

**The Texas Department of Transportation
El Paso District**

Loop 375 Border Highway West Extension Project
From US 54 to Racetrack Drive
El Paso County
CSJ: 2552-04-027

**Summary of Second
Public Scoping Meeting**

Meeting Date: December 8, 2011

University of Texas at El Paso (UTEP)
El Paso Natural Gas Conference Center
Wiggins Road, El Paso, TX 79968

Prepared: May 2012

Table of Contents

Section 1	Summary of Second Public Scoping Meeting
Section 2	Comment and Response Report

Appendices

Appendix A	Publications <ul style="list-style-type: none">• El Paso Times Articles & Affidavits• El Diario de El Paso Articles & Affidavits• Other Media Communications/Coverage
Appendix B	Meeting Invitations <ul style="list-style-type: none">• Sample Mailout to Elected Officials• Postcard• Newsletter
Appendix C	Sign-in Sheets
Appendix D	Photos
Appendix E	Handouts
Appendix F	Exhibits
Appendix G	Written Comments (Comment Forms, Letters, and Emails)
Appendix H	Certified Transcript of Verbal Comments

Section 1

Summary of Second Public Scoping Meeting

Section 1

Summary of Second Public Scoping Meeting

The Texas Department of Transportation (TxDOT) has prepared this Public Scoping Meeting Summary not in fulfillment of any specific regulatory basis, but on a purely voluntary basis.

DISTRICT / COUNTY: El Paso District / El Paso County

HIGHWAY / LIMITS: Loop 375 / US 85 (Paisano Dr.) from US 54 to Racetrack Drive

CSJ / PROJECT NUMBER: 2552-04-027

PROJECT BACKGROUND: TxDOT is developing the Loop 375 Border Highway West Extension, a project which extends Loop 375 from US 54 near downtown El Paso to Racetrack Drive near Doniphan Road. The project is located in the City of El Paso, El Paso County, Texas. The proposed project is dedicated to improving regional mobility and safety as well as providing improved connectivity on Loop 375.

STATE PROJECT; DESCRIPTION OF PROJECT LIMITS: The proposed project was originally envisioned as being federally funded and began in September 2007. However, due to the availability of state funding, TxDOT later determined to move forward with the project as a state transportation project. The proposed project limits were shortened from the original limits (US 54 to SH 20) to Loop 375/US 85 (Paisano Dr.) from Park Street to Racetrack Drive. After considering input given at the second public scoping meeting, TxDOT has further revised the project limits to US 54 to Racetrack Drive for the purpose of addressing concern about access in the downtown area.

PROPOSED IMPROVEMENTS: The proposed project would add capacity and upgrade the existing facility by providing a new four-lane, controlled access facility that may follow portions of the existing Loop 375 or US 85. The proposed project would close the gap on Loop 375 that exists from Santa Fe Street downtown to US 85. Tolling would be considered as a funding option for the primary facility; however, all current non-tolled lanes would remain non-tolled.

PROJECT NEED AND PURPOSE: The need and purpose is a key factor in determining the range of alternatives considered in an environmental document and, ultimately, the selection of the recommended preferred alternative. The need for the Loop 375 Border Highway West Extension Project includes:

1. **Lack of System Connectivity** – Need to complete Loop 375 to provide better connectivity around the City.

2. **Declining Mobility in the Region** – Need to provide additional infrastructure to accommodate future growth, aid in congestion relief, and improve access to the university, downtown, and medical centers.
3. **Safety Concerns** – Need to provide better incident management and provide a safer roadway in order to lower crash rates.

The purpose of the project is to improve system connectivity, to accommodate future growth by providing improved mobility and congestion relief through improved access to UTEP, downtown and the medical centers, and to improve safety and provide incident management for I-10.

ENVIRONMENTAL DOCUMENT: In coordination with federal, state, and local agencies, TxDOT is preparing a State-level Environmental Impact Statement (EIS) to identify and evaluate impacts of the various proposed solutions for the project. Through the evaluation process, a broad range of environmental issues will be studied and the findings reported, such as water quality, air quality, cultural resources, biological resources, socioeconomic conditions, community cohesion, noise, and more.

Public involvement for this project includes two public scoping meetings (held in October 2007 and December 2011) and a public hearing. In addition, the project team will be utilizing the Context Sensitive Solutions (CSS) process to ensure that the design of the proposed project will fit into its physical setting and will preserve scenic, aesthetic, historic, and environmental resources, while maintaining safety and mobility.

The remainder of this report provides the details of the second public scoping meeting held in December 2011, and comments received. It is anticipated that the public hearing will be held in fall 2012.

PURPOSE OF SECOND PUBLIC SCOPING MEETING: The purpose of the meeting was to provide information about the proposed project as well as to inform the public of changes since the last public scoping meetings were held in October 2007. In addition, the meeting provided an opportunity for the public to review and provide comments on: the Need and Purpose Document, the Project Coordination Plan, the revised study area, the preliminary alternatives, the alternatives evaluation criteria, the results of the alternatives screening process, the recommended reasonable alternatives, and the approved coordination plan.

DATE OF SECOND PUBLIC SCOPING MEETING: Thursday, December 8, 2011

MEETING LOCATION: University of Texas at El Paso (UTEP), El Paso Natural Gas Conference Center, Wiggins Road, El Paso, TX 79968

NOTICE OF MEETING: Notices were published in the following local newspapers: *El Paso Times* (English) – Sunday, November 6, 2011, and Sunday, November 27, 2011; *El Diario*

de El Paso (Spanish) – Sunday, November 6, 2011, and Sunday, November 27, 2011. Copies of these notices are included in **Appendix A**.

Media coverage requests and announcements for the meeting included: a *Media Advisory* (November 2, 2011); and a *News Release* (November 6, 2011) which were also distributed at the public scoping meeting to the media who attended. Copies of these notices as well as two *El Paso Times* newspaper articles about the meeting are also included in **Appendix A**.

LETTERS TO ELECTED OFFICIALS; NOTICES TO STAKEHOLDERS AND PROPERTY OWNERS

On November 1, 2011, TxDOT – El Paso District mailed out meeting invitation letters to El Paso area federal, state, and local elected and non-elected officials. These letters provided detailed information of the proposed project and an invitation to attend the meeting.

Postcards advertising the meeting were sent to over 590 property owners in the project study area. Newsletters containing project information and advertising the meeting were sent to approximately 300 project stakeholders, including: nearby educational and medical facilities, neighborhood associations, community organizations, local officials, and attendees of the October 2007 public scoping meeting. The postcards and newsletters were mailed on November 28, 2011.

Example copies of the letters to elected officials are included in **Attachment B**, as well as copies of the newsletter and the postcard.

ATTENDANCE: The registered attendance consisted of 99 persons comprised of 65 members of the general public; 5 public officials or their representatives; 3 media personnel and 26 project team members. Copies of sign-in sheets are provided in **Appendix C**.

MEETING FORMAT: The meeting was held in an open house, come-and-go format. The meeting began at 4:00 p.m. and continued until 8:00 p.m. The open house format was utilized to allow attendees to move freely between the displayed exhibits and to discuss project details with the project team and other stakeholders.

Information packets were available at the sign-in table. The public was invited to visit a series of stations throughout the room featuring project exhibits. Stations were staffed by project team representatives who interacted with attendees and answered questions. A certified Spanish interpreter was available during the meeting to accommodate the communication needs of Spanish-speaking individuals. All exhibits were presented in both English and Spanish. No formal presentation was given.

The public was invited to submit written comments during the meeting. All attendees were informed that written comments could also be submitted at the meeting or up to

ten (10) days after the meeting via mail or e-mail. Also, the public was invited to submit verbal comments; a certified court reporter was available to record verbal comments. Photos of the meeting are included in **Appendix D**.

HANDOUTS: Bilingual information packets were distributed at the meeting. Each packet contained: a Welcome Guide, an EIS Process and Schedule information page, a Recommended Reasonable Alternatives – Segments map, an Environmental Process information page, a Comment Form, and the Project Newsletter. Copies of the handouts provided at the public scoping meeting are included in **Appendix E**.

Media packets were also made available to members of the media present at the meeting. The media packet included the full information packet, the news release, and a CD with electronic files of all the meeting materials and exhibits, as well as the project documents including the Project Coordination Plan and the Need and Purpose Document.

EXHIBITS: Exhibits were displayed on easels and tables throughout the room, and are provided in **Appendix F**. In addition to the sign-in table and a welcome board, the following items were displayed during the meeting:

STEP ONE: Overview

- TxDOT Mission
- “Closing the Gap” Map
- Study Area Map
- Need and Purpose
- Project Benefits
- I-10 Declining Mobility
- A document review table, featuring copies of the Need and Purpose Document, and the Project Coordination Plan
- EIS Process and Schedule

STEP TWO: Yesterday

- A document review table, featuring previous studies, and the Public Scoping Meetings Summary Report from October 2007
- Project Timeline
- Public Scoping Meetings #1 – October 2007
- Three boards shown at the 2007 meeting including the Preliminary Build Alternative Tolloed Concepts and the Preliminary No Build Alternatives Concepts
- Alternatives Evaluation Process
- Universe of Alternatives
- 2008 Comprehensive Mobility Plan Maps and Information

STEP THREE: Today

- Preliminary Build Alternatives Tolloed Concepts, including the evaluation matrix and constraints maps
- Recommended Reasonable Build Alternatives Tolloed Concepts, including the evaluation matrix and constraints maps
- Recommended Reasonable Alternatives – Segments Map

STEP FOUR: Tomorrow

- A right-of-way table
- Next Steps
- How to Comment
- Two (2) Written Comments tables
- Certified Court Reporter

STEP FIVE: Context Sensitive Solutions Process

- What is Context Sensitive Solutions (CSS)?
- How CSS Works
- Local CSS Examples
- A series of boards showing examples of CSS Elements
- A series of boards showing CSS Resources

COMMENTS RECEIVED: The deadline for public comment was Monday, December 19, 2011. A total of thirty-one (31) public comments, twenty-nine (29) written and four (4) verbal, were received. In addition, the City of El Paso provided a resolution in regard to the project. Responses to these comments are provided in the next section of this report. Copies of all comments received within the public scoping meeting comment period are provided in **Appendix G**. The certified transcript of verbal comments given at the public scoping meeting is provided in **Appendix H**.

Overall many of the comments were in support of “Border A” Alternative (22 comments). The No-Build Alternative as well as the “Border B” Alternative received the next strongest support (12 comments and 14 comments, respectively). Many of the concerns were in regard to maintaining access to the downtown area from the Chihuahuita community. Other concerns included, but were not limited to, impacts to the ASARCO site, hazardous materials concerns, right of way acquisition concerns, and the tolling.

Section 2

Public Scoping Meeting Comment and Response Report

PUBLIC SCOPING MEETING #2 COMMENT AND RESPONSE REPORT

Loop 375 Border Highway West Extension Project

December 8, 2011

The following are the six questions asked in the Comment Form (please see Appendix E to view the full form).

1. For each of the recommended reasonable alternative segments listed below, please indicate your preference by checking a box and stating any specific comments.
2. Do you own/lease property within the study area?
3. Are you aware of any areas that we should be avoid that are not shown on any of the exhibits? (i.e. cemeteries, hazmat sites, historic structures, etc.)
4. Do you have any comments on the Need and Purpose for this project?
5. Do you have any comments on the Project Coordination Plan?
6. Use this space to provide any additional input or concerns. Be sure to identify if your comment is related to a specific alternative.

#	Name	Verbal/ Written Comments	TxDOT Response
1	Michael O. Herrera, CNU-A	The only statement that I have is that I want to make sure that all consideration is being given to transit to avail itself of the loop that is going to be created This will help us to move the population expeditiously and be able to keep them off the road so therefore improving the function of the highway that's going to be developed, helping congestion by moving people through mass transit.	Comment noted. The transit alternative solution was considered in the previous major investment study conducted in 1999 and was not recommended as the appropriate solution to handle the need for a controlled-access facility and parallel alternate to I-10 to alleviate current congestion. Transit has been carried forward by others such as the city of El Paso as separate projects.
2	Oswaldo Velez	Well, my comment is that to do a side street on 375 coming in from the – from the east and opening the – if it's possible, Coles Street and –we, Park Street is already open but leaving Park Street, Campbell, Kansas, Mesa, Oregon and Santa Fe open so we can have access to Segundo Barrio and we can have access going towards Chihuahuita.	Comment noted. A controlled-access facility would affect existing access to downtown between Park Street and Santa Fe St. A computer traffic model will be used to help develop a solution that would accommodate downtown access. Access will be planned with consideration of minimizing impacts to local neighborhoods, businesses and the traveling public. In response to public scoping meeting comments, access into downtown from the east via a Coles St. connection to Loop 375 is being studied. This area was included on the preliminary alternative constraints maps.
3	Heather McMurray	I've been researching ASARCO for seven years now. I have a master's in biology, I'm a certified high school science teacher. I was a member of Get the Lead Out when we went to the air hearing for ASARCO's permit in 2005, and kept researching ASARCO working with the group in Sunland Park called the Sunland Park Grassroots Environmental Group. We discovered that people weren't being told everything about	Comments noted. a) To the extent the project would affect the ASARCO site, TxDOT will investigate and document in the EIS any relevant issues related to contamination. TxDOT has not concealed and will not conceal any relevant information regarding contamination that it may discover. TxDOT has been proactive in engaging the public on relevant issues related to the ASARCO site. A second Public Scoping

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Loop 375 Border Highway West Extension Project

December 8, 2011

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		<p>the contamination at ASARCO. And in 2006 I was able to get a 73-page confidential for settlement purposes only EPA/federal Department of Justice/ASARCO document from the -- someone in the Department of Justice under a Texas Public Information Act request.</p> <p>The document told us that in no uncertain terms that ASARCO had been running a multistate illegal, unpermitted hazardous waste incinerator for almost ten years, maybe longer. We know that they ran it between 1991 pre-ConTop -- the ConTop furnaces, spelled C-0-N-T-0-P. They had the world's two largest ConTop furnaces from -- so from 1991 to 1998.</p> <p>Representative Reyes went on record with the El Paso Times after I got this document in 2006. He said that ASARCO had paid millions on the condition that the details of what it had done would never become public. We've been after the details now since I got that document in 2006. It's been five years. We've dealt with two different EPA administrations, the recent one for two years, and we still don't have the details of what they did. We are still asking for the manifests that were listed by number -- ID number in that confidential 1998 document.</p> <p>If TxDOT, the EPA, TCEQ and other companies and agencies -- for instance, Grupo Mexico who bought ASARCO in 1999 -- if all of them had to deal with the facts publicly, the details of what ASARCO had done, none of this would be possible. None of this highway development by or through ASARCO could happen without the proper cleanup. In other words, they're getting away with ignoring some pretty toxic material, and this happened because the federal Department of Justice allowed the ASARCO bankruptcy court to skip, go -- to skip or ignore the ASARCO liability from the materials it handled between 1991 and 1998. They were never discussed during the bankruptcy, never brought</p>	<p>Meeting was held December 8, 2011 to provide information and gather public input. Exhibits were shown representing the ASARCO property as a hazardous materials site. Newsletters, exhibits and notices for the Public Meetings have been published in Spanish to reach out to all individuals. A Public Hearing will be held after the Draft EIS(DEIS) is approved for circulation and review. The Draft Environmental Impact (DEIS) will contain an evaluation of potential impacts concerning potential hazardous materials sites to an equal level of detail for the Reasonable Alternatives presented at the Public Scoping Meeting #2 and a Recommended Preferred Alternative alignment will be presented at the Public Hearing and subsequently will be studied in more detail in a Final EIS(FEIS). Also, in response to your comment in the last paragraph regarding the need for early public input prior to more detailed project design, the regional planning process allows further opportunity for public involvement. The El Paso Metropolitan Planning Organization, as the regional transportation planning body, coordinates and ultimately approves and sets priorities for transportation projects in the region. The activities of the El Paso MPO also allow for an open public involvement process.</p> <p>b) In reference to your comment regarding the format of the Public Hearing -- The meeting held Dec. 8, 2011 was an Open-House Public Meeting and the TxDOT Office of General Counsel (OGC) has determined that an Open-House Public Meeting does not require a formal presentation and oral public comment session; however, a formal presentation and oral public comment session is required at a Public Hearing and will be included in the format at the hearing. For the second public scoping</p>

PUBLIC SCOPING MEETING #2 COMMENT AND RESPONSE REPORT

Loop 375 Border Highway West Extension Project

December 8, 2011

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		<p>up in the bankruptcy and they were never assigned any damage, you know, the payment that they had to make to remediate these materials.</p> <p>It was, as Representative Reyes said, that they had made a deal to keep the details secret. And we believe that it's because we now know ASARCO was disposing of Department of Energy wastes and so were several of the companies caught sending materials here to El Paso for illegal incineration. So every time they move dirt in this area, every time anyone works in this area, anytime anyone drinks water taken from this area we run a risk of encountering one of those hazardous wastes that nobody wants to talk about and that they refuse to test for.</p> <p>What's happening is that they want this land development so bad and they want the port of entries developed so badly and the railroads to go through and all this development to happen that everyone is willing to just ignore the fact that ASARCO burned the stuff for nearly ten years, it's here and that ignoring it isn't going to make it go away. And if they want to construct these highways properly, if the EPA wants to deliver honest science, then they will tell us what these materials are instead of spending over-- almost \$500,000 on testing and not finding anything is what's happening with the cleanup. They would spend 20,000 to get a complete list of the metals present at the site like at least one resident has done here, and they haven't done it.</p> <p>They refuse to let us get samples of a distillation unit that handled the water for the entire plant that was removing low level radioactive waste from the plant's process water. And then when they demolished it, got rid of it, sold off the metal, whatever, then they said to us, Tell us where to test to find this stuff. So what they're doing is getting rid of the stuff and making</p>	<p>meeting the open-house format allows a longer viewing time to present materials and is more conducive to satisfying both daytime and evening attendees that wish to drop by at their leisure. Attendees were able to interact with the project team to express comments and concerns, and a court reporter was present to formally record comments such as yours.</p> <p>c) Testing and remediation at the ASARCO site is currently in progress and is being managed by the ASARCO Trustee, Project Navigator. TxDOT is not involved in those efforts. In November 2011, a Public Meeting was held by the Trustee to answer questions and present the status of on-going cleanup operations. TxDOT is communicating with the Project Navigator team in regards to their remediation activities and potential contamination affecting roadway construction.</p> <p>TxDOT has completed a Phase I and Phase II investigation to assess contamination and potential impacts to locating and constructing a facility along the northern portion of the ASARCO site. The Texas Commission on Environmental Quality (TCEQ) has agreed to serve as a Participating Agency in the EIS(EIS) process and has been involved in the ASARCO remediation coordination. The hazardous materials locations and potential impacts shown at the Meeting in the alternatives matrix included potential impacts to the ASARCO property and other sites that are listed as potential hazardous materials sites in standard databases. These databases report information from federal, state and local entities that are responsible for registered hazardous materials or locations where contamination has been documented at some time in the past. These standard database searches are only used as a</p>

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Loop 375 Border Highway West Extension Project

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		<p>it harder for the average citizen to ever be able to prove the stuff is floating around down there.</p> <p>And we rely on our government to deliver honest services, to provide honest science, to disclose what hazardous materials are present, and I was really sad to see on one of these charts that some of the options going through or near the ASARCO site claim that there weren't hazardous materials present. And I'm like, How can they say that? Everything within nine miles of the smelter is contaminated.</p> <p>And if you look at the ASARCO Tacoma, Washington, smelter, their contamination went out 30 miles. So it's a bad situation. We do need transportation options, but we should be planning these with the knowledge of what we're actually dealing with, not just ignoring the problem that is there.</p> <p>They're going to end up putting these roads in that they've shown here, they've discussed it with city council. Representative Pickett said that he would hold ASARCO's feet to the fire and he never did. They claim that voters get to vote on these options, they claim that this is a public hearing when it's a series of charts and you get to make comments and the comments are never really -- never really make any impact on these designs. They' do what they want to do.</p> <p>The area along Executive drive, west of Executive drive, has already been platted and building has started there. All that the city will recognize it's contaminated with is lead and it goes on like that. I don't see how they can build here and protect the workers building the highway and protect the residents' children who will move into the area and protect the drivers driving through from being exposed to this stuff for the next hundred years unless they spend the money that they want to spend</p>	<p>tool for preliminary planning purposes and are not to be used for final determinations of hazardous materials impacts. Design adjustments made after Public Scoping Meeting #2 have resulted in a refinement to the need for ASARCO property. However, the Phase I and Phase II that was previously conducted included these areas. TxDOT will coordinate with TCEQ regarding the refined right of way needs. Field investigations will also be conducted to identify sites likely to pose risks from hazardous materials.</p> <p>d) The cost referenced in your comment is a preliminary estimate and will vary based on the final alternative selected and designed. The facility is not currently funded for construction and thus is being considered as a toll facility. Legislation requires that funds collected through tolls be utilized for highway purposes in the same region. Highway funding is designated specifically for transportation use. TxDOT standards and procedures are uniformly applied statewide. There are no exceptions specifically for border areas.</p>

PUBLIC SCOPING MEETING #2 COMMENT AND RESPONSE REPORT

Loop 375 Border Highway West Extension Project

December 8, 2011

#	Name	Verbal/ Written Comments	TxDOT Response
		<p>making this highway on remediation of the site instead.</p> <p>I heard that it will cost over 600 million to build all this. Well, why aren't they spending the 600 million to clean up the ASARCO site correctly and to protect our river from the plume that's underneath ASARCO that's impinging upon the canal in the Rio Grande as we speak? Why aren't they spending the money that way? Why are they bringing more people in, creating a traffic jam at this spot by building all these other parts of the outer circle around El Paso and leaving this to last so that people -- there's this -- going to be a traffic jam. And people will want it built simply out of desperation because they can't get anywhere.</p> <p>I think that the engineers involved aren't chemical engineers. I think that the people in our government who have worked for previous administrations and now this one don't care and I think that it's wrong to build roads through this, disturb it, have railroads going through it, have people living on it. And some day, it may take a hundred years but -- you know, it's wrong to disturb it. It should be left alone and made into a no man's land until it has proper cleanup.</p> <p>The EPA wants it demolished -- ASARCO demolished as fast as possible, to have it paved over to reduce the chances of our exposure, but they won't say exposure to what. They're being gagged by what Representative Reyes described, the millions that ASARCO paid on that deal to keep the details secret. And yet we're being exposed to this stuff and the people who build this highway are too and the workers presently cleaning up ASARCO are also. And it's a real shame. Why can't we down here along the border get the same kind of expertise, the same kind of access to science, the same kind of access to well thought out projects that consider all their actual information, not just what contractors want us to hear? Why on the border is it always this</p>	

PUBLIC SCOPING MEETING #2 COMMENT AND RESPONSE REPORT

Loop 375 Border Highway West Extension Project

December 8, 2011

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		<p>way?</p> <p>It's extremely frustrating to me. This is an environmental sacrifice zone, environmental justice zone. It is being ignored by the EPA, it's being ignored by the TCEQ and now it's being ignored by TxDOT, and it's not being ignored by the community. Some day someone's going to be accountable for the children who grow up here who will be able to say they've only lived here and they're neighbor only lived here and they grew up and they have all these horrible things happening to them. And it -- it's just a legacy that we don't deserve down here. We don't -- we shouldn't have to live with.</p> <p>They should be getting this -- the kind -- they should be getting public comment before they start to design all this intricate stuff, and they're not. It's all about people making money instead of spending the money on our future generations, wisely growing children who are healthy and removing the costs that we have to deal with for children who have behavioral disorders, learning disabilities, the social costs that go with that. It's wrong to pass those costs on to families just so that contractors can make more money planning all this.</p>	
4	Bill Addington	<p>Commenting on the project here. I'd like to vote for the no action alternative which would be using a combination of mass transit and using the changes to the existing roadway. I'm like many El Pasoans, I believe, I'm opposed to toll roads. We believe they're a regressive tax. Those that are least able to afford it are impacted or suffer the most. I think that this project's very expensive, 500 million for a short way. I know there's some transportation gridlock problems, but I'll agree with Commissioner Houghton, transportation commissioner, who said in the El Paso, Inc., recently, newspaper here in El Paso, that we'll never build our way out of gridlock and we need to start looking at using mass</p>	<p>Comments noted. The No-build Alternative will be considered throughout the Environmental Impact Statement (EIS) process and the associated consequences of not addressing the needs for a parallel alternate route to I-10 would be compared to the four reasonable build alternatives. The no-build is defined as no change to the facilities as they exist today. This includes continuing operation and maintenance activities as well as any improvements already committed, funded and scheduled to be completed by the year 2035.</p> <p>Regarding a combined alternative of mass transit and changes</p>

PUBLIC SCOPING MEETING #2 COMMENT AND RESPONSE REPORT

Loop 375 Border Highway West Extension Project

December 8, 2011

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		<p>transit.</p> <p>I hope that these comments will be taken and used by TxDOT officials, and I truly hope you will incorporate the public's input and wishes in this project because it certainly hasn't been done in the previous project, and I'm specifically talking about the Transmountain/Loop 375 project that goes through -- up to -- from Interstate 10 to the Franklin Mountain State Park. That project was designed by a handful of developers and TxDOT officials and the public had nothing to do with that. I hope this project's different.</p> <p>What else? I know I have one more thing. El Paso has a resolution, El Paso City Council, that the goal to be the least car-dependent city in the United -- in Texas or United States. That's an actual resolution signed by the mayor and all of city council. I believe projects like these put us on a path to be the most car-dependent city. TxDOT should be looking at other alternatives, as I mentioned before, such as mass transit, light rail, mass rail through the city, mass transit.</p> <p>I believe these highways produce more sprawl. More and more highways produce sprawl and we'll never build our way out of gridlock, as I mentioned before. In addition, I know you're -- there's an effort here to do a full environmental impact study under the National Environmental Policy Act for this project unlike previous projects in El Paso, but as you -- as engineers know, you'll be going through a very contaminated area, the ASARCO -- 400-acre former ASARCO smelting site that was used for smelting copper and lead for over a hundred years. In addition, many -- at least 400 train shipments of extremely hazardous waste were illegally and criminally burned there over a nine-and-a-half-year period. And the state is -- and federal governments have acknowledged that since 2006 when we</p>	<p>to existing roadways – See response to Comment #1.</p> <p>In reference to your comment on the implementation of toll roads - A toll analysis for this project indicated that it is toll viable and it was included in the El Paso Metropolitan Planning Organization’s Mobility Plan and Mission 2035 plan as a toll project.</p> <p>The project as a toll facility can better leverage state funding while still meeting on-going maintenance needs and operations.</p> <p>Toll financing can accelerate construction of additional lanes for congested areas decades earlier without increasing the tax burden on residents. The only persons that pay a toll are those that choose to use the road to improve their mobility needs. All toll revenues that are generated by the project (and in El Paso County) will be used for projects that benefit El Paso County.</p> <p>The travelling public who may feel burdened by using a toll facility has the choice to use a free alternative. All free existing facilities would remain that way.</p> <p>Regarding your comment on the public input process and consideration of alternatives, the final decision on a preferred alternative solution will be based on multiple considerations, including the ability to meet the project’s purpose and need; environmental impact screening, engineering, traffic considerations and input from the public, elected officials, stakeholders, and participating agencies.</p> <p>Public comments are considered in the evaluation process. While there is no specific regulatory requirement, TxDOT has prepared responses to comments made at the public</p>

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Loop 375 Border Highway West Extension Project

December 8, 2011

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		<p>brought it out.</p> <p>So putting pylons for an elevated highway deep into the alluvium, which is the Rio Grande alluvium with very shallow groundwater, is quite a challenge to not further contaminate groundwater and our drinking water supply which runs through the American canal very close by the ASARCO smel- --through the ASARCO smelter site.</p> <p>I'm totally against these type of projects that unnecessarily use the threat and tool of eminent domain to take out small homes and businesses along -- that will happen in this project and I'm totally opposed to that, the use of eminent domain to take out small homes and businesses. That will happen in Chihuahuita neighborhood and in addition Buena Vista and all along Paisano.</p> <p>I believe that toll roads are a double tax. We've already paid for our highways with gasoline tax, which is up there, taxes for gasoline tax, in addition to our registration fees for our vehicle registrations. We've -- that's what's supposed to be funding highway construction, not tolls. So it's -- in essence, it's a double tax to be taxing us to drive the roads we've already paid for -- or should have already paid for with our taxes on gas tax and registration fees.</p> <p>So, again, I hope that -- I know that there are many -- some of the city leaders here, and some of the city leaders and others that are in development field want to see an arena built here downtown, a sports arena, and this project, I think, is completely tied to this sports arena. And it would be built downtown right along -- right near where City Hall sits now is one of the proposed locations for this huge tax-funded sports arena. So I hope that this project isn't trying to -- trying to help promote a sports arena being built downtown.</p>	<p>meetings held to date and such responses are included in the Public Meeting Summary Reports which can be found on the TxDOT website or reviewed at the TxDOT District office. The reports include a summary of the meetings, materials presented, comments received and the response to those comments.</p> <p>Regarding the City of El Paso resolution, please see response to Comment #1.</p> <p>Urban sprawl tends to occur more in undeveloped areas that introduce new roadways. The proposed project would traverse mostly developed areas such as the downtown area and surrounding industrial areas. Potential project impacts to development patterns will be evaluated in the EIS process. The project would likely result in improved access to downtown, schools and medical facilities.</p> <p>Regarding ASARCO comments – See response to Comment #3. If a build alternative is selected as the preferred alternative, construction methods in contaminated areas will strive to avoid impacts to groundwater.</p> <p>There are no residential or commercial displacements proposed in the Buena Vista community. The community of Chihuahuita would have two to four displacements depending on which alternative is chosen at this location. The Chihuahuita residents that attended the meeting were generally in favor of a border alignment which would be south of the existing border fence and does not result in any displacements or community disruption to Chihuahuita.</p> <p>The EIS will consider indirect impacts and cumulative impacts. Construction of an events center or commercial retail center</p>

PUBLIC SCOPING MEETING #2 COMMENT AND RESPONSE REPORT

Loop 375 Border Highway West Extension Project

December 8, 2011

#	Name	Verbal/ Written Comments	TxDOT Response
		<p>I can't think of anything else. I'm thinking about -- again -- well, in closing, I don't think we'll ever build our way out of gridlock by building more -- more and more lanes of highway. And in closing I'd like to urge TxDOT to be a true transportation agency and stop just building roads for high -- for cars and enter into mass transit and rail service and try to promote more of that mass transit and light rail. Thank you.</p>	<p>in the downtown area, if planned in the reasonably foreseeable future, will be considered in the EIS study. Other planned projects as well will be included in the cumulative impacts analysis including International Boundary and Water Commission (IBWC) levee improvements, El Paso County Water Improvement District (EPCWID), Public Service Board (PSB) projects, etc.</p>
5	Kelly Blough	<p>Alternative Rail Yard A: This Alternative seems like it would further isolate Chihuahuita.</p> <p>Alternative Border B: This alternative would isolate the river corridor.</p> <p>Alternative Rail Yard B: Prefer to leave river corridor open for habitat improvement.</p> <p>No-Build Alternative: Increased traffic capacity encourages suburban sprawl.</p> <p>3) Please consider natural landscape elements such as cottonwoods and bosque vegetation as design elements as well as architectural features in the visual design.</p> <p>6) The Segment overlap portion has no alternative other than the no action alternative and that is not adequately represented for public comment. Is this Section proposed at ground level? Elevated or depressed? My principal concern is the cumulative increase in traffic noise resolution from the greater combined traffic volume in the northwest portions of the I-10 and 375 Corridor. The UTEP and Sunset Heights area are negatively impacted by traffic noise now. Since one of the stated purposes of this project is to modify use of I-10 it</p>	<p>Comments noted regarding alternative segments. See response to Comment #4 regarding urban sprawl.</p> <p>3) A Context Sensitive Solutions process involving community stakeholders will be utilized to determine concerns and needs based on local community input. Solutions will be developed which will include cultural vision and landscaping design concept to be further included in final design throughout the corridor.</p> <p>6) Vertical elevations are preliminary, and whether a particular section would be elevated or depressed will vary based on the topography in the specific area. Elevated structures over roadways would be required to have a minimum of 16.5 ft and roadway structures over railroads would be required to have a minimum vertical clearance of 23.5 ft.</p> <p>It is anticipated that noise levels will likely increase at adjacent receivers within close proximity to the proposed project. Ambient noise readings will be measured in areas where new location roadway improvements are proposed. Noise readings will be analyzed based on land use activities and noise mitigation will be considered where appropriate based on established TxDOT and</p>

PUBLIC SCOPING MEETING #2 COMMENT AND RESPONSE REPORT

Loop 375 Border Highway West Extension Project

December 8, 2011

#	Name	Verbal/ Written Comments	TxDOT Response
		<p>seems reasonable that noise from combined I-10 and 375 corridor should be considered and mitigated to less than the current levels.</p>	<p>FHWA noise abatement criteria. Noise mitigation for impacted receivers will be evaluated based on whether or not it is both feasible and reasonable. If noise mitigation is proposed it will be coordinated further with the public. The results of this preliminary noise comparison will be included in the Draft EIS. A more detailed noise analysis and any proposed mitigation would be included in the Final EIS. Each of these documents will also discuss construction noise impacts.</p>
6	Mike Rooney	<p>Since HNTB has to be the “subject matter experts” on that Border Highway West Project -- if that biggest ASARCO smoke stack were to ever fall over towards the international border with Mexico -- besides falling over both Paisano and the Rail Road tracks -- is it big enough to also fall over that canal -- plus the border patrol fence -- and into the Rio Grande River.</p> <p>What about the smaller smoke stack? Is it also positioned that if it was to ever fall -- it too would fall across Paisano and the Rail Road tracks? Is it big enough to also fall over that canal -- plus the border patrol fence -- and into the Rio Grande River?</p>	<p>The ASARCO Trustee, Project Navigator, is responsible for remediation of the ASARCO site, not TxDOT. Project Navigator may be able to answer your question about the stacks.</p>
7	Martin Hernandez, Border Patrol	<p>Alternative Border A: The loop along the border will create vulnerabilities such as cover and concealment for subjects crossing illegally. The loop will create blind spots for our RUSS along the border.</p> <p>Alternative Rail Yard A: The elevated loop will create blind spots that are currently visible by our RUSS. The loop will also create cover and concealment for subject crossing illegally.</p> <p>Alternative Border B: This option will have a direct impact on Border Patrol operations. Proposed project will be adjacent to</p>	<p>TxDOT is aware that the Customs and Border Protection (CBP) may have concerns about line of sight for cameras and border patrol agents with any new facility that would be located in close proximity to the border crossing and border fence area.</p> <p>TxDOT met with CBP representatives in December 2011 and will continue to coordinate with CBP to minimize impacts to border patrol operations and security.</p> <p>Design considerations in the project development process that will minimize impacts to the CBP operations, will include</p>

PUBLIC SCOPING MEETING #2 COMMENT AND RESPONSE REPORT

Loop 375 Border Highway West Extension Project

December 8, 2011

#	Name	Verbal/ Written Comments	TxDOT Response
		<p>the K-fencing which will create a vulnerability by allowing undocumented migrants to jump on the loop from the top of the fence.</p> <p>Rail Yard B: This option will have less of an impact on Border Patrol operations along the Yendell to Race Track area. The only issue is the cover and concealment that the loop will provide under its structure.</p> <p>No-Build Alternative: The El Paso Station Border Patrol understands the necessity of vehicular infrastructure for the flow of traffic.</p> <p>3. I'm aware but not sure if you should or shouldn't avoid.</p> <p>4. It will benefit the traveling public.</p> <p>5. Not at the Moment- would like to be an active participant since it will have an impact on Border Patrol operation of the El Paso Station.</p> <p>6. The proposed Loop 375 Border Highway West Extension Project that runs along the border will create a hazard for Agents and undocumented migrants crossing due to the 17'/18' K-fencing and the possibility of migrants jumping on the loop from the top of the fence. Additionally, the loop along the border and on the railway will create blind spots for our video surveillance system, currently in place. The Rail Yard A-Depressed Extension will also create a hazard for agents and migrants running across. The proposed West Extension will also create cover and concealment due to the amount of pillars and lighting under it.</p>	<p>horizontal location, elevations, column placement, structural barriers, access, and lighting for example.</p> <p>3) Comment noted.</p> <p>4) Comment noted.</p> <p>5) The CBP has been included as a participating Agency and thus will be an active participant in the process.</p> <p>6) Comments noted and previously addressed in this response.</p>
8	City of El Paso Mayor John F.	Be it resolved by the city council of the City of El Paso: That the Mayor be authorized to send a letter to the Texas	1) TxDOT will continue to coordinate with the City of El Paso regarding downtown access. Also see response to Comment

PUBLIC SCOPING MEETING #2 COMMENT AND RESPONSE REPORT

Loop 375 Border Highway West Extension Project

December 8, 2011

#	Name	Verbal/ Written Comments	TxDOT Response
	Cook City Clerk: Richarda Duffy Momsen	<p>Department of Transportation regarding the proposed alignment options for the Loop 375 Border Highway West Extension Project and requesting that any proposed plans be developed with attention to policies and goals set by City Council including</p> <ol style="list-style-type: none"> 1. A roadway network that provides access to the downtown area and downtown streets; 2. Redevelopment of ASARCO site and land uses supporting economic development; 3. Aesthetic and context sensitive solutions to prevent neighborhoods, such as Chihuahita, from being disconnected from the rest of the City; 4. Development of transportation infrastructure that is conducive to pedestrians and cyclists; 5. Appropriate landscaping and sidewalks; 6. Preference for Border A design; 7. Alignment that allows for realignment of Paisano Street to develop the Union Depot area; and 8. Minimize elevation and cause the least disruption to community assets such as Cement Lake and Smelter Cemetery. <p>And further requesting that copies of this letter and this Resolution be sent to the members of the State Delegation.</p>	<p>#2.</p> <p>2) TxDOT will continue to coordinate with the City of El Paso to assess potential impacts to the city's planned redevelopment areas.</p> <p>3) See response to Comment #5(3).</p> <p>4) See response to Comment #5(3). The project will consider the needs for and provide accommodations for pedestrian and bicycle access as appropriate to provide safe mobility for these users. The BHW facility would include bridges over major intersections, allowing local automobile and pedestrian traffic to travel freely from one side of the corridor to the other. At the intersections, the proposed facility could include bicycle lanes, shared bicycle/pedestrian paths, and sidewalks.</p> <p>5) See response to Comment #5(3).</p> <p>6) Comment noted.</p> <p>7) TxDOT is aware of the city's plans to consider development in the Union Depot area and will continue to coordinate with the city regarding future development activities in this area.</p> <p>8) Elevations associated with Alternative Rail Yard B have not been determined, but will be minimized as much as possible. The alternative is not expected to impact Cement Lake or Smelertown Cemetery. The alternative should not impact the community activities or access to the lake. Archeological investigations are currently being conducted to verify the boundary of Smelertown Cemetery.</p>

PUBLIC SCOPING MEETING #2 COMMENT AND RESPONSE REPORT

Loop 375 Border Highway West Extension Project

December 8, 2011

#	Name	Verbal/ Written Comments	TxDOT Response
9	Fernando Gomez	<p>I would want to take this opportunity to thank you for providing us with an overview of the proposed expansion of the Loop 375 highway project. As discussed at the meeting, attached is a comment sheet from the El Paso Border Patrol Station and also listed below are comments from the El Paso Sector Program Management Office (PMO);</p> <ul style="list-style-type: none"> • Do not limit vehicular access onto or off the new project highway or surrounding neighborhoods. • During construction, work closely with BP and contractors to prevent illegal cross border incidents. • If option (Border A) is chosen, limit the number of columns/piers to support the highway. • If option (Border A) is chosen, add lighting under the highway structure. • Will BP have to pay if the tolled highway is used? 	<p>Comments noted. TxDOT will continue to coordinate with CBP to address concerns for access, safety, column spacing, and lighting.</p> <p>Generally, access for law enforcement and emergency response vehicles would not require paying a toll.</p> <p>Also, see response to Comment #7.</p>
10	Heather McMurray	<p>No-Build Alternative: Yes. Google ASARCO secret document. Why doesn't Texas spend the more than ½ billion dollars on correct-remediation of ASARCO site (see 73 page 1998-Federal DOJ Confidential for settlement purposes only ASARCO document NY Times 10/06).</p> <p>3) ASARCO and Trust not disclosing all HAZMAT materials.</p> <p>4) The need and purpose are being created by building more roads up to this project areas and ignoring the hazmat materials.</p> <p>5) Not enough public input.</p> <p>6) TxDOT EIS contractor testing for hazmat materials should 1) Run a full metals panel (over 100 metals) and test pond sludge (at ponding areas) down at least 3 ft with a core (not an auger), attic dusts and/or slag (from 1991-1998) Protect workers with Hazmat gear.</p>	<p>Comments noted. See response to Comment #3.</p> <p>3) See response to Comment #3 (a)</p> <p>4) The proposed facility would provide improved regional mobility, access to medical facilities, schools, the downtown area and would provide a needed alternative to I-10.</p> <p>5) See response to Comment #3 (a)</p> <p>6) All testing procedures are required to meet Occupational Safety Hazard Administration (OSHA) standards to ensure worker protection.</p>

PUBLIC SCOPING MEETING #2 COMMENT AND RESPONSE REPORT

Loop 375 Border Highway West Extension Project

December 8, 2011

#	Name	Verbal/ Written Comments	TxDOT Response
11	Gilbert Guillen	<p>Border A: Ensure there is access to/from downtown and south El Paso.</p> <p>4. Make sure there is access to and from Downtown and south El Paso.</p>	<p>Comments noted. See response to Comment #2.</p>
12	No name provided	<p>No-Build Alternative. People live and work on the land you want to take to build your rich people's toll road to the wealthy suburbs.</p> <p>3. People's homes and businesses, the neighborhoods.</p> <p>4. No Build</p> <p>6. Your PR person telling me my question about eminent domain was really "right of way purchasing plan" make me sick. It's still eminent domain. And I do not believe not a single house will be destroyed.</p>	<p>Comments noted.</p> <p>In reference to your general comment on who would benefit from the proposed facility – See response to Comment #10 (6).</p> <p>6) The four reasonable alternatives shown would result in minimal and scattered residential displacements. These alternatives were developed through GIS constraints mapping to minimize impacts. TxDOT right-of-way representatives were available at the Public Scoping Meeting and right-of-way brochures were also available to explain the process for property acquisition and relocation if necessary. TxDOT will make every effort to minimize impacts to residential and business structures.</p>
13	Anessa Anchondo-Rivera	<p>4. We need to have a study that can examine, thoroughly, how this project will affect the people of Chihuahuita, Segundo Barrio etc.</p> <p>5. Yes. You need a better transportation system but not at the expense of the people in the neighborhoods. You need to involve people and organizations, NGOs to participate.</p> <p>6. If you decide to take people's homes away, then you need to properly provide that they participate in the process and are nicely compensated. Having stated that I am against this project. It is not fully transparent and it seems those involved in this</p>	<p>Comments noted. See response to Comment #3 and #12. The EIS process for this project will conduct a full evaluation of alternatives. An informed decision about the project will be based on the impacts of the various alternatives and any proposed mitigation.</p>

PUBLIC SCOPING MEETING #2 COMMENT AND RESPONSE REPORT

Loop 375 Border Highway West Extension Project

December 8, 2011

#	Name	Verbal/ Written Comments	TxDOT Response
		project don't really care about the most vulnerable in those neighborhoods. I would love feedback at my email.	
14	Mary Ann Dodson	<p>3. 5 Structures in the Hart's Mill area on the historic register.</p> <p>4. I think the importance of the area merits further and continued input and consideration of the problems involved.</p>	<p>Comments noted.</p> <p>The project team is aware of the concerns for historic resources in the Hart's Mill and Globe Mills area.</p> <p>TxDOT is conducting a full reconnaissance historic resource survey for the four reasonable alternatives and the project will continue to be coordinated with the City of El Paso, local County Historic Commission as well as the Texas Historic Commission, all of which are serving as Participating Agencies in the EIS process. The coordination with these agencies is being conducted to avoid, minimize and if impacts are unavoidable, mitigate any impacts to these valuable cultural resources and areas.</p> <p>Public involvement opportunities have included two public scoping meetings and will continue to involve the public and stakeholders in an on-going coordination process. The public may access information or meet with TxDOT's project team upon request. TxDOT will be providing updates to the City of El Paso Council and to the El Paso Metropolitan Planning Organization. Other stakeholder meetings are on-going with participating agencies involved in the EIS process. A Context Sensitive Solutions process is being initiated which will be an opportunity for the public and stakeholders to engage in the assessment of community values and in developing solutions for the corridor. Also, see response to Comment #3(a).</p> <p>Also see response to Comment #3(a) regarding public involvement opportunities.</p>

PUBLIC SCOPING MEETING #2 COMMENT AND RESPONSE REPORT

Loop 375 Border Highway West Extension Project

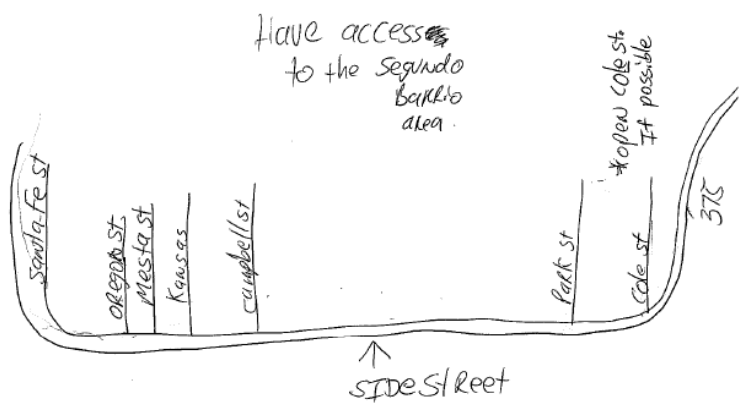
December 8, 2011

#	Name	Verbal/ Written Comments	TxDOT Response
15	Clay Smith	3. No 4. No 5. No	Comments noted.
16	Rex B. Smith	3. No 4. Highly needed, get it on. 5. No 6. Access to I-10?	Comments noted. Access to I-10 would occur via US 54 and Coles St. at the eastern project limit and via Paisano at Racetrack Drive at the western project limit.
17	Geoffrey L. Smith	6. Unrelated to this project, attention should be made to providing access roads along I-10 between Executive Center and Along I-10 to Mesa.	Improvements to the I-10 facility are not included in this project. Updates on the I-10 Collector-Distributor project may be found on TxDOT's website or by contacting TxDOT's District office.
18	Gary Crossland	4. We need a highway not a toll road.	See response to Comment #4.
19	Greg Baltz	No-Build Alternative: I have serious concerns that construction will chip away at one of the few remaining affordable neighborhoods in El Paso. 3. There are two homeless shelters in Downtown, Rescue Mission along Paisano and Casa Vides at 325 Leon across from the fire house that stand a good chance of having their activities disrupted by construction.	Comments noted. TxDOT will work with the shelters that you have mentioned to avoid and minimize disruption to these services during construction.

PUBLIC SCOPING MEETING #2 COMMENT AND RESPONSE REPORT

Loop 375 Border Highway West Extension Project

December 8, 2011

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20	No name provided	<p>4. Project Loop 375 is not going to increase flow patterns because El Paso will not pay to drive on road they already have.</p> <p>5. Project needs more public input to people who have the power to make a decision on what and how and their timeline.</p> <p>6. El Paso needs to get a responsible body to control timelines and to control infrastructure so that real improvements can be made at time when needed to when we can possible do it.</p>	<p>4) The I-10 Southern Relief Route Conceptual Toll Feasibility Study, 2005 indicated that a southern relief route was toll viable based on the travel demand model and existing travel patterns.</p> <p>5) See response to Comment #14.</p> <p>6) The El Paso Metropolitan Planning Organization as the regional planning body coordinates and ultimately approves and sets priorities for transportation projects in the region. The activities of the El Paso MPO also allow for an open public involvement process.</p>
21	Osvaldo Velez	<p>Alternative Border A: A side street required and opening Cole St.</p>  <p>3. Historic structures.</p> <p>4. Please do not box us in.</p> <p>5. Make sure we have access to all the streets.</p>	<p>See response to Comment #2.</p> <p>Potential impacts to historic resources are currently being studied for each of the four reasonable alternatives. All efforts will be made to avoid and minimize impacts to these resources.</p> <p>See response to Comment #14 regarding coordination of historic structures.</p>
22	Jorge Cervera	<p>Alternative Border A: Best for our community.</p> <p>4. Yes best choice for the community of Chihuahuita.</p>	<p>Comments noted.</p>

PUBLIC SCOPING MEETING #2 COMMENT AND RESPONSE REPORT

Loop 375 Border Highway West Extension Project

December 8, 2011

#	Name	Verbal/ Written Comments	TxDOT Response
23	Michelle Rodriguez	Alternative Border A: Doesn't go over Chihuahuita. 3. Yes, Chihuahuita historic. 4. Less traffic 6. The best way to go about it is to avoid the Chihuahuita area.	Comments noted. See response to Comment #14.
24	Miguel Rodriguez	Alternative Border A: Best for the community of Chihuahuita. 3. Yes Chihuahuita historic structures. 4. Border A. is the best option for Chihuahuita.	Potential impacts to historic resources are currently being studied for each of the four reasonable alternatives. All efforts will be made to avoid and minimize impacts to these resources. See response to Comment #14.
25	Mike Rodriguez	3. Historic structures.	See response to Comment #14.
26	Kati Updike	Alternative Border A: i) Minimizes disruption to downtown. ii) Appears to be best "highway" alignment. Alternative Rail Yard A: i) Cuts Chihuahuita. ii) Clips "sun metro" union depot area where Texas Tech School of Architecture is moving No-Build Alternative: Would like to see \$\$ spend on rail (passenger) connection from Sunland Park/Executive Center -> UTEP-> Downtown -> Medical Cent of the Americas -> airport? Other? 3. Texas Tech School of Architecture/EPCC Program is location to Union Depot. 4. Prefer to see "relief" route go to Northwest Pkwy.	Comments noted. There are currently no anticipated impacts proposed to the Union Depot building with any of the proposed reasonable alternatives. The Major Investment Study conducted in 1999 recommended a southern relief route to best serve the planned growth and travel demands for El Paso. A southern relief route satisfies the need for a parallel relief route for I-10
27	Enrique Guajardo	5. Si, Solo Mautener las Zonas Historicas.	See response to Comment #24 and Comment #14.
28	Belinda Luna	3. No 4. I live in Sunset Heights where is a GMU area. We have on street parking. Often, our vehicles are hit by speeding vehicles and congestion on Hawthorne caused by vehicles exiting I-10 to Porfiro Diaz to avoid Schuster. And cutting through Hawthorne to get to UTEP and the medical center area.	TxDOT is considering, as a separate stand alone project, improvements to Schuster Ave. that would improve access to UTEP while removing cut-through traffic from the Sunset Heights neighborhood. Updates on the Schuster Avenue Extension project may be found on TxDOT's website or by contacting TxDOT's District office.

PUBLIC SCOPING MEETING #2 COMMENT AND RESPONSE REPORT

Loop 375 Border Highway West Extension Project

December 8, 2011

#	Name	Verbal/ Written Comments	TxDOT Response
29	R. Ardovino	Alternative Border A: Existing roads must remain non-toll!	As stated in the December 8, 2011 Scoping Meeting Materials, any existing lanes in the proposed project area would remain non-toll.
30	Larry Nance	3. No 4. Need to have this project. It is a must for the City 6. Concern! Need to find a way for IH-10 to get on the road west bound before the downtown area. Need to leave the ability to enter from the downtown area.	Comments noted. Access options in the downtown area are currently being studied and coordinated with the City of El Paso. In particular, access from I-10 westbound is being considered via US 54 and a connection to LP 375 in the vicinity of Coles Street. Further coordination regarding access in the vicinity of US 54 and LP 375 is on-going.
31	James Brown	3. Not to my knowledge 6. I am very interested in sitting on any boards or committees involving any decisions making regarding new or improving existing roadway projects.	A Context Sensitive Solutions process will begin in early 2012 and will be conducted through committees. There will be opportunity for the public participation. Future meeting information will be included on the project website and mailed out in newsletters.

Appendices available on request.