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September 26, 2023

Texas Department of Transportation
Attn: Marc Williams, Executive Director
125 East 11th Street
Austin TX 78701
Marc.Williams@txdot.gov

Mr. Williams,

On February 28, 2023, the Travis County Commissioners Court unanimously approved and submitted comments regarding I-35 Capital Express Central to the Texas Department of Transportation (TxDOT) during the public comment period for the Draft Environmental Impact Statement (DEIS). Since that time, TxDOT issued the Final Environmental Impact Statement (FEIS) and Record of Decision (ROD) for this project on August 21, 2023. This $4.5 billion highway widening project will have a significant and long-term impact on Travis County, and TxDOT has a responsibility to citizens of Travis County to adequately identify and analyze all environmental impacts associated with this massive project.

TxDOT self-certifies their own environmental review through an agreement with the Federal Highway Administration. In our February 2023 letter we requested that TxDOT address several concerns prior to the issuance of the FEIS and ROD. While we appreciate the work of TxDOT on this project, the Travis County Commissioners Court believes that TxDOT's responses in the FEIS to previously stated concerns do not substantially address them.

In addition, no publicly elected officials, except those appointed to serve on the Capital Area Metropolitan Planning Organization (CAMPO) Transportation Policy Board (TPB), have had the opportunity to vote on this project publicly and directly. CAMPO's vote to advance this project was taken long before the FEIS and ROD were issued and many significant changes have been proposed since that vote. Significantly, an analysis of environmental impacts as requested by the Travis County Commissioners Court in the February 28, 2023 letter is not reflected in the FEIS or ROD. CAMPO has already approved two rounds of TIP amendments in 2023 for this project, which have not indicated that this analysis has occurred, and will be asked to approve additional amendments in the future.

For these reasons, the Travis County Commissioners Court requests the following:

1. That TxDOT specifically address all of our previously submitted concerns, including specific analyses requested, prior to moving forward with the project, and
2. That all actions taken regarding this project be requested by TxDOT to comply with CAMPO's process for public hearing and vote by the CAMPO TPB, not by CAMPO administrative amendment, and be fully transparent and held at public CAMPO TPB meetings.
3. That TxDOT provide a timely briefing to the Travis County Commissioners Court to address these issues.

Respectfully submitted,

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Judge Andy Brown
Travis County

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