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July 11, 2011

Mr. Amadeo Saenz, Jr., P.E.
Executive Director
Texas Department of Transportation
Dewitt C. Greer Building
125 East 11th Street
Austin, Texas 78701

Dear Mr. Saenz:

Thank you for your June 21st letter regarding the IH 35 and SH 183 managed lanes projects.

The North Texas regional leadership, composed of the Regional Transportation Council, Denton County, and the region's IH 35E corridor cities, has asked the NTTA to participate in its identification and evaluation of strategies that might expedite the development of the IH 35E project in a way that ensures local oversight and best serves the citizens of North Texas.

In response to the region's request, the NTTA Board agreed in June to update the pre-sketch feasibility analysis of the IH 35E corridor, from IH 635 to US 380 (29 miles, 4-tolled lanes, 8-10 general purpose lanes and 6 frontage road lanes). After the approximately six-week period to complete the update, we will report back to the region and to the NTTA Board on our findings and possible next steps. This new information will be critical to the region's analysis of the various development options that may be proposed in the coming months.

Also of importance in evaluating these projects is the recently published Request for Information (RFI) for the IH 35 managed lanes project. In reviewing the RFI, the scope and potential terms of the project appear to have changed since the NTTA conditionally waived market valuation and first option right for the project in 2008. The June 2011 RFI suggests that staging and phasing of the IH 35E project may be permissible, and additional public funding may be available, including a possible TIFIA loan. Due to these potentially material revisions to the scope of the project and the region's request for our assistance in identifying possibly beneficial development strategies, the NTTA is unable to provide TxDOT's requested waivers on the IH 35 and SH 183 projects until further information can be developed and then discussed with TxDOT and the regional leadership.

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The NTTA very much appreciates our partnership with TxDOT, and we hope to continue in that fashion as we consider development options for both the IH 35 managed lanes and SH 183 managed lanes projects. To that end, before the RFI process continues on either project, we respectfully request that TxDOT allow us and the region time to receive the aforementioned updated feasibility analysis and for the region and our Board to consider that resulting information. Meanwhile, we will discuss with the North Texas regional leadership your June 21st waiver request to ensure that we are fulfilling the commitment we made our constituencies to fully support the IH 35 managed lanes project. We currently believe that, in order to honor that commitment, we must ensure that all appropriate studies, evaluations, and discussions have concluded before making any final and irreversible decisions on specific development options for these significant regional projects.

I look forward to visiting with you. Please feel free to contact me any time at (214) 461-2022.

Sincerely,



Allen Clemson
Executive Director

Cc: NTTA Board of Directors
John Barton, P.E., Interim Deputy Executive Director, TxDOT
Michael Morris, P.E., Director of Transportation, NCTCOG