

**Austin Pedestrian Advisory Council and Bicycle Advisory Council Joint  
Recommendation:**

**Active Mobility Recommendations for Texas Department of Transportation  
IH-35 Capital Express Central Virtual Public Scoping Meeting #3**

**August 2021**

**Recommendation 20210830-001**

WHEREAS, the purpose of the Austin Bicycle Advisory Council (BAC) is to advise the City of Austin and other jurisdictions on all matters relating to the use of the bicycle, bicycle infrastructure, and individuals of all ages and abilities who utilize bicycles;

WHEREAS, the Austin Pedestrian Advisory Council (PAC) advises the City of Austin and other government entities on planning, policy, design, funding, education, and enforcement regarding creating, maintaining, and operating pedestrian facilities;

WHEREAS, the Texas Department of Transportation (TxDOT) is responsible for the planning and execution of the My35 Capital Express Central project;

## **Results of the alternatives evaluation**

WHEREAS, there is no meaningful alternative proposed for the current Cap Ex Central project because only Alternatives 2 and 3 are moving forward and they are virtually identical;

WHEREAS, the community has been asking for better east / west connectivity for over three decades, but Alternatives 2 and 3 have no net increase in connection points;

WHEREAS, there has been limited response to any community engagement speaking against highway expansion, and in fact, limited response to any community engagement that is counter to TxDOT's proposed internally preferred designs;

WHEREAS, TxDOT Austin District Engineer Tucker Ferguson said that two managed lanes, three freeway lanes, and two frontage lanes in each direction was "the bottom line" for this project at an event hosted by the Austin Chamber on January 19, 2021, but TxDOT is proposing not to study meaningful alternatives to the 20 lane proposal in the EIS, including not studying this scenario as well as other reasonable scenarios widely discussed in local media and submitted in public comments so far in the process;

WHEREAS, the criterion used to evaluate the alternatives do not take into consideration impacts on local and regional climate or the significant equity impacts different build scenarios may have on historically marginalized communities outside of token "displacement" numbers, nor do the criterion adequately address safety for road users outside of emergency response time, a limited and reactive measure of "safety";

WHEREAS, proposed shared use paths continue to be placed within TxDOT mandated clear zones along frontage roads;

WHEREAS, the current alternatives continue to show high-speed free right turns on to and off of frontage roads, needlessly endangering people who will be walking and biking in this area;

WHEREAS, the criterion related to cost analysis for operations and maintenance do not appear to have put a economic cost on loss of human life, climate impacts, or commute time for individuals, despite these having significant negative economic consequences in the long term;

## Findings from Community Concepts Feasibility Study

WHEREAS, information presented to the public has been dismissive of alternatives to expansion and thus does not truly represent the full spectrum of available alternatives;

WHEREAS, TTI's Community Concepts Feasibility Study of community alternatives Reconnect Austin, Rethink35, and the Urban Land Institute's cap and stitch, was conducted under a significantly constrained timeline and the full analysis conducted by TTI has not been released to the public, hampering any ability to fully analyze and compare proposed community alternatives in a comprehensive fashion;

WHEREAS, TTI evaluated some costs but conducted no evaluation of the return on investment potential of land opened up for development;

WHEREAS, the study of community alternatives makes assumptions about travel demand that use past demand to forecast future demand, utilize the CAMPO regional growth forecasts that have the induced geographic dispersal of housing based on this freeway expansion already baked in, a scenario that is not a foregone conclusion and in fact plays into the concept of induced demand;

WHEREAS, this projects presents an opportunity to shape demand based on principles of justice rather than simply perpetuating a historic cycle of inducing demand by assuming increases in demand;

WHEREAS, the goal of improving mobility was cited as a reason not to proceed with some community alternatives, however, mobility is a broad concept that is not limited to current automobile demand;

WHEREAS, on Feb. 27, 2020, Texas Transportation Commission (TTC) Chairman J. Bruce Bugg said, "our commitment is no higher no wider, and so what we're trying to do is disrupt local businesses as least as possible," for I-35;

WHEREAS, the PAC and BAC requested that TxDOT use safe design speeds of no more than 35mph and city multimodal urban street design guidelines for all elements of the project that are not controlled access lanes, the TTI study concluded that this recommendation should be incorporated into all alternatives, and TxDOT stated in the presentation in the open house materials that they have accepted this recommendation;

## Proposed build alternative layouts

WHEREAS, the City of Austin Strategic Mobility Plan (ASMP) acknowledges induced demand has been proven, and highway expansion increases traffic instead of reducing its effects;

WHEREAS the City has declared an active response to the concurrent climate crises;

WHEREAS the Austin Community Climate Plan and draft City of Austin Climate Equity Plan identifies transportation as comprising more than one third of total community-wide greenhouse gas emissions and outlines numerous mitigation strategies to reduce transportation demand, particularly reducing the growth single occupancy motor vehicle trips;

WHEREAS, the recent United Nations (UN) Intergovernmental Panel on Climate Change (IPCC) Report (2021) clearly stated that “prompt action on climate mitigation and adaptation aligned with sustainable land management and sustainable development depending on the region could reduce the risk to millions of people from climate extremes, desertification, land degradation and food and livelihood insecurity”;

WHEREAS, socioeconomic inequality has been exacerbated by highway expansion within the city limits, and has failed to stabilize in surrounding areas,

WHEREAS, Austin has a long history of racist policies and practices, similar to other communities across the United States, resulting in the sustained devaluation of people of color’s property, livelihood, and personhood, such as refusing to improve water, sewage, and electric infrastructure until the construction of IH-35 in 1958 and 1959, and refusing to listen to those who did not own property in an urban renewal stipulation created on October 15, 1959;

WHEREAS, the TTC adopted the Road to Zero goal in 2019 to reduce traffic deaths statewide in half by 2035 based upon 2018 base year and to eliminate traffic deaths by 2050, and committed that “the divisions and district of the department shall develop and implement strategies required to reduce the number of deaths on Texas roadways by half by the year 2035 and to zero by the year 2050;”

WHEREAS, the TxDOT Austin District proposed scoping documents and the published portion of the TTI report contain no analysis of whether any of the proposed treatments would meet the above Road to Zero goal and no indication that alternatives will be evaluated in terms of meeting this specific goal, instead they simply contain a comparison of future expected traffic deaths and injury crashes and no indication of how these compare to the current suffering from crashes on this facility;

## Public participation process

WHEREAS, a limited 45 day period for public comment after the publication of new technical schematics, reports, and other relevant project documentation is insufficient time for many relevant stakeholder groups to convene and prepare their comments for the public record, and the BAC, the PAC, and other stakeholders have previously requested TxDOT allow 90 days for all public comment periods for the remainder of the environmental review process;

NOW, THEREFORE, BE IT RESOLVED, the Bicycle Advisory Council (BAC) and Pedestrian Advisory Council (PAC) recommend that the following considerations be incorporated into the I-35 Cap Ex Central project, by category of requested feedback:

## Results of the alternatives evaluation

BE IT RESOLVED, the PAC and BAC recommend that:

- TxDOT consult with and incorporate the recommendations of organizations dedicated to racial justice on the topic of highway dismantling, such as Austin Justice Coalition, Equilibrio, and Indigenous Culture Institute, in response to multiple community engagement meetings suggesting such, considering that people of color have been the most affected by highway interference;
- The evaluation be revised to include comprehensive cost analysis detailing the real economic benefits/damages and community benefits/damages that would result, with dollar amounts assigned to human life lost, and community property destroyed, and similar evaluation be used in the full EIS;
- The proposed highway not be wider than the current highway, a proposal that is contrary to TxDOT's intent and promises previously made that the highway should not be widened for motor vehicles;
- The impact of "swapping" of IH-35 and SH-130 be evaluated as an alternative to highway expansion. That is, evaluate the removal of tolls on SH-130 (renaming it as the NEW IH-35) along with the addition of tolls on current IH-35 (renaming it as the NEW SH-130) on congestion (level of service) and user costs.

## Findings from Community Concepts Feasibility Study

AND BE IT FURTHER RESOLVED, the PAC and BAC recommend that:

- The evaluation be revised to include the real economic and community benefits that would result from implementing community alternatives, and similar evaluation be used in the full EIS;
- The concept of improving mobility be viewed through a multimodal, global lens not limited to automobile mobility;
- TxDOT and the City of Austin agree to conduct a rigorous study with sufficient time to analyze the alternatives fully and completely, without any need to cut corners to produce a deliverable;
- TxDOT consider meaningful alternatives in the remaining EIS process, aside from the two almost identical proposals to widen the freeway to 20 lanes, including a scenario with two surface lanes, two managed lanes, and three main lanes in each direction – with this scenario optimized to the Reconnect Austin vision, as well as the Rethink35 proposal to remove the freeway, replace it with an urban boulevard, and instead fully reconnect the much more efficient and safe option of the historic urban street grid, and entertain a scenario based on the Our Future 35 and Downtown Austin Alliance proposals;
- TxDOT Austin should not "colonize the future" by relying upon just the single CAMPO regional growth forecast throughout the various analytical approaches that include estimates of future geographic dispersion of population and employment, but instead should use equitable scenario planning that analyzes all proposals using multiple reasonable future scenarios to give a more full understanding of the range of outcomes of this project;

## Proposed build alternative layouts

AND BE IT FURTHER RESOLVED, that while the PAC and BAC oppose any design, including design alternatives 2 and 3, that continues to disconnect Austin's urban grid, the following would improve said alternatives:

- TxDOT demonstrate its capacity to respond to urban planning requests designed around highway dismantling;
- The proposed highway be reduced in width as it is too wide and creates an even bigger barrier to people walking, rolling, or bicycling between destinations on either side of the highway;
- The shared-use paths along the corridor be separated into separate walking and bicycling paths to preserve safety and comfort for all road users;
- Street trees be added between the frontage road and the active transportation accommodations - in some locations, an additional physical barrier may be warranted to prevent crossover in either direction (cars into people or people into the roadway);
- The designs for the car-free crossings for the Red Line Parkway be discussed and improved, though their inclusion is appreciated and the general concept is good;
- Additional street crossings be added as all three alternatives do not have enough crossings;
- Crossings at Hancock Center should be preserved within any alternative that moves forward (e.g. can be moved to Wilshire to 41st);
- The added bike-ped crossing north of 51st should have a longitudinal slope of no greater than 2% and its approaches should not be switchbacks, but should instead be ramps down to the two most popular approach routes on both sides of the highway. Its design should include the opportunity for at least 30' width of greenery across the highway;
- No substantial amount of property should be taken, i.e. structures or land greater than 1/8 acres for this project;
- The proposed expansion should include a requisite amount of mitigation, notably funding at least \$500 million of active transportation projects off of the corridor, in addition to the accommodations along the corridor, plus should include a Reconnect Austin type of implementation;
- TxDOT should provide calculations of estimated future regional and corridor Vehicle Miles Traveled (VMT) with all no build and build scenarios being considered. Per TxDOT public information request response #20-576 dated 12/31/2020: "VMT for the 3 build scenarios and the 1 no-build scenario have not been calculated."
- TxDOT should use the most up to date safe design techniques for all portions of this roadway, designing all surface elements as urban multimodal streets with design speeds of 35mph or less, matching the City of Austin's design speed assignment methodology, and designing the main lanes for lower speeds, to accommodate increased urban ramp density through the city center, allow for shorter ramp lengths, and allow for safe design throughout the project, while seeking to maintain consistent access to 45 mph travel, but not 75 mph travel, through this corridor.
- TxDOT should meaningfully entertain the concept of designing a ubiquitous inclusive pedestrian network for this entire corridor as a top priority for this project, including rebuilding and building sidewalks throughout the project area and using raised crosswalks for all intersection pedestrian crossings.
- TxDOT should meaningfully analyze the potential regional and district wide impacts on traffic deaths and serious injuries of all alternatives – including the proposed community alternatives – correcting for the travel impacts of induced demand inherent in the CAMPO regional growth forecasts, in order to help the public understand how each proposal will contribute to TxDOT's goal of reducing traffic deaths in half by 2035 and to

help refine projects to ensure the end result of this process is a project that reduces the absolute number of families suffering from traffic deaths and serious injuries in the TxDOT Austin District on target to zero.

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Date: August 30 ,2021

Vote: 12-5 with Selvaggio, Smith, Boone, Patel, and Schaub absent

Attest: Kimberly Levinson, PAC Chair and Briana Cohen, BAC Chair

*Kimberly Levinson Briana Cohen*