Trans Texas Corridor: It's Not Your Father's Highway

Those who would welcome the Trans Texas Corridor as a local or regional economic development generator should first become familiar with the corridor concept.

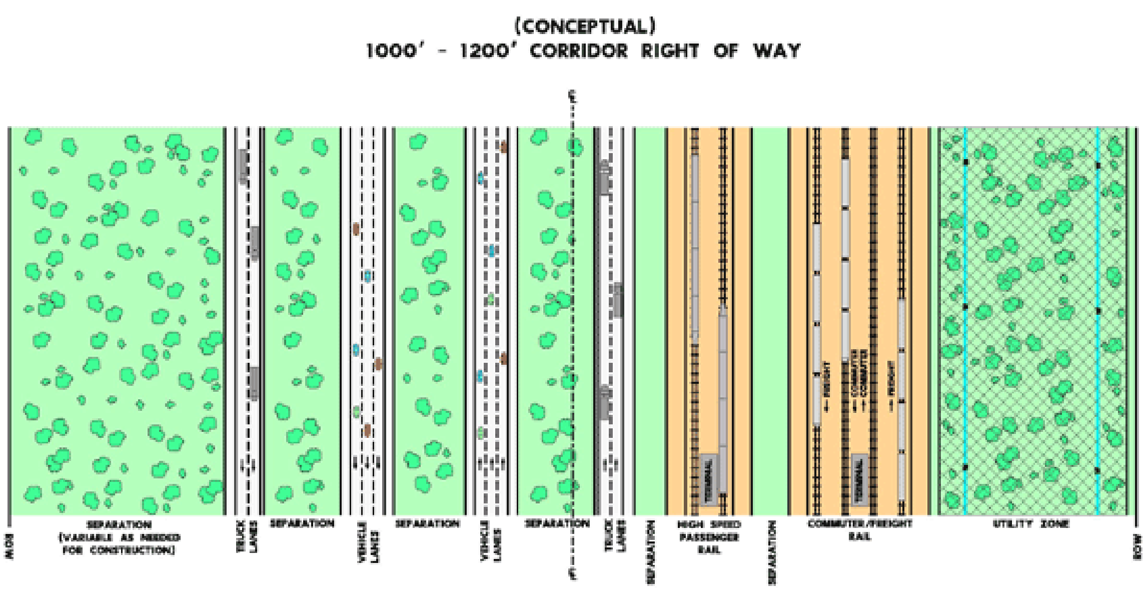
The Trans Texas Corridor (TTC) is not a traditional Interstate Highway; it's not even a traditional turnpike. It is a very large, 1,200-foot wide, at-grade, controlled access, toll road laid down in four sets of vehicle lanes, two sets of rail, plus both underground and above-ground utilities. Any access to vehicle lanes will require expensive flyover separations. Emergency access alone will be difficult.

The TTC will not deliver traffic to your community in the manner that other highways have in the past. It will not provide highway frontage ripe for commercial development. It will not increase property values along its path as the result of improved transportation availability.

It will, by design, draw traffic away from existing highway systems. It will encourage motorists to remain on the corridor while passing thousands of Texas communities.

Crossroads of the Americas: Trans Texas Corridor Plan.

The Texas Department of Transportation released, and the Texas Transportation Commission approved, the official Trans Texas Corridor Plan in June of 2002. The Plan that has remained unchanged since then is titled, Crossroads of the Americas: Trans Texas Corridor Plan.



No Frontage Roads; No On-Ramps; No Off-Ramps; No Access.

There are no frontage roads, on-ramps or off-ramps anywhere in the TTC Plan. Access to the TTC will be accomplished exclusively through interchanges with existing Interstate Highways, US Highways and only 60% of the existing State Highways.[1] The estimated cost per interchange ranges from $10.1 million for the smallest connection to $301.9 million for a fully directional connection.[2]

Most intersecting roadways will pass over the TTC without any access to the corridor.[3] This includes all Farm-to-Market roads, Ranch-to-Market roads, paved county roads and local highways as well as most 2-lane State Highways.[4] Lesser roadways will not cross the TTC at all.[5]

The estimated cost of constructing a single grade separated crossing (over the TTC) for a 2-lane Farm-to-Market road is $3.5 million.[6] These overpasses, including the approaches, will exceed ¼-mile in length. Economics dictate that crossings will be limited and local vehicle access to the TTC will not be feasible.

Adverse Impacts to Local and Regional Economies.

Commissioner Robert Nichols has suggested that communities that 40 years ago feared that they would be harmed by the Interstate Highways have instead flourished.[7] Commissioner Nichols is wrong in his suggestion. A study of county population transition (a good indicator of employment and economy) for the period of 1950 to 2000 shows just the opposite.[8] Almost without exception, counties on the Interstates between urban centers have populations that have declined between 1950 (pre-Interstate) and 2000 while urban center counties have grown. Specific examples are not difficult to find. Where US Highways that ran through communities were replaced with parallel Interstate Highways the local economy indeed suffered. It is interesting to note that where the Interstate Highway took a different route between points than the US Highway, counties along both highway corridors declined.[9] When the Interstate system was being designed there was considerable debate as to whether the new highway should run through the middle of large cities or be placed outside their urban district. City leaders believed that it was important that the highway provide a direct route to their existing commerce and industry. History has proven them right.

---

[1] Crossroads of the Americas: Trans Texas Corridor, Interchanges, P.26
[2] Crossroads of the Americas: Trans Texas Corridor, Table 3, p.31
[3] Crossroads of the Americas: Trans Texas Corridor, Bridge structures, p.26; grade separation, p.87
[4] Crossroads of the Americas: Trans Texas Corridor, Bridge structures, p.26
[5] Crossroads of the Americas: Trans Texas Corridor, Bridge structures, p.26
[6] Crossroads of the Americas: Trans Texas Corridor, Table 2, p.32
[7] Texas Transportation Commission meeting, November 18, 2004, Agenda Item #8, TTC-35
[8] Population Transition in Texas Counties, 1950-2000, Emily Melick and John K. Thomas (2003), Department of Rural Sociology, Texas A&M University
[9] Example: US60 and IH40 from Amarillo to Oklahoma.

Every real estate developer knows the three key indicators to land value are location, location, and location. Commercial retail real estate is often evaluated on highway visibility and daily vehicle counts. By design the TTC will divert the traveling public away from existing highways. Because the TTC will require substantial toll revenue, the operator has an incentive to immediately attract all possible traffic. TxDOT's own Finance Director James Bass has given presentations to TxDOT personnel to explain that toll viability involves increasing demand and limiting supply.[10] In his presentation he describes limiting the alternatives; explains that free alternatives mean lower revenues; and, that there is a need to limit competing facilities.[11]

Not only can communities along IH-35 and other Interstate Highways look forward to the losses associated with the relocation of traffic and business induced by the new TTC, but the decline of their existing highways. A recently released House Transportation Committee report reads, "Motorists will always have a free alternative to toll roads, although the alternative will typically be congested with an uncertain travel time."[12] Unfortunately this statement is used to justify the expansion of toll roads and is apparently not one of the issues that the Committee seeks to address. Free roads will become the step-children of Texas Highways.

Only the State & Its Private Partners Will Enjoy Economic Development.

Local jurisdictions and private businesses will not be afforded the opportunity to access the TTC where it could foster economic development. Such access is reserved exclusively for the state and its private partners. The TTC plan includes all typical traveler services such as service stations, stores and restaurants. The law also specifically includes hotels.[13] The loss of tourism revenue generated in our communities will destroy one of the states most profitable industries.[14]

The Transportation Code, as amended in 2003 by House Bill 3588, provides that TTC property may be leased, franchised or licensed for any purpose, including use for unrelated commercial, industrial, or agricultural purposes.[15] Another new authority permits TxDOT to acquire land for ancillary facilities that generate revenue for use in the construction, maintenance, or operation of a turnpike project.[16] Taken together, these provisions grant permission for an unlimited taking of land by the State for development by it or its private concessionaire partners on and along the TTC. To facilitate unimpeded takings the power of condemnation was also expanded by HB-3588 to include facilities of the TTC.[17]

---

[10] Drafting the Future: The Dollars and Sense of Toll Roads (2003), Toll Road Finance 101, slide 8
[11] Drafting the Future: The Dollars and Sense of Toll Roads (2003), Toll Road Finance 101, slide 10
[12] House Committee on Transportation, Texas House of Representatives, Interim Report 2004 (79th Interim)
[13] Texas Transportation Code, Section 361.132(d)(5)
[14] The Economic Significance of the Texas Travel Industry, February 2004, Office of the Governor
[15] Texas Transportation Code, Section 227.082(d)
[16] Texas Transportation Code, Section 361.132.(d)(5)
[17] Texas Transportation Code, Section 227.041(a)

Adverse Impacts to Local and Regional Government.

Loss of Tax Revenue.

As TxDOT acquires 146 acres for each mile of the TTC, local jurisdictions will lose hundreds and likely thousands of acres of taxable land.[18] TTC-35 alone puts dozens of counties at risk of losing 5,000 or more acres of taxable land value. School districts, utility districts and other special districts will suffer the same loss.

Despite the commercial development on the TTC, at minimum the land itself will remain state property exempt from ad valorem taxes.

Loss of Public Land.

The newly amended Transportation Code bars Regional Mobility Authorities (RMAs) from paying compensation for public real property it takes, including that taken for the TTC.[19] Land replacement costs will be paid by the local taxpayer.

Loss of Land Use Control & Fees.

A RMA is also exempt from payment of development fees, utility connection fees, assessments, and service fees imposed or assessed by any governmental entity or any property owners' or homeowners' association.[20] Those costs will be passed back to affected taxpayers and association members.

Loss of Groundwater Regulation.

A Senate Subcommittee has recently concluded that the law is not clear that lessees of state land (such as the TTC) are bound by the rules of a groundwater conservation district. The report says such exemption "could easily undermine a district's ability to manage the aquifer or portion of an aquifer for which it is responsible." The Subcommittee is also recommending to the Legislature that "Groundwater produced from state-owned lands should be reserved for in-state use." In making this recommendation, we conclude that the Subcommittee could not find a current prohibition of exporting Texas' water to another state, or even Mexico.[21]

This document was produced by CorridorWatch.org, a non-profit, non-partisan, grassroots organization of concerned Texans and public officials who question the wisdom of the Trans Texas Corridor.

CorridorWatch.org, Fayetteville, TX 78940-5468 / www.CorridorWatch.org

[18] Crossroads of the Americas: Trans Texas Corridor, Right of way, p.33
[19] Texas Transportation Code, Section 370.169(a)
[20] Texas Transportation Code, Section 370.175(b)
[21] Senate Subcommittee on the Lease of State Water Rights Interim Report to the Senate Select Committee on Water Policy (78th Interim) issued November 3, 2004