



BOARD/COMMISSION RECOMMENDATION

Urban Transportation Commission

Recommendation Number:20210330-03E [I-35 Capital Express Scoping Round 2]

WHEREAS, the I-35 Capital Express project represents a generational opportunity to improve the people-moving capacity of the transportation infrastructure in Central Texas while rectifying the negative impacts of the I-35 corridor in regards to racial and social equity, pollution and livability,

WHEREAS, the City of Austin faces a Climate Catastrophe if we do not act in a concerted way to fundamentally change how we plan our cities, prioritize money and resources away from fossil-fuel vehicles and continued highway construction and toward Active Transportation, such as biking, walking, rolling, and other climate-friendly micro-mobility options, and High-Capacity Transit;

WHEREAS, the TxDOT public engagement process is executed only to suffice the minimum of requirements set forth by State and Federal regulations and has shown little ability to meaningfully engage the public even in the best of times,

WHEREAS, the TxDOT public engagement process has never resulted in the meaningful consideration of alternative design scenarios, even when an alternative design scenario has garnered strong public and political support,

WHEREAS, the current 30-day comment period does not properly compensate for the compounding effects of the COVID-19 pandemic on the ability of the public to be meaningfully engaged and informed on the scope and impact of the Capital Express Project,

WHEREAS, the current 30-day comment period does not properly compensate for the the compounding effects of the February 2021 winter storm and subsequent utility crisis on the ability of the public to be meaningfully engaged and informed on the scope and impact of the Capital Express Project,

WHEREAS, despite the modest request from many governing bodies and stakeholder coalitions to extend the first comment period from 30 to 90 days, TxDOT chose to only extend the comment period an additional 19 days, most of which were during the Christmas and New Years holidays,

WHEREAS, many of those same governing bodies and stakeholder coalitions are once again requesting that the second comment period, beginning this Thursday, March 11th, 2021 be extended from 30 to 90 days to compensate for aforementioned limitations on the public's ability to be engaged,

WHEREAS, public letters from aforementioned governing bodies including City of Austin Transportation, City of Austin Council Members on the CAMPO board, Austin-area State Legislators, all call for TxDOT to redirect the project's statement of "purpose and need" or call for the equal consideration of alternative design scenarios,

WHEREAS, the first public comment period demonstrated strong public support for the consideration of alternative design scenarios, despite the limited comment period and scope,

WHEREAS, the November 2020 passage of a Project Connect tax district and an Active Transportation Bond package which will fund and construct a generational, comprehensive portfolio of transit, pedestrian, and bicycle projects demonstrates clear public support transportation alternatives to single-occupancy automobiles,

THEREFORE, BE IT RESOLVED that the UTC reaffirms all of its previous recommendations regarding the scope and design of the I-35 Capital Express,

BE IT FURTHER RESOLVED that the UTC recommends that TxDOT extend the second public comment period to at least 90 days to compensate for the compounding effects of the COVID-19 pandemic and winter storms on the ability for the public to be meaningfully engaged,

BE IT FURTHER RESOLVED that the UTC recommends that TxDOT adopt the revised statement of Purpose and Need proposed by the City of Austin Transportation Department and submitted by Assistant City Manager Gina Fiandaca on December 29th, 2020 which would enable TxDOT to fully address the concerns of this and aforementioned bodies in its final project design,

BE IT FURTHER RESOLVED that the UTC recommends that TxDOT include any stakeholder-coalition proposed alternative design scenarios with strong public support including but not limited to those proposed by Rethink35, the Urban Land Institute, and Reconnect Austin in their public engagement process so the public can comment on the full range of possible scenarios,

BE IT FURTHER RESOLVED that the UTC recommends that TxDOT fully coordinate with and contribute funding to the Project Connect project Implementation to achieve a design for I-35 that maximizes compatibility for the planned transit system and ensure that system is able to scaled-up in the future to improve its frequency, safety, and utility.

Date of Approval: 03/30/21

Record of the vote: 7-0

Attest: *Kaycie Alexander*