

**Virtual Public Hearing With In-Person Option  
September 14, 2020**

**State Loop (SL) 195  
FM 755 to US Highway (US) 83—One Mile NW of the Loma Blanca Intersection  
CSJs: 3632-01-001, etc.  
Starr County, Texas**

Narrated by Octavio Saenz

**SLIDE 1 – Welcome**

Good evening, I am Octavio Saenz, Public Information Officer for the Texas Department of Transportation, with headquarters in the City of Pharr. On behalf of TxDOT, I would like to welcome you to the virtual public hearing, which has been pre-recorded, for the proposed State Loop 195 project in Starr County.

Thank you for participating in this virtual public hearing. Public participation and input is important in the transportation planning process and I appreciate you taking time from your busy schedule to participate.

**SLIDE 2 – Virtual Public Hearing in Response to Public Health**

Given the unique circumstance of the COVID-19 outbreak, along with our commitment to protecting public health during this national emergency, TxDOT is conducting this public hearing virtually and providing an in-person option. All project information can be found on the TxDOT website [www.txdot.gov](http://www.txdot.gov) keyword search SL 195.

Additionally, TxDOT is providing an in-person option for individuals who would like to participate in-person instead of online. In-person attendees will be able to view the same presentation delivered in the virtual public hearing which will be playing on a screen, review hard copies of project materials, ask questions of TxDOT staff and/or consultants from a socially distanced approach, and leave written comments. The in-person option will be held on Tuesday, Sept. 15, 2020 from 9:00 a.m. to 6:00 p.m. at the TxDOT Pharr District Office, 600 W. I-2, Pharr, TX 78577 and on Wednesday, Sept. 16, 2020 from 9:00 a.m. to 6:00 p.m. at the TxDOT Roma Area Office, 2654 US 83, Roma, TX 78584. The same information will be presented at both locations. Attendance at the in-person option will be by appointment only. Individuals wishing to attend the in-person option must call (956) 702-6246 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, to make an appointment. In recognition of COVID-19, enhanced safety measures will be applied at the in-person option, including a requirement to wear a face mask, submit to a temperature check prior to entry, have an appointment, and follow social distancing practices. If anyone arrives without an appointment, they may be asked to wait outside to ensure we maintain appropriate occupancy within the hearing room.

Following the virtual public hearing, the presentation will remain available for viewing at the web address indicated above until Thursday, Oct. 1, 2020 at 11:59 p.m.

**SLIDE 3 – Public Hearing Agenda**

This virtual public hearing will include the following items of discussion:

- Public Hearing Purpose
- Project Limits
- Project Need and Purpose
- Existing US 83 Facility
- Project History
- Preferred Alternative
- Environmental Assessment
- Right-of-Way Acquisition Process
- Next Steps in Project Development
- How to Provide Comments

#### **SLIDE 4 – Public Hearing Purpose**

The purpose for tonight’s virtual public hearing is to encourage and maintain effective communication with the public and provide project specific information as it relates to the State Loop 195 project in Starr County.

Your input and comments are an important part of this process and we encourage you to provide comments on this project. As I mentioned earlier, your continued participation throughout the planning and development of this project is very important. I encourage you to talk with your neighbors and refer them to us so they can also make comments and be included in this process.

#### **SLIDE 5 – Project Limits**

This project is located in Starr County and traverses the limits of Rio Grande City, the City of Escobares and the City of Roma. The project consists of constructing a new location 4-lane divided highway beginning at FM 755, which is 2.5 miles northeast of US 83 in Rio Grande City and ending approximately one mile West of Loma Blanca Road along US 83.

The project is approximately 17.24 miles in length and the estimated construction cost is approximately \$209 million.

The map on the screen shows the general vicinity of the project.

#### **SLIDE 6 – Project Need and Purpose**

As the population in the project area has increased, so has traffic congestion. The existing US 83 highway does not meet current demand much less the anticipated growth and projected traffic volumes. In addition to the increased population, US 83 is the only major east-west corridor in the area, funneling motorists through Rio Grande City, Escobares and Roma.

As a result of increased traffic on US 83, signals have been installed to facilitate traffic movements at major intersections, which in turn has resulted in reduced mobility. The signals disrupt the continuous flow of traffic, further reducing the US 83 corridor’s capacity and increasing the amount of time it takes motorists to reach their destination.

In addition to improving mobility in the project area, the proposed roadway would improve the safety of the traveling public. State Loop 195 as proposed as a four-lane divided facility would

substantially decrease the future likelihood of head-on collisions occurring for through-traffic utilizing the new State Loop 195 facility. Vehicular passing would also be facilitated by the proposed design. Large truck through-traffic and hazardous material transports would be more likely to utilize State Loop 195 and avoid the congestion and signalized intersections along the existing US 83, increasing the safety of that facility as well.

Statewide, accident rates are statistically lower on four-lane (or more) divided than on undivided facilities such as existing US 83. The existing US 83 corridor also offers poor regional connectivity as inter-city motorists must transition from a 4-lane divided highway facility to a conventional roadway with at-grade intersections and traffic signals offering a reduced level of service.

The proposed project addresses mobility, safety and connectivity by adding travel lanes, accommodating non-stop movement for State Loop 195 through traffic, and by providing access and connectivity to the local communities.

#### **SLIDE 7 – Project Need and Purpose**

The first table on this slide shows the percent reduction of traffic on US 83 once State Loop 195 is constructed. The second table shows a statewide comparison of crash rates for four lane divided facilities versus two-lane roadways.

#### **SLIDE 8 – Proposed Project**

The proposed project is a new-location reliever route. FM 755 (the eastern terminus) is a two-lane undivided facility, and US 83 (the western terminus) has two lanes in each direction with a center left-turn lane. The proposed SL 195 project would connect these two existing roadways.

#### **SLIDE 9 – Project History**

TxDOT's US 83 Port Roads Study conducted in 1999 recommended that a number of corridor alternatives north of US 83 be evaluated during the National Environmental Policy Act, also known as NEPA, process. A subsequent corridor feasibility analysis was prepared for three 1,000-foot wide corridors. These three alternative corridors, along with the Preferred Alternative indicated in yellow, are shown in this slide.

The preliminary corridors studied were located north of the existing US 83 right of way in order to avoid the developed areas of Rio Grande City and Roma as well as environmentally sensitive areas between the existing US 83 and the Rio Grande. Environmental specialists and design engineers developed and utilized an environmental matrix to narrow the preliminary route alignments. Public meetings were conducted and environmental issues identified. After consideration of possible benefits and impacts, a preferred corridor was chosen, and numerous alignment alternatives within that corridor were evaluated.

In order to minimize impacts to the human and natural environment and address previous public comments, an additional corridor was crafted from portions of the preliminary corridors. For example, the recommended alternative corridor would avoid impacts to the floodplain of Olmitos Creek, while the blue and green alternative corridors would impact the floodplain. Next, a number of alignments were evaluated within the recommended corridor, with a refined

alignment being carried forward as the Preferred Alternative. This alignment is shown in yellow.

### **SLIDE 10 – Project History**

The scope of the project in 2000 consisted of a controlled-access facility without frontage roads. TxDOT conducted the first public meeting for this project on February 2, 2000 at the Roma Community Center in Roma, Texas. TxDOT then held a series of open house workshops in Rio Grande City and the City of Roma in December 2004.

The project was temporarily put on hold due to funding constraints in 2008 but stakeholder meetings with local elected officials were resumed in November 2012. Two public meetings were held in Roma and Rio Grande City in 2017.

Throughout project development and public comment, the scope of the project evolved into a four-lane divided rural highway. The proposed right of way width has remained 300 feet wide.

### **SLIDE 11 – Preferred Alternative**

The following slides will include a discussion of the proposed Recommended Alternative. Full versions of the Public Hearing Display Maps are available for download at [www.txdot.gov](http://www.txdot.gov). Search for SL 195.

### **SLIDE 12 – Preferred Alternative**

The proposed construction on State Loop 195 would consist of the following:

Constructing a new location relief route consisting of a four-lane divided highway facility within a 300 foot right of way. The proposed right of way increases to 450 feet at the intersections where future overpasses would be constructed. These intersections include FM 3167, FM 649 and Loma Blanca Road. Crossovers would be constructed on Charco Blanco Road, Jesse Warren Road, Alvarez Road, San Julian Road, and Ebony Avenue.

Bridges are being proposed to span across flood zones and 13 other waterways. Construction is planned in three phases as funding becomes available. Phase I would be from FM 755 to FM 3167. Phase II would extend from FM 3167 to FM 649 and Phase III would extend from FM 649 to US 83 at Loma Blanca Road.

### **SLIDE 13 – Preferred Alternative**

The new roadway's typical section would have two 12-foot-wide travel lanes in each direction and a grassy median; the roadway would expand to include left-turn lanes at the at-grade intersections with existing roadways and at the turn-around locations provided along the alignment. The roadway would have four-foot inside shoulders and 10-foot outside shoulders within a typical 300-foot-wide right of way. There would be an overpass approach at the intersection with US 83/Loma Blanca Road.

The proposed project would also include improvements to FM 3167 and FM 649. At these locations, the cross streets would be widened to provide a travel lane and left-turn lane in each direction, for a length of 285 feet within the intersection.

Drainage will be accomplished by a series of roadside ditches that will carry runoff from the proposed project to the nearby arroyos following the natural contours of the land. Culverts or bridges will be adequately sized and constructed to carry the design year flow without overtopping the proposed roadways.

**SLIDE 14 – Preferred Alternative**

This is the proposed State Loop 195 typical section within a 300-foot ROW.

**SLIDE 15 – Preferred Alternative**

In the areas with future overpasses, the right of way would increase to 450 feet wide to accommodate future main lanes over the intersection. The overpass approach at US 83/Loma Blanca Road would have two 12-foot vehicle travel lanes in each direction with 17-foot inside shoulders and 10-foot outside shoulders.

**SLIDE 16 – Preferred Alternative**

This is the proposed State Loop 195 overpass at Loma Blanca Road within a 450-foot ROW.

**SLIDE 17 – Environmental Assessment**

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried-out by TxDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 9, 2019, and executed by FHWA and TxDOT.

**SLIDE 18 – Environmental Assessment**

Since the proposed project uses state & federal funds, it is required to adhere to the National Environmental Policy Act (NEPA). NEPA requires an analysis of environmental impacts to the human and natural environment as a result of the proposed project.

As part of the environmental process, technical analyses were completed to document the environmental impacts of the proposed project, including:

- Biological Resources and Rare Plant Surveys
- Water Resources
- Cultural Resources, including Historical and Archeological Resources,
- Hazardous Materials
- Traffic Noise
- Community Impacts
- Air Quality; and
- Indirect and Cumulative Impacts

Potential impacts to environmental resources are summarized on the following slides.

A Draft Environmental Assessment (or EA) document was prepared which summarizes all the aforementioned technical analyses. All environmental documentation has been developed in accordance with NEPA, TxDOT, and FHWA standards.

The technical reports and draft EA are available for download on the TxDOT website at

[www.txdot.gov](http://www.txdot.gov), keyword search SL 195.

#### **SLIDE 19 – Environmental Assessment**

The proposed project would require approximately 667.01 acres of proposed right of way. No easements are anticipated. A 10-foot outside shoulder would be provided on both sides of the roadway for bicycle accommodations. Potential displacements include one commercial, five residential, and seven other structures that appear to be non-habitable sheds or other outbuildings located adjacent to residences.

Thirty-six potential waters of the U.S., including wetlands, occur within the proposed project right of- way. The project area crosses the mapped FEMA-designated 100-year floodplain of 17 crossings.

#### **SLIDE 20 – Environmental Assessment**

##### **Community Impacts**

The construction of SL 195 would not only relieve through-traffic congestion along US 83 in the region but would also improve access for local residents in the immediate project area. The proposed project would increase connectivity of the surrounding area with area schools, facilities and essential services. No disproportionately high and adverse impacts on minority or low-income populations are anticipated.

##### **Vegetation & Wildlife**

A Tier 1 Site Assessment was completed for the proposed project to determine whether coordination with the Texas Parks and Wildlife Department would be required. Impacts to vegetation of the Agriculture; Disturbed Prairie; Floodplain; Riparian; and Scrub, Thornscrub, and Shrubland habitat types would exceed the threshold for coordination with Parks and Wildlife, though impacts to vegetation proposed by the Build Alternative would be minimized to the greatest extent practicable.

Some wildlife species could occur within undeveloped portions of the existing and proposed ROW. Required clearing or other construction-related activities may directly or indirectly affect species that reside on or adjacent to the project area ROW. Heavy machinery could kill small, low-mobility animals or could cause soil compaction, impacting animals that live underground. Larger, more-mobile species will typically avoid construction activities and move into adjacent areas. Coordination with TPWD was initiated on November 5, 2018 and was completed on March 22, 2019.

#### **SLIDE 21 – Environmental Assessment**

##### **Threatened & Endangered Species Impacts**

A number of threatened and endangered species have the potential to occur within the SL 195 project area. Targeted plant and animal habitat surveys, including presence/absence surveys were completed during project development. Both the federally listed plant Zapata

bladderpod and the state-listed plant Johnston's Frankenia were observed within the alignment during surveys. Avoidance and minimization measures were coordinated with the USFWS and TPWD. Consultation with the USFWS was completed in July 2019.

## **SLIDE 22 – Environmental Assessment**

### **Archeological Resources**

Archeological studies were conducted in stages from 2006 to 2020, including testing for eligibility for the National Register of Historic Places and data recovery. Permission to conduct archeological investigations was denied by at least one landowner. Thus, as provided by TxDOT's Programmatic Agreement with the THC, the project may proceed, including right-of-way acquisition, without the concurrence of the State Historic Preservation Office. After obtaining access to the remaining parcels, TxDOT will complete the inventory on un-surveyed properties and conclude any additional work that may be required under the terms of the PA and MOU. Under the Build Alternative, impacts to significant or potentially NRHP/SAL-eligible archeological resources may occur. Thus, further coordination would be required with the State Historic Preservation Office.

### **Historic Resources**

Regarding historic properties, one previously identified resource, an NRHP-eligible Texas Centennial highway marker, is located within the area of potential effects and is proposed to be relocated. A reconnaissance survey of the historic resources area of potential effects was conducted in 2014 and determined that none of the historic-age properties are eligible for the National Register of Historic Places. TxDOT Historians determined that the proposed project would have no adverse effect on the NRHP-eligible marker.

## **SLIDE 23 – Environmental Assessment**

### **Hazardous Materials**

A *Hazardous Materials Initial Site Assessment* was completed for the proposed project to identify known and possibly unknown hazardous material contamination that may impact the proposed project. No potential hazardous material sites were identified in the project area.

### **Traffic Noise**

A traffic noise analysis was conducted for the proposed project. Existing and predicted traffic noise levels were modelled at receiver locations that represent the land use activity areas adjacent to the proposed project that might be impacted by traffic noise and potentially benefit from feasible and reasonable noise abatement. Modeled noise-sensitive locations were residential and the analysis determined that out of ten representative receivers, three were predicted to have noise levels that exceed the FHWA noise abatement criteria; therefore, the proposed project would result in a traffic noise impact.

Noise abatement measures were considered and analyzed for each impacted location. Before any abatement measure can be proposed for the project, it must be both feasible and reasonable. None of the noise abatement measures would be both feasible and reasonable;

therefore, no abatement measures are proposed for this project.

#### **SLIDE 24 – Environmental Assessment**

Throughout the project development process, TxDOT has coordinated with following agencies:

Texas Commission on Environmental Quality (TCEQ)

Texas Historic Commission (THC)/State Historic Preservation Officer (SHPO)

Texas Parks and Wildlife Department (TPWD)

Tribal Entities

U.S. Army Corps of Engineers (USACE)

U.S. Fish and Wildlife Service (USFWS)

#### **SLIDE 25 – Right-of-Way Acquisition Process**

Property acquisitions will follow federal and state laws and policies. The Uniform Relocation Assistance and Real Property Acquisitions Policy Act of 1970 (The Uniform Act) is the federal law that is followed for appraisals, negotiations and relocation of families or businesses. Right-of-Way Brochures are available on the TxDOT Website at <http://txdot.gov/inside-txdot/forms-publications/publications/landowner-rights.html>

Titles II and III of the Uniform Act which discuss the rights of property owners. Independent fee appraisers will appraise each individual property needed as additional right of way. Each affected property owner will receive a certified letter from the appraiser requesting a meeting with him/her in order to inspect the property and provide them the opportunity to accompany them to perform a pre-appraisal inspection. They will also request permission to enter a property for inspection of improvements. The appraiser will determine the land value, improvement value and damages to the remainder (if any) of the property to be acquired. With the initial offer, an appraisal will be provided. This will be forwarded to the land owner by certified, return receipt requested mail as dictated by State law.

The project currently has available money for construction and right of way acquisition. The acquiring agency will start the acquisition process once the environmental clearance is obtained. The property owner can accept the offer based on the appraisal or submit a written counteroffer based on information that can be supported by documentation, such as appraisals or bids which must be submitted by the property owner for review.

If for some reason, the property cannot be acquired through negotiations, the acquiring agency has the authority to proceed with condemnation proceedings and continue with a Special Commissioner's Hearing, but only as a last resort. Three Special Commissioners are appointed by County Court at Law Judge to hear the evidence of both the landowner and the acquiring agency. The hearing is generally informal and not in a court room, but rather in a public meeting room. A property owner may hire an attorney, at their own expense, to represent them or they may wish to represent themselves. Based upon the testimony given, the Special Commissioners issue an award, which would be their determination of value. Once the acquiring agency has deposited the amount of this award in the registry of the court that property is now in possession of the state in order to continue with construction of the project. Either the landowner or the acquiring agency can appeal the award of Special Commissioners, and a court proceeding would then be scheduled to resolve the issue of the value by a jury.

Property owners will be reimbursed for any reasonable, incidental expenses incurred in transferring title of their property to the state. Expenses eligible for reimbursement generally include recording fees, processing fees to obtain a lien release, and similar required expenses to convey the real property along with any penalties that are required for prepayment of any pre-existing recorded mortgage entered into in good faith encumbering the property.

If it is necessary to relocate persons from their homes and/or businesses, the acquiring agency would be required to comply with the provisions mandated by federal and state law to minimize the impact and financial hardships to persons who are being displaced.

Information about the benefits, services and Right of Way Acquisition schedule can be obtained by calling the TxDOT District Office at (956) 702-6110.

### **SLIDE 26 – Anticipated Project Schedule**

The next step in project development is to review and evaluate all the comments received. Project development will continue by gaining environmental clearance to build this project. We are anticipating receiving this clearance by Winter 2020. After environmental clearance is received, right-of-way acquisition process can begin. During the right-of-way acquisition process, the final design and construction plans will be completed for Phase I. Phase I extends from FM 755 to FM 3167.

Construction for the proposed project is not currently funded. The anticipated letting date for Phase I is Summer 2023. Once these tasks are complete, the project will then be advertised for bids and will then proceed to construction which is estimated to begin in the Fall of 2023. Construction will take approximately 36 months for Phase I and cost approximately \$62.5 Million.

### **SLIDE 27 – How to Provide Comments**

As mentioned earlier, our next step is to review and evaluate all the comments received from this virtual public hearing. Comments must be submitted on or before August 28, 2020. Based on your input, TxDOT will move forward with the environmental clearance and final design of the project.

As I said at the beginning of the meeting, your input and participation are very important in this process. TxDOT's mission is to work with others to provide safe and reliable transportation solutions for Texas. Thank you for working with us on this local transportation improvement.

There are multiple ways for you to provide comments on this project:

You can email Romualdo Mena at [Romualdo.Mena@txdot.gov](mailto:Romualdo.Mena@txdot.gov).

You can call (956) 704-9020 to leave a voicemail comment.

You can print and fill out a comment form and mail it to:

TxDOT

Attn: Pharr District Engineer

600 W. I-2  
Pharr, TX 78577

You can submit an electronic comment form online by visiting the website [www.txdot.gov](http://www.txdot.gov). Search "SL 195" to find the meeting page. Download the comment form and return it to the mail or email address provided on the form.

While comments are always welcome, they must be received on or before October 1, 2020 to be included in the official hearing documentation.

You may call project staff at (956) 702-6246 during regular office hours or email project staff at any time in the project development process.

**SLIDE 28 – Conclusion of Virtual Public Hearing**

TxDOT would like to thank you for your participation in the SL 195 Virtual Public Hearing.