election proposition to issue $207,000,000 in Hays County Road Bonds. Hays County is responsible for repayment of the funds. Potential sources of repayment include funds to be received by the county under a "pass-through" financing agreement executed with TxDOT. Tax revenue will also be used to repay the bonds; however, it is not known whether a tax increase will be required to meet the county's financial obligation.

Aleshire, Bill

Mr. Aleshire commented that terminating the FM 1626 project at Brodie Lane (or Bliss Spiller Road) disqualifies it for federal funding and will cause unacceptable environmental damage to the Shady Hollow neighborhood. He commented that the end points must be expanded to include the impact that this project will have on Brodie Lane and the Shady Hollow Subdivision.

Response: The proposed project is being developed in anticipation of federal financial participation. Accordingly, an environmental assessment has been prepared as required by the National Environmental Policy Act of 1969. The environmental assessment includes an assessment of potential direct, indirect and cumulative impacts that would be anticipated as a result of the proposed project. After consultation with the Federal Highway Administration, Brodie Lane was determined to be a logical terminus for the proposed improvements. For a more in-depth analysis of the issue raised by the commenter, see **General Issue #1**.

Mr. Aleshire commented that as designed in this segmented way, the project fails to meet two of the three general provisions of 23 CFR 771.111(f):

- *Connect logical termini and be of sufficient length to address environmental matters on a broad scope.* He noted that terminating the project at Brodie Lane or Bliss Spiller is not logical. The only logical termini in the area is FM 2304 (Manchaca Rd.) or (if completed) State Highway 45.

- *Have independent utility of independent significance.* He commented that this project is not a reasonable expenditure if State Highway 45 is not built or if FM 1626 is not extended to FM 2304 and in fact would be a disaster for the neighborhoods north of the intersection of FM 1626 and Brodie Lane is not additional transportation improvements are made

- *Not restrict consideration of alternatives for other reasonably foreseeable transportation improvements.*

Response: The proposed project is being developed in anticipation of federal financial participation. Accordingly, an environmental assessment has been prepared as required by the National Environmental Policy Act of 1969. As limits of the improvements evaluated in the environmental assessment are compliant with the provisions of 23 CFR

771.111(f) identified by the commenter. For a more in-depth analysis of the issue raised by the commenter, see **General Issue #1**.

Mr. Aleshire commented that the FHWA should not permit federal funds to be used on this project unless the project is expanded to include completing at least 2 lanes of State Highway 45 or is expanded to connect to FM 2304.

Response: The proposed FM 1626 improvement project is one of several projects planned for FM 1626 and included in the CAMPO 2035 Regional Transportation Plan. Likewise, State Highway 45 is also included in the CAMPO Plan. The currently proposed FM 1626 project is separate and distinct from other planned FM 1626 improvement projects and from State Highway 45. Those future projects would be subject to environmental study and public involvement prior to construction. Environmental review under NEPA would be prerequisite for federal financial participation.

Mr. Aleshire commented that it makes no sense to route expanded traffic via FM 1626 onto Brodie Lane, a little 2-lane neighborhood street that is already dangerously overcrowded and at capacity as a result of the failure to complete the extension of State Highway 45.

Response: In conjunction with development of the proposed project and preparation of the environmental assessment, TxDOT proposed Brodie Lane as logical termini for the proposed FM 1626 improvements. FHWA subsequently concurred with this recommendation, noting that Brodie Lane is a major traffic generator in the project area. For a more in-depth analysis of the issue raised by the commenter, see **General Issue #1**.

With regard to State Highway 45, it should be noted that the proposed FM 1626 improvement project, which was the subject of the December 8, 2009, public hearing, is separate and distinct from the proposed State Highwa**y** 45 project. A separate, stand-alone environmental document will be required and a public hearing will be held as part of the development process for the proposed State Highway 45 project.

Mr. Aleshire commented that neighborhoods on Brodie Lane have already been victimized by a not-funny comedy of errors including error of the Travis County Commissioners court to a) extend Brodie Lane to FM 1626 before State Highway 45 was built, b)failing to request pass-through federal funds from TxDOT for the expansion of FM 1626 from Hays County line to FM 2304 to coordinate and match up with this project, and the error of TxDOT and CAMPO to timely program even minimal funding to construct at least 2 lanes of State Highway 45 (a 20-year old project) despite the completion of the ROW purchase.

Response: Comment noted.

Mr. Aleshire commented that due to the total absence of any programming at TxDOT for an expansion project for FM 1626 to FM 2304 this current project cannot be considered merely "staging". He noted terminating an expanded 4-lane FM 1626 at the 2-lane Brodie Lane creates

the traffic corridor that the environmental analysis must assume would exist for the long foreseeable future. The proposed plan throws more traffic onto Brodie Lane with no alternative plan in the near term to put that traffic onto State Highway 45 (where it belongs) or even onto FM 2304 as an alternative.

> **Response:** The CAMPO 2035 Regional Transportation Plan includes improvements to FM 1626 from IH 35 south of Austin (Travis County) to IH 35 near Kyle (Hays County) which encompasses the area identified by the commenter. The proposed FM 1626 improvement project, which was the subject of the December 8, 2009, public hearing, is separate and distinct from other planned FM 1626 improvement projects. Each separate and distinct project would be subject to environmental review prior to construction.
>
> It should be noted, however, that on March 30, 2010, the Travis County Commissioners Court voted to approve an application for project funding (FM 1626: From Brodie Lane to Manchaca Road) through the Pass-Through Financing Program.
>
> As demonstrated in the traffic analysis prepared in conjunction with preparation of this public hearing report (see **Appendix H**), the proposed improvements to FM 1626 would not result in significant additional traffic on Brodie Lane nor would the proposed FM 1626 improvements alter the level of service experienced on Brodie Lane (now or in the future).

TxDOT and local governments have generally failed to program "whole" transportation project in this area of Travis County and Hays County so that the sub-regional needs are met with roads of sufficient capacity to safely and appropriately handle the traffic demands. Mr. Aleshire commented that State Highway 45 is the "key to regional mobility in this area" and TxDOT and CAMPO have failed to give priority to complete this project as designed in 1997. That error should now be corrected by linking it to this FM 1626 expansion project.

> **Response:** Comment noted. The proposed FM 1626 improvement project, which was the subject of the December 8, 2009, public hearing, is separate and distinct from the proposed State Highwa**y** 45 project. A separate, stand-alone environmental document will be required and a public hearing will be held as part of the development process for the proposed State Highway 45 project.

Mr. Aleshire commented that logical implementation of regional planning in this area of Travis and Hays County is nonexistent. He states TxDOT and CAMPO claim that insufficient funds are available to build roads in this sub-region like they should be built, finds magic savings from projects elsewhere to waste on lower-priority projects like flyovers at MOPAC and Highway 290, etc. This results in ad hoc hurried decision-making, exactly the kind of chaotic approach outlawed by federal statutes. These projects were not near as serious as the conditions produced in the southwest area of Travis County where projects languish. Mr. Aleshire commented that the solution is one of the following:

1. Expand the scope of the FM 1626 project to include the completion of at least 2 lanes of State Highway 45 and terminate the expansion of FM 1626 at the intersection with State Highway 45 for the time being; or

2. Extend the scope of the FM 1626 project to include a logical terminus at FM 2304 and up Manchaca Rd. to the point where Manchaca Rd. is 4 lanes; or

3. If at least 2 lanes of State Highway 45 is not built simultaneously with the FM 1626 expansion project or if FM 1626 is not extended to FM 2304, then take all the steps necessary to prohibit traffic from turning left (north) off of FM 1626 onto Brodie Lane and require the traffic to continue on the unexpanded portion of FM 1626 to FM 2304.

   Response: The Capital Area Metropolitan Planning Organization – the designated metropolitan planning organization for the Austin metropolitan area (Hays, Travis and Williamson Counties) – is the entity that is responsible, under federal law, for transportation planning in the region. As the designated metropolitan planning organization, CAMPO is responsible for development of a regional transportation plan. The CAMPO 2035 Regional Transportation Plan is the current plan for the three-county area. The proposed FM 1626 improvements, other future improvements to FM 1626 and State Highway 45 are all key elements of the local and regional transportation system as identified in the CAMPO Plan.

Mr. Aleshire commented that FM 1626 needs to be expanded but with logical termini and sensitivity to the environmental impact on established neighborhoods in the area. TxDOT's delayed or non-existent timing for letting contracts on related major projects (FM 2304/FM 1626 and State Highway 45) means that this FM 1626 project should not be built at this time as proposed. As proposed this project will cause the misuse of a little neighborhood street, Brodie Lane, to serve for the foreseeable future as the substitute major traffic corridor for the arterial projects (State Highway 45 and FM 2304/FM 1626) that should have been built. Build it right or don't build it.

Response: The proposed project has logical termini and is being developed in accordance with applicable environmental laws, rules and regulations including but not limited to the Endangered Species Act of 1973 and the Edwards Aquifer Rules as administered by the Texas Commission on Environmental Quality. For a more in-depth analysis of logical termini, see **General Issue #1**.

Auchey, James E.

Mr. Auchey wrote, "This road needs to be improved now. It is time that the environmental assessment be completed in an expeditious manner. Please minimize any more delays."

Response: Comment noted.

Auchey, Jean

Ms. Auchey wrote, "I am for the proposed improvements to FM 1626 from FM 967 to Brodie Lane in Travis County. The present road is hazardous."

Response: Comment noted.

Baldridge, Sandra

Ms. Baldridge expressed support for the proposed project, and asked the Hays County Commissioner's Court, "please stop the craziness that keeps Central Texas in a tailspin and getting nowhere."

Response: Comment noted.

Beck, John Pat

Mr. Beck commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Mr. Beck applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Mr. Beck stated his support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Beck, Rebecca S.

Ms. Beck commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Ms. Beck applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Ms. Beck stated her support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Bennett, Rodney K.

Mr. Bennett commented that he believes the project is a farce. He noted that the project would not have been approved if voted on separately as opposed to being part of a bond involving many Hays County projects.

Response: Comment noted.

Mr. Bennett stated that sidewalks should not be put on 1626 to the Manchaca Optimist club because Hays County children are not allowed to join that league and sidewalks in that area would be unsafe.

Response: At the request of Hays County, the feasibility of grading for a future sidewalk will be evaluated during final design. If it is determined that the requested grading can be accommodated within the right-of-way of the proposed project, grading would be included in the project plans. However, sidewalks would not be provided in this area as part of the FM 1626 project.

Mr. Bennett commented that he would like Lakewood to remain open.

Response: As currently proposed and presented at the public hearing, Lakewood Drive would remain open.

Bible, Lori

Ms. Bible states that she prefers the addition of sidewalks and/or hike and bike trails to the project. She expresses support of a grade separated pedestrian walkway, either a bridge or underpass, to get to and from the schools.

Response: See response to Hays County Engineer Jerry Borcherding's request for sidewalks and grading for possible future sidewalks. Neither bike trails nor a pedestrian overpass is proposed A grade separated pedestrian walkway, underpass or overpass, would require further study to see if the pedestrian traffic would warrant such a structure. As currently planned, pedestrian crossings at major intersections would include the appropriate pedestrian features for timed crossing of FM 1626.

Biscoe, Samuel and the Travis County Commissioners Court

Travis County Commissioners Court submitted a resolution to oppose any design and improvements to FM 1626 that would increase traffic on Brodie Lane. The resolution expressed opposition to the widening of FM 1626 unless TxDOT widens FM 1626 to four lanes to FM 2304, widens FM 2304 to four lanes from FM 1626 to Ravenscroft Dr, and restricts traffic movements turning onto Brodie Lane from FM 1626. Further, the Commissioners requested that TxDOT evaluate and mitigate any adverse impacts the project will have upon the residents in the vicinity of Brodie Lane

Response: The *CAMPO 2035 Regional Transportation Plan* includes a project to improve FM 1626 between Brodie Lane to FM 2304 and a project to extend State Highway 45 to FM 1626. The proposed FM 1626 improvement project, which was the subject of the December 8, 2009, public hearing (see **Appendix H**), is separate and distinct from the future FM 1626 (Brodie to FM 2304) project and the State Highway 45 project. Implementation of those projects would be subject to the preparation of separate, stand-alone environmental documents and public involvement procedures.

In response to public comment, the environmental assessment will be revised to more fully assess the potential for project-related impacts along Brodie Lane.

As demonstrated in the traffic analysis prepared in conjunction with preparation of this public hearing report, the proposed FM 1626 improvements would not result in significant additional traffic on Brodie Lane nor would the proposed FM 1626 improvements alter the level of service experienced on Brodie Lane (now or in the future).

The Travis County Commissioners Court resolution demands the use of environmental best management practices

Response: In accordance with applicable environmental laws, rules and regulations, best management practices will be incorporated into the project to minimize impact the surrounding environment. Best management practices would includes temporary (construction phase) and permanent water quality control measures. The water quality measures anticipated for use on the project are water quality inlets, vegetative filter strips and grass swales. TxDOT is evaluating the potential to limit the peak runoff rate by using Permeable Friction Course (PFC) surfacing on the roadway. Additionally, a hazardous material trap is proposed to be placed near Little Bear Creek and would intercept a large quantity spill if a collision or accident occurs in that area.

The Travis County Commissioners Court resolution requests TxDOT to immediately proceed with construction documents and all regulatory permits for the widening of FM 1626 from Brodie to FM 2304 and the widening of FM 2304 from FM 1626 to Ravenscroft Dr. and to pursue any funding that will complete the improvements without delay.

Response: Comment noted.

Bogue, Grant

Mr. Bogue wrote, "Congratulations on good project plan. The Little Bear Bridge is important for us-we have been isolated by floods. Thanks"

Response: Comment noted.

Bogue, Hilda Ochoa

Ms. Bogue wrote, "Thank you for working in this project and for moving it forward. The proposed project will significantly improve the safety of motorists as well as residents of the area. Thank you!"

Response: Comment noted.

Brakefield, Lester David

Mr. Brakefield wrote, "We have lived in the Leisurewoods neighborhood for over 27 years. With over 5 years of planning, talk and meetings, it is time to act. Hwy 1626 is a very dangerous Hwy with over 13,800 vehicles traveling daily. Build it please."

Response: Comment noted.

Brown, Jolene

Ms. Brown commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Ms. Brown applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Ms. Brown stated her support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Brown, Tracy Jane

Ms. Brown commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Ms. Brown applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Ms. Brown stated her support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Bryant, Ray

Mr. Bryant commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Mr. Bryant applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Mr. Bryant stated his support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Carney, Linda MD

Ms. Carney wrote, "I'm a family doctor in Buda and I see patients who have been hurt by the narrowness of Hwy 1626. Please widen our road."

Response: Comment noted.

Carney, Sean

Mr. Carney commented that 1626 is not safe, there is too much traffic and no turn lanes, and that Brodie Lane is too crowded and requests that 1626 be approved and connected to the MOPAC Freeway.

Response: Comment noted. FM 1626 extends from IH 35 south of Austin (Travis County) to IH 35 near Kyle (Hays County). There are currently no plans to connect FM 1626 to Loop 1 (Mopac).

Cervenka, Deanna

Ms. Cervenka commented that she would like to see a noise abatement wall build along the frontage road of the Huntington Estates neighborhood. She stated that her property is one of the closest to 1626 and the noise level is already very high and will only increase with additional traffic.

Response: A noise analysis study was conducted in accordance with TxDOT's (FHWA approved) *Guidelines for Analysis and Abatement of Highway Traffic Noise*. Impact was determined to occur at two residential locations along the eastern portion of the proposed improvements; however, noise abatement was determined to be not feasible and reasonable (per TxDOT guidelines). For this reason, no abatement measures are proposed for this project.

Chambers, Mark (on behalf of the Hays County Fire Marshal's Office)

Mr. Chambers commented that residential growth in the area has created unsafe and congested conditions along FM 1626. These conditions interfere with emergency services, jeopardizing the lives and property of citizens in the area. Mr. Chambers stated he strongly supports the development of the FM 1626 project from FM 967 to Brodie Lane and urges TxDOT to approve the environmental document so the project can move to construction as quickly as possible.

Response: Comment noted.

Clevenger, Robert

Mr. Clevenger commented that the road was designed for less traffic than the current level and that he has seen many accidents and knows people who have been hurt. He requested that the project move forward and be completed.

Response: Comment noted.

Conlay, Madelyn

Ms. Conlay commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Ms. Conlay applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Ms. Conlay stated her support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Couch, Bill

Mr. Couch commented that the proposed revision appears to maintain the Lakewood to FM 1626 connection which satisfies access issues that the previous proposal did not. He stated that the Lakewood / 1626 connection is important to the Cimarron Park Subdivision. He commended the work of TxDOT and Hays County Commissioner Jeff Barton as well the environmentally sensitive design of the new proposal.

Response: Comment noted.

Cox, William D.

Mr. Cox requested for the project to be started now and finished as soon as possible.

Response: Comment noted.

Cummings, Darlis

Mr. Cummings commented that Hays County has been ignored and the need for 1626 has grown immensely in the last 10 years. He stated that the people of northern Hays and southern Travis have tried repeatedly to improve the transportation problems to no avail. Mr. Cummins wrote, "Please finally construct the new 1626 plans for our area. State Highway 45 SW would also help a lot."

Response: Comment noted. The proposed FM 1626 improvement project, which was the subject of the December 8, 2009, public hearing, is separate and distinct from the proposed State Highway 45 project. A separate, stand-alone environmental document will be required and a public hearing will be held as part of the development process for the proposed State Highway 45 project.

Cunningham, George B.

Mr. Cunningham commented that FM 1626 is no longer adequate for current driving conditions and needs to be improved. He stated he is a 20 year resident and recommends the project be completed as soon as possible.

Response: Comment noted.

Dannheim, Eric

Mr. Dannheim wrote, "I'm for the improvements. Please expedite the process."

Response: Comment noted.

Davidson, Patty

Ms. Davidson commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Ms. Davidson applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Ms. Davidson stated her support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

> **Response:** Comment noted.

Dean, Eric and Robin

Mr. and Ms. Dean provided a picture of Robin Dean's car after being rear ended on FM 1626. Mr. Dean expressed his relief that his wife (Robin) was not hurt and his kids were not in the car during the accident.

> **Response:** Comment noted.

Dear, Doug

Mr. Dear expressed concern for the runoff through the Southern Woods subdivision from station 126.93 to station 165.90.

> **Response:** Hydraulic and drainage studies would be performed during the design phase of the proposed project. The proposed project would be designed in a manner that ensures the efficient and effective handling of stormwater within the project limits.

Mr. Dear commented that conduits be placed under roadway intersections for future traffic light placement.

> **Response:** Comment noted. The installation of conduit at major intersections is considered standard practice during road construction of this nature.

Mr. Dear commented that roadway speeds should be reduced to 45-50 mph.

> **Response:** As indicated in the response to Hays County Engineer Jerry Borcherding's comments regarding speed limits, in areas characterized as suburban, a 45 mile per hour "design speed" will be utilized. Upon completion, a speed study would be conducted in accordance with requirements of Texas law to establish a safe and prudent "posted" speed limit for the improved facility.

Doebner, Thomas (on behalf of the Ruby Ranch Home Owner's Association)

Mr. Doebner commented that the project will enhance safety for all vehicles most importantly fire, police, and emergency services vehicles. Mr. Doebner, on behalf of the Ruby Ranch Home

Owner's Association, stated that they support the project and urge TxDOT to approve the documents so construction can move forward as soon as possible.

> **Response:** Comment noted.

Dugger, Rockie

Mr. Dugger commented that the ROW along the south border of his property has increased from 85 feet to 100 feet while the ROW on the opposite side of the street encroaches on that property by 10 feet. Mr. Dugger requested that the ROW be shared in a more equal manner between his property and that of the property across the street.

> **Response:** Throughout the project development process, project planners have attempted to avoid and/or minimize adverse environmental impacts. In the case of right-of-way, avoidance of displacements and minimization of impacts to adjacent parcels were key considerations. The right-of-way requirements, as presented as the public hearing, reflect avoid/minimize efforts. No change is proposed.

Dunnett, Shelly, President, Elm Grove Elementary PTA

Ms. Dunnett commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Ms. Dunnett applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Ms. Dunnett stated her support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

> **Response:** Comment noted.

Dunning, Susan

Ms. Dunning commented that she is in favor of the project moving forward as soon as possible.

> **Response:** Comment noted.

Elder, Robert L. (submitted 2 written comments)

Mr. Elder commented that the conditions while entering and exiting Leisure Woods subdivision are unsafe and requests turn lanes be placed at the entrance. He suggested that the turn lane heading south be designed to accommodate three cars and the turn lane heading north be designed to accommodate two cars.

> **Response:** A continuous left turn lane is proposed at the entrance to the Leisure Woods subdivision. The planned left turn lane would provide sufficient storage capacity to accommodate multiple vehicles.

Mr. Elder stated, "I vote yes for the proposed project."

Response: Comment noted.

Fehrenbacker, Phillip and Kris

Mr. and Mrs. Fehrenbacker wrote that they support the project and want it completed as soon as possible.

Response: Comment noted.

Fletcher, Ron

Mr. Fletcher commented on his 25 years of residency in Buda. He stated the road was dangerous in the 80's and has only become worse. He wrote, "It's criminal that politicians and bureaucrats have delayed this project for years as more citizens die traveling this dangerous stretch of road. It's time to move forward before someone else dies on FM 1626."

Response: Comment noted.

Ford, Pat

Ms. Ford commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Ms. Ford applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Ms. Ford stated her support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Ford, Wayne

Mr. Ford commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Mr. Ford applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Mr. Ford stated his support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Fox, Donna L.

Ms. Fox commented that she supports the proposed improvements to FM 1626. She stated the project to be vital to increase everyone's safety efficient traffic flow, and provide timely commutes. She said "It is unacceptable to have the amount of growth in this area and our lifeline of roadways not capable of supporting it."

Response: Comment noted.

Gallatin, Charles

Mr. Gallatin stated that he supports the project because of safety concerns due to the increase in volume on the road since more people have moved to the area.

Response: Comment noted.

Gallatin, Diane

Ms. Gallatin stated that the road has become unsafe in the 23 years since she has lived in the area and she fears for the safety of herself and her family. She commented that she supports the project with or without the additional proposals by Hays County**.**

Response: Comment noted.

Ginther, Greg

Mr. Ginther commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Mr. Ginther applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Mr. Ginther stated his support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Goodwin, Vikki

Ms. Goodwin commented that she supports the expansion and improvements planned for FM 1626.

Response: Comment noted.

Gravett, Paul D. (on behalf of the Oak Forest Property Owners Association)

Mr. Gravett commented that the project will enhance circulation, safety and provide additional capacity in what has become a strategic corridor linking employment centers in Travis County with residential centers in Hays County. Mr. Gravett commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Mr. Gravett applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Mr. Gravett, on behalf of the Oak Forest Property Owners Association, stated that they support the project and urge TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Grubert, Norma J. (submitted 2 written comments)

Ms. Grubert commented on the need to complete the proposed project due to concerns over safety of the roadway.

> **Response:** Comment noted.

Ms. Grubert also commented on the need to protect the water quality of the Edwards Aquifer. She owns a privately-owned water company in Manchaca, TX (Arroyo Doble Water System, Inc.) which sells water from wells that draw from the aquifer. She urged all safeguards possible be in place to protect the quality of the Edwards Aquifer water from contamination, travel, etc and asked that all available technology be included in the final improvement plans for FM 1626.

> **Response:** The proposed project would be in compliance with all applicable environmental laws, rules and regulations. Accordingly, a water pollution abatement plan (WPAP) would be prepared and submitted to the Texas Commission on Environmental Quality for review and approval prior to initiation of construction. Further, a stormwater pollution prevention plan (SW3P) would be prepared. The WPAP would include requirements for temporary (construction phase) and permanent (operational) water quality best management practices. The water quality measures anticipated for use on the project are water quality inlets, vegetative filter strips and grass swales. TxDOT is evaluating the potential to limit the peak runoff rate by using Permeable Friction Course (PFC) surfacing on the roadway. Additionally, a hazardous material trap is proposed to be placed near Little Bear Creek and would intercept a large quantity spill if a collision or accident occurs in that area. Likewise, the SW3P would include provisions for control of erosion and sedimentation during construction. Upon completion of construction, the project site would be re-vegetated or otherwise stabilized.

Ms. Grubert noted that she has lived in Eagle Nest for 19 plus years and as seen the traffic on FM 1626 increase tremendously. She commented that she drives a SUV because she feels it is safer on such a busy road. She commented that she worries about her grandchildren who are new drivers driving on FM 1626. She wrote, "I would like to urge anyone who has a part in this process to please do your best to move the project forward quickly without further delays."

> **Response:** Comment noted.

Hall, Anne M.

Ms. Hall wrote, "Please make improvements to this dangerous stretch of FM 1626. I travel this road everyday (12 yrs) along with my oldest son. Safety has to remain everyone's concern. Argument that 1626 cannot be improved until 45 is built is not a good argument. 1626 Needs to be made SAFE whatever it takes."

> **Response:** Comment noted. The proposed FM 1626 improvement project, which was the subject of the December 8, 2009, public hearing, is separate and distinct from the

proposed State Highway 45 project. A separate, stand-alone environmental document will be required and a public hearing will be held as part of the development process for the proposed State Highway 45 project.

Hamm, Mariden

Ms. Hamm commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Ms. Hamm applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Ms. Hamm stated her support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Hardin, Emma

Ms. Hardin commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Ms. Hardin applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Ms. Hardin stated her support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Hardin, John

Mr. Hardin commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Mr. Hardin applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Mr. Hardin stated his support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Harper, Lana

Ms. Harper commented that the project is an absolute must because of safety issues and large truck traffic. She also noted her frustration with bicycle traffic on the two-lane road with no shoulders and states that it backs up traffic as a result.

Response: Comment noted.

Ms. Harper also noted we need to get State Highway 45 from 1626 to MOPAC completed to move traffic and relieve the traffic on Brodie Lane.

Response: Comment noted. The proposed FM 1626 improvement project, which was the subject of the December 8, 2009, public hearing, is separate and distinct from the proposed State Highway 45 project. A separate, stand-alone environmental document will be required and a public hearing will be held as part of the development process for the proposed State Highway 45 project.

Harrisson, Norris

Mr. Harrisson commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Mr. Harrisson applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Mr. Harrison stated his support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Hawkins, Andrew (on behalf of SOS)

Mr. Hawkins commented on behalf of Save our Springs Alliance (SOS) and requested TxDOT and FHWA to extend the comment period for this environmental assessment by 30 to 60 days to allow for more than 10 days of public comments.

Response: Notice of the public hearing was published in newspapers having general circulation in the project area 30-days (and again 10-days) prior to the public hearing. The public hearing notice stated that the environmental assessment was available for review and identified locations where the document was available. In addition, to maximize accessibility to interested parties, the environmental assessment was also posted on TxDOT's website. A ten day post-hearing comment was provided. These timeframes are consistent with 43 TAC 29 and 23 CFR 771.119. When considering the 30-day period prior to the public hearing that the document was available combined with the 10-day post hearing comment period, the public review period was actually 40-days. For these reasons, the comment period will not be extended.

SOS commented that the flawed July 2009 environmental assessment cannot support a FONSI and an EIS must be prepared given the project's critical environmental context and significant direct, indirect, and cumulative impacts. In addition to its superficial analysis, the environmental assessment is undermined by internal contradictions, misrepresentations, cursory detail, and a lack of high-quality independent information. In evaluating impacts and alternatives the environmental assessment further violates essential NEPA provisions by not disclosing potentially significant impacts and by not considering a reasonable range of alternatives.

Response: The environmental assessment includes an evaluation of potential direct, indirect and cumulative effects of the proposed project. The environmental assessment format and level of detail satisfies the requirements of 23 CFR 771 and is consistent with other environmental assessments for transportation projects of similar context and

intensity. Analysis presented in the environmental assessment indicates that the proposed project would not result in significant impacts – supporting a finding of no significant impact. However, the Federal Highway Administration will consider the findings of the environmental assessment as well as input received through the public hearing process when deciding to either issue a finding of no significant impact or require the preparation of an environmental impact statement.

SOS commented that the environmental assessment's fatal flaws include:

- Environmental assessment fundamentally mischaracterizes the hydrogeological context of the project area and overlooks how much cut and fill the project's construction will entail and the predicted level of TSS loadings and other pollutant loadings from the project.

  Response: The environmental assessment, which has been reviewed by the Texas Commission on Environmental Quality under the terms and provisions of the Memorandum of Understanding between that agency and TxDOT, accurately characterizes the hydogeological context of the project area. Information pertaining to areas of contributing zone with the transition zone were incorporated within information pertaining to the contributing zone as a whole.

  Cut and fill calculations are site-specific and would occur during the final design phase of the proposed project. Also during final design, the size and type of required water quality controls will be determined. Permanent water quality controls will be designed to achieve at least an 80 percent total suspended solids removal efficiency.

- Environmental assessment underestimates and fails to adequately examine potentially significant and negative water quality impacts to the Edwards Aquifer and sensitive surface waters including a 303(d) impaired segment of Onion Creek

  Response: According to the 2002 TxDOT Memoranda of Understanding with Natural Resource Agencies, TxDOT coordinates with TCEQ (formerly Texas Natural Resources Conservation Commission) on projects with potential impacts to water quality that occur within 5 miles upstream of impaired stream segments. There are no designated impaired streams within 5 miles downstream of the project site; thus, it is considered that the proposed project would be unlikely to affect the water quality of any impaired stream or segment thereof and coordination for impaired stream segments was not required.

- Environmental assessment downplays and ignores negative impacts to wildlife and wildlife habitat, including karst invertebrates, endangered aquatic species, golden-cheeked warbler and the black-capped vireo

  Response: The environmental assessment includes an evaluation of potential project-related direct, indirect and cumulative effects including, but not limited to effects on wildlife and threatened/endangered species. The environmental assessment format and

level of detail satisfies the requirements of 23 CFR 771 and is consistent with other environmental assessments for transportation projects of similar context and intensity.

The environmental assessment addresses the potential for project-related impacts to the wildlife groups identified by the commenter. The water quality measures anticipated for use on the project are water quality inlets, vegetative filter strips and grass swales. TxDOT is evaluating the potential to limit the peak runoff rate by using Permeable Friction Course (PFC) surfacing on the roadway. Additionally, a hazardous material trap is proposed to be placed near Little Bear Creek and would intercept a large quantity spill if a collision or accident occurs in that area. As discussed in the environmental assessment, it has been determined that the proposed project "may affect, but is not likely to adversely affect" the Barton Springs salamander and the golden-cheeked warbler – species listed as endangered by the Service. Concurrence from the Service on the Barton Springs salamander was received on July 26, 2011 and concurrence from the Service on the golden-cheeked warbler was received on August 3, 2011.

- Environmental assessment vastly underestimates the amount of golden-cheeked warbler habitat that will be impacted

  Response: Several models have been created or are under construction seeking to map golden-cheeked warbler habitat using remotely-sensed vegetation and historical occurrence records for the species. Not all models are available to the public and TxDOT is not aware of any model, published to date, that has been subject to a rigorous peer review process. Most of the golden-cheeked warbler occurrence data used to create and "test" current models is historical data provided by Service. Other data have been opportunistically collected where access is available, not collected by an appropriate sampling design to test a habitat model. In addition, the Service data set is concentrated in a narrow portion of the species' range and not appropriate for extrapolating to a range-wide model. Different models for habitat determination will vary in results because they use different design approaches and interpretations.

- Environmental assessment frequently contradicts itself such as stating on one page that "habitat for the warbler within the RSA is highly fragmented and already affected by adjacent land use" (pg. 109) only to conclude a few pages later that there will be no cumulative impacts in light of "relative health and stability of the affected environmental resources in the RSAs" (pg. 113)

  Response: The Summary of the Cumulative Effects Analysis, found of page 113 of the environmental assessment, does not state that there will be "no cumulative impacts" associated with the proposed project as purported by the commenter. The actual statement made in the document is "Due to the lack of significant impacts from the project . . . , the proposed project would not contribute to substantial cumulative impacts to . . . the golden-cheeked warbler."

- Environmental assessment uses an unduly narrow purpose and need statement that forecloses consideration of a range of alternatives

  Response: The alternatives analysis for the proposed project will be expanded to include Transportation System Management, Transportation Demand Management, and transit strategies. In addition a broader range of build alternatives will be evaluated. The expanded alternatives analysis will be documented in the final environmental assessment.

- Environmental assessment fails to consider any alternatives that would minimize or avoid negative impacts to critically-sensitive resources such as the Edwards Aquifer and associated surface waters, endangered species and their habitat, floodplains and other vulnerable resources

  Response: The alternatives analysis for the proposed project will be expanded to include Transportation System Management, Transportation Demand Management, and transit strategies. In addition a broader range of build alternatives will be evaluated. The expanded alternatives analysis will be documented in the final environmental assessment.

- Environmental assessment underestimates negative impacts from induced growth, induced traffic, urbanization, and associated secondary impacts

  Response: The National Cooperative Highway Research Program developed and published an eight-step process for estimating the indirect effects of proposed transportation projects (*Desk Reference for Estimating the Indirect Effects of Proposed Transportation Projects*). The eight-step process is recognized as an industry standard. The eight-step process used in conjunction with sound scientific data provides a reliable, systematic means of evaluating indirect effects. The indirect effects analysis contained in the environmental assessment was conducted utilizing the eight-step process and best available data, and fully examines and discloses the potential for project-related indirect effects. The analysis of induced development also utilized the NCHRP Project 25-25, Task 22 report entitled Forecasting Indirect Land Use Effects of Transportation Projects.

- Environmental assessment does not demonstrate how reliable growth and traffic projections justify the expansion in capacity that the preferred alternative proposes

  Response: The alternatives analysis for the proposed project will be expanded to include Transportation System Management, Transportation Demand Management, and transit strategies. In addition a broader range of build alternatives will be evaluated. The expanded alternatives analysis will be documented in the final environmental assessment.

- Environmental assessment ignores potentially severe traffic impacts to neighborhoods along Brodie Lane and other negative impacts to community cohesion and safety that will result from the project's increased commuter traffic

Response: In response to public comment, the environmental assessment will be revised to more fully assess the potential for project-related impacts along Brodie Lane.

- Environmental assessment does not incorporate or commit to substantive mitigation

Response: Mitigation measures are addressed in Section VIII (Environmental Permits, Issues and Commitments) of the environmental assessment. "Mitigation" actions in the NEPA context are defined to include: (a) avoiding the impact altogether by not taking a certain action or parts of an action; (b) minimizing impacts by limiting the degree or magnitude of the action and its implementation; (c) rectifying the impact by repairing, rehabilitating or restoring the affected environment; (d) reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; and (e) compensating for the impact by replacing or providing substitute resources or environments. 40 CFR Section 1508.20. Proposed mitigation measures are commensurate with the degree of environmental impact and would include temporary (construction phase) and permanent water quality best management practices. Temporary best management practices would include installation of silt fences and rock filter dams. Post construction controls would include vegetated filter strips. Other mitigative efforts include re-vegetation of areas disturbed during construction and scheduling of construction activities so as to avoid impacts to migratory birds (to the extent practicable).

Section 7 of the Endangered Species Act requires federal agencies to consult with the Service if their actions "may affect" listed threatened or endangered species or their designated critical habitats. As indicated elsewhere in this document and in the environmental assessment, it has been determined that the proposed project may affect, but is not likely to adversely affect the Barton Springs salamander and the golden-cheeked warbler – species listed as endangered by the Service. Thus, coordination under Section 7 of the Endangered Species Act is on-going regarding effects to these species. That consultant will include an analysis of the proposed project's effects on these species. It should be noted, however, that according to the Service's Consultation Handbook (1988), "it is not appropriate [for the Service] to require compensatory mitigation for the impacts of incidental take." Consultation Handbook at 4-50. In any event, TxDOT believes that the project as proposed will not result in the "take" of either the warbler or the salamander.

- Environmental assessment fails to examine construction phase impacts such as traffic delay and noise, air and light pollution that will negatively affect residents and users of FM 1626

Response: Construction-phase noise impacts are discussed on page 46 of the environmental assessment. A traffic control plan would be prepared in conjunction with final design. The traffic control plan would include provisions for the safe and efficient movement of vehicle traffic through the construction site. The traffic control plan, which would include provisions such as reduced speed limits, construction site signing and

pavement markings, would be designed/implemented in a manner that would serve to minimize construction-related delays and inconvenience to the traveling public. Air quality impacts associated with construction would be mitigated via measures such as speed limit reductions, watering to control dust, and re-vegetation at the earliest practical time. Construction-related lighting impacts would be minimized via measures such as minimization of night work in the vicinity of neighborhoods. The discussion of construction-phase impacts contained in the environmental assessment will be expanded to include other (non-noise) related impacts.

SOS commented that an EIS should be prepared because:

- The project area includes the recharge zone of the Edwards Aquifer and crosses five sensitive water bodies that contribute recharge to the Barton Springs segment of the Edwards Aquifer

  Response: The environmental assessment includes analysis of potential direct, indirect and cumulative impacts of the proposed project and, based on that analysis, concludes that no significant impacts are anticipated to result from the proposed project. The proposed project would add 3.9 acres of impervious cover over the Edwards Aquifer recharge zone and 3.0 acres of impervious cover over the contributing zone. This additional impervious cover would account for 0.007 percent of the recharge and contributing zones within the watersheds crossed the project (Bear, Little Bear and Onion Creeks) and less than 0.004 percent of the entire recharge and contributing zones of the Barton Springs segment of the Edwards Aquifer. Construction of the proposed project would comply with the Edwards Rules to the extent required, and a water pollution abatement plan, according to the provisions of the Edwards Aquifer Rules, would be required. Construction of the proposed project would also comply with all applicable laws and regulations, including, without limitation, section 404 of the Clean Water Act (potentially through utilization of Nationwide Permit 14) and the Texas Commission on Environmental Quality's TPDES program. Best management practices proposed for this project include silt fence, rock filter dams, seeding and vegetated filter strips. With respect to the five water bodies present within the action area, the environmental assessment indicates that no significant impacts are expected from activities associated with the proposed project. Impacts to Garlic Creek and the two tributaries to Little Bear Creek have been minimized by utilizing most of the existing alignment. Impacts to Little Bear Creek and Bear Creek have been minimized by designing the bridges to span the creek channels.

- The project will impact and is located in close proximity to several ecologically-critical areas and historic, cultural, and scientific resources (including water quality protection lands, endangered species habitat, historical ranchland and farmland, parkland, floodplains, and sensitive surface waters, including a 303(d) impaired water body, Onion Creek (segment 1427).

Response: The environmental assessment includes analysis of potential direct, indirect and cumulative impacts of the proposed project and, based on that analysis, concludes that no significant impacts are anticipated to result from the proposed project. As noted above, the proposed project is located more than five miles upstream from any impaired water body. With respect to endangered karst invertebrates, the environmental assessment indicates that the proposed project is located entirely within an area mapped "Zone 3" by George Veni. Areas within Zone 3 are those that "probably do not contain endangered species." Moreover, the environmental assessment provides a detailed analysis regarding the potential impacts of the proposed project on the Barton springs salamander and golden-cheeked warbler. According to page 39 of the environmental assessment, the proposed project would not require the use of any publically-owned lands from a public park, recreational area or wildlife and waterfowl refigure area of national, state or local significance. The environmental assessment notes, on page 40, that a review of the National Register of Historic Places, the list of State Archeological Landmarks, and the list of Recorded Texas Historic landmarks indicated that no historically significant properties have been previously documented within the area of potential effects. Moreover, through consultation with the State Historic Preservation Officer, it has been determined that the area of potential effect extends 150 feet from the proposed right-of-way. A cultural resource survey conducted by TxDOT personnel revealed no structures 50 years of age or older located within the area of potential effect. No Official State Historical Markers are located within the area of potential effect.

- The project has potentially significant impacts to endangered species and their habitat that are ignored or underestimated

  Response: Based on the information/analysis documented in the environmental assessment, no significant impacts to threatened and/or endangered species would be anticipated as a result of the proposed FM 1626 improvement project. As noted in the environmental assessment, the proposed project may affect, but is not likely to adversely affect the Barton Springs salamanders and the golden-cheeked warbler – both of which are listed as endangered by the Service. Concurrence from the Service on the Barton Springs salamander was received on July 26, 2011 and concurrence from the Service on the golden-cheeked warbler was received on August 3, 2011.

- The environmental assessment discloses that 42 acres of vegetation will be disturbed by the project and yet does not explain how such an impact is insignificant nor does it propose any mitigation

  Response: Potential impacts to project-area vegetation are disclosed in Section VI.F.2 of the environmental assessment. As discussed in Section VI.F.2, no unusual vegetation features such as fencerow vegetation, riparian vegetation, trees that are unusually larger than others trees in the area, or unusual stands or islands of vegetation exist in the project area. Further, there are no special (vegetative) habitat features in the project area. The vegetation to be impacted by the proposed project is unregulated and is similar in type

and composition to vegetation common to the project area. For these reasons, vegetation impacts resulting from the project are considered insignificant.

- The environmental assessment discloses on pg. 93 that FM 1626 will contribute a cumulative impact in the Edwards Aquifer such that the impervious cover from the ROW of surrounding roads will increase from 175 acres to 471 acres in approximately 20 years, and yet does not explain how such an impact is insignificant nor propose any mitigation

  Response: The acreages sited by the commenter represent total right-of-way of future projects, identified for improvement in the CAMPO 2035 Regional Transportation Plan, within the limits of the golden-cheeked warbler resource study area. The acreages do not reflect impervious cover.

- Air quality in the Austin metropolitan region has been close to non-attainment for several years and will likely fall into non-attainment under forthcoming stricter standards on air

  Response: Comment noted. The Austin-area is currently designated as an air quality attainment area by the Environmental Protection Agency.

- The project will hasten urban sprawl over the recharge zone and is at odds with the policies and efforts of local government to preserve water quality and quantity in the Edwards Aquifer resources study area by protecting open spaces.

  Response: The purpose of the proposed project is to improve safety and mobility in the project area. As documented in the environmental assessment, the project area has experienced a rapid rate of development in recent years. The increase in development has been accompanied by a 492 percent increase in traffic. The proposed project is intended to address the needs associated with the growing population and the corresponding increase in traffic. Even though, as disclosed in the environmental assessment, the proposed improvements may influence type, timing and intensity of development, the project would not be expected to entice new development into the project area. The proposed project is responding to demand generated by rapid growth and development. As indicated in the environmental assessment, this growth and development is anticipated to occur with or without the proposed project. In summary, the proposed project is responding to growth (and the resulting increase in traffic) in the project area rather than introducing infrastructure necessary to encourage/attract new growth and development in the project area.

- The environmental assessment admits that the project may cause stormwater borne contaminants to enter the Barton Springs segment of the Edwards Aquifer (pg. 70) and further admits to the "uncertainty of project-related effects" to this sole-source aquifer (pg. 67). These statements along should necessitate the preparation of an EIS.

  Response: The purpose of Step 7 is to discuss the uncertainty and see if it is great enough to jeopardize notable environmental features. The document states the uncertainty of

project-related effects is unlikely to rise to the level of significance and would not be enough to place the Edwards Aquifer in jeopardy.

- The environmental assessment admits that the project will cause indirect impacts to the golden-cheeked warbler, admits the potential habitat is as close as 1000' away and admits that this resource is in poor health, yet the environmental assessment proposes no mitigation.

  Response: The proposed project is the subject of on-going coordination with the Service regarding potential impacts to the Barton Springs salamander and the golden-cheeked warbler. The Service typically takes the position that activities occurring 300 feet or more from potential golden-cheeked warbler habitat do not cause the take of that species. Activities associated with the proposed project will occur at last 1,000 feet from the nearest area of potential habitat. TxDOT is coordinating with the U.S. Fish and Wildlife Serve regarding the warbler. According to the Service's Endangered Species Handbook, "it is not appropriate [for the Service] to require mitigation for the impacts of incidental take" in connection with a Section 7 consultation. Consultation Handbook at 4-50.

- Significant environmental controversy exists regarding the project's negative impacts to Brodie Lane neighborhoods and current level of congestion and safety on that road (evidenced by Travis County Commissioners Court's position against the project).

  Response: TxDOT disagrees with the assertion that significant environmental controversy exists with regard to the proposed project. As evidenced in this summary and analysis of the December 8, 2009 public hearing, the public as a whole supports the proposed project (86.3percent of commenters expressed support for the proposed project).

- The project is part of a larger plan to expand FM 1626 over the recharge zone and is tied to a Hays County bond package of road improvements that will have significant cumulative impacts to the Hill Country and the Edwards Aquifer.

  Response: The cumulative impact analysis contained in Chapter VII of the environmental assessment serves to evaluate the cumulative impact of past, present and reasonably foreseeable future actions (including the proposed project) and analyzes the impact contribution of the proposed project with regard to various sensitive resources. The cumulative impact analysis reveals that the proposed project would not contribute to substantial cumulative impacts to surface or ground water.

SOS commented that the environmental assessment offers no rationale as to why the FHWA did not order an EIS from the outset. While often described as a "widening" or expansion of FM 1626, the environmental assessment notes that the project involves changing the horizontal and vertical alignment of the current roadway. As a changed alignment would result in the construction of a new 4+ lane road on a new location, the FM 1626 project is a Class I activity

under federal regulations that categorically requires an environmental impact statement. (see 23 CFR 771.115).

> **Response:** The proposed project involves the upgrading of an existing facility following an established alignment. Although an approximate 2,200-foot section of the roadway would be shifted to improve the roadway geometry and eliminate substandard curves, the proposed project entails the upgrading of an existing facility along as existing alignment. TxDOT disagrees that 23 CFR 771.115 "categorically requires" the preparation of an environmental impact statement. Instead, the CFR identifies types of projects that "generally" require the preparation of an environmental impact statement. None-the-less the Federal Highway Administration will consider the findings of the environmental assessment as well as input received through the public hearing process when deciding to either issue a finding of no significant impact or require the preparation of an environmental impact statement.

SOS commented that a key assumption behind the environmental assessment's determination that the project will have no significant impacts is the frequently repeated sentence: "This project is located downstream (east) of the Edwards Aquifer Recharge Zone." This statement is not true. The mile-long southern portion of this project clearly crosses a small portion of the recharge zone and what the environmental assessment has labeled in some instances are contributing zone is in fact transition zone or contributing with the transition zone. Considering that the recharge zone is not correctly depicted and evaluated the environmental assessment's assessment of impacts to the Edwards Aquifer and aquatic species (including the endangered Barton Springs salamander) is faulty and downplays the significance of the projects direct, indirect and cumulative impacts.

> **Response:** As discussed on page 20 of the environmental assessment, the portions of the proposed project would be located within the recharge or contributing zones of the Edwards Aquifer. Although TxDOT concedes that the sentence cited by the commenter can be misinterpreted, the sentence was never intended to imply that the project area is located entirely outside the recharge/contributing zones. The environmental assessment will be revised to clarify intent.

The environmental assessment vastly underestimates the amount of golden-cheeked warbler habitat that will be impacted by the project thereby downplaying any negative impacts. Under the circumstances, the environmental assessment cannot serve as a reliable basis for a FONSI.

> **Response:** Several models have been created or are under construction seeking to map golden-cheeked warbler habitat using remotely-sensed vegetation and historical occurrence records for the species. Not all models are available to the public and TxDOT is not aware of any model, published to date, that has been subject to a rigorous peer review process. Most of the golden-cheeked warbler occurrence data used to create and "test" current models is historical data provided by Service. Other data have been opportunistically collected where access is available, not collected by an appropriate sampling design to test a habitat model. In addition, the Service data set is concentrated

in a narrow portion of the species' range and not appropriate for extrapolating to a range-wide model. Different models for habitat determination will vary in results because they use different design approaches and interpretations.

SOS commented that while admitting that the project "may affect" endangered species such as the Barton Springs salamander or the golden-cheeked warbler, the environmental assessment fails to provide any site-specific or field investigations to substantiate its conclusion that there will be no adverse effects to these species. In addition the environmental assessment admits the development within the indirect study area could accelerate golden-cheeked warbler habitat loss and fragmentation from third-party development yet provides no mitigation for fragmentation and loss or warbler habitat.

Response: As indicated on pages 9, 20 and 23 of the environmental assessment, biological surveys and field investigations were performed by qualified personnel in conjunction with preparation of the environmental assessment. In addition to site-specific field investigations, the environmental assessment also relies on the best available commercial and scientific data and information regarding know occurrences and habitat requirements to substantiate the conclusion that there will be no adverse effects to these species as a result of the proposed project.

With regard to possible acceleration of golden-cheeked warbler habitat fragmentation or loss, the environmental assessment correctly reports, based on interviews with landowners, that the proposed project may serve to accelerate the timing of some development which could subsequently accelerate golden-cheeked warbler habitat loss and fragmentation from third-party development. However, the fact that acceleration could happen, does not mean that it will happen nor that the proposed project would be the actual catalyst. The owners of some parcels have planned to develop their parcels even before inception of the proposed project. Like the proposed project, any third-party activity would be subject to the Endangered Species Act.

Section 7 of the Endangered Species Act requires federal agencies to consult with the Service if their actions "may affect" listed threatened or endangered species or their designated critical habitats. As indicated elsewhere in this document and in the environmental assessment, it has been determined that the proposed project may affect, but is not likely to adversely affect the Barton Springs salamander and the golden-cheeked warbler – species listed as endangered by the Service. Thus, coordination with the Service is on-going and an informal Section 7 consultation is anticipated. That consultation will include an analysis of the proposed project's effects on these species. It should be noted, however, that according to the Service's Consultation Handbook (1998), "it is not appropriate [for the Service] to require compensatory mitigation for the impacts of incidental take." Consultation Handbook 4-50. In any event, TxDOT believes that the project as proposed would not result in the "take" of either the warbler or the salamander.

SOS commented that the environmental assessment fails to assess how improving safety, as stated in the statement of purpose, will happen or even if it will happen. SOS noted that often

increasing drive speeds and increasing capacity increases traffic fatalities and an analysis of alternatives would look at alternative designs that can address the safety purposes of the proposed project The environmental assessment contains none of this.

> **Response:** The alternatives analysis for the proposed project has been expanded to include Transportation System Management, Transportation Demand Management, and transit strategies. In addition a broader range of build alternatives will be evaluated. The expanded alternatives analysis has been documented in the final environmental assessment.

SOS commented that the environmental assessment uses an unduly narrow purpose. SOS commented that the environmental assessment states on page 2 that the purpose of this project is to "improve the safety and mobility of FM 1626", and in the next sentence the environmental assessment has already concluded that "safety would be improved by increasing mobility, widening travel lanes, providing shoulders, and separating turning movement from the travel lanes." The extremely narrow and unreasonable statement of purpose relied upon by the environmental assessment effectively mandates that only one type of alternative be considered: a capacity expansion of FM 1626. As can be seen in the environmental assessment's non-existent analysis of alternatives, the statement of purpose rules out a whole universe of reasonable alternatives that could improve safety and mobility in the area but that might not involve adding lane-miles to FM 1626. Such an approach to alternatives is antithetical to NEPA and would never hold up in a court of law.

> **Response:** The alternatives analysis for the proposed project has been expanded to include Transportation System Management, Transportation Demand Management, and transit strategies. In addition a broader range of build alternatives will be evaluated. The expanded alternatives analysis will be documented in the final environmental assessment.

SOS commented that even in improving safety and mobility on FM 1626 was considered a proper purpose, the environmental assessment fails to consider safety improvements that do not involve adding main lanes to FM 1626. Adding a continuous center turn-lane by itself, for example, should have been evaluated as an alternative; as such an improvement would likely resolve safety concerns while also minimizing environmental harm through reliance on a smaller footprint. And as pointed out above, adding capacity often aggravates safety concerns as much as it helps alleviate such concerns.

> **Response:** The alternatives analysis for the proposed project has been expanded to include Transportation System Management, Transportation Demand Management, and transit strategies. In addition a broader range of build alternatives will be evaluated. The expanded alternatives analysis will be documented in the final environmental assessment.

SOS commented that the environmental assessment fails to consider any reasonable alternatives. The environmental assessment discusses a no-build option vs. one build alternative, the latter being the preferred option of expanding FM 1626 to five lanes. Considering the project's tremendous implications for future transportation in the region it is especially important that the

environmental document prepared for FM 1626 rigorously consider all alternatives and combinations thereof (including multi-modal options, mass transit, and travel demand management) as NEPA requires. It is only proper and logical to analyze regional alternatives under the circumstances – it would be arbitrary and capricious to do otherwise.

> **Response:** The alternatives analysis for the proposed project will be expanded to include Transportation System Management, Transportation Demand Management, and transit strategies. In addition a broader range of build alternatives will be evaluated. The expanded alternatives analysis will be documented in the final environmental assessment.

SOS noted that the expansion of what has historically served as a rural road network for local travel will have several irreversible and significant environmental consequences, not the least of which will be the facilitation of increased and unprecedented levels of regional, commuter travel between Hays and Travis counties via the reconfigured rural roads. Yet, the environmental assessment fails to examine a single alternative that relies on something other than a capacity expansion on FM 1626 and thus there is no attempt to avoid or minimize significant environmental impacts or consider other options to regional north-south travel between Hays and Travis counties.

> **Response:** The alternatives analysis for the proposed project has been expanded to include Transportation System Management, Transportation Demand Management, and transit strategies. In addition a broader range of build alternatives will be evaluated. The expanded alternatives analysis will be documented in the final environmental assessment.

SOS commented that in addition to violating NEPA the environmental assessment fails to comply with Executive Order 11988, which governs the siting of federal projects in floodplains. Despite admitting that the project is located within 100-year floodplains, the environmental assessment makes no effort to consider alternatives that would avoid adverse effects and construction in the floodplains, nor does the environmental assessment demonstrate why building within floodplains is "the only practicable alternative".

> **Response:** The proposed project has been developed in compliance with applicable environmental laws, rules and regulations including but not limited to the National Environmental Policy Act, 23 CFR 650 Subpart A, and Executive Order (EO) 11988. Accordingly, an environmental assessment has been prepared and floodplain effects have been analyzed. As reported in the environmental assessment, it was determined the hydraulic design of the project is consistent with TxDOT and Federal Highway Administration design policies and standards, and the base flood elevation would not be increased to a level that violates applicable floodplain regulations or ordinances. Due to the nature of this linear project, complete avoidance of floodplains is not feasible. Efforts have been made to minimize impacts to floodplains in accordance with EO 11988.

SOS commented that the environmental assessment relies on inflated traffic projections to justify the preferred project and fails to take into account recent traffic data and trends. Despite its date

of July 2009 and the fact that traffic counts from 2005 to 2008 are readily available online, the environmental assessment fails to examine traffic data on FM 1626 beyond the year 2004. Omitting such essential information cannot satisfy NEPA and doing so misrepresents the actual need for the project.

> **Response:** Consistent with Federal Highway Administration guidelines, planning for the proposed project is based on a 20-year planning horizon. The design year for the proposed project is 2024; traffic projections prepared for the proposed project reflect the 2024 design year. Although, as noted by the commenter, there may be yearly fluctuations either up or down during the course of the twenty year period, in the case of FM 1626, the overall trend is for an increase in traffic. As stated in the environmental assessment, by the 2024 traffic in the project area is anticipated to be 20,400 vehicles per day.

SOS commented that TxDOT traffic counts after 2004 show a flattening in traffic on FM 1626 and even a decrease in traffic in the most recent TxDOT counts. In 2005, ADT was 13,070. In 2006, there was a slight increase in ADT to 13,500. In 2007, ADT again slightly increases to 14,200. But in 2008, traffic on FM 1626 actually drops to 13,800. In contrast to the environmental assessment's projections, these recent traffic counts hardly support the proposition that traffic will continue to increase at the same rate that it did leading up to 2004. By omitting recent traffic counts, the environmental assessment fails to project the information necessary for evaluating the need for the preferred project. But given that the evidence suggests that traffic on FM 1626 is flattening, and even declining in certain years it is quite likely that the FM 1626 project is over-sized and not justified by actual need.

> **Response:** Consistent with Federal Highway Administration guidelines, planning for the proposed project is based on a 20-year planning horizon. The design year for the proposed project is 2024; traffic projections prepared for the proposed project reflect the 2024 design year. Although, as noted by the commenter, there may be yearly fluctuations either up or down during the course of the twenty year period, in the case of FM 1626, the overall trend is for an increase in traffic. As stated in the environmental assessment, by the 2024 traffic in the project area is anticipated to be 20,400 vehicles per day. For additional information, see General Issue #1.

SOS commented that after dismissing the no-build alternative, the environmental assessment rarely considers the no-build scenario thereafter and otherwise does not provide an adequate baseline upon which the project's impacts can be assessed.

> **Response:** The environmental assessment will be updated to include a more thorough discussion of impacts that would result from the no-build alternative.

SOS commented that in one of the few instances where the build alternative's impacts are compared to the no-build, the environmental assessment only makes the comparison to point out that FM 1626 currently has no engineered water quality controls and that "indirect impacts to surface water quality from the no-build could adversely affect Edwards Aquifer recharge where

the roadway traverses the recharge and contributing zones" (pg. 60).Such a selective and self-serving use of the no-build scenario does little to help evaluate the impacts of the proposed project and seems designed to suggest some illogical conclusion such as that the proposed project will improve water quality or not cause impacts. Nor does the general level of comparison shown in this example help to establish a baseline for evaluating the impacts of the proposed project.

> **Response:** The environmental assessment will be updated to include a more thorough discussion of impacts that would result from the no-build alternative.

SOS commented that while the environmental assessment does make some effort to describe the current health and historical context of the Edwards Aquifer in analyzing cumulative effects to Edwards Aquifer water quality, the environmental assessment fails to present substantive site-specific details that would allow for a comprehensive assessment of this project's impacts on specific water quality parameters. This is especially concerning given that the environmental assessment admits on pg. 106 that, "Potential cumulative effects on the salamander to which the current action could contribute include potential health effects from the contaminants found in stormwater runoff or hazardous materials spills and degradation of habitat by increase sediments." In light of the environmental assessment's disclosure of these severe and unquantified impacts to the Edwards Aquifer and the endangered Barton Springs salamander, an EIS is the only appropriate course of action under NEPA.

> **Response:** In its final rule to list the Barton Springs salamander as endangered, USFWS acknowledges that "[g]enerally, new development and construction designed and implemented pursuant to State and local water quality protection regulations in effect as of the date of this rule will not result in a violation of section 9 [of the ESA](62 FR 23391)." Because construction projects in the Edwards Aquifer recharge zone within the Edwards Aquifer RSA would be subject to the Edwards Aquifer Rules and TPDES and some projects would further be subject to more stringent local requirements, the release of any potential contaminants would be minimized and abated. Consequently, any substantial effects to the quality of Edwards Aquifer recharge from development within Edwards Aquifer RSA would be avoided or minimized. As indicated elsewhere in this document and in the environmental assessment, it has been determined that the proposed project may affect, but is not likely to adversely affect the Barton Springs salamander and the golden-cheeked warbler– species listed as endangered by the Service. Concurrence from the Service on the Barton Springs salamander was received on July 26, 2011 and concurrence from the Service on the golden-cheeked warbler was received on August 3, 2011.

SOS commented that as with its cursory treatment of alternatives, the environmental assessment's handling of mitigation fails to provide the level of detail and analysis necessary to satisfy NEPA.

> **Response:** Mitigation measures are addressed in Section VIII (Environmental Permits, Issues and Commitments) of the environmental assessment. Proposed mitigation

measures are commensurate with the degree of environmental impact and would include temporary (construction phase) and permanent water quality best management practices. Temporary best management practices would include installation of silt fences and rock filter dams. Post construction controls would include vegetated filter strips. Other mitigative efforts include re-vegetation of areas disturbed during construction and scheduling of construction activities so as to avoid impacts to migratory birds (to the extent practicable). As indicated elsewhere in this document and in the environmental assessment, it has been determined that the proposed project may affect, but is not likely to adversely affect the Barton Springs salamander and the golden-cheeked warbler–species listed as endangered by the Service. Concurrence from the Service on the Barton Springs salamander was received on July 26, 2011 and concurrence from the Service on the golden-cheeked warbler was received on August 3, 2011. As noted previously, "it is not appropriate [for the Service] to require mitigation for the impacts of incidental take" in connection with a Section 7 consultation. Service's Consultation Handbook at 4-50.

SOS commented that while admitting that the project will have impacts to the endangered Barton Springs salamander and the Austin blind salamander, the environmental assessment fails to demonstrate how such effects will be mitigated other than to recite generally applicable regulations such as the requirements for a WPAP and SW3P. The environmental assessment's approach avoids site-specific details and relies on unsubstantiated conclusions, such as on page 71, "While final TSS estimates are unavailable due to a lack of design details at this stage in the project development, the proposed project would, at a minimum, meet the standards established in the Edwards Aquifer Rules."

Response: The environmental assessment relies on site specific field investigations, the best available commercial and scientific data, known species occurrences and habitat assessments to substantiate the conclusion that there would be no adverse effects to protected species.

Concurrence from the Service on the Barton Springs salamander was received on July 26, 2011 and concurrence from the Service on the golden-cheeked warbler was received on August 3, 2011. As noted above, "it is not appropriate for [the Service] to require mitigation for the impacts of incidental take" in connection with a Section 7 consultation. Service's Consultation Handbook at 4-50.

SOS commented that while the environmental assessment recognizes the project's induced growth impacts and the negative effects of adding impervious cover and stormwater runoff it concludes, "The uncertainty of these project-related effects is not expected to put the Aquifer or the salamanders at risk due to the implementation of the Edwards Aquifer Rules, TPDES, and local water quality ordinances (p. 67)."

Response: Comment noted.

SOS commented that a "perfunctory description" or "mere listing" of mitigation measures without supporting analytical data is insufficient to support a finding of no significant impact.

As such, relying on existing regulations or construction and stormwater permits intended to protect the aquifer is not enough barring a more detailed description of the actual steps to be taken under those regulations and permits.

> **Response:** The environmental assessment lays out with clarity the various programs and measures that have the effect of avoiding or mitigating potential impacts. In particular, those measures relating to potential impacts on water quality and the Edwards Aquifer are well-understood and derived from existing regulatory programs and practices. Construction of the proposed project would also comply with all applicable laws and regulations, including, without limitation, section 404 of the Clean Water Act (potentially through utilization of Nationwide Permit 14) and the TCEQ's TPDES program. Best management practices proposed for this project include silt fence, rock filter dams, seeding and vegetated filter strips. TxDOT is evaluating the potential to limit the peak runoff rate by using PFC surfacing on the roadway. Additionally, a hazardous material trap is proposed to be placed near Little Bear Creek and would intercept a large quantity spill if a collision or accident occurs in that area.

SOS commented that NEPA requires TxDOT to demonstrate through substantial evidence that those measures will in fact reduce the impacts. Absent such evidence, concluding that all substantial impacts are mitigated to a level of insignificance is not only impermissibly conclusory it is also arbitrary and capricious.

> **Response:** The analysis performed to date indicates that the proposed project is not likely to result in significant impacts on the human environment even without mitigative measures. The commenter refers to analysis that would be applicable for a "mitigated FONSI", but analysis thus far appears to support a FONSI without reliance upon mitigative measures.

SOS commented that the environmental assessment ignores a growing body of literature that addresses the shortcomings of the regulations and BMPs relied upon for mitigation, stating some BMPs are "just flat-out ineffective". Further, the commenter stated, "to simply conclude, then, that BMPs will be applied to reduce any impacts to a level below significance is specious absent greater study and disclosure of certain basic facts about the project such as predicted TSS loadings".

> **Response:** As indicated in the environmental assessment, a water pollution abatement plan will be prepared for the proposed project. The water pollution abatement plan will include provisions for temporary and permanent water quality best management practices designed in accordance with Edwards Aquifer Rule standards. The environmental assessment has been reviewed by the TCEQ in accordance with the existing Memorandum of Understanding between TCEQ and TxDOT. In this case, the commenter suggests what would essentially be a re-evaluation of the efficacy of the TCEQ's existing water quality regulations. Such an effort is not necessary and is beyond the scope of the environmental review of a specific project. Nevertheless, it should be noted that pursuant to the Edwards Aquifer Rules, the project will include best

management practices sufficient to remove at least 80 percent of total suspended solid loadings. Best management practices proposed for this project include silt fence, rock filter dams, seeding and vegetated filter strips. TxDOT is evaluating the potential to limit the peak runoff rate by using PFC surfacing on the roadway. Additionally, a hazardous material trap is proposed to be placed near Little Bear Creek and would intercept a large quantity spill if a collision or accident occurs in that area.

SOS commented that overall nothing is mentioned of the shortcomings of the Edwards Rules regulations and their failure to protect the Aquifer from increased pollution runoff from roadways and other facilities. Nor does the environmental assessment discus the virtually non-existent enforcement and monitoring of the Edwards Rules by TCEQ. An honest assessment would include this information.

Response: The purpose of the environmental assessment is to evaluate and document potential impacts of the proposed FM 1626 improvements. State law requires compliance with the Edwards Aquifer Rules; assessment of the effectiveness of those rules is outside the scope of the FM 1626 environmental assessment.

SOS commented that relying on local water quality ordinances for mitigation is even less defensible given that state law allows for grandfathering from those ordinances under chapter 245 of the Local Government Code. There are many examples of large developments over the Edwards Aquifer that do not adhere to local water quality ordinances due to various reasons such as grandfathering, reliance on development agreements, or location in unincorporated areas. Relying on such ordinances to provide mitigation of secondary impacts, instead of incorporating reliable, project-specific mitigation is arbitrary and capricious.

Response: Comment noted. Land development control is outside the purview and jurisdiction of TxDOT. Further, TxDOT has no control over how and to what extent local ordinances would be applied and enforced by the responsible local entities. Land use control is only one of numerous factors that would ultimately impact land development in the project area; thus, the analysis in the environmental assessment does not rely solely on this single factor.

SOS commented that regarding the project's impacts to vegetation and potential golden-cheeked warbler habitat that the project will impact and likely destroy, the environmental assessment offers the cryptic statement "compensatory mitigation was considered but would not be practical for this project". While recognizing the need to compensate for the project's negative impacts, this statement is a further example of the environmental assessment's deficient approach to mitigation.

Response: Concurrence from the Service on the Barton Springs salamander was received on July 26, 2011 and concurrence from the Service on the golden-cheeked warbler was received on August 3, 2011. As noted above, "it is not appropriate [for the Service} to require mitigation for impacts of incidental take" in connection with a Section 7 consultation. Service's Consultation Handbook at 4-50.

SOS commented that while the environmental assessment discloses noise impacts on page 46, mitigation is ruled out and no abatement measures are incorporated into the document. While certain regulations may allow TxDOT to reject sound barriers based on cost feasibility, NEPA still requires that noise impacts be analyzed for significance. The environmental assessment does not consider whether the noise impacts will be significant under NEPA.

> **Response:** The noise analysis is consistent with FHWA procedures described in 23 CFR 772 and TxDOT's FHWA-approved guidance. The analysis in the environmental assessment found that two of 27 receivers would be impacted from noise associated with the project. Both impacted receivers would meet the absolute criterion for noise impacts in 2025, but neither met the reasonable and feasible criteria for noise abatement. The small number and proportion of impacted receivers, who do not meet the criteria for abatement measures, reflects an insignificant impact under NEPA.

SOS commented that the environmental assessment fails to disclose and analyze potentially significant traffic impacts and impacts to community cohesion. SOS commented that the description of the projects relationship to local policies and the project's impacts to neighborhoods and community cohesion on page 12 is not substantiated or accurate.

> **Response:** As a result of public comment, community cohesion has been further assessed in the final environmental assessment (see page 18 of the environmental assessment). A traffic analysis was prepared in conjunction with development of this public hearing report – the findings of the traffic analysis are discussed in Section 1, see **General Issue #1**.

SOS commented that the City of Austin has spent more than $100 million acquiring Barton Springs Edwards Aquifer watershed preserved lands in order to both protect the quantity and quality of recharge waters directly and indirectly, by way of blocking or restricting additional development. Hays County has recently also purchased lands and conservation easements in the area to help protect the aquifer. Some of these water quality protection lands are immediately adjacent to the proposed project, as are undeveloped lands that are potential acquisition targets for adding to the aquifer protection lands. The proposed project would serve to increase development pressure in the area, undermining the benefits of the efforts already undertaken and driving up land values and encouraging development over the aquifer, thereby hindering further acquisition of watershed protection lands by Austin, Hays County and/or private conservation buyers.

> **Response:** The proposed FM 1626 improvement project would have no direct effect on preserved lands. Further, as indicated in Section VII, Indirect and Cumulative Effects, the proposed project would not influence the location of new development in the project area. For these reasons, the proposed project would not result in direct, indirect or cumulative effects on preserve lands.

SOS commented that the environmental assessment mentions the Regional Water Quality Protection Plan in passing but fails to analyze how the proposed project is consistent or inconsistent with the plan, or how it could be changed to be more consistent.

> **Response:** The Regional Water Quality Protection Plan is a local initiative to identify strategies local entities could implement to protect water quality in the Barton Springs segment of the Edwards Aquifer. However, the plan is not regulatory. Some local entities have incorporated the recommended strategies into local ordinances; while others have not. The FM 1626 project is consistent with all State and Federal laws and regulations.

SOS commented that the proposed project would definitely adversely impact, to some degree, immediately adjacent neighborhoods by increasing air, noise, light pollution, and destroying the current rural and undeveloped character of the area. These impacts should be assessed and potential mitigation measures evaluated.

> **Response:** The environmental assessment includes an evaluation of potential project-related direct, indirect and cumulative effects with regard to a wide range of issues and resources. Potential impacts include land use and socio-economic impacts that would occur in Hays and Travis Counties. Regional and community growth, public facilities and services, community cohesion, and environmental justice are among the socio-economic impacts evaluated in the environmental assessment. The environmental assessment also includes traffic noise and air quality analyses prepared in accordance with applicable state and federal regulations/guidance. With regard to lighting, appropriate steps would be taken to reduce ambient light by shielding safety lighting, where warranted and feasible.

SOS commented that large, beautiful trees currently line 1626 in some area and a scaled back alternative could save many of these trees.

> **Response:** Efforts will be taken during construction to preserve trees within the right-of-way that are outside the limits of construction activity and outside clear zones required for safety.

SOS commented that as proposed, the project would lead to substantial traffic increases dumping on Brodie Lane to the north of the proposed project. The certainty of adverse traffic effects on Brodie and the Shady Hollow neighborhood led the Travis County Commissioners Court to adopt a resolution opposing the project unless and until the project is extended to provide a similar level of capacity continuously north to Manchaca and on to I-35. TxDOT predicts significant increases in traffic on Brodie even if the tentative State Highway 45 SW were built.

> **Response:** As demonstrated in the traffic analysis prepared in conjunction with preparation of this public hearing report (see **Appendix H**), the proposed FM 1626 improvements would not result in significant additional traffic on Brodie Lane nor would

the proposed FM 1626 improvements alter the level of service experienced on Brodie Lane (now or in the future).

SOS commented that building the project would significantly increase pressure to build State Highway 45 SW across the Edwards Aquifer. The project makes no sense (i.e. has no logical terminus) absent building State Highway 45 SW and/or extending the proposed 1626 expansion to connect to an expanded (proposed expansion all the way north and east to I-35. Doing so would in turn lead to even greater shifting of commuter traffic from I-35 to 1626/Brodie/MOPAC, 1626/Manchaca/MOPAC and/or 1626 to I-35. Building such an expanded commuter network would have larger regional effects on growth rates and patterns that should be both acknowledged and analyzed.

Response: In conjunction with development of the proposed project and preparation of the environmental assessment, TxDOT proposed Brodie Lane as logical termini for the proposed FM 1626 improvements. FHWA subsequently concurred with this recommendation, noting that Brodie Lane is a major traffic generator in the project area. Further, a traffic analysis prepared in conjunction with preparation of this public hearing report demonstrates that the proposed FM 1626 improvements would not result in significant additional traffic on Brodie Lane nor would the proposed FM 1626 improvements alter the level of service experienced on Brodie Lane (now or in the future). For a more in-depth analysis of the issues raised by the commenter, see **General Issue #1**.

The proposed FM 1626 improvement project, which was the subject of the December 8, 2009, public hearing, is separate and distinct from the proposed State Highwa**y** 45 project. A separate, stand-alone environmental document will be required and a public hearing will be held as part of the development process for the proposed State Highway 45 project.

SOS commented that conversely, adding the additional components to make the proposed project more "effective" as a new major north-south commuter route would lead to significant adverse direct and indirect effects on water quality, wildlife habitat, neighborhoods, and the still-rural character of the region.

Response: The environmental assessment analyzes the direct and indirect effects of the project on the human environment, including a substantial analysis about potential growth-inducing effects. Stated simply, the region of the project has undergone, and will likely continue to undergo, growth with or without the proposed highway improvements. The analysis in the environmental assessment indicates that the improvements might only marginally affect the location, pace and scale of potential growth. Moreover, as described in the environmental assessment, the impacts of potential growth in the region are mitigated by the existence of a number of regulatory and conservation programs.

Forcing the construction of State Highway 45 SW would cause increased pollution of Barton Springs and the Edwards Aquifer and would cause direct harm to Flint Ridge cave and literally dozens of mapped caves, sinkholes and recharge features.

> **Response:** The proposed FM 1626 improvement project would not result in the "forced construction" of State Highway 45. The FM 1626 project would have logical termini and independent utility. The proposed FM 1626 improvement project, which was the subject of the December 8, 2009, public hearing, is separate and distinct from the proposed State Highwa**y** 45 project. For a more in-depth analysis of the issue raised by the commenter, see **General Issue #1**.

SOS commented that forcing the construction of State Highway 45 SW will also cause significant increases in traffic and noise on South MOPAC and cause direct harm to tranquility and visitor enjoyment of the Lady Bird Johnson Wildflower Center.

> **Response:** The proposed FM 1626 improvement project would not result in the "forced construction" of State Highway 45. The FM 1626 project would have logical termini and independent utility. The proposed FM 1626 improvement project, which was the subject of the December 8, 2009, public hearing, is separate and distinct from the proposed State Highwa**y** 45 project. For a more in-depth analysis of the issue raised by the commenter, see **General Issue #1**.

SOS commented that nowhere in the environmental assessment is there an analysis or quantification of construction phase impacts such as traffic delays and noise, air and light pollution. Far from being temporary or insignificant, such impacts are likely to continue for lengthy periods of time, substantially disrupting communities and travelers and causing potentially severe water quality impacts.

> **Response:** Construction-phase noise impacts are discussed on page 57 of the environmental assessment. A traffic control plan would be prepared in conjunction with final design. The traffic control plan would include provisions for the safe and efficient movement of vehicle traffic through the construction site. The traffic control plan, which would include provisions such as reduced speed limits, construction site signing and pavement markings, would be designed/implemented in a manner that would serve to minimize construction-related delays and inconvenience to the traveling public. Air quality impacts associated with construction would be mitigated via measures such as speed limit reductions, watering to control dust, and re-vegetation at the earliest practical time. Construction-related lighting impacts would be minimized via measures such as minimization of night work in the vicinity of neighborhoods. During construction, erosion and sedimentation best management practices will be installed, monitored and maintained in accordance with a water pollution abatement plan (which would be subject pre-construction TCEQ review/approval) and a project-specific stormwater pollution prevention plan. The discussion of construction-phase impacts contained in the environmental assessment has been expanded (see pages 20 and 129 of the environmental assessment).

SOS commented that the environmental impacts arising from road construction consist of direct, localized, and acute alterations of physical conditions. These impacts include the addition of fine sediments to nearby waterways, channelization of streams, disruption of groundwater flows, soil erosion and habitat destruction.

> **Response:** The project would be constructed in accordance with all applicable environmental regulations and will incorporate best management practices in accordance with those regulations. In particular, the TPDES and Edwards Aquifer programs of the TCEQ are designed by that expert agency specifically to address the types of impacts to which the commenter refers.

SOS commented that construction equipment contributes to noise and air pollution along with light pollution from nighttime operations. There is also the ever present likelihood that existing infrastructure such as sewer lines or pipelines will be damaged resulting in spills and releases of sewage, chemicals, and other pollutants. Such an event occurring near Onion Creek or one of its tributaries during construction will surely result in a significant impact to the environment.

> **Response:** Provisions would be included in the plans and specifications that require the contractor to make every reasonable effort to minimize traffic and noise caused by construction through abatement measures such as traffic controls, work-hour controls and proper maintenance of muffler systems. Furthermore, the contractor will comply with all applicable local, state and federal regulations and BMP's will be utilized to reduce impacts to the physical environment during construction.

SOS commented that roadway construction directly results in clearing right-of-way through existing and native vegetation. This not only has an aesthetic impact but it also facilitates the invasion of exotic species of weeds, pests, and pathogens which can then disperse to colonize adjacent native communities. Clearing the right-of-way could lead to the spread of oak wilt disease.

> **Response:** All areas disturbed during construction would be re-vegetated in accordance with provisions/requirements of Executive Order 13112 on Invasive Species, the Executive Memorandum on Beneficial Landscaping, and the 1999 FHWA guidance on invasive species.

SOS commented that construction will cause traffic delays and problems and state that often driver delays due to construction are so long and the time savings predicted from the finished product so minor that it can take years for commuters to break even and begin to make up the time they lost during construction.

> **Response:** A traffic control plan would be prepared in conjunction with final design. The traffic control plan would include provisions for the safe and efficient movement of vehicle traffic through the construction site. The traffic control plan, which would include provisions such as reduced speed limits, construction site signing and pavement

markings, would be designed/implemented in a manner that would serve to minimize construction-related delays and inconvenience to the traveling public.

SOS commented that despite the many potentially significant impacts that would occur during construction of the project, the environmental assessment fails to discuss these impacts in any meaningful detail and does not provide any mitigation beyond the mere recital of generally applicable regulations.

Response: Construction-phase noise impacts are discussed on page 46 of the environmental assessment. A traffic control plan would be prepared in conjunction with final design. The traffic control plan would include provisions for the safe and efficient movement of vehicle traffic through the construction site. The traffic control plan, which would include provisions such as reduced speed limits, construction site signing and pavement markings, would be designed/implemented in a manner that would serve to minimize construction-related delays and inconvenience to the traveling public. Air quality impacts associated with construction would be mitigated via measures such as speed limit reductions, watering to control dust, and re-vegetation at the earliest practical time. Construction-related lighting impacts would be minimized via measures such as minimization of night work in the vicinity of neighborhoods. The discussion of construction-phase impacts contained in the environmental assessment will be expanded.

Mitigation measures are addressed in **Section VIII** (Environmental Permits, Issues and Commitments) of the environmental assessment. Proposed mitigation measures are commensurate with the degree of environmental impact and would include both temporary (construction phase) and permanent water quality best management practices. Temporary best management practices would include installation of silt fences and rock filter dams. Post construction controls would include vegetated filter strips. Other mitigative efforts include re-vegetation of areas disturbed during construction and scheduling of construction activities so as to avoid impacts to migratory birds (to the extent practicable). As indicated elsewhere in this document and in the environmental assessment, it has been determined that the proposed project may affect, but is not likely to adversely affect the Barton Springs salamander and the golden-cheeked warbler–species listed as endangered by the Service. Concurrence from the Service on the Barton Springs salamander was received on July 26, 2011 and concurrence from the Service on the golden-cheeked warbler was received on August 3, 2011.

SOS commented that in light of the many deficiencies described in the comments above, the July 2009 environmental assessment cannot serve as a basis for a FONSI. Considering all the significant impacts and context and intensity of the project, FHWA and TxDOT should commence preparation of an EIS so as to fully comply with NEPA.

Response: The environmental assessment includes analysis of potential direct, indirect and cumulative impacts of the proposed project and, based on that analysis, concludes that no significant impacts are anticipated to result from the proposed project. The Federal Highway Administration will consider the findings of the environmental

assessment as well as input received through the public hearing process when deciding to either issue a finding of no significant impact or require the preparation of an environmental impact statement.

Hayes, Tom D., Ph. D. (Science Director, Greater Edwards Aquifer Alliance)

Dr. Hayes commented that potential and severe adverse effects on rare and endangered species are incompletely and incorrectly assessed.

Response: The environmental assessment includes an evaluation of potential direct, indirect and cumulative effects of the proposed project. The environmental assessment format and level of detail satisfies the requirements of 23 CFR 771 and is consistent with other environmental assessment for transportation projects of similar context and intensity. Analysis presented in the environmental assessment pertaining to effects on rare and endangered species indicates that the proposed project would not result in significant impacts – supporting a finding of no significant impact. However, the Federal Highway Administration will consider the findings of the environmental assessment as well as input received through the public hearing process when deciding to either issue a finding of no significant impact or require the preparation of an environmental impact statement. Concurrence from the Service on the Barton Springs salamander was received on July 26, 2011 and concurrence from the Service on the golden-cheeked warbler was received on August 3, 2011.

Dr. Hayes commented that neither site-specific nor field investigations were performed by independent qualified personnel not employed by the Texas Department of Transportation.

Response: TxDOT employs professional wildlife biologists, geologists, noise and air specialists, water quality specialists, archeologists, historians and other environmental professionals. TxDOT personnel responsible for the preparation of environmental documents are qualified to perform their assigned tasks. The FM 1626 has been reviewed by the Texas Parks and Wildlife Department, Texas Commission on Environmental Quality, Texas Historical Commission and the Service. Further, the document was reviewed by the Federal Highway Administration prior to release to the public.

Dr. Hayes commented that all peer-reviewed scientific literature used in the environmental assessment to evaluate impacts on endangered species were more than 10 years old.

Response: The age of a research study does not indicate the quality or applicability of the study to a particular use.

Dr. Hayes stated in reference to metadata acquired from the Texas Commission on Environmental Quality (TCEQ) that the southern portion, approximately one mile in length, of proposed road expansion crosses the Recharge Zone for the Barton Springs Segment of the Edwards Aquifer.

Response: Comment noted. The fact that a portion of the project is located within the recharge or contributing zones of the Edwards Aquifer is acknowledged on page 20 of the environmental assessment.

Dr. Hayes commented that Figure 13 of the environmental assessment incorrectly labels "Transition Zone" and "Contributing Zone within the Transition Zone" areas crossed by the road expansion project as "Contributing Zone".

Response: All areas of contributing zone, including those within the transition zone, were combined and evaluated collectively for purposes of analysis. The transition zone is not regulated by TCEQ under the Edwards Aquifer Rules. Figure 13 of the environmental assessment will be clarified.

Dr. Hayes commented in reference to *Review of the environmental assessment for the Proposed Improvements to Farm-to-Market Road 1626,* Figures 1 and 2, that potential impact to the TCEQ aquifer zones within the study areas for the proposed road expansion, as well as the linear distance of aquifer-zone impact by the road itself, far exceed that acknowledged in the environmental assessment.

Response: Figures 1 and 2 provided by Dr. Hays have been reviewed and compared to Figure 13 in the environmental assessment. No inconsistencies or discrepancies with regard to the boundaries of the Edwards Aquifer zones were identified.

Dr. Hayes commented in reference to *Review of the environmental assessment for the Proposed Improvements to Farm-to-Market Road 1626* that there are 25,953 acres of Recharge zone present in the Indirect Effects Area defined by the environmental assessment. He also states in reference to Table 1 of *Review of the environmental assessment for the Proposed Improvements to Farm-to-Market Road 1626* that the proposed road expansion project crosses 0.5 and 3.8 miles of Recharge Zone and Total Aquifer Area, respectively. Dr. Hayes, based on this information, writes, "Such large areas with potential adverse impacts to water quality and other aspects of recharge to the Edwards Aquifer refute the environmental assessment's often repeated statement contending 'no recharge or karst features observed within the project area.'"

Response: The project right-of-way was surveyed by a professional geologist. As stated in the environmental assessment, no recharge or karst features were identified during the karst survey.

Dr. Hayes commented that the environmental assessment states "the project is located downstream (east) of the Barton Springs Segment of the Edwards Aquifer" and that this statement is "erroneous".

Response: As discussed on page 29 of the environmental assessment, the portions of the proposed project would be located within the recharge or contributing zones of the Edwards Aquifer. Although TxDOT concedes that the sentence cited by the commenter can be misinterpreted, the sentence was never intended to imply that the project area is

located entire outside the recharge/contributing zones. The environmental assessment will be revised to clarify intent.

Dr. Hayes states that the City of Austin (COA) and the Barton Springs/Edwards Aquifer Conservation District (BSEACD) have completed more recent hydrologic data analyses, in support of TCEQ extending the Edwards Aquifer Recharge Zone farther east of FM 1626, beyond current TCEQ recharge boundaries and requests the following documents be made part of the official record:

1. Hauwert, Nico M. 2005. City of Austin comment letter on proposed changes to Edwards Aquifer Rules. TAC Chapter 213, Rule # 2003-029-213-WT, 4-25-05.

2. Smith, B., and Hunt, B. 2002. BSEACD, Petition for the Adoption of Rules: Changes to the Recharge Zone Map Boundary within the Barton Springs Segment of the Edwards Aquifer, Travis and Hays Counties, Texas.

3. TCEQ, Chapter 213-Edwards Aquifer Rule Log No. 2003-029-213-WT.

Response: Comment noted.

Dr. Hayes commented, "The environmental assessment's analysis and conclusions in regard to project impacts to aquifer recharge ignore available data and are not founded on site-specific field investigation. The potential for direct, indirect, and cumulative impacts to aquifer water quality clearly warrant field and other investigations, including dye tracing studies, by qualified independent hydrogeologists."

Response: Field investigations were conducted in conjunction with preparation of the environmental assessment. Dye tracing studies are beyond the scope of investigation undertaken during preparation of an environmental assessment.

Standards for preparation of National Environmental Policy Act documents provide that "assessment" or "evaluation" is to be made based on the "best available information" and does not necessarily require the generation of new information.

Dr. Hayes commented that the environmental assessment relies on inaccurate and incomplete hydrogeologic information and incorrectly assesses jeopardy to species dependent on Edwards Aquifer habitats, including the Barton Springs Salamander, Austin blind salamander, and several federally listed and candidate invertebrate species.

Response: The Service has reviewed the environmental assessment. Concurrence from the Service on the Barton Springs salamander was received on July 26, 2011 and concurrence from the Service on the golden-cheeked warbler was received on August 3, 2011.

Dr. Hayes commented that the environmental assessment makes no mention of site specific investigations for golden-cheeked warbler or black-capped vireo habitat and that the

environmental assessment's acreages for potential golden-cheeked warbler habitat is grossly underestimated based on independent data.

> **Response:** The project area was surveyed by "qualified Austin District environmental personnel" (environmental assessment on page 35). A survey was conducted to assess the potential impact of the proposed project on vegetation and wildlife" (environmental assessment on page 31). Surveys were conducted from the "existing right-of-way because entry to the proposed right-of-way was not granted. Aerial photographs were also used during the survey" (environmental assessment on page 16).
>
> Several models have been created or are under construction seeking to map golden-cheeked warbler habitat using remotely-sensed vegetation and historical occurrence records for the species. Not all models are available to the public and TxDOT is not aware of any model, published to date, that has been subject to a rigorous peer review process. Most of the golden-cheeked warbler occurrence data used to create and "test" current models is historical data provided by Service. Other data have been opportunistically collected where access is available, not collected by an appropriate sampling design to test a habitat model. In addition, the Service data set is concentrated in a narrow portion of the species' range and not appropriate for extrapolating to a range-wide model. Different models for habitat determination will vary in results because they use different design approaches and interpretations.
>
> Regardless of which model or expert's determination of potential habitat within 500 meters of the project, the environmental assessment explains using published, peer reviewed information recommend by the Service, that any habitat within 500 meters has already been impacted by the presence of the roadway and existing development.

Dr. Hayes commented that the environmental assessment states 1,815 acres of potential golden-cheeked warbler habitat within the Indirect Effects Study Area, the nearest being 1,000 feet west of the project. He then sited Diamond (2007) as delineating a total of 12,288 acres of potential GCWA habitat and 4,403 acres of prime GCWA habitat within the indirect effects study area.

> **Response:** Several models have been created or are under construction seeking to map golden-cheeked warbler habitat using remotely-sensed vegetation and historical occurrence records for the species. Not all models are available to the public and TxDOT is not aware of any model, published to date, that has been subject to a rigorous peer review process. Most of the golden-cheeked warbler occurrence data used to create and "test" current models is historical data provided by Service. Other data have been opportunistically collected where access is available, not collected by an appropriate sampling design to test a habitat model. In addition, the Service data set is concentrated in a narrow portion of the species' range and not appropriate for extrapolating to a range-wide model. Different models for habitat determination will vary in results because they use different design approaches and interpretations.

> Regardless of which model or expert's determination of potential habitat within 500 meters of the project, the environmental assessment explains using published, peer reviewed information recommended by the Service, that any habitat within 500 meters has already been impacted by the presence of the roadway and existing development.

Dr. Hayes stated that within the 500-meter Direct Effects Area are a total of 395 and 22 acres of potential and prime rank-4 GCWA habitats, respectively. He then states that this is in direct contradiction with the environmental assessment's assertion that no potential GCWA habitat exists within 500 meters of the subject FM 1626 segment.

> **Response:** Several models have been created or are under construction seeking to map golden-cheeked warbler habitat using remotely-sensed vegetation and historical occurrence records for the species. Not all models are available to the public and TxDOT is not aware of any model, published to date, that has been subject to a rigorous peer review process. Most of the golden-cheeked warbler occurrence data used to create and "test" current models is historical data provided by Service. Other data have been opportunistically collected where access is available, not collected by an appropriate sampling design to test a habitat model. In addition, the Service data set is concentrated in a narrow portion of the species' range and not appropriate for extrapolating to a range-wide model. Different models for habitat determination will vary in results because they use different design approaches and interpretations.
>
> Regardless of which model or expert's determination of potential habitat within 500 meters of the project, the environmental assessment explains using published, peer reviewed information recommended by the Service, that any habitat within 500 meters has already been impacted by the presence of the roadway and existing development.

Hergotz, William C.

Mr. Hergotz wrote, "This project should proceed-yesterday! Essential to provide orderly and safe flow of ever increasing North South traffic. In conjunction with State Highway 45 connection FM 1626 with Mo-Pac, will relieve traffic on Brodie Lane from Slaughter Lane to FM 1626. Left turns from FM 1626 are now extremely dangerous during busy traffic times."

> **Response:** Comment noted.

Hern, Jerry

Mr. Hern commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Mr. Hern applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Mr. Hern stated his support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

> **Response:** Comment noted.

Hernandez, Julian M. and Rosie R.

Mr. Hernandez commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Ms. Hernandez applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Ms. Hernandez stated her support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Julian and Rosie Hernandez commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Julian and Rosie Hernandez applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Julian and Rosie Hernandez stated their support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Hernandez, Ray, Executive Director, Kyle Area Chamber of Commerce

Mr. Hernandez commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Mr. Hernandez applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Mr. Hernandez stated his support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Hernandez, Rosie R.

Ms. Hernandez commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Ms. Hernandez applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Ms. Hernandez stated her support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Herzog, Cynthia J.

Ms. Herzog commented that FM 1626 is no longer a small country road but has now become a major thoroughfare that connects with IH-35 and the future State Highway 45. She stated that the improvements should have already been implemented to support the current large volumes of traffic**.**

Response: Comment noted.

Hill, Gerald, Executive Director, Seton Hays Foundation

Mr. Hill commented that residential growth in the area has created unsafe and congested conditions along FM 1626. These conditions interfere with emergency services, jeopardizing the lives and property of citizens in the area. Mr. Hill stated he strongly supports the development of the FM 1626 project from FM 967 to Brodie Lane and urges TxDOT to approve the environmental document so the project can move to construction as quickly as possible.

Response: Comment noted.

Hill, Lynn T. "Tom"

Mr. Hill, constituent, sent an email to Jeff Barton in support of the project.

Response: Comment noted.

Hill, Renee S.

Ms. Hill, constituent, sent an email to Jeff Barton in support of the project.

Response: Comment noted.

Howell, Cathy

Ms. Howell stated that growth cannot be hindered by avoiding expansion of current roadways. She commented that constituents have requested safer roadways. She noted that Pass Through Financing aides TxDOT at a time when they have little or no funding and pays back the county for improvements.

Response: Comment noted.

Huckaby, Clay, Fire Chief, Buda Fire Deparment

Mr. Huckaby commented that residential growth in the area has created unsafe and congested conditions along FM 1626. These conditions interfere with emergency services, jeopardizing the lives and property of citizens in the area. Mr. Huckaby stated he strongly supports the development of the FM 1626 project from FM 967 to Brodie Lane and urges TxDOT to approve the environmental document so the project can move to construction as quickly as possible.

Response: Comment noted.

Huffar, Robert and Sharon

Mr. and Mrs. Huffar state that they support the project as well as the construction of State Highway 45 and thank Commissioner Barton for his work.

Response: Comment noted. The proposed FM 1626 improvement project, which was the subject of the December 8, 2009, public hearing, is separate and distinct from the proposed State Highway 45 project. A separate, stand-alone environmental document will be required and a public hearing will be held as part of the development process for the proposed State Highway 45 project.

Hunter, Jo

Mr. Hunter commented that he would enjoy being able to cycle to Brodie Lane and / or Manchaca and the trip would be much safer with the addition of the proposed shoulders. Mr. Hunter stated he likes the idea of sidewalks from Jerrys Lane to FM 967 and that it would be great to be able to reach the sports center by foot.

Response: Comment noted.

Hutchins, Mathew and Julie

Mr. and Ms. Hutchins are land owners along the route through Buda and the commented that the road has become congested and unsafe. They stated the conditions are making it more difficult for emergency vehicles to reach their destinations in a timely manner, jeopardizing the lives and property of citizens. They noted that school buses in the area must contend with congestion during pick up and drop off of school children. Mr. and Ms. Hutchins noted excitement to hear about the context sensitive design that the county is working on with TxDOT and noted that installation of medians in certain locations will improve safety while construction of walking and bike trails will make the roadway more attractive and enhance their recreational options. Mr. and Ms. Hutchins expressed support for the project and urged TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Johnston, Andy

Mr. Johnston offered the following design concepts to be utilized during construction to offset S.O.S. concerns and improve water quality: infiltration trenches, vegetation swales, permeable friction course, wet vaults, media vaults, oil / grease removal (Smart Sponge), Bioretention (rain gardens) and native vegetation to minimize TxDOT mowing maintenance costs.

Response: The best management practices suggested by Mr. Johnston will be considered, along with other possible water quality controls, during the final design phase as the water pollution abatement plan is prepared and the stormwater pollution prevention plan is developed.

Johnson, Chester T. and Martha E.

Mr. and Mrs. Johnson stated that their family has owned property along FM 1626 for over 75 years. They requested that the proposed right-of-way be moved to the west to avoid taking of

their property. They also requested that a large 'double oak' tree that is partially within the current right-of-way be avoided. The Johnson's also state that there is a water easement across their property from the Porter Company that drains into the existing right-of-way.

> **Response:** Throughout the project development process, project planners have attempted to avoid and/or minimize adverse environmental impacts. In the case of right-of-way, avoidance of displacements and minimization of impacts to adjacent parcels were key considerations. The right-of-way requirements, as presented as the public hearing, reflect avoid/minimize efforts. No changes to the proposed right-of-way are proposed. The avoidance of the 'double oak' tree would be evaluated during detailed design.
>
> Efforts will be taken during construction to preserve trees within the right-of-way that are outside the limits of construction activity and outside clear zones required for safety.

Kaufmann, Jeff

Mr. Kaufmann commented that in 2004, at the first TxDOT hearing for 1626 improvements, he mentioned the construction of a parkway instead of a speedway. The parkway would be bicycle and pedestrian friendly and visually pleasing. He requested that Hays County Commissioners Court amendments be accepted and the road be built.

> **Response:** Comment noted.

Ketterman, Warren, Buda Economic Development Coorporation (Submitted 2 written comments)

Mr. Ketterman referenced the environmental assessment and stated the ADT for FM 1626 in the project area was 2,600 in 1985 but had grown to 12,800 by 2004 and estimated daily traffic in 2024 is 20,400. Mr. Kettermen referenced the environmental assessment and stated there would be no significant impact to surface water, ground water, salamanders and birds as a result of the FM 1626 improvements. Mr. Ketterman wrote, "Let's improve FM 1626 now!!"

> **Response:** Comment noted.

Kidnew, Robert (submitted 2 duplicate written comments)

Mr. Kidnew commented that he is a business owner and resident in the area who frequently utilizes FM 1626 for travel. He commented that the improvement of FM 1626 would, greatly improve safety for all residential, commercial and commerce traffic that travels on 1626, reduce emissions form traffic congestion, stop start traffic etc., and improve safety for many of my employees that drive regularly on 1626.

> **Response:** Comment noted.

Kneeland, Bob and Linda

Mr. and Mrs. Kneeland stated that they are landowners along the project route and support the project. They note that FM 1626 is congested and unsafe and state that they support the context sensitive proposals by the County.

Response: Comment noted.

Constable Kohler

Constable Kohler commented that residential growth in the area has created unsafe and congested conditions along FM 1626. These conditions interfere with emergency services, jeopardizing the lives and property of citizens in the area. Constable Kohler stated he strongly supports the development of the FM 1626 project from FM 967 to Brodie Lane and urges TxDOT to approve the environmental document so the project can move to construction as quickly as possible.

Response: Comment noted.

Lane, Bobby D. (Mayor, City of Buda)

Mayor Lane expressed "strong support" for the proposed project. He stated, "I applaud the partnership of the Department and Hays County and urge the Department to approve the environmental document so the project can move to construction as quickly as possible." The Mayor's letter also served to transmit a resolution from the City of Buda "in support of the widening of FM 1626 from RM 967 to Brodie Lane."

Response: Comment noted

Lothery, David and Mary

Mr. and Ms. Lothery wrote, "This project has been ongoing too long. This road is unsafe for all. It needs to be completed as soon as possible."

Response: Comment noted.

Louk, Becky

Ms. Louk commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Ms. Louk applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Ms. Louk stated her support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Louk, Josh

Mr. Louk commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Mr. Louk applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Mr. Louk stated his support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

> **Response:** Comment noted.

Lyon, Jeremy Ph. D. (on behalf of Hays Consolidated Independent School District)

Dr. Lyon commented that residential growth in the area has created unsafe and congested conditions along FM 1626. These conditions interfere with emergency services, jeopardizing the lives and property of citizens in the area. Dr. Lyon stated he strongly supports the development of the FM 1626 project from FM 967 to Brodie Lane and urges TxDOT to approve the environmental document so the project can move to construction as quickly as possible.

> **Response:** Comment noted.

Majorca, Majesta

Ms. Majorca asked what the purpose was to widen 1626 up to the Travis County line or Brodie Lane.

> **Response:** The purpose of the proposed project is to improve safety and mobility in the project area. FM 967 and Brodie Lane serve as logical termini for the proposed FM 1626 improvements.

Ms. Majorca stated that unless the project is part of a comprehensive regional plan to increase mobility from Hays County to Central Austin it is a waste of money.

> **Response:** The proposed project is included in the *CAMPO 2035 Regional Transportation Plan* – the comprehensive long range transportation plan for the Austin-metropolitan area (Hays, Travis and Williamson Counties).

Marsh, Janet

Ms. Marsh commented and asked that TxDOT please extend the public comment period to January 29, 2010. Ms. Marsh commented that while she is not opposed to the project or safety improvements, she is opposed to the segmenting you are proposing for this State facility with no regard to other long awaited State promised roadways. She noted that as a stand-alone effort, this project does not have a logical terminus.

> **Response:** Notice of the public hearing was published in newspapers having general circulation in the project area 30-days (and again 10-days) prior to the public hearing.

The public hearing notice stated that the environmental assessment was available for review and identified locations where the document was available. In addition, to maximize accessibility to interested parties, the environmental assessment was also posted on TxDOT's website. A ten day post-hearing comment was provided. These timeframes are consistent with 43 TAC 29 and 23 CFR 771.119. When considering the 30-day period prior to the public hearing that the document was available combined with the 10-day post hearing comment period, the public review period was actually 40-days. For these reasons, the comment period will not be extended.

In conjunction with development of the proposed project and preparation of the environmental assessment, TxDOT proposed Brodie Lane as logical termini for the proposed FM 1626 improvements. FHWA subsequently concurred with this recommendation, noting that Brodie Lane is a major traffic generator in the project area. Traffic projections prepared for the proposed project indicate approximately 5900 vehicles per day turning from FM 1626 onto Brodie and an additional 6800 vehicles per day turning from Brodie Lane onto southbound FM 1626 by 2024 (the design year for the proposed project).

Ms. Marsh requested that the Commissioners Courts of both Hays and Travis counties align themselves in the coming weeks and proceed together to TxDOT, CAMPO and the state Transportation Commission to 1) request that no state road be extended to a county road; 2) request that the state establish a realistic transportation plan for northern Hays and southern Travis counties; and 3) request that the ad hoc practice of phasing state roadway construction be abandoned in favor of a comprehensive road system that serves the region.

Response: Comment noted.

Mattis, Thomas, Kyle City Manager (submitted 2 duplicate written comments)

Mr. Mattis identifies himself as City Manager for the City of Kyle. He notes that he supports the project and that while it is not within the city limits it coordinates well with existing roads in Kyle. He believes that the project will improve safety within the area as well as help to attract new employers and residents. He praises the cooperation between TxDOT and Hays County in planning this project and requests that it be completed as soon as possible.

Response: Comment noted.

Mr. Mattis commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Mr. Mattis applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Mr. Mattis stated his support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Mauzy, Renee

Ms. Mauzy states that she supports the project and that the road is extremely unsafe.

Response: Comment noted.

McCorkle, Alan (City of Hays Council Member)

Mr. McCorkle commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Mr. McCorkle applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Mr. McCorkle stated his support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

McKinnon, J. C.

Mr. McKinnon wrote, "For all projects, including 45 from IH 35 to MOPAC, get it started, it's past time. I see no need for sidewalks or raised medians. Total waste of money."

Response: Comment noted. The proposed FM 1626 improvement project, which was the subject of the December 8, 2009, public hearing, is separate and distinct from the proposed State Highway 45 project. A separate, stand-alone environmental document will be required and a public hearing will be held as part of the development process for the proposed State Highway 45 project.

McKnight, Jerry

Mr. McKnight commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Mr. McKnight applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Mr. McKnight stated his support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

McKnight, Linda

Ms. McKnight commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Ms. McKnight applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Ms. McKnight stated her support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Medina, Tom and Susie

Mr. and Ms. Medina commented that they are in favor of the project. They noted necessity of the project to handle the large amount of traffic and improve safety. They commented that the project has been delayed long enough and should be completed.

> **Response:** Comment noted.

Miller, Clark

Mr. Miller requested that a light be added to Westway and Justin Lane.

> **Response:** The need for the requested traffic signals will be evaluated during final design. If it is determined that the traffic signals are warranted, the signals would be incorporated into the project plans.

Mr. Miller requested that the road be planned to accommodate for light motorcycle traffic.

> **Response:** The proposed improvements to FM 1626 were designed to accommodate all legal means of vehicular traffic.

Mr. Miller requested that the speed limit between on 1626 from FM 967 to Brodie Lane be 45-50 mph.

> **Response:** As indicated in the response to Hays County Engineer Jerry Borcherding's comments regarding speed limits, in areas characterized as suburban, a 45 mile per hour "design speed" will be utilized. Upon completion, a speed study would be conducted in accordance with requirements of Texas law to establish a safe and prudent "posted" speed limit for the improved facility.

Mr. Miller requested that the sidewalk and pedestrian site be connected to the walk path from Austin.

> **Response:** Comment unclear; not able to determine which path Mr. Miller references.

Moore, Graham

Mr. Moore indicated that his children will soon be school-aged and will be attending Elm Grove Elementary; he expressed concern for their safety. He commented on the continuing growth in the area and requested that the project move forward to improve the safety of the roadway.

> **Response:** Comment noted.

Morgan, David

Mr. Morgan commented that in the 2004 meeting there was mention of retention ponds at the location where unnamed creek goes under 1626. Mr. Morgan lives in that area and expressed his concern that the construction of retention ponds would promote the breeding of mosquitoes and make his yard unlivable.

> **Response:** The water quality measures anticipated for use on the project area water quality inlets, vegetative filter strips and grass swale. It is not anticipated that retention ponds would be necessary or utilized for the proposed project.

Mr. Morgan commented that his yard, backing up to 1626, utilizes a fence, bushes, and trees as a sound break and asked if those were destroyed during construction would they be replaced?

> **Response:** If removed during construction, the fence would be replaced. Disturbed areas will be re-vegetated upon completion of construction. Efforts will be taken during construction to preserve trees within the right-of-way that are outside the limits of construction activity and outside clear zones required for safety.

Pacey, Jim

Mr. Pacey commented that residential growth in the area has created unsafe and congested conditions along FM 1626. These conditions interfere with emergency services, jeopardizing the lives and property of citizens in the area. Mr. Pacey stated he strongly supports the development of the FM 1626 project from FM 967 to Brodie Lane and urges TxDOT to approve the environmental document so the project can move to construction as quickly as possible.

> **Response:** Comment noted.

Parham, Amy

Ms. Parham wrote, "We need this for safety and we need the Context Sensitive Design to keep our character."

> **Response:** Comment noted.

Partin, Tom, EMT-P, Executive Director, San Marcos-Hays County EMS, Inc.

Mr. Partin commented that residential growth in the area has created unsafe and congested conditions along FM 1626. These conditions interfere with emergency services, jeopardizing the lives and property of citizens in the area. Mr. Partin stated he strongly supports the development of the FM 1626 project from FM 967 to Brodie Lane and urges TxDOT to approve the environmental document so the project can move to construction as quickly as possible.

> **Response:** Comment noted.

Perez, Daniel and Irene

Mr. and Ms. Perez wrote, "We are for the project."

Response: Comment noted.

Perry, Gordon

Mr. Perry wrote, "Please move forward with this project. I am in favor of this project. Thanks for allowing me to be a part of this process."

Response: Comment noted.

Peterson, David L. (Constable, PCT-1)

Constable Peterson PCT 1 noted that FM 1626 is a critical link in north-central portion of the Hays County roadway network. He commented that the roadway serves many purposes and is utilized by emergency response vehicles. He stated that congestion and unsafe conditions on FM 1626 significantly impact the ability of emergency services to respond as quickly as possible and jeopardize the lives and property of people in the county.

Response: Comment noted.

Polley, Dale

Mr. Polley requested for one turn lane to run the length of the road, future cost of maintenance be considered, and whether or not sidewalks are really needed**.**

Response: As proposed, a continuous left turn lane would be constructed for the length of the project. TxDOT would be responsible for future maintenance of the roadway. Mr. Polley's sidewalk comment is noted.

Polley, L. B.

Mr. Polley commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Mr. Polley applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Mr. Polley stated his support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Polley, Vera

Ms. Polley commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Ms. Polley applauded Hays County for

the promotion of the project, commitment of funds and context sensitive design. Ms. Polley stated her support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Quinn, Susan

Ms. Quinn asked "Wasn't this already voted on and approved?" and "Are we voting on the vote that was approved?"

Response: Previously a bond election was held in which the public voted on whether or not Hays County would collect Bonds to finance the improvements to FM 1626. The public hearing held December 8, 2009, was to allow citizens of Hays County a chance to comment on the proposed improvements to FM 1626. These comments will in-turn be addressed by TxDOT and reviewed by the Federal Highway Administration when determining whether to accept the environmental assessment and approve construction.

Ratliff, Tommy (Hays County Sheriff)

Sheriff Ratliff commented that residential growth in the area has created unsafe and congested conditions along FM 1626. These conditions interfere with emergency services, jeopardizing the lives and property of citizens in the area. Sheriff Ratliff stated he strongly supports the development of the FM 1626 project from FM 967 to Brodie Lane and urges TxDOT to approve the environmental document so the project can move to construction as quickly as possible.

Response: Comment noted.

Reeves, Jeff

Mr. Reeves commented that the roadway should be built as planned by TxDOT. He stated he does not feel the County's ideas for upgrades such as sidewalks and raised medians are needed. He commented that the road is a state highway and not a residential street.

Response: Comment noted.

Reiter, Margaret and Ben Walhoud

Ms. Reiter and Mr. Walhoud noted their appreciation for the work done so far. They noted their excitement towards the 10' shoulder lane and suggested that if it was designated for bicycle traffic it would be even better. They expressed their concern for bicycle safety along 1626 and offered the addition of a curb separating bicycle traffic from automobile traffic to the current design to improve safety. They noted their desire to ride bicycles along the roadway if it was safer. They commented on the mention of a sidewalk addition during the public hearing and suggested that it be made a multiuse pathway for pedestrians and bicyclists in order to improve the health and safety of the citizens.

Response: Comment noted. The addition of a curb between the shoulder and the travel way, to separate bicycle traffic from motorists, would create a hazard in the clear zone and would not be permitted on a roadway with 60 mph design speed.

The proposed and presented at the public hearing, the project does not include sidewalks; however, with the County recommended design changes (see response to Jerry Borcherding) incorporated into the project, eight-foot sidewalks would be constructed in the suburbanized area, from FM 967 to Jerry's Lane. The roadway in this area will include a 4' shoulder. A multiuse pathway or trail on the project would need to meet ADA standards which would require additional ROW and would add significantly to the cost of the project; thus, a multiuse path is not proposed.

Rose, Patrick M. (State Representative Dist. 45)

Representative Rose commented that residential growth in the area has created unsafe and congested conditions along FM 1626. These conditions interfere with emergency services, jeopardizing the lives and property of citizens in the area. Representative Rose stated he strongly supports the development of the FM 1626 project from FM 967 to Brodie Lane and urges TxDOT to approve the environmental document so the project can move to construction as quickly as possible.

Response: Comment noted.

Sansbury, Richard

Mr. Sansbury, President of the Shady Grove Home Owners Association, requested that attention be given, or at least not made worse, to water flows and drainage to and through the Shady Grove subdivision.

Response: Hydraulic and drainage studies would be performed during the design phase of the proposed project. The proposed project would be designed in a manner that ensures the efficient and effective handling of stormwater within the project limits.

Sexton, Michael

Mr. Sexton wrote, "Good project!" He suggested closing Hardin Loop at the intersection of Oakwood and FM 1626 to reduce confusion.

Response: Comment noted. Closure of Harding Lane is not proposed.

Shelton, Stephanie

Ms. Shelton commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Ms. Shelton applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Ms. Shelton

stated her support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Shine, Chuck

Mr. Shine commented on growth in the area and the increase in traffic congestion. He commended TxDOT and Hays County for securing funding and encouraged them to move forward with the project.

Response: Comment noted.

Sims, Justin

Mr. Sims commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Mr. Sims applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Mr. Sims stated his support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Smith, Carolyn

Ms. Smith commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Ms. Smith applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Ms. Smith stated her support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Smith, Hilary Kaufman

Ms. Smith requested that there be no delay and to improve 45 next. She stated her approval for the project and the benefit to health sidewalks and bicycle lanes will allow.

Response: Comments noted. The proposed FM 1626 improvement project, which was the subject of the December 8, 2009, public hearing, is separate and distinct from the proposed State Highway 45 project. A separate, stand-alone environmental document will be required and a public hearing will be held as part of the development process for the proposed State Highway 45 project.

Smith, Rex

Mr. Smith commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Mr. Smith applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Mr. Smith stated his support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

> **Response:** Comment noted.

Strandburg, Brian

Mr. Strandburg wrote, "Yes fix 1626."

> **Response:** Comment noted.

Sweet, David A., Pastor, Hays Hills Baptist Church (submitted 2 duplicate written comments)

Pastor Sweet stated that his church has voted in support for 1626 and requests that the project move forward.

> **Response:** Comment noted.

Tibble, Sherri

Ms. Tibble wrote, "1626 expansion-Build It!! It's way overdue!"

> **Response:** Comment noted.

Timmons, Mark

Mr. Timmons requested that lowering the speed limit on FM 1626 between FM 967 and Brodie Lane to 50 mph or less during construction be considered.

> **Response:** In conjunction with final design, a construction-phase Traffic Control Plan will be developed. The plan will include provisions for reduced speed limits within construction zones.

Thomas, Amanda M.

Ms. Thomas commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Ms. Thomas applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Ms. Thomas stated her support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Thomas, Chad

Mr. Thomas commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Mr. Thomas applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Mr. Thomas stated his support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Todd, Martha Jane

Ms. Todd wrote, "This road needs to be built! Every day the project is delayed increases the danger to an ever increasing number of drivers and for many of us there is no alternate route that would not involve driving many additional miles. The growth in this area and south continues and we will not limit or stop it by failing to prepare for the future. I have been told the building of Hwy 45 will not be considered until 1626 is expanded, so we need this project to go forward at top speed."

Response: Comments noted. The proposed FM 1626 improvement project, which was the subject of the December 8, 2009, public hearing, is separate and distinct from the proposed State Highway 45 project. A separate, stand-alone environmental document will be required and a public hearing will be held as part of the development process for the proposed State Highway 45 project.

Walters, Claudette

Ms. Walters commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Ms. Walters applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Ms. Walters stated his support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Wagner, Lee

Mr. Wagner commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Mr. Wagner applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Mr. Wagner stated his support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Wagner, Myrtle Ruth

Ms. Wagner commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Ms. Wagner applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Ms. Wagner stated her support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

> **Response:** Comment noted.

Wagner, Terry

Mr. Wagner commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Mr. Wagner applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Mr. Wagner stated his support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

> **Response:** Comment noted

Waraka, Nicole

Ms. Waraka stated her appreciation for the project and anticipation in the completion of the proposal process and construction of the new roadway. She noted her excitement in being able to drive safely to her destination without worrying about the unsafe curve ahead while driving right next to oncoming traffic. She expressed her gratitude and asks that the project continues to push forward quickly. Ms. Waraka suggested the addition of a bike lane to the currently planned 10' to 15' shoulder to improve safety for emergency vehicles and cyclists. She finished by saying "Please pass this project through!!!"

> **Response:** Comment noted. As currently proposed, the improved facility would include 4- or 10-foot paved outside shoulders within the project limits. When considered collectively with the 12-foot outside lane, the outside paved area becomes 16- to 22-feet. This wide, paved outside area would facility the movement of emergency vehicles and also accommodate bicycle traffic.

Warnken, Mary Jane

Ms. Warnken commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Ms. Warnken applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Ms. Warnken stated her support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

> **Response:** Comment noted.

Warnken, Royal N.

Mr. Warnken states that he has lived in the City of Hays for 23 years and the increase in traffic along FM 1626 has resulted in extremely unsafe conditions. He expresses his preference for additional traffic lights at intersections as well as reduced speed limits.

> **Response:** The need for the requested traffic signals will be evaluated during final design. If it is determined that the traffic signals are warranted, the signals would be incorporated into the project plans.
>
> As indicated in the response to Hays County Engineer Jerry Borcherding's comments regarding speed limits, in areas characterized as suburban, a 45 mile per hour "design speed" will be utilized. Upon completion, a speed study would be conducted in accordance with requirements of Texas law to establish a safe and prudent "posted" speed limit for the improved facility.

Warnken, Royce N.

Mr. Warnken commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Mr. Warnken applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Mr. Warnken stated his support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

> **Response:** Comment noted.

Weaver, Michael J.

Mr. Weaver stated that FM 1626 is a narrow and unsafe road of which traffic has increased significantly over the past 5 to 7 years. He commented that the traffic has created a congested and unsafe environment and he supports the project.

> **Response:** Comment noted.

Wentworth, Jeff (Senator Dist. 25)

Senator Wentworth commented that residential growth in the area has created unsafe and congested conditions along FM 1626. These conditions interfere with emergency services, jeopardizing the lives and property of citizens in the area. Senator Wentworth stated he strongly supports the development of the FM 1626 project from FM 967 to Brodie Lane and urges TxDOT to approve the environmental document so the project can move to construction as quickly as possible.

> **Response:** Comment noted.

Werst, Amy

Ms. Werst commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Ms. Werst applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Ms. Werst stated her support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Werst, Michael James

Mr. Werst commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. Mr. Werst applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. Mr. Werst stated his support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

Response: Comment noted.

Whitaker, Glenn

Mr. Whitaker commented that residential growth in the area has created unsafe and congested conditions along FM 1626. These conditions interfere with emergency services, jeopardizing the lives and property of citizens in the area. Mr. Whitaker stated he strongly supports the development of the FM 1626 project from FM 967 to Brodie Lane and urges TxDOT to approve the environmental document so the project can move to construction as quickly as possible.

Response: Comment noted.

Williams, Kenneth

Mr. Williams wrote, "I support this project."

Response: Comment noted.

Wissler, Sarah and Greg

Mr. and Ms. Wissler wrote, "It is inevitable that it will happen at some point in time. It is just a matter of when. The sooner it is done the more lives will be saved and we can quit waiting the time of people trying to move forward. Also it will not get any cheaper by waiting."

Response: Comment noted.

Wolf, Ray and Sandra

Mr. and Ms. Wolf wrote, "It is time to quit talking about it and build this very important and needed road. My wife and I have escaped several times from being involved in a nasty collision and we both strongly feel the new road is needed NOW! Currently the road is too narrow and totally unsafe for the present traffic volume. Give the future growth projections, failure to act would be a negligent act."

> **Response:** Comment noted.

Zuma, Frank

Mr. Zuma commented that 1626 is currently designed as a seven lane (5 lanes plus 2 twelve foot shoulders) highway that dead-ends in the Shady Hollow subdivision. He noted Shady Hollow is already a bottleneck from traffic going into Austin and is a natural limit on traffic increases on 1626. He commented making it a 7-lane highway for 3.6 miles is a bit ridiculous when on either end your capped much less the amount of traffic isn't near that, or in his opinion, in the next five years. Mr. Zuma commented that he believes it to be sufficient to simply build a turn lane and shoulders OR no turn-lane and shoulders (enables passing in safe areas). This would keep tax dollars from being wasted on a "super-road".

> **Response:** The proposed project would consist of five (not seven) lanes. The five lane section would include two 12-foot travel lanes in each direction. Directions of travel would be separated by a 14-foot continuous left turn lane.
>
> The traffic analysis prepared in conjunction with this public hearing report, demonstrates the need for the proposed 5-lane roadway (see **Appendix H**). As indicated in the traffic analysis, a three lane roadway would not provide the capacity necessary to accommodate anticipated future traffic demand.

SIGNATURE NOT LEGIBLE

This individual commented that due to enormous growth that has taken place over the last several years FM 1626 has become congested and dangerous. This individual applauded Hays County for the promotion of the project, commitment of funds and context sensitive design. This individual stated his support for the project and urges TxDOT to approve the documents so construction can move forward as soon as possible.

> **Response:** Comment noted.

APPENDICIES:

Appendix A – Public Hearing Notice

Appendix B – Public Involvement Register

Appendix C – Handouts

Appendix D – Photographs

Appendix E – Speaker Registration Cards

Appendix F – Public Hearing Transcript

Appendix G – Written Comments

Appendix H – Traffic Analysis

Appendix A

NOTICE OF PUBLIC HEARING
Farm-to-Market Road 1626
From Farm-to-Market Road 967 to Brodie Lane
Hays and Travis Counties

On Tuesday, December 8, 2009, the Texas Department of Transportation (TxDOT) will conduct a Public Hearing to discuss plans to improve Farm-to-Market Road (FM) 1626 from FM 967 in Hays County to Brodie Lane in Travis County.

The Public Hearing will be held at Elm Grove Elementary School located at 801 FM 1626 in Buda, Texas. The Public Hearing will begin with an open house from 6:00 p.m. to 6:30 p.m. During this time, displays of the proposed improvements and other project information will be available for review. Project team members will be available during this time to answer questions. At 6:30 p.m., presentations will be given, followed by a public comment period.

Within the proposed project limits, existing FM 1626 has an overall pavement width that varies from 22 to 28 feet which accommodates two 11-foot travel lanes with shoulders that vary in width from 0 to 3 feet. The existing usual right-of-way width varies from 80 to 100 feet. The purpose of the proposed project is to improve the safety and mobility on FM 1626. The need for the proposed project is to address the increasing traffic volume and accident rate on this segment of FM 1626. The proposed project is included in the Capital Area Metropolitan Planning Organization (CAMPO) 2030 Transportation Improvement Program (adopted June 6, 2005).

Proposed improvements include widening FM 1626 to an overall pavement width of 82 feet that would consist of four 12-foot travel lanes (two in each direction), a 14-foot continuous left turn lane, and 10-foot shoulders. The proposed usual right-of-way width would be 160 feet.

Although no residential or commercial relocations are anticipated at this time, the acquisition of properties and relocation assistance for displaced residential and business property owners would be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. Information about TxDOT's right-of-way acquisition and relocation assistance program will be available at the Public Hearing.

There is no potential habitat for federal and/or state listed endangered or threatened species within the project limits. The proposed project would encroach upon a floodplain but would not encroach upon a wetland or sole-source aquifer recharge zone. Potential impacts to waters of the U.S. would be permitted by U.S. Army Corps of Engineers Nationwide Permits for Linear Transportation Crossings. Portions of the proposed project are located over the Edwards Aquifer Recharge Zone and would require a Water Pollution Abatement

Plan approved by the Texas Commission on Environmental Quality prior to construction. The proposed project would not require the acquisition of public land designated and used as a park, recreation area, wildlife refuge, historic or cultural site, or scientific area.

The draft environmental document, design schematics, and other information concerning the project are available for review at the TxDOT South Travis Area Office located at 9725 S. IH 35 or at the TxDOT District Office located at 7901 N. IH 35. These will also be available for review at the Public Hearing.

The Public Hearing will be conducted in English. Persons interested in attending the Public Hearing who require auxiliary aids or services, such as interpreters, are requested to contact Dennis Nielsen at (512) 832-7056 at least five business days prior to the Public Hearing so that appropriate arrangements may be made. TxDOT will make every reasonable effort to accommodate communication or accessibility needs.

All interested citizens are encouraged to attend the Public Hearing and provide input on the project. Verbal and written comments may be presented at the Public Hearing. Written comments not submitted at the Public Hearing may also be submitted to: TxDOT Austin District Environmental Coordinator, Texas Department of Transportation, P.O. Box 15426, Austin, Texas 78761-5426. All comments received by Friday, December 18, 2009, will be included in the official Public Hearing record.

Appendix B

ELECTED OFFICIALS

(8)

403 Total

PUBLIC INVOLVEMENT REGISTER
PROPOSED IMPROVEMENTS TO FM 1626 FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

NAME / ORGANIZATION	ZIP CODE
Melissa Henderson - Office of Rep. Rose	78768
Will Conley - Hays County Com	78676
Jeff Barton, Hays Co Comm.	
Mike Gonzalez, Mayor City of Kyle	78640
Bobby Lane, Mayor " " Buda	
Ron Fletcher, Council Member Buda	78610
Ray Bryant Kyle City Councilman	78640
Joe Morris Sen. Wentworth's Office	

PUBLIC HEARING
Elm Grove Elementary School, December 8, 2009

(14)

PUBLIC INVOLVEMENT REGISTER
PROPOSED IMPROVEMENTS TO FM 1626 FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

NAME / ORGANIZATION	ZIP CODE
Tom Tolworthy	78610
Bonnie Lister, TxDOT	78761
TERRY FERGUSON	78610
Brad Rollins	78652
Fred Rye	78652
ROLLY BURKE	78610
MARK TIMMONS	78652
Susan	78610
Deborah VAN Cleaf	78610
Jennie White	78610
John Anguiano	78610
Sean Carney	78610
JOHN CHURCH, GENERATIONS CHURCH	78610
Bob Gardner	78610

PUBLIC HEARING
Elm Grove Elementary School, December 8, 2009

PUBLIC INVOLVEMENT REGISTER
PROPOSED IMPROVEMENTS TO FM 1626 FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

NAME / ORGANIZATION	ZIP CODE
Ben Kiowski, Buda Creekside HOA	78610
David Rape	78610
Anna Bartkowski	78652
Elaine Burke	78610
Tom + Susie Medina	78610
[illegible]	78610
Jim Mann	78748
Melissa Fransley	78610
Rockie Dugger	78610
Jeff Dumby	78610
Bill Huddleston	78664
Robert Clevenger	78610
Cindy Clevenger	78610
Rodney K. Bennett	78610

PUBLIC HEARING
Elm Grove Elementary School, December 8, 2009

PUBLIC INVOLVEMENT REGISTER
PROPOSED IMPROVEMENTS TO FM 1626 FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

(3)

NAME / ORGANIZATION	ZIP CODE
Curtis Rozas	78610
Michael Aulick / Self	78619
Todd Campbell / Self	78610

PUBLIC HEARING
Elm Grove Elementary School, December 8, 2009

(2)

PUBLIC INVOLVEMENT REGISTER
PROPOSED IMPROVEMENTS TO FM 1626 FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

NAME / ORGANIZATION	ZIP CODE
David Sweet Hays Hills Baptist Church	78610
CATHY HOWELL - RESIDENT	78676

PUBLIC HEARING
Elm Grove Elementary School, December 8, 2009

PUBLIC INVOLVEMENT REGISTER
PROPOSED IMPROVEMENTS TO FM 1626 FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

NAME / ORGANIZATION	ZIP CODE
Christi Skrovan	78610
Brian Stephen Larson	78640
Tony Blazi - Resident	78610
Jerry Lott	78610
Craig W. Smith (Former Buda City Council)	78610
Eric Dannheim, resident	78640
Jennifer Book - resident	78610
Stephen Anderson - resident	78610
Lucas Short TxDOT	78676
Michelle Dippel - HNTB	78739
Josh Kelley President of Wildewood/Kelkywood	
Eileen Conley homeowner	78610
Russell Williams - HNTB, Kyle Resident	78640
Douglas Dear Homeowner on 1626	78610

PUBLIC HEARING
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PUBLIC INVOLVEMENT REGISTER
PROPOSED IMPROVEMENTS TO FM 1626 FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

NAME / ORGANIZATION	ZIP CODE
Jenie Flores / HNTB	78701
Elizabeth Story / HNTB	78731
Gary Lantrip / TxDOT Austin Dist.	78750
Sunni Poole	78610
Sarah Wu / HNTB	78741
Dennis Nielsen TxDOT	
JEFFREY R. GILL TXDOT	
MARC WILLIAMS / JACOBS	
Rafael Tinajero / Jacobs	
Richard Ridings	78738
RL Stmond	78759
GAYNEL CONNER	78610
Jim Aanstoos - HRM Consultants, Inc.	78666
Dwight Maze + Nancy Young	78660

PUBLIC HEARING
Elm Grove Elementary School, December 8, 2009

PUBLIC INVOLVEMENT REGISTER
PROPOSED IMPROVEMENTS TO FM 1626 FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

(15)

NAME / ORGANIZATION	ZIP CODE
Shelly Eason!	
Danny Jackson	
Kim Nicholes	
Bob Harwood	
Mark Mikulenka	
[illegible]	
JEFF WATSON	78676
ERNIE & LANA HARPER	78610
Laura Wieser	78610
Vivian Carter	78610
Mike W Conner	78610
Nikolai Carter	78610
Mike Weaver	78737
DAVID LACKER	78610

PUBLIC HEARING
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PUBLIC INVOLVEMENT REGISTER
PROPOSED IMPROVEMENTS TO FM 1626 FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

NAME / ORGANIZATION	ZIP CODE
Monica Swenson | TxDOT	
LINDA REEVES	78610
REINOLD VON FANGE	78610
JON R LOWER	78640
Mike Crabill	78610
[illegible]	78610
Allison Pasternak HNTB	
DAVID DUNCAN	78610
Lonnie J. Basham	78610
Sara & Greg Wissler	78610
Richard Sandberg	78610
[illegible]	78610
[illegible]	78610
CURTIS McCORMICK	78652

PUBLIC HEARING
Elm Grove Elementary School, December 8, 2009

PUBLIC INVOLVEMENT REGISTER
PROPOSED IMPROVEMENTS TO FM 1626 FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

(14)

NAME / ORGANIZATION	ZIP CODE
Rebecca Jamison	78610
MARLIN STOPBELL	78610
Barbara McNiel	78618
J.C. McKINNON	78610
K.W. MILLER	78610
Joni Owen	78610
THOMAS RHODES	78610
Clint Forsythe	78610
Matt Manchester	78610
Wanda Summers	78610
Virginia Brakefield	78610
Roger Brown	78739
VERNON BOWEN	78610
H. R BUCK	78610

PUBLIC HEARING
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PUBLIC INVOLVEMENT REGISTER
PROPOSED IMPROVEMENTS TO FM 1626 FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

NAME / ORGANIZATION	ZIP CODE
Paul Rehmann	78610
Arthur Rehmann	78610
George W. McNiel	78610
Warren Kettelman	78610
Andy Cook	78610
Nelson Smith	78610
Mrs Mrs. Alaniel Lerez	78610
George Shaw	78610
Randall Wyler	78610
Ross Ralph	78652
L David Frakefield	78610
Connie Gibbens	78610
Norman Hopkins	78610
Willie Johnson	78610

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PUBLIC INVOLVEMENT REGISTER
PROPOSED IMPROVEMENTS TO FM 1626 FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

NAME / ORGANIZATION	ZIP CODE
N. F. Delevoryas	78610
M J Todd	78610
W D Blue	78610
Charles O'Dell	78737
Nicole Warner	78610
Craig Wojtowicz / Marbridge	78652
GRANT BOGLE	78610
HILDA OCHOA BOGLE	78610
Chuck Berry	78610
Dirk and Carolyn Delmeiera	78610
Robert Eder	78610
Marjorie J. Edwards	78610
KENNETH C. EDWARDS	78610
Keith Hardrick	78610

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PROPOSED IMPROVEMENTS TO FM 1626 FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

(14)

NAME / ORGANIZATION	ZIP CODE
SIDNEY H. NEWCOMB, COPPER HILLS SUBDIVISION	78652
Wm Andrew Smith Jr Coves of Cim.	78610
Sandra Wolf Leisurewoods	78610
Shirley Hewitt Oak Forest	78610
[illegible]	78610
Jack McLen Southern Woods	78610
Russell Taylor Oak Forest	78610
Michael Warnken Mayor - City of Hays	78610
Debra Van Gee	78610
BERT WINARTON	78610
Mark Jones	78640
Stacey Benningfield	78634
Charles Bonkwitz	78640
Frank SANDERS	78610

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PROPOSED IMPROVEMENTS TO FM 1626 FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

(18)

NAME / ORGANIZATION	ZIP CODE
Robert & Carole Clark	78610
Charles G. Bethel	78610
Ray & Sandra Wolf Leisurewoods POA	78610
Gwen & Jim McKinney "	78610
Harry & Stephanie Smith	78610
Gordon Perry	78610
Michael McMicken	78759
LES CARNES	78619
Sonya Hergotz Leisurewoods POA	78610
Bill Hergotz " "	78610
David Aston	
Julia Miles	78610
Cynthia J. Herzog	78610
Amy Parham	78640

PUBLIC HEARING
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PUBLIC INVOLVEMENT REGISTER
PROPOSED IMPROVEMENTS TO FM 1626 FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

NAME / ORGANIZATION	ZIP CODE
NEAL BLUMHAGEN	78610
ROBERT KIONKA	78610
CORRINE TAYLOR	78610
Royce R. Wank	78610
Todd A. Ruge	78610
Laureen Chernow	78666
Wayne Weaver	78610
Paul Golden	78610
Scott McAvoy, Maxbridge Foundation	78652
Donna & Gerald Haschke	78610
Delmar L. Walz	78610
Philip Fabick	78610
Gerrin Shepherd	78610
Buddy Allen	78610

PUBLIC HEARING
Elm Grove Elementary School, December 8, 2009

PUBLIC INVOLVEMENT REGISTER
PROPOSED IMPROVEMENTS TO FM 1626 FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

NAME / ORGANIZATION	ZIP CODE
Becky Varela + Virgi Vargas	78610
Keith Dittmar	78610
JOHN F. MOORE LEISUREWOODS	78610
Matt Vanvatter	78610
Donna L. Fox	78610
Sue L Pitts	78610
Mr + Mrs Gilbert Maldonado	78610
Kathleen Holder	78610
Dale Polley	78610
Bill Reuter Jr	78610
Karen D Olson	78610
Jim Weisheet	78610
Denise E. Ivy	78652
[illegible]	78610

PUBLIC HEARING
Elm Grove Elementary School, December 8, 2009

PUBLIC INVOLVEMENT REGISTER
PROPOSED IMPROVEMENTS TO FM 1626 FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

NAME / ORGANIZATION	ZIP CODE
LAURA BUCHANAN	78610
Kathy Luckett	78610
Milner Gozman	78610
Matthew Scott	78610
Grace Dippel	78640
Mayor Mike Gonzalez	78640
Janice Offutt	78610
Ruth Ann DeLaney	78610
Eugene J Stroth	78610
Eley Potts	78666
Miriam Amelsheet	78610
Jeannette Ly / Chaparral Park Neighborhood Assn.	78652
	78620
Paula Gilardi / Hays County Tax Payer	78652

PUBLIC HEARING
Elm Grove Elementary School, December 8, 2009

PUBLIC INVOLVEMENT REGISTER
PROPOSED IMPROVEMENTS TO FM 1626 FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

17

NAME / ORGANIZATION	ZIP CODE
Bobby Lane self	78610
Jeff Reeves self	78610
Brian Strandberg Self	78610
[illegible] Self	78640
James E. [illegible] Self	78640
Al White self	78610
Jason Cook Self	78610
Mr. & Mrs. Felix Lugan	78610
Rodger Johnson	78737
Chester & Martha Johnson	78652
David & Nina Möeller	78610
Deanna Cervenka Self	78610
Carolyn Fees	78610
J. Major	78610

PUBLIC HEARING
Elm Grove Elementary School, December 8, 2009

PUBLIC INVOLVEMENT REGISTER
PROPOSED IMPROVEMENTS TO FM 1626 FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

(14)

NAME / ORGANIZATION	ZIP CODE
Jimmy Cox	78610
Carlos Lopez	78749
Margaret Reiter	78610
JO HUNTER	78610
Thomas Dodson	78610
Margaret Williams	78610
Lori Bible	78610
Hector Moreno	78610
ROBERT WATTS	78610
TERRENCE HEARON	78610
Steve Manilla	78767
Lisa Fowler	78610
Kelly Maldonado	78610
frank maldonado	78610

PUBLIC HEARING
Elm Grove Elementary School, December 8, 2009

PUBLIC INVOLVEMENT REGISTER
PROPOSED IMPROVEMENTS TO FM 1626 FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

(15)

NAME / ORGANIZATION	ZIP CODE
DAVID & SUSAN SAXON	78652
Shannon Kammer	78652
Scott Krespil	78748
BEN WALCHOVD	78610
ROGER WHEAT	78610
[illegible]	78610
Doug Summers	78652
Kenneth Williams	78610
DONALD JONES	78610
Jodie Erickson	78610
Charles Whitsel	78610
Erin Sobotik	78664
[illegible]	78652
MICHAEL SAXON	78610

PUBLIC HEARING
Elm Grove Elementary School, December 8, 2009

PUBLIC INVOLVEMENT REGISTER
PROPOSED IMPROVEMENTS TO FM 1626 FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

(16)

NAME / ORGANIZATION	ZIP CODE
Paula Gruber Prime Strategies	78704
Ashley Eckenrode LAN	
Shannon & Annie Beckmann	
Layton DePenning	78610
Kevin Erickson	78610
W.R Jones	78610
Raymond Dailey	78610
Robert & Sharon Huffman	
Anji Kotts	78610
Ricardo Zamarripa LJA	78739
MICHAEL THAMES	78610
Mary Quinn	78460
CHARLES QUINN	78640
STANLEY FEES / CITY OF BUDA	78610

PUBLIC HEARING
Elm Grove Elementary School, December 8, 2009

PUBLIC INVOLVEMENT REGISTER
PROPOSED IMPROVEMENTS TO FM 1626 FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

(14)

NAME / ORGANIZATION	ZIP CODE
Kelly Holden	78610
[illegible]	78610
[illegible]	78652
Pam Kaye	78610
Clay Hucksby	78610
Jose Cerda	78600
Ronald Frank	78610
Jeff Hudgins	78610
Tommy Harper	78610
Jack Dahlstream, Jr.	78610
[illegible]	78704
Eric Dean	78610
Daniel Wandeler	78610
Susan Lad	78619

PUBLIC HEARING
Elm Grove Elementary School, December 8, 2009

PUBLIC INVOLVEMENT REGISTER
PROPOSED IMPROVEMENTS TO FM 1626 FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

15

NAME / ORGANIZATION	ZIP CODE
Allen Crozier	78610
Steve & JoAnn McCready	78610
Lucy Johnson	78640
Anita K. Morgan	78610
Sukii Simmons	78610
Lisa Taylor	78610
DAVID H. HACK	78610
Tony Schneider	78610
[illegible]	78610
[illegible]	78610
Ken Bresnen	78610
Debra Lindsey	78610
DAVID SIKESEMA	78652
Bill Walter	78703

PUBLIC HEARING
Elm Grove Elementary School, December 8, 2009

PUBLIC INVOLVEMENT REGISTER
PROPOSED IMPROVEMENTS TO FM 1626 FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

NAME / ORGANIZATION	ZIP CODE
Cathy Davis	78748
Jim Pacey	78757
Bill Couch	78610
Maribel Hagen	78610
John Shackelford	78610
Jenny Sergeant	78752
David Morgan	78610
CHARLIE THOMPSON	78610
Tim Dowling	78610
Chris Clement	78640
Ann Walsh	78610
ARTHUR KANE	78610
Elton L. Homesley	78652
Tom L. Williams	78610

PUBLIC HEARING
Elm Grove Elementary School, December 8, 2009

PUBLIC INVOLVEMENT REGISTER
PROPOSED IMPROVEMENTS TO FM 1626 FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

(14)

NAME / ORGANIZATION	ZIP CODE
Steve McMinn	78610
ANDY JOHNSTON	78749
Leslie Sanders	78610
Lea Reiner	78610
Albert Ainsworth	78610
Michael Manello	78610
DAVID HOWARD	78610
Lisa Sinter	78476
[illegible]	78610
Tom Langer	78610
Mark Wilkins	78610
[illegible]	78610
GRAHAM MOORE	78610
Ted West	78701

PUBLIC HEARING
Elm Grove Elementary School, December 8, 2009

PUBLIC INVOLVEMENT REGISTER
PROPOSED IMPROVEMENTS TO FM 1626 FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

(15)

NAME / ORGANIZATION	ZIP CODE
Cindy Kohler	78703
RAY MASON	78610
Rick Castillo	78610
Darli & Joleen Cummings	78610
Mike Walker	TXDOT
Bert Smith	78610
GARY HILGENBERG / HACFF	78759
Roy Fuller	78640
Tereasa Wilson	78610
HERMAN FABELA	78610
Ilma Salazar	78610
Norma J. Hubert	78610
DANIEL FREEMAN	78645
Dianne Gallatin	78652

PUBLIC HEARING
Elm Grove Elementary School, December 8, 2009

PUBLIC INVOLVEMENT REGISTER
PROPOSED IMPROVEMENTS TO FM 1626 FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

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NAME / ORGANIZATION	ZIP CODE
Dr. Kristen Ploeger	78652
Bob & Linda Knoeland	78610
Sherri Tibbe	78610
Jim & Pilar Reaves	78610
Hilary Kaufmann Smith	78610
Joe Englander	78610
MARCUS BREWER	78610
Keri Nielsen	78641
Georgie B Cunningham	78610
Linda Carney MD	78610
Jeff Kaufmann	78610
Chuck Shine	78756
Bill McK	78610
GRAY HAGEN	78610

PUBLIC HEARING
Elm Grove Elementary School, December 8, 2009

PUBLIC INVOLVEMENT REGISTER
PROPOSED IMPROVEMENTS TO FM 1626 FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

(17)

NAME / ORGANIZATION	ZIP CODE
Julie Luxton	78652
Marcus Cooper / TxDOT	78660
STEVEN M. WILSON	78610
Linda Loveland	78610
F.K. Bull	78155
Janet Acosta	78676
Bob Harris	78610
Donna Harris	78610
Mary & Doug Duwe	78704 (78767 → PO Box)
Ben & Lindsay Liggett	78748
HOWARD FALKENBERG	78701
Stephanie & Jeff Briggs	78610
Sherri Seidl	78610
Frank Zuma	78610

PUBLIC HEARING
Elm Grove Elementary School, December 8, 2009

PUBLIC INVOLVEMENT REGISTER
PROPOSED IMPROVEMENTS TO FM 1626 FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

14

NAME / ORGANIZATION	ZIP CODE
ALAN McPherson	78640
Ed + Shelby Childers	78652
Vicki Crew	78610
JOHN E. ISOM	78610
JR Shields	78652
Don Painter	78610
John A. Gutierrez	78610
DICK KALLERMAN SOS ALLIANCE	78704
Elizabeth Davis	78610
Christine Marcin	78610
Betty Barnes	78610
IRMA FLORES BROTHERS	78619

PUBLIC HEARING
Elm Grove Elementary School, December 8, 2009

Appendix C

Texas Department of Transportation

December 8, 2009

Dear Citizen:

On behalf of the Texas Department of Transportation (TxDOT) we want to welcome you to tonight's Public Hearing concerning proposed improvements to Farm-to-Market Road (FM) 1626 from Ranch-to-Market Road (RM) 967 in Hays County to Brodie Lane in Travis County. An agenda for the hearing and information regarding the proposed improvements are attached for your information.

Please feel free to examine the exhibits on display from 6:00 to 6:30 p.m. Project staff members will be available to answer questions. A technical presentation on the proposed improvements will begin at 6:30 p.m., followed by a brief recess and public comment period.

If you wish to make a verbal comment during the public comment portion of the hearing, please complete a speaker registration card (available at the registration table) and return it before the end of the recess.

Comments may also be presented in writing. For your convenience, a comment form is included in this information packet. Written comments not submitted during the hearing should be mailed to the TxDOT - Austin District, Environmental Coordinator, P.O. Box 15426, Austin, Texas 78761-5426 or faxed to (512) 832-7157. Written comments must be received by Friday, December 18, 2009, to be included in the official Public Hearing record.

All verbal comments received at the Public Hearing, as well as written comments received by December 18, 2009, will be taken into consideration during future project development.

Thank you for attending tonight's Public Hearing. Public involvement is a vital part of the TxDOT project development process, and we sincerely appreciate your participation. If you have any questions after tonight's hearing, please contact Dennis Nielsen at (512) 832-7056.

PUBLIC HEARING AGENDA

PROPOSED IMPROVEMENTS TO FM 1626
FROM RM 967 TO BRODIE LANE
HAYS AND TRAVIS COUNTIES

DECEMBER 8, 2009

I. **INTRODUCTION AND HEARING FORMAT**
Marcus Cooper, TxDOT – Public Information Officer

II. **TECHNICAL PRESENTATION**
Don Nyland, P.E., TxDOT – South Travis Area Engineer

III. **ENVIRONMENTAL PRESENTATION**
Dennis Nielsen, TxDOT – Environmental Specialist

IV. **RIGHT-OF-WAY ACQUISITION AND RELOCATION ASSISTANCE**
Bob Harwood, Attorney, TxDOT – South Regional Service Center Right-of-Way Office

V. **BREAK**

VI. **PUBLIC COMMENTS**

VII. **ADJOURN**

Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Hays and Travis Counties, Texas

OVERVIEW OF THE PROJECT

The Texas Department of Transportation (TxDOT), in cooperation with Hays County and the Federal Highway Administration (FHWA), is in the process of developing a project to improve a section of FM 1626 from RM 967 in Hays County to Brodie Lane in Travis County. The project length is approximately 3.76 miles. Attached is a project location map.

Within the proposed project limits, existing FM 1626 has an overall pavement width that varies from 22 to 28 feet which accommodates two 11-foot travel lanes with shoulders that vary in width from 0 to 3 feet. The existing usual right-of-way width varies from 80 to 100 feet. An existing typical section is attached to this packet.

The purpose of the proposed project is to improve the safety and mobility of FM 1626 within the project limits. Safety would be improved by widening the travel lanes, providing shoulders, separating left turning movements from the through travel lanes, and increasing mobility. In addition, by improving both the horizontal and vertical alignments of the roadway and establishing a 30-foot clear zone, sight distances along the roadway would be improved thereby increasing the safety of the roadway. Mobility would be improved by adding a travel lane in each direction and separating left turning movements from the travel lanes through the installation of a continuous left turn lane. There is a need to address the increasing traffic volume on this segment of FM 1626. In 1985, the 24-hour average daily traffic volume (ADT) on FM 1626 within the limits of the proposed project was 2,600 vehicles per day (vpd). By 2004, the ADT had reached 12,800 vpd. In 2024, the ADT is projected to be 20,400 vpd. The proposed project is included in the Capital Area Metropolitan Planning Organization (CAMPO) 2030 Transportation Improvement Program (adopted June 6, 2005).

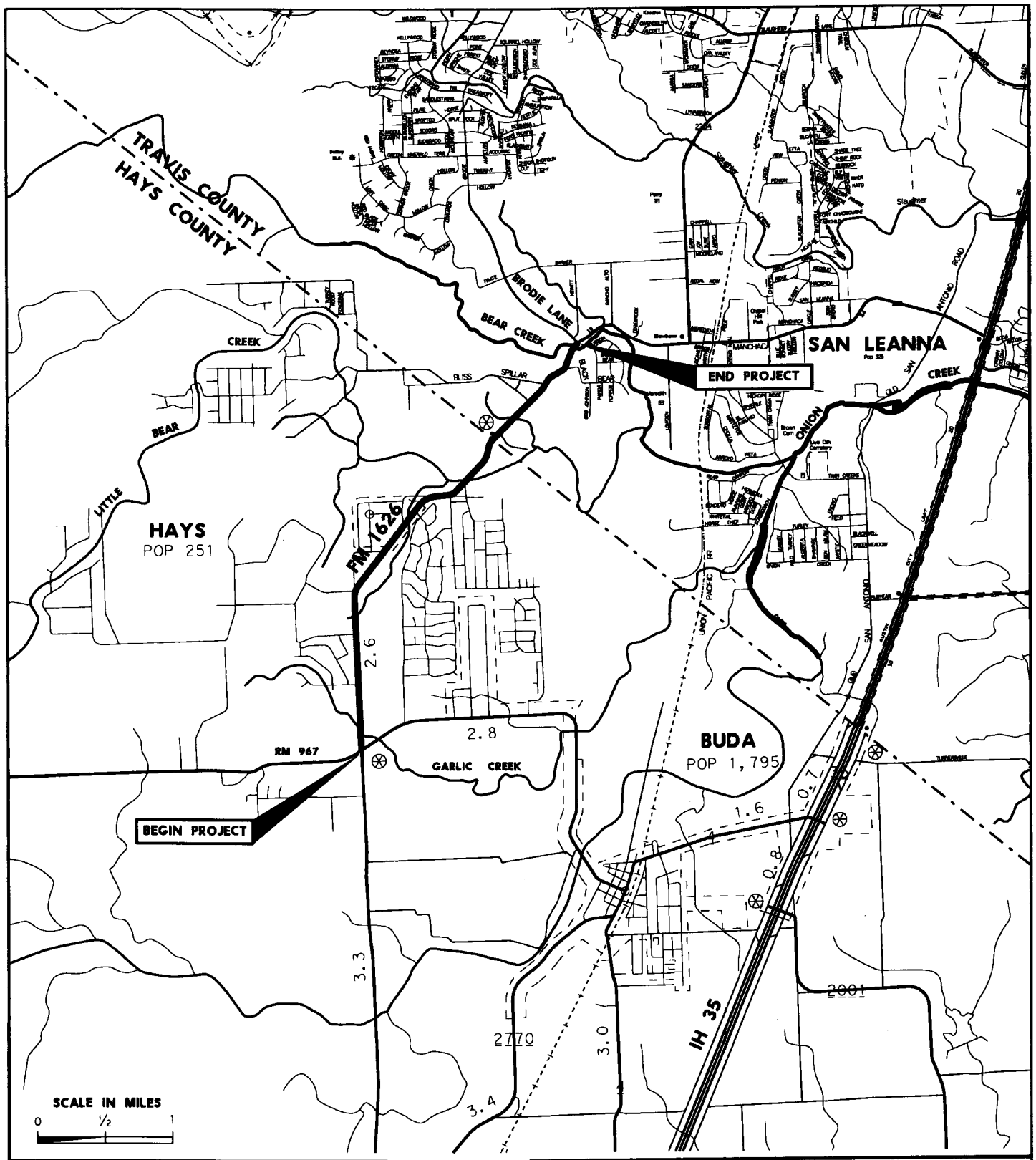
Proposed improvements include widening FM 1626 to an overall pavement width of 82 feet that would consist of four 12-foot travel lanes (two in each direction), a 14-foot continuous left turn lane, and 10-foot shoulders. The proposed usual right-of-way width would be 160 feet. A proposed typical section is attached to this packet.

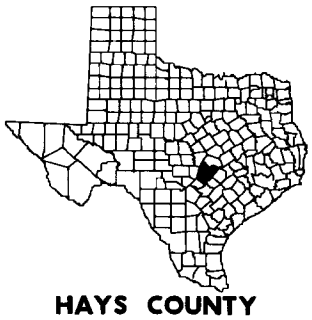
The proposed improvements were evaluated based on a combination of the design criteria and constraints, environmental constraints, construction feasibility, and other factors.

Approximately 36.9 acres of new right-of-way and drainage easements would be needed to complete the proposed improvements. During project planning, designers evaluated the corridor to determine where additional right-of-way could be acquired while avoiding and/or minimizing impacts to adjacent properties and other environmental features. As a result, new right-of-way would be added to one or both sides of the existing right-of-way depending on constraints. No business or residential displacements are anticipated at this time.

There is no potential habitat for federal and/or state listed endangered or threatened species within the project limits. The proposed project would encroach upon a floodplain but would not encroach upon a wetland. Potential impacts to waters of the U.S. would be permitted by U.S. Army Corps of Engineers Nationwide Permits for Linear Transportation Crossings. Portions of the proposed project are located over the Edwards Aquifer Recharge Zone and would require a Water Pollution Abatement Plan approved by the Texas Commission on Environmental Quality prior to construction. The proposed project would not require the acquisition of public land designated and used as a park, recreation area, wildlife refuge, historic or cultural site, or scientific area.

After tonight's hearing, responses to all comments will be compiled into a Summary and Analysis/Comment and Response Report. Changes to the proposed design may occur as a result of the comments we receive. FHWA will review the Summary and Analysis/Comment and Response Report, and the draft environmental document. If FHWA issues a Finding of No Significant Impact, right-of-way acquisition and utility relocation may begin. Plans, Specifications, and Estimates would be completed and, as funding is secured, the project would be scheduled for construction.





HAYS COUNTY
TRAVIS COUNTY

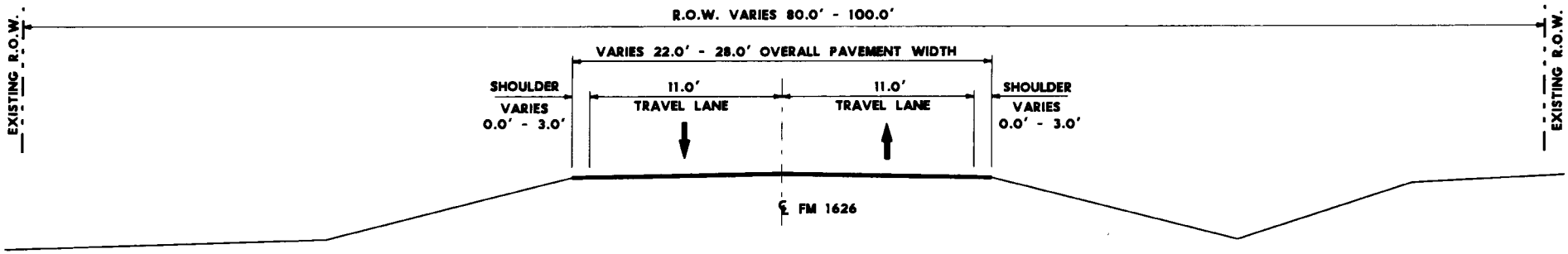
N
W E

PROJECT LOCATION MAP

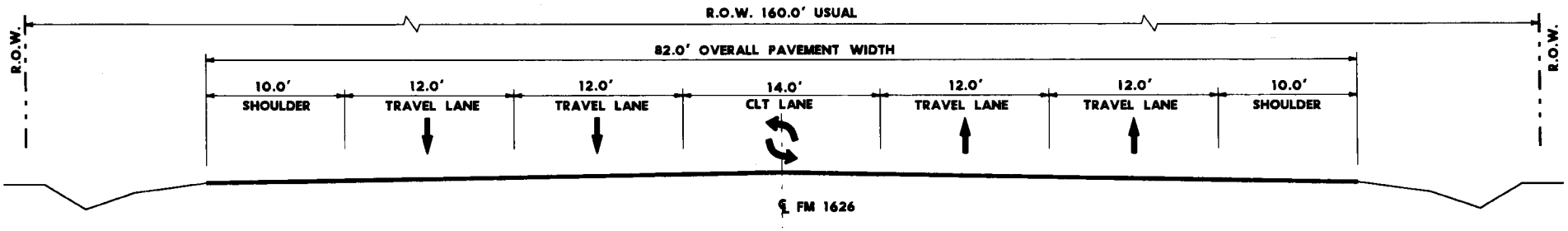
FM 1626: FROM RM 967 TO BRODIE LANE

CSJ: 1539-01-005, etc.

HAYS COUNTY
TRAVIS COUNTY



EXISTING TYPICAL SECTION



PROPOSED TYPICAL SECTION

NOT TO SCALE

TYPICAL SECTIONS

FM 1626: FROM RM 967 TO BRODIE LANE

CSJ: 1539-01-005, etc.

HAYS COUNTY

TRAVIS COUNTY

RIGHT-OF-WAY ACQUISITION
AND
RELOCATION ASSISTANCE

The subject of tonight's Public Hearing is the proposed improvements to FM 1626 from RM 967 in Hays County to Brodie Lane in Travis County. The proposed project is described in the Project Overview, which is included in this information package.

The acquisition of additional right-of-way would be required to construct the proposed improvements to FM 1626 within the project limits At this time it is not anticipated that the proposed improvements would result in displacements of residences or businesses.

At this time it is anticipated that Hays County would be responsible for the cost of the acquisition and relocation of qualifying utilities. For each property acquired, with the exception of donated properties, an appraisal would be completed to determine just compensation under the laws of the State of Texas. The determined value would then be offered to each property owner. Each property owner would be afforded the opportunity to accompany the appraiser(s) during the inspection of the property.

In all cases, the property owner would be reimbursed for any reasonable, incidental expenses necessarily incurred in transferring title to the property for use by TxDOT. Expenses eligible for reimbursement generally include recording fees and similar expenses incidental to conveying the real property to the State and penalty costs that are required for prepayment of any pre-existing recorded mortgage entered into in good faith encumbering the real property.

It is the policy of TxDOT and the United States Department of Transportation that no family or individual would be required to relocate unless and until adequate replacement housing has been made available to all affected persons. Further, replacement housing must be offered to all affected persons regardless of race, color, religion, sex or national origin. All replacement housing must be fair housing, open to all persons regardless of race, color, religion, sex, or national origin.

The information brochure *Relocation Assistance* is available at this Public Hearing. The brochure outlines the services offered and any payments for which displaced individuals, families, businesses, and non-profit organizations may be eligible to receive, such as moving expenses and replacement housing payments for residential owners and tenants. The brochure also outlines the eligibility requirements for receiving these payments. Another brochure titled *Purchase of Right of Way by Counties and Cities* is also available at this Public Hearing. This brochure outlines the basic procedures for right-of-way acquisition when it is acquired by a local public agency acting on behalf of the State of Texas. A representative from the TxDOT South Regional Service Center Right-of-Way Office is available to answer questions you may have.

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

Name (Please Print):_____

Address: _____

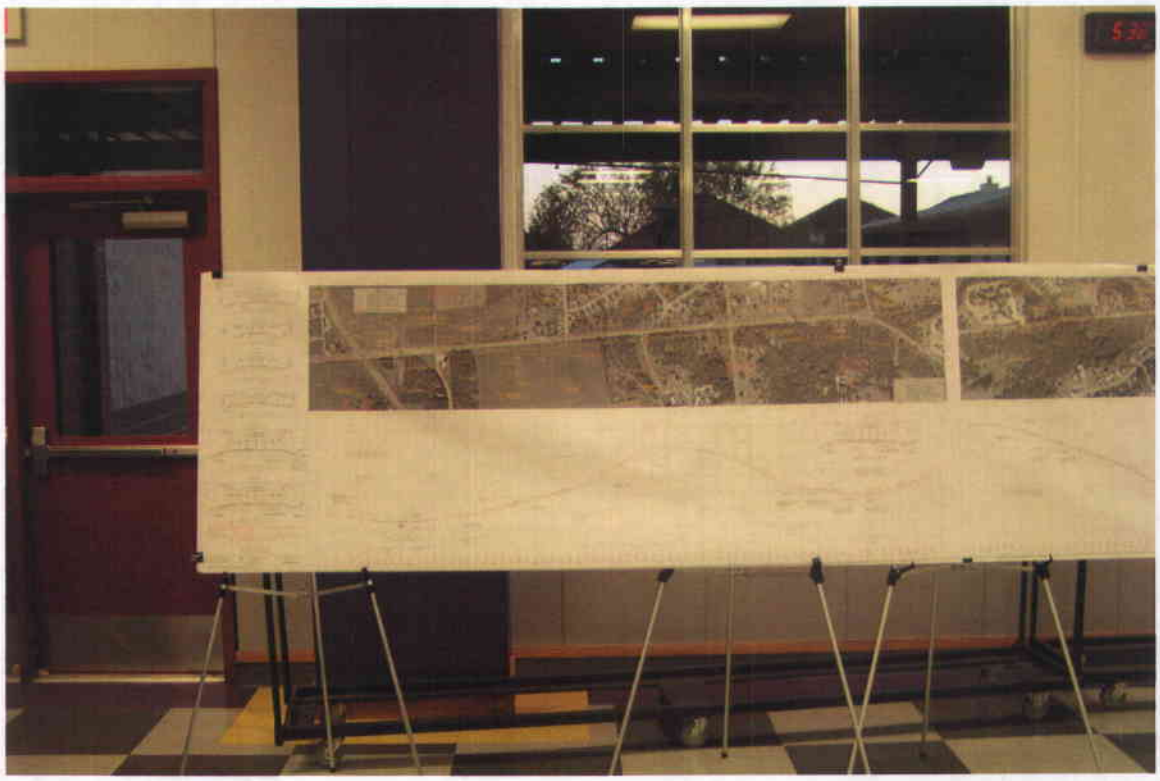
_____

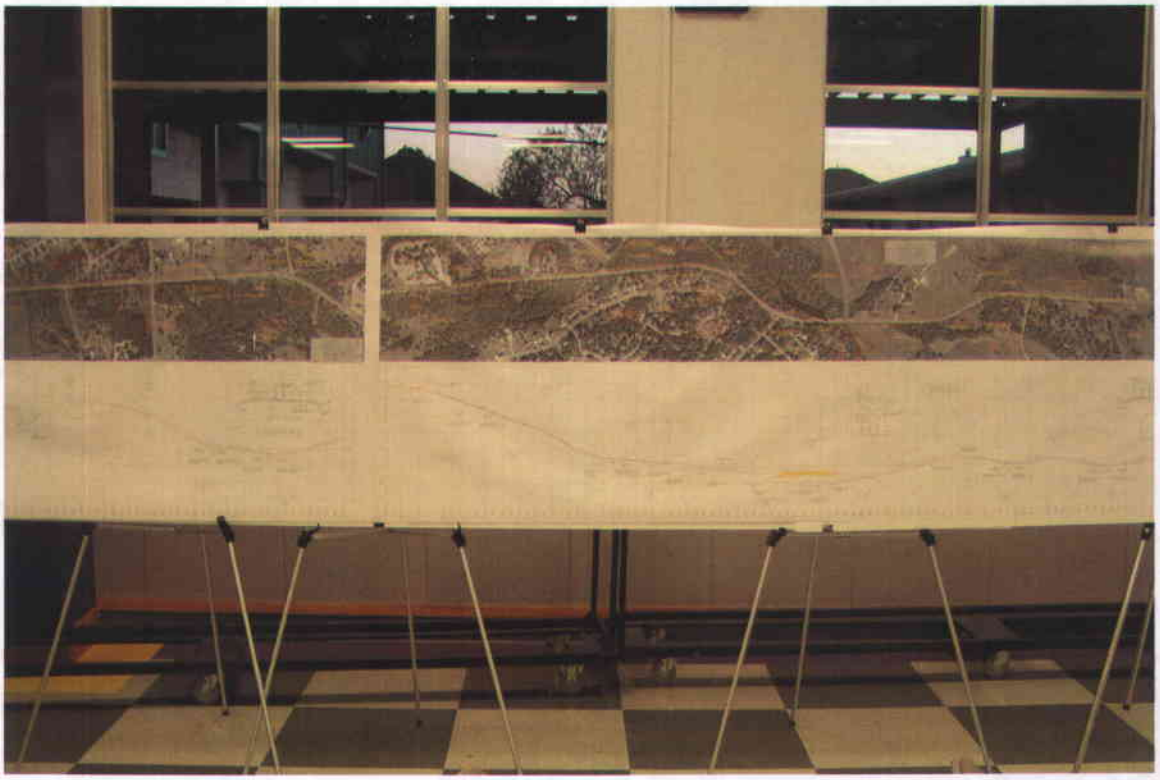
Phone: _____

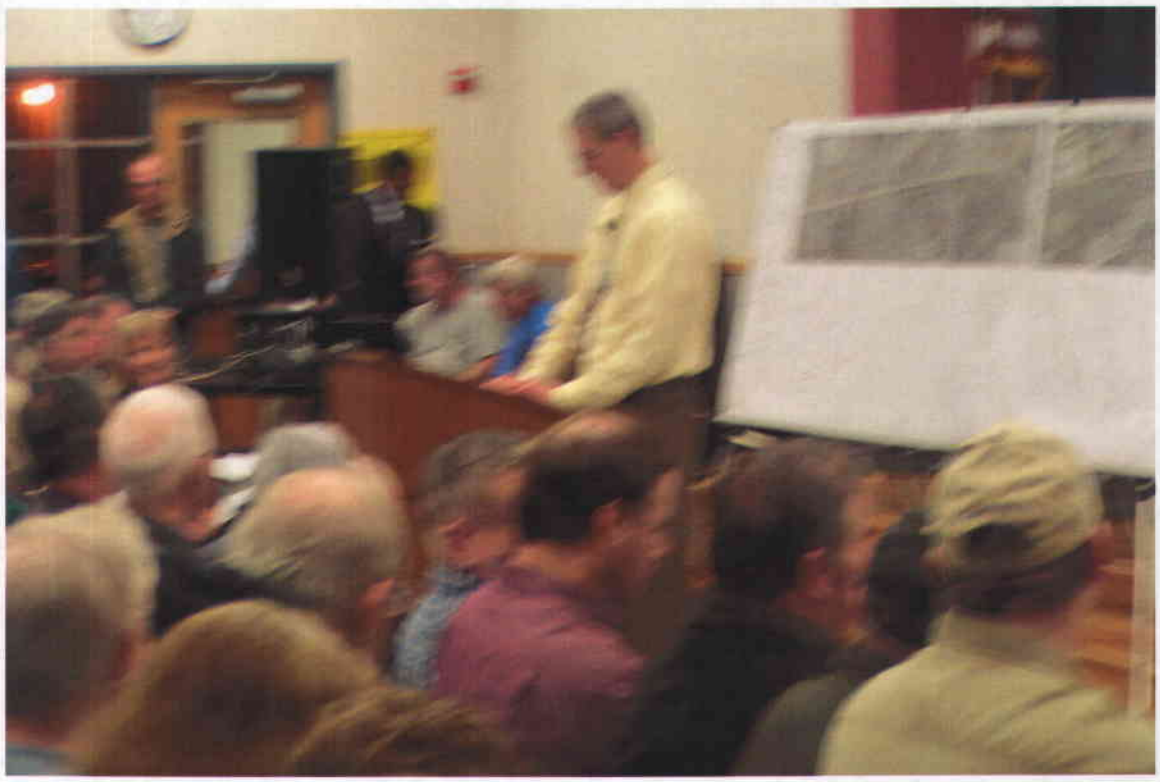
Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

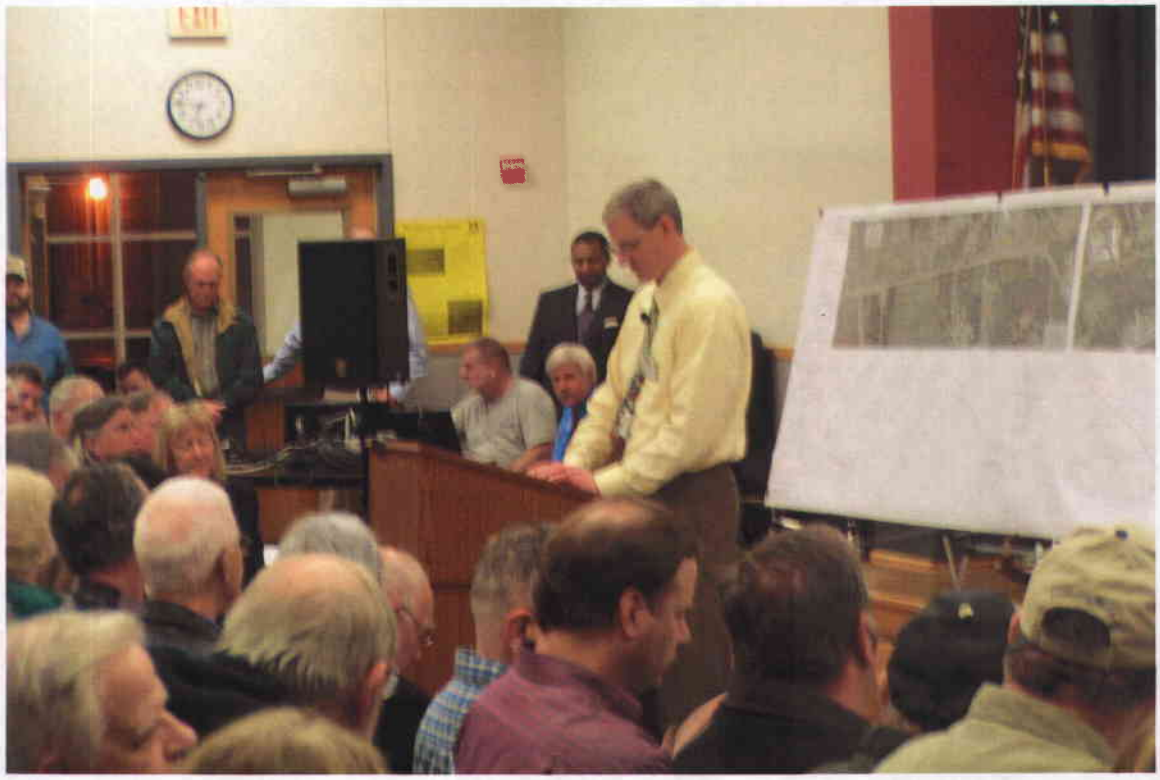
This form may be used to provide written comments on this project. Any questions placed on this form will not be considered an open records request and will not be treated as such. If you have an open records request it must be submitted under a separate letter.

Appendix D





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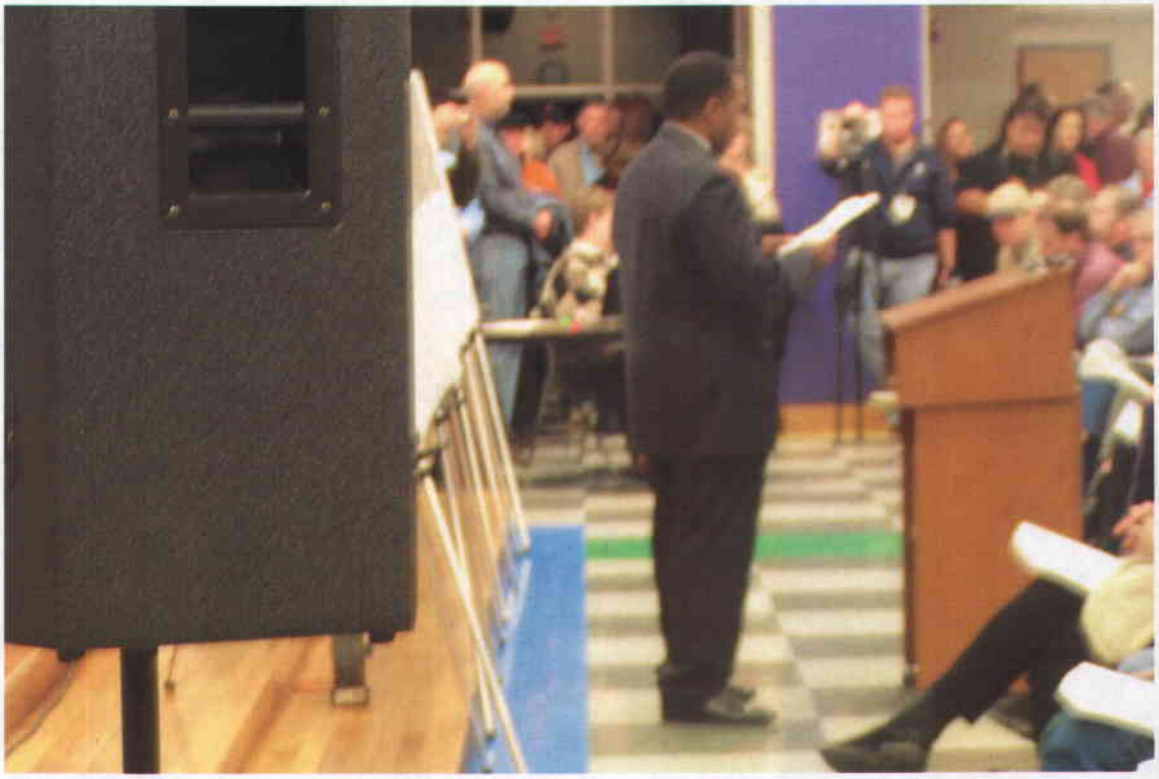

Appendix E

SPEAKER REGISTRATION CA
Public Hearing for Proposed Improvements to RM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School – December 8, 2009

1

IE: Melissa Henderson - Office of State Rep. Patrick Rose

RESS:

ANIZATION:

SPEAKER REGISTRATION CA
Public Hearing for Proposed Improvements to RM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School – December 8, 2009

2

E: Jeff Barton

RESS:

ANIZATION: Hays Co. Commissioner

SPEAKER REGISTRATION CA
Public Hearing for Proposed Improvements to RM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School – December 8, 2009

3

IE: Jerry Borcherding

RESS:

ANIZATION: Hays County

SPEAKER REGISTRATION CA
Public Hearing for Proposed Improvements to RM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School – December 8, 2009

4 5

IE: Ray Bryant

RESS:

ANIZATION: Kyle City Councilman

SPEAKER REGISTRATION CA'
Public Hearing for Proposed Improvements to rM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School – December 8, 2009

IE: Bobby Lane

RESS:

ANIZATION: Mayor of Buda

SPEAKER REGISTRATION CAR
Public Hearing for Proposed Improvements to M 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School – December 8, 2009

1

:: REINOLD VON FANGE

:ESS: 403 RANGER DR.

ANIZATION: HOMEOWNER

SPEAKER REGISTRATION CA'
Public Hearing for Proposed Improvements to rM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School – December 8, 2009

2

E: Dr Linda Carney MD

RESS: AllMedPhysicians, pLLc

ANIZATION: 1760 FM 967, Suite B Buda, TX 78610

SPEAKER REGISTRATION CAR
Public Hearing for Proposed Improvements to M 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School – December 8, 2009

"Usight" 3

:: Jim Weisheit

:ESS: 1101 N FM 1626 Right ON 1626 !

NIZATION: Self

4

SPEAKER REGISTRATION CA
Public Hearing for Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School – December 8, 2009

IE: DICK FOLLERMAN
RESS: 2510 CEDARVIEW DR. AUSTIN 78704
ANIZATION: SAVE OR SPRINGS ALLIANCE

5

SPEAKER REGISTRATION CA
Public Hearing for Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School – December 8, 2009

IE: SCOTT L. COLE
RESS: 369 BROADFIELD DR. BUDA, TX
ANIZATION: N/A

6

SPEAKER REGISTRATION CA
Public Hearing for Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School – December 8, 2009

IE: Melissa Fressley
RESS: 201 E. Overlook Mountain Rd. Buda 78610
ANIZATION:

7

SPEAKER REGISTRATION CA
Public Hearing for Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School – December 8, 2009

E: Rick Castillo
RESS: 16003 Oak Arbor Trail
ANIZATION: N/A

8

SPEAKER REGISTRATION CA
Public Hearing for Proposed Improvements to RM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School – December 8, 2009

NAME: BRAD BRADSHER

ADDRESS: 203 CANYON WLEN

ORGANIZATION: —

SPEAKER REGISTRATION CA
Public Hearing for Proposed Improvements to RM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School – December 8, 2009

NAME: BRAD HAGEN

ADDRESS: 12523 TAYLOR DRIVE BUDA TX 78610

ORGANIZATION: RESIDENT BUDA/HAYS & MEMBER OF THE CORRIDOR COALITION

SPEAKER REGISTRATION CA
Public Hearing for Proposed Improvements to RM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School – December 8, 2009

NAME: JOE GIESECMAN

ADDRESS:

ORGANIZATION: TRAVIS COUNTY

Appendix F

BEFORE THE

TEXAS DEPARTMENT OF TRANSPORTATION

IN THE MATTER OF:)
PROPOSED IMPROVEMENTS TO)
FM 1626 FROM RM 967 TO)
BRODIE LANE, HAY AND TRAVIS)
COUNTIES)

PUBLIC HEARING

TUESDAY, DECEMBER 8, 2009

BE IT REMEMBERED THAT at 6:30 p.m., on Tuesday, the 8th day of December 2009, the above-entitled matter came on for hearing at the Elm Grove Elementary School, 801 FM 1626, Buda, Texas, and the following proceedings were reported by Lou Ray, a Certified Shorthand Reporter of:

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1 P R O C E E D I N G S
2 TUESDAY, DECEMBER 8, 2009
3 (6:30 a.m.)
4 I. INTRODUCTION AND HEARING FORMAT
5 MR. COOPER: Good evening. Thank
6 you-all for coming out. My name is Marcus Cooper.
7 I'm the Public Information Officer for the Austin
8 District of the Texas Department of Transportation.
9 The purpose of our public hearing is to
10 give this community an opportunity to review and
11 comment on proposed improvements to FM 1626 from RM
12 967 to Brodie Lane in Hays and Travis Counties. As
13 many of you already know, increasing traffic on
14 FM 1626 has affected safety and mobility for
15 commuters. The problem is also compounded by the
16 narrow travel lanes along this stretch of road.
17 Additionally, there is a need to improve safety on FM
18 1626 as indicated by the frequency of accidents.
19 Now, this project began five years ago.
20 A public meeting was held on May 6th, 2004 to solicit
21 public input on the proposed improvements to FM 1626.
22 The comments received back in 2004 were taken into
23 consideration during the development of the maps on
24 display here this evening. Over the last five years,
25 TxDOT and its environmental specialists have worked

closely with the Federal Highway Administration to produce an environmental assessment of the project. Now that the project schematics are available for us to look at tonight, your verbal and written comments will again be added to the record to move the process forward.

The Texas Department of Transportation is proposing to increase traffic mobility along FM 1626 by providing four travel lanes with shoulders, and a continuous left turn Lane. Safety in the area would be enhanced by improving driver visibility over elevations and around curves. These proposed improvements will be discussed in greater detail in a few minutes.

It has been determined that to construct the proposed improvements, it would be necessary to acquire additional right-of-way. However, at this time it is not anticipated that any relocations or displacement of residences or businesses will be required.

As you may have noticed, we have a court reporter, and we will be preparing a transcript of what is said during tonight's hearing. Also, if you did not sign in when you entered tonight, please do so during the break or before you leave so that we can

1 have a record of everyone's attendance.
2 Now, the format of tonight's hearing is
3 shown on the agenda located in your information
4 packet. If you don't have a packet, you can still get
5 one at the sign-in table. The packet also contains a
6 project location map, a written overview of the
7 project, and a written comment form that you can use
8 later.
9 This hearing will begin with a
10 presentation from Don Nyland. He is our South Travis
11 area engineer for the Austin District. Mr. Nyland
12 will discuss the details of the proposed project. And
13 he will be followed by an environmental presentation
14 by Dennis Nielsen, who is an environmental specialist
15 from our district office.
16 Finally, we will have a presentation
17 from Bob Harwood. He's an attorney from TxDOT's
18 regional -- South Regional, excuse me -- right-of-way
19 office.
20 Now, following Bob's presentation, we
21 will take a short break. And if you have questions
22 after our presentation, you can use that time to go
23 back to the maps and ask questions of our staff.
24 You'll recognize them because they're wearing those
25 big, green and white name tags.

After the break, we'll take your verbal comments on the record concerning the project. I will spell out some ground rules at that time. If you wish to speak during the verbal comment period, please fill out a speaker registration card. Those cards are still located at the sign-in table. You can leave your completed card with someone at the table, and they will put you on the speakers' list.

If you will notice, in the back of your information packet is a written comment form. You can use this form to provide us with your written comments if you're not comfortable speaking in front of an audience. You can hand the written comments to our staff members tonight, or you can mail them to our office by Friday, December 18th, 2009. Our mailing address is on the comment form. Your comments will be reviewed and taken into consideration as we move forward.

Before we go any further, I'd like to recognize some of our elected officials who are joining us tonight, and I'll begin as -- the list as folks signed in. We have Melissa Henderson who is an officer at Representative Rose's office. Would you please raise your hand?

There she is back there. Great.

1 Mr. Will Conley, Hays County
2 Commissioner. Where are you, sir?
3 There he is.
4 Mr. Jeff Barton, Hays County
5 Commissioner. There is he is.
6 Thank you, sir.
7 Mike Gonzalez, mayor of the City of
8 Kyle. Right over here.
9 Mr. Bobby Lane, mayor of the City of
10 Buda. There he is.
11 Mr. Ron Fletcher, also a Buda city
12 council member right next to the mayor.
13 Ray Bryant, city council member from the
14 City of Kyle right over here.
15 Joe Morris from Senator Wentworth's
16 office, right under the red sign over here.
17 Are there any other elected officials
18 that we may have missed?
19 UNIDENTIFIED SPEAKER: Right here.
20 MR. COOPER: Yes, sir. Would you --
21 UNIDENTIFIED SPEAKER: (Inaudible) mayor
22 of the City of Hays.
23 MR. COOPER: Mayor of the City of Hays.
24 Thank you for joining us.
25 UNIDENTIFIED SPEAKER: Our district

1 attorney is here, too.
2 MR. COOPER: Thank you. Anyone else?
3 Yes, ma'am.
4 MS. SMITH: Justice of the Peace Beth
5 Smith.
6 MR. COOPER: Thank you.
7 And you, sir?
8 UNIDENTIFIED SPEAKER: Constable
9 (inaudible) Hays County Precinct 5.
10 MR. COOPER: Thank you all for joining
11 us. I'd also like to identify some of our officers
12 from the TxDOT Austin district. Our district
13 engineer, Mr. Carlos Lopez, has joined us tonight.
14 Our deputy district engineer Mr. Robert Stewart in the
15 far back.
16 And now I will turn this over to Mr. Don
17 Nyland who will provide you with the details of the
18 proposed improvements to FM 1626.
19 II. TECHNICAL PRESENTATION
20 MR. NYLAND: Again, my name is Don
21 Nyland. I'm the south Travis-Hays County area
22 engineer, and I appreciate such a large turnout from
23 the interested citizens from this area.
24 I'm here tonight to give a brief
25 description of the roadway improvements for project FM

1626 between 967 on this end of the map to Brodie Lane at the other end. Questions -- if y'all have questions again, as Marcus said, those will be handled at the breaks or after the meeting, or you can -- more than welcome to stop by my office, which is over across from South Park Meadows and IH 35, the north-bound frontage road for specifics.

Need for the proposed project -- as many of you are well aware, there is a need for this project, and that need is increase safety and the mobility throughout the proposed project limits. This proposed project is also intended to reduce congestion resulting from substantial residential and commercial development that has occurred since the existing roadway was constructed in the mid-1960s.

In addition, the proposed project will straighten out curves, flatten steep grades and eliminate the dip at Little Bear Creek crossing by the construction of a new bridge. The proposed continuous left turn lane and shoulders will also provide refuge area for vehicles slowing to turn into and out of side streets and driveways.

The existing configuration or description of the various existing configurations, I'll begin at 967. At this location there is two

12-foot lanes, one in either direction, and a 14-foot center turn lane and 8-foot shoulders that extend just north of Elm Grove Lane where the road narrows to two 11-foot lanes with no shoulders. The 11-foot configuration travel lanes with no shoulders runs down to the county line, from the county line northward to just south of Bliss Spiller there is two 11-foot lanes with 3-foot shoulders.

Just south of Bliss Spiller we pick the center turn lane, 11-foot and 5-foot shoulders. From Bliss Spiller to Johnson Lane the roadway narrows back to the two 11-foot lanes and 3-foot shoulders.

At Johnson Lane, shoulders widen to 8-foot and a 12-foot left turn lane is provided for southbound traffic turning onto Johnson Lane. This configuration runs to the end of the project at Brodie Lane where there is a 14-foot left turn lane for traffic wishing to turn north on Brodie.

The existing traffic -- the 2008 average daily traffic measured at the county line was 13,800 vehicles per day.

Proposed configuration -- the proposed roadway improvements are based on a 60-mile an hour design speed, which is independent of the posted speed. However, the existing speed limits will remain

in place until after construction when a new speed study will be conducted and speed limits will be set at that time. The entire length of the project is proposed to consist of four 12-foot travel lanes, a 14-foot continuous turn lane, and 10-foot shoulders on either side. The design will also provide grass side slopes and ditches to meet TCEQ water quality requirements.

Due to only having two existing lanes, construction phasing will be developed to maintain current flows. Temporary widenings, weekend work and some nighttime operations will be utilized to achieve this goal.

Existing drainage structures will also be improved. There are three main structures in the project limits, first at Garlic Creek right across from the Sac-N-Pac. Then there is unnamed tributary of Little Bear Creek at McKinnon Loop just southwest of Leisurewood Subdivision, and last Little Bear Creek crossing.

At Little Bear Creek the roadway will be realigned and the bridge constructed will span the 100-year flood elevation. Once the traffic is moved to the new bridge, the old three 10 by 8 box culvert in the roadway will be removed. At the unnamed

1 tributary to Little Bear Creek and McKinnon Loop
2 South, the existing 5 by 5 box culvert is proposed to
3 be replaced and two 8 by 5 multiple box culverts put
4 in its place.
5 At Garlic Creek the existing nine 7 by 4
6 multiple box culverts is proposed to be lengthened
7 both upstream and downstream. All three of these
8 crossings I've just mentioned are within the FEMA
9 designated 100-year floodplain. That means that the
10 proposed drainage improvements will low the 100-year
11 flood to pass through without any rise in the water
12 elevation.
13 Projected traffic, the proposed roadway
14 configuration is based on projected average daily
15 traffic volumes for the year 2024, which is
16 approximately 20,400 vehicles per day. With this
17 volume, two lanes are needed in each direction to
18 provide the desired level of Service B and a range of
19 A to F where A is free flow and F is being gridlocked.
20 Right-of-way, the current estimated
21 right-of-way, either for the proposed project
22 improvements, is approximately 36.9 acres with
23 .92 acres of drainage easements. The proposed
24 acquisition of additional right-of-way alternates back
25 and forth throughout the project in an effort to

minimize impacts to existing residents' dwellings -- resident dwellings, retail and commercial properties. Usual right-of-way width will be 160 feet. However, there may be some instances where additional width will be required to meet design requirements which include water quality, side slopes and clear zones.

Project cost, finally, if the project were constructed today, the construction costs of the proposed project is estimated to be approximately $23.5 million, which does not exclude right-of-way. This is a pass-through finance project with Hays County, and the maximum pay-back for design, right-of-way and construction will be $36,399,455 as outlined in the agreement between the Department and the County.

That concludes my presentation. I tried to make it fast so y'all can get out of here.

(Applause)

III. ENVIRONMENTAL ASSESSMENTS

MR. NIELSEN: Good evening. Can you hear me now?

Good evening. My name is Dennis Nielsen, and I'm one of the environmental specialists for the Austin district of the Texas Department of Transportation. I'm going to talk about the draft

1 Environmental Assessment that was prepared for the
2 proposed improvements to FM 1626.
3 In 1969 the US Congress passed the
4 National Environmental Policy Act, which is also known
5 as NEPA. In order to comply with this federal law, an
6 environmental assessment was prepared by the Austin
7 district of TxDOT for the purpose -- for the proposed
8 improvements to FM 1626. This environmental
9 assessment addresses the social, economic and
10 environmental effects that could potentially result
11 from construction of the proposed improvements and use
12 of the roadway after completion. The environmental
13 assessment covers the following nine major topics.
14 These are a description of the existing facility,
15 purpose and need, reasonable alternatives, description
16 of the proposed action, description of the natural
17 setting, natural and social environment and impacts,
18 indirect and cumulative effects, environmental permits
19 issues and commitments and conclusion.
20 The titles of most of these topics are
21 fairly self-explanatory; however, I would like to
22 explain what kind of information can be found in a few
23 of these sections of the document. The natural and
24 social environment and impacts section. This section
25 examines potential impacts in the following 11 areas:

1 Land use, regional and community growth, public
2 facilities and services, community cohesion,
3 environmental justice, conservation and preservation,
4 which includes water resources, vegetation, wildlife
5 and public lands. Then we have hazardous materials,
6 historical resources, archaeological resources, air
7 quality and noise.
8 The environmental permits issues and
9 commitments section of the document, this section
10 addresses the permits, issues and commitments
11 identified for this project. The U.S. Army Corps of
12 Engineers nationwide permits would be required for
13 impacts at the creek crossing. Impacts at each
14 crossing would be less than a tenth of an acre and
15 would not impact any wetlands; therefore, coordination
16 with the U.S. Army Corps of Engineers would not be
17 required.
18 A project that requires the US Army
19 Corps of Engineers nationwide permit must use at least
20 one best management practice, or BMP, for each
21 category listed on the Texas Commission on
22 Environmental Quality, or TCEQ, Section 401, water
23 quality certification guidelines. These control
24 measures would consist of seeding, silt fences, rock
25 filter dams, and vegetated filter strips, and would be

1 incorporated into the construction plans. These
2 control measures would be used to prevent or correct
3 erosion that may develop during construction.
4 Appropriate measures would also be taken to prevent,
5 minimize and control the spill of fuels, lubricants
6 and hazardous materials in the construction staging
7 area.
8 If a project would disturb one or more
9 acres, it meets the conditions of the TCEQ Texas
10 Pollution Discharge Elimination System General Permit
11 for Construction Activities. This project would
12 disturb over five acres and would require a notice of
13 intent to be filed with the TCEQ.
14 In addition, a stormwater pollution
15 prevention plan would also be included in the
16 construction plans. Also portions of the proposed
17 project are located over the Edwards Aquifer recharge
18 zone and would require a water pollution abatement
19 plan approved by TCEQ.
20 The conclusion section, the conclusion
21 of the draft Environmental Assessment indicates that
22 the proposed improvements would cause insignificant
23 social, economic or environmental effects. Once TxDOT
24 completes an environmental assessment, it may need to
25 be reviewed by certain state and federal agencies,

1 depending on the scale and scope of the project. The
2 draft Environmental Assessment for this project was
3 circulated for review and comment to the US Fish and
4 Wildlife Service, TCEQ, the Texas Parks and Wildlife
5 Department, Texas Historical Commission, and finally
6 the Federal Highway Administration.
7 The Federal Highway Administration
8 approved the draft Environmental Assessment for
9 further processing, which means we are clear to hold
10 this public hearing tonight.
11 A summary analysis of this public
12 hearing, including a summary of your comments, will be
13 prepared. This document will also contain responses
14 to each of the comments received as a result of the
15 hearing. The summary analysis will then be submitted
16 to the Federal Highway Administration. If the Federal
17 Highway Administration determines the summary analysis
18 is complete, they can approve the project as a finding
19 of no significant impact.
20 There are two copies of the draft
21 Environmental Assessment available for review tonight
22 over by the sign-in table over here. Also copies of
23 the document can be obtained for the cost of
24 reproduction at our office located at 7901 North IH 35
25 in Austin, Texas. Also the information you see here

1 tonight is also available on our web site.
2 If you have any questions concerning
3 this information, I will be available during the
4 break. Thank you for your attention. I will now turn
5 it over to Bob Harwood, the attorney for TxDOT South
6 Regional Service Center Right-of-way Office. Bob?
7 (Applause)
8 IV. RIGHT-OF-WAY ACQUISITION AND
9 RELOCATION ASSISTANCE
10 MR. HARWOOD: Thank you, Dennis.
11 Good evening, ladies and gentlemen.
12 Again, my name is Bob Harwood. I'm with the South
13 Regional Right-of-way Office, and tonight it's my task
14 is to give you a brief overview of the right-of-way
15 acquisition process which would be used for the
16 acquisition of property for this project. As
17 previously mentioned, right-of-way would be necessary
18 for this project, but there are not anticipated at
19 this time that there would be any residential or
20 business relocations. On this project, Hays County
21 would be the response -- would be responsible for the
22 acquisition of the necessary right-of-way and for all
23 relocation services in the event that there are any
24 dislocated residences or businesses.
25 In any event, the acquisitions would be

1 made in accordance with Texas Department of
2 Transportation standards as they are established by
3 federal and state statutes and guidelines.
4 Tonight's right-of-way presentation is
5 going to include an overview of the federal and state
6 laws involved, and the process and requirements for
7 appraisals and negotiations. The primary federal law
8 which sets the guidelines for right-of-way acquisition
9 and relocation assistance is found in the uniform
10 relocation assistance and real property accusations
11 policies act. This law sets out the standards for
12 appraisal, negotiation and relocation, and has
13 generally been incorporated also into state law.
14 The state law pertaining to right-of-way
15 acquisition is found in the Texas Transportation Code
16 and also provisions in the Texas Property Code, and
17 there's also provisions that are set out in the Texas
18 Administrative Code. But for a basic overview of your
19 rights and the acquiring entity's obligations, I'll
20 recommend you pick up one of these little brochures
21 that's at the front desk. It's titled "Purchase of
22 Right-of-way by County and Cities." It gives a real
23 brief kind of an overview of the right-of-way
24 acquisition process and carry forward by the local
25 acquiring agencies.

1 Once we have acquired -- obtained
2 environmental clearance and the project has been
3 funded and fully authorized, Hays County or its
4 acquiring agent would commence the acquisition process
5 by engaging an outside fee appraiser to appraise
6 properties to be acquired.
7 If you are a landowner, you would
8 receive notification of the pending appraisal, and an
9 appraiser would also give you written notification and
10 request your permission to enter your property for an
11 appraisal. The appraisal would give you as the
12 landowner the opportunity to accompany him or her
13 during the appraisal.
14 The appraiser would be assigned to
15 determine the value of the land to be acquired, real
16 property improvements within the area to be acquired,
17 and damages, if there are any, to the remaining
18 property. The written appraisal would be provided to
19 the landowner at the time the offer is made.
20 Hays County or its acquiring agent would
21 offer each affected landowner an offer letter along
22 with the appraisal. This letter, together with the
23 appraisal, will advise each affected owner as to the
24 value of the land to be acquired, the value of the
25 improvements within the acquisition, and the damages,

1 if any, to the remaining property.
2 Each property owner can accept the offer
3 based on the appraisal, or is also able to make a
4 counter offer based upon any additional information
5 that the property owner might have that he can
6 present. Or he can just refuse and if no agreement
7 can be reached, Hays County as the acquiring agent
8 would obtain authorization to proceed with eminent
9 domain proceedings.
10 The initial stage of an eminent domain
11 proceeding is what is known as a special commissioners
12 hearing. In the special commissioners hearing, a
13 judge with jurisdiction over such proceedings would
14 appoint three special commissioners to hear the
15 evidence of both the landowner and the acquiring
16 agency. The special commissioners would convene a
17 hearing that is generally fairly informal and is
18 usually not held in a courtroom but in some
19 agreed-upon public location or meeting room. As a
20 landowner you could engage an attorney to represent
21 you in this proceeding, or you could appear on your
22 own behalf.
23 Based upon the testimony given, the
24 special commissioners will issue an award called the
25 award of special commissioners, which is their

1 determination of the value for the property. Once the
2 acquiring agency has deposited the amount of this
3 award in the registry of the court, they then have the
4 right to possession of the property. Either the
5 landowner or the acquiring agency can appeal the order
6 of the special commissioners and a court proceeding
7 would ensue after that.
8 The acquiring agencies -- or acquiring
9 entities for this project are mandated in federal laws
10 that were previously mentioned to assist persons being
11 displaced from their homes and businesses because of
12 highway improvements. No relocations are anticipated
13 at this time; however, if there are relocations that
14 arise, Hays County would be required to comply with
15 the provisions mandated by federal law to minimize the
16 inconvenience and financial hardships to persons who
17 are being displaced.
18 That concludes my comments concerning
19 the right-of-way acquisition process. I really
20 appreciate the huge turnout that we have. During the
21 break, if you have any specific right-of-way-related
22 questions, I'll be around. I have two of my
23 right-of-way colleagues that are here, too, and feel
24 free to meet with one of us and we'll be happy to
25 address your specific situation.

1 Again, thanks for your time and
2 attention, and with that I'll turn it back over to
3 Mr. Cooper.
4 (Applause)
5 MR. COOPER: Okay. We'd like to give
6 our locally-elected officials a chance -- that have
7 signed up a chance to speak. The first person that we
8 have on our list is Ms. Melissa Henderson who is from
9 State Representative Patrick Rose's office.
10 (Brief pause)
11 COMMENTS BY MELISSA HENDERSON
12 MS. HENDERSON: Can everyone hear me?
13 Good evening. My name is Melissa
14 Henderson. I'm here on behalf of State Representative
15 Patrick Rose. Commissioner Barton's office has asked
16 me to read the list of close to 60 letters of support.
17 These include letters from: State Senator Jeff
18 Wentworth, State Representative Patrick Rose, Hays
19 County Sheriff Tommy Ratliff, Hays County Constable
20 James Kohler, Hays County Constable David Peterson,
21 Hays County Fire Marshal Mark Chambers, San
22 Marcos-Hays County EMS Director Tom Partin, Kyle Fire
23 Department Chief Glen Whitaker, Buda Fire Department
24 Chief Clay Huckabee, Hays CISD Superintendent Dr.
25 Jeremy Lyon, City of Kyle mayor Mike Gonzalez, City of

1 San Marcos mayor Susan Narvaiz, Kyle City Manager Tom
2 Marris (phonetic), Kyle Chamber of Commerce, former
3 Kyle City Council member Ray Bryant, Buda Economic
4 Development Corporation, City of Hays Council members
5 Tracy Jane Brown, Allen McCorkle (phonetic) and
6 Claudette Walter, former City of Hays Mayor Jolene
7 Brown, former City of Hays Council members Amy Wurst
8 and Kathy Davidson, City of Hays administrator Wayne
9 Ford, City of Hays Secretary Pat Ford, the Seton Hays
10 Foundation Executive Director Gerald Hill, YMCA
11 director Jan Pacey (phonetic), Hays Hills Baptist
12 Church Pastor David Sweet (phonetic) Elm Grove
13 Elementary PTA president Shelley Dunnett, Texas-Lehigh
14 Cement president Bob Kendale (phonetic), as well as
15 several dozen letters from constituents and
16 neighborhood leaders. Thank you.
17 (Applause)
18 MR. COOPER: Thank you. At this time
19 we'd like to introduce Mr. Jeff Barton, Hays County
20 Commission.
21 (Applause)
22 COMM. BARTON: Can you hear me okay in
23 the back?
24 COMMENTS BY JEFF BARTON
25 My name is Jeff Barton. I'm the County

1 Commissioner for Precinct 2 and the project manager
2 for the Hays County-TxDOT partnership on FM 1626.
3 After lengthy debate over the details,
4 two public task forces, and dozens of public meetings
5 Hays County voters approved this road as part of the
6 bond package in 2008 by a margin of more than
7 65 percent county wide, and by margins of more than
8 70 percent in the neighborhoods adjacent to this road.
9 This is the largest turnout election in the county's
10 history, 33,023 county residents endorsing this
11 project.
12 The project has been years in the
13 making, as most of you know. The first public meeting
14 by TxDOT was May 6th, 2004. It was at Atkins High
15 School in Travis County. Since then it has been
16 supported on the record over and again by elected
17 leaders on both sides of the county line. It is in
18 the regional CAMPO transportation improvement plan.
19 The support for Hays County -- in Hays
20 County for this project is not unanimous. We all know
21 that. But the consensus is amazing. It's almost
22 unparalleled in this part of the county. Since the
23 bonds passed a year ago, I've sponsored a lengthy
24 series of additional public hearings not required by
25 law on FM 1626 including a context sensitive design

1 process to ensure community input.
2 We've put extensive information on the
3 web. Based on discussions in these meetings and my
4 own interest in community-based design, tonight Hays
5 County is proposing amendments to the TxDOT plan that
6 should not slow it down at all and that would provide
7 for sidewalks and multi-use paths in addition to the
8 bike lanes on the shoulders and parks to connect
9 schools and neighborhoods, a lower design speed in
10 parts of this northern segment, water quality
11 protections and other smart road concepts, concepts
12 that you have helped us come up with.
13 Our county engineer will present these
14 ideas in more detail in just a few minutes. These
15 context sensitive solutions were endorsed by our
16 Commissioners Court four to zero. I think Judge
17 Sumtry (phonetic) maybe wasn't here that day.
18 I've read that in the Travis County
19 Commissioners Court there has been discussion that
20 this project is being rushed through or is somehow
21 secretive. It is a laughable concept for those of us
22 who have been involved in the process. In fact, it's
23 been a public discussion, the environmental, for six
24 years. We've been waiting just for tonight's public
25 hearing for more than 16 months.

1 I'm here tonight as a citizen to implore
2 TxDOT -- and as a final -- and as a financial partner
3 to demand of our friends at TxDOT that this project
4 not be slowed down any further but instead moved
5 forward faster.
6 (Applause)
7 Our area has doubled and tripled in
8 population over the last 20 years. The growth
9 continues, and yet we're relying on this outdated,
10 winding, unforgiving, deadly road to move our children
11 to school every morning, to deliver huge gravel trucks
12 to major industrial plants, to connect neighborhoods,
13 cities and counties, to attend worship, to move
14 ambulances at rush hour, to get fire trucks and
15 deputies to emergencies when every second counts. It
16 is unsafe and it is unacceptable, especially when it's
17 within our power to do something about it.
18 (Applause)
19 We have done all we can do on our end
20 in Hays County. We need state and federal approvals,
21 and every day's delay in this paperwork process at
22 this point is now a delay in the field, a delay to fix
23 1626. My Commissioners Court has passed a resolution
24 asking that this project be approved and expedited.
25 We are not alone, as you heard from

1 Representative Rose's office and with support of
2 Senator Wentworth and so many others that you heard
3 read a minute ago. But it's not confined -- the
4 support is not confined to the names that you heard
5 read. We all know that. And that's why I want to ask
6 everyone who's here now, everyone who supports this
7 project, to stand and raise your hand and say "fix
8 1626."
9 (Audience members so responded)
10 COMM. BARTON: Thank you very much for
11 being here. You don't know how much difference your
12 being here makes. Thank you.
13 (Applause)
14 MR. COOPER: At this time I'd like to
15 introduce Mr. Jerry Borcherding, Hays County engineer.
16 COMMENTS BY JERRY BORCHERDING
17 MR. BORCHERDING: Hays County is
18 requesting the following changes to the FM 1626 TxDOT
19 schematic. For the entire project limits, Hays County
20 is requesting a project total of 45 acres of
21 right-of-way for project constructibility issues and
22 water quality measures. No displacements will be
23 involved. The addition of water quality measures to
24 the project such as grass filter strips.
25 For the roadway section from RM 967 to

the end of Balcones Bank property line, approximately 1900 feet, lowering design speed to 45 miles per hour, revising the roadway typical section to a five-lane section with concrete curb and gutter consisting of 15-foot outside lanes, 12-foot inside lanes and a continuous 14-foot two-way left turn lane. Adding a right turn lane from southbound FM 1626 onto westbound Ranch to Market Road 967. Adding an 8-foot wide sidewalk along southbound FM 1626. Adding storm sewer system. Revising the proposed right-of-way to vary from 180 feet minimum to 200 feet maximum.

For the roadway section from the end of Balcones Bank property line to Jerry's Lane-Westway Drive intersection, lowering design speed to 65 miles-per-hour, revising the roadway typical section to a 2,537 foot curb and gutter section with a raised center median, consisting of 15-foot outside lanes, 12-foot inside lanes, and a raised center median of varying widths 4 feet to 16 feet. Adding a left turn and right turn lane at Maybrook Drive. Adding a left turn and right turn lanes at County Road 143, Westway, Jerry's Lane. Adding an 8-foot wide sidewalk along southbound FM 1626. Adding a storm sewer system. Revising the proposed right-of-way to vary from 180 feet minimum to 200 feet maximum.

For the roadway section from Jerry's Lane Westway Drive intersection to the end of the project, at 600 feet south of Brodie Lane intersection, no proposed change to the design speed of 60 miles-per-hour per the TxDOT schematic. No proposed change to the five-lane rural section per TxDOT schematic. Stop project improvements at Bliss-Spillar. Adding grading for a future 8-foot sidewalk up to the Manchaca Youth Optimist Baseball Complex. Widening the proposed Little Bear Creek bridge to accommodate an 8-foot wide sidewalk. Adding a 550-foot long transition section to tie back to the existing pavement just south of the Bear Creek bridge. Alter the Lakewood Drive tie-in with 1626 and coordinate design with the Lakewood Drive county bond project. Complete a signal warrant study at Lakewood Drive and FM 1626 and add a signal to the schematic for the ultimate configuration of the intersection. Revising the proposed right-of-way to vary from 180 feet minimum to 250 feet maximum.

Thank you.

(Applause)

MR. COOPER: The last elected official we have on our list before we take a break is Mr. Ray Bryant, Kyle City Councilman.

1
2 COMMENTS BY RAY BRYANT
3 MR. BRYANT: I think it's all been said.
4 I think Commissioner Barton spoke well on this subject
5 and I just want to say I am in very strong support of
6 FM 1626.
7 (Applause)
8 MR. COOPER: Thank you very, very much.
9 Well, we're coming up on our break, so
10 here's what we're going to do. We're going to take
11 the break, and I think we'll reconvene at 7:30.
12 During the break, please use this time to ask
13 questions of our staff if you still have some
14 concerns. Feel free to grab somebody and take them to
15 the maps and the displays if you need to.
16 When we reconvene for the verbal comment
17 period, we won't be able to answer questions at that
18 time because when you step up to the microphone we'll
19 be recording your comments for the public record. And
20 your statements on tape will be reviewed to move the
21 process forward.
22 Again, please fill out a speaker
23 registration card if you would like to speak. They're
24 on the table at the entrance of the cafeteria. During
25 the verbal comment period, we'll give you three

1 minutes to make your comments. This will ensure that
2 everyone who signed up to speak will have a chance to
3 do so in a timely fashion.
4 In addition, you can also write your
5 thoughts on a comment card and submit that to the
6 folks at the sign-in table. You can also do both.
7 You can write your comments down and give us your
8 verbal comments. We'll take both. All comments
9 received will be included in the official public
10 record.
11 We are now in recess until 7:30. Thank
12 you very much.
13 (Recess: 7:18 p.m. to 7:39 p.m.)
14 MR. COOPER: We're now going to begin
15 the verbal comment portion of the hearing. One point
16 that we would like to make -- if you would please hold
17 your voices down and continue your conversations, we'd
18 appreciate it.
19 One point that I'd like to make is that
20 nothing that you have seen or heard so far tonight is
21 final. It is all subject to change based on your
22 written and verbal comments. Your written and verbal
23 comments do count.
24 In front of the podium you will see a
25 set of lights which is our time clock. You have a

1 total of three minutes to speak. The green light
2 indicates that you have two minutes. The yellow light
3 indicates you have one minute left. Red means your
4 time is up. At that point I will give you a gentle
5 reminder to wrap up your comments. Let me remind you
6 that we will not be answering questions during the
7 verbal comment period. This is so that we can record
8 your comments to the tape and so that we can refer to
9 them again when we continue the process. If you have
10 any questions, our staff is still available on the
11 sides and in the back if you need to meet with them.
12 We do have one elected official with us,
13 Mr. Bobby Lane, Mayor of Buda, and if you would come
14 forward. And as you do, I'd like to introduce
15 Ms. Stacy Benetfield (phonetic) who will hold the
16 microphone for you as you give us your verbal
17 comments. She will stand kind of in this area, and
18 our court reporter will need to see your face as
19 you're giving the comments so that she can take down
20 the proper notes.
21 Mr. Lane, we're ready for you and come
22 on down.
23 COMMENTS BY BOBBY LANE
24 MR. LANE: Good evening. I just wanted
25 to echo the comments that Commissioner Jeff Barton

1 brought to us. You know, we've been wanting this
2 thing for a long time. On behalf of the citizens of
3 Buda I can stand up here and say that I think in the
4 vote it was about 65 or 70 percent in favor of the
5 bonds. I can't speak for the people that have moved
6 to Buda since that time, but I know at that point in
7 time in the Fall of 2008 we were wholeheartedly
8 supporting this project.
9 And I can't speak for the council
10 because, you know, we haven't had a chance to vet this
11 issue, you know, amongst us. But on behalf of the
12 citizens I can stand here and say that we really
13 appreciate the work of TxDOT, the work of Commissioner
14 Barton and the County in pulling all this together,
15 and basically we would like to see this road done.
16 Thank you.
17 (Applause)
18 At this time I'd like to introduce
19 Mike Gonzalez, Mayor of Kyle.
20 (Applause)
21 COMMENTS BY MAYOR MIKE GONZALEZ
22 MAYOR GONZALEZ: Thank you-all for
23 coming out here tonight. You guys are the truly
24 committed. You actually came back after the break.
25 We appreciate that.

1 I speak today not just as the mayor of
2 Kyle, but I'm also the CAMPO representative for all
3 small cities in Hays County. And this is a project
4 that I definitely supported and it's definitely
5 needed.
6 One thing that's tough for us to
7 realize -- and I think a lot of people don't
8 realize -- is we still have to fight for roads. One
9 thing being the mayor of the fifth fastest growing
10 city in Texas, there are all layers of government and
11 bureaucracy that we have to go through. And one thing
12 I've always said is you as citizens, you should really
13 be concerned whether you're driving on a city road or
14 a county road or a state road. They should just make
15 sense. Right? And they should get you to where
16 you're trying to go, and all these different entities
17 need to work together. And I think we've definitely
18 worked together between the city and the county levels
19 down here.
20 The fact is 1626 is a mobility corridor.
21 You know, to ignore that would not be wise and would
22 not be safe. It's -- a lot of people got a job in
23 Travis County and decided to move out here, so they
24 actually contribute to the Travis economy and to the
25 Hays County economy. So it's important to realize

1 that we shouldn't just look at roads that, well, it
2 stops here at the county line and whatever happens
3 after that, good luck.
4 I think the ultimate solution for this
5 is to complete 1626 that's being proposed today. And
6 also a while back we had talked about SH 45. That's
7 very important to be completed. Travis County has
8 already bought the right-of-way --
9 (Applause)
10 Some of the issues that are brought up
11 is, well, where -- this 1626, where is this
12 improvement going to drop off? You're going to have
13 all this traffic going in. Well, the answer is
14 simple. If you look at our CAMPO plan, it doesn't
15 make complete sense to have 1626 tie into SH 45 and
16 connect over to Mo-Pac. It just makes sense.
17 Travis County, like I said, they've
18 already acquired the right-of-way. We just need to
19 find the money.
20 Now, that's another issue. Every time
21 you talk about roads, you need to talk about money,
22 and that's something -- it starts at the federal
23 level. The state of Texas, for every dollar of gas
24 tax that we send up to Washington, do you have any
25 idea how much we get back? It's about 71 cents. So

1 we're already working under the gun. And on top of
2 that, about 50 percent of all the money that TxDOT
3 uses, approximately, goes to maintenance. So think
4 about it -- 50 percent has to go to maintain the roads
5 we already have, not build new ones. And they're
6 maintained to a level that they're not even -- they
7 wish they could maintain to a higher level themselves.
8 So just like your home, if you defer
9 maintenance for a later time because you don't have
10 the money, what's going to happen. You have to spend
11 more money and more money down the road.
12 So I'm supportive of this. I think it's
13 pretty simple in my mind. It's not a new road. It's
14 a road that's being currently used by everyone, so
15 we're not going to be cutting new roads. But it's
16 simply a safety upgrade for the citizens that live
17 here. Thousands of citizens use this road every day
18 to get to work. They shouldn't be concerned about
19 safety and they shouldn't have to know all the
20 intricacies of all the different bureaucracies. They
21 should just have the road built for them.
22 Thank you.
23 (Applause)
24 And I mentioned our partnership with
25 Hays County, County Commissioner Will Conley has been

1 instrumental in mobility and finding solutions for us.
2 So if it's okay, I'm going to give him a few seconds
3 here to give us his wisdom on the issue.
4 COMMENTS BY COMMISSIONER WILL CONLEY
5 COMM. CONLEY: Thank you. We must have
6 signed up on the wrong sheet earlier.
7 At any rate, I just really wanted to
8 stand up here and thank so many of you for turning out
9 here tonight and showing support for this very
10 important project to our state and to our county and
11 to our local area. Through the powers that were given
12 to me by the Commissioners Court back in 2005, I
13 negotiated this deal with the State of Texas, with the
14 Commission, with our local Austin district and some
15 friends in -- we were able to put this together in a
16 time when it's near impossible almost to get
17 transportation funding for this type of highway
18 improvement.
19 And we were able to pull it off, to make
20 it happen, to put that money back in Hays County. And
21 I must confess, I was very proud of the county and
22 very proud of myself when we were coming back from
23 that Commission meeting when we were allocated
24 $135 million of state money to improve these highways
25 in Hays County.

(Applause)

I had no idea we had 24 months of fighting amongst one another to make it a reality because it just seemed like such a no brainer to myself. But because of you, this is a reality today.

We need to continue to have your support and your help to get through this process, to make sure this happens sooner rather than later. And again, I can't speak highly enough about the State Commission, our local Austin district, the district engineer when we put together this project Mr. Bob Day, thank him for all his work. Thank Carlos Lopez who is now our district engineer and for his continued support of this project and many other projects in Hays County.

Our road systems were built in the '50s and the '60s at a different time and a different place in our history. And it's time for us to move forward and this is one of the projects that's going to be a shining star in Hays County. So thank you so much.

(Applause)

MR. COOPER: We'd like to thank all of our elected officials for their help on this project and for getting you-all here tonight.

We'd like to begin the verbal comment

1 period. We'll call your name. If you would step up,
2 Ms. Benetfield has the microphone here. Give us your
3 comments and -- state your name, then give us your
4 comments. Our first speaker tonight -- excuse me if I
5 mangle your name, you'll go ahead and correct me.
6 Mr. Reinold Von Fange?
7 COMMENTS BY REINOLD von FANGE
8 MR. von FANGE: I live in Cimmaron
9 (phonetic) Park just off of -- Anchor (phonetic)
10 Drive, and use -- at Lakewood Drive every day, and
11 anxious to get this circuitous route straightened out
12 and much more safe, and looking forward to the time
13 that that happens. So I definitely vote for it.
14 Thank you.
15 (Applause)
16 MR. COOPER: Thank you, sir.
17 Our next speaker tonight will be
18 Dr. Linda Carney. Would you please come forward?
19 COMMENTS BY DR. LINDA CARNEY
20 DR. CARNEY: I'm Dr. Linda Carney, and I
21 operate a family practice here in Buda. And my
22 patients are having accidents on 1626, and these are
23 your neighbors. We're very local. My husband could
24 stand at that door and throw a rock and hit our house.
25 And I'm very glad for all the people who have come out

1 in support of making 1626 safer so that no more people
2 will get hurt or lose children on that road.
3 (Applause)
4 MR. COOPER: Thank you, Doctor.
5 Next I'd like to call Mr. Tim Weisheit.
6 COMMENTS BY TIM WEISHEIT
7 MR. WEISHEIT: Very good. Very good on
8 the name.
9 MR. COOPER: Thank you.
10 MR. WEISHEIT: My name is Tim Weisheit,
11 and first of all let me start by saying I support
12 this, and I live directly on the road and this affects
13 me, you know, more than most people here.
14 I'm kind of unique in that I'm --
15 there's two points I wanted to bring up. I'm kind of
16 unique in that I actually am running a working ranch,
17 but that is my income. So I've heard this statement
18 several times that the economic impact is negligible.
19 It's not negligible to me.
20 I have over 800 grapevines that me and
21 my wife have planted, 200 plus fruit trees and we're
22 planning on doubling that, plus a hundred geese and
23 ducks. And I'm told that our house is even used as a
24 landmark, the place with all the grapevines and geese
25 and stuff. So I just want it on public record that,

yes, it does affect me. But I know that this needs to move forward. I just hope that the settlements are prompt and we get cooperation.

The last point that I'd like to bring up is I think some of the proposed speed limits are too high. I think that with the materials trucks that are going through here I think that the speed limit needs to be lowered and a serious police presence needs to be established. You can have a little more of my land to impound trucks with if you want.

(Applause)

MR. COOPER: Thank you, sir.

We'd now like to call Mr. Dick Kallerman.

COMMENTS BY DICK KALLERMAN

MR. KALLERMAN: I wonder why the public officials were allowed to hold the microphone themselves and the public is not. Could I ask for the same permission?

MR. COOPER: Yes, sir. You can go ahead and hold it.

(Laughter)

COMMENTS BY DICK KALLERMAN

MR. KALLERMAN: My name is Dick Kallerman, and I'm with the Save Our Springs Alliance.

1 And since FM 1626 goes over the recharge zone of the
2 aquifer and through the contributing zone of the
3 aquifer, it's a road that we've followed very
4 carefully for a long time and we will continue to
5 follow.
6 I'd like to ask -- the environmental
7 assessment is 150 pages. I just looked at it this
8 afternoon on my computer. It's only been available
9 for a few days, and the public comment period ends in
10 just 10 days. I would like to ask that we really have
11 more than 10 days to look at 150 pages of very dense
12 data to make our comments and so that we can make
13 fully conducted comments. I don't know who chooses
14 how many days, but 30 and maybe even 60 really should
15 be allowed for available comments on the environmental
16 assessment.
17 I looked at the section of the highway,
18 and I don't see sidewalks and I don't see bike lanes.
19 And there's some talk about, yes, some place in the
20 east they're coming along. But this road is right in
21 the middle of our city. It's right in the middle of
22 the city. There's -- north and south there are all
23 sorts of -- and so, obviously, in the future it's
24 going to be great demand for all sorts of
25 transportation, and right now it's strictly automobile

1 use of infrastructure and it really should be expanded
2 to obviously bikes and sidewalks.
3 The mayor of Kyle mentioned that there
4 is some budget problems, but this budget has been
5 held. The State of Texas needs 7 billion dollars --
6 that's.with a "b" -- for transportation every year.
7 They have 4 billion. So TxDOT really has just enough
8 money to maintain our roads. They're not building any
9 new roads. That's significant because if you're
10 depending on State Highway 45 southwest to be
11 completed to complete FM 1626, it may be a long, long
12 wait. And it may be that you're going to have a
13 five-lane highway that ends then on two-lane highways
14 at Brodie Lane and Manchaca.
15 So how am I doing on my time?
16 MR. COOPER: You have 23 seconds.
17 MR. KALLERMAN: Okay. So we really
18 think for the aquifer, too, that this be scaled down
19 to maybe three lanes with bicycle and pedestrian
20 facilities, and when State Highway 45 Southwest is
21 built, if it is ever built, two more lanes could be
22 added. I think a step at a time is really the best
23 way to build this highway.
24 Thank you very much.
25 (Applause)

1 MR. COOPER: Thank you, sir.
2 Our next speaker will be Mr. Scott Cole.
3 Is Mr. Cole here?
4 (Simultaneous discussion)
5 MR. COOPER: All right. We'll move on
6 to the next one. The next speaker will be Melissa
7 Frensley.
8 COMMENTS BY MELISSA FRENSLEY
9 MS. FRENSLEY: Hi. I live off of 1626
10 and I'm a mom. And driving on 1626 every day scares
11 me because I'm putting my children's life at risk. I
12 am asking TxDOT to build this road as soon as possible
13 to make my family safer and to make all of these
14 people safer.
15 I've also heard that there's pressure
16 from Travis County to stop this project, and I would
17 like to stress to TxDOT that it's not Travis County
18 money and it's not Travis County residents that are
19 driving on this road every day.
20 Jeff Barton asked that everybody here
21 stand up and raise your hand and asked that we approve
22 1626. We have, what, 2 or 300 people here. I don't
23 know what the head count was. I would like to stress
24 to TxDOT that it's not just the few hundred people
25 that are here. It's the 33,000 people that voted for

1 this road last year that want it built. Please do it
2 as soon as possible.
3 (Applause).
4 MR. COOPER: Thank you, ma'am.
5 Our next speaker tonight will be
6 Mr. Rick Castillo.
7 COMMENTS BY RICK CASTILLO
8 MR. CASTILLO: Thank you. Good evening.
9 I'm Rick Castillo. I have lived off of 1626 for
10 almost 13 years, and I can tell you that this is at
11 least my third public hearing, probably some of you
12 have more than three times out here on these public
13 hearings. And, of course, nothing has happened yet
14 with regard to, you know, pouring any dirt or gravel
15 or any payment. We have not seen any pavement.
16 I still remain hopeful and optimistic.
17 I know each one of our elected officials got up here
18 and said a few favorable words about themselves. I'm
19 going to suspend, you know, any favorable comments
20 about those elected officials personally because,
21 again, after -- when I first started building our
22 house 13 years ago, I heard that 1626 was in the
23 process of being widened and SH 45 was on its way to
24 being built. You know, of course, nothing yet.
25 So the other comment I have is, you

1 know, I fully support the proposal -- like I said, the
2 schematic as currently exists. I also support the
3 proposed changes as outlined by the engineer, but I
4 also want to say that knowing how government
5 bureaucracy works, that is definitely going to add
6 some time delay for the consideration of that. And
7 that at that point in time I would urge the county
8 engineer to have a so-called Plan B that he can
9 present and be ready to lay that on the table in order
10 to prevent any avoidable delays in this project
11 because we all realize that 1626, number one, is
12 unacceptable. It has been unacceptable for many, many
13 years. And obviously, like everyone here knows, it is
14 totally unsafe. And, you know, we, as taxpayers
15 demand better from our government.
16 Thank you.
17 (Applause)
18 MR. COOPER: Thank you, sir.
19 Our next speaker is Mr. Brad Bradsher.
20 COMMENTS BY BRAD BRADSHER
21 MR. HAGEN: Bradsher -- oh, it was. I
22 just heard Brad. Will you give me your time?
23 (Laughter)
24 MR. BRADSHER: You can hold this for me
25 if you want.

1 My name is Brad Bradsher. I live off
2 1626 in the Canyon (inaudible), and I want to tell you
3 guys -- some of y'all that stayed late may already
4 know this, but this is just so wonderful to see this
5 love fest out here today. But I've got tell you guys
6 that this is only a small fraction of the part of the
7 process. It's not that simple.
8 The mayor of Kyle, Mr. Gonzalez was
9 right. If we run all these lanes down into two lanes
10 and we don't have SH 45 Southwest, we really haven't
11 done anything. I don't know if y'all remember what it
12 was like when they opened up the ball field down there
13 and before they put the left turn lane in, traffic
14 would be backed up all the way to Manchaca Road and
15 further sometimes. So it's really not all that
16 helpful to run all these lanes down into two lanes and
17 not have SH 45 Southwest.
18 So let me tell y'all that that is where
19 the problem is Travis County. Jeff Barton, Mayor
20 Gonzalez and TxDOT especially have done an excellent
21 job of pushing for this stuff. I've been to the
22 County Commissioner meetings, I've been to CAMPO
23 meetings. There is misinformation being put out by
24 the environmentalists. They have run video clips on
25 their web site that show this road to be all the way

1 from I-35 all the way out to 290, and that type of
2 misinformation has led people to believe that that's
3 what's going on.
4 So my point to y'all is -- is that after
5 we leave here tonight and we feel all warm and fuzzy
6 because everybody up here is for it, you guys need to
7 stay on top of it, and you need to find out what's
8 going on, and you need to stay in touch with these
9 officials who really do want this road built. Because
10 the guys up in charge of CAMPO, and especially
11 Ms. Huber (phonetic), which I don't know why she's not
12 here tonight to participate in this, she has no
13 intention of building SH 45 Southwest, nor does Kirk
14 Watson.
15 And now they're trying to blackmail us
16 into not building this road or 967 unless SH 45
17 Southwest is built, like they're trying to help the
18 folks out in Shady Hollow when really it's just an end
19 run around it to try to tie up all these road
20 improvements around a road that they are never
21 intending on building.
22 And if you guys don't get involved and
23 get on the ball, that road never will be built. And
24 in Hays County we may have brains enough to build a
25 road, but if we run it down into Travis County and

1 you've got the 13 fastest-growing county in the nation
2 running into a two-lane residential street as your
3 main north-south thoroughfare, it doesn't matter what
4 you bring up to that road. You could bring in I-10,
5 anything you wanted, and it's not going to work.
6 So I beg you guys to stay involved, to
7 find out where you can get this information and stay
8 on top of it, of that whole process, the county
9 commissioners court --
10 MR. COOPER: If you could wrap up,
11 Mr. Bradsher?
12 MR. BRADSHER: -- felt that Judge Biscoe
13 (phonetic) was the only one who really was on top of
14 it short of our guys. So I just ask you guys to stay
15 on top of it, or this is not going to mean anything.
16 (Applause)
17 MR. COOPER: Thank you, sir.
18 Brad Hagen.
19 COMMENTS BY BRAD HAGEN
20 MR. HAGEN: I want to thank TxDOT for
21 putting this hearing on -- I know it was mandatory.
22 But I want to also share with TxDOT that Hays County
23 owes you a debt of gratitude.
24 If we all remember, back in 2007 we
25 somehow got into an off-year election for (inaudible)

1 monies, which was $133 million, and that's the money
2 that had been negotiated by Commissioner Will Conley
3 so long ago. And that was precious money, and Hays
4 County voted that down. And after 2007, that's when
5 we all started trying to collate and get our people
6 together, and we realized that we were not really
7 organized.
8 So we started to work and get organized
9 so that we could get our votes together and get the
10 information out that we need to. And I am amazed that
11 TxDOT really stuck in there, because I think the
12 pass-through financing agreement money was six feet
13 under. And I think we owe (inaudible) strategies. I
14 think they were crucial for us to keep that money and
15 to keep this offer alive.
16 And we also owe Commissioner Will Conley
17 and Commissioner Jeff Barton because they were the
18 ones that spent their nights going over to TxDOT and
19 going up to the state and saying, look, we are
20 committed to making this happen. But I also want to
21 thank all the supporters here that turned out today,
22 because now we're finally getting our voices heard.
23 And what I'm concerned about, too, is
24 the node that we're going to have there with Brodie,
25 but we are already working with Shady Hollow and we

are connecting our communities. We're connecting with Circle C. We're connecting with Shady Hollow. We're connecting with a lot of different communities and this thing is going to change and we're going to start to get very organized. And I believe that the Highway Commission is going to hear that we have a regional transportation problem down here. We have a safety problem down here, and you need to allocate some of those funds for the 3.1 miles to go for SH 45.

But I really want to promote the 1626 with TxDOT, and you guys -- I don't believe TxDOT has been the problem here. TxDOT was anxious to get this thoroughfare built. The environmental process that they are forced to go through is what we're all forced to go through. So I wanted to just thank you, TxDOT, for, number one, sticking it out with Hays County because we were poking you in the eye and you guys stuck in there and you let us keep our 133 million when I think it was long gone.

So also thank you to our leaders for doing that. And I think Commissioner Debbie Ingalsbe stepped in, too, with her vote, and then I think finally that brought in Commissioner Karen Ford also got on board. So I want to thank those people for getting involved on that as well.

1 One of the things I'm concerned about is
2 when this gets done -- I talked with TxDOT today --
3 and so correct me if I'm wrong -- but they said
4 roughly 60 to 90 days it will take for this to get
5 processed, and then they'll send it off to the Federal
6 Highway Administration. And we know that that could
7 an abyss. And I heard that there's only one person
8 that's over -- covering the whole state, handling the
9 environmental for the pass-through financing
10 agreements all across the state. So that would be a
11 huge backlog.
12 So I asked the TxDOT official -- I said,
13 how long do you think it would take for the highway
14 administration to turn that back around and get it
15 back -- get the football back to us and say it's
16 ready? He said 10 to 16 months.
17 I said "TxDOT official," I won't say his
18 name. I said, "That's not going to do it. Please
19 tell us who this person is in the Federal Highway
20 Administration." We need to know so I'm going to
21 bring it up here in my public speaking so that you;
22 guys are aware that it's 10 to 16 months of time for
23 them to fuddle around with a project that has no
24 impact on the environment according to the document
25 that we have. It's 166 pages long.

1 MR. COOPER: Please wrap up.
2 MR. HAGEN: Right. So anyway, if you're
3 interested in joining what I would call a corridor
4 coalition that will promote getting these regional
5 nodes done, then contact me after the meeting. I'll
6 hang around a little bit and we'll put you on an email
7 list and that email list will be very protected so you
8 know that, and let us know where you live so at least
9 I can put you in the right spot.
10 But there is hope if we organize. And
11 we have to organize community by community, and we're
12 doing that with every subdivision here in Hays. Now
13 we're reaching out to Travis County, and we're going
14 to work together.
15 So thank you.
16 (Applause)
17 MR. COOPER: I think we have one more.
18 I would like to introduce Mr. Joe Gieselman.
19 COMMENTS BY JOE GIESELMAN
20 MR. GIESELMAN: I'm Joe Gieselman. I'm
21 the transportation executive manager for Travis
22 County. And our main concern with the widening of
23 1626 in the absence of State Highway 45 is what
24 happens to the traffic when it gets into Travis
25 County. We have a serious situation of traffic on

1 Brodie Lane. We are specifically asking TxDOT to
2 evaluate the impacts -- the traffic impacts of the
3 widening of 1626 on Brodie Lane -- and to provide for
4 mitigation of that in your analysis. So that while
5 you're accommodating the additional growth and
6 development in Hays County, it doesn't become a burden
7 on the neighborhoods within Travis County.
8 Thank you.
9 VII. ADJOURN
10 MR. COOPER: Thank you.
11 (Applause)
12 MR. COOPER: Thank you to all our
13 speakers tonight. During the next few weeks our
14 office will prepare a summary of this public hearing.
15 All comments we received tonight, as well as those
16 received by Friday, December 18th, 2009, will be
17 included in the summary, which is part of the official
18 public hearing record.
19 As I mentioned earlier, the comments
20 that we received from the public will be considered
21 during future project development. The summary will
22 be available at -- to the public and can be obtained
23 for the cost of reproduction by contacting our office.
24 If you have any questions concerning information
25 presented here tonight or if you need additional

1 information, please contact our office located at 7901
2 North I-35 in Austin, which is north of U.S. 183. Our
3 telephone number is 512.832.7000.
4 The hearing is now adjourned. Thank you
5 very much.
6 (Proceedings concluded at 8:12 p.m.)
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1 C E R T I F I C A T E

2

3 STATE OF TEXAS)

4 COUNTY OF TRAVIS)

5

6 I, LOU RAY, a Certified Shorthand

7 Reporter in and for the State of Texas, do hereby

8 certify that the above-mentioned matter occurred as

9 hereinbefore set out.

10 I FURTHER CERTIFY THAT the proceedings

11 of such were reported by me or under my supervision,

12 later reduced to typewritten form under my supervision

13 and control and that the foregoing pages are a full,

14 true and correct transcription of the original notes.

15 IN WITNESS WHEREOF, I have hereunto set

16 my hand and seal this 22nd day of December 2009.

17

18

19 Lou Ray

20 LOU RAY
Certified Shorthand Reporter

21 CSR No. 1791-Expires 12/31/09

22 Firm Registration No. 276
Kennedy Reporting Service, Inc.

23 Cambridge Tower
1801 Lavaca Street, Suite 115

24 Austin, Texas 78701
512.474.2233

25

Appendix G

Sirs/Madams:
I AM AGAINST THIS EXTENSION OF FM 1626.

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

1) MORE FASTER TRAFFIC
NOT SAFER TRAFFIC

2) ENCOURAGES MORE POPULATION IN HAYS Co.
— BUDA, KYLE ALREADY HAS WATER UTILITY to purchase H_2O for this area. NO WATER!

3.) PLAN IS NOT ALIGNED WITH TRAVIS Co. new RDS, + plans for future roads

4.) EXPENSIVE to build + will not coincide well with Future road development.

5.) TAXES will increase to build this dangerous road.

Name (Please Print): JANET ACORD Janet Acord
Address: PO BOX 408
WIMBERLEY 78676
Phone: 512 847 5192

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

This form may be used to provide written comments on this project. Any questions placed on this form will not be considered an open records request and will not be treated as such. If you have an open records request it must be submitted under a separate letter.

RIGGS ALESHIRE & RAY
A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS

700 LAVACA, SUITE 920
AUSTIN, TEXAS 78701
TEL 512-457-9806
FAX 512-457-9066

FAX TRANSMITTAL

TO: **TxDOT District Environmental Coordinator**	FROM: **Bill Aleshire**
COMPANY: **TxDOT**	DATE: December 17, 2009
FAX NUMBER: **512 832-7157**	TIME: 02:03 PM
PHONE NUMBER:	NO. OF PAGES INCLUDING COVER: 4
RE: Comment on FM 1626 Expansion Project	REFERENCE NUMBER:

☐ ORIGINAL WILL FOLLOW BY MAIL ☒ ORIGINAL WILL NOT FOLLOW

NOTES/COMMENTS:

IF YOU HAVE DIFFICULTIES RECEIVING THIS FAX, PLEASE CALL 512-457-9806.

Jennifer S. Riggs
Board Certified in Administrative Law
Texas Board of Legal Specialization
jriggs@r-alaw.com

Jason Ray
Board Certified in Administrative Law
Texas Board of Legal Specialization
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The State Bar of Texas
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Laura Diamond
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The State Bar of Texas
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ldiamond@r-alaw.com

December 17, 2009

VIA FACSIMILE: 512 832-7157
District Environmental Coordinator
Texas Department of Transportation
P.O. Box 15426
Austin, Texas 78761-5426

RE: COMMENT: Proposed Improvements to FM 1626 from RM 967 to Brodie Lane

Dear TxDOT:

I offer the following comment concerning the FM 1626 project solely as an individual and homeowner in the Shady Hollow Subdivision of Travis County, Texas. My address is 3605 Shady Valley Drive, Austin, Texas 78739, and my home phone number is 512 280-0041.

Terminating the FM 1626 project at Brodie Lane (or Bliss Spillar Road) disqualifies it for federal funding and will cause unacceptable environmental damage to the Shady Hollow neighborhood. The end points of the project itself must be expanded. Regardless of whether the project is expanded, the end points of the environmental review must be expanded to include the impact this project will have on Brodie Lane in the Shady Hollow Subdivision.

As designed in this segmented way, this project fails to meet two of the three general principles of 23 CFR 771.111(f):

1. *Connect logical termini and be of sufficient length to address environmental matters on a broad scope.*

COMMENT: Terminating this project at Bliss Spillar or Brodie Lane is not logical. The only logical termini in the area is FM 2304 (Manchaca Road) or, *if it were completed,* SH 45.

2. *Have independent utility or independent significance, i.e., be usable and be a reasonable expenditure even if no additional transportation improvements in the area are made; and*

COMMENT: This project is not a reasonable expenditure if SH 45 is not built or if FM 1626 is not extended to FM 2304; in fact, it would be an environmental disaster for the neighborhoods north of the intersection of FM 1626 and Brodie Lane if no additional transportation improvements are made.

3. *Not restrict consideration of alternatives for other reasonably foreseeable transportation improvements.*

COMMENT: None.

As a result, the Federal Highway Administration should not permit federal funds to be used on this project unless the project is expanded to include completing at least 2 lanes of SH 45 or is expanded to connect to FM 2304 (Manchaca Road). It makes no sense to route expanded traffic via FM 1626 onto Brodie Lane, a little 2-lane neighborhood street that is already dangerously overcrowded and at capacity as a result of the failure to complete the extension of SH 45. Neighborhoods on Brodie Lane have already been victimized by a not-funny comedy of errors:

Error 1. The error of the Travis County Commissioners Court to extend Brodie Lane to FM 1626 before SH 45 was built.

Error 2. The error of the Travis County Commissioners Court for failing to request pass-through federal funds from TxDOT for the expansion of FM 1626 from the Hays County line to FM 2304 to coordinate and match up with this project.

Error 3. The error of TxDOT and CAMPO to timely program even minimal funding to construct at least *2 lanes* of SH 45 (a 20-year old project) despite the completion of the right-of-way purchase.

Due to the total absence of any programming at TxDOT for an expansion project for FM 1626 to FM 2304, this current project cannot be considered merely "staging." Thus, terminating an expanded 4-lane FM 1626 at the 2-lane Brodie Lane creates the traffic corridor that the environmental analysis must assume would exist for the long foreseeable future. Simply put, the proposed plan throws even more traffic onto Brodie Lane with no alternative plan on the books in the near term to put that traffic onto SH45 (where it belongs) or even onto Manchaca (FM 2304) (as an alternative).

Even with the sincere environmental issues that must be considered, TxDOT and local governments have generally failed to program *whole* transportation projects in this area of Travis County and Hays County so that the sub-regional needs are met with roads of sufficient capacity to safely and appropriately handle the traffic demands. For example, the key to regional mobility in this area is the extension of SH 45, a project initiated by TxDOT *twenty years ago*, in 1989. An environmentally responsible design for a limited-access parkway was the subject of an agreed court judgment, and the project obtained Travis County voter endorsement (over 60% of the vote) in a 1997 bond election for purchase of right-of-way using local tax revenue. Even with the right-of-way *in hand* for several years, TxDOT and CAMPO has still failed to give priority to completing this project as designed in 1997. That error should now be corrected by linking it to this FM 1626 expansion project.

Logical implementation of "regional" planning in this area of Travis and Hays County is nonexistent. This piecemeal approach itself produces decades-long time intervals during which established neighborhoods like Shady Hollow suffer from an incomplete system with *unplanned* dysfunctional traffic patterns.

TxDOT and CAMPO, while claiming that insufficient funds are available to build roads in this sub-region like they *should* be built, finds magic savings from projects elsewhere to waste on lower-priority projects like flyovers at MOPAC (Loop 1) and Highway 290 and an underpass on Highway 71 at Riverside (first approved in 2004, 15 years after SH 45). This "magic" money results in *ad hoc* hurried decision-making, exactly the kind of chaotic approach outlawed by federal statutes mandating metropolitan transportation *planning*. The traffic problems at these other newly announced projects is not near as serious as the conditions produced in the southwest area of Travis County where projects languish. These new projects demonstrate that there are funds that *could* be made available to complete at least 2 lanes of SH 45.

The solution is one of the following:

1. Expand the scope of the FM 1626 project to include completion of at least 2 lanes of SH 45 and terminate the expansion of FM 1626 at the intersection with SH 45 for the time being; or

2. Extend the scope of the FM 1626 project to include a logical terminus at FM 2304 (Manchaca Road) and up Manchaca Road to the point where Manchaca Road is 4 lanes; or

3. If at least 2 lanes of SH 45 is not built simultaneously with the FM 1626 expansion project, of if the FM 1626 is not extended to FM 2304, then take all steps necessary to prohibit traffic from turning left (north) off of FM 1626 onto Brodie Lane and require the traffic to continue on the unexpanded portion of FM 1626 to FM 2304.

FM 1626 needs to be expanded, but with logical termini and sensitivity to the environmental impact on established neighborhoods in the area. TxDOT's delayed or non-existent timing for letting contracts on related major projects (FM 2304/FM 1626 and SH 45), means that this FM 1626 project should not be built at this time as proposed. As proposed, this project will cause the misuse of a little neighborhood street, Brodie Lane, to serve for the foreseeable future as the substitute major traffic corridor for the arterial projects (SH 45 and FM 2304/FM 1626) that should have been built.

Build it right; or don't build it.

Sincerely,

Bill Aleshire

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

THIS ROAD NEEDS TO BE IMPROVED NOW. It's time that the environmental assessment be completed in an expeditious manner.
Please minimize anymore delays

Name (Please Print): JAMES E. AUCHEY
Address: 309 Verbena Dr.
Kyle, TX 78640
Phone: 504-9648

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

I am for the proposed improvements to FM1626 from FM 967 to Brodie Lane in Travis County. The present road is hazardous.

Name (Please Print): Jean Auchey

Address: 309 Verbena Dr. (Meadow Woods)
Kyle Tx 78640

Phone: 512-405-9648

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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SANDRA L. BALDRIDGE, CPA
4505 Grider Pass
AUSTIN, TX. 78749-1643
Phone :(512) 891-8779
FAX : (512) 871-8779
e-mail: sbald@sbcglobal.net

December 7, 2009

Commissioner Jeff Barton
Hays County Texas Commissioners Court
111 N. Front St.
Kyle, Texas 78640

Re: Traffic Congestion – FM 1626

Dear Commissioner Barton:

I have no more rights or privileges to submit testimony to the Hays County Commissioners Court than do any other residents of the City of Austin, Texas or those who reside in Travis County. I do, however, have just as much right to speak in favore of the construction of 1626 as those other individuals in attendance protesting this project, so I would ask your indulgence. I will be brief.

I've listened to members of CAMPO (Capital Area Metropolitan Planning Organization) debate and discuss the newer notion that our air quality is in as much danger as was once our water quality. For over a year I have listened to those elected officials who sit on that Policy Board banter as to how to reduce Vehicle Miles Traveled. It seems to me that it is time for the elected officials in Central Texas to reach a consensus on just what their priorities are.

If the priority truly is VMT, then we should all admit to what every 6th grader knows: the shortest route between two points is a straight line. Why should we (collective pronoun) be debating this issue? Should we really be adding six or seven miles to commute distances – one way, if our goal is to decrease VMT?

Is it truly in the public's best interest to stop roadway improvements that will enhance water quality and improve run-off treatment? How can an argument be made that improvements to 1626 and the construction of SH 45 S.W. are more harmful that the air pollution caused by motorists stacked up in the parking lot we know as Brodie Lane? I would respectfully ask you to inquire of any witness before the court when was the last time they drove Brodie Lane, at what time of day, and how many times per week. How many hours of production or family time are lost to sitting in traffic on both 1626 and on Brodie Lane?

The Hays County Commissioner's Court resolved this project once within the last 15 months. Is your time so invaluable that you will consider spending it twice? I really thought that the shortest distance between two points was a straight line. In searching for the author of that statement, I discovered this:

The shortest distance between two points is under construction.

Noelie Altito

With all due respect Commissioner Barton and members of the Hays County Commissioner's Court, please stop the craziness that keeps Central Texas in a tailspin and getting nowhere.

Sincerely,

Sandra Baldridge
Resident of Travis County

Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

I am writing to express my support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway. I live in Hays County and have seen the enormous growth that has taken place over the last several years. Roadways like FM 1626 which were once more than sufficient to handle traffic loads are no longer able to do so. Not only has FM 1626 become congested, it has become a dangerous roadway.

I applaud the role Hays County has taken in promoting the development of the project and committing funds through the financing agreement with the Texas Department of Transportation to make sure FM 1626 is expanded sooner rather than later. The context sensitive designs that the County is working on in cooperation with the Texas Department of Transportation - sidewalks, medians, walking and bike trails - will improve safety and make FM 1626 a more attractive facility.

I strongly support the development of the FM 1626 project from RM 967 to Brodie Lane and I urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Name

John Pat Beck
resident

Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

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Sincerely,

Name Rebecca A. Beck
resident

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

"What a joke".
The bond election was a Farce.
It combined all roads in Hays Co
Under one bond. I Feel this item if
voted on seperatly would have Failed.
Sidewalks should not be put on 1626 to
the Manchaca Optimist Club. Hays Co
Children ~~cant~~ are Not allowed to join that
league. Sidewalks in this area will Not Be
Safe.
Keep LAKEWOOD OPEN!!!

Name (Please Print): Rodney K. Bennett
Address: 12618 EagleNest Dr
BuDA 78610
Phone: 312-0041

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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T.X.D.O.T.
RECEIVED
DEC 1 0 2009
DISTRICT 14 - MAIL ROOM
AUSTIN, TX

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

Sidewalks and/or hike/bike trail should be included in the FM 1626 Improvements.

Also, grade-seperated pedestrian crossing at intersection with FM 967 would provide safe route for children from the many planned neighborhoods east of FM 1626 to go to the schools and parks located west of FM 1626. "Underpasses" would be ideal.

Name (Please Print): Lori Bible
Address: P.O. Box 648
Buda, TX 78610
Phone: 512-914-2201

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#22

T.X.D.O.T
Received
DEC 18 2009
AUS - Environmental
District 14
Austin, Texas

RESOLUTION

on the

PLANNED IMPROVEMENTS TO FM 1626 FROM FM 967 TO BRODIE LANE BY THE TEXAS DEPARTMENT OF TRANSPORTATION

WHEREAS, FM 1626 is a roadway on the State Highway System that serves regional transportation needs in northern Hays County, one of the fastest growing sectors of the metropolitan area; and

WHEREAS, much of the new traffic generated from growth in the FM 1626 corridor in Hays County is destined north to the Austin urban area; and

WHEREAS, in 1989, TxDoT initiated a project to extend State Highway 45 Southwest (SH 45 SW) from FM 1626 to Loop 1 in order to provide for regional mobility between Hays County and the Austin urban area; and

WHEREAS, Travis and Hays Counties acquired the necessary right of way for SH 45 SW over a decade ago and still waits for TxDOT's funding and completion of this project; and

WHEREAS, Hays County and the Texas Department of Transportation (TxDoT) have entered into an Agreement to widen FM 1626 to four lanes from FM 967 in Hays County to Brodie Lane in Travis County (the "Project"), and

WHEREAS, SH 45 SW remains as a project on the CAMPO 2030 Plan, and

WHEREAS, Travis County recognizes the traffic safety and congestion management importance to Hays County and the need, therefore, to pursue the proposed improvements to FM 1626, and

WHEREAS, in June 2009 CAMPO removed construction funding for SH 45 SW from the current Transportation Improvement Program and traditional funding is increasingly difficult to obtain;

WHEREAS, in the absence of SH 45 SW, the proposed improvements to FM 1626 between FM 2770 and Brodie Lane will divert regional traffic to Brodie Lane through

existing neighborhoods, thereby significantly degrading the safety of Brodie Lane, a two-lane county road, and the quality of life in the adjoining neighborhoods;

WHEREAS, the logical termini of the Project is either SH 45 SW or FM 2304; and,

WHEREAS, TxDot's sequencing of the Project such that the widening of FM 1626 will be completed before SH 45 SW will likely have adverse impacts on the residents living in the vicinity of Brodie Lane; and

WHEREAS, the Project is located in an extraordinarily environmentally sensitive area; and,

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS COURT OF TRAVIS COUNTY, TEXAS:

That the Travis County Commissioners Court:
1) Opposes any design and improvement to FM 1626 that would increase traffic on Brodie Lane; and,

2) Opposes the widening of FM 1626 unless TxDoT widens FM 1626 to four lanes to FM 2304 (Manchaca Road), widens FM 2304 to four lanes from FM 1626 to Ravenscroft Drive, and restricts traffic movements turning onto Brodie Lane from FM 1626; and,

3) Requests TxDot thoroughly evaluate and mitigate any adverse impacts the Project will have upon the residents in the vicinity of Brodie Lane; and,

4) Demands the use of environmental best management practices to construct the Project; and,

5) Requests TxDot, to immediately proceed with completing construction documents and all regulatory permitting for the widening of FM 1626 from Brodie Lane to FM 2304 and the widening of FM 2304 from FM 1626 to Ravenscroft Drive, and to pursue any appropriate funding opportunity that will complete these improvements without delay.

Adopted and approved on this the 15th day of December, 2009.

Samuel T. Biscoe

Samuel T. Biscoe
County Judge

absent

Ron Davis
Commissioner, Precinct One

Sarah Eckhardt
Commissioner, Precinct Two

Karen Huber
Commissioner, Precinct Three

Margaret J. Gomez
Commissioner, Precinct Four

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

Congratulations on good project plan. The Little Bear bridge is important for us — we have been isolated by floods

thanks

Name (Please Print): GRANT BOGLE

Address: 420 CANYON WREN
BUDA TX 78610

Phone: 512 312 5993

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

Thank you for working in this project and for moving it forward. the proposed project will significantly improve the safety of motorist as well as residents of the area.

Thank you!

Name (Please Print): Hilda Delpa Bogue

Address: 420 Canyon Wren
Buda, TX

Phone: (512) 312-5993.

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

We have lived in the Leisurewoods neighborhood for over 27 years. With over 5 years of planning, talk & meetings, it is time to act. Hwy 1826 is a very dangerous Hwy with over 13,800 vehicles traveling daily. Build it Please. L D Brakefield

Name (Please Print): LESTER DAVID BRAKEFIELD

Address: 303 HUCKET DR.
BUDA, TX. 78610

Phone: 512-312-0146

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

I am writing to express my support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway. I live in Hays County and have seen the enormous growth that has taken place over the last several years. Roadways like FM 1626 which were once more than sufficient to handle traffic loads are no longer able to do so. Not only has FM 1626 become congested, it has become a dangerous roadway.

I applaud the role Hays County has taken in promoting the development of the project and committing funds through the financing agreement with the Texas Department of Transportation to make sure FM 1626 is expanded sooner rather than later. The context sensitive designs that the County is working on in cooperation with the Texas Department of Transportation - sidewalks, medians, walking and bike trails - will improve safety and make FM 1626 a more attractive facility.

I strongly support the development of the FM 1626 project from RM 967 to Brodie Lane and I urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Jaclen B Blum

Name

Former Mayor of City of Hays

Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

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Sincerely,

City of Hays Council Member

Name

Tracy Jane Brown

November 23, 2009

Jeff Barton
County Commissioner, PCT 2
P O Box 1180 1 St.
Kyle, Texas 78640

Re: FM 1626, Segment B

Dear Commissioner Barton:

I am taking this opportunity to make you aware of my strong support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway.

I realize that this project is the result of many years of cooperative efforts between Hays County and the Texas Department of Transportation. This partnership has forged an agreement to reimburse the County through the Department's innovative Pass-Through Financing Program, and is cooperatively developing context sensitive design solutions throughout the corridor to make the facility safer and more attractive for the region's residents and employees.

In this current economic environment, we must take advantage of all of our opportunities to attract residents and employers to the region, while addressing current deficiencies in mobility and connectivity. Development in this area of Hays County is enevitable. Schools will continue to be built that use the FM 1626 corridor. Our emergency services count on FM 1626 as the alternate route for Interstate 35 for western Hays County. The expansion of FM 1626 will definitely respond to these current needs and sufficiently prepare us for the future.

I applaud the partnership of the Department and Hays County and urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Ray Bryant
Kyle City Councilman
District 6

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

I'm a family doctor in Buda, & I see patients who have been hurt by the narrowness of Hwy 1626.

Please widen our road

LC MD 12/8/09

Name (Please Print): Linda Carney MD

Address: AllMed Physicians, PLLC
1760 FM 967 Suite B Buda, TX 78610

Phone: 512-295-7877

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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Elm Grove Elementary School, Buda, Texas
December 8, 2009

1- 1626 is not safe now; too much traffic & no turn lanes.

2- Brodie Lane is too crowded to take Hay county commute traffic to Austin

Please vote to improve 1626 & connect it to the MoPac Freeway!

Thank you

Name (Please Print): Sean Carney

Address: 110 Dugout Bend
Buda TX 78610

Phone: 512 300-3329, 512-295-1908

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From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

I would like to see a noise abatement wall built along the frontage of the Huntington Estates neighborhood. My property is one of the closest to 1626 and the current noise level is very high. With additional vehicles being added to the road continuously, the noise level will greatly increase. A noise abatement wall will be needed.

Name (Please Print): Deanna Cervenka

Address: 204 Appleton Court
Buda, TX 78610

Phone: (512) 692-9635

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HAYS COUNTY
FIRE MARSHAL'S OFFICE

102 North LBJ, Suite 206
San Marcos, Texas 78666

Ph: 512-393-7339 Fax: 512-393-7341

November 17, 2009

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

On behalf of the Hays County Fire Marshal's Office, I am writing to express my strong support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway.

FM 1626 is a critical link in north-central portion of the Hays County roadway network. In addition to serving the many neighborhoods, schools and other uses along and adjacent to this corridor, the roadway is a major direct emergency service access roadway. The County's emergency services also use FM 1626 as the designated alternate roadway to Interstate 35. Congestion and the unsafe conditions on FM 1626 in its current two-lane configuration significantly impact our ability to respond as quickly as possible, jeopardizing lives and property in the County.

Expanding FM 1626 to a four-lane roadway will greatly improve our ability to reduce our response times and help to make Hays County safe place to live, work and visit. We are very pleased that the FM 1626 improvement program is moving forward and support the County and Department's efforts to expedite these critical improvements.

Sincerely,

Mark Chambers
Fire Marshal
Hays County

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

Please move forward on this project. I have lived on 1626 for 10 years and have witnessed many accidents and know individuals that have been hurt. The level of traffic on this road is more than it was built for and needs immediate attention! Please complete this project.

Name (Please Print): ROBERT CLEVENGER

Address: 900 SOUTHERN DR.
BUDA, TX 78610

Phone: 295-6066 750-8749

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

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Sincerely,

Name Madelyn Crumley
President

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

The proposed Revisions appear to maintain the Lakewood to FM 1626 Connection. If this is true then that is a significant improvement over the prior preliminary design. With that addition / revision the project meets access issues that the previous proposal did not adequately address. The Lakewood / 1626 Connection is important to the Cimarron Park Subdivision. I appreciate the work of TxDot & Hays County Commissioner Jeff Barton. The proposed County Revisions should be incorporated. Where possible however, grass lined swales and vegetative filter strips utilized, for water quality purposes, over curb & gutter systems

Name (Please Print): Bill Couch

Address: 12514 Taylor Dr.
Buda, Tx 78610

Phone: [redacted]

(over)

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Ribbon curbs, swales, ditches & other passive water quality control measures will minimize impacts from roadway runoff & help remove pollutants coming from the roadway.

Thank you for your considerations.

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

Please start the improvements now
This Project needs to Be finished
as soon as possible

Name (Please Print): WILLIAM D. COX
Address: 110 PHALAROPE DR
BUDA TX 78610
Phone: 512-295-2169

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

For too many years Hays County has been ignored. The need for 1626 has grown immensely in the last 10 years. The people of northern ~~Hays~~ Hays and southern Travis Counties have tried over and over to improve the transportation problems of our area to no avail. Please finally construct the new 1626 plans for our area. SH 45 SW would also help a lot.

Name (Please Print): DARLIS CUMMINGS

Address: 409 MAYBROOK
BUDA TX 78610

Phone: 512-312-1275

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DATE: December 8, 2009

MEMO TO: Texas Department of Transportation

FROM: Georgie B. Cunningham
208 Nuthatch, Buda, Texas

SUBJECT: FM 1626

It is imperative for the safety of drivers that the planning process for the expansion of FM 1626 be expedited and completed, the funding be available and approved, and the utility adjustments and road construction completed. The antiquated design, size, and construction of the road have left it dangerous for the present and anticipated numbers of drivers using it.

FM 1626 should have the number of traffic lanes and turn lanes increased and the low water crossing replaced with a bridge. Additionally, road shoulders and egress for side roads should be safe.

As a twenty-year resident at this address in Hays County, I am a strong supporter for the expansion and improvement of FM 1626 between FM 967 and Bliss Spillar Road. I also strongly recommend that the process be completed as soon as possible.

Georgie B. Cunningham

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

I'm for the improvements.
Please expedite the process.

Resident, Father and
knowledgeable Professional,
Eric Dannheim, RPLS

Name (Please Print): Eric Dannheim
Address: 110 Remington Drive,
Kyle, TX 78610
Phone: (512) 268-0268

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

I am writing to express my support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway. I live in Hays County and have seen the enormous growth that has taken place over the last several years. Roadways like FM 1626 which were once more than sufficient to handle traffic loads are no longer able to do so. Not only has FM 1626 become congested, it has become a dangerous roadway.

I applaud the role Hays County has taken in promoting the development of the project and committing funds through the financing agreement with the Texas Department of Transportation to make sure FM 1626 is expanded sooner rather than later. The context sensitive designs that the County is working on in cooperation with the Texas Department of Transportation - sidewalks, medians, walking and bike trails - will improve safety and make FM 1626 a more attractive facility.

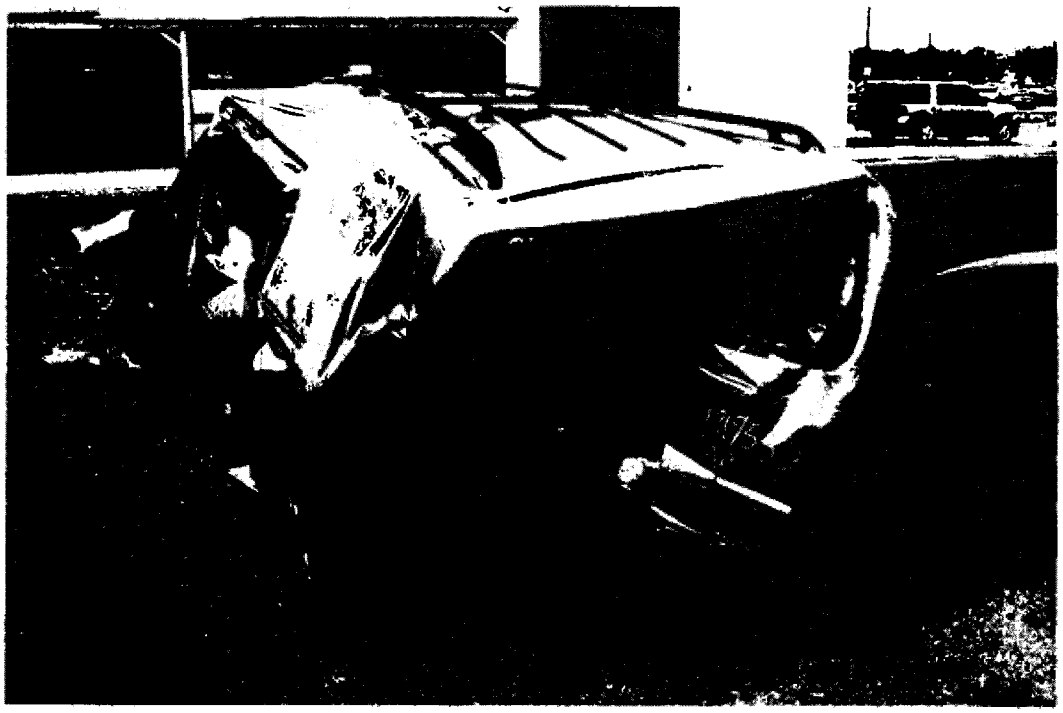
I strongly support the development of the FM 1626 project from RM 967 to Brodie Lane and I urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Name

Former Council Member

November 8, 2005



My wife Robin Dean miraculously survived this rear-end accident, which took place on 1626 in front of Hays Hills Baptist Church.

Thankfully, none of my children were in the car, or it would have been worse.

Please widen 1626 as soon as possible !

Eric and Robin Dean

420 Humphreys Dr

Buda, TX 78610

295 7808

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

PLEASE ADDRESS:

1) WATER RUN OFF THROUGH SOUTHERN WOODS SUBDIVISION, FROM STATION 126.93 AND EXITS AT 165.90
2) PLACE CONDUITS UNDER ROADWAY INTERSECTIONS FOR FUTURE TRAFFIC LIGHT PLACEMENT,
3) REDUCE ROADWAY SPEEDS THROUGHOUT, TO 45-50MPH.

Name (Please Print): DOUG DEAR

Address: 1550 N. FM 1626
BUDA TX 78610

Phone: 512-848-5597

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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Ruby Ranch Homeowner's Association
P. O. Box 71
Buda, Texas 78610
2009 Board of Directors

Thomas Doebner, President
Scott Christians, Vice President
Kevin R. Rodriguez, Treasurer
Grady Meyer, Secretary
James Wier, Director

T.X.D.O.T.
RECEIVED
NOV 25 2009
DISTRICT 14 - MAIL ROOM
AUSTIN, TX

November 23, 2009

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District
P.O. Box 15426
Austin, Tx. 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

On behalf of the Ruby Ranch Homeowner's Association, I am writing to express our support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane to a four-lane roadway.

Our association is very concerned with the safety issues on the existing two-lane road. Expanding FM 1626 to four lanes will provide a safer route for all vehicles in the area, and most importantly, for our fire, police, and emergency service vehicles. FM 1626 also serves as an alternate route to IH 35 for these vehicles and an expanded facility will only improve their options and response times.

The Ruby Ranch Homeowner's Association supports widening FM 1626 and we urge TxDOT to approve the environmental document so the project can move to construction as quickly as possible.

Respectfully,

Thomas Doebner

Thomas Doebner
President RRHOA

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

The proposed ROW for my location has grown over the past 6 years from a stated 85 feet to over 100 feet on the South Border of our Lot, while the ROW for the Lot across the street is only 10 feet. I propose the ROW be shared in a more equal manner between my lot & the opposing empty lot.

Name (Please Print): Rockie Duggey

Address: 700 North FM 1626
Buda TX 78610

Phone: 512-563-9428

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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December 2, 2009

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

On behalf of the Elm Grove Elementary PTA, am writing to express our very strong support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway.

FM 1626 is a critical roadway for our students, parents, teachers and other employees. The school is located directly on FM 1626 just south of RM 967. In its current design, the roadway has become very congested and unsafe for drivers dropping off and picking up students and for the school buses.

Expanding FM 1626 to four lanes and providing the context sensitive designs being developed by Hays County in cooperation with the Texas Department of Transportation will provide much needed congestion relief and make the roadway safer and more attractive.

We strongly support expanding FM 1626 from RM 967 to Brodie Lane and we urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Shelley Dunnett

Shelley Dunnett, President
Elm Grove Elementary

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

I am in favor of moving forward on this project A.S.A.P!

Name (Please Print): Susan Dunning

Address: 16005 Arbor Trail
Buda, TX 78610

Phone: 512.312.0981

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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700 Leisurewoods Drive
Buda, Texas 78610-2624

TxDot Stenographer

Reference: FM 1626 Report: Finally TxDOT's Final Public Hearing

Greetings:

My wife and I have experienced FM 1626 for 25 years, entering and exiting from Leisurewoods. Not the only unsafe area in the road, but entering and exiting puts your life in the hands of others.

The purpose of this letter is to request a left turn lane to accommodate at least three cars coming south of FM 1626 and a right turn lane of one or two car lengths at the entrance into Leisurewoods.

Thanks you for the Final Public Meeting. We hope you are able to make the foregoing safety considerations.

Sincerely,

Robert L. Elder
700 Leisurewoods Drive
Buda, Texas 78610
512-312-0111
bobelder@austin.rr.com

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

I VOTE "YES" ON THE PROJECT.
THE STRETCH TO BE IMPROVED IS
THE MOST UNSAFE ROAD IN CENTRAL
TEXAS. WE MUST MAKE IT SAFE
FOR US ALL. RLE 12/08/2009

Name (Please Print): ROBERT L. ELDER
Address: 700 LEISUREWOODS DR
BUDA TX 78610
Phone: 512-312-0111

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

Build 1626 + 45

NOW!

Name (Please Print): Phillip + Kris Fehrenbacher
Address: 251 Wildcat Drive
Buda, Tx 78610
Phone: 512-934-2781

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

I have lived in Buda for 25 years. I have been using FM 1626 ever since because it was, and still is, the only way to SW Austin from Buda. The road was dangerous in the 80's, and is getting more so as traffic increases.

It's criminal that politicians and bureaucrats have delayed this project for years as more citizens die traveling this dangerous stretch of road.

It's time to move forward before someone use dies on FM 1626.

Name (Please Print): Don Fletcher

Address: 637 Cullen Blvd
Buda 78610

Phone: 512-295-4656

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

I am writing to express my support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway. I live in Hays County and have seen the enormous growth that has taken place over the last several years. Roadways like FM 1626 which were once more than sufficient to handle traffic loads are no longer able to do so. Not only has FM 1626 become congested, it has become a dangerous roadway.

I applaud the role Hays County has taken in promoting the development of the project and committing funds through the financing agreement with the Texas Department of Transportation to make sure FM 1626 is expanded sooner rather than later. The context sensitive designs that the County is working on in cooperation with the Texas Department of Transportation - sidewalks, medians, walking and bike trails - will improve safety and make FM 1626 a more attractive facility.

I strongly support the development of the FM 1626 project from RM 967 to Brodie Lane and I urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Pat Ford

Name

City Secretary

Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

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I applaud the role Hays County has taken in promoting the development of the project and committing funds through the financing agreement with the Texas Department of Transportation to make sure FM 1626 is expanded sooner rather than later. The context sensitive designs that the County is working on in cooperation with the Texas Department of Transportation - sidewalks, medians, walking and bike trails - will improve safety and make FM 1626 a more attractive facility.

I strongly support the development of the FM 1626 project from RM 967 to Brodie Lane and I urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Wayne Ford
Name
City of Hays
City Administrator

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

I support the proposed improvements to FM 1626. It is vital to increase everyone's safety, efficient traffic flow and provide timely commutes. It is unacceptable to have the amount of growth in this area and our lifeline of roadways not capable of supporting it.

Name (Please Print): Donna L. Fox

Address: 501 Canyon Wren Dr.
Buda, TX 78610

Phone: (512) 312-1477

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

Please widen FM 1626. It is a dangerous and over-crowded road, getting worse every day as more people move out to the area.

Name (Please Print): Charles Gallatin

Address: 13600 Copper Hills Dr.
Manchaca, TX 78652

Phone: 512-280-4455

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

When my husband and I built a home in northern Hays County 23 years ago, we thought FM 1626 was a lovely country road. Now we see it as a treacherous and overcrowded road that our kids had to drive on to get to high school. Please approve the FM 1626 improvements - with or without the additions proposed by Hays County. It's a win-win situation. Thank you.

Name (Please Print): Diane R. Gallating CPP, PSP, ISP
Address: 13600 Copper Hills Dr.
Manchaca, TX 78652
Phone: (512) 280-4435

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

I am writing to express my support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway. I live in Hays County and have seen the enormous growth that has taken place over the last several years. Roadways like FM 1626 which were once more than sufficient to handle traffic loads are no longer able to do so. Not only has FM 1626 become congested, it has become a dangerous roadway.

I applaud the role Hays County has taken in promoting the development of the project and committing funds through the financing agreement with the Texas Department of Transportation to make sure FM 1626 is expanded sooner rather than later. The context sensitive designs that the County is working on in cooperation with the Texas Department of Transportation - sidewalks, medians, walking and bike trails - will improve safety and make FM 1626 a more attractive facility.

I strongly support the development of the FM 1626 project from RM 967 to Brodie Lane and I urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely, Greg Ginther

Name

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

I support the expansion and improvements planned for FM 1626.

Vikki Goodwin

Name (Please Print): Vikki Goodwin

Address: 3701 Shady Valley Dr
Austin, Tx 78739

Phone: 512-426-9090

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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Oak Forest Property Owners Association
P.O. Box 911
Manchaca, Texas 78652

T.X.D.O.T.
RECEIVED
NOV 24 2009
DISTRICT 14 - MAIL ROOM
AUSTIN, TX

November 22, 2009

Mike Walker, Environmental Coordinator
Texas Department of Transportation, Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

On behalf of the Oak Forest Property Owners Association, I am writing to express our support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway.

Our Association is very concerned with access, circulation and safety issues in our community. The proposed expansion of FM 1626 within these limits will provide an access point for our subdivision along FM 1626 and provide additional capacity for what has become a strategic corridor linking employment centers in Travis County with our residential centers in Hays County.

Expanding FM 1626 to four lanes will provide a safer route for all vehicles in the area, and most importantly, for our fire, police and emergency services vehicles. The Oak Forest Property Owners Association has been pleased to participate in the context sensitive design efforts that the County is working on in cooperation with the Department of Transportation.

The Oak Forest Property Owners Association supports expanding FM 1626 from RM 967 to Brodie Lane and we urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Paul D. Gravett
President (on behalf of the Board of Directors)
Oak Forest Property Owners Association
PO Box 911
Manchaca, TX 78652

T.X.D.O.T
Received

DEC 18 2009

AUS - Environmental
District 14
Austin, Texas

NORMA J. GRUBERT
12710 EAGLE NEST DR.
BUDA, TX 78610 512-312-1501

T.X.D.O.T.
RECEIVED

DEC 18 2009

DISTRICT 14 - MAIL ROOM
AUSTIN, TX

December 14, 2009

TO: TXDOT and all others involved in securing approval and completing improvements to FM 1626 between FM 2770 in Hays County and Bliss Spiller/Brodie Lane in Travis County.

FROM: Norma Grubert

RE: Need to proceed rapidly to complete this project before there are more bad wrecks with injuries and perhaps deaths. Need to protect water quality in the Edwards Aquifer.

I attended the informational meeting at Elm Grove Elementary on 12-8-09 and turned in a comment letter regarding the unsafe driving conditions on 1626. I expressed concern for the safety of grandchildren who often ride with me, and concern for two of my grandchildren who are beginning drivers and must travel this roadway to school, church, FFA, etc. And I mentioned the fact that many of my neighbors have expressed these same concerns.

I am writing this additional comment letter because I failed to mention in my first letter that I also have grave concerns about protecting the water quality of the Edwards Aquifer. I own a privately-owned water company in Manchaca, TX (Arroyo Doble Water System, Inc.) and the water sold to our 304 connections comes from two wells drawing water from the Edwards Aquifer. There are many other water companies in the area who depend on the Edwards Aquifer for their water, including Cimarron Park Water that supplies my home on Eagle Nest with water.

I urge those responsible for planning these improvements to FM 1626 to include ALL safeguards possible to protect the quality of Edwards Aquifer water from contamination from erosion, travel on the roadway, possible accidental leak of hazardous materials, etc .

As a private citizen, I must rely on the planning of experts to ensure that water quality in the Edwards Aquifer is adequately protected. Please make sure that all available technology is included in the final improvement plan for FM 1626.

Thank you for your help in protecting the Edwards Aquifer as improvements are made to FM 1626.

Norma J. Grubert
Norma J. Grubert

NORMA J. GRUBERT
12710 EAGLE NEST DR.
BUDA, TX 78610 512-312-1501

December 8, 2009

TO: TXDOT and all others involved in securing approval and completing improvements to FM 1626 between FM 2770 in Hays County and Bliss Spiller Rd. in Travis Co.

FROM: Norma Grubert

RE: Need to proceed rapidly to complete this project before there are more bad wrecks with injuries and perhaps deaths

I have lived on Eagle Nest for 19 plus years. In this time the traffic on 1626 has increased tremendously. As you know, the road is narrow, with many hills and curves, and has no shoulders. I no longer make left turns onto my street, because there is such a short sight distance for traffic coming behind me. I turn on Lakewood, go across the low water crossing and then take Hunt Lane to reach Eagle Nest.

I drive a SUV – a GMC Yukon – because I have grandchildren in my car often when I am traveling on 1626. Two grandchildren live in Hays Country Oaks, and I often pick them up from school, take them to after school activities, etc. Four other grandchildren come to visit me frequently, and they also travel 1626 with me. That road is extremely busy with car traffic, school bus traffic, truck traffic and 18-wheel gravel truck traffic – and I feel the children's lives are better protected in a larger vehicle, in case of an accident.

Many friends and neighbors also have children riding with them on 1626 – or even more scary – have teenagers who are getting their driver's license. Two of my grandsons are beginning drivers and I worry about them having to travel such a dangerous roadway to get to school, church, FFA, etc. I pray that it is not going to take accidents with fatalities to get this long-planned project underway and completed.

Our County Commissioner, Bob Barton, has worked diligently to move this project along – and I am sure others have too. BUT – somewhere along the process of gaining many different studies and approvals, there has been one delay after another.

I would like to urge ANYONE who has a part in this process to PLEASE do your best to move the project forward quickly without further delays.

Thank you for reading this – and thank you for your help.

Norma J. Grubert

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

Please make improvements to this dangerous stretch of FM 1626. I travel this road everyday (12 yrs) along with my oldest son. Safety has to remain everyone's concern. Argument that 1626 cannot be improved until "45" is built is not a good argument. 1626 Needs to be made SAFE whatever it takes.

Name (Please Print): Anne M. Hall
Address: 2805 Chaparral Rd
Manchaca TX 78652
Phone: 512-280-0438

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

I am writing to express my support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway. I live in Hays County and have seen the enormous growth that has taken place over the last several years. Roadways like FM 1626 which were once more than sufficient to handle traffic loads are no longer able to do so. Not only has FM 1626 become congested, it has become a dangerous roadway.

I applaud the role Hays County has taken in promoting the development of the project and committing funds through the financing agreement with the Texas Department of Transportation to make sure FM 1626 is expanded sooner rather than later. The context sensitive designs that the County is working on in cooperation with the Texas Department of Transportation - sidewalks, medians, walking and bike trails - will improve safety and make FM 1626 a more attractive facility.

I strongly support the development of the FM 1626 project from RM 967 to Brodie Lane and I urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Marilyn M. Harris

Name

Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

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Name Emma Hardin

Date 12-7-09

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Texas Department of Transportation
Austin District Office
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Sincerely,

Name John Harden

T.X.D.O.T.
RECEIVED
DEC 14 2009
DISTRICT 14 - MAIL ROOM
AUSTIN, TX

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

Completion of FM 1626 is an absolute must. The road is in such bad shape from the large trucks using it as well as the cars, that every day it becomes a more dangerous road.

We are retired so we get to choose the time of day we travel the road. I am so thankful that I no longer have to drive that road from 6:30 AM to 9:00 AM and then again for the evening rush hour.

Then we have the bicyclers who must think it is cool to ride on a two lane road w/ no shoulders and back the traffic up for miles?! I think it should be against the law for them to do this. There are plenty of roads that have bike lanes. I also feel they should have to buy license for bikes. That would put more $ in the coffers! Bottom line FM 1626 needs to be fixed!

(over)

Name (Please Print): LANA HARPER

Address: 151 SERENE HOLLOW LANE
BUDA, TX 78610

Phone: 312-1702

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

This form may be used to provide written comments on this project. Any questions placed on this form will not be considered an open records request and will not be treated as such. If you have an open records request it must be submitted under a separate letter.

(over)

And why can we not get 544 from 1626 to NaPAC Completed? If Travis City has aquired the land why not move some dirt and put a two lane road in temporarily — At least that would move the traffic and relieve all the ~~[illegible]~~ Traffic on Brodie Lane!

Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

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Sincerely,

Name

S.O.S.

SAVE OUR SPRINGS ALLIANCE

FACSIMILE TRANSMITTAL SHEET

TO: Mike Walker

FROM: Andrew Hawkins

COMPANY: TxDOT

DATE: 12/18/09

FAX NUMBER: 832-7157

TOTAL NO. OF PAGES INCLUDING COVER: 14

PHONE NUMBER:

SENDER'S FAX NUMBER: (512) 477-6410

RE: Comments on FM1626 EA

SENDER'S PHONE NUMBER: (512) 477-2320

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

(512) 477-2320 voice
(512) 477-6410 fax

Save Our Springs Alliance
P.O. Box 684881 • Austin, Texas 78768
221 East 9th Street, Suite 300 • Austin, Texas 78701

http://www.sosalliance.org
email: sosinfo@sosalliance.org

December 18, 2009

Mike Walker
Austin District Environmental Coordinator
Texas Department of Transportation
P.O. Box 15426
Austin, Texas 78761-5426
Fax: (512) 832-7157

VIA FAX

Re: Comments on Environmental Assessment for proposed improvements to FM 1626, from RM 967 to Brodie Lane, Hays and Travis Counties

Dear Mr. Walker:

On behalf of the Save Our Springs Alliance ("SOS Alliance"), please accept the following comments on the July 2009 Environmental Assessment ("EA") for the above-referenced FM 1626 project.

As an initial point, we urge TxDOT and FHWA to extend the comment period for this EA by 30 to 60 days so as to provide an adequate public process. While the EA is dated July 2009, it has only been available online since approximately the beginning of December. The current window for submitting comments extends a mere ten days beyond the December 8th public hearing, with no additional public meetings planned for the EA. Such abbreviated timelines for review and comment do not allow for meaningful input, especially considering the scope and magnitude of the project and the time of year.

Notwithstanding our objections to the unduly short review and comment period, SOS Alliance submits the following brief comments.

I. The Flawed July 2009 EA Cannot Support a FONSI and an EIS Must Be Prepared Given the Project's Critical Environmental Context and Significant Direct, Indirect, and Cumulative Impacts

The EA prepared for FM 1626 has several fatal deficiencies and is not defensible under NEPA or similar TxDOT regulations. The EA does not seriously consider any alternatives to the proposed action and is largely a compilation of extraneous background data with little to no focus on real environmental issues and alternatives. To the extent that there is an "assessment," it is minimal, conclusory, and largely unfounded. The Fifth Circuit has held that "mere perfunctory or conclusory language will not be deemed to constitute an adequate record and cannot serve to support the agency's decision not to

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email: sosinfo@sosalliance.org

prepare an EIS." *O'Reilly v. United States Army Corps of Eng'rs*, 477 F.3d 225, 231 (5th Cir. 2007) (quoting *I-CARE v. Dole*, 770 F.2d 423, 434 (5th Cir. 1985)).

In addition to it superficial analysis, the EA is undermined by internal contradictions, misrepresentations, cursory detail, and a lack of high-quality, independent information. In evaluating impacts and alternatives, the EA further violates essential NEPA provisions by not disclosing potentially significant impacts and by not considering a reasonable range of alternatives. Among other deficiencies, the EA is fatally flawed in that it:

- Fundamentally mischaracterizes the hydrogeological context of the project area, and overlooks other fundamental site specific details, such as how much cut and fill the project's construction will entail and the predicted level of TSS loadings and other pollutant loadings from the project;

- Underestimates and fails to adequately examine potentially significant and negative water quality impacts to the Edwards Aquifer and sensitive surface waters, including a 303(d) impaired segment of Onion Creek;

- Downplays and ignores negative impacts to wildlife and wildlife habitat, including endangered aquatic species, karst invertebrates, and the golden-cheeked warbler and black-capped vireo;

- Vastly underestimates the amount of golden-cheeked warbler habitat that will be impacted (see comments from the Greater Edwards Aquifer Alliance, which are incorporated herein in their entirety);

- Frequently contradicts itself, such as stating on one page that "habitat for the warbler within the RSA is highly fragmented and already affected by adjacent land use" (pg. 109), only to conclude a few pages later that there will be no cumulative impacts in light of "the relative health and stability of the affected environmental resources in the RSAs" (pg. 113);

- Uses an unduly narrow purpose and need statement that forecloses consideration of a reasonable range of alternatives;

- Fails to consider any alternatives that would minimize or avoid negative impacts to critically-sensitive resources such as the Edwards Aquifer and associated surface waters, endangered species and their habitat, floodplains, and other vulnerable resources;

- Underestimates negative impacts from induced growth, induced traffic, urbanization and associated secondary impacts;

- Does not demonstrate how reliable growth and traffic projections justify the expansion in capacity that the preferred alternative proposes;

- Entirely ignores potentially severe traffic impacts to neighborhoods along Brodie Lane, and other negative impacts to community cohesion and safety that will result from the project's increased commuter traffic;

- Does not incorporate or commit to substantive mitigation;

- Fails to examine construction phase impacts, such as traffic delays and noise, air, and light pollution that will negatively affect residents and users of FM 1626.

Fifth Circuit precedent is clear that "[i]f the court finds that the project *may* have a significant impact, the court should order the agency to prepare an EIS." *O'Reilly v. United States Army Corps of Eng'rs*, 477 F.3d 225, 239 (5th Cir. 2007) (emphasis added). In this case, the FM 1626 project would easily cross the Fifth Circuit's threshold considering the high likelihood of significant impacts and the context and intensity of the action (see 40 C.F.R. § 1508). Among other facts apparent on the face of the record, an EIS should be prepared because:

- The project area includes the recharge zone of the Edwards Aquifer, a sole-source aquifer and one of the most sensitive aquifers in the state in terms of susceptibility to groundwater contamination. The project also crosses five sensitive water bodies that contribute recharge to the Barton Springs segment of the Edwards Aquifer.

- The project will impact and is located in close proximity to several ecologically-critical areas and historic, cultural and scientific resources, including water quality protection lands, endangered species habitat, historical ranchland and farmland, parkland, floodplains, and sensitive surface waters, including a 303(d) impaired water body, Onion Creek (segment 1427).

- The project has potentially significant impacts to endangered species and their habitat that are ignored or underestimated in the EA.

- The EA discloses that 42 acres of vegetation will be disturbed by the project and yet the EA does not explain how such an impact is insignificant nor does the EA propose any mitigation.

- The EA discloses on pg. 93 that the FM 1626 project will contribute to a cumulative impact in the Edwards Aquifer such that the impervious cover from the ROW of surrounding roads will increase from 175 acres to 471 acres in approximately 20 years, and yet the EA does not explain how such an impact is insignificant nor does the EA propose any mitigation.

- Air quality in the Austin metropolitan region, which is predominantly influenced by vehicle emissions, has been close to non-attainment for several years now and will likely fall into non-attainment under forthcoming stricter standards on air pollutants such as ground-level ozone.

- The project will hasten urban sprawl over the recharge zone and is at odds with the policies and efforts of local government to preserve water quality and quantity in the Edwards Aquifer resource study area by protecting open spaces.

- The EA admits that the project may cause stormwater borne contaminants to enter the Barton Springs segment of the Edwards Aquifer (pg. 70), and further admits to the "uncertainty of project-related effects" to this sole-source aquifer (pg. 67). These statements alone should necessitate preparation of an EIS.

- The EA admits that the project will cause indirect impacts to the golden-cheeked warbler, admits that potential warbler habitat is as close as 1000 feet away, and admits that this resource is in poor health ("habitat for the warbler within the RSA is highly fragmented and already affected by adjacent land use," pg. 109), yet the EA proposes no mitigation.

- As most clearly evidenced by the Travis County Commissioners Court's position against the project, significant environmental controversy exists regarding the project's negative impacts to Brodie Lane neighborhoods and the current level of congestion and safety on that road.

- The project is part of larger plan to expand FM 1626 over the recharge zone and is tied to a Hays County bond package of road improvements that will have significant cumulative impacts to the Hill Country and the Edwards Aquifer.

The above-described deficiencies of the EA, and factors requiring preparation of an EIS, are expanded upon and added to below:

Project Classification Not Justified

The EA offers no rationale as to why the FHWA did not order an EIS from the outset. While often described as a "widening" or expansion of FM 1626, the EA notes that the project involves changing the horizontal and vertical alignment of the current roadway. As a changed alignment would result in the construction of a new 4+ lane road on a new location, the FM 1626 project is a Class I activity under federal regulations that categorically requires an environmental impact statement. *See* 23 C.F.R. § 771.115.

The EA Misrepresents the Edwards Aquifer Recharge Zone and Warbler Habitat

A key assumption behind the EA's determination that the project will have no significant impacts is frequently-repeated sentence: "This project is located downstream (east) of the Edwards Aquifer Recharge Zone." *See e.g.* pgs. 24-33, discussing impacts to endangered species. As pointed out in the comments of Greater Edwards Aquifer Alliance, this statement is simply not true. The mile-long southern portion of this project clearly crosses a small portion of the recharge zone, and what the EA has labeled in some instances as "contributing zone" is, in fact, transition zone or contributing-within-the-transition zone (i.e. areas that provide additional recharge).

Considering that the recharge zone is not correctly depicted and evaluated, the EA's assessment of impacts to the Edwards Aquifer and aquatic species (including the endangered Barton Springs salamander) is faulty and downplays the significance of the project's direct, indirect, and cumulative impacts. Similarly, the EA vastly underestimates the amount of golden-cheeked warbler habitat that will be impacted by the project thereby downplaying any negative impacts. Under the circumstances, the EA cannot serve as a reliable basis for a FONSI.

The EA Relies on Unsubstantiated Conclusions Concerning Endangered Species
While admitting that the project "may affect" endangered species such as the Barton Springs salamander the golden-cheeked warbler, the EA fails to provide any site-specific or field investigations to substantiate its conclusion that there will be no adverse effects to these species. And while the EA admits that "[a]dvancing timing of development within the indirect effects study area could accelerate golden-cheeked warbler habitat loss and fragmentation from third-party development," the EA provides no mitigation for fragmentation and loss of warbler habitat.

The EA Overlooks Negative Impacts to Safety and Mobility
While the "statement of purpose" makes a great deal out of the necessity of improving safety, the EA fails to assess how this will happen, or even if it will happen. It only takes it for granted. Often, increasing drive speeds and increasing road capacity increases traffic fatalities (and increases the risk, frequency, and severity of spills of toxic materials). An analysis of alternatives would look at alternative designs that can address the safety purposes of the proposed project. The EA contains none of this.

The EA Uses an Unduly Narrow Purpose
"The stated goal of a project necessarily dictates the range of 'reasonable' alternatives and an agency cannot define its objectives in unreasonably narrow terms." *City of Carmel-by-the-Sea v. U.S. DOT*, 123 F.3d 1142, 1155 (9th Cir. 1997). Under NEPA, it is critical that an agency avoid formulating a purpose and need statement that is so narrow as to "define competing 'reasonable alternatives' out of consideration (and even out of existence)", *Simmons v. U.S Army Corps of Engineers*, 120 F.3rd 664 (7th Cir. 1997). As the 10th Circuit explained in another case, "if the purposes and needs of the Project were so narrowly construed as to mandate the extra capacity only at 11400 South, we would conclude that such a narrow definition would be contrary to the mandates of NEPA." *Davis v. Mineta*, 302 F.3d 1104, 1119-20 (10th Cir. 2002).

The EA states on pg. 2 that the purpose of this project is "to improve the safety and mobility on FM 1626." In the next sentence, the EA has already concluded that: "Safety would be improved by increasing mobility, widening travel lanes, providing shoulders, and separating turning movement from the travel lanes." The extremely narrow and unreasonable statement of purpose relied upon by the EA effectively mandates that only type of alternative be considered: a capacity expansion on FM 1626. As can be seen in the EA's non-existent analysis of alternatives, the statement of purpose rules out a whole universe of reasonable alternatives that could improve safety and mobility in the area but

that might not involve adding lane-miles to FM 1626. Such an approach to alternatives is antithetical to NEPA and would never hold up in a court of law.

Even if "improv[ing] safety and mobility on FM 1626" was considered a proper purpose, the EA fails to consider safety improvements that do not involve adding main lanes to FM 1626. Adding a continuous center turn-lane by itself, for example, should have been evaluated as an alternative, as such an improvement would likely resolve safety concerns while also minimizing environmental harm through reliance on a smaller footprint. And as pointed out above, adding capacity often aggravates safety concerns as much as it helps alleviate such concerns.

The EA Fails to Consider Any Reasonable Alternatives

The EA discusses a no-build option vs. one build alternative, the latter being the preferred option of expanding FM 1626 to five lanes. Considering the project's tremendous implications for future transportation in the region, it especially important that the environmental document prepared for FM 1626 rigorously consider all reasonable alternatives and combinations thereof (including multi-modal options, mass transit, and travel demand management) as NEPA requires. As the EA itself notes on pg. 10, the scope of the project is regional: "FM 1626 carries local and commercial traffic from northern Hays County and southern Travis County traveling to and from Austin." It is only proper and logical to analyze regional alternatives under the circumstances—it would be arbitrary and capricious to do otherwise.

The expansion of what has historically served as a rural road network for local travel will have several irreversible and significant environmental consequences, not the least of which will be the facilitation of increased and unprecedented levels of regional, commuter travel between Hays and Travis Counties via the reconfigured rural roads. Yet the EA fails to examine a single alternative that relies on something other than a capacity expansion on FM 1626, and thus there is no attempt to avoid or minimize significant environmental impacts or consider other options to regional north-south travel between Hays and Travis Counties.

In addition to violating NEPA, the EA fails to comply with Executive Order 11988, which governs the siting of federal projects in floodplains. This Executive Order provides in part:

> "If an agency has determined to, or proposes to, conduct, support, or allow an action to be located in a floodplain the agency shall consider alternatives to avoid adverse effects and incompatible development in the floodplains. If the head of the agency finds that the only practicable alternative consistent with the law and with the policy set forth in this Order requires siting in a floodplain, the agency shall, prior to taking action, (i) design or modify its action in order to minimize potential harm to or within the floodplain, consistent with regulations issued in accord with Section 2(d) of this Order, and (ii) prepare and circulate a notice containing an explanation of why the action is proposed to be located in the floodplain."

Despite admitting that the project is located within 100-year floodplains, the EA makes no effort to consider alternatives that would avoid adverse effects and construction in the floodplains. Nor does the EA demonstrate why building within floodplains is "the only practicable alternative."

The EA Relies on Inflated Traffic Projections

The EA relies on inflated traffic projections to justify the preferred project and fails to take into account recent traffic data and trends. Despite its date of July 2009 and the fact that traffic counts from 2005 to 2008 are readily available online, the EA fails to examine traffic data on FM 1626 beyond the year 2004. Omitting such essential information cannot satisfy NEPA and doing so misrepresents the actual need for the project.

TxDOT traffic counts after 2004 show a flattening in traffic on FM 1626, and even a decrease in traffic in the most recent TxDOT counts. In 2005, ADT was 13,070. In 2006, there was a slight increase in ADT to 13,500. In 2007, ADT again slightly increases to 14,100. But in 2008, *traffic on FM 1626 actually drops* to 13,800. In contrast to the EA's projections, these recent traffic counts hardly support the proposition that traffic will continue to increase at the same rate that it did leading up to 2004. By omitting recent traffic counts, the EA fails to provide the information necessary for evaluating the need for the preferred project. But given that the evidence suggests that traffic on FM 1626 is flattening, and even declining in certain years, it is quite likely that the FM 1626 project is over-sized and not justified by actual need.

The EA Inadequately Describes the Environmental Baseline and Fails to Quantify Project Impacts

After dismissing the no-build alternative, the EA rarely considers the no-build scenario thereafter and otherwise does not provide an adequate baseline upon which the project's impacts can be assessed.

In one of the few instances where the build alternative's impacts are compared to the no-build alternative, the EA only makes the comparison to point out that FM 1626 currently has no engineered water quality controls and that "indirect impacts to surface water quality from the no-build could adversely affect Edwards Aquifer recharge where the roadway traverses the recharge and contributing zones." Pg. 60. Such a selective and self-serving use of the no-build scenario does little to help evaluate the impacts of the proposed project and seems designed to suggest some illogical conclusion such as that the proposed project will improve water quality or not cause any impacts. Nor does the general level of comparison shown in this example (i.e. no data comparing the different loadings of pollutants or volume of runoff under each scenario) help to establish a baseline for evaluating the impacts of the proposed project.

While the EA does make some effort to describe "the overview of the current health and historical context of the Edwards Aquifer" (pg. 79 et seq.) in analyzing cumulative effects to Edwards Aquifer water quality, the EA then fails to present substantive site-specific details that would allow for a comprehensive assessment of this project's impacts

on specific water quality parameters. This is especially concerning given that the EA admits on pg. 106 that:

> "Potential cumulative effects on the salamander to which the current action could contribute include potential health effects from contaminants found in stormwater runoff or hazardous materials spills and degradation of habitat by increased sediments."

In light of the EA's disclosure of these severe and unquantified impacts to the Edwards Aquifer and the endangered Barton Springs salamander, an EIS is the only appropriate course of action under NEPA.

Mitigation Measures Are Absent or Uncertain in the EA

FHWA regulations implementing NEPA require that "[m]easures necessary to mitigate adverse impacts be incorporated into the action." 23 C.F.R. § 771.105(d). As with its cursory treatment of alternatives, the EA's handling of mitigation fails to provide the level of detail and analysis necessary to satisfy NEPA.

While admitting that the project will have impacts to the endangered Barton Springs salamander and the Austin blind salamander, the EA fails to demonstrate how such effects will be mitigated other than to recite generally applicable regulations such as the requirements for a WPAP and SW3P. Typical of its approach to avoiding site-specific details and relying on unsubstantiated conclusions, the EA states on pg. 71: "While final TSS estimates are unavailable due to a lack of design details at this stage in project development, the proposed project would, at a minimum, meet the standards established in the Edwards Aquifer Rules."

Elsewhere the EA recognizes the project's induced growth impacts, and the negative effects of adding impervious cover and stormwater runoff, but concludes: "The uncertainty of these project-related effects is not expected to put the Aquifer or the salamanders at risk due to the implementation of the Edward's Aquifer Rules, Texas Pollutant Discharge Elimination System, and local water quality ordinances." EA at pg. 67.

A "perfunctory description" or a "mere listing" of mitigation measures without supporting analytical data is insufficient to support a finding of no significant impact. *National Parks & Conservation Ass'n v. Babbitt*, 241 F.3d 722, 734 (9th Cir. 2001). As such, simply relying on existing regulations or construction and stormwater permits intended to protect the aquifer is not enough barring a more detailed description of the actual steps to be taken under those regulations and permits. NEPA requires TxDOT to demonstrate through substantial evidence that those measures *will in fact* reduce the impacts. Absent such evidence, concluding that all substantial impacts are mitigated to a level of insignificance is not only impermissibly conclusory, it is also arbitrary and capricious. "Where significant environmental damage may occur to a treasured natural resource, the studies must be conducted first, not afterwards." *National Parks & Conservation Ass'n*, 241 F.3d at 736.

The EA ignores a growing body of literature that addresses the shortcomings of the regulations and BMPs relied upon for mitigation. One study regarding the effectiveness of BMPs to control pollution emanating from road construction projects found "even an extensive system of temporary controls is not adequate to prevent large amounts of suspended sediment from entering receiving waters [during construction]."[1] Studies and practical experience reveal that filters get almost immediately clogged such that all subsequent runoff and pollution bypasses the control.[2] Hazardous material traps similarly "cannot function as a hazardous materials collection basin during runoff events when the roads are wet and the chance for an accident is higher."[3] TCEQ itself even recognizes that these hazardous material traps are ineffective during rain events.[4] Even the efficiencies reported for various BMPs are "overestimated compared to the actual particle removal efficiencies observed in the field" such that any cursory reliance on the reported efficiencies is arbitrary.[5]

Some BMPs are just flat-out ineffective. One study demonstrated that the *median* removal of sediment in runoff from highway construction was 0%.[6] Other BMPs might be effective, but only for certain kinds of pollutants.[7] Even the most effective BMP is all too often "compromised by inadequate installation and maintenance."[8] One study revealed that up to 55% of TCEQ's required BMPs to control pollution from construction and development do not work properly. To simply conclude, then, that BMPs will be applied to reduce any impacts to a level below significance is specious absent greater study and disclosure of certain basic facts about the project such as predicted TSS loadings.

Overall, nothing is mentioned of the shortcomings of the Edwards Rules regulations and their failure to protect the Aquifer from increased pollution runoff from roadways and other facilities. Nor does the EA discuss the virtually non-existent enforcement and monitoring of the Edwards Rules by TCEQ. An honest assessment would include this information.

Relying on local water quality ordinances for mitigation is even less defensible given that state law allows for grandfathering from these ordinances under chapter 245 of the Local

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[1] Michael E. Barrett, et al., *Technical Report CRWR 266—Water Quality and Quantity Impacts of Highway Construction and Operation: Summary and Conclusions* 33 (Center for Research in Water Resources, Nov. 1995).

[2] Sean Tenny, et al., *An Evaluation of Highway Runoff Filtration Systems (CRWR Technical Report 265)* 67 (Center for Research in Water Resources, Sept. 1995).

[3] *Id.*

[4] TCEQ, *Optional Enhanced Measures for the Protection of Water Quality in the Edwards Aquifer, An Appendix to RG-348*, at 18 (Feb. 2005) ("as long as a hazardous material spill does not occur during a rain event the system should contain the spill").

[5] Ana Marie Karmalegos, et al., *Particle Size Distribution of Highway Runoff and Modification Through Stormwater Treatment (CRWR Online Report 05-10)* 57 (Center for Research in Water Resources, Dec. 2005).

Government Code. There are many examples of large developments over the Edwards Aquifer that do not adhere to local water quality ordinances due to various reasons such as grandfathering, reliance on development agreements, or location in unincorporated areas. Relying on such ordinances to provide mitigation of secondary impacts, instead of incorporating reliable, project-specific mitigation, is arbitrary and capricious.

Regarding the project's impacts to vegetation and potential golden-cheeked warbler habitat that the project will impact and likely destroy, the EA offers the cryptic statement: "Compensatory mitigation was considered, but would not be practical for this project." EA at 22. While recognizing the need to compensate for the project's negative impacts, this statement is a further example of the EA's deficient approach to mitigation.

Finally, while the EA discloses noise impacts on pg. 46, mitigation is ruled out and no abatement measures are incorporated into the document. While certain regulations may allow TxDOT to reject sound barriers based on cost feasibility, NEPA still requires that noise impacts be analyzed for significance. The EA does not consider whether the noise impacts will be significant under NEPA.

The EA Fails to Disclose and Analyze Potentially Significant Traffic Impacts and Impacts to Community Cohesion

For the purpose of describing the project's relationship to local policies and the project's impacts to neighborhoods and community cohesion, the EA merely provides the following paragraph (pg. 12):

> "The proposed improvements to FM 1626 would allow the facility to better serve the surrounding community. The proposed project would not disrupt orderly planned development or be inconsistent with plans or goals adopted by Hays or Travis counties. No neighborhood would be bisected or adversely affected by the proposed project."

This statement is not substantiated or accurate. The City of Austin has spent more than $100 million acquiring Barton Springs Edwards Aquifer watershed preserve lands in order to both protect the quantity and quality of recharge waters directly and indirectly, by way of blocking or restricting additional development. Hays County has recently also purchased lands and conservation easements in the area to help protect the aquifer. Some of these water quality protection lands are immediately adjacent to the proposed project, as are undeveloped lands that are potential acquisition targets for adding to the aquifer protection lands. The proposed project would serve to increase development pressure in the area, undermining the benefits of the efforts already undertaken and driving up land values and encouraging development over the aquifer, thereby hindering further acquisition of watershed protection lands by Austin, Hays County, and/or private conservation buyers. Hays County, the City of Austin, and others have adopted a Regional Water Quality Protection Plan that calls for protecting the watershed by strictly limiting development. See http://www.waterqualityplan.org/. The EA mentions this plan in passing but fails to analyze how the proposed project is consistent or inconsistent with the plan, or how it could be changed to be more consistent.

The proposed project would definitely adversely impact, to some degree, immediately adjacent neighborhoods by increasing air, noise, and light pollution and destroying the current rural, undeveloped character of the area. These impacts should be assessed and potential mitigation measure evaluated. Large, beautiful trees currently line 1626 in some areas; these beautiful trees would be destroyed, although differing alignments and configurations, and certainly a scaled back alternative, could save many of these trees.

As proposed, the project would clearly lead to substantial traffic increases dumping on Brodie Lane to the north of the proposed project. Traffic on Brodie has long been recognized as a severe problem, in that Brodie bisects the Shady Hollow neighborhood and serves as the only major north-south arterial through the large Shady Hollow neighborhood. The certainty of adverse traffic effects on Brodie and Shady Hollow from the proposed project led the Travis County Commissioners Court to adopt unanimously a resolution opposing the proposed project unless and until the project is extended to provide a similar level of capacity continuously north to Manchaca and on to I-35. TxDOT predicts significant increases in traffic on Brodie even if the tentative SH 45 SW were built.

Building the project would significantly increase pressure to build SH 45 SW across the Edwards Aquifer. Indeed, the project makes no sense (i.e. has no logical northern terminus) absent building SH 45 SW and/or extending the proposed 1626 expansion to connect to an expanded Manchaca Blvd. from its southern terminus at 1626 north to Ravenscroft and/or to extend the proposed expansion all the way north and east to I-35. Doing so (in order to "fit" the design capacity of the proposed project and its function as a commuter route) would, in turn, lead to even greater shifting of commuter traffic from I-35 to 1626/Brodie/Mopac, 1626/Manchaca/Mopac, and/or 1626 to I-35. Building such an expanded commuter network would have larger, regional effects on growth rates and patterns that should be both acknowledged and analyzed. The Travis County Commissioners Court resolution makes clear that the project, standing alone, makes very little sense and will have significant adverse effects on traffic and neighborhoods.

Conversely, adding the additional components to make the proposed project more "effective" as a new, major north-south commuter route would lead to significant adverse direct and indirect effects on water quality, wildlife habitat, neighborhoods, and the still-rural character of the region. For example, forcing the construction of SH 45 SW would bifurcate large swaths of water quality protection and park lands assembled by the City of Austin, would cause increased pollution of Barton Springs and the Edwards Aquifer, and would cause direct harm to Flint Ridge cave and literally dozens of mapped caves, sinkholes and recharge features. Forcing the construction of SH 45 SW will also cause significant increases in traffic and noise on South Mopac and cause direct harm to tranquility and visitor enjoyment of the Lady Bird Johnson Wildflower Center.

<u>Failure to Disclose and Analyze Potentially Significant Construction Phase Impacts</u>
Nowhere in the EA is there an analysis or quantification of construction phase impacts such as traffic delays and noise, air, and light pollution. Far from being temporary or insignificant, such impacts are likely to continue for length periods of time, substantially

disrupting communities and travelers and causing potentially severe water quality impacts.

The environmental impacts arising from road construction consist of direct, localized, and acute alterations of physical conditions. Even though highway construction may only cover a small portion of a watershed, "the effects can be substantial."[9] These impacts include the addition of fine sediments to nearby waterways, channelization of streams, disruption of groundwater flows, soil erosion, and habitat destruction.[10]

Furthermore, construction equipment contributes to noise and air pollution, along with light pollution from nighttime operations. There is also the ever present likelihood that existing infrastructure such as sewer lines or pipelines will be damaged resulting in spills and releases of sewage, chemicals, and other pollutants. For example, while clearing right of way along US 281 in San Antonio a few years ago, construction equipment sheared off some valves on a sewage line, resulting in raw sewage being spilled onto the ground and left to percolate into the aquifer.[11] Such an event occurring near Onion Creek or one of its tributaries during construction of the improvements will surely result in a significant impact to the environment.

Roadway construction also directly results in clearing right of way through existing and native vegetation. This not only has an aesthetic impact but it also facilitates the invasion of exotic species of weeds, pests, and pathogens, which can then disperse to colonize adjacent native communities. For example, clearing the right of way could lead to the spread of oak wilt disease.

Construction, of course, will also likely cause traffic delays and problems,[12] impacts that are all too often overlooked by planners. In many cases, driver delays due to construction are so long, and the time savings predicted from the finished project so minor, that it can take years for commuters to break even and begin to make up the time they lost during construction.[13]

Despite the many potentially significant impacts that would occur during construction of the project, the EA fails to discuss these impacts in any meaningful detail and does not provide any mitigation beyond the mere recital of generally applicable regulations.

* * *

In light of the many deficiencies described above, the July 2009 EA cannot serve as a basis for a FONSI. Considering the significant impacts and context and intensity of the project, FHWA and TxDOT should commence preparation of an EIS so as to fully comply with NEPA.

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[9] Barrett, *supra* note 1, at 51.
[10] *See id.* at 21 and studies cited therein.
[11] Amy Dorsett, *Sewer Leak Over Aquifer*, San Antonio Express-News (Jan. 12, 2006).
[12] Surface Transportation Policy Project, *Road Work Ahead: Is Construction Worth the Wait* 3 (1999).
[13] *Id.*

Thank you for your consideration.

Sincerely,

Andrew Hawkins
Staff Attorney
Save Our Springs Alliance

S.O.S.

SAVE OUR SPRINGS ALLIANCE

FACSIMILE TRANSMITTAL SHEET

TO: Mike Walker	FROM: Tom Hayes
COMPANY: Tx DOT	DATE: 12-18-09
FAX NUMBER: 512-832-7157	TOTAL NO. OF PAGES INCLUDING COVER: 12
PHONE NUMBER: 832-7168	SENDER'S FAX NUMBER (512) 477-6410
RE: Comments on FM1626-EA	SENDER'S PHONE NUMBER (512) 477-2320

☒ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

(512) 477-2320 voice
(512) 477-6410 fax

Save Our Springs Alliance
P.O. Box 684881 • Austin, Texas 78768
221 East 9th Street, Suite 300 • Austin, Texas 78701

http://www.sosalliance.org
email: sosinfo@sosalliance.org

GEAA Greater Edwards Aquifer Alliance

P.O. Box 684881
Austin, TX 78768

December 18, 2009

December 18, 2009

Mike Walker
Austin District Environmental Coordinator
Texas Department of Transportation
P.O. Box 15426
Austin, Texas 78761-5426
Fax: (512) 832-7157

VIA FAX

Re: Comments on Environmental Assessment for proposed improvements to FM 1626, from RM 967 to Brodie Lane, Hays and Travis Counties

Dear Mr. Walker:

Please accept the following comments on the July 2009 Environmental Assessment ("EA") for the above-referenced FM 1626 project, which I submit on behalf of the Greater Edwards Aquifer Alliance (GEAA).

Via email, today I am also submitting electronic versions of this faxed letter, the three BSEACD documents referenced therein, and more resolute copies of my Figures 1-4, which I offer as part of the official record.

Sincerely,

Tom D. Hayes, Ph.D.
Science Director
512-477-2320
tom@aquiferalliance.org

REVIEW OF THE ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED IMPROVEMENTS TO FARM–TO–MARKET ROAD 1626

Tom D. Hayes, Ph.D., Science Director, Greater Edwards Aquifer Alliance
December 18, 2009

The Environmental Assessment (EA) does provide an adequate and accurate analysis of the environmental impacts of the proposed road expansion. In particular, potentially severe adverse effects on rare and endangered species are incompletely and incorrectly assessed. Neither site-specific nor field investigations apparently were performed by independent qualified personnel not employed by the Texas Department of Transportation (TxDOT). The environmental assessments by TxDOT personnel are cursory and inaccurate, especially in regard to existing conditions and potential project impacts on endangered species. Essentially all peer-reviewed scientific literature used to evaluate endangered species impacts is more than 10 years old.

Examples of inaccurate or misleading information upon which the EA bases their determination of insignificant project impacts t endangered species include the following:

1. Potential for Adverse Impacts to Edwards Aquifer Recharge and Transition Zones Are Significant, but Inadequately and Incorrectly Addressed by EA

Texas Commission on Environmental Quality (TCEQ) metadata (http://www.tceq.state.tx.us/gis/metadata/edw_tsms_met.html), dated 09/01/2005, provide the most recent updates of aquifer zones within the project area. These metadata show that the southern portion, approximately one mile in length, of proposed road expansion crosses the Recharge Zone for the Barton Springs Segment of the Edwards Aquifer. Furthermore, these metadata clearly reveal that the EA's Figure 13 incorrectly labels "Transition Zone" and "Contributing Zone Within the Transition Zone" areas crossed by the road expansion project as "Contributing Zone". Transition zones are geologic outcrop areas, which are possible avenues for additional Edwards Aquifer recharge. The TCEQ definitions for the four aquifer zones in the project area are given below:

Recharge Zone - area where the stratigraphic units constituting the Edwards Aquifer crop out, including the outcrops of geologic formations in proximity to the Edwards Aquifer where caves, sinkholes, faults, fractures, or other permeable features would create a potential for recharge to surface waters into the Edwards Aquifer. (30 TAC, § 213.3(25))

Transition Zone - area where geologic formations crop out in proximity to and south and southeast of the recharge zone and where faults, fractures, and other geologic features

Contributing Zone - The area or watershed where runoff from precipitation flows downgradient to the recharge zone of the Edwards Aquifer. The Contributing Zone is located upstream (upgradient) and generally north and northwest of the Recharge Zone for the following counties:

(A) all areas within Kinney County, except the area within the watershed draining to Segment 2304 of the Rio Grande Basin;

(B) all areas within Uvalde, Medina, Bexar, and Comal Counties;

(C) all areas within Hays and Travis Counties, except the area within the watersheds draining to the Colorado River above a point 1.3 miles upstream from Tom Miller Dam, Lake Austin at the confluence of Barrow Brook Cove, Segment 1403 of the Colorado River Basin; and

(D) all areas within Williamson County, except the area within the watersheds draining to the Lampasas River above the dam at Stillhouse Hollow reservoir, Segment 1216 of the Brazos River Basin. (30 TAC, § 213.22(2))

Contributing Zone Within the Transition Zone - The area or watershed where runoff from precipitation flows downgradient to the Recharge Zone of the Edwards Aquifer (EA). The Contributing Zone Within the Transition Zone is located downstream (downgradient) and generally south and southeast of the Recharge Zone and includes specifically those areas where stratigraphic units not included in the Edwards Aquifer crop out at topographically higher elevations and drain to stream courses where stratigraphic units of the Edwards Aquifer crop out and are mapped as Recharge Zone.(30 TAC, § 213.22(3))

The TCEQ metadata refute the EA's contention that the proposed road expansion will likely have insignificant effects on the Barton Springs Segment of the Edwards Aquifer. Figures 1 and 2 correctly depict the TCEQ metadata for aquifer zones within the EA's Cumulative Effects Study Area and Indirect Effects Study Area, respectively. Table 1 quantifies areas potentially impacted within these aquifer zones, according to the EA's direct, indirect, and cumulative impact areas.

The potential impact to these TCEQ aquifer zones within the study areas for the proposed road expansion, as well as the linear distance of aquifer-zone impact by the road surface itself, far exceed that acknowledged in the EA. Direct impacts, defined as within 500 meters of the FM 1626 segment, include 511 and 1,678 acres of Recharge Zone and Total Aquifer Area, respectively. Here, the Total Aquifer Area is defined as the sum of the above four TCEQ aquifer zones, which all directly or indirectly provide recharge to the Barton Springs Segment of the Edwards Aquifer. Within the EA Indirect Effects Area, there are 25,953 acres of Recharge Zone. Table 1 also provides the linear distances across these aquifer zones traversed by the subject segment of the FM 1626 road surface itself. In this manner, the proposed road expansion project crosses 0.5 and 3.8 miles of Recharge Zone and Total Aquifer Area, respectively.

Figure 1. TCEQ Aquifer Zones Within FM 1626 Environmental Assessment's Cumulative Effects Study Area

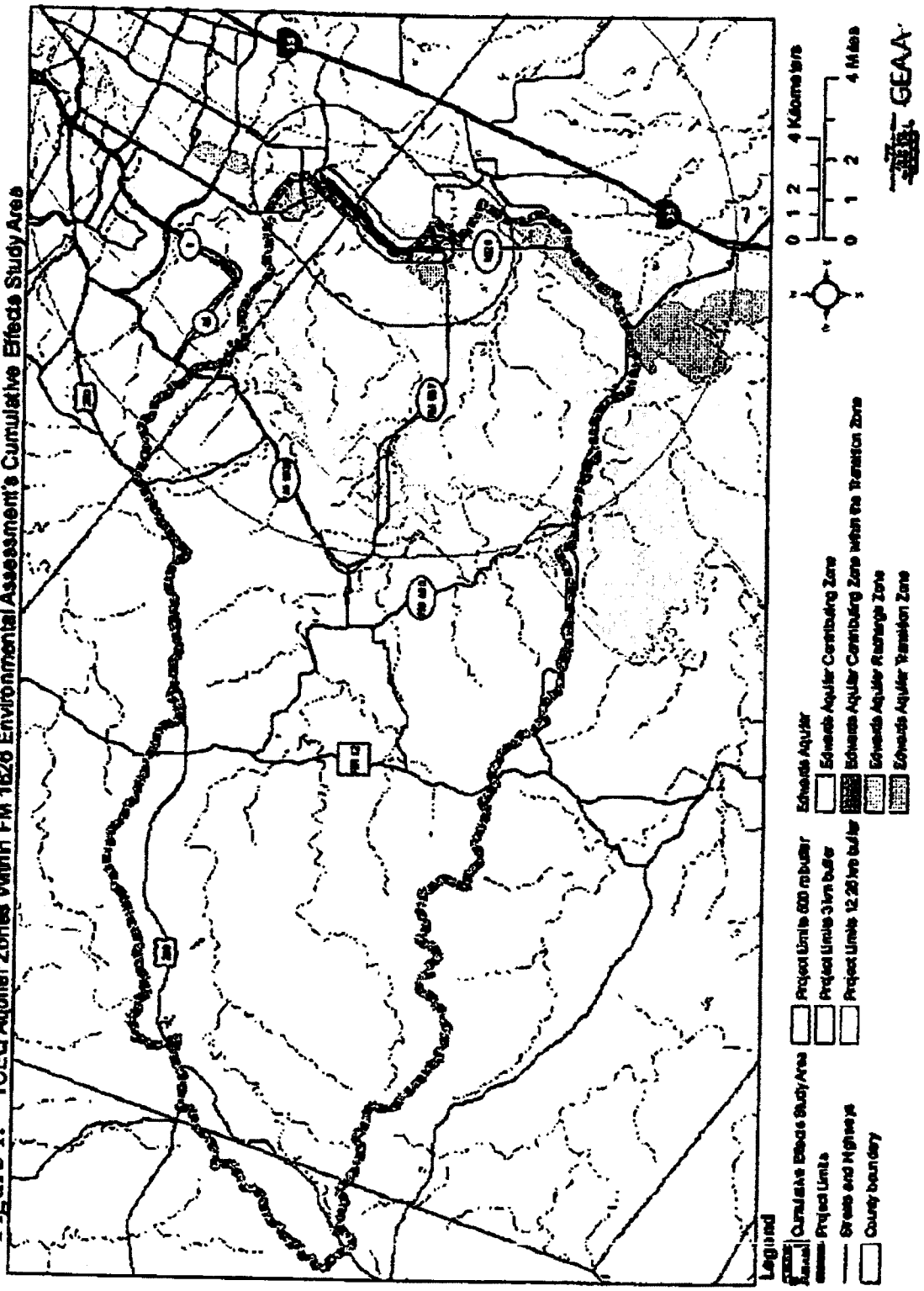


Figure 2.

TCEQ Aquifer Zones Within FM 1626 Environmental Assessment's Indirect Effects Study Area

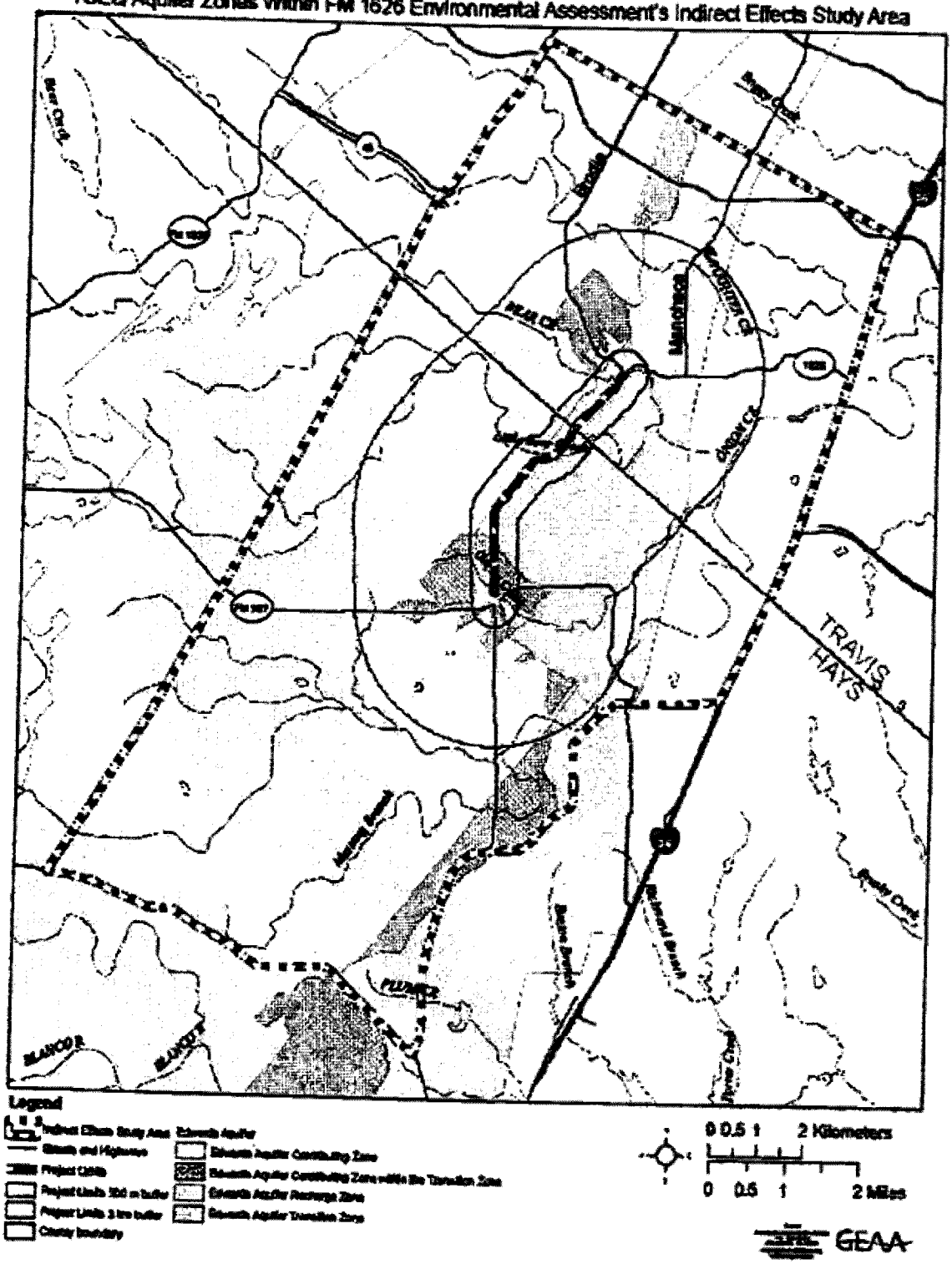


Table 1. Current TCEQ Aquifer Zones Potentially Impacted by the Proposed FM 1626 Expansion

Aquifer Zone	500-m Direct Effects Area		3-km Effects Buffer		EA Indirect Effects Area		EA Cumulative Effects Area		Linear Distance Crossed by FM 1626			
	Hectares	Acres	Hectares	Acres	Hectares	Acres	Hectares	Acres	Kilometers	Meters	Miles	Feet
Edwards Aquifer Recharge Zone	207	511	3,034	7,497	10,503	25,953	14,027	34,661	0.8	801.2	0.5	2,628.7
Edwards Aquifer Transition Zone	380	939	2,360	5,832	3,323	8,211	49	121	4.5	4,510.2	2.8	14,797.1
Edwards Aquifer Contributing Zone	0	0	0	0	0	0	38,888	96,092	0.0	0.0	0.0	0.0
Edwards Aquifer Contributing Zone within the Transition Zone	92	227	515	1,273	1,089	2,691	945	2,335	0.7	744.4	0.5	2,442.2
Total Aquifer Area Directly or Indirectly Providing Recharge	679	1,678	5,909	14,601	14,915	36,855	53,909	133,209	6.1	6,055.8	3.8	19,868.0

Such large areas with potential adverse impacts to water quality and other aspects of recharge to the Edwards Aquifer refute the EA's often repeated statement contending "no recharge or karst features observed within the project area." The EA's other often repeated line that "the project is located downstream (east) of the Barton Springs Segment of the Edwards Aquifer" is equally erroneous. Figure 2 clearly show that the entire length of project lies west (upstream) of TCEQ's Edwards Aquifer Contributing, Transition, and Recharge zones.

In addition to the TCEQ metadata, the City of Austin (COA) and the Barton Springs/Edwards Aquifer Conservation District (BSEACD) have completed more recent hydrologic data analyses, in support of TCEQ extending the Edwards Aquifer Recharge Zone farther east of FM 1626, beyond what is currently designated as recharge by TCEQ. These hydrogeologic studies also indicate water loss in Bear Creek immediately downstream from the road expansion project. Listed below are three of these COA and BSEACD documents which I request be made part of the official record, and that I am emailing to you so as to not overburden your fax machine.

1. Hauwert, Nico M. 2005. City of Austin comment letter on proposed changes to Edwards Aquifer Rules. TAC Chapter 213, Rule # 2003-029-213-WT, 4-25-05.

2. Smith, B., and Hunt, B. 2002. BSEACD, Petition for the Adoption of Rules: Changes to the Recharge Zone Map Boundary within the Barton Springs Segment of the Edwards Aquifer, Travis and Hays Counties, Texas.

3. TCEQ, Chapter 213-Edwards Aquifer Rule Log No. 2003-029-213-WT.

The EA's analysis and conclusions in regard to project impacts to aquifer recharge ignore available data and are not founded on site-specific field investigations. The potential for direct, indirect, and cumulative impacts to aquifer water quality clearly warrant field and other investigations, including dye tracing studies, by qualified independent hydrogeologists.

Dependence upon inaccurate and incomplete hydrogeologic information indicates that the EA incorrectly assesses jeopardy to species dependent on Edwards Aquifer habitats, including the federal and state endangered Barton Springs Salamander, the federal

candidate Austin blind salamander, and several federally listed and candidate invertebrate species (see EA Table 4).

2. EA Incorrectly Assesses Potential for Significant Adverse Impacts to the Endangered Golden-cheeked Warbler

The EA does not include any site-specific surveys for occurrence of either the endangered Golden-cheeked Warbler (GCWA) or, for that matter, the endangered Black-Capped Vireo (BCVI), on areas delineated as directly, indirectly, and cumulatively impacted by the proposed road expansion. The EA's acreages for potential GCWA habitat within these areas are grossly underestimated based on independent data. No site-specific field investigations of GCWA and BCVI habitat in the project areas are documented in the EA.

During breeding, the golden-cheeked warbler is confined primarily to mature oak-juniper woodlands in central Texas. This species is the only bird that breeds exclusively in Texas. In May 1990, the GCWA was emergency listed as an endangered species at the federal level, and shortly afterwards was listed at the state level, because of concern over habitat loss and degradation within its breeding range. Residential and commercial development have caused an overall decrease in potential GCWA habitat, and other stresses such as changes in nest predators and parasites (cowbirds) have additionally impacted the population.

Completed for TPWD with USFWS funding, Diamond (2007) presents range-wide GIS modeling results for GCWA habitat. His model-C results are generally the most accepted depiction of potential GCWA habitat extent and quality. The model segregates GCWA habitat into four quality ranks as follows:

Rank 1: 20 - 40% forest cover. Potential low quality habitat when bordering higher ranked habitat; not habitat when not bordering higher ranked habitat

Rank 2: 40 - 60% forest cover. Potential low quality habitat when bordering higher ranked habitat; probably not habitat when not bordering higher ranked habitat

Rank 3: 60 - 80% forest cover. Potential moderate quality habitat when bordering habitat ranked Rank 4: potential low quality habitat when not bordering habitat ranked 4

Rank 4: 80 - 100% forest cover. Potential moderate to high quality habitat

As part of Diamond's (2007) modeling effort, ground-proofing investigations in the field indicate that rank-4 habitat has approximately a 70 percent probability of GCWA occupation. Furthermore, the only published management guidelines for GCWA habitat (TPWD, 1995) advise that the following vegetation types, which are prevalent in the proposed project area, be "treated as occupied habitat until technical assistance is obtained or a survey done to determine whether or not specific areas support warblers":

1. "Stands of mature Ashe juniper (trees with shredding bark), over 15 feet in height and dbh of about 5 inches, with scattered live oaks (at least 10% total canopy cover), where the total canopy cover of trees exceeds 35% and overall woodland canopy height is at least 20 feet."

2. "Bottomlands along creeks and drainages which support at least a 35% canopy of deciduous trees (average canopy height of 20 feet), with mature Ashe juniper (at least 15 feet and 5 inches dbh) growing either in the bottom or on nearby slopes."

According to these TPWD (1995) guidelines, all four GCWA habitat ranks delineated by Diamond (2007) within the project areas should be treated as occupied by GCWA until on-site surveys prove otherwise. Again, no on-site GCWA-occurrence surveys according to standard USFWS protocols have been conducted as part of the EA process.

Page 57 of the EA states that "approximately 1,815 acres of potential golden-cheeked warbler habitat have been identified within the Indirect Effects Study Area, the nearest of which is approximately 1,000 feet west of the project." However, within this same indirect effects area, Diamond (2007) delineates a total of 12,288 acres of potential GCWA habitat, even after this acreage is corrected for rank-4 habitat loss from 2001-08. Furthermore, within the EA's indirect effects area, a total of 4,403 acres of prime rank-4 habitat remain with a high likelihood of GCWA occurrence. A total of approximately 408 acres of rank-4 habitat were lost in the indirect effects area during 2001-08, based on GEAA's GIS analysis comparing the model-C results based on 2001 Landsat data, with 2008 high-resolution NAIP (USDA) photomosiacs. Within the 500-meter Direct Effects Area are a total of 395 and 22 acres of potential and prime rank-4 GCWA habitats, respectively. These data are again in direct disagreement with the EA's assertion that no potential GCWA habitat exists within 500 meters of the subject FM 1626 segment.

Figures 3 and 4 present Diamond's (2007) model-C GCWA habitat output for the EA's Cumulative and Indirect Effects Study Areas, respectively. The extent of GCWA habitat within the project area obviously exceeds that depicted in the EA. The amounts of potential GCWA habitats within various project-related areas are itemized below in Table 2. Clearly, the EA inadequately addresses potential adverse impacts to both GCWA habitat and occurrence within areas impacted by the proposed project.

Table 2. Golden-Cheeked Warbler Habitats Potentially Impacted by the Proposed FM 1626 Expansion

Affected Areas:	Total Potential GCWA Habitat		Rank-4 GCWA Habitat		Estimated Loss of Rank-4 GCWA Habitat 2001-08		Rank-3 GCWA Habitat		Rank-2 GCWA Habitat		Rank-1 GCWA Habitat	
	Hectares	Acres	Hectares	Acres	Hectares	Acres	Hectares	Acres	Hectares	Acres	Hectares	Acres
500-m Direct Effects Area	160	395	9	22	2	5	50	124	49	121	52	128
9-km Effects Buffer	1,812	4,477	686	1,695	99	245	417	1,030	351	867	358	885
EA Indirect Effects Area	4,973	12,288	1,782	4,403	165	408	1,174	2,901	1,032	2,550	985	2,434
EA Cumulative Effects Area	17,593	43,472	5,834	14,416	600	1,483	4,228	10,447	3,518	9,876	3,615	8,933

Figure 3.
Golden-cheeked Warbler Habitat Within FM 1626 Environmental Assessment's Cumulative Effects Study Area

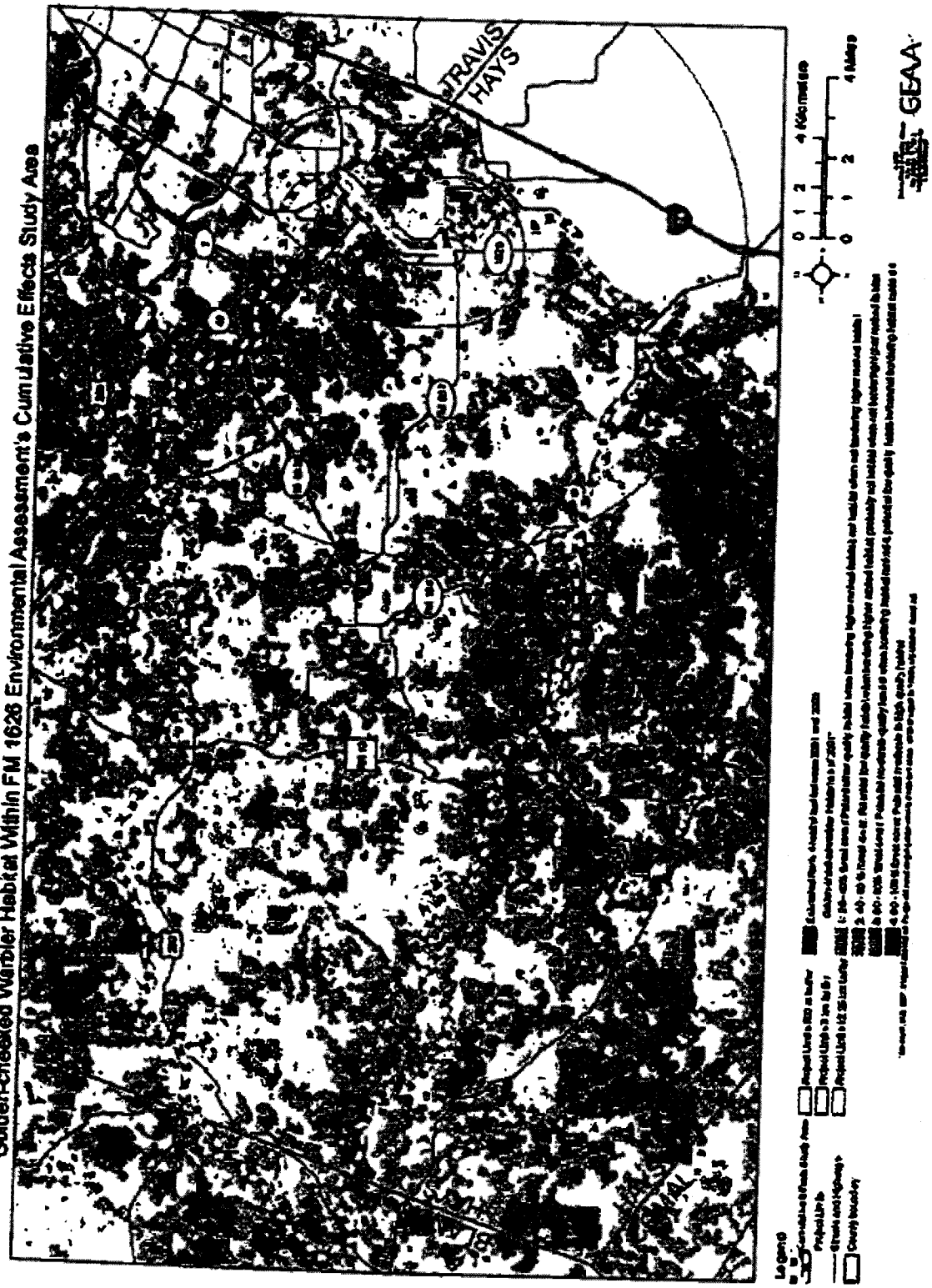
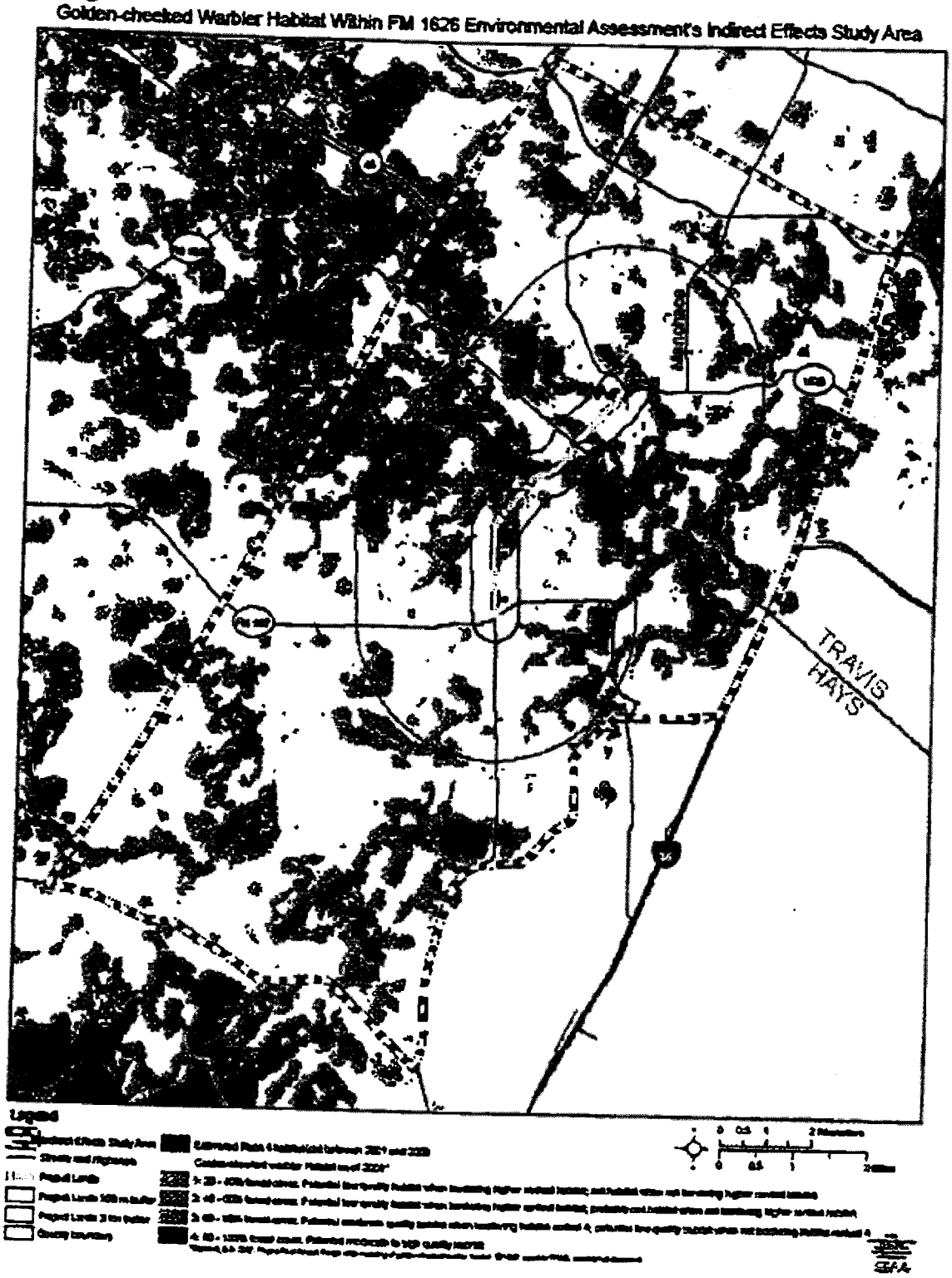


Figure 4.

Golden-cheeked Warbler Habitat Within FM 1626 Environmental Assessment's Indirect Effects Study Area



Citations:

Diamond, D.D. 2007. Project Final Report: Range-wide modeling of golden-cheeked warbler habitat. 12/15/07 report to TPWD, unpublished document.

Hauwert, Nico M. 2005. City of Austin comment letter on proposed changes to Edwards Aquifer Rules TAC Chapter 213, Rule # 2003-029-213-WT, 4-25-05.

Smith, B., and Hunt, B. 2002. Petition for the Adoption of Rules: Changes to the Recharge Zone Map Boundary within the Barton Springs Segment of the Edwards Aquifer, Travis and Hays Counties, Texas.

TCEQ, Chapter 213-Edwards Aquifer Rule Log No. 2003-029-213-WT.

TCEQ metadata (http://www.tceq.state.tx.us/gis/metadata/edw_tsms_met.html), dated 09/01/2005.

TPWD. 1995. Management guidelines for the golden-cheeked warbler in rural landscapes. Special TPWD leaflet funded by USFWS.

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

This project should proceed - yesterday!
Essential to provide orderly and safe flow of ever increasing North-South traffic.
In conjuction with SH45 connecting FM1626 with Mo-Pac, will relieve traffic on Brodie Lane from Slaughter Lane to FM1626.
Left turns from FM1626 are now extremely dangerous during busy traffic times.

Name (Please Print): WILLIAM C. HERGOTZ
Address: 810 PINE SISKIN DR (Leisurewoods)
Buda, TX 78610-2665
Phone: 512-312-2267

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

This form may be used to provide written comments on this project. Any questions placed on this form will not be considered an open records request and will not be treated as such. If you have an open records request it must be submitted under a separate letter.

Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

I am writing to express my support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway. I live in Hays County and have seen the enormous growth that has taken place over the last several years. Roadways like FM 1626 which were once more than sufficient to handle traffic loads are no longer able to do so. Not only has FM 1626 become congested, it has become a dangerous roadway.

I applaud the role Hays County has taken in promoting the development of the project and committing funds through the financing agreement with the Texas Department of Transportation to make sure FM 1626 is expanded sooner rather than later. The context sensitive designs that the County is working on in cooperation with the Texas Department of Transportation - sidewalks, medians, walking and bike trails - will improve safety and make FM 1626 a more attractive facility.

I strongly support the development of the FM 1626 project from RM 967 to Brodie Lane and I urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Name Jerry Herm
President

Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

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I strongly support the development of the FM 1626 project from RM 967 to Brodie Lane and I urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Name Julian M. Hernandez
Rosie R Hernandez

Simply Charming

December 7, 2009

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

On behalf of the Kyle Area Chamber of Commerce, I am writing to express our support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway.

The Kyle Area Chamber greatly anticipates the expansion of FM 1626 to a four-lane facility. FM 1626 is a major travel corridor in Northern Hays County and is home to many of our businesses and residents. Several schools are located on or near the FM 1626 facility, which is used by several bus routes. The roadway provides a critical link to the employment centers in Travis County, and is used by our fire, police and emergency facilities as a direct access route and alternate to Interstate 35.

Expanding FM 1626 to four lanes and providing the context sensitive designs being developed by Hays Country in cooperation with the Texas Department of Transportation will provide benefits to all of our residents and employers. We will have increased mobility and safety, and an improved quality of life for all of our citizens.

The Kyle Area Chamber of Commerce strongly supports expanding FM 1626 from RM 967 to Brodie Lane and we urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Ray Hernandez
Executive Director
Kyle Area Chamber of Commerce

Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

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I am writing to express my support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway. I live in Hays County and have seen the enormous growth that has taken place over the last several years. Roadways like FM 1626 which were once more than sufficient to handle traffic loads are no longer able to do so. Not only has FM 1626 become congested, it has become a dangerous roadway.

I applaud the role Hays County has taken in promoting the development of the project and committing funds through the financing agreement with the Texas Department of Transportation to make sure FM 1626 is expanded sooner rather than later. The context sensitive designs that the County is working on in cooperation with the Texas Department of Transportation - sidewalks, medians, walking and bike trails - will improve safety and make FM 1626 a more attractive facility.

I strongly support the development of the FM 1626 project from RM 967 to Brodie Lane and I urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Name Rosie R Hernandez

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

FM1626 is no longer a small country road. It has become a major ~~thoroughfare~~ road that connects with IH-35 and the future SH. 45. The large volume of traffic needs to be on a good large road for safety reasons. The improvements to FM 1626 should have already been completed years ago. The bonds passed so this project should be completed.

Please & Thank You!

Name (Please Print): Cynthia J. Herzog
Address: 16012 Oak Arbor Trail
Buda, TX 78610-9377
Phone: 512-312-0567

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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Seton Hays Foundation

A member of the Seton Family of Hospitals

December 8, 2009

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

Please accept this letter in support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway. Over the last several years FM 1626 has become an unsafe, congested roadway. Residential growth along FM 1626 has continued to increase and added many more vehicles onto the roadway. Our emergency services have to contend with increased travel time, jeopardizing the lives and property of our citizens. Widening FM 1626 in this area will enhance a critical alternative route to Interstate 35 for our emergency services.

I strongly support the development of the FM 1626 project from RM 967 to Brodie Lane and I urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Gerald Hill
Executive Director
Seton Hays Foundation

6001 Kyle Parkway • Kyle, Texas 78640 • (512) 324-5075 • www.setonhaysfoundation.org

Our mission

Sent from constituent KB

Tuesday, December 8, 2009 8:03 AM

Subject: <no subject>
Date: Monday, December 7, 2009 7:43 PM
From: thill51@austin.rr.com
To: Jeff Barton <jeff.barton@co.hays.tx.us>
Cc: Kara Bishop <kara.bishop@co.hays.tx.us>

Dear Jeff,

I am unable to attend the public hearing tomorrow night concerning FM 1626, and therefore won't be able to stand when you ask those supporting the overhaul to stand.

Please use this email as my vote and support to widen and improve FM 1626 and to count me as one of those standing.

I hope this email can be counted as my support.

Thank You!
Lynn T. "Tom" Hill

Sent from constituent KB

Subject: FM 1626
Date: Tuesday, December 8, 2009 11:06 AM
From: cajunlady51@austin.rr.com
To: Jeff Barton <jeff.barton@co.hays.tx.us>

Jeff, I am out of town in Birmingham visiting my new granddaughter. I cannot attend the meeting tonight.

We do need to widen 1626 for it is becoming a death trap and cannot keep up with the traffic flow.

Please use this email as my vote for improvements as soon as possible.

Thank you.

Renee S. Hill
109 Shannons Way, Buda 78610

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

ROADS / CORRIDOR NEED TO BE IMPROVED NOW. YOU CAN'T STOP GROWTH BY ADDING EXPANDING CURRENT ROADWAYS. THE GROWTH IS EXPONENTIAL & CAN NOT BE HINDERED. PLEASE LISTEN TO CONSTITUENTS IN THE AREA & PROVIDE ROADWAYS THAT WILL INSURE SAFETY FOR THE RESIDENTS. PASS-THROUGH FINANCING SOLVES TWO VERY IMPORTANT THINGS - AIDES TXDOT @ A TIME WHEN THEY HAVE NO / OR LITTLE FUNDING WHILE REPAYIN THE COUNTY FOR IMPROVEMENTS OVER TIME. IT IS TIME

Name (Please Print): CATHY HOWARD

Address: 635 BOX CANYON RD.
WIMBERLEY, TX 78676

Phone: 842-1341

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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Buda Fire Department
Hays County Emergency Services District # 8
P.O. Box 1159, Buda, TX 78610
Administration: (512) 295-2232
Fax: (512) 295-2848

November 20, 2009

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

We are contacting you to convey our support for the project to expand FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway.

FM 1626 has become a public safety hazard due to the increased traffic from unprecedented growth in our area. Subsequently, our ability to respond to emergencies is adversely effected when the roadway has become over congested with inadequate passing lanes. First Responders and Firefighters use FM 1626 as the designated exchange route to Interstate 35.

The FM 1626 improvement program is supported by Buda Fire Department. We encourage Texas Department of Transportation to expeditiously approve the construction project.

Sincerely,

Clay Huckaby
Fire Chief

T.X.D.O.T.
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DEC 14 2009
DISTRICT 14 - MAIL ROOM
AUSTIN, TX

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

TxDot said the proposed improvements posed no environmental hazards and the expanded right of way is not expected to displace any homes or business - We voted for this and it passed - !!
So FIX 1626

Thanks Jeff for all your hard work (WINK)

Name (Please Print): Robert + Sharon Huffar
Address: 814 Dove DR.
Manchaca TX 78652
Phone: 280-2501

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

I would love to be able to cycle to Brodie Lane and/or Manchaca - this would be a lot safer with proper shoulders along the whole length of the road.

I like the idea of side walks from Jerrys Lane to 967 - it would be great to be able to reach the sports centre by foot or bicycle.

And please don't forget SITES!

Name (Please Print): JO HUNTER

Address: 1494 LITTLE BEAR ROAD

BUDA, TX, 78610

Phone: 512-239-9547

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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T.X.D.O.T.
RECEIVED
2 0 2009
DISTRICT 14 - MAIL ROOM
AUSTIN, TX

November 18, 2009

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

I am writing to express my support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway. I am a landowner along the route through Buda, and I have experienced how dangerous FM 1626 has become as an unsafe, congested roadway. Residential growth along FM 1626 has continued to increase and added many more vehicles onto the roadway. Our emergency services have to contend with increased travel time, jeopardizing the lives and property of our citizens. School buses outside my community at Elm Grove Elementary have to wait in congestion to drop-off and pick-up our schoolchildren. Widening FM 1626 in this area will address all of these issues and enhance a critical alternative route to Interstate 35 for our emergency services.

I am very excited to hear about the context sensitive designs that the County is working on with the Department of Transportation. Providing medians in certain locations will improve safety, and installing walking and bike trails along the route will make the roadway more attractive and enhance our recreational options.

I strongly support the development of the FM 1626 project from RM 967 to Brodie Lane and I urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Matthew Hutchins

Julie Hutchins

Julie Hutchins

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

(OFFSET SOS CONCERNS)
(DO MORE THAN MINIMALS)

WATER QUALITY

I SURE HOPE SOME "SUSTAINABLE SITES" CONCEPTS ARE USED.
"DISTRIBUTED WQ" TREATMENT VS. "END OF PIPE" BASINS → (TAKES MORE ROW)

- INFILTRATION TRENCHES (Depressed center median)
- VEG. SWALES
- SAFETY → PERMEABLE FRICTION COURSE (PFC) → Less spray → Less hydroplane → Better traction → TSS removal ← OFFSET SOS CONCERNS
- WET VAULTS
- MEDIA VAULTS (FILTERA)
- OIL/GREASE removal (SMART SPONGE)
- BIORETENTION – RAIN GARDENS
- NATIVE VEG – (minimize TxDOT mowing maintenance costs)

Name (Please Print): ANDY JOHNSTON

Address: 3717 MALONE DR
AUSTIN TX

Phone: 512-282-4664

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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AUSTIN, TX

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

We own and live on property fronting FM 1626 from the Porter Co. on the South to Bob Johnson Lane on the North. This property has been in the family for more than 75 years.
We would like to see the new R.O.W. moved more to the West so as not to take our property and improvements. There is a large double oak tree that is half on our property and half on the existing R.O.W. that would be a shame to destroy. There is also an underground water drainage easement with the Porter Co. across our property draining into existing R.O.W.

Name (Please Print): Chester T. Johnson & Martha E. Johnson
Address: 2101 FM 1626
Manchaca, Texas 78652-4501
Phone: (512) 282-1449

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

In 2004 I attended the first TxDot hearing on 1626 improvements. Then I proposed the road be not a speedway, but rather a parkway - pedestrian and bike friendly, visually pleasing. Five years later TxDot proposes a speedway - an ugly blight. Please adopt Hays Co. Commissioner's Court amendments and build the road. Any delay continues the dangerous conditions we now experience.

Name (Please Print): Jeff Kaufmann

Address: 407 Leisurewoods
Buda, TX

Phone: 512-295-4009

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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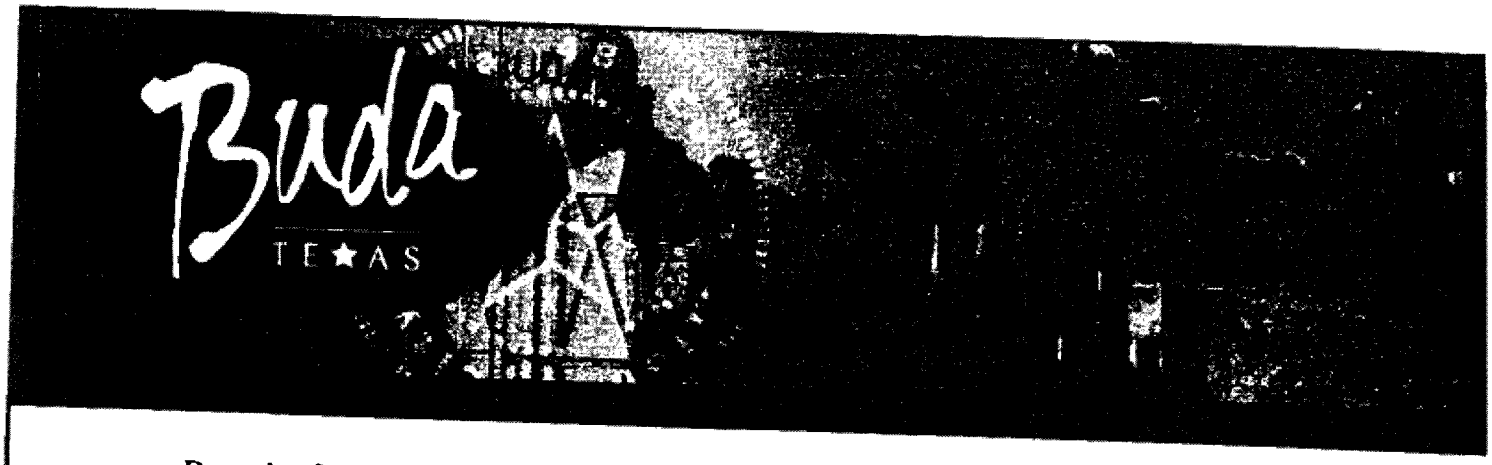

December 8, 2009

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

On behalf of the Buda Economic Development Corporation, I am writing to express our support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway.

A safe and attractive transportation network that can address mobility and connectivity, both currently and in the future, is essential for attracting investment in the region. FM 1626 in its current two-lane configuration is no longer sufficient to address even the region's current needs. The roadway has become congested and unsafe resulting in hours of lost productivity for the region's employees and residents. The expansion of FM 1626 to a four-lane facility would increase mobility and safety. Emergency response times would be improved as would travel along the corridor for the region's school buses. High quality transportation infrastructure is always a "top ten" item for any business project contacting my office.

This project is the result of many years of cooperative efforts between Hays County and the Texas Department of Transportation with regard to innovative funding and cooperatively developing context sensitive designs for the FM 1626 corridor. Adding walking and bike trails and enhanced median crossings at critical intersections would increase the attractiveness of the FM 1626 corridor.

The Buda Economic Development Corporation strongly supports expanding FM 1626 from RM 967 to Brodie Lane and we urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Warren Ketteman
Buda Economic Development Corporation

203 Railroad Street | Suite 3-A | P.O. Box 1650 | Buda, Texas 78610 | 512.295.2022 ph. | 512.295.3519 fax | www.budaedc.com

December 8, 2009

Mr. Carlos Lopez
District Engineer
Texas Department of Transportation
Re: FM 1626 Public Hearing in Buda

Mr. Lopez:

Thank you for the opportunity to provide written comments concerning the future improvements of FM 1626. This north-south roadway has become a key component to the transportation infrastructure in Northern Hays County. As an economic development professional, I was aware of the growing traffic volume on this roadway but had no idea how fast those numbers had grown. As noted in the Environmental Assessment for this project, the ADT for this portion of FM 1626 was 2,600 in 1985 but had grown to 12,800 by 2004. Here we are 5 years later. What are those numbers today? Estimated ADT for 2024 is 20,400. Let's make the necessary improvements before it's too late.

I know there are those who seek to delay this project for various reasons. Among those are "environmental concerns". Having reviewed the 188 page EA on this project, I can see no such issue. On page 113 of that document you can read about the insignificant impact this road project would have on surface water, ground water, salamanders and birds. On page 115 of the same document you read this, " The findings and evaluations performed thus far in project planning indicate that the proposed improvements to FM 1626 would cause insignificant social, economic and environmental effects." Hays County voters approved the bond package to fund this project (and others) in November 2008. It's almost 2010 and we are still having meetings and talking.

Let's improve FM 1626 now!!

Sincerely,

Warren Ketteman, Executive Director
Buda Economic Development Corporation

203 Railroad Street | Suite 3-A | P.O. Box 1650 | Buda, Texas 78610 | 512.295.2022 ph. | 512.295.3519 fax | www.budaedc.com

December 8, 2009

Hays County Commissioner
Mr. Jeff Barton
111 North Front Street
Kyle, TX 78410

Dear Commissioner Barton

I am planning on attending the TXDOT meeting with regards to the much needed improvements to 1626 today but in case I cannot make it, could you please pass on my comments.

I live, work and worship in Northern Hays County and we try to do most of our shopping in Hays County as well. With respect to my personal life, I drive 1626 daily, even though I do not commute regularly into Austin. It is hard to believe that a road with so much traffic and congestion is taking so long to make the necessary improvements to ensure safety for residents and visitors to our community. In the relative short time I have lived in the area I know several people who have been involved in accidents on 1626 due to a result of the inadequate design of the road with respect to the traffic patterns, this is why the roads need to be properly designed and improved. With respect to environmental concerns – a well designed road (to last 30 plus years), can greatly reduce emissions from day to day traffic congestion as well as eliminating emissions from frequent repairs required from roads that are under-designed.

As a business leader in Hays County, I understand the importance of proper allocation of funds with the goal to maximize value while minimizing the tax burden. This is a great opportunity to leverage our limited county tax dollars with State and Federal money that has been appropriated for projects like 1626. In fact, there are probably few projects that meet the PTF requirement as close to the 1626 road improvement project does.

I would like to address several benefits the additional lanes on 1626 would create for the community.

1. Greatly improved safety for all residential, commercial and commerce traffic that travels on 1626.
2. Reduced emissions from traffic congestion, stop start traffic etc.
3. Improved safety for many of my employees that drive regularly on 1626.

Thank-you

Robert Kidnew
President- Texas Lehigh Cement Company LP

Hays County Commissioner
Mr. Jeff Barton
111 North Front Street
Kyle, TX 78410

Dear Commissioner Barton

I am planning on attending the TXDOT meeting with regards to the much needed improvements to 1626 today but in case I cannot make it, could you please pass on my comments.

I live, work and worship in Northern Hays County and we try to do most of our shopping in Hays County as well. With respect to my personal life, I drive 1626 daily, even though I do not commute regularly into Austin. It is hard to believe that a road with so much traffic and congestion is taking so long to make the necessary improvements to ensure safety for residents and visitors to our community. In the relative short time I have lived in the area I know several people who have been involved in accidents on 1626 due to a result of the inadequate design of the road with respect to the traffic patterns, this is why the roads need to be properly designed and improved. With respect to environmental concerns – a well designed road (to last 30 plus years), can greatly reduce emissions from day to day traffic congestion as well as regular repairs needed compared to roads that are under-designed.

As a business leader in Hays County, I understand the importance of proper allocation of funds with the goal to maximize value while minimizing the tax burden. This is a great opportunity to leverage our limited county tax dollars with State and Federal money that has been appropriated for projects like 1626. In fact, there are probably few projects that meet the PTF requirement as close to the 1626 road improvement project does.

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2. Reduced emissions from traffic congestion, stop start traffic etc.
3. Improved safety for many of my employees that drive regularly on 1626.

Thank-you

Robert Kidnew
President- Texas Lehigh Cement Company LP

December 8, 2009

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DISTRICT 14 - MAIL ROOM
AUSTIN, TX

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

We are writing to express our support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway. We are landowners along the route and have lived along the route for 7 years. Over the last several years FM 1626 has become an unsafe, congested roadway. Residential growth along FM 1626 has continued to increase and added many more vehicles onto the roadway. Our emergency services have to contend with increased travel time, jeopardizing the lives and property of our citizens. School buses have to wait in congestion to drop-off and pick-up our schoolchildren. Widening FM 1626 in this area will address all of these issues and enhance a critical alternative route to Interstate 35 for our emergency services.

We are very excited to hear about the context sensitive designs that the County is working on with the Department of Transportation. Providing medians in certain locations will improve safety, and installing walking and bike trails along the route will make the roadway more attractive and enhance our recreational options.

We strongly support the development of the FM 1626 project from RM 967 to Brodie Lane and we urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

R. M. Kneeland
Linda Kneeland

Bob and Linda Kneeland
Huntington Estates Subdivision
Hays County

101 Maybrook Drive
Buda, TX 78610

Date November 18, 2009

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

I am writing to express my strong support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway.

FM 1626 is a critical link in north-central portion of the Hays County roadway network. In addition to serving the many neighborhoods, schools and other uses along and adjacent to this corridor, the roadway is a major direct emergency service access roadway. The County's emergency services also use FM 1626 as the designated alternate roadway to Interstate 35. Congestion and the unsafe conditions on FM 1626 in its current two-lane configuration significantly impact our ability to respond as quickly as possible, jeopardizing lives and property in the County.

Expanding FM 1626 to a four-lane roadway will greatly improve our ability to reduce our response times and help to make Hays County safe place to live, work and visit. We are very pleased that the FM 1626 improvement program is moving forward and support the County and Department's efforts to expedite these critical improvements.

Sincerely,

Constable Kohler

Constable Kohler

CITY OF BUDA

Founded 1881 121 Main Street
P.O. Box 1218 Buda, Texas 78610 Phone (512) 295-6331 or (512)

December 17, 2009

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

I am writing to express my strong support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway.

This project is the result of many years of cooperative efforts between Hays County and the Texas Department of Transportation. This partnership has forged an agreement to reimburse the County through the Department's innovative Pass-Through Financing Program, and is cooperatively developing context sensitive design solutions throughout the corridor to make the facility safer and more attractive for the region's residents and employees.

In this current economic environment, we must take advantage of all of our opportunities to attract residents and employers to the region, while addressing current deficiencies in mobility and connectivity. Development in this area of Hays County will only continue. Schools will continue to be built that use the FM 1626 corridor. Our emergency services count on FM 1626 as the alternate route for Interstate 35 for western Hays County. The expansion of FM 1626 will definitely respond to these current needs and sufficiently prepare us for the future.

I applaud the partnership of the Department and Hays County and urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Bobby D. Lane
Mayor, City of Buda

A Resolution by the City of Buda
In Support of the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway.

RESOLUTION NO. 091215-2

WHEREAS, the expansion of the FM 1626 corridor between FM 2770 and Brodie Lane to a four-lane facility would improve mobility, connectivity and safety in the regional transportation network; and

WHEREAS, the FM 1626 corridor between FM 2770 and Brodie Lane is a gateway corridor into Hays County;

WHEREAS, this project is the result of many years of cooperative efforts between Hays County and the Texas Department of Transportation;

WHEREAS, this partnership has forged an agreement to reimburse the County through the Department's innovative Pass-Through Financing Program, and is cooperatively developing context sensitive design solutions throughout the corridor to make the facility safer and more attractive for the region's residents and employees;

WHEREAS, in this current economic environment, we must take advantage of all of our opportunities to attract residents and employers to the region, while addressing current deficiencies in mobility and connectivity;

WHEREAS, development in this area of Hays County will only continue and schools will continue to be built that use the FM 1626 corridor;

WHEREAS, our emergency services count on FM 1626 as the alternate route for Interstate 35 for western Hays County;

WHEREAS, the expansion of FM 1626 will definitely respond to these current needs and sufficiently prepare us for the future.

Now therefore be it resolved that the City of Buda urges the Department to approve the environmental document so the project can move to construction as quickly as possible.

PASSED AND APPROVED this 15th day of December, 2009.

Bobby D. Lane, Mayor

CITY OF BUDA TEXAS HAYS COUNTY

ATTEST: Toni Milam, City Secretary

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

This project has been on going to long. This road is unsafe for all. it Need to be complete as soon as possible.

Name (Please Print): David & Mary Lothery

Address: 595 E. Overlook Mountain Rd
Buda TX 78610

Phone: 512 295-2477

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

I am writing to express my support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway. I live in Hays County and have seen the enormous growth that has taken place over the last several years. Roadways like FM 1626 which were once more than sufficient to handle traffic loads are no longer able to do so. Not only has FM 1626 become congested, it has become a dangerous roadway.

I applaud the role Hays County has taken in promoting the development of the project and committing funds through the financing agreement with the Texas Department of Transportation to make sure FM 1626 is expanded sooner rather than later. The context sensitive designs that the County is working on in cooperation with the Texas Department of Transportation - sidewalks, medians, walking and bike trails - will improve safety and make FM 1626 a more attractive facility.

I strongly support the development of the FM 1626 project from RM 967 to Brodie Lane and I urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Becky Louk - Resident

Name

Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

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I strongly support the development of the FM 1626 project from RM 967 to Brodie Lane and I urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Resident

Name Josh Louk

Hays Consolidated Independent School District

Jeremy Lyon, Ph.D.
Superintendent of Schools

November 17, 2009

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

On behalf of the Hays Consolidated Independent School District (CISD), I am writing to express our very strong support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway.

FM 1626 is a critical roadway for our school district. Elm Grove Elementary School is directly located on FM 1626 and several other campuses including Hays High School, Academy High School, Barton Middle School and the district Performing Arts Center are located just off FM 1626. Dahlstrom Middle School and Carpenter Hill Elementary School (opening August 2010) are located on RM 967. The district's Facilities Department and satellite Transportation Department are also located on FM 967. This road is used by several bus routes and is a link in the transportation network for many other schools in the District.

A two-lane FM 1626 can no longer address the safety and mobility needs of our District. The road is unsafe and very congested. Elm Grove Elementary, especially, bears the brunt of this outdated roadway and has become unsafe for drivers accessing the campus. Delays in our bus routes cost the district time and money.

Expanding FM 1626 to four lanes and providing the context sensitive designs being developed by Hays Country in cooperation with the Texas Department of Transportation will provide much-needed congestion relief to our students, teachers and employees and make the roadway safer and more attractive.

The Hays CISD strongly supports expanding FM 1626 from RM 967 to Brodie Lane and we urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Jeremy Lyon, Ph.D
Superintendent of Schools

21003 Interstate 35
Kyle, TX 78640
512-268-2141
(fax)512-268-7121
www.hayscisd.net

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

WHAT PURPOSE DOES IT SERVE TO WIDEN THIS ROAD & STOP THAT ABRUPTLY @ THE TRAVIS COUNTY LINE AND/OR @ BRODIE LANE?

UNLESS THIS PROJECT IS PART OF A COMPREHENSIVE REGIONAL PLAN TO INCREASE MOBILITY TO & FROM HAYS FROM CENTRAL AUSTIN, IT IS NOTHING BUT A WASTE OF MONEY.

Name (Please Print): MAJESTA MAJORCA

Address:

Phone:

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

Please see attached letter. Thank you.

Name (Please Print): Janet Marsh

Address: 3502 Capistrano
Austin, TX 78739

Phone: 512 9141289

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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Janet Marsh
3502 Capistrano
Austin, Texas 78739
(512) 914 1289

December 15, 2009

Mr. Carlos Lopez, P.E.
District Engineer
Texas Department of Transportation – Austin District
Austin, Texas 78761

Re: FM 1626 from FM 967 to Bliss Spillar (or Brodie Lane)

Dear Mr. Lopez:

This letter is written as a formal request to extend the comment period on the above referenced project from December 18, 2009 to January 29, 2010. While I am not opposed to the above mentioned project or any traffic safety improvements TXDOT plans for the southwest quadrant of Travis County, I am opposed to the segmenting you are proposing for this State facility with no regard to other long awaited State promised roadways. As a stand-alone effort, this proposed project does not have a logical terminus.

I am requesting that the Commissioners Courts of both Hays and Travis counties align themselves in the coming weeks and proceed together to TXDOT, CAMPO and the State Transportation Commission to: (1) request that no State road be extended to a County road; (2) request that the State establish a realistic transportation plan for northern Hays and southern Travis counties; and, (3) request that the *ad hoc* practice of phasing State roadway construction be abandoned in favor of a comprehensive ROAD SYSTEM that serves the region.

Thank you.

Janet Marsh

Janet Marsh

cc: Judge Sam Biscoe
Commissioner Karen Huber
Judge Liz Sumter
Commissioner Jeff Barton
Senator Kirk Watson
Sam Harper

CITY OF KYLE

300 W. Center • P.O. Box 40 • Kyle, Texas 78640 • (512) 268-5341 • FAX (512) 268-0675

T.X.D.O.T.
RECEIVED
DEC 10 2009
DISTRICT 14 - MAIL ROOM
AUSTIN, TX

December 8, 2009

Mike Walker, Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM1626 - Segment B

Dear Mr. Walker:

I am writing you today to express my strong support for the widening of FM1626 from RM967 to Brodie Lane from a two-lane roadway to a four-lane roadway.

While this particular segment of FM1626 is outside our city limits, the plans for an improved FM1626 that will be achieved through this project is directly aligned with significant upgrades to this roadway already accomplished within the City of Kyle. The FM1626 - Segment B project will represent an extension of the safety and mobility improvements completed on FM1626 by the Texas Department of Transportation (TxDOT), Hays County, and the City of Kyle in 2005.

This particular project is the result of many years of cooperative efforts between Hays County and the TxDOT. This partnership has forged an agreement to reimburse the County through the Department's innovative Pass-Through Financing Program, and is cooperatively developing context sensitive design solutions throughout the corridor to make the facility safer and more attractive for the region's residents and employees.

In this current economic environment, it is important that we take advantage of all of our opportunities to attract residents and employers to the region, while addressing current deficiencies in mobility and connectivity. Development in northern Hays County and the City of Kyle will only continue. Schools will continue to be built that use the FM1626 corridor. Our emergency services count on FM1626 as the alternate route for Interstate 35 for western Hays County. The expansion of FM 1626 will definitely respond to these current needs and sufficiently prepare us for the future.

While there has been no official action taken by the Kyle City Council on this matter, I am confident that if asked, they too would voice their strong support for moving forward with this project.

I applaud this partnership effort by TxDOT and Hays County; and urge the Department to approve the environmental document so the project can move to construction as quickly as possible. Please let me know if you have any questions or if I can be of further assistance.

Sincerely,

Thomas L. Mattis
City Manager

CITY OF KYLE

300 W. Center • P.O. Box 40 • Kyle, Texas 78640 • (512) 268-5341 • FAX (512) 268-0675

December 8, 2009

Mike Walker, Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

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Sincerely,

Thomas L. Mattis
City Manager

T.X.D.O.T.
RECEIVED
DEC 11 2009
DISTRICT 14 - MAIL ROOM
AUSTIN, TX

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

Please improve safety on 1626. It carries too much traffic into Austin to be one lane, without shoulders in some places, with many curves. Gravel trucks exceed the speed limit regularly and cannot control the trucks. This isn't likely to change given the number of plants in Hays Co. and the construction in Central Texas. There are insufficient roads in Hays Co to carry traffic for commuters into Austin. This is a significant public safety issue. I have had two near-collisions on 1626 since I moved to the area from Austin in 2008. Please don't further delay this project. There are numerous accidents on the road.
Thank you for your consideration. Renée Mauzy

Name (Please Print): Renée Mauzy
Address: 644 W. Bartlett Dr.
Buda Tx 78610
Phone: 470-3556

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

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I applaud the role Hays County has taken in promoting the development of the project and committing funds through the financing agreement with the Texas Department of Transportation to make sure FM 1626 is expanded sooner rather than later. The context sensitive designs that the County is working on in cooperation with the Texas Department of Transportation - sidewalks, medians, walking and bike trails - will improve safety and make FM 1626 a more attractive facility.

I strongly support the development of the FM 1626 project from RM 967 to Brodie Lane and I urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Alan McCorkle, City of Hays Council member

Name

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

FOR ALL PROJECTS, INCLUDING
I-5 FROM IH.35 TO MOPAC, GET
IT STARTED, IT'S PAST TIME.

I SEE NO NEED FOR 8' SIDEWALKS
OR RAISED MEDIANS. TOTAL WAST OF MONEY

Name (Please Print): J. C. McKINNON

Address: 206-A DODGEN TRAN
BUDA

Phone: 757-3245

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Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

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Sincerely,

Jerry McKnight

Name

Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

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Sincerely,

Linda McKnight

Name

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

WE ARE IN FAVOR OF THIS PROJECT.
THE WIDENING OF FM 1626 IS DRASTICALLY NEEDED TO HANDLE THE LARGE AMOUNT OF TRAFFIC AND IMPROVE SAFETY NOW AND IN THE FUTURE. IT HAS BEEN DELAYED LONG ENOUGH — LET'S GET IT DONE NOW!

Name (Please Print): TOM & SUSIE MEDINA
Address: 406 LITTLE BEAR RD.
BUDA, TX 78610
Phone: 512-312-9358

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

(1) add Light to Westway & Justin Lane

(2) Make the Speed Limit 45-50 from Brodie to 967

(3) Connect the side walk & pedestrian Side to the walk path from Austin

(4) Plan the Road for Light motorcycle traffic.

Name (Please Print): Clark Miller

Address: 1000 Southern Dr
Buda Tx 78610

Phone: 512 415 8567

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

THIS ROADWAY EXPANSION IS DESPERATELY NECESSARY. MY CHILDREN ARE SOON TO BE OF SCHOOL AGE AND WILL ATTEND ELM GROVE, AND I'M CONCERNED FOR THEIR SAFETY AS THEY GO TO SCHOOL. GROWTH WILL CONTINUE TO OCCUR IN THE AREA, WITH OR WITHOUT THE ROAD, SO PLEASE INCREASE THE SAFETY BY EXPANDING THE ROADWAY.

Name (Please Print): GRAHAM MOORE

Address: 129 TARBOX BROWN DR.
BUDA, TX 78610

Phone: (512) 523-8111

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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COMMENT SHEET

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Elm Grove Elementary School, Buda, Texas
December 8, 2009

In the 2004 meeting, there were comments about retention ponds, especially where the "un-named" creek goes under 1626. I don't see them on the map now. I live at that location and I don't want retention ponds. They breed mosquitos & would make our yard un-livable. Second, our yard (backing onto 1626) has a fence, trees and bushes for a sound-break. Will those be replaced if they are destroyed? One speaker said "social effects will be negligible". I guess he doesn't consider noise a social effect.

Name (Please Print): David Morgan

Address: 208 Canyon Wren Dr
Buda

Phone: 512-0539

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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YMCA
of Austin

Thursday, November 19, 2009

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

I am writing to express my support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway. I have worked in the area with the YMCA and over the last several years FM 1626 has become an unsafe, congested roadway. Residential growth along FM 1626 has continued to increase and added many more vehicles onto the roadway. Our emergency services have to contend with increased travel time, jeopardizing the lives and property of our citizens. School buses have to wait in congestion to drop-off and pick-up our schoolchildren. Widening FM 1626 in this area will address all of these issues and enhance a critical alternative route to Interstate 35 for our emergency services.

I am very excited to hear about the context sensitive designs that the County is working on with the Department of Transportation. Providing medians in certain locations will improve safety, and installing walking and bike trails along the route will make the roadway more attractive and enhance our recreational options.

I strongly support the development of the FM 1626 project from RM 967 to Brodie Lane and I urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Jim Pacey
Executive Director

FM 1626B_Spring Public Hearing Support_Property Owner letter.doc

Hays Communities Family Branch
465 Buda Sportsplex Drive
Buda, Texas 78610
Phone (512) 523-0099
Fax (512) 523-0066
www.austinymca.org

The Mission of the Young Men's Christian Association of Austin is to put Christian principles into practice through programs that build healthy spirit, mind and body for all.

a Partner Agency of
United Way
United Way Capital Area

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

We need this for safety & we need the Contact Sensitive Design to keep our character.

Name (Please Print): Amy Parham

Address: 226 Witte
Kyle TX 78640

Phone: 512 268 6844

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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SAN MARCOS-HAYS COUNTY EMS, Inc
1305 IH 35 North
PO Box 641
San Marcos, TX 78667-0641
Phone 512 353-5115 Fax 512 353-1491

December 2, 2009

Mike Walker
Environmental Coordinator
TXDOT
Austin District Office
P.O. Box 15426
Austin, TX 78761-5426

RE: FM 1626, Segment B

Dear Mr. Walker:

On behalf of San Marcos-Hays County EMS, Inc., I am writing to express my strong support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway.

FM 1626 is a critical link in the North-central portion of the Hays County roadway network. In addition to serving the many neighborhoods, schools and other uses along and adjacent to this corridor, the roadway is a major direct emergency service access roadway. The County's emergency services also use FM 1626 as the designated alternate roadway to IH 35 congestion, and the unsafe conditions of FM 1626 in its current two-lane configuration significantly impact our ability to respond as quickly as possible, jeopardizing lives and property in Hays County.

Expanding FM 1626 to a four-lane roadway will greatly improve our ability to reduce our response times and help make Hays County a more safe place to live, work, and visit. We are very pleased that the FM 1626 improvement program is moving forward and support the County and Department's efforts to expedite these critical improvements.

Sincerely,

Tom Partin EMT-P
Executive Director

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

We are for the project.

Name (Please Print): DANIEL + IRENE PEREZ

Address: 520 OAK FOREST DR
BUDA, TX 78610

Phone: 512-295-1993

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

PLEASE MOVE FORWARD WITH THIS PROJECT. I AM IN FAVOR OF THIS PROJECT.

THANKS FOR ALLOWING ME TO BE A PART OF THIS PROCESS.

Name (Please Print): LOREN PERRY

Address: 203 CARACARA DR

BUDA, TX 78610

Phone: H 512 312 9002 C 512 705 8628 W 512 447 0575

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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Subject: FM 1626B_Spring Public Hearing Support_Fire-EMS letter
Date: Wednesday, November 18, 2009 10:15 AM
From: David Peterson <dpeterson@co.hays.tx.us>
To: Jeff Barton <jeff.barton@co.hays.tx.us>

<Sample Letter of Support –Police,Fire, EMS >

Date

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

On behalf of the David L. Peterson Constable PCT-1 San Marcos, Texas_____, I am writing to express my strong support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway.

FM 1626 is a critical link in north-central portion of the Hays County roadway network. In addition to serving the many neighborhoods, schools and other uses along and adjacent to this corridor, the roadway is a major direct emergency service access roadway. The County's emergency services also use FM 1626 as the designated alternate roadway to Interstate 35. Congestion and the unsafe conditions on FM 1626 in its current two-lane configuration significantly impact our ability to respond as quickly as possible, jeopardizing lives and property in the County.

Expanding FM 1626 to a four-lane roadway will greatly improve our ability to reduce our response times and help to make Hays County safe place to live, work

and visit. We are very pleased that the FM 1626 improvement program is moving forward and support the County and Department's efforts to expedite these critical improvements.

Sincerely,
David L. Peterson
Constable PCT-1

Name

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

Just put one Turn Lane
The length of the road
Think about future cost of
maintaining the Road -
Look if sidewalks are
really needed

Name (Please Print): Dale Polley

Address: 541 Elliott Ranch Rd
Buda TX 78610

Phone: 512-295-5721

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Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

I am writing to express my support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway. I live in Hays County and have seen the enormous growth that has taken place over the last several years. Roadways like FM 1626 which were once more than sufficient to handle traffic loads are no longer able to do so. Not only has FM 1626 become congested, it has become a dangerous roadway.

I applaud the role Hays County has taken in promoting the development of the project and committing funds through the financing agreement with the Texas Department of Transportation to make sure FM 1626 is expanded sooner rather than later. The context sensitive designs that the County is working on in cooperation with the Texas Department of Transportation - sidewalks, medians, walking and bike trails - will improve safety and make FM 1626 a more attractive facility.

I strongly support the development of the FM 1626 project from RM 967 to Brodie Lane and I urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Name

Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

I am writing to express my support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway. I live in Hays County and have seen the enormous growth that has taken place over the last several years. Roadways like FM 1626 which were once more than sufficient to handle traffic loads are no longer able to do so. Not only has FM 1626 become congested, it has become a dangerous roadway.

I applaud the role Hays County has taken in promoting the development of the project and committing funds through the financing agreement with the Texas Department of Transportation to make sure FM 1626 is expanded sooner rather than later. The context sensitive designs that the County is working on in cooperation with the Texas Department of Transportation - sidewalks, medians, walking and bike trails - will improve safety and make FM 1626 a more attractive facility.

I strongly support the development of the FM 1626 project from RM 967 to Brodie Lane and I urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Vera Polley

Name

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

Wasn't this already voted on and approved? Are we voting on the vote that was approved?

Name (Please Print): Susan Quinn

Address: 440 Hogan
Kyle, TX 78640

Phone: 512/449-6038

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County of Hays
OFFICE OF THE SHERIFF

Tommy Ratliff, Sheriff

November 17, 2009

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

I am writing to express my strong support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway.

The ever-increasing congestion and unsafe conditions on existing FM 1626 has impacted the Hays County Sheriff's Office in our ability to respond quickly, especially in emergency situations during peak travel times. The roadway is a critical link in the north-central portion of the Hays County and is a major direct emergency service access roadway. Our fire and emergency services also use FM 1626 as the designated alternate roadway to Interstate 35. Improving FM 1626 to address current congestion and unsafe conditions and prepare for future growth in the County will help my office and our emergency services to respond as quickly as possible to help protect citizens and property.

The Hays County Sheriff's Office is a strong supporter of the FM 1626 improvement program. We urge the Department to approve the environmental document in a timely manner so that construction can begin as quickly as possible.

Sincerely,

Tommy Ratliff, Hays County Sheriff

1307 Uhland Road • San Marcos, Texas 78666 • 512-393-7800 • FAX 512-393-7397

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

BUILD THE ROAD AS PLANNED BY TX DOT

I DO NOT FEEL THE COUNTY'S IDEAS FOR UPGRADES SUCH AS SIDEWALKS + RAISED MEDIANS ARE NEEDED. THIS IS A STATE HIGHWAY, NOT A RESIDENTIAL STREET.

THANKS

Name (Please Print): JEFF REEVES

Address: 306 LA JOLLA

BUDA TX 78610

Phone: 512-295-4314

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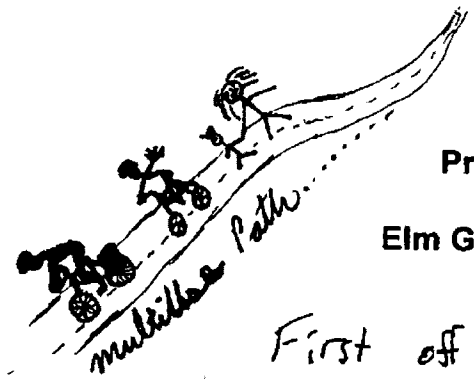

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

First off, fabulous work so far!
Thanks!

(1) We are excited about the 10 foot shoulder lane on the improved section ~~of~~ 1626. If this were marked for bicycle traffic it would be even better. Some communities even build a small curb section that distinctly separates bicycle traffic from ~~vehicular~~ automobile traffic to improve safety. We frequently see bicyclists on 1626 at all hours of the day + are concerned for their safety. We would also like to ride bicycles on 1626 if it were safer.

(2) Hays Co Attorney at end mentioned requested changes they submitted to TXDOT. One was an 8' sidewalk - I would request this sidewalk (including bridge section) simply be a multi-use path (walkers, bicyclists, roller bladers). This would improve health of citizens as well as safety for runners, walkers + bicyclists

Name (Please Print): Margaret Reiter & Ben Walhovd

Address: 1175 Live Oak Loop
Buda TX 78610

Phone: (608) 345.3370

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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COMMITTEES:
Human Services, Chair
Higher Education

Patrick M. Rose
Texas State Representative
District 45

COUNTIES:
Blanco
Caldwell
Hays

November 25, 2009

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

I write today to express my support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway. During my seven years representing Hays County in the Texas Legislature, I have heard from countless constituents and community leaders about both the need and support for this expansion.

This project is the result of many years of cooperative efforts between Hays County and the Texas Department of Transportation (TxDOT). This partnership has forged an agreement to reimburse the County through TxDOT's innovative Pass-Through Financing Program, and is cooperatively developing context-sensitive design solutions throughout the FM 1626 corridor to make the roadway safer and more attractive for the region's residents and employees.

Schools, businesses and residents rely daily on FM 1626, and our emergency services count on it as the alternate route to IH 35 for western Hays County. The expansion of FM 1626 will respond to these current needs and sufficiently prepare us for the future.

I applaud the partnership of TxDOT and Hays County, and urge you to approve the environmental document so the project can proceed with construction as quickly as possible. Please do not hesitate to contact me here at our Capitol office should I be of further assistance.

Sincerely,

Patrick M. Rose

Patrick M. Rose

cc: Commissioner Jeff Barton, Hays County, Precinct 2

Post Office Box 2910 ★ Austin, Texas 78768-2910 ★ 512-463-0647 ★ 512-473-9946-FAX

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

The Shady Grove Homes Owners Association asks that attention be given to improve or at least not "make worse" the ground water flows and drainage to and through our subdivision.

Richard Sansbury, Pres. SGHOA
512-312-4118

Didn't hear people say this.

why stop project improvement @ Blue Spider? ... since this is major thoroughfare to Brodie Ln.

Name (Please Print): RICHARD SANSBURY

Address: 101 Shady LN
Buda, TX 78610

Phone: 512 312 4118

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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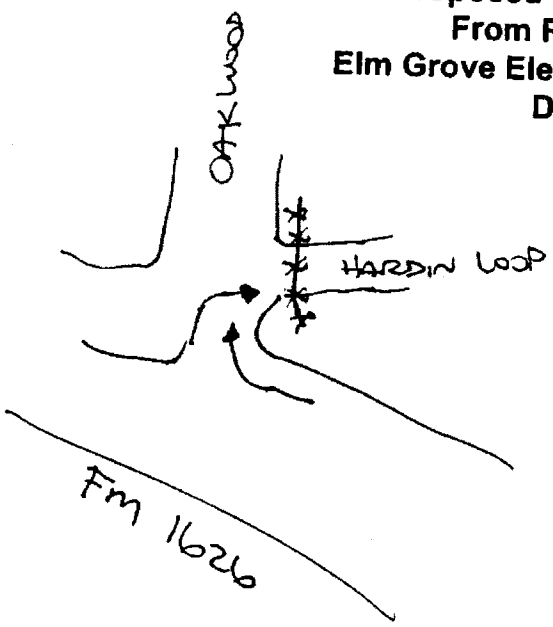
COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009



GOOD PROJECT!

LETS GET HER DONE!

ONE SUGGESTION:

NEED TO CLOSE HARDIN LOOP AT THIS INTERSECTION TO REDUCE CONFLICTS & ACCIDENT POTENTIALS

Name (Please Print): MICHAEL SEXTON

Address: 16150 OAK GROVE RD
BUDA, TX 78610

Phone: 512 - 295-6142

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On Dec 6, 2009, at 10:07 AM, stephanie.shelton@gmail.com () wrote:

> Below is a CONTACT FORM submission from jeffersonbarton.com
> by stephanie.shelton@gmail.com () on Sunday, December 06, 2009 at
> 08:07:00 PST.
> ----------
> First Name: Stephanie
> Last Name: Shelton
> Email Address: stephanie.shelton@gmail.com
> Address: 12610 Live Oak Lane
> Address, continued:
> City: Buda
> State: TX
> Zip Code: 78610-9322
> Telephone:
> Telephone2:
> Message: Dear Commissioner Barton,
>
> I live in the Hays City community and want to go on record as being
> AGAINST the widening of 1626.
>
> It is evident that this expansion is being used by our community
> leaders as a way to stimulate interest in building 45SW in the future.
>
> I have to ask myself what kind of legacy are we leaving behind for
> our children and communities? The expansion of roads in this area is
> not only costly, but will increase traffic loads due to poor
> planning of communities in Kyle and Buda, increase polluted runoff
> into the aquifer, and will widen road corridors opening them up to
> invasive species and taking away habitat for wildlife and plant
> species, some that are endemic to this area.
>
> Building and widening of roads is not the only way to reduce traffic
> accidents and create a more pleasant commute to and from work and
> fulfilling daily responsibilities.
>
> Please consider taking the money and the message and suggest a more
> community-wide outlook on the issue such as for: 1) enhancing the
> building of the commuter rail-line already in the works, thereby
> using less materials and footprints that we already have in
> existence; 2) reducing the maximum speed limit on 1626 to make it
> even less desirable for those using it as a commuting road to avoid

> IH-35; and 3) developing outreach and education on the downsides of
> building roads and what can be done to reduce impacts such as
> carpooling, changing work schedules, telecommuting, etc.
>
> Thank you for your time,
>
> Stephanie Shelton
> ---

Jefferson Barton
County Office: (512) 262-2091

News, blogs, and songs of whimsy on Hays County topics: VoteJeffBarton.com

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

I support the expansion of FM1626 as the road is undercapacity, unsafe, and in need of expansion and improvement. The area around the roadway is growing which only will add more traffic and congestion. I commend TxDOT and Hays County for securing funding for the project and encourage them to move forward and reconstruct and widen FM 1626.

Name (Please Print): Chuck Shine

Address: 4201 Monterrey Oaks
Austin, Tx 78746

Phone: [redacted]

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Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

I am writing to express my support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway. I live in Hays County and have seen the enormous growth that has taken place over the last several years. Roadways like FM 1626 which were once more than sufficient to handle traffic loads are no longer able to do so. Not only has FM 1626 become congested, it has become a dangerous roadway.

I applaud the role Hays County has taken in promoting the development of the project and committing funds through the financing agreement with the Texas Department of Transportation to make sure FM 1626 is expanded sooner rather than later. The context sensitive designs that the County is working on in cooperation with the Texas Department of Transportation - sidewalks, medians, walking and bike trails - will improve safety and make FM 1626 a more attractive facility.

I strongly support the development of the FM 1626 project from RM 967 to Brodie Lane and I urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Justin Sims

Name

Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

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I strongly support the development of the FM 1626 project from RM 967 to Brodie Lane and I urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely, Carolyn Smith resident

Name

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

Do NOT DELAY 45 Next!

I Love the improvements suggested by Hays County Commissioners Court.

I would Also love to see connection to the Dahlstrom Conservation Site.

It would enhance the community To be able to walk + bike. Yeah!!

We would all be healthier + feel safer.

AND that is smart growth for the future.

Name (Please Print): Hilary Kaufmann Smith

Address: 12910 Buckwheat Pass
Buda, TX 78610

Phone: 312-1167

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

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I strongly support the development of the FM 1626 project from RM 967 to Brodie Lane and I urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Ray Smith · resident

Name

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

go fix 1626

Name (Please Print): BRIAN Strandburg

Address: 1128 Elliott Ranch Rd

Phone: 312-4431

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Hays Hills Baptist Church

December 1, 2009

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

I am writing to express my support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway. This church has been in this area for over twenty years and watched the significant increase in traffic on this route. As we host a childcare center and multiple worship services and events all week long, traffic on FM 1626 has been a growing safety concern. We have witnessed numerous accidents in front of our property of both our parishioners and neighborhood folks. We have met with engineers from the state and TXDot safety teams, and all agree the widening of this section of FM 1626 would alleviate most of our issues while allowing better access to our community by emergency services vehicles and law enforcement.

Hays County has presented our congregation the overview of their proposed initiatives to make this expansion environmentally sensitive and neighborhood friendly. We will all benefit from this safe new throughway.

We strongly support this development of FM 1626 from RM 967 to Brodie Lane and urge the Department of Transportation to approve the environmental document with all haste so the construction can be done quickly and no more lives be endangered by this delay.

Sincerely,

David A Sweet

David Sweet, pastor, and the congregation of Hays Hills Baptist Church.

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

Expand it now!

David Sweet, Pastor
Hays Hills Baptist Church

Church has voted to support push to expand 1626 now!

Name (Please Print): David Sweet
Address: 316 Appleton Ct
Buda TX 78610
Phone: 512-845-3864

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

1626 expansion
Build it!!
It's way overdue!

Name (Please Print): Sherri Tibbe
Address: 200 Fox Hollow
Buda 78610
Phone: 2955133

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

PLEASE CONSIDER LOWERING THE SPEED LIMIT ON FM 1626 BETWEEN FM 967 & BRODIE LN. TO 50 MPH OR LESS & UNTIL CONSTRUCTION IS COMPLETE.

Name (Please Print): MARK TIMMONS

Address: 13510 COPPER HILLS DR.
MANCHACA, TX 78652

Phone: 512-282-1052

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

I am writing to express my support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway. I live in Hays County and have seen the enormous growth that has taken place over the last several years. Roadways like FM 1626 which were once more than sufficient to handle traffic loads are no longer able to do so. Not only has FM 1626 become congested, it has become a dangerous roadway.

I applaud the role Hays County has taken in promoting the development of the project and committing funds through the financing agreement with the Texas Department of Transportation to make sure FM 1626 is expanded sooner rather than later. The context sensitive designs that the County is working on in cooperation with the Texas Department of Transportation - sidewalks, medians, walking and bike trails - will improve safety and make FM 1626 a more attractive facility.

I strongly support the development of the FM 1626 project from RM 967 to Brodie Lane and I urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Amanda M. Thomas

Name

Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

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Sincerely,

Name Chad Thomas

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

This road needs to be built! Every day the project is delayed increases the danger to an ever-increasing number of drivers and for many of us, there is no alternate route that would not involve driving many additional miles.

THE growth in this area & south continues, and we will not limit or stop it be failing to prepare for the future.

I have been told the building of hwy 45 will not be considered until 1626 is expanded, so we need this project to go forward at top speed

Name (Please Print): [illegible] Todd

Address: 650 Clark Cove
Buda 78610

Phone: 312.2184

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Austin District Office
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Austin, Texas 78761-5426

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I strongly support the development of the FM 1626 project from RM 967 to Brodie Lane and I urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Claudette Wheeler
President
and Council member

Name

Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

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Sincerely,

Lee Wagner Resident

Name

Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

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Sincerely,

Myrtle Ruth Wagner
President

Name

Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

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Sincerely,

Terry Wayne

Name

Resident

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

I am extremely appreciative of this project and am anticipating completion of the proposal process in to construction of the new roadway. I am excited to be able to drive safely to my destination without worrying about the unsafe curve ahead driving right next to oncoming traffic. Thank you and please continue to push this project through quickly.

On the 10'-15' shoulder situation, adding a multiuse or a bike lane would also be fantastic! Too many times I have seen a cyclist on this stretch of road and can't believe how unsafe it is. How is an ambulance or emergency vehicle supposed to get through during any time of day/flow of traffic? Please pass this project through!!!

Name (Please Print): Nicole Waraxa

Address: 1175 Live Oak Loop
Buda, TX 78610

Phone: 512-565-0354

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Austin District Office
P.O. Box 15426
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Sincerely,

Mary Jane Warnken

Name

MARY JANE WARNKEN

T.X.D.O.T.
RECEIVED

DEC 15 2009

DISTRICT 14 - MAIL ROOM
AUSTIN, TX

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

I HAVE LIVED IN THE CITY OF HAYS SINCE 1963. (FORMERLY CALLED COUNTRY ESTATES PRIOR TO BECOMING CITY OF HAYS)

THE VOLUME OF TRAFFIC DUE TO POPULATION GROWTH IN OUR AREA HAS BECOME A TRAFFIC NIGHTMARE.

AT PEAK RUSH HOURS (MORNING & EVENING) IT IS ALMOST IMPOSSIBLE TO ACCESS FM 1626 FROM CITY OF HAYS.

FM 1626 MUST BE IMPROVED AS SOON AS POSSIBLE TO HANDLE THE LARGE VOLUME OF TRAFFIC. ACCIDENTS ARE VERY COMMON ON THIS ROAD.

IN ADDITION TO THE IMPROVEMENTS WE MUST HAVE A TRAFFIC LIGHT AT SOME OF THE INTERSECTIONS AND AT LEAST A REDUCED SPEED LIMIT.

Name (Please Print): ROYCE N. WARNKEN

Address: 12620 RED BUD TRAIL BUDA TX. 78610
(CITY OF HAYS)

Phone: 512 312-0820

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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Texas Department of Transportation
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Sincerely,

Royce N Warker

Name

ROYCE N. WARKER

8723 Blazyk Drive
Austin Texas 78737

December 8, 2009

Mr. Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626 Public Hearing Comments

Dear Mr. Walker:

I am writing to express my support for TxDOT and Hays County's proposed widening of FM 1626 between FM 967 and Brodie Lane. FM 1626 is a narrow and unsafe road. Living near the Hays/Travis County Line, I drive this road several times a week. Over the last 5 to 7 years, traffic has increased significantly. This increase in traffic has not only increased congestion, but further compounded the already unsafe conditions. Widening the 2-lane road to provide for 4 travel lanes with shoulders and a protected turn lane would increase mobility and improve safety. Please make these improvements as soon as possible.

Sincerely,

Michael J. Weaver

SENATOR JEFF WENTWORTH
SENATE DISTRICT 25

AUSTIN
Capitol Building, Room 1E.9
P. O. Box 12068
Austin, Texas 78711
(512) 463-0125
Toll-Free (888) 824-6984
FAX (512) 463-7794
Dial 711 for Relay Calls

INTERNET E-MAIL
jeff.wentworth@senate.state.tx.us

SAN ANTONIO
1250 N. E. Loop 410, Suite 925
San Antonio, Texas 78209
(210) 826-7800
FAX (210) 826-0571

The Senate of
The State of Texas

CHAIRMAN
SOUTHERN LEGISLATIVE CONFERENCE
2008 - 2009

PRESIDENT PRO TEM
OF THE TEXAS SENATE
2004 - 2005

COMMITTEES
Jurisprudence, Chairman
Administration
Intergovernmental Relations
Transportation and Homeland Security

COUNTIES IN
SENATE DISTRICT 25

Bexar (north)	Hays
Comal	Kendall
Guadalupe	Travis (south)

December 2, 2009

Mr. Mike Walker
Environmental Coordinator
Texas Department of Transportation
Post Office Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

I am writing to express my support for the widening of FM 1626 between RM 967 and Brodie Lane from a two-lane roadway to a four-lane roadway.

In this current economic environment, we must take advantage of all of our opportunities to continue to attract residents and employers to the region, while addressing current deficiencies in mobility and connectivity. In recent years, Hays County has grown exponentially, and development in the area will only continue. Schools will continue to be built that use the FM 1626 corridor, and the area's emergency services count on FM 1626 as the alternate route for Interstate 35 for western Hays County. The expansion of FM 1626 will definitely respond to these current needs and sufficiently prepare us for the future.

This project is the result of many years of cooperative efforts between Hays County and the Texas Department of Transportation (Department). The partnership has forged an agreement to reimburse the county through the Department's innovative Pass-Through Financing Program and is cooperatively developing context sensitive design solutions throughout the corridor to make it safer and more attractive for the region's residents and employees.

I applaud the partnership of the Department and Hays County and urge the Department to approve the environmental document so that the project can move to construction as quickly as possible.

Sincerely,

Jeff Wentworth

PRINTED ON RECYCLED PAPER

Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

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I strongly support the development of the FM 1626 project from RM 967 to Brodie Lane and I urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Amy West

Name

Amy WERST

Former Council member

Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

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I strongly support the development of the FM 1626 project from RM 967 to Brodie Lane and I urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Name

Michael James Werst

December 7, 2009

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

Dear Mr. Walker:

On behalf of the Kyle Fire Department, I am writing to express my strong support for the widening of FM 1626 from RM 967 to Brodie Lane from a two-lane roadway to a four-lane roadway.

FM 1626 is a critical link in north-central portion of the Hays County roadway network. In addition to serving the many neighborhoods, schools and other uses along and adjacent to this corridor, the roadway is a major direct emergency service access roadway. The County's emergency services also use FM 1626 as the designated alternate roadway to Interstate 35. Congestion and the unsafe conditions on FM 1626 in its current two-lane configuration significantly impact the ability of all emergency responders to respond as quickly as possible, jeopardizing lives and property in the County.

Expanding FM 1626 to a four-lane roadway will greatly improve response times and safety of all emergency responders and the public in Northern Hays County and help to make Hays County a safer place to live, work and visit. We are very pleased that the FM 1626 improvement program is moving forward and support the County and Department's efforts to expedite these critical improvements.

Sincerely,

Glenn Whitaker
Chief

210 W. Moore St. – Kyle, Texas 78640 – www.kylefire.com
512-268-3131 or 512-268-6339

COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

I support this project.

Name (Please Print): Kenneth Williams

Address: 1287 Heep Run
Buda, Texas 78610

Phone: ~~512-8~~ 512-295-7308

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

It is inevitable that it will happen at some point in time. It is just a matter of when. The sooner it is done the more lives will be saved and we can quit wasting the time of people trying to move forward. Also it will not get any cheaper by waiting.

Name (Please Print): Sara & Greg Wissler

Address: 548 Little Bear Rd.
Buda, TX 78610

Phone: 512-295-7715

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

It is time to quit talking about it and Build this very important and needed road.

My wife and I have escaped several times from being involved in a nasty collision and we both strongly feel the new road is needed NOW!

Currently the road is too narrow and totally unsafe for the present traffic volume. Given the future growth projections, failure to act would be a negligent act.

Name (Please Print): RAY & Sandra Wolf

Address: 314 Leisurewoods Dr.
Buda

Phone: 512-312-0150, 512-880-8150

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7157. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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COMMENT SHEET

Public Hearing
Proposed Improvements to FM 1626
From RM 967 to Brodie Lane
Elm Grove Elementary School, Buda, Texas
December 8, 2009

1626 is currently designed as a seven lane (5 lanes plus 2 twelve foot shoulders) highway that dead-ends into the Shady Hollow subdivision. Shady Hollow is already a bottleneck for traffic going into Austin and is a natural limit on traffic increases on 1626. Making it a 7-lane highway for 3.6 miles is a bit ridiculous when on either end you're capped, much less the amount of traffic isn't near that now or, in my opinion, in the next five years.

I believe it to be sufficient to simply build a turn lane and shoulders OR no turn-lane and shoulders (enables passing in safe areas). This would keep tax dollars from being wasted on a "super-road".

Name (Please Print): Frank Zuma
Address: 101 Millington Lane
Buda, TX 78610
Phone: 512-312-2411

Please include your name and mailing address with all written comments. Comment sheets and/or letters should be mailed to: District Environmental Coordinator, P.O. Box 15426, Austin, Texas, 78761-5426 or faxed to 512-832-7167. **All written comments received on or before Friday, December 18, 2009, will be included in the official hearing record.** Submission of written comments does not preclude your making verbal comments at this hearing. If you wish to make a verbal comment, please fill out a speaker registration card and leave it at the sign-in table. If you have any questions, please contact Dennis Nielsen at 512-832-7056.

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Date 12-7-09

Mike Walker
Environmental Coordinator
Texas Department of Transportation
Austin District Office
P.O. Box 15426
Austin, Texas 78761-5426

Re: FM 1626, Segment B

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I strongly support the development of the FM 1626 project from RM 967 to Brodie Lane and I urge the Department to approve the environmental document so the project can move to construction as quickly as possible.

Sincerely,

Name

Appendix H

To	From
Hays County	HNTB
TxDOT	**Date**
	5/14/10 (Updated 8/24/11)
	Subject
	FM 1626 CSJ: 1539-01-005

Technical Memorandum

EXECUTIVE SUMMARY

The objective of this memo is to report the findings of the preliminary traffic analysis to evaluate the effect on traffic for various geometric configurations being considered along a section of the FM 1626 corridor south of Austin, Texas.

The FM 1626 study area is 5.2 miles long (Figure ES-1), beginning at the intersection of FM 967 in the south and ending at the FM 2304 (Manchaca Road) in the north. Traffic analysis was performed for the critical intersections and corridors within the study area using a base year of 2008, an open to traffic date of 2012, and future years of 2024 and 2030.

Two cross sections are being evaluated- a three lane cross section and a five lane cross section along FM 1626. The traffic analysis of the five lane cross section was performed utilizing the geometric configuration of the schematic shown in the December 8 2009 public hearing or as stated in this document. A key objective is to identify whether the three lane cross section is adequate or a five lane cross section is necessary.

Study Area Intersections

The critical intersections analyzed within the study area are the intersections of FM 1626 with RM 967, Bliss Spillar Road and Brodie Lane. Additionally, the intersection of FM 1626 and Oakwood Drive was also included in the analysis due to the availability of the peak hour counts for that intersection.

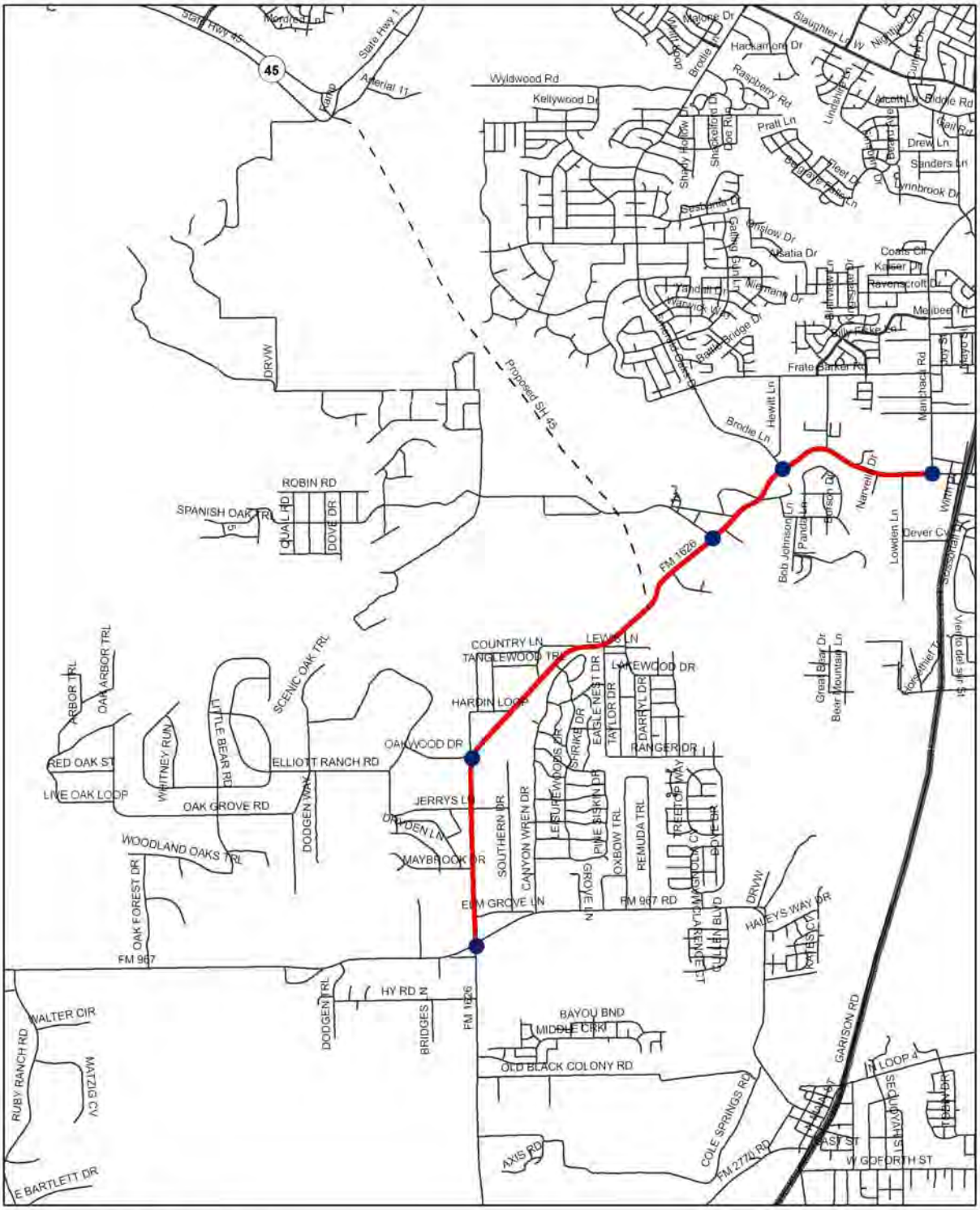

Figure ES-1:Study Area

Historic Traffic Information

The traffic volumes on the FM 1626 study area have increased significantly over the last 15 years (Table ES-1). If we observe the TxDOT average annual daily traffic (AADT) for this period, we see that these increases in traffic volumes are not uniform over the corridor, rather it is skewed heavily to the southern end of the study area. Table ES-2 shows a growth summary for FM 1626 and indicates growth rates as high as 219% to the south and as low as 19% to the north.

Table ES-1: AADTs along FM 1626

Average Annual Daily Traffic Counts along FM 1626 (*source TxDOT*)								
Limits (south to north)	*Year Traffic Data was Obtained*							
	1995	1996	1997	1998	1999	2000	2001	2002
FM 2770 to FM 967	3100	3400	3200	4600	4900	4900	5500	5400
FM 967 to SH 45	4300	3700	3700	4800	5400	6100	6500	7200
SH 45 to Brodie Ln.	8400	8900	8100	9800	10100	10800	11200	11300
Brodie Ln. to FM 2304	9800	10100	10000	11100	11200	11400	11600	11500
	2003	2004	2005	2006	2007	2008	2010*	
FM 2770 to FM 967	6800	6200	6400	6600	6500	9900	n/a	
FM 967 to SH 45	7600	7500	7600	7900	8000	10600	13060	
SH 45 to Brodie Ln.	12300	11500	13100	13500	14100	13800	15962	
Brodie Ln. to FM 2304	12100	11200	11900	11700	12700	11700	13270	

*2010 ARTC Traffic Counting

Table ES-2: FM 1626 Growth Summary

Limits (south to north)	ADT % Growth Between 1995 and 2008	ADT Average Yearly Growth Between 1995 and 2008
FM 2770 to FM 967	219.4%	10.7%
FM 967 to SH 45	146.5%	7.8%
SH 45 to Brodie Ln.	64.3%	4.2%
Brodie Ln. to FM 2304	19.4%	1.5%

Count Source and Traffic Projections

Peak hour turning movement volume data were collected by ARTC Traffic Counting, LLC within the corridor for the intersections highlighted in Figure ES-1. 24 hour tube counts were conducted along FM 1626 north and south of CR 143, north of Lakewood Drive and south of Eagles Nest Drive. 24 hour tube counts were also collected along CR 143, east and west of FM 1626. These counts were collected in February and March, 2008. Additional 24 hour tube counts were collected in April 2010 at three locations on 1626 and two locations on Brodie Lane; these locations match historic TxDOT count locations. A 4% compounded annual growth rate was used to project future year volumes, consistent with the growth rate used by TxDOT in the prior FM 1626 traffic projections.

Proposed Geometry

Two proposed geometries for FM 1626 were evaluated for the above intersections, for the base as well as forecast years - a three lane section along FM 1626 and a five lane section along FM 1626. The three lane section involved one north bound lane, one southbound lane and a two way left turn lane (TWLTL) along FM 1626. The five lane section involved two northbound lanes, two southbound lanes and a TWLTL along FM 1626. The geometric designs were available for the five lane cross sections for the study area intersections. In addition to the above proposed geometries, some of the county recommended changes relevant to the traffic analysis for the study area were evaluated.

Traffic Operations Analysis

Two types of detailed analyses were performed. A corridor level analysis of the study area using Highway Capacity Software (HCS)[1]; and an intersection analysis with Synchro[2] for the four intersections highlighted in table ES-3.

The corridor level analysis consisted of determining the LOS based on the projected traffic volumes for 2012 (opening year), 2024 and 2030. For the corridor level analysis, the three lane cross section was analyzed using the two lane analysis methodology in Highway Capacity Manual (HCM)[3]. It should be noted that the HCM does not have methodology for a three lane cross section, so it is common engineering practice to evaluate the three lane section as a two lane. The five lane cross section was analyzed using the multi lane analysis methodology in HCM. The multi lane analysis assumes TWLTL to be equivalent to a divided median, whereas the two lane analysis does not have any specific provision to account for TWLTL. The two lane and five lane divided analysis considers the maximum number of vehicles per travel lane and may produce slightly conservative results. Table ES-3 summarizes the LOS for the corridor level analysis.

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[1] The HCS application implements the 2000 Highway Capacity Manual (HCM) procedures for analyzing various types of intersections, roadways and highways.

[2] The Synchro software application is used in modeling traffic flow and optimizing traffic signal timing.

[3] The HCM provides transportation practitioners and researchers with a consistent system of techniques for the evaluation of the quality of service on highway and street facilities.

Table ES-3: LOS for Corridor Analysis

	5 Lane Cross Section			3 Lane Cross Section****		
	FM 967/FM 1626 to Oakwood Dr/FM 1626	Oakwood Dr/FM 1626 to Bliss Spillar Rd/FM 1626	Bliss Spillar Rd/FM 1626 to Brodie Ln/FM 1626*	FM 967/FM 1626 to Oakwood Dr/FM 1626	Oakwood Dr/FM 1626 to Bliss Spillar Rd/FM 1626	Bliss Spillar Rd/FM 1626 to Brodie Ln/FM 1626**
	LOS NB/SB	LOS NB/SB	LOS NB/SB	LOS NB/SB	LOS NB/SB	LOS NB/SB
AM- 2012	A/A	B/A	C/A	D/C	E/C	F/F
PM- 2012	A/A	A/B	A/B	C/D	C/E	D/E
AM- 2024	B/A	C/A	D/A	E/D	F/F	F/F
PM- 2024	A/B	A/C	B/C	D/E	F/F	F/F
AM- 2030	B/A	C/A	F***/A	F/F	F/F	F/F
PM- 2030	A/B	B/C	B/D	F/F	F/F	F/F

* Five lane cross section design assumed for entire length
** Three lane cross section design assumed for entire length
*** At the E and F threshold
**** Three lane cross section design comparable LOS as a 2 lane or no build option

Intersection analysis was conducted in Synchro to evaluate the base year (2008) and forecast year (2024 and 2030) volumes for the selected study area intersections with the proposed geometries. The analysis reaffirms the fact that the five lane cross section is a more viable alternative than the three lane cross section. All analyzed intersections under the three lane cross section were determined to have an LOS of F in 2024, except for the FM 1626 & Oakwood Dr intersection (LOS D) (see Table ES-4). Other key findings of the intersection level analysis are briefly summarized under ***Recommendations and Conclusions***. Details of the corridor and intersection level analysis are described in the following pages under the detailed analysis report.

Table ES-4: LOS for Intersection Analysis

LOS for 3 Lane Cross Section Year 2024				
Intersection	FM 1626 and RM 967	FM 1626 and Oakwood Drive	FM 1626 and Bliss Spillar Road	FM 1626 and Brodie Lane
LOS	F	D	F	F

FM 1626 Traffic Impacts to Brodie Lane

The 2008 AM peak hour turning movements indicate that 43% of cars traveling north on FM 1626 turn left onto Brodie Lane, demonstrating Brodie Lane is a logical termini for the FM 1626 project. Utilizing the adopted 2035 CAMPO model forecasted ADTs and volume to capacity ratios, we compared 2015, 2025 and 2035 "build" vs. "no-build" scenarios at an evaluation point on Brodie Lane just north of the FM 1626 intersection. The analysis indicates that building the proposed FM 1626 project will have no impact to the resulting congestion category on Brodie Lane (See Table ES-5, Table ES-6 and detailed analysis in the attached appendices).

Table ES-5: 2035 CAMPO Model "Build" vs. "No-Build"

	Brodie Lane ADT (North of FM 1626 Intersection)		
	Source: 2035 CAMPO Model		
Scenario	ADT	Volume to Capacity Ratio	Category of Congestion
2010 Network	9800	0.495	< 1 non-congested
2015 Demographics on 2010 Network "No Build"	11300	0.571	< 1 non-congested
2025 Demographics on 2010 Network "No Build"	10500	0.53	< 1 non-congested
2035 Demographics on 2010 Network "No Build"	11500	0.581	< 1 non-congested
2015 Demographics on 2015 Network "Build"	10600	0.535	< 1 non-congested
2025 Demographics on 2025 Network "Build"	9100	0.46	< 1 non-congested
2035 Demographics on 2035 Network "Build"	6900	0.556	< 1 non-congested

Table ES-6: Volume to Capacity Ratio - Traffic Congestion Category

Volume to Capacity Ratio - Category of Congestion
< 1, non-congested
1-1.3, congested
> 1.3, severely congested

Recommendations and Conclusions

- The five lane cross section is a more viable alternative compared to the three lane cross section. The three lane cross section was unable to accommodate the projected volumes in 2024 and 2030 at the corridor level, as well as intersection analysis.

- Several intersections in the three lane cross section alternative are projected to reach threshold levels as early as the year 2018. Specifically, the intersection at RM 967 and FM 1626 reaches intersection LOS F in the year 2018, and the intersection at Bliss Spillar and FM 1626 reaches intersection LOS F in the year 2022

- FM 1626 requires capacity improvements in order to accommodate forecast volumes.

- The construction of the FM 1626 five lane cross section will have no impact to the resulting traffic congestion category on Brodie Lane as demonstrated by the CAMPO 2035 model through the year 2035.

Appendices

Base Year Traffic Counts

Table 1 summarizes the turning movement traffic volumes available for the study area intersections. The counts were collected in the year 2008, which is assumed to be the base year for this analysis.

Table 1: Existing (2008) Peak Hour Counts

			Peak Hour Turning Movement (source ARTC Traffic Counting)											
			Northbound			Southbound			Eastbound			Westbound		
Location	Peak Hour		Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
FM 1626 & RM 967	AM	7:15-8:15	200	450	98	71	277	99	165	175	108	167	234	91
	PM	4:45-5:45	120	262	115	126	484	93	67	126	96	115	181	110
FM 1626 & Oakwood Dr	AM													
	PM	5:00-6:00	19	372	0	0	593	118	34	0	9			
FM 1626 & Bliss Spillar Rd	AM													
	PM	5:00-6:00	52	483	0	0	983	141	77	0	47			
FM 1626 & Brodie Lane	AM	7:00-8:00	622	824	0	0	203	91	85	0	112			
	PM													

Forecast Year Traffic Volumes

A 4% compounded annual growth rate has been used by TxDOT in prior studies in the region. Further investigation revealed that AADTs forecasted by the CAMPO model (in the year 2030 within the study area) for build and no-build models ranged from 3.8% to 4.8%, which is comparable to the 4% growth rate used by TxDOT (see Table 16). The TxDOT AADTs from 1995 to 2008 show an average growth rate of 6% from FM 2770 to FM 2304.

A growth rate of 4% was used to forecast the future year turning movement volumes due to the following reasons:

i) The 4% growth rate was consistent with the growth rate used by TxDOT in prior studies.
ii) The 4% growth rate was in range of the CAMPO models build and no-build range.
iii) The 4% growth rate was comparable to the historic TxDOT count information.

Tables 2 and 3 summarize the projected traffic volumes for the years 2024 and 2030 using a 4% compounded annual growth rate.

Table 2: Year 2024 Peak Hour Forecasts

			Peak Hour Turning Movement*											
			Northbound			Southbound			Eastbound			Westbound		
Location	Peak Period		Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
FM 1626 & RM 967	AM	7:15-8:15	375	843	184	133	519	185	309	328	202	313	438	170
	PM	4:45-5:45	225	491	215	236	907	174	125	236	180	215	339	206
FM 1626 & Oakwood Dr	AM													
	PM	5:00-6:00	36	697	0	0	1111	221	64	0	17			
FM 1626 & Bliss Spillar Rd	AM													
	PM	5:00-6:00	97	905	0	0	1841	264	144	0	88			
FM 1626 & Brodie Lane	AM	7:00-8:00	1165	1543	0	0	380	170	159	0	210			
	PM													

* 4% compounded annual growth rate

Table 3: Year 2030 Peak Hour Forecasts

			Peak Hour Turning Movement*											
			Northbound			Southbound			Eastbound			Westbound		
Location	Peak Period		Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
FM 1626 & RM 967	AM	7:15-8:15	474	1066	232	168	656	235	391	415	256	396	555	216
	PM	4:45-5:45	284	621	273	299	1147	220	159	299	228	273	429	261
FM 1626 & Oakwood Dr	AM													
	PM	5:00-6:00	45	882	0	0	1405	280	81	0	21			
FM 1626 & Bliss Spillar Rd	AM													
	PM	5:00-6:00	123	1145	0	0	2330	334	182	0	111			
FM 1626 & Brodie Ln	AM	7:00-8:00	1474	1953	0	0	481	216	201	0	265			
	PM													

* 4% compounded annual growth rate

Corridor Level HCS Analysis

The study area was divided into three sections. Each section consisted of a uniform set of traffic counts/projection for a particular direction of travel. Table 4 lists the forecasted peak hour traffic volume projections for each section along FM 1626. All forecast volumes assume a 4 % growth rate. Table 5 summarizes the other inputs and assumptions used in the analysis.

Table 4: Peak Hour Traffic Volume Forecasts*

	Section 1: From FM 967 to Oakwood Dr	Section 2: From Oakwood Dr to Bliss Spillar Rd	Section 3: From Bliss Spillar Rd to Brodie Ln
2012 AM NB	826	1141	1692
2012 AM SB	523	361	369
2012 PM NB	514	536	626
2012 PM SB	822	1175	1315
2024 AM NB	1322	1826	2708
2024 AM SB	837	579	590
2024 PM NB	822	858	1049
2024 PM SB	1317	1880	2105
2030 AM NB	1672	2311	3427
2030 AM SB	1059	732	746
2030 PM NB	1041	1085	1327
2030 PM SB	1666	2379	2664

* 4% compounded annual growth rate

Table 5: Analysis Assumptions

Study Area	Segment Length	Posted NB Speed	Posted SB Speed	Access Points NB	Access Points SB
Section 1	1.2 miles	55 mph	55 mph	6	13
Section 2	2 miles	45 mph	55 mph	8	10
Section 3	0.6 miles	40 mph	55 mph	6	5

Intersection Analysis with Synchro

Intersection analysis was conducted in Synchro to evaluate the base and forecast year volumes for the selected study area intersections with the proposed geometries described in page 1. Since only selected intersections were analyzed within the corridor the analysis focused on the HCM methodology for intersection analysis within Synchro. The details of the traffic analysis are summarized below.

Base Year Analysis under Existing Conditions

Table 6 summarizes the intersection level of service (LOS) for base year under existing conditions. As observed in Table 5, the intersection LOS is D or better for all intersections under existing conditions.

Table 6: Base Year Traffic Analysis with Existing Conditions

Location	Peak Hour		Intersection LOS
FM 1626 & RM 967	AM	7:15-8:15	D
	PM	4:45-5:45	D
FM 1626 & Oakwood Dr*	AM		
	PM	5:00-6:00	C
FM 1626 & Bliss Spillar Rd	AM		
	PM	5:00-6:00	C
FM 1626 & Brodie Lane	AM	7:00-8:00	D
	PM		

* Stop controlled- Worst approach LOS reported

Base Year (2008) Analysis with Three Lane Cross Section

Table 7 summarizes the intersection LOS for the three lane cross section design under existing volume conditions. When compared to base year analysis under existing conditions, improvements in LOS are observed in many of the intersections within project limits, which is reflective of the additional capacity of the left turn lanes at the intersection.

Table 7: Base Year Traffic Analysis with 3- Lane Cross Section

Location	Peak Hour		Intersection LOS
FM 1626 & RM 967	AM	7:15-8:15	B
	PM	4:45-5:45	B
FM 1626 & Oakwood Dr*	AM		
	PM	5:00-6:00	B
FM 1626 & Bliss Spillar Rd	AM		
	PM	5:00-6:00	C
FM 1626 & Brodie Lane	AM	7:00-8:00	D
	PM		

* Stop controlled- Worst approach LOS reported

Base Year (2008) Analysis with Five Lane Cross Section

Table 8 summarizes the intersection LOS for the five lane cross section design under existing volume conditions. When compared to the base year analysis with the three lane cross section further

improvements in LOS are observed in the intersections within project limits, which is reflective of the additional capacity of the left turn lanes as well as the additional through movement at the intersection.

Table 8: Base Year Traffic Analysis with 5- Lane Cross Section

Location	Peak Hour		Intersection LOS
FM 1626 & RM 967	AM	7:15-8:15	B
	PM	4:45-5:45	B
FM 1626 & Oakwood Dr*	AM		
	PM	5:00-6:00	B
FM 1626 & Bliss Spillar Rd	AM		
	PM	5:00-6:00	B
FM 1626 & Brodie Lane	AM	7:00-8:00	D
	PM		

* Stop controlled- Worst approach LOS reported

Year 2024 Analysis with Three Lane Cross Section

Table 9 summarizes the intersection LOS for the three lane cross section design with the year 2024 forecast traffic volumes. It is observed that the intersection LOS for all analyzed intersection is F, with the exception of the stop controlled intersection at FM 1626 and Oakwood Drive.

Table 9: Year 2024 Traffic Analysis with 3- Lane Cross Section

Location	Peak Hour		Intersection LOS
FM 1626 & RM 967	AM	7:15-8:15	F
	PM	4:45-5:45	F
FM 1626 & Oakwood Dr*	AM		
	PM	5:00-6:00	D
FM 1626 & Bliss Spillar Rd	AM		
	PM	5:00-6:00	F
FM 1626 & Brodie Lane	AM	7:00-8:00	F
	PM		

* Stop controlled- Worst approach LOS reported

Year 2024 Analysis with Five Lane Cross Section

Table 10 summarizes the intersection LOS for the five lane cross section design with the year 2024 forecast traffic volumes. It is observed that the intersection LOS in the AM is F at the FM 1626 and RM 967 intersection. The rest of the intersections within the project limits operate at a LOS D or better.

Table 10: Year 2024 Traffic Analysis with 5- Lane Cross Section

Location	Peak Hour		Intersection LOS
FM 1626 & RM 967	AM	7:15-8:15	F
	PM	4:45-5:45	D
FM 1626 & Oakwood Dr*	AM		
	PM	5:00-6:00	D
FM 1626 & Bliss Spillar Rd	AM		
	PM	5:00-6:00	B
FM 1626 & Brodie Lane	AM	7:00-8:00	F
	PM		

* Stop controlled- Worst approach LOS reported

Year 2030 Analysis with Three Lane Cross Section

Table 11 summarizes the intersection LOS for the three lane cross section design with the year 2030 forecast traffic volumes. It is observed that the intersection LOS for all the analyzed intersections is F.

Table 11: Year 2030 Traffic Analysis with 3- Lane Cross Section

Location	Peak Hour		Intersection LOS
FM 1626 & RM 967	AM	7:15-8:15	F
	PM	4:45-5:45	F
FM 1626 & Oakwood Dr*	AM		
	PM	5:00-6:00	F
FM 1626 & Bliss Spillar Rd	AM		
	PM	5:00-6:00	F
FM 1626 & Brodie Lane	AM	7:00-8:00	F
	PM		

* Stop controlled- Worst approach LOS reported

Year 2030 Analysis with Five Lane Cross Section

Table 12 summarizes the intersection LOS for the five lane cross section design with the year 2030 forecast traffic volumes. It is observed that the intersection LOS is F at all the intersections with the exception of the FM 1626 and Bliss Spillar Road intersection.

Table 12: Year 2030 Traffic Analysis with 5- Lane Cross Section Original Design

Location	Peak Hour		Intersection LOS
FM 1626 & RM 967	AM	7:15-8:15	F
	PM	4:45-5:45	F
FM 1626 & Oakwood Dr*	AM		
	PM	5:00-6:00	F
FM 1626 & Bliss Spillar Rd	AM		
	PM	5:00-6:00	C
FM 1626 & Brodie Lane	AM	7:00-8:00	F
	PM		

* Stop controlled- Worst approach LOS reported

Sensitivity Analysis

A sensitivity analysis was performed in order to identify the year in which the 3 lane cross section design reaches an intersection LOS F. It was determined that the intersection at RM 967 and FM 1626 reaches intersection LOS F in the year 2018, and the intersection at Bliss Spillar and FM 1626 reaches intersection LOS F in the year 2022. Therefore it was concluded that the three lane section design would begin to exhibit significant traffic congestion issues beyond year 2018.

FM 1626 Traffic Impacts to Brodie Lane

The 2008 AM peak hour turning movements indicate that 43% of cars traveling north on FM 1626 turn left onto Brodie Lane. While this supports the selection of Brodie Lane as a logical terminus for the proposed project, it does not indicate a generalized shifting of the growing FM 1626 traffic burden to Brodie Lane. The Brodie Lane traffic counts from 2005 and 2010 show a 12% growth on Brodie Lane at FM 1626, despite the FM 1626 corridor showing a significant average of 47% growth from RM 967 to Brodie Lane (see Table 13). In other words, the FM 1626 corridor (RM 967 to Brodie Lane) south of Brodie Lane grew 3.8 times faster than Brodie. It can be concluded that the traffic growth on FM 1626 does not exclusively influence traffic growth on Brodie Lane and that the majority of FM 1626 commuters are already using travel alternatives to Brodie Lane. The traffic numbers indicate that the commuter traffic is roughly split between Brodie and upstream alternatives (Manchaca, 1st Street, IH 35). This split will likely persist with no proposed improvements to Brodie Lane. Building or not building the FM 1626 project through the year 2035 will have little to no effect on the traffic congestion on Brodie Lane.

Table 13: ADTs along Brodie Lane

5 Year AADT Growth Percentages			
Limits (south to north)	*AADT / Year*		% Growth
	2005*	2010**	
Brodie Lane (Between Hewitt Lane & Frate Barker)	9550	10731	12.4%
FM 1626 (FM 967 to SH 45)	7600	13060	71.8%
FM 1626 (SH 45 to Brodie Lane)	13100	15962	21.8%
5 Year Average Growth FM 1626 (FM 967 to Brodie Lane)			46.8%

*Source TxDOT
** Source ARTC Traffic Counting

To further demonstrate the effect that the proposed FM 1626 project would have on Brodie Lane, we utilized the adopted 2035 CAMPO model. The CAMPO model is a travel demand model developed to evaluate regional transportation performance. The model is created from behavioral assumptions combined with roadway and transit networks applied with demographics. The resulting output from the model is congestion and roadway performance data which is used for impact analyses throughout the CAMPO 5-county region.

The intersection of FM 1626 and Brodie Lane currently operates at a LOS of D and is considered a congested area. To demonstrate what impact FM 1626 has on Brodie Lane we evaluated points on Brodie Lane and FM 1626 as if they were independent of the intersection. The points we choose were in alignment with nodes on the 2035 CAMPO model, one on Brodie Lane just north of FM 1626 and one on FM 1626 just west of Brodie Lane (see Figure 1).

Using the CAMPO model forecasted ADTs and volume to capacity ratios, we compared 2015, 2025 and 2035 “build” vs. “no-build” scenarios at the Brodie Lane evaluation point.

- The “no-build” scenario utilizes the 2010 existing transportation network (i.e. no FM 1626 improvements and no SH 45 construction) with future demographics for the proposed given year.
- The “build” condition incorporates the transportation projects that are included in the CAMPO 2035 Regional Transportation Plan and demographics for the proposed given year.
- The “build” condition in the year 2015 and beyond considerers FM 1626 as a 4 lane section through the study area.

The analysis indicates that building or not building FM 1626 has very little effect on the Brodie Lane volume to capacity ratio and has no impact on the traffic congestion category (see Table 14 and Table 15). It is important to note that in the year 2015, which is prior to the SH 45 anticipated construction, the CAMPO model indicates no change to the congestion category on Brodie Lane. Although the congestion category for Brodie Lane at the evaluation point is non-congested, this does not imply that the intersection of FM 1626 and Brodie Lane as a whole is non-congested or functions well; it is just demonstrating the influence of FM 1626 on Brodie Lane ADTs as an independent point.

If we observe the evaluation point for 2015 “no-build” vs. the 2025 “no-build” on Brodie Lane we notice a reduction in the ADT forecast from 2015 to 2025, yet the same years on FM 1626 see an increase in ADT. The CAMPO model is demonstrating that even with no change to the 2010 roadway network, the traffic will reroute due to congestion to alternatives besides Brodie Lane. This reaffirms that the traffic growth on FM 1626 does not exclusively influence traffic growth on Brodie Lane.

Using the same CAMPO model, we observed the evaluation point on FM 1626 (see Table 16). The conclusion is that building FM 1626 and the surrounding roadway network improvements will improve the FM 1626 traffic congestion category and this is consistent with the surrounding nodes on the CAMPO model.

The different results on the two evaluated points support the discussion above that FM 1626 traffic growth will have less impact on Brodie Lane in the future as more commuter alternatives become available. The analysis also indicates that building the proposed FM 1626 project will have no impact to the resulting congestion category on Brodie Lane through the year 2035. *Note Adopted 2035 CAMPO Model Projections Figures 1 - 7*

Table 14: Volume to Capacity Ratio - Traffic Congestion Category

Volume to Capacity Ratio - Category of Congestion Source - CAMPO
< 1, non-congested
1-1.3, congested
> 1.3, severely congested

Table 15: 2035 CAMPO Model “Build” vs. “No-Build” - Brodie Lane Point

	Brodie Lane ADT (North of FM 1626 Intersection)		
	Source: 2035 CAMPO Model		
Scenario	ADT	Volume to Capacity Ratio	Category of Congestion
2010 Network	9800	0.495	< 1 non-congested
2015 Demographics on 2010 Network "No Build"	11300	0.571	< 1 non-congested
2025 Demographics on 2010 Network "No Build"	10500	0.53	< 1 non-congested
2035 Demographics on 2010 Network "No Build"	11500	0.581	< 1 non-congested
2015 Demographics on 2015 Network "Build"	10600	0.535	< 1 non-congested
2025 Demographics on 2025 Network "Build"	9100	0.46	< 1 non-congested
2035 Demographics on 2035 Network "Build"	6900	0.556	< 1 non-congested

Table 16: 2035 CAMPO Model "Build" vs. "No-Build" - FM 1626 Point

	FM 1626 ADT (West of Brodie Lane Intersection)		
	Source: 2035 CAMPO Model		
Scenario	ADT	Volume to Capacity Ratio	Category of Congestion
2010 Network	19600	1.556	> 1.3 severely congested
2015 Demographics on 2010 Network "No Build"	22000	1.746	> 1.3 severely congested
2025 Demographics on 2010 Network "No Build"	24500	1.944	> 1.3 severely congested
2035 Demographics on 2010 Network "No Build"	28500	2.262	> 1.3 severely congested
2015 Demographics on 2015 Network "Build"	31500	1.125	1 to 1.3 congested
2025 Demographics on 2025 Network "Build"	29000	1.036	1 to 1.3 congested
2035 Demographics on 2035 Network "Build"	30000	1.071	1 to 1.3 congested

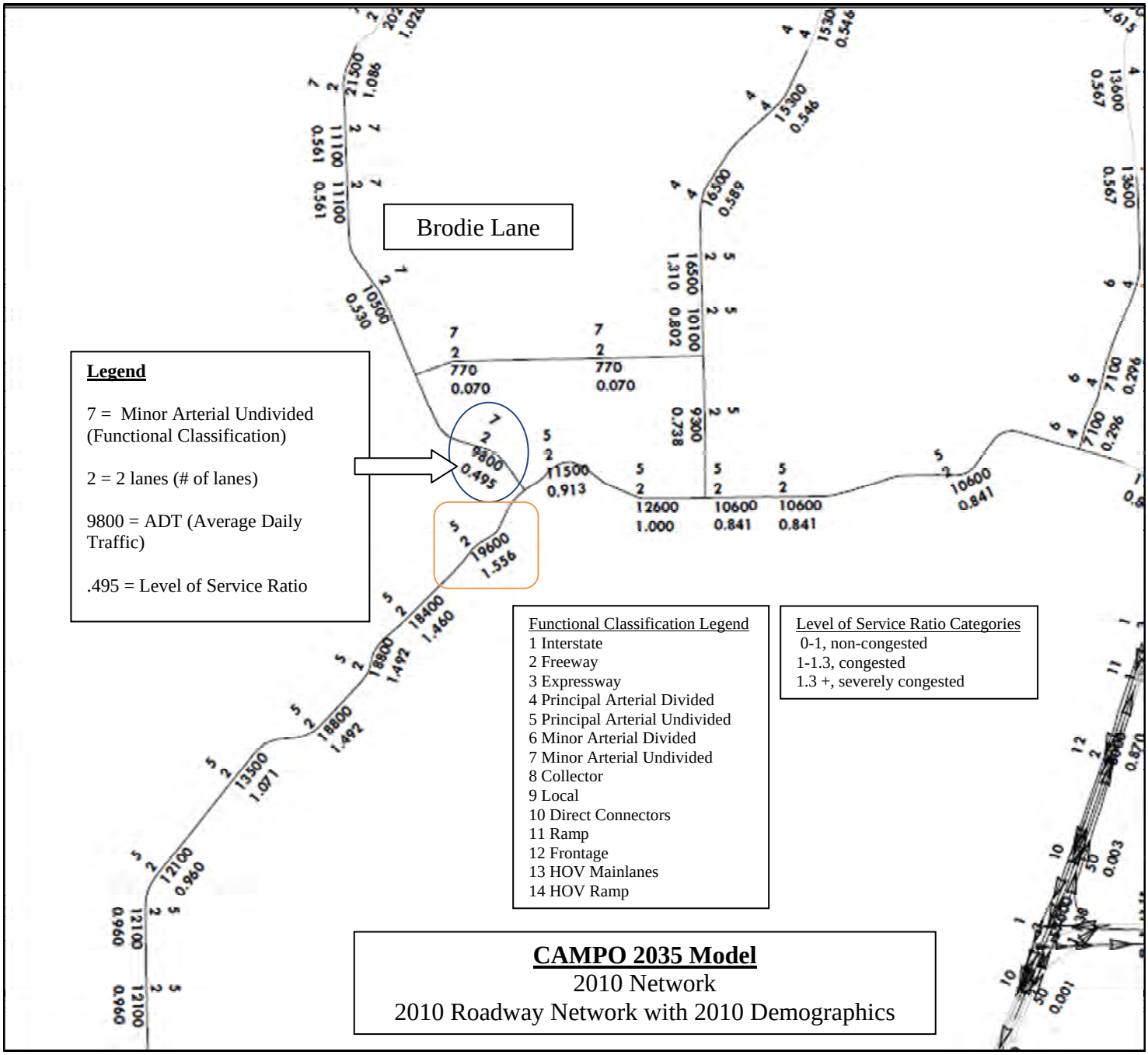
Brodie Lane
Legend
7 = Minor Arterial Undivided (Functional Classification)
2 = 2 lanes (# of lanes)
9800 = ADT (Average Daily Traffic)
.495 = Level of Service Ratio
Functional Classification Legend
1 Interstate
2 Freeway
3 Expressway
4 Principal Arterial Divided
5 Principal Arterial Undivided
6 Minor Arterial Divided
7 Minor Arterial Undivided
8 Collector
9 Local
10 Direct Connectors
11 Ramp
12 Frontage
13 HOV Mainlanes
14 HOV Ramp
Level of Service Ratio Categories
0-1, non-congested
1-1.3, congested
1.3 +, severely congested
CAMPO 2035 Model
2010 Network
2010 Roadway Network with 2010 Demographics

Figure: 1

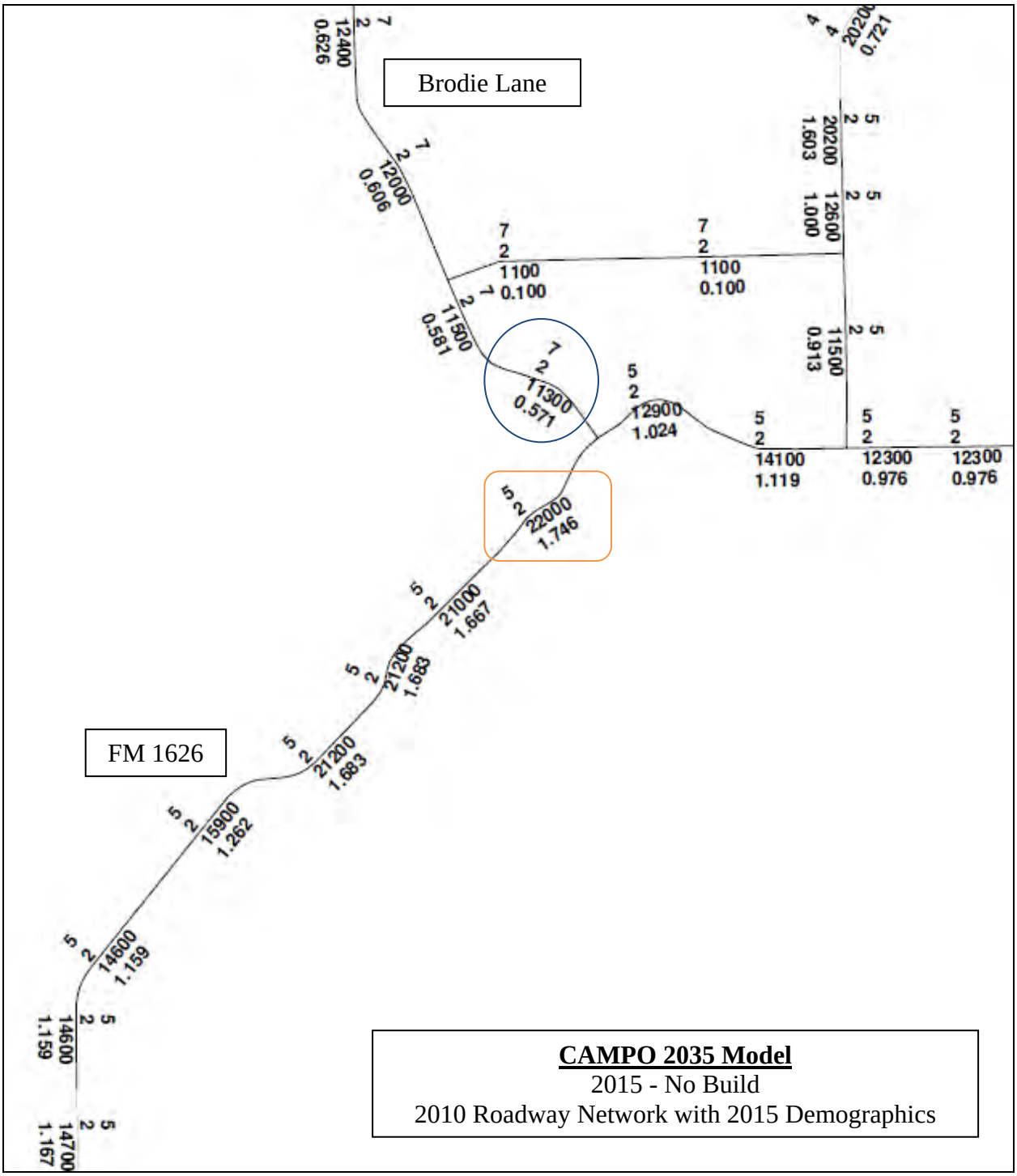
Brodie Lane
FM 1626
CAMPO 2035 Model
2015 - No Build
2010 Roadway Network with 2015 Demographics

Figure: 2

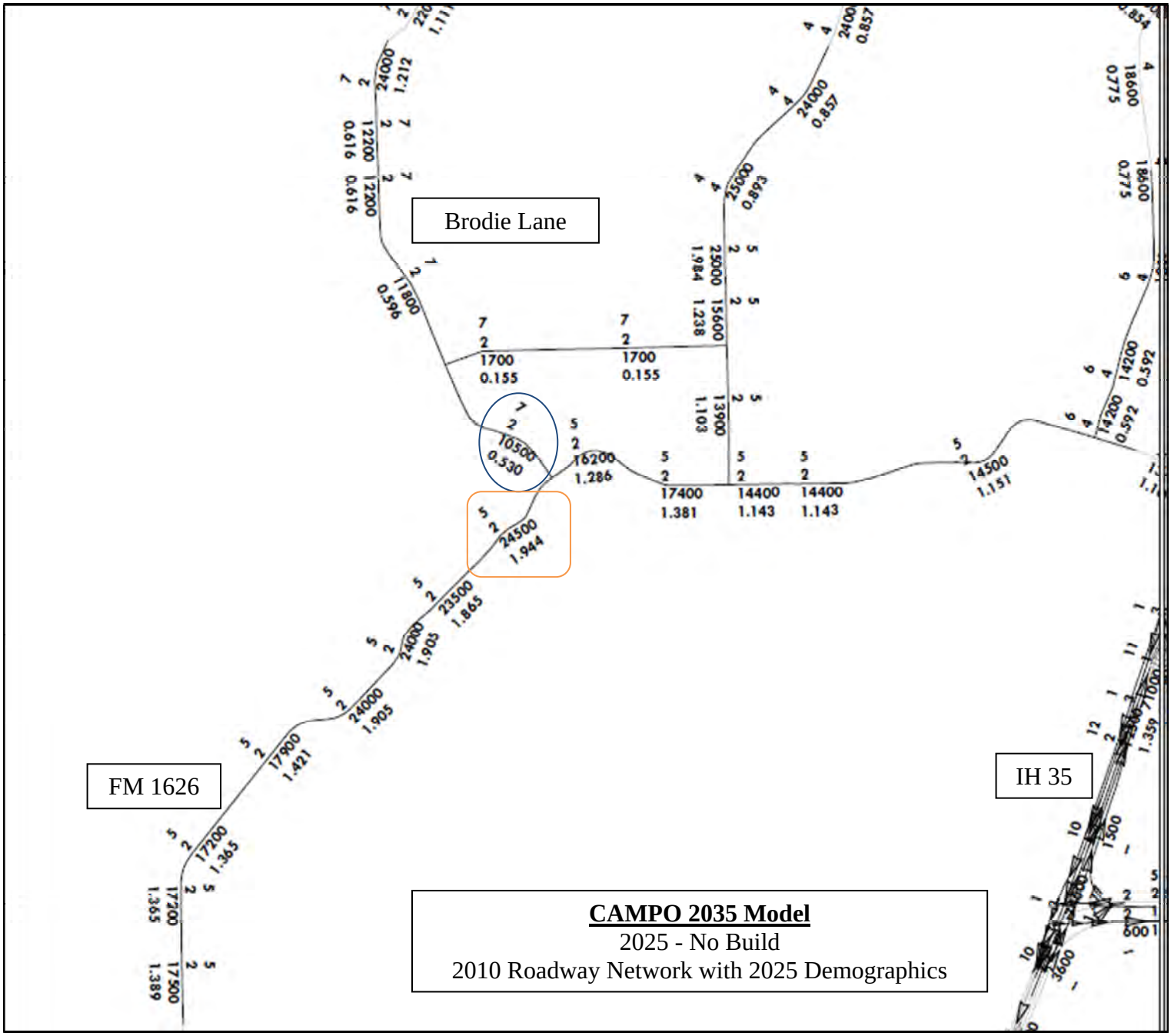
Brodie Lane
FM 1626
IH 35
CAMPO 2035 Model
2025 - No Build
2010 Roadway Network with 2025 Demographics

Figure:3

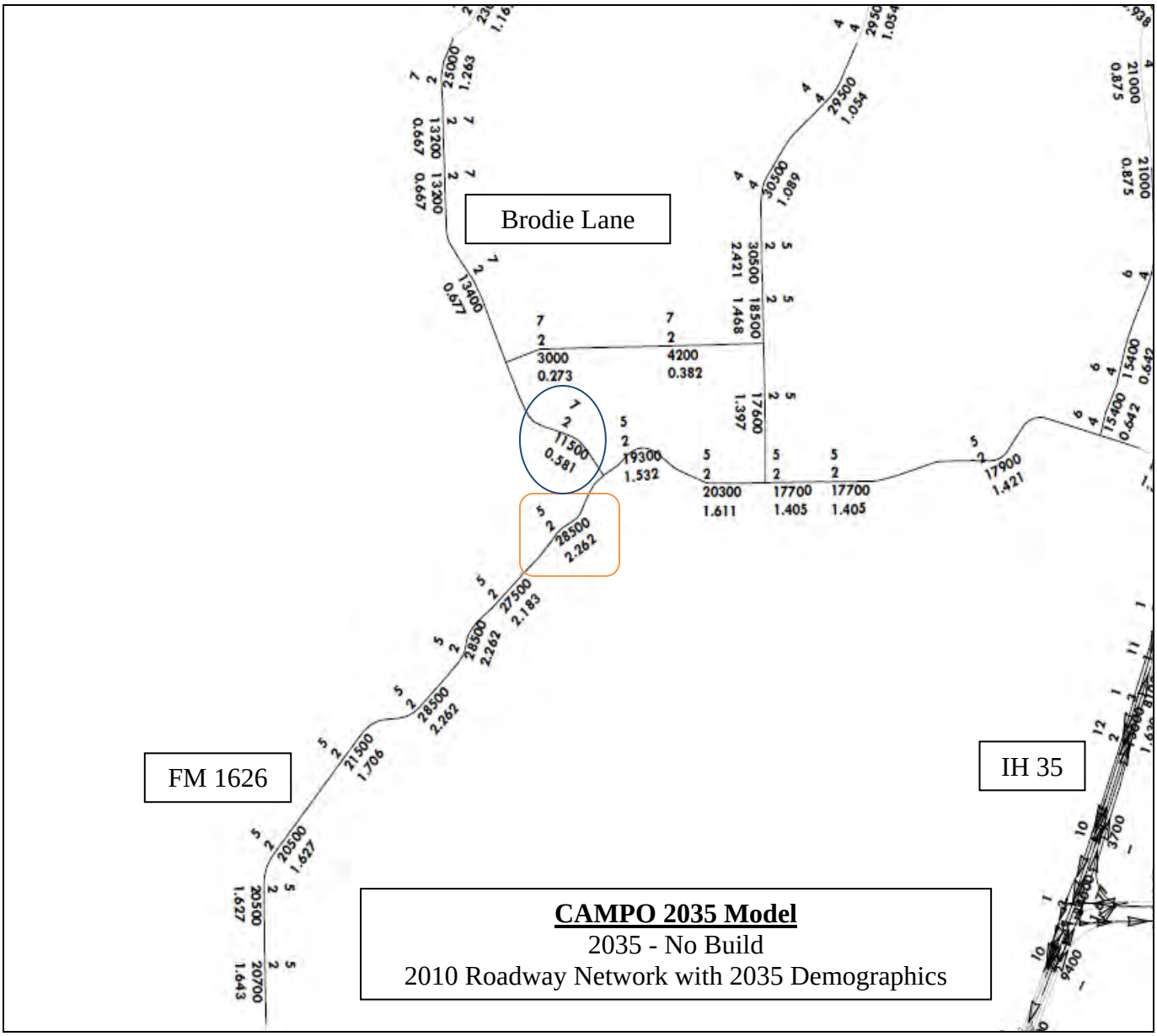
Brodie Lane
FM 1626
IH 35
CAMPO 2035 Model
2035 - No Build
2010 Roadway Network with 2035 Demographics

Figure: 4

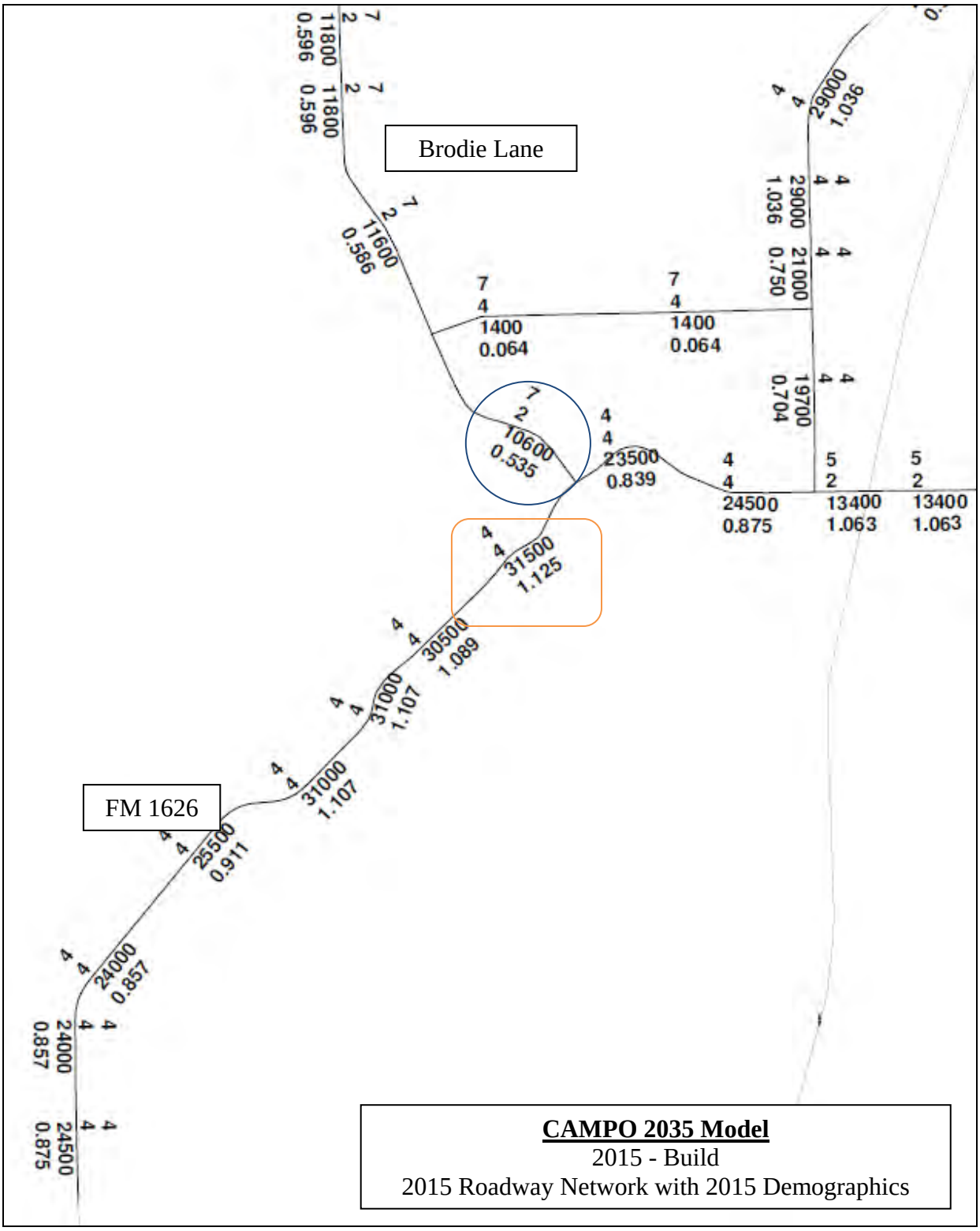
Brodie Lane
FM 1626
CAMPO 2035 Model
2015 - Build
2015 Roadway Network with 2015 Demographics

Figure: 5

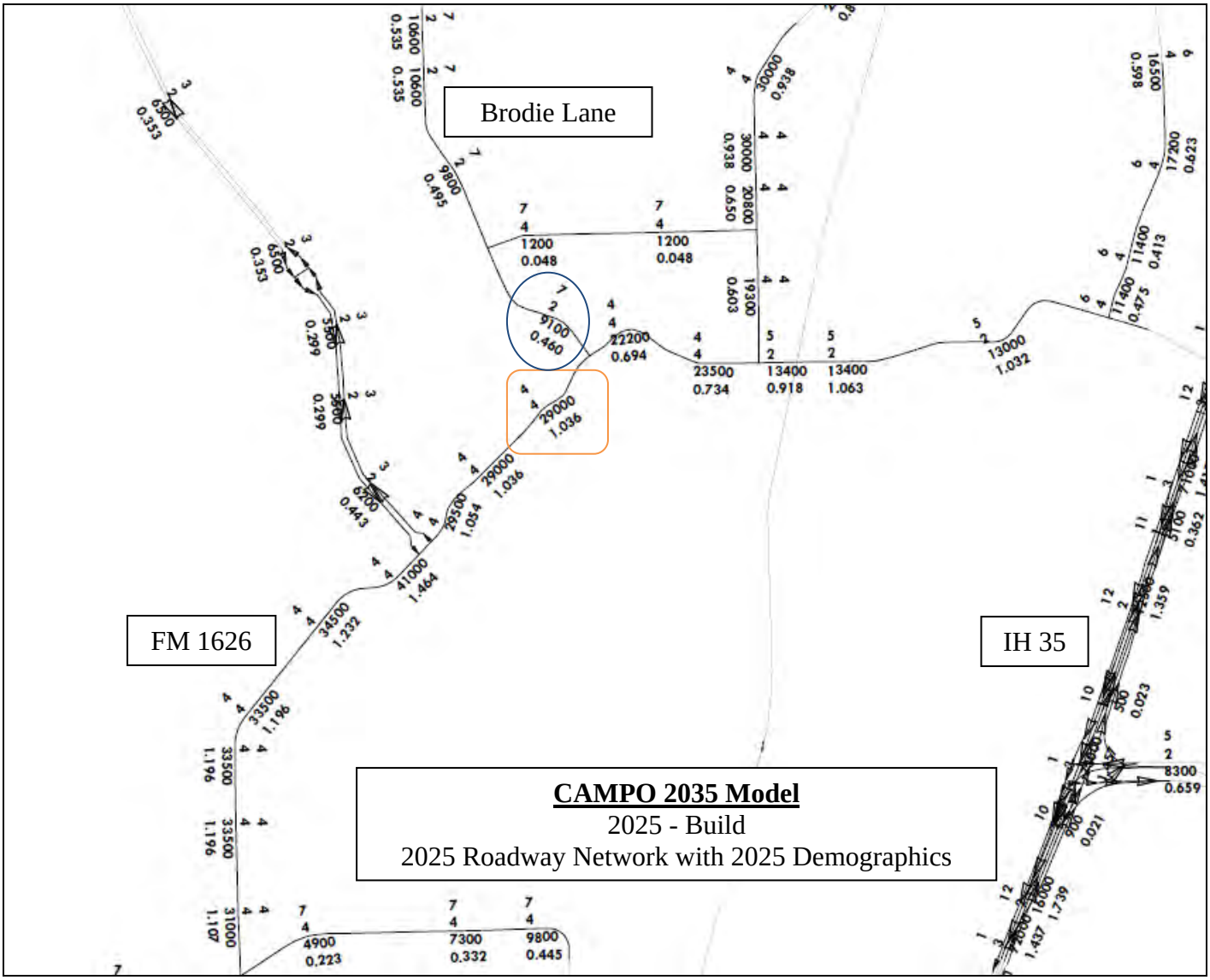
Brodie Lane
FM 1626
IH 35
CAMPO 2035 Model
2025 - Build
2025 Roadway Network with 2025 Demographics

Figure: 6

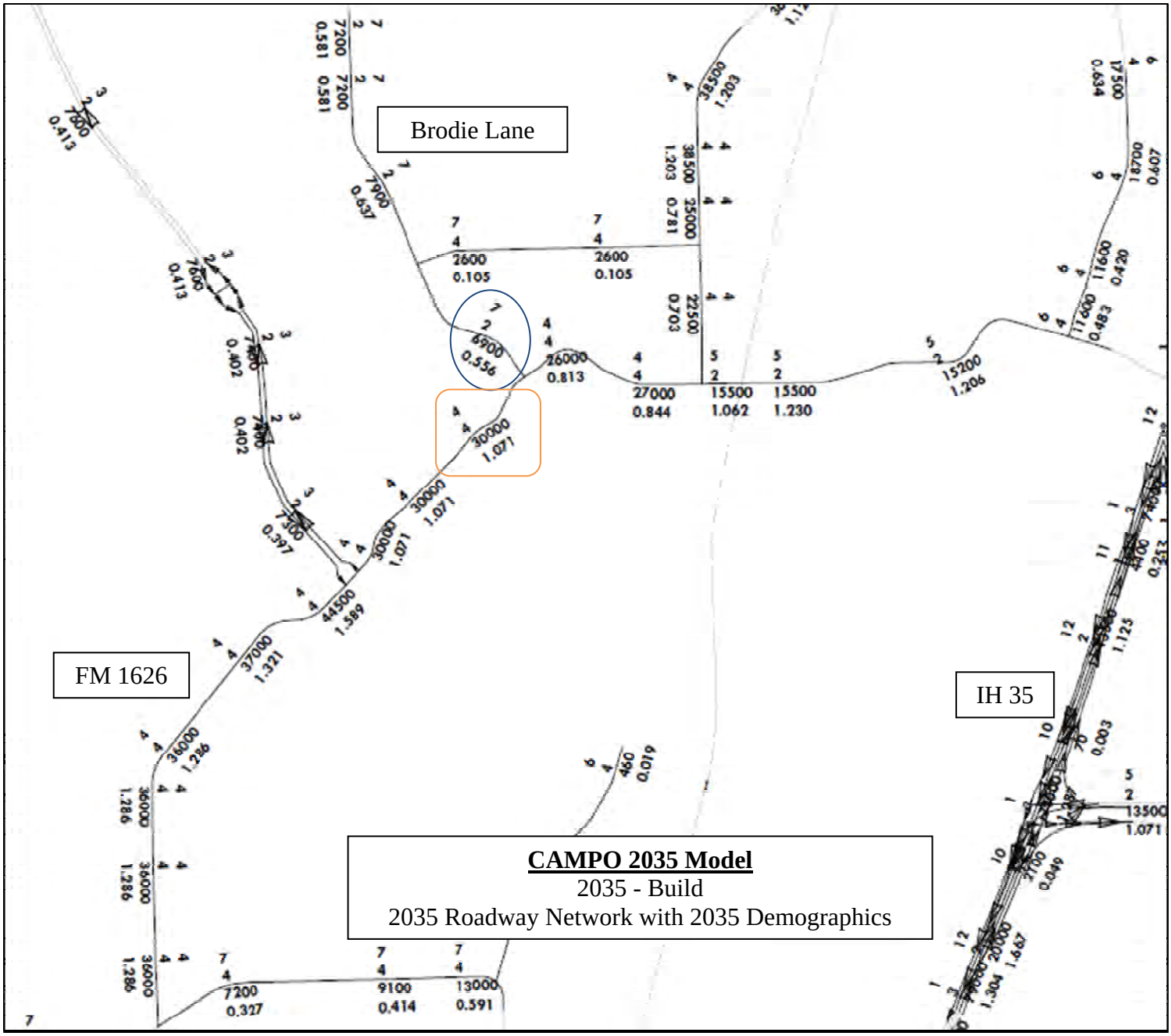
Brodie Lane
FM 1626
IH 35
CAMPO 2035 Model
2035 - Build
2035 Roadway Network with 2035 Demographics

Figure: 7