



Trinity River toll road has many bureaucratic hurdles to clear

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Federal highway officials will call a public hearing as soon as next month to discuss a soon-to-be-released study of the Trinity River levees, officials in Washington confirmed late last week.

The study could help determine whether the Federal Highway Administration will approve the city of Dallas' plan to build a high-speed toll road between the aging earthen dikes.

That toll road project has been on hold for nearly three years as Dallas has scrambled to address major problems with the dikes built 82 years ago by the U.S. Army Corps of Engineers to protect downtown Dallas from massive flooding.

But now that the final levee fixes are under way, the toll road project may be pulled free of the regulatory mud it's been stuck in since 2009.

How far it gets, and whether it is ever built, remain unclear. The toll road remains short of funds — perhaps by \$1 billion or more — and a decision from the federal government about whether the road can be built between the levees, as the city wants, is still at least a year away.

But the Federal Highway Administration will soon announce the results of a nearly three-year study of the impact the weakened condition of the Trinity River levees will have on its evaluation of where the road can be built, officials in Washington confirmed late last week.

Evaluation complete

The city of Dallas wants to build the road between the eastern levee and the river, though two other options are also still being considered, including one along Riverfront Boulevard and one between the river and the west levee.

The Federal Highway Administration was poised to move toward making that decision in 2009 when the levees failed an important inspection. At the time, the agency said it could not choose the toll road route until it better understood the condition of the levees.

That evaluation has been completed and will be made public within a few weeks, spokesman Doug Hecox said. A public hearing will follow, probably in late April or May, he said.

But state and federal officials cautioned that it would probably be 2013 or later before a final decision about the road's path will be made.

Dan Pirge, the Texas Department of Transportation's environmental coordinator for the project, said the report has sized up what the city and other officials have learned about the levees since 2009 and has taken into account the improvements Dallas has been making to them since.

That information will tell the agency how the levees' condition will affect the "practicality" of each of the three remaining proposed routes for the toll road, he said.

He said that typically, the agency makes a final decision about the route — known as the final environmental impact statement — about nine to 12 months after a hearing like the one expected in April or May.

No one at any level of government has been willing to discuss the results of the new study or whether it will shed light on official views of how the road might affect the levees.

But the call for a public hearing by the Federal Highway Administration is important because it is a required step before a countdown can begin toward a decision about where the toll road can go.

Old debate

The question of the road's location has bedeviled Dallas since well before it became one of the city's most controversial recent public debates. City Council member Angela Hunt mounted a powerful, if ultimately unsuccessful, public campaign in 2007 to prevent the road from being built between the levees.

Hunt and her allies alleged that the road would be likely to blight the much grander parks-and-recreation plans for the floodway, the Trinity River Corridor

Project.

They also argued that no matter what the highway agency decides, the U.S. Army Corps of Engineers, still smarting from criticism over Hurricane Katrina, would be less likely to allow a massive toll road to be built on or near the aging levees than city officials were letting on.

The city has consistently argued that a route between the levees makes most sense because it's cheaper and less disruptive to other development plans.

Federal law gives the highway agency final say on which route the toll road can take. But if it picks a route that takes the road near the levees, a second set of approvals from the corps will also be required.

A spokesman for the Corps of Engineers declined to say whether the new information about the levees' conditions has made those approvals more likely or not.

The corps has continually advised the city and the highway agency that any route between the levees will be blocked unless the corps finds that it will not impinge the troubled levees' ability to protect Dallas from floods, spokesman Jim Frisinger said Friday.

Still, corps officials told *The Dallas Morning News* last week that as the corps works with the city to assess the overall plans for the Trinity River corridor, its models assume that the toll road will be part of those plans.

"The model that we're running, we're running with the parkway in the floodway system," said Mike Bormann, the corps' Trinity River project manager. "If it goes outside the floodway obviously it doesn't impact [the plans]."

The city is expected to pass a resolution, probably by May, that would formally urge the Federal Highway Administration to select its preferred route, near the eastern levee.

But the agency could reject that suggestion and decide instead that the road must be built along Riverfront Boulevard.

In that case, Dallas will have to decide whether the road is worth the monetary and political costs of condemning as many as 200 properties along the corridor.

And no matter what route is ultimately approved, no one has figured out how to pay for it. The North Texas Tollway Authority has said it will have nothing to contribute to the road's cost beyond what it could borrow against its future tolls, a position that could mean the road will need far more than \$1 billion in other funding.