



The Transportation Policy Body for the North Central Texas Council of Governments  
(Metropolitan Planning Organization for the Dallas-Fort Worth Region)

November 29, 2018

Ms. Heather Dean  
Congressional Liaison Specialist  
Federal Highway Administration  
1200 New Jersey Avenue, SE, 8<sup>th</sup> Floor  
Routing Code: HPLS  
Washington, DC 20590

Dear Ms. Dean:

Thank you for the meeting on October 22, 2018. Please extend my appreciation to everyone in headquarters for taking the time to brainstorm about Technology Lanes on US 75 in the Dallas-Fort Worth region. I also appreciate the Federal Highway Administration division staff being able to participate and aid in the discussion.

The purpose of this correspondence, in addition to giving my appreciation, is to inventory the latest list of options and to request a follow-up meeting or conference call to develop a potential path forward. My focus remains to solve this question through non-legislative options. I am more than happy to take on legislative solutions in the future, but remain hopeful an administrative solution can be found.

Enclosed is a list that has been updated and now includes a dozen options for discussion. Most remain the same, one was added at the meeting, and additional options have been added upon further reflection. The list includes a short description to aid in understanding the concept.

Please feel free to contact me with any questions at (817) 695-9241 or [mmorris@nctcog.org](mailto:mmorris@nctcog.org).

Sincerely,

A handwritten signature in black ink that reads "Michael Morris". The signature is written in a cursive, flowing style.

Michael Morris, P.E.  
Director of Transportation

MM:al  
Enclosure

cc: Achille Alonzi, Division Administrator, FHWA, Texas Division  
Mo Bur, P.E., District Engineer, TxDOT Dallas District

Programmatic Options to Advance US 75 Technology Lanes in an Existing CMAQ-Funded HOV Facility

- Option 1A: Pay \$15 Million minus Depreciated Items  
This has a project reimbursement foundation.
- Option 1B: Pay \$15 Million in Transportation's Development Credits  
A project reimbursement foundation using the equivalency of FHWA issued Transportation Development Credits.
- Option 2A: Terminate HOV Project Due to Design Life  
This option would have FHWA permit the HOV to be terminated due to the successful design life of the original concept.
- Option 2B: Terminate Project: Three Design Exceptions  
This option would have FHWA terminate the project because US 75 has three design exceptions and FHWA wishes the project returned to its original design.
- Option 3: Equity of Tolling with Three Nearby Toll Roads  
State and local elected officials are adamant that Collin County cannot handle any more facilities that have tolling. Because of equity issues and the balancing of benefits and burdens, FHWA would permit Technology Lanes to advance.
- Option 4: Federal Requirements with State Restrictions  
The State Legislature has moved away from tolling as an option and currently restricts P3 concessions in Texas. This option initiates a State home rule principle permitting FHWA to proceed with our Technology Lanes.
- Option 5: Differential Price through HOV Reward  
The region meets the requirements of Section 166 through a reward of HOV carpool behavior instead of the pricing of single-occupant vehicle users.
- Option 6: Develop a Permit for Drive Alone Users  
Section 166 requirements are met through the pricing of permits and not through direct tolling of single-occupant vehicles.
- Option 7: Remove Pylons and Continue Unenforceable HOV  
This option is presented for discussion purposes and not a plausible course of action.
- Option 8: Section 166 (introduction of price) Developed After HOV Award  
FHWA approves the Technology Lanes since the project was funded previous to Section 166.

- Option 9: Price SOV Minimum Amount/Hours of Operation/Direction  
Charge a minimal toll two hours southbound in the morning and two hours northbound in the afternoon in order to meet Section 166 requirements.
- New Option 10: Construct with Non-Federal Funds  
The design of the project is occurring with State funds. FHWA approves the Technology Lanes replace the interim HOV facility since FHWA has no jurisdiction over non-federal funds and there would be no corrective action as a result of funding the construction with local or State revenue.
- New Option 11: Introduce New Guaranteed Transit from Plano along LBJ Managed Lane  
Advance the new "Guaranteed Transit" that advances next generation transit vehicles on the Technology Lanes with direct access into the dynamically priced IH 635 project. The Technology Lanes would have single occupant cars, HOV, and transit.
- New Option 12: Federally Required Congestion Management Process is in conflict with Section 166  
The MPO, in advancing the federally required Congestion Management Process that includes the Technology Lanes with improved congestion and safety impacts, is approved by FHWA. FHWA would support the priority of the Congestion Management Process over the Section 166 requirements.



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**Texas Division**

January 7, 2019

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In Reply Refer To:  
HDA-TX

Mr. Michael Morris, P.E.  
Director of Transportation  
North Central Texas Council of Governments  
P.O. Box 5888  
Arlington, Texas 76005

Dear Mr. Morris:

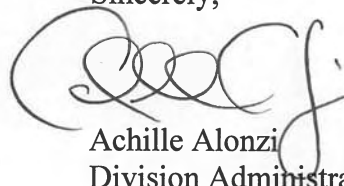
Thank you for your letter of November 29 to Ms. Heather Dean in the Federal Highway Administration (FHWA) Headquarters office. You requested a follow-up call or meeting to discuss a potential path forward regarding options for the interim High Occupancy Vehicle (HOV) lanes on US 75. I was asked to respond on behalf of the FHWA. This response was coordinated with FHWA Headquarters offices.

We regretfully conclude that we cannot accede to any of the options outlined in your letter, except for Option 9. FHWA would permit directional HOV2-free, plus SOV-tolled (via electronic gantry) restrictions during the peak hours each way. This would allow the general purpose (GP) lanes to be free the remaining hours of each weekday. Restrictions may be lifted for weekends and holidays at the discretion of the operator.

Specific to the offer to pay back Federal funds, the FHWA position remains as stated in our letter to the Texas Department of Transportation on September 4, 2014. In that letter, we state, "Because there are no extant provisions of the payback of federal funding for removing federal requirements, the conversion of HOV lanes to GP lanes is unallowable, absent legislation authorizing FHWA to accept funds for this purpose."

We are open to your suggestion for a follow-up discussion should you feel it necessary. Thank you.

Sincerely,



Achille Alonzi  
Division Administrator

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TRANSPORTATION

# Supplemental Material-Agenda Item 5

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Regional Transportation Council  
February 14, 2019

# INFRA Discretionary Grant Program

## Proposed NCTCOG Projects

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- Staff proposes the Regional Transportation Council (RTC)/North Central Texas Council of Governments (NCTCOG) submit the following projects:

Project	Matching Funds		Proposed INFRA Request	Total Project Cost
	RTC	Other Agency		
North Texas Multimodal Operations, Velocity, Efficiency & Safety (MOVES) Program	\$5 Million (Engineering)	\$42 Million	\$58 Million	\$105 Million
IH 30 Rockwall County – Lake Ray Hubbard Bridge	N/A	\$114 Million <sup>1</sup>	\$100 Million	\$214 Million
North Texas Partnership Toward National Highway System (NHS) Bridge Performance Goals	\$10 Million	\$67 Million <sup>1</sup>	\$113.1 Million	\$190.1 Million

1. Combination of Local, Regional, State, or other Federal funds.

# Proposed NCTCOG Projects – INFRA

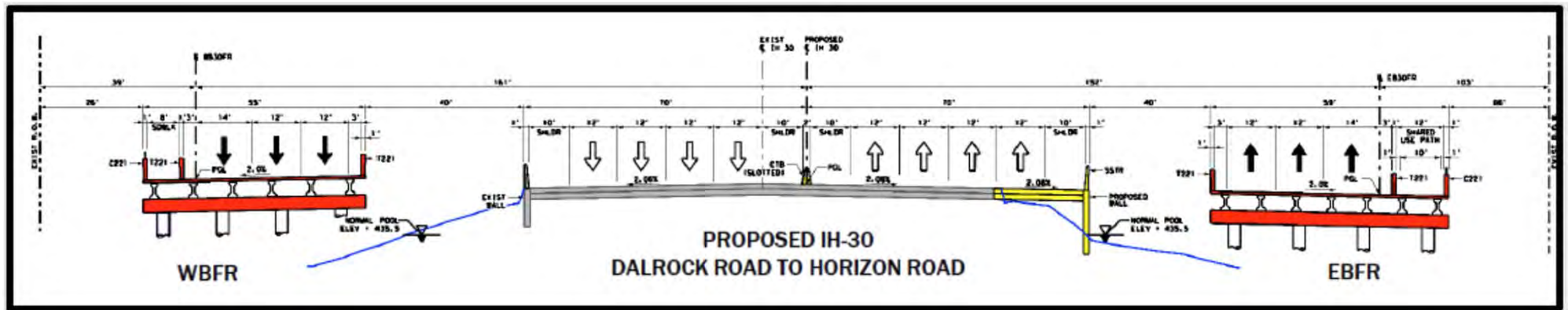
## North Texas MOVES Program



# Proposed NCTCOG Projects – INFRA

## IH 30 Rockwall County – Lake Ray Hubbard Bridge

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- Build 3-lane frontage roads (shown in red) in each direction between Dalrock Road and Horizon Road – **completes full 4-mile Lake Ray Hubbard crossing**
- Barrier-separated 8-foot sidewalk (westbound) and 12-foot shared-use path (eastbound) per Mobility 2045 Plan Veloweb recommendations
- Ultimate interchanges at Dalrock Road, Horizon Road, and FM 740
- Sets stage for future general purpose lane improvements (shown in yellow)



# Proposed NCTCOG Projects – INFRA

## North Texas Partnership Toward NHS Bridge Performance Goals

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- From November 2018 RTC Action (Agenda Item #4):
  - “NCTCOG supports TxDOT statewide 2022 “Good/Poor Condition” targets for National Highway System (NHS) bridges”
  - “Collaboration with TxDOT to plan and program projects contributing toward accomplishment of bridge goals will also including the following action: NCTCOG will focus on expedited programming to improve NHS bridges in poor condition”

State of Texas		
Bridges*	2018 Baseline	2022 Target
Good Bridge Condition		
All National Highway System Facilities	50.63%	50.42%
Poor Bridge Condition		
All National Highway System Facilities	0.88%	0.80%

\* Based on total deck area.

# Proposed NCTCOG Projects – INFRA

## North Texas Partnership Toward NHS Bridge Performance Goals

Facility Carried	Feature(s) Crossed	County	Allocated Funds	INFRA Grant Request	Project Cost
SH 310	S. Lamar St, Budd St, & UP R/R	Dallas	\$9,639,588.60	\$6,426,392.40	\$16,065,981.00
Loop 12 NB to IH 35E NB	IH 35E SB	Dallas	\$0.00	\$1,782,995.76	\$1,782,995.76
St. Francis Ave NB	IH 30	Dallas	\$5,000,000.00	\$20,000,000.00	\$25,000,000.00
St. Francis Ave SB	IH 30	Dallas	\$5,000,000.00	\$20,000,000.00	\$25,000,000.00
FM 3163 (Milam Rd)	IH 35	Denton	\$0.00	\$30,000,000.00	\$30,000,000.00
US 80 EB	East Fork Trinity River	Kaufman	\$5,930,620.80	\$3,953,747.20	\$9,884,368.00
FM 460	US 80	Kaufman	\$4,689,155.40	\$3,126,103.60	\$7,815,259.00
IH 30 WB	FM 1903	Hunt	\$15,369,780.00	\$10,246,520.00	\$25,616,300.00
IH 30 EB	FM 1903	Hunt			
IH 30	FM 1565 O-P	Hunt	\$25,616,300.00	\$3,000,000.00	\$28,616,300.00
IH 35W NB	IH 35W SB Alvarado Exit	Johnson	\$4,300,000.00	\$3,600,000.00	\$7,900,000.00
US 180	Dry Creek	Parker	\$1,500,000.00	\$1,000,000.00	\$2,500,000.00
US 287 NB	Carey Street	Tarrant	\$0.00	\$5,000,000.00	\$5,000,000.00
US 287 SB	Lancaster Ave	Tarrant	\$0.00	\$5,000,000.00	\$5,000,000.00
<b>TOTAL (14 Bridges)</b>			<b>\$77,045,444.80</b>	<b>\$113,135,758.96</b>	<b>\$190,181,203.76</b>