



REQUEST FOR FINANCIAL ASSISTANCE FOR A TOLL FACILITY

**Loop 375
Americas Managed Lanes Project**

May 23, 2012

Section I – CRRMA ELIGIBILITY

Requestor Name.

Camino Real Regional Mobility Authority (CRRMA)

Eligibility for Financial Assistance - 43 TAC §27.53(a).

The CRRMA is a regional mobility authority created pursuant to Chapter 370 of the Texas Transportation Code (RMA Act) and 43 Texas Administrative Code Chapter 26 and authorized by Minute Order 110573 of the Texas Transportation Commission approved on June 29, 2006. In accordance with the RMA Act, the CRRMA is authorized by state law to construct or maintain a toll facility and is therefore also eligible to submit a request for financial assistance for toll projects pursuant to 43 Texas Administrative Code Section 27.53(a)(1). Further, the CRRMA is a public entity and is therefore authorized to submit a request for a grant, in accordance with 43 TAC 27.53(a)(2).

In addition, pursuant to 43 TAC 27.53(a)(3), the CRRMA has adopted an Internal Ethics and Compliance Program, as evidenced by the CRRMA Board Resolution attached hereto as **EXHIBIT 1**. The CRRMA enforces compliance with said program. Also included within **EXHIBIT 2** is the transmittal letter informing the Texas Department of Transportation (TxDOT) of the CRRMA's Ethics and Compliance Program.

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Submitted By:

Camino Real Regional Mobility Authority

Name: Ralph Adame

Title: Vice Chair

Date: May 23, 2012

Section II – BASIC REQUEST FOR FINANCIAL ASSISTANCE

Overview of the Project - 43 TAC §27.53(b)(1).

The Camino Real Regional Mobility Authority submits this Request for Financial Assistance in order to access the funds necessary to develop and implement the project known locally as the “Loop 375 – Americas Managed Lanes Project” (referred to herein as the Project). The Project includes the development of two toll express lanes (managed lanes), one in each direction, on Loop 375 between Zaragoza Road and Interstate Highway 10 (IH-10), a distance of approximately 4.2 miles. This section of Loop 375 is a four-lane, divided, limited access facility with grade-separated crossings of the Union Pacific’s (UP) single-track main line, FM 659/Zaragoza Road, FM 258/Socorro Road, State Highway (SH) 20/Alameda Avenue, and FM 76/North Loop Drive. Three-lane, one-way frontage roads are provided for almost all of the corridor’s length, but the frontage roads are discontinuous, and do not cross the UP railroad track. U-turn roadways are provided beneath the Loop 375 structure over the UP track. Access/egress to Loop 375 is provided at I-10, FM 76, SH 20, FM 258 and FM 659. **EXHIBIT 3** provides an aerial of the location of the Project.

The managed lanes are programmed for the median which appears sufficiently wide to accommodate them without right-of-way acquisition or substantial modification to the adjoining general purpose lanes. New structures will be required over a number of major arterials (e.g., FM 76, SH 20, FM 258, FM 659) and the UP railroad track. A schematic design prepared in 2006 by TxDOT consultants as part of the Southern Relief Route Project provides for access/egress to the managed lanes at FM 258/Socorro Road and I-10. The referenced schematic has not received a thorough review, either at the El Paso District or Austin level. Electronic tolling, including transponder and video license plate capture, will be utilized to collect tolls on the managed lanes.

Of note, TxDOT and the CRRMA are currently constructing the Loop 375 - César Chávez Border Highway Managed Lanes Project, which will develop approximately 9 miles of managed lanes from the Zaragoza Port of Entry west to the Loop 375 US 54 interchange. The Americas Managed Lanes Project will complete an additional 4.2 miles of managed lanes from the east end of the César Chávez Managed Lanes Project to the Loop 375 and I-10 (Americas) Interchange. Collectively, the Americas and César Chávez Managed Lanes Projects will result in the completion of an uninterrupted managed lane option to I-10 of more than 14 miles.

The Project is one segment of a proposed regional network of toll facilities as more clearly enumerated within **EXHIBIT 4**. Per the 2008 Comprehensive Mobility Plan (2008 CMP), the charge to the CRRMA is to implement the various toll projects in a way that accelerates congestion relief to the traveling public, while maximizing all financial resources that may be available. Through the submittal of this Request for Financial Assistance (Request), the CRRMA seeks access to funds for the development and implementation the Project as originally envisioned in the 2008 CMP. Such development includes the completion of the environmental and schematic documents, design and construction of the Project, including all associated procurement and project management processes.

Tasks to be performed by the CRRMA and its consultants include project data collection and evaluation, development of schematic and environmental documents, right-of-way maps and other necessary planning documents not yet completed, identification of a procurement process, implementation of such procurement process, selection of design and construction firms and completion of the Project, including all related project management, administration and coordination activities. The requested financial assistance would be used for expenses related to engineering, environmental, legal, financial, public outreach and related direct and indirect services and costs associated with the development and implementation of the Project.

Initial preliminary total project cost estimates for this Project based on early estimates developed by TxDOT-El Paso and reviewed by CRRMA consultants amount to \$37,600,000, which include the implementation of two phases: (i) the Environmental/Schematic Phase; and (ii) the Design/Construction Phase. The CRRMA and its consultants are in the process of validating these initial preliminary total project cost estimates and will work with TxDOT to refine such estimates, if necessary, to reflect the actual needs of the Project. In the interim and for purposes of this Request, the CRRMA will assume that the total project cost is within the referenced \$37,600,000 in order to commence the development and implementation processes necessary for the Project; provided, however, that should the CRRMA and its consultants determine the \$37,600,000 amount to be insufficient, the parties will work together to seek additional funding sources or alternatives available for the completion for the Project.

List of Proposed Funding Sources - 43 TAC §27.53(b)(2).

Through this Request, the CRRMA is seeking funding for the development and implementation of the Project, which current estimates indicate a need for \$37,600,000 in funding. Through the 2008 CMP, the funding source for this Project has been identified as TxDOT Category 2 funds available for El Paso, which are being requested herein.

As noted in the preceding section, the CRRMA and its consultants continue to work to refine the preliminary total project cost estimates. Subject to the preceding section, the proposed use of the financial assistance requested herein would consist of procurement, design and construction of the Project, including those usual and customary services necessary for completion of such a project. In the event that the requested financial assistance is not sufficient for the completion of the Project, additional funding sources shall be sought, significant revisions to scope and other alternatives would be sought in coordination with TxDOT-El Paso; provided, however, that any such revisions would be implemented in a manner consistent with the original project intent.

Requested Financing Terms - 43 TAC §27.53(b)(3).

The CRRMA seeks the requested financial assistance in the form of a grant. Financing terms are therefore not applicable.

Description of Project Need and Potential Traffic Impact - 43 TAC §27.53(b)(4).

I-10 is the region's principal transportation corridor and carries through traffic, cross-town traffic, commuter traffic and non-business traffic through and into the central business district of

the City of El Paso. The region has recently experienced considerable growth as a result of the North American Free Trade Agreement (NAFTA) and the United States Defense Department's Base Re-Alignment and Closure Commission (BRACC) results. That combination has spurred residential as well as industrial growth on both sides of the border and increased international trade traffic to warehouse and distribution facilities in El Paso. This results in additional vehicle traffic increases along I-10 and the arterials that feed I-10. Future population increases related to this ongoing expansion in addition to growing trade will only continue to increase traffic and congestion issues for the entire region. While urban segments of I-10 currently experience considerable congestion, traffic incidents on I-10 create greater congestion on that roadway and also on the arterials that feed into I-10 with few viable alternatives to I-10.

The Project will increase mobility and improve safety and reliability in El Paso and the region by increasing capacity on Loop 375, thereby adding to the viability of Loop 375 as an alternative to I-10. In particular, the Project when added to the César Chávez Managed Lanes Project currently under construction will provide an alternative to the section of I-10 that is most congested – downtown to east El Paso. The use of Loop 375 as an alternative to I-10 will also result in fewer vehicles on I-10, as the potential users of the Project include passenger as well as commercial traffic currently utilizing I-10. The enhanced mobility gained from this Project will serve to further regional economic development as an important international trade corridor.

CRRMA's Latest Audited Financial Statement - 43 TAC §27.53(b)(5).

A copy of the CRRMA's latest audited financial statement for fiscal year 2011 is attached as **EXHIBIT 5**. The CRRMA has limited cash resources. Operating as a small, streamlined agency with one employee, limited administrative assistance and office space is being provided by the City of El Paso at this time in a cooperative effort to maximize the ability of the CRRMA.

Latest Bond Rating - 43 TAC §27.53(b)(6).

The CRRMA is still a relatively new entity and is not a rated agency. Further, this Request is seeking a grant for which no pledge is necessary.

Preliminary Design Study of Project - 43 TAC §27.53(b)(7).

As noted within the "Overview of the Project" section above, this Project is in the very early stages of development and therefore, no preliminary design study of the Project has been completed. However, the initial route and potential alignments for the Project currently consist of the route identified within **EXHIBIT 3**. The logical termini and independent utility, if applicable, of the proposed alignment are also identified within **EXHIBIT 3**. However, TxDOT-El Paso has recently requested that the CRRMA also evaluate the possibility of extending the northern terminus north of the Americas Interchange to separate managed lane traffic entering north from managed lane traffic entering south of the interchange. This evaluation is ongoing and may result in the extension of the northern terminus. The CRRMA will work closely with TxDOT-El Paso in this ongoing evaluation. Other than as specifically noted within the "Overview of the Project", the CRRMA does not anticipate additional revisions or changes to state highway system facilities necessitated by the individual projects.

Description of Toll Collection System's Interoperability - 43 TAC §27.53(b)(8).

The toll collection system that is ultimately incorporated within the Project limits will be fully interoperable with the César Chávez segment of Loop 375, which is located adjacent to this Project and is currently being developed by TxDOT and the CRRMA, as well as the statewide tolling system(s) used by TxDOT in order to assure interoperability and ease access for users throughout the State.

Written Approval of the CRRMA Board - 43 TAC §27.53(b)(9).

The CRRMA seeks the requested financial assistance in the form of a grant. Requirements for written approval from the CRRMA Board for submission of this Request are therefore not applicable. However, **EXHIBIT 6** of this Request includes a CRRMA Board Resolution dated May 23, 2012 authorizing the Vice Chair to submit this request for financial assistance to TxDOT.

Binding Commitment Regarding Consideration of the Environmental Consequences - 43 TAC §27.53(b)(10).

The CRRMA commits to fully consider the environmental consequences of the Project in accordance with all applicable local, state and federal environmental laws, regulations and requirements. The CRRMA also commits to implement the Project in compliance with all applicable local, state and federal environmental laws, regulations and requirements.

Binding Commitment Regarding EPIC - 43 TAC §27.53(b)(11).

The CRRMA commits to implement all Environmental Permits, Issues and Commitments (EPIC), as defined within 43 Texas Administrative Code Section 27.51(6).

Documentary Evidence of Community Involvement - 43 TAC §27.53(b)(12).

As noted, the Project is one of the projects identified within the 2008 CMP. The City of El Paso endorsed the 2008 CMP by motion during an open meeting of City Council and after public discussion on July 22, 2008. The El Paso Metropolitan Planning Organization (MPO) endorsed the 2008 CMP during an open meeting of its Board and after public discussion on July 25, 2008. The Texas Transportation Commission received a report on the 2008 CMP from its participants at a public meeting of its Board on August 28, 2008 and revised the 2007 Statewide Mobility Program through Minute Order No. 111471 to accommodate the projects identified within the 2008 CMP at the same meeting. The CRRMA also endorsed the 2008 CMP during an open meeting of its Board and after public discussion on July 25, 2008. Of note, each act of the respective Boards referenced above was unanimous.

In addition, a Memorandum of Understanding was subsequently entered into by the El Paso MPO's Transportation Policy Board Chair, Mayor of the City of El Paso, TxDOT-El Paso's District Engineer, CRRMA Chair and the Chair of the Mass Transit Department of the City, whereby all these entities committed to meeting their responsibilities as identified within the

2008 CMP, leading to timely implementation of each and every 2008 CMP project. The various board motions, resolutions, minute order and Memorandum of Agreement are attached to this Request as **EXHIBIT 7**.

As evidenced through these referenced public meetings, the 2008 CMP enjoys wide community support. However, due to the very early development stage of this Project, there is limited documentary evidence of such support other than as noted within this section. Therefore, the Project identified within this Request includes a public outreach component, in order to insure that there is extensive public participation as well as significant education efforts in the implementation of this Project. These proposed outreach efforts are in addition to those required by the required environmental and schematic processes. Without regard to the type of environmental document required for this Project, the CRRMA commits to conduct a public hearing to receive comments on the proposed Project.

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Section III – SUPPLEMENTAL INFORMATION AND DATA

Financial Feasibility Study – 43 TAC §27.53(c)(1).

The CRRMA believes that the requirements of 43 TAC §27.53(c)(1) are not applicable to this Request, as the funding sources identified for this Project are funds that will not be repaid by the CRRMA. By way of example, analyses of the financing period, cash flows for the financing period and revenues to be used for repayment (all of which are requested by §27.53(c)(1)) do not apply to this Request.

Project Impacts – 43 TAC §27.53(c)(2).

The CRRMA, pursuant to the referenced provision of the Texas Administrative Code, must also provide the following information:

- (A) Is the project consistent with the Statewide Transportation Plan and the Metropolitan Transportation Plan developed by the local MPO?

The Project is included as a toll project in the El Paso MPO's current long range plan, referred to as the TransBorder 2035 Metropolitan Transportation Plan (MTP). The Texas Transportation Commission amended the 2007 Statewide Mobility Program through Minute Order 111471 on August 28, 2008 to incorporate all projects identified within the 2008 CMP, including the Project that is the subject of this Request.

- (B) As the project is located in a nonattainment area, how is the project consistent with the Statewide Transportation Improvement Program, the conforming plan and Transportation Improvement Program for the El Paso MPO and the State Implementation Plan?

The project is programmed in Fiscal Year 2015 of the MPO's 2013-2016 Transportation Improvement Program (TIP) and in the 2011-2014 Statewide Transportation Improvement Program (STIP). Both the MPO's TransBorder 2035 MTP and 2013-2016 TIP were found in conformance with air quality regulations.

- (C) Provide a preliminary description of any known environmental, social, economic or cultural resource issues, in relation to the individual projects.

The CRRMA is not aware of any environmental, social, economic or cultural resource issues relative to the Project. The CRRMA shall complete the environmental studies necessary to identify and mitigate any such issues as required by the National Environmental Policy Act of 1969.

Section IV – WAIVER OF REQUIRED INFORMATION OR DATA

Waiver of Required Information or Data – 43 TAC §27.53(d).

Pursuant to 43 TAC §27.53(d)(1), the CRRMA respectfully requests that the Executive Director waive any requirement for submission of a Financial Feasibility Report (see 43 TAC §27(c)(1)), if applicable, as this Request seeks a grant of funds that will not be repaid by the CRRMA. Most of the requirements of §27(c)(1) seek information relative to the requestor's repayment sources and timelines. Accordingly, as this Request is for a grant of funds, §27.53(c)(1) does not appear to apply.

Similarly, due to the fact that the Project has been developed to date entirely by the TxDOT and its consultants, the CRRMA also respectfully requests a waiver pursuant to 43 TAC §27.53(d)(2), to the extent necessary, for the responses provided to the Supplemental Information and Data Section above. As all documents produced to date for the Project have been produced by or on behalf of the TxDOT, the CRRMA relies upon 43 TAC §27.53(d)(2), in stating that any additional documentation necessary for the acceptance of this Request, is already in the possession of TxDOT.

Finally, in accordance with 43 TAC §27.53(d)(3), the CRRMA respectfully requests a waiver of any requested information or data deemed by TxDOT as not being provided by this Request. In submitting this request, the CRRMA notes that it has developed a number of significant transportation projects in collaboration with TxDOT to date. The CRRMA believes that its past performance in those collaborations provides evidence that the CRRMA will adequately and prudently address the issues and impacts described within this Request.

[EXHIBITS BEGIN ON THE FOLLOWING PAGE]



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**Loop 375
Americas Managed Lanes Project**

EXHIBIT LIST

- Exhibit 1 – CRRMA Board Resolution - Ethics**
- Exhibit 2 – CRRMA Transmittal Letter - Ethics**
- Exhibit 3 – Project Map**
- Exhibit 4 – 2008 CMP Map**
- Exhibit 5 – CRRMA FY11 Audit**
- Exhibit 6 – CRRMA Board Resolution - Request**
- Exhibit 7 – 2008 CMP Approval Documents**

May 23, 2012