

*TxDOT chief, local officials sing new tune on I-35E; free lanes will be added at same time as toll lanes, they promise*



By

Michael Lindenberger/Reporter

[mlindenberger@dallasnews.com](mailto:mlindenberger@dallasnews.com) | Bio

12:26 PM on Thu., Jan. 5, 2012 | [Permalink](#)



A troop of transportation dignitaries visited the newspaper this week to put out a fire on the subject of the widening of Interstate 35E between Dallas and Denton, a project that in terms of cost and length could make the reconstruction of LBJ for all its engineering complexity look pedestrian. (Photo above shows traffic jammed on I-35E, taken in March when Mary Horn and others were lobbying the Legislature for support for its widening. Staff photo by Denton Record Chronicle photographer Barron Ludlum.)

Folks in Denton, and elsewhere, have been bent out of shape ever since a [Nov. 10 meeting in Arlington](#) in which the Texas Department of Transportation delivered some bad news: The \$4.7 billion project couldn't be built as advertised because it was just too expensive.

It would be both scaled down, and built in phases, the TxDOT brass said at the time. Then they added a humdinger: It may make most sense to spend the available public money on an initial phase of the project that would offer only toll roads to start.

It was just one of several competing ideas, but the logic of it stemmed from the fact that by building the toll lanes first, drivers could help pay for the rest of the project over time.

That went over like a lead balloon greased in pig waste in some corners of Denton County. The term "bait-and-switch" was thrown around, and the Denton Record Chronicle's editorialists got busy with comparisons to used-car sales tactics. Folks had been promised a Corvette and instead were being sold a Vega, the newspaper said.

But here's something worth noting: All the outrage has produced some results, and maybe a downright turnabout.

First came the meetings, first in Denton and then in our offices. Tagging along from [Austin](#) were TxDOT's new executive director Phil Wilson and the agency's chief engineer John Barton. Denton County Judge Mary Horn was here and so was Rep. Myra Crownover, R-Denton, and a half-dozen others.

Their message: The November scenario of building toll roads and only toll roads first will never happen.

And they left with two big promises, too: First, the state is going to find hundreds of millions of dollars to sweeten the pot for the first phase of the project, Wilson declared. [Michael Morris](#) of the North Central Texas Council of Governments

said local governments are sure to pony up too to bring the total amount of public money available for the project's initial phase to at least \$1.4 billion.

That's a big jump from the \$600 million that had been publicly attached to the project as recently as a month ago.

And second, TxDOT and the others in the room promised that money will be enough to provide a mix of free and tolled lanes in the first phase, which is expected to take about five years to build. If all goes well, construction could begin by 2013.

So what will that \$1.4 billion get us? Here's what TxDOT's Wilson and Bill Hale, the top engineer for the agency in Dallas, is promising can be built in the first phase:

**A new two-lane toll road in the middle of Interstate 35E** that run 23 miles from LBJ in Dallas, across the [Lewisville](#) Lake, and into Denton County. These lanes, like their counterparts on the new LBJ Freeway, will be priced according to demand and during heavy traffic will carry toll rates that are several times the rates normal toll roads charge now.

There will be two of them total, instead of four as initially envisioned for the full project, and they will both be used for southbound traffic into Dallas in the morning, and for northbound traffic out of Dallas in the evening.

**A new lane in each direction on the main interstate** between Dallas and to just south of the lake, about a 14-mile stretch.



Those lanes will be carved out of mainly existing right of way, taking some of the existing shoulder. All four lanes, once the work is done, will be 11 feet wide instead of the 12-foot dimensions that are standard on interstate highways. (Denton Record Chronicle photo by Gary Payne at left is of John Polston from a candidate forum in 2005, speaking to Mayor Olive Stephens of Shady Shores.)

John Polster, the transportation consultant that has been championing this project for Denton County since before Moses climbed the mountain, said the narrower lanes will take some getting used to, but will be well worth the sacrifice since they will enable a fourth lane of traffic in both directions.

Polston, who favors cowboys boots and the occasional cowboy hat, said it will be like squeezing a size 12 foot into a size 11 boot. Like everything else about this over-sized project, he said, there are compromises that must be accepted.

**Two new toll lanes, one going in each direction, on I-35E north of the lake,** all the way to Denton.

**One new free lane in each direction** on the final segment headed into Denton, making three 11-foot lanes where just two 12-foot lanes now exist.

The rest of the final projects, whose exact scope is still in flux, would be built out over the next 5 years, using the revenues from the new toll lanes to help pay for it.

Not everyone will like the squeezed-in lanes. And there will be some folks who bristle at the toll roads altogether. But taken together, the elements of the new initial phase of project are a lot more robust than what was discussed in November.

What happened? I think we have to simply score this one a rare victory for the rabble-rousers.

At the November meeting, one guest was Denton County Commissioner Hugh Coleman. He didn't like what he was hearing, and told members of the RTC that they'd better understand that he had told his constituents that the project would be a mix of free and toll lanes. Anything short of that was going to cause problems for him, and by extension the entire project, he said.

Morris initially brushed his concerns aside, suggesting he do the math to figure out just how big a financial challenge the project was, given the state's limited resources.

But Hale tells me that eventually complaints like Coleman's -- and the echoes they found in the Denton media -- registered. State officials, and local elected officials, heard the problem and decided to do something about it.

"We really try to be transparent," Hale noted, "but sometimes we get so caught up in our acronyms that we miss what others are seeing."

Credit all around for making a course-correction.

But before we move on with the hosannas, a few notes of caution are appropriate.

**First, these are promises by Wilson,** who is the first non-engineer to lead TxDOT. He's a political guy, and I mean that in a good sense, and has his ear closer to the ground than his predecessors typically have. What we are seeing is his (and others') determination to change the message from November, something local elected officials were keen to do too.

But just where the money will come from has not yet been decided, or at least disclosed. He says the I-35E project is one of three priorities for the state, and that's a good thing for those hoping his bosses on the commission back up his promise with dollars.

Morris made promises, too, namely that local governments will help sweeten the pot for the first to bring that total funds available to \$1.4 billion. There is no reason to believe that can't happen, but until it does, it's still a pledge, not a check.

**Second, even the \$1.4 billion Wilson has promised, won't be enough** to make good on his promise without some additional good luck. Hale said engineers determined that satisfying Coleman's demand that each toll lane be accompanied by a new free lane in the final stretch into Denton added about \$980 million to the initial \$600 price tag for the toll-only approach.

Even I can add 600 and 980 and realize it's going to take almost \$1.6 billion to deliver the project as envisioned. Hale said there's every confidence within the Greer Building (that's TxDOT's art deco headquarters) that either the remaining millions will be found or that the engineers can shave off \$150 million in the costs.

Confidence is good, but, like a promise, it isn't a check. So it's worth keeping an eye on.

That leaves us with a final word of caution, or maybe just a puzzle.

The committee led by Morris has until March to recommend whether the project go forward as a privately financed deal or one financed by the state. If the project proceeds as a private deal, then the \$1.4 billion can be used to attract investors who might pony up significantly more in return for the right to collect the tolls.

After all, agreeing to build a road using \$1.4 billion in someone else's money is inherently less risky than building one using only \$600 million of their cash. That might mean that we can get \$2 billion or some other figure built right away.

But that's not the scenario Wilson sketched out. It struck me that they don't anticipate much interest from the private sector on this deal -- at least not now. They may build what they can now with tax dollars, and get the road open and then sell the rights to future tolls in a better market and a stronger economy.

That would be an interesting about-face, after years of hearing from Austin and Arlington that the best way to build highways is to charge high tolls and leverage them with debt -- or private equity -- to get all the money they are worth in your pocket now.

The pay as you go model, now being touted, is exactly the course of action toll road critics have been arguing for years.

Leaving politics and ideology aside, it may be that they've simply found that the golden goose of privatization has stopped laying golden eggs -- at least in this economy.

After all, Polster noted that he had hoped the \$600 million would leverage the full \$4 billion for the project, and came out of his meetings with potential private toll firms "bruised, battered and beaten."