

RESOLUTION NO. 20230223-044

WHEREAS, the I-35 Capital Express North, I-35 Capital Express Central, and I-35 Capital Express South Projects are a complete rebuild of the United States Interstate Highway 35 throughout all of Austin; and

WHEREAS, the rebuild of United States Interstate Highway 35 through all of Austin is a once in a generation opportunity to make transformative changes to United States Interstate Highway 35; and

WHEREAS, United States Interstate Highway 35 originally opened in 1962, 60 years ago and whatever is built today is unlikely to be completely rebuilt for at least 50 years, and design choices made today could preclude future connections and improvements to the highway; and

WHEREAS, Austin will experience significant growth over the next 50 years, and many neighborhoods outside of downtown next to the highway will become more urban in character and see increased rates of bicycle and pedestrian activity, along with a need for connectivity across the highway; and

WHEREAS, the construction of the Interstate Highway System did immeasurable damage to many communities across the United States, especially communities of color, and many cities throughout the United States are now trying to undo that damage; and

WHEREAS, the average distance between east-west streets crossing United States Interstate Highway 35 in the Capital Express North Project is 1.16 miles, the average distance between east-west street crossings in the Capital Express South Project is 1.33 miles, the same as they are today, and the average distance between east-west street crossings in the Capital Express Central Project is 0.36 miles; and

WHEREAS, the I-35 Capital Express North and I-35 Capital Express South Projects do not add any new street crossings, and the I-35 Capital Express Central Project will either have the same number of east-west street crossings or reduce the number of east-west street crossings; and

WHEREAS, such long distances between east-west street crossings disconnects communities, encourages speeding, increases pollution, and increases congestion at the remaining intersections, pushing more cars into fewer intersections forces drivers to take more turns than they would have taken if they could drive straight through, creating more conflict with pedestrians, bikes, and other vehicles; and

WHEREAS, although some new bike and pedestrian bridges and trails are proposed, in most cases the additional bridges and trail crossings will require people to go up long ramps and offer a much more difficult connection than a normal street crossing; and

WHEREAS, the existing distance between east-west crossings is almost two miles in some places, including between William Cannon Drive and Slaughter Lane, forcing many residents living on or near the frontage road to take up to a four mile loop to go to destinations less than half a mile away; and

WHEREAS, the removal of Woodland Avenue as a full crossing in the Capital Express Central Project creates a division in the city of more than a mile between the Riverside Drive and Oltorf Street crossings; and

WHEREAS, the portions of the I-35 Capital Express Projects that are not being capped do very little to improve connectivity or mitigate the pollution, noise, and other negative impacts of United States Interstate Highway 35 on surrounding neighborhoods, and by adding more lanes, including new elevated lanes in South

Austin, the United States Interstate Highway 35 expansion threatens to worsen those impacts; and

WHEREAS, lowering and capping highways provides significant environmental benefits, including reduced noise, air pollution, and heat island impact; and

WHEREAS, many other Texas and United States cities have chosen to lower and cover their highways; and

WHEREAS, the Texas Department of Transportation (TxDOT) capped a quarter mile section of the Woodall Rodgers Freeway in downtown Dallas and created a successful urban park that has become an extremely popular destination, and the project was so successful that construction has already started on another cap in Dallas - the Southern Gateway on United States Interstate Highway 35E in the Oak Cliff neighborhood close to the Dallas Zoo; and

WHEREAS, the City's Corridor Program Office has been working with TxDOT to identify opportunities to create caps over the United States Interstate Highway 35 as well as widened bridges that accommodate improved safety and multimodal connectivity; and

WHEREAS, United States Interstate Highway 35 is an international roadway that carries traffic all the way from Mexico to Canada, including a large volume of 18-wheel trucks, and a single 18-wheel truck produces a much greater amount of pollution, noise, and traffic than a single passenger vehicle, and is considerably more deadly in a crash; and

WHEREAS, design choices including speed limits, lane widths, and other factors can have a significant impact on the safety of the United States Interstate

Highway 35 frontage road, and the Austin Transportation Department staff have made many useful suggestions and comments on how the I-35 Capital Express Projects can be improved; and

WHEREAS, heavily residential areas in central Austin bear a disproportionate burden of land acquisition and right-of-way expansion in the currently proposed I-35 Capital Express Project that presents harms to community health;

WHEREAS, the preferred alternative would require acquiring approximately 41.7 acres of additional right-of-way, resulting in 107 displacements to 69 commercial properties, 26 residential properties, 12 vacant properties, and 90 displacements located in EJ census geographies. The preferred alternative would displace 3 community facilities: the CommUnityCare David Powell Health Center, CommUnityCare Hancock Walk-In Care, and Escuelita del Alma; and

WHEREAS, the Austin Strategic Mobility Plan prioritizes the preservation of human life in the transportation system, the primary goal states: “Prioritize the protection of human life over all else in planning, design, and operation of Austin’s transportation network.” Yet the I-35 corridor currently accounts for 25% of all traffic fatalities within the City of Austin. Safety for all road users, including people who are walking, biking, and rolling in assistive devices must be prioritized for the safety and well-being of all Austinites; and

WHEREAS, transportation is responsible for 30% of Austin’s air pollution and Austin has a robust Climate Equity Plan, which acknowledges that low-income communities and communities of color are disproportionately impacted by pollution exposure; and

WHEREAS, the Capital Express North, Central, and South Projects will undermine the specific climate goals laid out by the Climate Equity Plan with the additional traffic generated as a result of added roadway capacity; and

WHEREAS, expanding the highway will generate additional trash, rubber, and chemical pollution beyond existing conditions. The I-35 Capital Express Project proposes to build a new tunnel that flows downstream of the Longhorn Dam, directly across from Roy G. Guerrero Park; and

WHEREAS, Lady Bird Lake between I-35 and the Longhorn Dam, and the Colorado River around Roy G. Guerrero Park are used by thousands of Austinites for recreational activities including boating, swimming, and fishing; and

WHEREAS, there has been a substantial amount of community concerns regarding the proposed expansion, including in the form of student-led rallies, community group input, and public comments submitted directly to TxDOT;
NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

Austin City Council offers the following comments on the Draft Environmental Impact Statement (DEIS) for the I-35 Capital Express Central Project:

1. The I-35 Capital Express Central Project should add more full east-west crossings for all users including cars, bikes, and pedestrians. As it is currently proposed, the preferred alternative would have one less full east-west crossing than currently exists. The I-35 Capital Express Project should aim to have a full east-west crossing that works for all users around every 1/4th of a mile and should not have any span between full east-west crossings greater than 1/2 mile.

2. The I-35 Capital Express Central Project should create new opportunities and amenities for residents by lowering and covering as much of United States Interstate Highway 35 as possible. The locations of caps should be prioritized to maximize value to the public, including making new land available for development that could fund caps through Tax Increment Reinvestment Zone (TIRZ), Tax Increment Financing, and similar funding mechanisms.

3. The I-35 Capital Express Central Project should ensure that I-35 is designed and built in a way that does not preclude adding additional caps and connections in the future. In particular, Council urges TxDOT to evaluate the removal, reconfiguration, or relocation of ramps, including managed lane ramps, to expand the potential for capping and provide additional east-west crossings.

4. Encourage TxDOT, the Austin Transportation Department, and other City departments to continue to collaborate and prioritize reducing the environmental, traffic, and safety impacts of United States Interstate Highway 35, especially the frontage roads. Frontage roads and east-west crossings should prioritize service to the local street network and should have speed limits and design speeds no higher than the adjacent local street network.

5. Minimize the number of properties impacted by eminent domain and ensure displaced businesses and residents are effectively compensated to relocate within 1 mile of their current location if they so choose.

6. In order to reduce the substantial impact of 18-wheelers on congestion, air quality, and road safety, incentives should be provided to reroute 18-wheeler traffic that is passing through Austin to Texas State Highway 130.

7. The I-35 Capital Express Central Project should include water quality controls to treat and filter runoff from I-35.

BE IT FURTHER RESOLVED:

While the North Capital Express Central and South Capital Express Projects have already been through Environmental Review, the Austin City Council believes short term and long term improvements should be made to I-35 in the sections covered by these projects.

1. The North and South sections of I-35 need more full east-west crossings that work for all users including cars, bikes, and pedestrians. As they are currently planned, the North Capital Express Central and South Capital Express Project contain no new street crossings. The average distance between crossings is more than 1 mile. In the long term, in these areas TxDOT should aim to have a full east-west street crossing an average of every 1/2 mile, and should not have any span between street crossings greater than 1 mile.

2. As the I-35 Capital Express South and I-35 Capital Express North Projects are being designed and built, TxDOT should consider the possibility of future projects adding additional street crossings, and not preclude new crossings in their designs.

3. To the furthest extent possible, safety improvements added to the Capital Express Central Project should be incorporated into the Capital Express North and Capital Express South Projects.

BE IT FURTHER RESOLVED:

1. The Austin City Council calls for substantive revisions to TxDOT's Draft Environmental Impact Statement to reduce the burdens of the project placed on residential communities in central Austin, including but not limited to revisions to satisfactorily address the above provided comments, prior to the release of a Record of Decision.

2. The Austin City Council calls on TxDOT to suspend its procurement process for projects related to the I-35 Capital Express Central project pending satisfactory responses to the above provided comments and revisions to the Draft Environmental Impact Statement.

BE IT FURTHER RESOLVED:


1. The City Manager is directed to submit this resolution as an official comment from the Austin City Council as public comment on the Draft Environmental Impact Statement (DEIS) for the I-35 Capital Express Project. The City Manager is directed to submit the comment by Friday, March 3rd, 2023.

2. The City Manager is directed to conduct a valuation of the potential right-of-way that could be developed by fully capping and tunneling the I-35 Capital Express Central Project as envisioned by the Reconnect Austin plan, and what financing options exist for development and maintenance, including TIRZ.

3. The City Manager is directed to report these findings back to City Council no later than April 19, 2023.

ADOPTED: February 23, 2023

ATTEST:


Myrna Rios
City Clerk