

FINAL ENVIRONMENTAL IMPACT STATEMENT

FHWA-TX-EIS-99-05-F

State Highway 121

From IH 30 to FM 1187

Tarrant County, Texas

Volume Two

CSJ 0504 02 008
CSJ 0504 02 013

Submitted Pursuant to 42 U.S.C. 4332(2)(c)

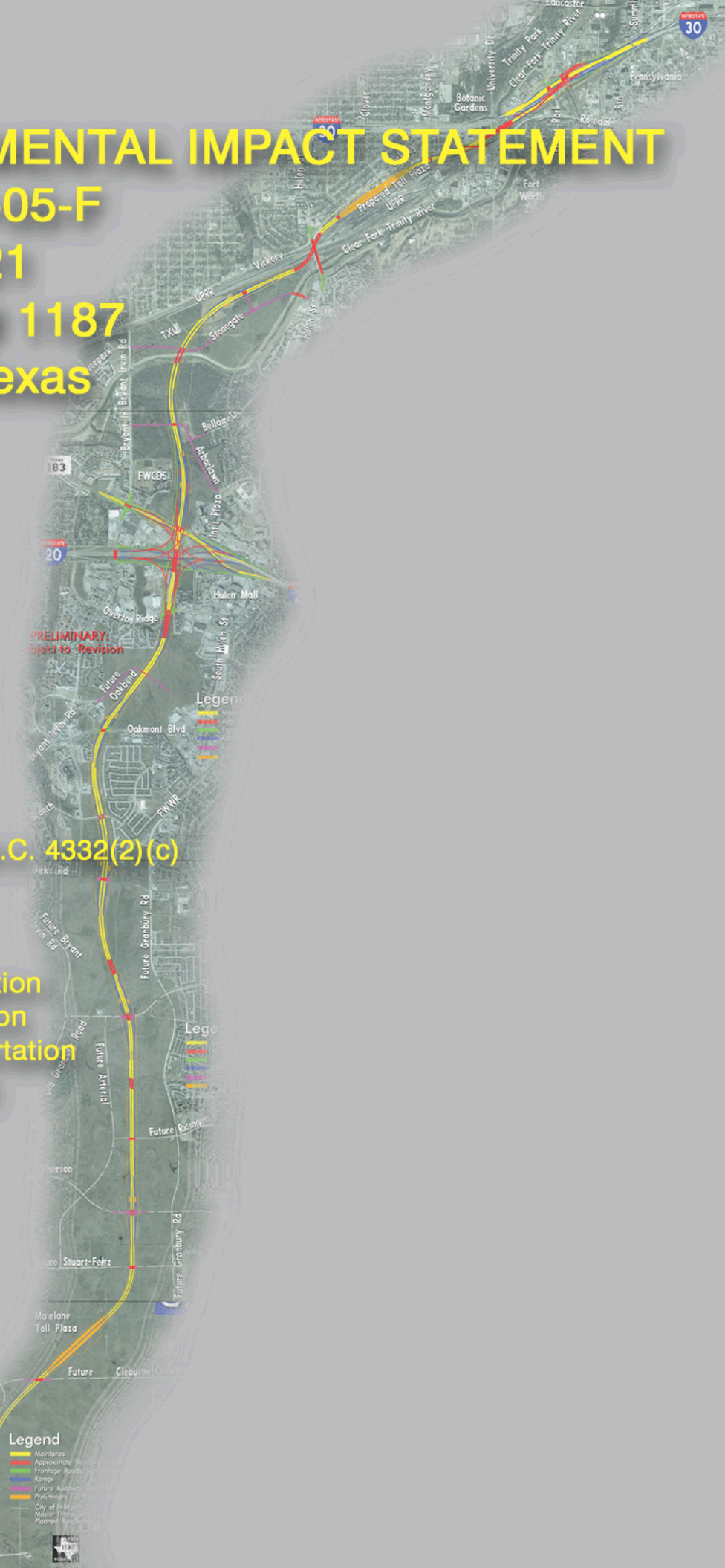
Prepared by:

US Department of Transportation
Federal Highway Administration
Texas Department of Transportation
North Texas Tollway Authority

October 2004

Legend

- Mainlanes
- Approximate Right-of-Way
- Interchange
- Ramps
- Future Right-of-Way
- Preliminary Right-of-Way
- City of Irving
- Major Thruway
- Planned



CERTIFICATION OF PUBLIC INVOLVEMENT

CERTIFICATION OF PUBLIC INVOLVEMENT PROCESS

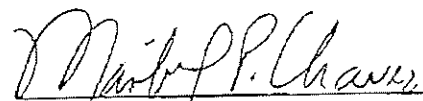
CSJ: 0504-02-008 & 0504-02-013
Highway: SH 121
Limits: From IH 30 to Alta Mesa Boulevard
From Alta Mesa Boulevard to FM 1187
County: Tarrant County

This is to certify that:

- (1) A public hearing was held at Will Rogers Memorial Center, Amon G. Carter Exhibits Hall, Round Up Inn Room, 3400 Burnett-Tandy Drive at W. Lancaster Fort Worth, Texas on Tuesday, April 22, 2003 from 7:00 p.m. to 9:00 p.m. to discuss the location and design of the above project;
- (2) The economic and social effects of the project's location and design and its impact on the environment have been considered;
- (3) The statutory provisions of the Civil Rights Act of 1964 have been considered in determining economic, social, and environmental effects; and
- (4) The project is consistent with such planning goals and objectives as have been promulgated and adopted by the communities involved.

Date

5/26/04



Maribel P. Chavez, P.E.
District Engineer
Texas Department of Transportation
Fort Worth, Texas

SUMMARY AND ANALYSIS OF THE PUBLIC HEARING

PUBLIC HEARING SUMMARY AND ANALYSIS

(Summary of and Response to Comments Received at and Subsequent to the April 22, 2003 Public Hearing)

District/County	Fort Worth District/ Tarrant County
Highway/Limits	SH 121: From IH 30 to Altamesa Boulevard From Altamesa Boulevard to FM 1187
CSJ	0504-02-008 0504-02-013

Proposed Improvements

The State Highway (SH) 121 project is a multi-lane controlled access tollroad that is proposed on new alignment from Interstate Highway (IH) 30 near downtown Fort Worth in Tarrant County to Farm-to-Market Road (FM) 1187, for a total project length of approximately 15 miles (mi). SH 121 would traverse a large portion of the City of Fort Worth with major interchanges at IH 30 and IH 20/SH 183.

IH 30 (the northern terminus) is a major IH that facilitates traffic moving east-west through the Dallas/Fort Worth (DFW) area. FM 1187 (the southern terminus) is a major arterial, included on the National Highway System, which serves traffic moving through southern Tarrant County.

The proposed action would be a divided tollroad. From the northern terminus at IH 30 to Altamesa Boulevard the proposed facility would ultimately be six lanes. From Altamesa Boulevard to the southern limit at FM 1187, the ultimate facility would be four lanes. However, until warranted due to future increases in traffic volume, only a part of the ultimate 6/4-lane facility is being proposed at this time. As currently proposed, the facility would vary from six lanes between IH 30 and Altamesa Boulevard to four lanes from Altamesa Boulevard to FM 1187. Limited frontage road access would be provided where needed for local traffic circulation.

Purpose and Need

The purpose of the proposed project is to improve regional mobility, increase people and goods carrying capacity and alleviate further overburdening of the local transportation system between the Central Business District (CBD) of Fort Worth, including the existing regional transportation network and newly developed and developing areas in southwest Tarrant County.

Environmental Document Concurrence

The Federal Highways Administration (FHWA) concurred with the document findings and approved as satisfactory for further processing on December 19, 2002.

Notices and Articles

Notices announcing the Public Hearing were published in the *Fort Worth Star-Telegram* January 26 and February 9, 2003, *Alliance Regional Newspaper* January 31 and February 12, 2003, *Burleson Star* February 2 and February 9, 2003, *Crowley Star Review* January 30 and February 13, 2003 and *Cleburne Times-Review* January 26 and February 9, 2003. Copies of the Public Hearing notice were mailed to property owners adjoining the project. Addresses for mailing of the notices to adjoining property owners were obtained from the County Appraisal District (the local taxing entity). A press release for immediate release announcing the Public Hearing was faxed to the local media on March 3 and April 17, 2003.

Public Hearing Date and Place

A Public Hearing was held for the subject project on Tuesday April 22, 2003 at 7:00 p.m. in the Round Up Inn Room of the Amon G. Carter Jr. Exhibits Hall, the Will Rogers Memorial Center, 3400 Burnett-Tandy Drive in Fort Worth, Texas, to present project information and receive comments concerning the proposed construction of SH 121.

Attendance

Attendance at the hearing was composed of 25 representatives of the Texas Department of Transportation (TxDOT), four representatives of the FHWA, six representatives of the City of Fort Worth, one representative of Tarrant County, one representative of Johnson Country, eight representatives from the North Texas Tollway Authority (NTTA), two representatives of congressional elected officials, 29 consultants, two shorthand reporters and 143 interested citizens. A total of 221 individuals attended the Public Hearing. The majority of interested citizens attending the Public Hearing typically reside in the area of the project, although a substantial number of those attending do not live in the immediate project area.

Conducted By

Maribel Chavez, P.E., Fort Worth District Engineer made an introduction. Charles Conrad, P.E. of the Fort Worth District gave the procedures for the hearing; Darrell Thompson, P.E., with Carter & Burgess, presented the design overview; and Bill Wimberley, P.E., District Right-of-Way (ROW) Engineer, discussed ROW procedures.

Exhibits

In addition to the Draft Environmental Impact Statement (DEIS) document, ROW relocation brochures and a Public Hearing agenda brochure that included relevant project information as well as a list of NTTA and TxDOT contacts was made available at the Public Hearing. Schematic overview maps were also made available to the public at the Public Hearing along the walls of the auditorium. A film that introduced SH 121 to the public was available for viewing continuously before, during and immediately after the Public Hearing.

Comments From Elected/Local Officials

A total of six public officials or their designated representatives were formally recognized at the Public Hearing and five public officials offered comments. All spoke in favor of the project.

Comments From the Public

Verbal

A total of 18 individual citizens presented oral statements for the record during the public comment portion of the Public Hearing. Of the 18 who spoke at the Public Hearing, nine identified themselves on the sign-up sheet as property owners in the vicinity of the proposed project, five indicated they had a general interest in the proposed project and the remaining four did not indicate they were either a property owner or an interested citizen on the sign-up sheet.

A second court reporter was available in the hallway throughout the Public Hearing to take oral statements from citizens who did not address the assembled group. The second court reporter took seven oral statements from the public.

The 18 statements from members of the public at the Public Hearing, the seven comments given to the court reporter outside the Public Hearing room and the five statements from public officials combined for a total of 30 oral statements that were given at the Public Hearing.

Written

A total of 64 written statements were received at the Public Hearing or before the end of the 10-day comment phase of the Public Hearing that closed on Friday, May 2, 2003. A total of 31 written comments were received at the Public Hearing and the remaining 33 comments were received during the 10-day comment period.

Of the written comments received, 21 comments were in favor of the project, two were against and 41 were not definitively for or against the project. Comments in favor of the project tended to be general in nature.

Two of the written comments were decidedly opposed to the project. One comment against cited urban sprawl, drainage issues and impacts to birds. The commenter included two attachments with his comment: an article on urban sprawl from the Christian Science Monitor and a paper entitled “Do Highways Matter”. The other comment opposed to the project indicated highway funds for SH 121 should go instead to mass transit alternatives.

Of the comments received, 41 were not definitively for or against the SH 121 project but provided comments or had concerns over the project or certain aspects of the project and/or the DEIS. One comment provided six large attachments and was concerned about the health effects of particulate matter and diesel carcinogens. Two comments were concerned exclusively with noise levels, while several commenters included noise in their overall comments. One comment implored the use of Arborlawn as the primary east-west arterial in place of Bellaire. Ten comments supported the Project Development Team (PDT) version of a parkway. Three comments supported the PDT and expressed concern over Section 4(f) issues and cumulative impacts. Two comments were opposed to developing Vickers as a one-way road. One manufacturing company was concerned over the timeframe of ROW acquisition and requested an 18-month notice prior to acquisition. One comment requested no impacts at Forest Park due to existing traffic. One comment was concerned about noise impacts to the Botanic Gardens. Two comments stressed impacts will occur to the river and stated the DEIS did not address alternative

modes of transportation. One comment expressed concerns over impacts to area wildlife. One comment supports the PDT and states the EIS is confusing--would like National Ambient Air Quality Standards (NAAQS) explained, would like to know why undeveloped areas were not subject to noise analysis and felt an on-the-ground endangered species survey is necessary. One comment was concerned over induced land use on adjoining neighborhoods.

One comment called the DEIS superficial and had concerns over a city park at Dutch Branch Road, landscaping and noise. One more comment concerned additional wetland sites at Ralls Ranch Property. One comment stated the DEIS lacked focus, had inadequate purpose and need and alternative analysis and commented on noise, visual impacts, wetlands, 4(f) designation, cumulative impacts and logical termini. One comment requested the roadway be placed under grade to lessen noise impacts. One comment noted problems with development, engineering and financing. One comment noted a lack of attention to the north terminus of the project in regards to noise, light, air quality and Section 4(f). One comment was concerned about noise and access at the Fort Worth Country Day School.

One commenter had a suggestion for future roadways in Fort Worth. Another had concerns over water quality and safety. Another wanted to know when the timeframe for ROW acquisition would be released. One comment was concerned with parking access and noise in reference to a church in the project area. One comment was concerned over neighborhood impacts from noise, light and traffic. This comment also suggested that Brooklyn Heights School be included in the Area of Potential Effect (APE). One comment requested aesthetic mitigation for the bridge. One comment questioned the validity of the wetland section of the DEIS and suggested the wetlands were not documented properly.

Also received during the comment period were two City of Fort Worth resolutions in favor of the project; two position papers from the Fort Worth Chamber of Commerce and Downtown Fort Worth Inc. both in favor of the project; and one petition supporting the projects with modifications to alignment, berms and noise. Two comments were responses from the City of Fort Worth. One comment responded to the Fort Worth Country Day School and one comment responded to a concern over one-way access at Vickory.

There was one letter from the U.S. Department of the Interior dated May 1, 2003 with comments from the Fish and Wildlife Service (FWS) and National Park Service (NPS) received in response

to the DEIS circulation process. The FWS concurred with the Biological Assessment (BA) submitted by TxDOT for the project but recommended more explanation of secondary and cumulative impacts. The FWS suggested restoration of the Clear Fork of the Trinity River riparian zone as mitigation. The NPS requested a better description of the parks potentially impacted by DEIS alternatives in order to determine if Section 4(f) issues remain and to discuss Section 4(f) issues in a separate Section. The NPS also requested that information regarding specific archeological site location be removed from the document to better protect the site.

Summary of How Major Comments/Issues Were Addressed

Public issues and/or concerns raised as a result of the Public Hearing are addressed with information contained within either the project design, interim studies or in the environmental documentation. All known environmental and engineering issues regarding the proposed construction of SH 121 are resolved to a point that is considered reasonable and feasible.

NTTA and TxDOT have diligently analyzed the project based on concerns expressed during the Public Hearing process. This resulted in revised studies based on updated data, an expanded discussion of secondary and cumulative impacts and an overall improvement in the readability of the documentation.

All written comments, letters, comment forms and verbal comments from the Public Hearing have been reviewed and summarized as appropriate. Substantive comments have been identified and numbered consecutively. Due to the overlap and repetition in many comments, similar comments were consolidated and paraphrased to reduce duplication. As a result, the comments that appear in this report are often not the precise words found in the commenter's written comment, letter or verbal comment. This has been done to reduce duplication of similar comments that elicited a common response and in no way was intended to obscure the substance of a comment. All original written comments, letters and comment forms from the Public Hearing are available for public inspection at the TxDOT Fort Worth District Office located at 2501 Southwest Loop 820 in Fort Worth between 8:00am and 5:00pm weekdays.

The following pages contain an index of commenters numbered consecutively in alphabetical order. After the name of each commenter is a list of corresponding comment numbers that indicates where the comment and response are located in the document. The Public Hearing

Comment and Response Report contains each substantive comment or summary thereof, the identification number of the commenter(s) the comment is attributed to and the response from NTTA and TxDOT.

Recommendation

The recommended alternative, C/A, best meets the purpose and need of the project by improving regional mobility, increasing people and goods carrying capacity and alleviating further overburdening of the local transportation system. Interim reports were completed in order to ensure that public concerns were investigated to the greatest extent possible. The PDT and other public participation documents are included in the Final Environmental Impact Statement (FEIS) documentation. An additional Public Hearing is to be held for the project as part of the SH 121 public involvement process.

All 295 comments have been satisfactorily addressed and the project is recommended for approval as a FEIS with minor changes from the plan presented at the Public Hearing.

PUBLIC HEARING COMMENT AND RESPONSE REPORT ON SH 121 PROJECT PLAN

Table 1 - List of Commenters

Commenter Number	Name	Written/Oral	Refer to Comment Number
1	Adams, Cary	Written	32-1
2	Appel, Bernard	Written	8-8, 13-1, 16-9
3	Bass, Ann	Oral	22-1
4	Bass, Robert	Written	7-1, 27-2, 29-3
5	Bass, Robert	Written	18-2, 27-2
6	Bass, Robert	Written	28-1, 29-3
7	Bass, Robert	Oral	29-1
8	Bell, Edwin	Written	15-1, 18-3
9	Berry, Steve	Oral	22-2
10	Bessant, Thomas	Written	22-1
11	Blackburn, James	Written	2-8
12	Blanton, Charles	Written	11-1, 22-1
13	Blanton, Charles	Oral	8-4, 11-1, 25-1
14	Boelter, Lynn	Written	8-21
15	Bowdin, Mance	Oral	26-1, 26-2
16	Brookshire, Lee	Written	32-1
17	Campbell, Cal	Written	14-3
18	Campbell, Cal	Oral	14-3
19	Cash, Kathy	Written	9-1, 30-9
20	City FTW Resolution	Written	22-1
21	City FTW Resolution	Written	22-1
22	Claypool, Lue Ann	Oral	32-1
23	Dagen, D'Ann	Written	32-2
24	DeMoss, Margaret	Written	2-9, 8-7, 16-7, 18-1, 22-1, 24-2
25	DeMoss, Margaret	Oral	2-9, 8-7, 16-7, 18-1, 22-1, 24-2
26	Diano, Chip	Oral	1-1, 8-6, 17-5
27	Dickerson, Raymond	Written	32-1
28	Downtown Ft Worth	Written	32-1
29	Fraser, Dave	Oral	14-1, 14-2
30	Ft Worth C Commerce	Written	32-1
31	Greseott, Earline	Written	32-1
32	Grigsby, Michael	Written	32-3
33	Groscurth, Ed	Written	21-1, 23-1
34	Halden, Ruby Jo	Written	8-9, 30-1
35	Hall, Michael	Written	32-1
36	Hampton, William	Written	32-1
37	Hardie, Billy	Written	18-10, 16-9

Commenter Number	Name	Written/Oral	Refer to Comment Number
38	Harmon, Judith	Written	2-8, 6-4, 8-11, 13-1, 15-2, 16-10, 28-2
39	Harmon, Roger	Oral	32-1
40	Hayes, Ronald	Oral	8-1, 8-2, 8-3, 16-6, 20-1
41	Hayes, Ronald	Oral	8-1, 8-2, 8-3, 16-6
42	Helsel, Gil	Written	32-2
43	Higgins, Gregory	Written	26-3
44	Historic Ft Worth	Written	13-1, 16-11, 17-1, 17-2, 24-5, 27-2
45	Howard, Nicki	Written	32-2
46	Hughes, Greg	Written	4-3, 6-3, 21-1
47	Isbell, Ron	Written	32-2
48	Johnson, Cliff	Written	30-2
49	Johnson, Linda	Written	22-1
50	Johnson, Linda	Oral	22-1
51	Jones, Jack	Written	22-1
52	Keleher, Tim	Oral	22-1
53	Key, Michelle	Oral	6-3, 13-1, 16-8, 22-1, 24-3, 24-4, 27-1
54	Kimbal, JR	Written	32-1
55	Kline, Joan	Written	2-4, 7-1, 11-3, 12-1, 13-1, 16-12, 17-6, 22-1, 30-3, 31-2
56	Koerble, Barbara	Written	2-5, 4-4, 6-5, 13-1, 14-5, 16-1, 17-7, 27-2, 30-4
57	Koerble, Barbara	Oral	2-1, 4-1, 6-1, 13-1, 15-1, 16-1, 23-1, 23-2, 27-2
58	Kuback, Ernest	Written	32-1
59	Lasater, Wayne	Written	32-1
60	Lively, Brooke	Oral	16-1, 16-3, 17-3
61	Lowry, William	Written	6-5, 8-12, 22-1
62	Majka, Ken	Written	32-1
63	McGown, George	Written	6-3, 6-6, 8-13, 13-1, 16-11, 16-13, 17-4, 22-1, 24-1, 24-6, 30-5
64	McGown, Quinton	Oral	6-3, 13-1, 16-4, 17-4, 31-1
65	Mecklenburger, Ann	Written	5-2
66	Monteleone, Lezlie	Written	2-6, 10-3, 11-1, 13-1, 16-1, 22-1
67	Monteleone, Lezlie	Oral	2-3, 11-2, 13-1, 16-1, 22-1
68	Mostow, Peter	Written	3-1, 4-1, 4-2, 4-5, 4-6, 4-7, 5-1, 6-2, 6-3, 6-4, 6-8, 8-11, 8-14, 11-3, 12-1, 15-1, 16-1, 17-4, 17-6, 17-8, 19-1, 22-1, 23-1, 23-3, 24-1, 24-3, 24-4, 25-1, 27-2, 29-1, 30-6, 30-11, 30-12, 30-13, 31-1, 31-3
69	Nelms, Alicia	Written	32-2

Commenter Number	Name	Written/Oral	Refer to Comment Number
70	Nelson, John	Oral	22-1
71	Newman, Marceline	Written	12-2
72	Oppenheimer, Mark	Written	2-7, 8-15, 10-2, 14-4, 19-2, 25-1, 29-2
73	Oppenheimer, Mark	Oral	10-2, 14-4, 25-1, 29-2
74	Park Palisades petition	Written	8-1, 8-2, 8-3, 16-16, 20-1
75	Parker, Donna	Oral	32-1
76	Patoski, Christina	Written	6-7, 16-11, 16-14
77	Patoski, Christina	Written	6-7, 16-11, 16-14
78	Patoski, Christina	Written	6-7, 16-11, 16-14
79	Peipert, Mary	Written	22-1
80	Perez, David	Written	9-1, 10-1
81	Picht, Clyde	Oral	32-1
82	Plorien, Jack	Written	32-1
83	Prince, Lynn/Teena	Written	32-1
84	Reynolds, Thomas	Written	13-1, 15-3, 16-11
85	Reynolds, Tom	Oral	6-2, 17-4, 24-1, 31-1
86	Rivers, Beth	Written	9-2, 15-4, 27-2
87	Schlansker, Jane	Written	6-4, 6-8, 17-4
88	Scott, Don	Written	22-1
89	Slocum, Patsy	Written	6-4, 13-1, 22-1, 24-7
90	St. Paul Church	Written	1-3, 8-16, 8-17, 8-18, 16-6
91	Staley, Joe	Written	16-5, 16-17
92	Staley, Joe	Oral	16-5
93	Streams & Valleys	Written	8-19, 12-3, 15-5
94	Streams & Valleys	Written	30-7
95	Tindall, Elizabeth	Written	5-3, 32-1
96	Tracy, Jerre	Oral	17-1, 17-2, 22-1
97	Trjacele, Darlene	Written	32-1
98	USDOJ	Written	30-10
99	Vaughan, Darla	Written	8-20, 13-1, 15-4, 16-15
100	Vavrek, George	Written	16-1
101	Walker, Scott	Written	5-1
102	Walker, Scott	Written	30-8
103	Weiland, Joseph	Oral	8-5
104	Wendt, Charles	Oral	1-2, 2-2, 13-1, 16-6
105	Wittenberg, Ed	Written	20-2
106	Worrell, Scott	Written	20-3

COMMENTS ON ACCESS

Comment #1-1 (Commenter 26) Ambulances will not be able to access the medical center area during construction.

Response - Access to some of the several roadways leading to the medical center would be maintained and remain open during construction, thus, allowing ambulance access to the medical center at all times. The only exception on any of the routes would be during the placement of bridge beams, reconstruction of the Rosedale bridges, or during short-term, temporary closures. However, even during these actions, adequate access would be maintained to the medical center via nearby routes. As stated in the DEIS, Section 5.4.2 -Social Impacts, Public Safety Impacts: “County and local public safety officials would be notified of any road closure resulting from the project construction. Detour timing and necessary rerouting of emergency vehicles would be coordinated with the proper local agencies.” Emergency vehicle access is also discussed in Section 5.5.1 of the FEIS.

Comment #1-2 (Commenter 104) Commenter is concerned about future access to St. Paul School and Church.

Response – Access to St. Paul School and Church would be maintained. Proposed ROW may impact driveway to parking lot. Traffic would use Summit and W. Daggett Roads during construction.

Comment #1-3 (Commenter 90) Allow parking on access road for Sunday services at St. Paul Church.

Response – Because of safety concerns parking actions would need to adhere to local parking statutes.

COMMENTS ON AIR QUALITY IMPACTS

Comment #2-1 (Commenter 57) DEIS needs to more thoroughly document air impacts.

Response – Air Quality section of the DEIS was accomplished in accordance with TxDOT and FHWA air quality guidelines. Because the project location is located in Fort Worth, only ozone (O³) and carbon monoxide (CO) pollutants were considered. Please see response to comment 2-8 for more in-depth response and discussion.

Comment #2-2 (Commenter 104) Project needs to take into consideration effects of air pollution on children of St. Paul School.

Response – Receivers for air analysis were modeled along the ROW, which represents a worse case scenario; none of the resulting CO concentrations exceeded the NAAQS. Please see response to comment 2-8 for more in-depth response and discussion.

Comment #2-3 (Commenter 67) DEIS does not address air pollution and related health issues in the Overton Woods area.

Response – Air was analyzed along the ROW and representative adjacent receivers. The Overton Woods area is over 1,000 feet east of the project area. Resulting CO concentrations along the ROW did not exceed the NAAQS. Please see response to comment 2-8 for more in-depth response and discussion.

Comment #2-4 (Commenter 55) Would like the EIS to address air quality.

Response – Air quality is addressed in Section V of the DEIS, pages 36-77 and in Section 5.10 of the FEIS. Please see response to comment 2-8 for more in-depth response and discussion.

Comment #2-5 (Commenter 56) The DEIS does not thoroughly evaluate air pollution impacts on adjacent neighborhoods.

Response – Air was analyzed along the ROW and representative adjacent receivers in accordance to TxDOT/FHWA guidelines. Resulting CO concentrations along the ROW did not exceed the NAAQS. Please see response to comment 2-8 for more in-depth response and discussion.

Comment #2-6 (Commenter 66) Concerned over air and health.

Response – Please see response to #2-1 and #2-8.

Comment #2-7 (Commenter 72) Project will contribute to decrease in air quality.

Response – The purpose of the proposed project is to improve regional mobility, increase people and goods carrying capacity and alleviate further overburdening of the local transportation system. If the purpose were achieved, the proposed project would not contribute to a decrease in air quality above that which is anticipated to occur with the No Build alternative.

The Clean Air Act Amendments of 1990 (CAAA) established the requirement that all areas designated as non-attainment for exceeding the NAAQS must make conformity determinations on Metropolitan Transportation Plans (MTPs) and Transportation Improvement Programs (TIPs) before they are approved. Collin, Dallas, Denton and Tarrant Counties were all designated non-attainment areas for ground level ozone (O₃). As such, Mobility 2025 - 2004 Update is required to be in conformity with the State Implementation Plan (SIP) for air quality. Furthermore, in accordance with Federal regulations, Mobility 2025 – 2004 Update is constrained to available financial resources. Currently, the proposed action is a part of the NCTCOG Regional Transportation Plan (Mobility 2025 – 2004 Update) and is included in the 2004-2006 TIP for North Central Texas.

Though proposed as a multi-phase constructed facility, the action described in this document is consistent with the 2004 Metropolitan Transportation Plan, Mobility 2025 – 2004 Update, the 2004 - 2006 TIP and conforms to the CAAA per the U.S. Department of Transportation (DOT)

on April 8, 2004. Additionally, the proposed facility conforms to the SIP that was approved on April 10, 1997, by the Regional Transportation Council (RTC) and received a favorable joint record of review from the FHWA and the FTA on September 4, 1997. Since that time, modifications to the concept and scope of identified projects submitted by local governments and TxDOT have required revisions to the air quality conformity determination. The most current conformity determination continues to meet the requirements of the SIP, the Clean Air Act found in 42 United States Code (USC) 7504, 7506 (c) and (d) as amended on November 15, 1990 and the transportation conformity rule found in 40 Code of Federal Regulations (CFR) Parts 51 and 93. Additionally, the project comes from an operational Congestion Management System (CMS) that meets all requirements of 23 CFR-Highways, Parts 450 and 500.

Please see response to comment 2-8 for more in-depth response and discussion.

Comment #2-8 (Commenter 38, 11) Studies of particulate levels along the road, namely health effects of PM diesel carcinogens, is not included in the DEIS.

Response – Six pollutants are of concern with regards to air quality in urban areas including: ozone, carbon monoxide, sulfur dioxide, nitrogen dioxide, particulate matter and lead. The Environmental Protection Agency (EPA) establishes NAAQS for these identified air pollutants that represent exposure levels where potential threats to human health occur. The DFW area including Tarrant County is in non-attainment only for ozone.

There are two types of particulate matter (PM) for which the EPA has set national standards for: PM₁₀ and PM_{2.5} which are respectively defined as particles with an aerodynamic diameter less than or equal to a nominal 10 and 2.5 micrometers. The particulate matter NAAQS reflect values the EPA deems safe for both the general population and sensitive populations (young, old, pulmonary impaired, etc.). These standards also have an additional margin of safety built into them.

The health risk from potential air pollutants is generally determined on a regional basis with the EPA designating areas where the potential for threat to human health exists as non-attainment areas for specific air pollutants. The EPA, however, has not designated the DFW area as a non-attainment area for either PM₁₀ or PM_{2.5}. Non-attainment designation, moreover, is neither contemplated nor imminent for the DFW area. For this reason, the FHWA does not require evaluation of the potential impacts of PM₁₀ or PM_{2.5} for SH 121.

NTTA and TxDOT are confident that the standards EPA has set for PM₁₀ and PM_{2.5} are adequate and, because the DFW area remains in attainment for PM₁₀ and PM_{2.5}, that the public health is being adequately protected.

The EPA, moreover, predicts substantial future air emission reductions as the agency's new light-duty and heavy-duty on-highway fuel and vehicle rules come into effect (Tier II, light-duty vehicle standard, Heavy-Duty Diesel Vehicle and (HDDV) standards and low sulfur diesel fuel and EPA's proposed Off-Road Diesel Engine and Fuel Standard). Projected air emissions reductions would be realized even with the predicted continued growth in vehicle miles traveled (VMT). See *Regulatory Impact Analysis* (Chapter II: Health and Welfare Concerns and

Emissions Benefits from Control of Air Pollution from New Motor Vehicles: Heavy-Duty Engine and Vehicle Standards and Highway Diesel Fuel Sulfur Control Requirements EPA420-R-00-026 January 2001; and *Regulatory Impact Analysis from Control of Air Pollution from New Motor Vehicles: Tier II/Gasoline Sulfur EPA 420-R-99-023*, December 22, 1999 National Air Quality and Trends Report and Texas Commission on Environmental Quality (TCEQ) VMT offset SIP, 1997).

Commentors have cited studies of the health effects of particulate matter and air toxic emissions in arguing that TxDOT has failed to adequately consider the health effects of air emissions associated with SH 121. TxDOT's consideration of these published studies is summarized below.

At the time the project is completed, the technology of the vehicular mix utilizing the facility would be substantially different from it was at the time of the studies cited by the Commentors and substantially different from the technology available today.

The vehicular fuels utilized at the time of the studies cited by the Commentors are substantially different from that in use today and substantially different from the mix that would be in use at the time the project is completed.

With regard to the studies from other countries, the emissions profile and gasoline/diesel mix of the vehicular fleet in the United States are very different today and likely would continue to be substantially different from any other place in the world.

Note: Commenter included six lengthy attachments (A – F) that are not included in the written comment section because of space limitations. These attachments are on file at TxDOT.

Comment #2-9 (Commenter 25) Need clarification of air quality terms.

Response – Air Quality terms that are related to this proposed project are included in Appendix H. If additional information is required please refer to the following State and Federal websites for a glossary of air quality terms:

<http://www.tnrcc.state.tx.us/air/monops/lessons/rideglossary.html>

http://www.epa.gov/oar/oaqps/peg_caa/pegcaa10.html#topic10

COMMENTS ON ALIGNMENT

Comment #3-1 (Commenter 68) DEIS needs to separate out alignment-level discussion. Alternatives should be discussed in sufficient detail to allow the public to evaluate and compare. DEIS should provide more detail on Build alternatives.

Response – Alternatives A, B, C and D along with C/A at IH 30 were described in detail during the Public Hearing with exhibits of each of these alternatives displayed at the Public Hearing. In the FEIS, exhibits of each of the five alternatives are included as well as a matrix comparison of

all of the alternatives, including the No Build. In addition, an exhibit of the recommended alternative is presented.

COMMENTS ON ALTERNATIVE ANALYSIS

Comment #4-1 (Commenter 57, 68) Need objective consideration of reasonable alternatives: mass transits, HOV lanes, ride sharing, signal synchronization. Need to know why alternatives were eliminated.

Response - The alternatives for the proposed project are discussed in Section III of the DEIS and Section 3.0 of the FEIS. All of the alternatives that were considered or developed since the current study began in 1998 that are considered reasonable are included in the document. These alternatives are “A” the City’s PDT alternative, “B” the City’s Citizen Advisory Committee alternative, “C” the alternative developed from “A” to meet design criteria and safety requirements, “D” the alternative from previous studies, and “C/A” the revised alternative developed from “C” and “A”.

Regardless of the Build alternative selected, the NCTCOG’s Mobility 2025-2004 Update addresses several CMS strategies found to be effective transportation measures for southwest Fort Worth. However, these were recommended in conjunction with a tollroad facility serving the same corridor. Therefore, congestion management strategies, such as mass transits, HOV lanes, ride sharing and signal synchronization alone would not meet the purpose and need for the proposed project.

Comment #4-2 (Commenter 57,68) No Action (No Build) Alternative must be considered.

Response – The No Build Alternative was analyzed in the DEIS. A comparative of the No Build and Build Alternatives was completed. Summary results were depicted in Table III-3 of the DEIS and are depicted on Table 3-1 of the FEIS.

Comment #4-3 (Commenter 46) DEIS has minimal No-Build analysis.

Response – Please refer to the response to comment #4-2.

Comment #4-4 (Commenter 56) DEIS Alternative Analysis section is limited in scope and incomplete.

Response – Please refer to the response to comment #3-1 and #4-1.

Comment #4-5 (Commenter 68) Alternatives should be discussed in sufficient detail to allow the public to evaluate and compare.

Response – Please refer to the response to comment #3-1 and #4-1.

Comment #4-6 (Commenter 68) DEIS lacks focus on key project issues identified in the lengthy public process.

Response- The alternatives section addresses the analysis of the key project issues as identified in the public involvement process. Refer to DEIS VI-1 thru 9 for a public involvement summary. The DEIS considered all public involvement to date of publication and incorporated public involvement into the project development process. TxDOT utilized a systematic and interdisciplinary approach to evaluating the various alternatives considered for the proposed SH 121. The alternatives section addresses the analysis of the key project issues as identified in the public involvement process. In addition, the Citizens Advisory Group (CAG) recommendations to the City of Fort Worth would be incorporated into the final design in so far as is reasonable and practical.

Comment #4-7 (Commenter 68) DEIS should provide more detail on build alternatives.

Response – Please refer to the response to comment #3-1 and #4-1.

COMMENTS ON ARBORLAWN AS PRIMARY EAST-WEST ARTERIAL

Comment #5-1 (Commenter 68, 101) Support portion of SH 121 that would have Arborlawn, rather than Bellaire Drive, extended to become the primary east-west arterial between Vickery and SH 183.

Response - The Arborlawn alternative at Bellaire was identified as the City’s locally preferred alternative. The City of Fort Worth adopted its locally preferred alternative in Resolution #2923 on February 25th, 2003 following availability of the DEIS on January 10, 2003. This resolution states that Arborlawn Drive would serve as the primary east-west roadway between Hulen Drive and Bryant Irvin Road. The City’s locally preferred alternative is included in the FEIS.

Comment #5-2 (Commenter 65) No need for entrance/exit at Arborlawn or Bellaire if there are same at Stonegate and IH 20.

Response - Alternatives A and C did not include entrances/exits to Arborlawn/Bellaire, while Alternatives B and D as well as the City’s locally preferred alternative included an interchange at this location. Further evaluation and consideration to entrances/exits was given in the FEIS recommended alternative C/A that does not include entrances/exits to Arborlawn/Bellaire. Also see response to Comment #5-1.

Comment #5-3 (Commenter 95) Commenter suggests limited access at Bellaire and Arborlawn to help eliminate “cut through” traffic.

Response - This access is included in the City’s locally preferred alternative and was analyzed and considered in the FEIS. The design of Arborlawn and the nature of the intersection and access at Bellaire would be the responsibility of the City of Fort Worth. Please see response to comment 5-2.

COMMENTS ON CUMULATIVE AND SECONDARY IMPACTS

Comment #6-1 (Commenter 57) Project is segmented into two portions which is illegal if the purpose is to avoid evaluating cumulative impacts.

Response - During project development, a decision was reached to separate the proposed construction of SH 121 into two separate projects for public involvement and environmental study purposes. SH 121 design and planning work was divided into two separate projects based on logical termini and independent utility and not to avoid addressing cumulative impacts. The Council of Environmental Quality regulations (40 CFR 1500 – 1508) implementing the procedural provisions of the National Environmental Policy Act (NEPA) defines cumulative impacts as caused by the incremental impact of the action when added to other past, present and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions.

By this definition, the proposed SH 121 from FM 1187 to US 67 would be considered with regard to the cumulative effects in the FEIS. The project termini selected for the SH 121 project south of the subject proposed project are FM 1187 and US 67. An Environmental Assessment was completed for this proposed project and the Federal Highway Administration issued a Finding of No Significant Impact (FONSI) on for the propose project on May 20, 2004. Both FM 1187 and US 67 are included on the National Highway System (NHS). To be included on the NHS a roadway must be considered important to the nation’s economy, defense and mobility.

Comment #6-2 (Commenter 68, 85) Secondary and cumulative impacts, especially “cut-through traffic” needs to be addressed in Sunset Terrace.

Response - “Cut through” traffic in the Sunset Terrace area is a situation that currently exists and would not be changed by the proposed project. More extensive analysis of the cumulative effects is addressed in the FEIS. “Cut through” traffic in Sunset Terrace is essentially a City issue. Please refer to Table 3-4 and to Section 5.25 in the FEIS for more information on local traffic.

Comment #6-3 (Commenter 64, 53, 46, 63, 68) DEIS lacks cumulative impact evaluation and did not address accumulative impacts of IH 35, IH 30 and SH 121 especially concerning air quality.

Response - More extensive analysis of the cumulative effects is addressed in the FEIS. This analysis includes the cumulative effects of this project, when combined with other reasonably foreseeable projects, on air quality.

Comment #6-4 (Commenter 38, 68, 87, 89) Cumulative effects of SH 121 and IH 30 on Mistletoe Heights and Sunset Terrace needs additional studies.

Response - More extensive analysis of the cumulative effects is addressed in the FEIS. This analysis includes the cumulative effects of this project, when combined with other reasonably foreseeable projects, on the various resource categories.

Comment #6-5 (Commenter 56, 61) DEIS is flawed because cumulative effects in the north portion of the project have not been considered, therefore the DEIS cumulative impacts section is limited in scope and incomplete.

Response - The DEIS addressed secondary and cumulative effects beginning at V-185. The FEIS addresses secondary and cumulative effects beginning at 5-117. Please see response to comments #6-3 and #6-4.

Comment #6-6 (Commenter 63) DEIS does not contain any studies on cumulative impacts.

Response – Please see response to comments #6-3, #6-4 and #6-5.

Comment #6-7 (Commenter 77) Alamo Heights neighborhood will be impacted by the cumulative effects of I-30 traffic, rail switchyard and 121.

Response – Cumulative effects can be both adverse and beneficial. More extensive analysis of the cumulative effects is addressed in the FEIS. This analysis includes the cumulative effects of this project, when combined with other reasonably foreseeable projects, on the various resource categories.

Comment #6-8 (Commenter 68, 87) DEIS must address impacts of congestion and new development at Summit and IH 30.

Response – As a result of the IH 30 from Summit Avenue to US 287 relocation project, more traffic than normal was rerouted onto Summit Avenue while work was in progress in the vicinity of IH 30 and Henderson Street. This situation caused delays at the Summit Avenue intersection. However, at this time the IH 30 work in the Summit Avenue and Henderson Street area has been completed and the congestion problems have been alleviated. All of the SH 121 Build alternatives are similar in regards to IH 30 at Summit Avenue, therefore, any impacts would be relative. Also, please see response to Comment #6-1 and #6-5.

COMMENTS ON DRAINAGE ISSUES

Comment #7-1 (Commenter 4) DEIS does not adequately address drainage impacts of project at Rall Ranch. Would like the EIS to address water run off.

Response -Floodplain and floodway issues for each Build alternative are fully addressed on pages V-123 to V-131 of the DEIS and in Section 5.16 of the FEIS. Preliminary hydraulic design determined that the project is not anticipated to increase the 100-year base-flood elevation by more than one foot.

Runoff impacts are addressed in the *Water Quality Impacts* section of the DEIS. The section concludes that a storm water pollution prevention plan (SW3P) would be in place during construction. The DEIS discusses and identifies erosion control Best Management Practices (BMPs) on page V-96. More detail on the pollution prevention measures can be found in the

Construction Impacts-Water section, page V-181. TCEQ (formerly the TNRCC) Section 401 compliance measures are discussed in the DEIS on page V-181. Water Quality Impacts are also presented in Section 5.12-5.14 of the FEIS.

COMMENTS ON GEOMETRIC CONCERNS

Comment #8-1 (Commenter 40, 74) Move SH 121 to the western edge of the ROW from Dutch Branch Road to Dirks Road.

Response - The horizontal alignment for SH 121 was established and maintained in this location with a mutual cooperation and understanding among real estate developers, business, public interests, the City of Fort Worth, NTTA and TxDOT regarding future development planning activities. This mutual cooperation effort was coordinated by the City of Fort Worth. The actual ROW width is determined by physical restraints of the alternative typical section that include the recommendations of the City concerning “buffers.” Moving the alignment of SH 121 to the western edge of the proposed ROW would cause additional residential and business displacements not considered in the analysis of alternatives.

Comment #8-2 (Commenter 40, 74) Need 25-foot medians and a grade-level roadway from Dutch Branch Road to Dirks Road.

Response - The typical section requires a 48-ft minimum median based on design guidelines and the TxDOT Design Manual. This minimum width is the same with each alternative as well as the City’s locally preferred alternative. The vertical alignment varies with each alternative and is basically at grade in the City’s locally preferred alternative at Dirks Road, but is over Dutch Branch Road in all of the alternatives.

Comment #8-3 (Commenter 40, 74) Move the exit 0.5 to 0.25 miles south to accommodate Altamesa/Dirks Road.

Response - The ramps are located on each alternative to best fit the alternative and the physical location of Altamesa/Dirks Road. The horizontal alignment of Altamesa/Dirks Road are the same in each alternative, while the vertical location varies with the alternative being considered and in the City’s locally preferred alternative, Altamesa/Dirks Road is elevated over SH 121.

Comment #8-4 (Commenter 13) EIS should be kept at grade or lower and include pedestrian connections.

Response – We understand the commenter to mean that the design of the proposed project should designate the vertical profile to be at grade or lower and include pedestrian connections. The vertical alignments were developed to stay as close to grade as possible throughout the alignment as suggested by the CAC and the PDT. Pedestrian connections via sidewalks and trails would be maintained. For City thoroughfares, such as Altamesa/Dirks Road, there would be plans for sidewalks per City standards. There would not be any sidewalks along SH 121 because it is a limited access facility and pedestrians would be prohibited.

Comment #8-5 (Commenter 103) Two specific alternatives requested: 1) 121 NB traffic make a direct exit onto SH 183 to the west and north; 2) toll road go underneath Oakmont Blvd.

Response – The first alternative is included in Alternatives B, C and D as well as in the City’s locally preferred alternative. The second request for the toll road to go underneath Oakmont Blvd. is included in each of the Build alternatives considered in including C/A, the preferred alternative.

Comment #8-6 (Commenter 26) Proposed Interchange should be taken off of Summit Ave.

Response - Summit Avenue is an interchange with IH 30 today and each of the alternatives provides access at Summit to and from IH 30 and SH 121. In addition, ramps at this location would provide access for emergency vehicles to the hospital area.

Comment #8-7 (Commenter 25) DEIS Exhibit III-8 term “original” for Alt D is not accurate.

Response – Alternative D was advocated by the City of Fort Worth beginning in the early 1980’s. Alternative D is noted in the DEIS as the original alternative only in the sense that it was the alternative presented to the public at this study’s initial public meeting held in June, 1998.

Comment #8-8 (Commenter 2) Maintain signage control and prohibit billboards.

Response – The signage included in this project would be in accordance with the Texas Manual of Uniform Traffic Devices and with the USDOT *Manual on Uniform Traffic Control Devices* (MUTCD). Billboards would not be allowed in the ROW on this project. Billboards outside of the ROW would have to meet State and local regulations.

Comment #8-9 (Commenter 34) Roadway should be restricted to vehicles only.

Response – The roadway would be designed for vehicles only. NTTA may consider restrictions for certain vehicle types. Large trucks would pay a higher toll that may discourage use. No pedestrian access to the roadway would be provided.

Comment #8-10 (Commenter 37) [more] ROW is needed for median widths.

Response – The recommended alternative C/A and the City’s locally preferred alternative include wider medians at certain locations. More ROW would be required at the locations where wider medians are included. The widened medians on SH 121 would be located between the TXU power line and Arborlawn Drive and between Oakmont Boulevard to just north of the Fort Worth and Western Railroad crossing (south of Dirks Road).

Comment #8-11 (Commenter 38, 68) Best practices for urban roadway design should be used including: 1) keep road at grade level or below and follow the natural contour of the land; 2) keep posted speed limit at 55 mph or less and use trees, berms and colored concrete as traffic slowing or calming devices; 3) minimize the space needed for toll booths; 4) no frontage roads for commercial development

Response – Best practices would be used in the design of SH 121. The vertical alignment for all of the alternatives would be maintained near natural ground levels where practicable and feasible. The speed limit would be in accordance with State and local regulations. Amenities would be developed for the project with each of the agencies involved (City, TxDOT and NTTA). Consideration would be given to PDT and CAG recommendations via the City of Fort Worth. The tollbooths would be designed in accordance with the latest available and feasible technologies. Frontage roads would be kept to a minimum on this project, with slight variances with each alternative, including the City’s locally preferred alternative.

Comment #8-12 (Commenter 61) DEIS is flawed because a specific design is not considered.

Response – A recommended alternative (specific preliminary design) is presented in the FEIS. The purpose of the DEIS is to explore all the Build alternatives and No Build alternative in order to reach the recommended alternative.

Comment #8-13 (Commenter 63) DEIS provides little or no data on impacts of the facility between Forest Park and Summit.

Response – Impacts of each reasonable Build alternative were addressed to an equal level of comparison for each individual resource and/or issue based on best available data at the time of the assessment/analysis. Additional traffic noise impacts were assessed based on public concerns. These impacts are discussed in Section 5.11 of the FEIS.

Comment #8-14 (Commenter 68) Insufficient Environmental Impact Analysis with regards to project termini.

Response – For every reasonable alternative, the northernmost project limit is near Summit Avenue and IH 30. For every reasonable alternative, the southern termini are at the intersection of FM 1187 and FM 1902. The construction to the south for every alternative is approximately ¼ mile west of the intersection of FM 1187 and FM 1902. In accordance with FHWA rules for project development, [CFR §771.111 *Early coordination, public involvement and project development.*], the project shall have a connection of logical termini. Connections at intersections with other roads are considered to be the most logical termini. For this project the termini selected are IH 30 and FM 1187, which are both roadways, included on the NHS. To be included on the NHS a roadway must be considered important to the nation’s economy, defense and mobility. Please refer to the response to comment #6-1.

Comment #8-15 (Commenter 72) Project would contribute to increase in driving.

Response – The purpose of the proposed project is to improve regional mobility, increase people and goods carrying capacity and alleviate further overburdening of the local transportation system. As stated on page II-27 of the DEIS, studies have shown that the project would provide the typical user an average travel distance saving of 1 to 3 miles and an average travel time saving of five to ten minutes between the CBD and various points within the project study corridor (PSC). Traffic demand is also discussed in Section 2.2.3 of the FEIS.

Comment #8-16 (Commenter 90) Maintain current ingress egress in Summit area.

Response – Summit Avenue currently has an interchange with IH 30 and this access would be maintained in this project. Please see response to Comment #6-8.

Comment #8-17 (Commenter 90) Retain free left turn lane loop under I-30 for eastbound traffic.

Response – We understand the commenter to mean westbound traffic desiring to use the free loop to pass under IH 30 in order to travel eastbound. The interchanges at IH 30 and SH 121 vary with each alternative. The 15th Avenue connection under IH 30 is not included with any of the alternatives because it does not meet the design criteria of the project. Access to Forest Park Boulevard from 15th Avenue would be included to replace the movement under IH 30.

Comment #8-18 (Commenter 90) Ensure circulation at Summit when new ramps for project are in place.

Response – Access at Summit Avenue to and from IH 30 is included with each of the alternatives including the recommended alternative C/A. Also, please see response to Comment #6-8.

Comment #8-19 (Commenter 93) Use parking, trailheads and bridge crossings (pedestrian and bike) to encourage multiple modes of transportation. Provide trail continuity and enhance pedestrian access to ensure access to parks, neighborhoods and businesses. Split bridge spans into an east bound and west bound segments to minimize visual impacts and increase natural light under the bridges. Use open bridge railings to provide a river view.

Response – Parking, trailheads and pedestrian and bike crossings would be considered as part of the amenities for this project in concert with and in addition to consideration given to CAG/PDT suggestions and recommendations. Trail continuity and enhanced pedestrian access would be considered as part of the amenities for this project. The bridges would be designed to align with the approved typical sections and, where medians exist, the bridges would generally be separated. Bridge railings would be designed in accordance with the required standards, with special railings considered as part of the amenities package for the project.

Comment #8-20 (Commenter 99) A linear park should be developed in the toll plaza area with connections to Trinity River hike and bike trails.

Response – Connections to hike and bike trails would be considered in the amenities for the project. Park planning and other such activities outside of project ROW are not within TxDOT or NTTA's authority or jurisdiction. The City of Fort Worth would be responsible for parks and recreation planning and development of such facilities. The NTTA has developed System Wide Design Guidelines (SWDG), to provide aesthetic continuity on the toll road projects that they operate and maintain. Toll Plazas are considered one of the primary focus points for landscaping and guidelines have been established for these areas. Due to the nature of toll collection operations and security concerns associated with Toll plazas, public access to the buildings,

parking areas or the surrounding site is discouraged. Because of this, opportunities for connections to hike and bike trails are not suitable at these locations.

Comment #8-21 (Commenter 14) Opposed to any project that would remove Forest Park entrance/exists. Summit could not handle the anticipated traffic if Forest Park closed.

Response Individual ramp access varied with each of the alternatives. The recommended alternative C/A would adequately maintain levels of service in order to accommodate anticipated traffic volumes. Also please see response to Comment #6-8.

COMMENTS ON HIKE AND BIKE TRAIL

Comment #9-1 (Commenter 19, 80) In favor of hike and bike trail access, but concerned for associated safety issues of trail, especially lack of light.

Response – Safety issues during construction are addressed under *Pedestrian and Bicycle Impacts* Section. Lack of light issues would be addressed by the design team within the proposed ROW using the *Traffic Operations Manual, Highway Illumination Manual*.

Comment #9-2 (Commenter 86) Disagrees with DEIS that there would be no permanent impacts to trail system.

Response The project would not impact the trail system permanently because no Tarrant Regional Water District (TRWD) property ownership transfers for any portion of the bike trail or for any property controlled by TRWD would occur and no portion of the bike trail or property controlled by TRWD would be retained for long-term use.

Pages V-32 and V-33, *Pedestrian and Bicycle Impacts* section of the DEIS states that a temporary trail detour would be necessary for safety issues. Detour of a portion of the trail would be temporary and of short duration i.e., while a bridge member is moved into position. A reasonable and safe detour route would be provided. Operation of the detour route and detour route schedule would be coordinated with the Tarrant Regional Water District during the design phase of the project. When construction activities at each location pose no potential harm to trail users the trail would be re-opened for use at that location. Because of the small amount of time that would be required to accomplish this construction, the temporary trail detour would not result in temporary or permanent adverse changes to the activities, features, or attributes, which are essential to the purpose or functions of the trail. Pedestrian and Bicycle Impacts are also presented in Section 5.8 of the FEIS.

CONCERNS ABOUT IMPACTS TO RIVER AND WILDLIFE

Comment #10-1 (Commenter 80) Concerned impacts of project on water quality of river—especially an increase in trash.

Response – Water quality of all stream crossings are addressed in the DEIS under the Water Quality Impacts section, page V-88 and in Section 5.12 of the FEIS.

Concerning trash increase: In December 1996, the EPA issued the City of Fort Worth an NPDES Storm Water Discharge Permit for its municipal separate storm sewer system or “MS4”, (Phase I). Although the permit has expired, the City of Ft Worth anticipates a renewal of the permit in 2005 from the TCEQ, which has been delegated administration of the program from the EPA. The forthcoming EPA permit would remain in effect during the course of the project. Some of the major elements of the City's EPA permit are listed below:

- Storm water collection system (operation and maintenance)
- Areas of new development and redevelopment (minimize pollutants)
- Roadways (minimize de-icing pollutants)
- Flood control projects (assess water quality improvements / retrofitting)
- Pesticide, herbicide and fertilizer application (educate staff / contractors)
- Improper discharges and disposal (enforce, collect, etc.)
- Spill prevention and response (prevent, contain and respond to spills)
- Industrial and high risk runoff (conduct inspections and monitoring)
- Construction site runoff (ordinance, inspections / enforcement and training)
- Public education (promote pollution prevention and public reporting)
- Monitoring programs (conduct six types of monitoring)
- Computer modeling (seasonal loadings in watersheds)

The City of Fort Worth will provide an annual report to EPA.

Comment #10-2 (Commenter 72, 73) Only the bald eagle is addressed in DEIS, while other raptor birds are ignored.

Response – TxDOT and NTTA are required to consider effects on Federal and State protected species. The bald eagle is a Federally listed threatened species. All Tarrant County (Rev. 11-12-03) listed threatened and endangered species were addressed in the DEIS and are addressed in the FEIS. Pursuant to Section 7(c) of the Endangered Species Act, a Biological Assessment (BA) is required for Federal actions considered to be “major construction activities”. On letter dated June 5, 2002, TxDOT provided a BA to the FWS pursuant to 50 CFR 402.01 and requested review and concurrence that the project is not likely to affect any Federally listed species. The FWS, based on the BA and review of their files, on letter dated June 12, 2002, concurred with the determination that the project is not likely to adversely affect the listed species.

The Migratory Bird Treaty Act implements various treaties and conventions between the U.S. and Canada, Mexico other countries for the protection of migratory birds including raptors. Under the Act, taking, killing or possessing migratory birds is unlawful. The Act prohibits the take of native migratory birds without a Federal permit and provides that it is unlawful to pursue, hunt, take, capture or kill; attempt to take, capture or kill; possess, offer to or sell, barter, purchase, deliver or cause to be shipped, exported, imported, transported, carried or received any migratory bird, part, nest, egg or product, manufactured or not.

Following selection of the Preferred Alternative in the ROD, detailed design of the project would begin, but before construction, TxDOT would conduct a survey to identify potential effects on species protected under the MBTA and develop a plan to avoid effects on such species.

Comment #10-3 (Commenter 66) Concerned over native wildlife and ecology. Suggest on the ground survey.

Response – Impacts to trees, vegetation and wildlife habitat are discussed on page V-132 of the DEIS. Results of the survey can be found in Table V-17. *Predominant Tree Block Composition Along the PSC* on page V-134. Wildlife habitat is discussed in detail on page V-122 under the *Water Body Modifications and Wildlife Impacts* section. Impacts to trees, vegetation and wildlife habitat are also discussed in Section 5.15 and 5.20 of the FEIS.

Vegetation impacts were determined in accordance with accepted industry-wide practices based on field reconnaissance in the summer of 1999 and spring 2001, aerial photography and on preliminary design files.

COMMENTS ON INDUCED LAND USE

Comment #11-1 (Commenter 12, 13, 66) DEIS does not address the issue of induced land use and concerned over future induced land uses.

Response – Issues of induced land use are in the updated secondary and cumulative impacts discussion in Section 5.27 of the FEIS.

Comment #11-2 (Commenter 67) Needs on-the-ground assessment of road impacts and induced land uses on native wildlife and ecology.

Response – Issues of induced land use are in the updated secondary and cumulative impacts discussion in Section 5.27 of the FEIS. Vegetation impacts were determined in accordance with accepted industry-wide practices based on field reconnaissance in the summer of 1999 and spring 2001, aerial photography and on preliminary design files. Tree surveys determined vegetation species and percent of tree sizes of diameter at breast height (dbh) greater than 6 inches within the PSC. Aerial photography and preliminary design files were utilized to determine the percent of the total acreage of trees located within the proposed ROW that would be impacted by the Build alternatives. Tree zones were identified as follows:

- North of IH 30 (area east of Forest Park Boulevard, south of the Holly Water Treatment Plant),
- South of IH 30 (along Vickery Boulevard to Hulen Street),
- Undeveloped property area (west of Hulen Street along the Clear Fork of the Trinity River and south to IH 20) and
- South of IH 20 to FM 1187.

In addition, the secondary and cumulative discussion of the FEIS has been substantially revised and updated from the DEIS.

Comment #11-3 (Commenter 55, 68) Would like the EIS to address frontage roads.

Response – We understand the commenter to be requesting limited use of frontage roads. The purpose of all the frontage roads on the project is to facilitate local access between freeway/tollroad interchanges. The proposed facility would include frontage roads only in those locations where they would be essential to maintain local street circulation and continuity.

COMMENTS ON LANDSCAPING ISSUES

Comment #12-1 (Commenter 55, 68) Would like the EIS to address Landscaping.

Response – Landscape issues are limited to project ROW and as stated on page V-123, under the Wildlife Habitat section of the DEIS, “In accordance with Executive Order (EO) 13112 on Invasive Species and the Executive Memorandum on Beneficial Landscaping, landscaping would be limited to seeding and replanting the ROW with native species of plants where possible. A mix of native grasses and native forbs would be used to re-vegetate the ROW.” The project would follow the *Landscape and Aesthetics Design Manual*. TxDOT’s current seeding specification is in compliance with EO 13112.

The NTTA has developed System Wide Design Guidelines to provide aesthetic continuity on the toll road projects that they operate and maintain. These guidelines include landscaping, which is considered an integral element in the roadway design. The NTTA’s approach to landscaping is to select key focus areas for concentrated plantings such as interchanges, main lane toll plazas, underpasses and overpasses. Landscaping is discussed in the FEIS in Section 8.1.7.

Comment #12-2 (Commenter 71) Project should be designed without landscaping due to expense and because landscaping would benefit only people living adjacent to the project.

Response – Federal law requires that action be taken to prevent Invasive Species propagation. Invasive Species, such as Johnson grass (*Sorghum halepense*), can easily establish themselves on highway ROWs that are not actively seeded and replanted with native species of plants. These invasive species can continue to be spread, causing proliferation along the highway corridors, then spreading to other properties. In an effort to control this trend, EO 13112, established in February 1999, mandates that Federal projects use relevant programs to restore native species and habitat conditions.

Comment #12-3 (Commenter 93) Enhance landscaping of the bridge area (needed).

Response – Please see response to Comment #12-1. Enhanced landscaping along the proposed project is addressed in Section 8.1.5 and Section 8.1.7 of the FEIS.

COMMENTS ON LIGHT IMPACTS

Comment #13-1 (Commenter 57, 67, 64, 104, 53, 2, 38, 44, 55, 56, 63, 66, 84, 89, 99) DEIS needs to more thoroughly document light impacts and possibly mitigate by using cut-off fixtures, lowering height and expand buffer of trees to reduce light.

Response – Roadway illumination is provided on transportation facilities to enhance safety for the traveling public. Lighting, in general, can be expected to reduce night crashes by about 30 percent. Convenience, security and the aesthetic value of roadway lighting are additional benefits. Continuous lighting of the main lanes, lighting of toll plazas, lighting of intersection and interchange areas and partial lighting of frontage roads is proposed for SH 121. Light levels for roadways are developed in accordance with guidelines published by the AASHTO and may be obtained through the use of either conventional or high mast lighting. Adequate lighting of main lanes, at-grade ramps, frontage roads, at-grade intersections, two-level interchanges and toll plazas can usually be provided using conventional lighting, while multiple level interchanges, some elevated ramps and roadways with high average daily traffic counts may require the use of high mast lighting. In determining the placement of illumination poles and the configuration of high mast facilities, consideration would be given to the nature of adjacent development. In response to neighborhood concerns over lighting levels elsewhere on our system, NTTA performed some lighting studies resulting in more cutoff and minimal-glare fixture use throughout the project in accordance with Texas Health and Safety Code, Chapter 425. Spill light would be limited in areas where it is considered undesirable. Full consideration would be given to energy conservation, reducing glare, minimizing light pollution and preserving the natural night environment.

The design of the project would follow the *Highway Illumination Manual*, which provides procedures, guidelines and information concerning highway illumination. The design of the project would make every effort to apply the manual's design criteria to select proper lighting (either continuous or safety lighting) for the project. As defined in the Manual, continuous lighting is defined as lighting that provides relatively uniform light on all main lanes, direct connections and complete interchange lighting of all interchanges. Frontage roads are not normally continuously lighted. The lighting units may be conventional luminaries but no high mast lighting would be used within 1,000 ft of SH 121/IH 30 interchange. In accordance to TxDOT's *Traffic Operations Manual*, safety lighting may be installed at any interchange, highway intersection, or other decision-making point or points of nighttime hazard. Safety elements may be used to the extent necessary to provide for safety enhancement and the orderly movement of traffic.

With regard to the proposed SH 121 construction connection near Summit Avenue, the existing high-mast lighting would be removed to construct the proposed project and is proposed to be replaced with low-mast lighting. More information is provided in Section 8.28 of the FEIS.

COMMENTS ON MASS TRANSIT (ALTERNATIVE MODES OF TRANSPORTATION)

Comment #14-1 (Commenter 29) Is there project related material concerning rail?

Response –Yes, project related material concerning rail is located in the Alternatives Section, III, pages 49 and 50 of the DEIS (Rail/Transit-Oriented Strategies) and in Section 3.6.1 and Section 5.25 of the FEIS.

Comment #14-2 (Commenter 29) The project should consider grading and median width to be consistent with possible future rail alternatives.

Response – The placement of rail alternatives within the proposed corridor were considered. Adequate adjacent rail components currently exist and are included in NCTCOG’s Mobility 2025-2004 Update. This plan identifies the Fort Worth and Western Railroad. The route of the railroad generally follows the proposed route of SH 121 from the Forest Park IH 30 area to approximately 3 miles west of the proposed SH 121 intersection with FM 1187.

Comment #14-3 (Commenter 17, 18) Requests that funds for project should be transferred to mass transit efforts and that a regional transportation authority should be created to expand mass transit.

Response – Comment noted. A regional transportation authority is outside the scope of the purpose and need of this project. The suggested transfer of funds is not within the authority of TxDOT or NTTA.

Comment #14-4 (Commenter 72, 73) Residents of Cleburne should build railcars for transportation to Fort Worth.

Response – Comment noted.

Comment #14-5 (Commenter 56) Concerned the TSM alternatives were not evaluated.

Response - The Alternatives Section, III, pages 45-47 of the DEIS discusses Transportation Systems Management and other related strategies. Similar information is located in Sections 1.0, 2.2.4, 2.2.5 and 3.6.2 of the FEIS.

COMMENTS ON MITIGATION

Comment #15-1 (Commenter 57, 8, 68) Insufficient Environmental Impact Analysis with regards to mitigation. Mitigation measures need to be considered strategies to protect scenic, ecological and recreational resources. Expand analysis of environmental impacts to include mitigation.

Response – The FEIS addresses mitigation and specific impacts have been addressed Please see Section 8.0 of Volume 1). General mitigation concepts are considered throughout the development of the project, in anticipation of impacts to resources.

Comment #15-2 (Commenter 38) Requests mitigation at University Drive (gateway to TCU), Botanic Gardens and the Museum District.

Response – Impacts at University would be south of IH 30 while the Fort Worth Botanic Gardens and Museum District are north of IH 30. Therefore, there would be no visual impact at University Drive, Botanic Gardens and the Museum District. TCU is south of the project by about 1½ mile. Mitigation along the proposed project is addressed in Section 8 of the FEIS.

Comment #15-3 (Commenter 84) Concerned with traffic flow impacts/mitigation at Sunset Terrace.

Response –Please see response to Comment #6-2 and 27-2.

Comment #15-4 (Commenter 86, 99) Supports mitigation suggested by Streams and Valleys and Trinity River Vision.

Response – General mitigation concepts are considered throughout the development of the project, in anticipation of impacts to resources. Mitigation along the proposed project is addressed in Section 8 of the FEIS. Please see responses to #8-19 and #13-1.

Comment #15-5 (Commenter 93) Use light and paint under bridges to offset loss of natural light and include all mitigation for visual bridge impacts in the base cost of the project.

Response – Please see response to 13-1. Mitigation along the proposed project is addressed in a context-sensitive format in the FEIS.

COMMENTS ON NOISE IMPACTS

Comment #16-1 (Commenter 60, 57, 56, 66, 68, 100) DEIS needs to more thoroughly document noise impacts. Additional noise studies are requested.

Response – A preliminary noise analysis was conducted and included in the DEIS. A more detailed, in depth analysis compliant with FHWA Regulation 23 CFR 772, *Procedures for Abatement of Highway Traffic Noise and Construction Noise* and *TxDOT's 1996 Guidelines for Analysis and Abatement of Highway Traffic Noise* is included in the FEIS.

Since the Public Hearing, additional modeling has been conducted along the project corridor at 30 receiver sites. Primary consideration was given to exterior areas (Category A, B or C) where frequent human activity occurs. However, interior areas (Category E) are used if exterior areas are physically shielded from the roadway, or if there is little or no human activity in exterior areas adjacent to the roadway.

The results indicate that there would be a noise impact at 15 or 16 of the receiver sites depending on the alternative (A-D). A detailed analysis, including specific locations and dimensions of all feasible and reasonable traffic noise barriers, has been performed for the recommended alternative in the FEIS (see Section 5.11 of the FEIS). In addition, Table 2 describing recent work on noise barrier cases that were analyzed and cost/benefited receivers has been completed and is included in the following table.

Table 2 – Noise Barrier and Cost/Benefit Receivers Analysis

AREA	CASE #	DESCRIPTION	# OF BENEFITED RECEIVERS	COST/BENEFITED RECEIVER (BASED ON \$18/SQFT)	FEASIBLE AND REASONABLE **
SUNSET TERRACE	1	8,10,12,14 and 16 ft wall along TxDOT ROW	0	NA*	NO
	2	9,12 and 15 ft combination noise wall along the west bound frontage road	0	NA*	NO
	3	8,10,12,14 and 16 ft wall along Macon Connector	0	NA*	NO
	4	6,8,10,12,14 and 16 ft wall along the commercial parking lot	0	NA*	NO
	5	Combination of 6 ft wall along commercial parking lot and 14 ft noise wall along the Macon connector	0	NA*	NO
MISTLETOE HEIGHTS	1	5 ft wall on top of existing berm	4	\$10,930	YES
FORT WORTH COUNTRY DAY SCHOOL	1	12,14 and 16 ft combination wall along ROW	11	\$21,281	YES
HULEN BEND AND PARK PALISADES	1	8, 10 and 12 ft combination wall along ROW	84	\$9,688	YES

* NA-no receivers were benefited in this case; therefore, the cost/benefited receiver does not apply.

** A noise wall would be "feasible and reasonable" if it provides at least 5 dBA reduction AND it costs no more that \$25,000 per benefited receiver.

Comment #16-2 (Commenter 67) DEIS does not address noise issues in the Overton Woods area.

Response –A noise analysis has been conducted in the Overton Woods area. Two receivers were placed in this area and the results of the analysis indicate a noise impact would not occur as a result of the proposed project. The near point of the proposed project to Overton Woods is approximately 1,000 feet.

Comment #16-3 (Commenter 60) Sound impacts must be mitigated to preserve sanctuary of Botanic Gardens.

Response – At the Botanic Gardens location, a noise determination has been conducted. Because the dominant source of traffic noise would be from IH 30, it was determined that no receiver be placed in this area. The gardens are located approximately 700 feet north of the proposed SH 121. At this distance from the proposed roadway, the Botanic Gardens would not receive an increase of noise over the existing noise generated by the IH 30 roadway.

Comment #16-4 (Commenter 64) No site-specific sound studies at or near Sunset Terrace were accomplished.

Response – A noise analysis has been conducted in the Sunset Terrace neighborhood. Five receivers were placed within the neighborhood and the results of the analysis indicate that although there would be a noise impact at two of the receivers, noise abatement measures would not be feasible or reasonable.

The Sunset Terrace residential area is located approximately 100 feet from the proposed ROW. It is composed of three adjacent single-family residences. A noise barrier would not likely be both feasible and reasonable for this area due to geographical constraints (there is approximately 3 to 14 feet in elevation difference between the highway and the neighborhood) and the small number (2) of impacted adjacent receivers. Also see response to comment #16-8.

Comment #16-5 (Commenter 95) Noise study improperly done as a Category E not Category A at Fort Worth Country Day School. Present and predicted outside noise levels [are] not determined at Fort Worth Country Day School. Buildings at the Fort Worth Country Day School will be impacted exceed new interior sound criteria by 5 to 8 *dBA*.

Response – A noise analysis has been conducted at this school. A total of six (6) receivers have been modeled at the school. Three receivers were modeled as exterior receivers (Category B) and three receivers were modeled as interior receivers (Category E). The results of the analysis indicate that a noise impact would occur in three of the receiver locations. Noise abatement measures at these three locations appear to be both feasible and reasonable at this time. A more detailed analysis for the recommended alternative C/A is included in the FEIS.

Comment #16-6 (Commenter 90, 104) Project needs to take into consideration effects of noise on children of St. Paul School.

Response – Two additional receivers have been added at the school and church. The results of the analysis indicate that a noise impact would not occur.

Comment #16-7 (Commenter 25) More noise testing is needed for undeveloped areas.

Response –Undeveloped areas are evaluated to provide noise contours and not modeled receivers. Noise contours were developed and analyzed for the undeveloped areas of the project. Please see response to Comment 16-1 and 16-9.

Comment #16-8 (Commenter 53) Would like to see a site specific noise study accomplished at Mistletoe Heights adjacent to Rosedale and along the river bluff.

Response – A noise analysis was conducted in the Mistletoe Heights neighborhood. Three receivers were placed within the Mistletoe Heights neighborhood and the results of the analysis indicate that there would be a noise impact. The nearest Mistletoe Heights residential area is located approximately 530 feet from the proposed project. The first row of single-family residences is located behind a berm (within TxDOT ROW) of variable height ranging between 4 and 8 feet tall and an existing noise wall along West Rosedale Street. An additional noise wall would be both feasible and reasonable for this area.

In the Rosedale area, a single-family residence located approximately 22 feet above West Rosedale Street behind a retaining wall would not likely be both feasible and reasonable for a noise barrier due to the steep terrain and the distance from the proposed ROW.

Comment #16-9 (Commenter 37, 2) Minimize noise by lowering parkway, building sound walls and expand buffer of trees to reduce noise; require new developments to use berms and TxDOT compatible walls. (additional) ROW is needed for sound walls.

Response – We understand the commenter to mean additional ROW when referring to more ROW. All noise mitigation abatement measures would be considered. According to the TxDOT 1997 Guidelines for Analysis and Abatement of Highway Traffic Noise, a stand of vegetation so dense that it cannot be seen through, approximately 98 feet thick and approximately 14 feet tall would decrease traffic noise by only a barely perceptible amount; therefore, a narrow band of trees would not form an effective barrier to traffic noise. ROW acquisition would take accommodation for noise walls into consideration. Noise abatement measures such as: traffic management, alteration of horizontal/vertical alignment and the construction of noise barriers would be considered and proposed for the recommended alternative. The final noise analysis would include an analysis on whether the proposed measures are both feasible and reasonable.

In order to avoid noise impacts that might result from future development of properties adjacent to the project, local officials responsible for land use control programs should ensure, to the maximum extent possible, that no new activities are planned or constructed along or within the predicted 2025 noise impact contours. FHWA, TxDOT and NTTA are not responsible for providing noise abatement for new development adjacent to the project after approval of the project. Please see Section 5.11 of Volume 1 of the FEIS.

Comment #16-10 (Commenter 38) Need for more site-specific noise studies in the north portion of the project.

Response – The project would model additional receivers at Sunset Terrace and west of Hulen. Additional receivers were added and noise reassessed at all areas where public comments on noise are presented. By indicating the northern portion of the project, we understand the commenter to mean Botanic Gardens, Mistletoe Heights and Sunset Terrace. Please see response to comment # 16-11 and #16-8.

Comment #16-11 (Commenter 44, 63, 77, 84) Noise impacts to Botanic Gardens, Mistletoe Heights and Sunset Terrace would occur.

Response –Please see response to Comments 16-8 and 16-4. At the Botanic Gardens location, a noise analysis was conducted. Because the dominant source of traffic noise would be from IH 30, it was determined that no receiver be placed in this area. The gardens are located approximately 700 feet north of the proposed SH 121. At this distance from the proposed roadway, the Botanic Gardens would not receive an increase of noise over the existing noise generated by the IH 30 roadway.

Comment #16-12 (Commenter 55) Would like the EIS to address sound.

Response – Please see response to comment #16-1.

Comment #16-13 (Commenter 63) Potential noise mitigation should consider plans currently on file with the City.

Response--For the purpose of this analysis, the noise contour lines were developed based on the corresponding land uses established by the City of Fort Worth and for the different plan options which involve different vertical alignments, ROW widths, traffic data, etc. The City of Fort Worth has been consistently involved in the overall development of this project.

Comment #16-14 (Commenter 77) Requests that 121 from Hulen to Forest Park be depressed to abate traffic noise.

Response –Please see response to comment #16-9.

Comment #16-15 (Commenter 99) Concerned about noise impacts to Arlington Heights neighborhood including the Botanic Gardens.

Response – The proposed project would be located more than 1,000 feet south of the IH 30 roadway intersection with University Drive. At this distance from the Botanic Gardens, the proposed project would not contribute to an increase of noise over the existing noise generated by the IH 30 roadway.

Arlington Heights neighborhood's southernmost extent is more than 1,000 feet from the nearest portion of the proposed project. IH 30 is directly adjacent to this portion of the Arlington Heights neighborhood. Based upon this information, the proposed project would not contribute to an increase of noise over the existing noise generated by the IH 30 roadway.

Comment #16-16 (Commenter 40, 41, 74) Need a 25 ft berm placed between the roadway and Park Palisades (if not feasible, then a noise wall).

Response – At the Park Palisades area, a noise analysis was conducted. Two receivers have been placed at Park Palisades and the results of the noise analysis indicate that a noise impact would occur at both receiver locations. Noise abatement at these two locations appears to be both feasible and reasonable at this time. Details on noise abatement measures are presented in FEIS.

Comment #16-17 (Commenter 91) Commenter provides 34 specific comments/questions on noise analysis and the Fort Worth Country Day School.

Response—Please see responses to Comments #16-1 and #16-5.

COMMENTS ON NRHP ELIGIBILITY OF BROOKLYN HEIGHTS SCHOOL, ST. PAUL CHURCH AND ROSE GARDEN

Comment #17-1 (Commenter 44, 96) Brooklyn Heights School at 3813 Valentine (built 1955) not addressed in DEIS.

Response –The Brooklyn Heights School (built in 1955 at the end of the period to be evaluated for Section 106) at 3813 Valentine lies beyond the APE and thus was not incorporated into the evaluation process. The school is located 470 ft northwest of the project and is included under the *Publicly Oriented Facilities* section (4.1.5) of the FEIS as a school located in close proximity to the PSC.

Comment #17-2 (Commenter 44, 96) St. Paul Lutheran Church (begun 1954) not addressed.

Response – St. Paul is listed under the *Publicly Oriented Facilities* section as a church near the PSC. Because this church was built nearly 50 years ago it was not included in the initial historic structures surveys reported in the DEIS. In order to address public comment, TxDOT has recently concluded an “Intensive Survey Report” for St. Paul Lutheran Church to determine National Register of Historic Places (NRHP) eligibility of the property. TxDOT applied NRHP evaluation criteria to the property. Based on the results of the report that included contextual information, maps, photographs and an assessment of the property, TxDOT determined that the property is not eligible for listing in the NRHP. The report demonstrated that the property exhibits no significant associations with historic context and that alteration to the property has compromised its historic integrity. Therefore, the property fails to meet Criteria Consideration A, lacking the architectural, artistic or historic significance necessary to justify eligibility under Criteria A, B, C or D. TxDOT submitted this determination to the State Historic Preservation Officer (SHPO) at the THC for concurrence that the property is not eligible for listing in the

NRHP. The THC concurred with TxDOT's determination for the property of "not eligible" on January 26, 2004.

Comment #17-3 (Commenter 60) The historic Rose Garden is eligible for the NRHP.

Response – The historic Rose Garden may be eligible for the NRHP, but is not within the APE for the project (500 feet beyond the proposed ROW).

Comment #17-4 (Commenter 64, 85, 63, 68, 87) DEIS ignored Mistletoe Heights and Sunset Terrace in regards to NRHP (TxDOT relies on THC finding of no specific impact which was specifically conditioned on TxDOT addressing traffic noise and light pollution).

Response – In correspondence dated August 9, 2002, the THC specifically expressed concern for traffic, noise and light impacts on historic neighborhoods, requesting that TxDOT, "consider minimizing or avoiding increases in traffic, noise and light pollution in these historic areas" and that TxDOT, "consider public input as part of the ongoing testimony process." The no adverse effect determination was conditional on the provision that "public testimony and design alternatives are given consideration." In correspondence dated September 9, 2002, TxDOT reassured the THC that public concern for traffic, noise and light pollution have been accommodated through the design process, citing abated traffic projections for neighborhood thoroughfares, FHWA noise abatement criteria (NAC) and lighting design alternatives. The THC acknowledged this correspondence on September 18, 2002.

The elements of the Sunset Terrace neighborhood coordinated by TxDOT as individual properties were determined NRHP-eligible collectively as a potential historic district, so impacts evaluated for individual components were applicable to the neighborhood as a whole. Please also see responses to questions #13-1 and #16-1 to #16-16.

Comment #17-5 (Commenter 26) DEIS does not address a historic structure called Thistle Hill.

Response – Thistle Hill (1509 Pennsylvania Avenue) lies beyond the project's APE and thus was not incorporated into the evaluation process. Designated a Recorded Texas Historic Landmark in 1977, the house museum also lies beyond the 150 ft APE normally applied to street improvements such as the collateral improvements to nearby Eighth Street.

Comment #17-6 (Commenter 55, 68) Would like the EIS to address historic properties.

Response – The DEIS addresses eligible historic properties. Section IV, Affected Environment, Cultural Resources, contains an in-depth explanation of the assessment undertaken to determine the presence of cultural resources, including historic properties. Section V, Environmental Consequences, Section 4(f) Impacts, discusses the potential impacts to identified historic sites. Also refer to Sections 4.4.3, 4.4.4 and 5.21.3 of the FEIS.

Comment #17-7 (Commenter 56) The DEIS also does not thoroughly evaluate Section 107 impacts on adjacent neighborhoods. Any structure 50 + years should be reviewed under Section 107.

Response – Section 107 is normally not addressed in the environmental documentation for roadway projects. There are no provisions for reviewing structures 50+ years old under section 107. As Section 107 of the NHPA regards changes to the White House, Supreme Court and United States Capitol, it is assumed the concern is with review of the undertaking’s potential effects on historic properties under Section 106 of the NHPA. TxDOT performed legally sufficient coordination with THC regarding historic properties in the project’s APes. Specific evaluations of indirect impacts for traffic, noise and light pollution were developed in conjunction with the NEPA process and comprised a significant component of the consultation with THC under Section 106 regarding potential effects for historic properties referenced in comments including the Botanic Gardens, Mistletoe Heights and Sunset Terrace, as well as properties determined individually NRHP-eligible.

Comment #17-8 (Commenter 68) Insufficient Environmental Impact Analysis with regards to sec 106.

Response –Please see response to Comment #17-7.

REQUEST ON-GROUND SURVEY NEEDED FOR BIOLOGICAL RESOURCES

Comment #18-1 (Commenter 25) Vegetation and endangered species analysis is incomplete and relies on aerial photography. A complete on the ground survey is recommended.

Response –2001 aerials and design files were used to determine the approximate acreage impacted by the project and to identify high-density tree areas. Using these aerials represent a conservative analysis given that most likely, vegetation today is less dense than in the past. On ground vegetation and endangered species survey were performed in order to determine the percent tree sizes that would be taken by the Build alternatives.

Comment #18-2 (Commenter 5) DEIS fails to consider role certain ecological features of Rall ranch plays with eco-system outside the ROW.

Response –Direct impacts on resources were addressed along the PSC. Direct impacts along the PSC would not cause habitat fragmentation or disruption so as to be considered substantial. Other resources affected indirectly are analyzed in the secondary and cumulative section of the FEIS.

Comment #18-3 (Commenter 8) Cites inadequate DEIS study of existing flora and fauna based on aerial photography.

Response –Flora and fauna was not studied solely using aerial photography. Aerial photography was used to assess the impacts quantitatively to complement other methodologies. As previously mentioned, other tools employed included, field surveys, habitat assessment and agency coordination.

COMMENTS ON PURPOSE AND NEED

Comment #19-1 (Commenter 68) Revise purpose and need to indicate a “lower, slower, greener” parkway.

Response – The purpose of the project is to improve regional mobility, increase people and goods carrying capacity and alleviate further overburdening of the local transportation system. Consideration has been given to CAC/PDT suggestions and recommendations. Input from Citizens Advisory Group via the City would continue throughout the detailed design phase of the proposed project.

Comment #19-2 (Commenter 72) Citizens of FTW bear cost of a project that will not improve FTW economy.

Response - Improved mobility and accessibility are factors that affect the economy. However, the existing regional economy plays a more important role: if the economy is growing, transportation improvements are more likely to have a greater effect on land development. If the economy is stagnant, transportation is less likely to influence it. (Source: *An Overview: Land Use and Economic Development in Statewide Transportation Planning, May 1999*. Prepared for the FHWA, prepared by: Center for Urban Transportation Studies, University of Wisconsin, Milwaukee.) Please also see Section 5.6 in Volume 1.

COMMENTS ON ROW ACQUISITION PROCEDURES

Comment #20-1 (Commenter 40, 74) The project should not encroach on Park Palisades properties.

Response – All potential ROW acquisition properties would be given equal consideration. TxDOT would adhere to ROW procedures according to the *ROW Acquisition TxDOT Manual*.

Comment #20-2 (Commenter 105) When will ROW acquisition begin?

Response – According to the *ROW acquisition TxDOT Manual*, ROW acquisition would begin after clearance is obtained through TxDOT’s Environmental Affairs Division (ENV) (normally after the ROD is signed by FHWA). At this time, no specific date for ROW acquisition can be provided.

Comment #20-3 (Commenter 106) Requests that 18 months notice be given prior to ROW acquisition based on Howell Instruments designation as a US Dept of Defense contractor.

Response – NTTA and TxDOT will work with Howell Instruments towards obtaining at least an 18 month notice prior to ROW acquisition procedures.

COMMENT ON THE SEGMENTATION OF SH 121

Comment #21-1 (Commenter 46, 33) DEIS contains no information on the southern portion of SH 121 in Johnson County.

Response –SH 121, from FM 1187 in Tarrant County to US 67 in Johnson County is a separate project and has logical termini and section(s) of independent utility as required. For this project the termini selected are FM 1187, which is a roadway included on the NHS. To be included on the NHS a roadway must be considered important to the nations economy, defense and mobility. The appropriate NEPA document, an Environmental Assessment (EA), was accomplished by TxDOT for SH 121 from FM 1187 in Tarrant County to US 67 in Johnson County. A Public Hearing for the south portion of SH 121 was held in Cleburne on February 13, 2003 and a Finding of No Significant Impact (FONSI) was signed by FHWA on March 20, 2004. The relationship of the SH 121 project in Johnson County is discussed in the secondary and cumulative impacts section of the FEIS.

COMMENTS IN SUPPORT OF THE PDT AND OTHER ALTERNATIVES

Comment #22-1 (Commenter 50, 52, 70, 96, 67, 25, 53, 3, 10, 12, 61, 63, 66, 68, 79, 88, 89, 49, 51, 55, 20) DEIS does not include a true parkway design and does not address what the PDT, CAC and the City of Fort Worth brought to TxDOT. Commenter(s) recommend that the FEIS include public group comments such as the PDT. SH 121 should exceed minimum standards and be environmentally sensitive and aesthetically pleasing model roadway. TxDOT should accept and adopt City Resolution 2923.

Response – PDT, CHC and the City of Fort Worth suggestions have been and would continue to be analyzed and considered to be incorporated into the final design. NTTA and TxDOT will include as much of the PDT recommendations as is feasible and practicable. The PDT and all other recommendations would be included as part of the FEIS and project administrative record.

Comment #22-2 (Commenter 9) Streams and Valleys would like to include a plan to offset the impact of the roadway.

Response – The Streams and Valleys recommendations and all other recommendations brought forth by groups during the Public Hearing process would be included as part of the FEIS and the project's administrative record.

COMMENTS ON TOLLROAD VS. PARKWAY CONCEPT

Comment #23-1 (Commenter 33, 57, 68) Does the proposed toll facility result in a significant reduction of traffic? NCTCOG 2025 shows facility would not reduce congestion.

Response – Percent Vehicle Hours of Delay, represents the average delay of all motorists, expressed as a percentage of the total travel time on a given section of highway. The Southwest Fort Worth Subarea study compared the Percent Vehicle Hours of Delay for the project Subarea between the No Build and the Build scenarios, the following was found:

- The No Build alternative would cause 40.31 percent vehicle hours of delay in the Subarea.
- The difference between the No Build and the Build scenarios would be a reduction in vehicle hours of delay of between 6.37 percent and 6.78 percent.

Comment #23-2 (Commenter 57) A limited access parkway would reduce emissions, visual, noise impacts compared to a tollway.

Response –Comment noted. The alternatives analysis section of the DEIS discusses impacts of a freeway versus tollroad facility. As stated in the DEIS (page III-79), “Though found to be technically feasible, the ultimate freeway was eliminated as a viable alternative because it would not expedite construction of the facility through alternate means of financing.” This information is also located in Section 3.2 of the FEIS.

Comment #23-3 (Commenter 68) Purpose and need should be revised to reflect an urban parkway.

Response – Please see response to #19-1.

COMMENTS ON TRAFFIC STUDIES

Comment 24#1- (Commenter 63, 85) Disagrees with DEIS statement that traffic patterns have not changed to a measurable degree since peak hour traffic studies accomplished in 1992. The Traffic Needs Study dates to 1984, prior to non-attainment status.

Response – The latest traffic available is being utilized for the project. Existing Traffic Volumes for On-State Facilities (Exhibit 2.5) and Existing Traffic Volumes for Major Arterials (Exhibit 2.6) are derived from the 1996 District Highway Traffic Map, Fort Worth District, TxDOT.

Comment #24-2 (Commenter 25) Exhibit III-13 & 14 are confusing and do not include traffic studies.

Response – Traffic studies are discussed beginning on pages II-27, III-64 and V-177 of the DEIS. Exhibit III-13 and 14 were taken directly from the North Central Texas Council of Government’s (NCTCOG) database. These exhibits did not originally include traffic studies and, thus, will not be modified. Efforts have been made to make the FEIS more reader friendly. Traffic study information is located in Section 2.2.3 of the FEIS.

Comment #24-3 (Commenter 53, 68) Concerned about the hazardous traffic on Forest Park Blvd—traffic study appears to come from 1984.

Response – The most current traffic data has been utilized for the analysis of the proposed project. Traffic volumes for on-state system facilities (Exhibit 2.1) are derived from the 2002 TxDOT Traffic Map, Fort Worth District and traffic volumes for major arterial roadways (Exhibit 2.2) are derived from the 1999 Traffic Map Saturation Map, Fort Worth District, TxDOT.

Comment #24-4 (Commenter 53, 63, 68) Concerned about stagnant traffic on the north end of the project. Are there studies to indicate that increased efficiencies on the southern end would not be offset by inefficiencies on the north end of the project?

Response – The traffic for this study has been provided by the NCTCOG. The level of service (LOS) on SH 121 throughout the project and specifically at the north end is at an acceptable level. The LOS on SH 121 throughout the project is at an acceptable level.

Comment #24-5 (Commenter 44) Increased traffic would worsen bottleneck situation at Summit office location (1020 Summit).

Response – This location is on Summit, north of IH 30. Traffic congestion at this location should be addressed through the City. Please see response to Comment #6-8.

Comment #24-6 (Commenter 63) DEIS fails to acknowledge residential use as a component of the CBD.

Response--The CBD of the County, downtown Fort Worth, has experienced recent commercial growth. According to *A Dynamic Economy* by Tarrant County Administrator's Office, office occupancy rates are the highest in 14 years and 21 percent higher than downtown Dallas. Tourists and locals are attracted to the City's live entertainment, clubs, restaurants and retail establishments.

As discussed in Section V of the DEIS, "The CBD does not only offer employment and commercial opportunities but housing. New and old apartment buildings, town homes and duplexes offer all the amenities that make the CBD attractive to newcomers, in addition, well established neighborhoods can be found in close proximity to the CBD."

Comment #24-7 (Commenter 89) Would like to see more recent traffic data studies in the Forest Park area.

Response –Please see response to comment #24 – 3.

COMMENTS ON URBAN SPRAWL

Comment #25-1 (Commenter 13, 68, 72, 73) Project would contribute to urban sprawl and deterioration of inner-cities. The EIS should require minimal use of frontage roads to discourage urban sprawl.

Response –Transportation can influence land use just as land use can influence transportation. However, transportation is not the only factor affecting urban sprawl. Urban sprawl is the result of population growth, the search for affordable housing, good schools, nearby shopping and many other contributing factors. As stated on page V-1 of the DEIS: "...the Dallas-Fort Worth area is highly suburbanized and the outlying area to central city commute from the southwest area of Fort Worth does not provide for a direct route to the CBD, other than arterials such as Hulen, Bryant Irvin and Old Granbury roads. The growth in population and employment

previously mentioned would increase the continuous development trend of suburban areas in Southwest Fort Worth. Travel times, trip frequencies and trip lengths are expected to increase by the year 2025. Similar information is also located in Section 5.1 of the FEIS.

Without improvements to the existing transportation system, such as the proposed SH 121 project, the existing traffic congestion is expected to increase.” Urban sprawl and other indirect consequences such as land use changes are addressed and discussed in the secondary and cumulative section of the FEIS.

COMMENTS ON VICKERY AS A ONE-WAY ROAD

Comment #26-1 (Commenter 15) Will Vickery remain a two-way street?

Response – In each of the alternatives, Vickery traffic is maintained in each direction, but is presently separated into two one-way streets for part of its length. In the proposed project Vickery/Lovell would be one-way to the west between University and Montgomery. The eastbound SH 121 frontage road would then provide the other movement between Montgomery and University.

Comment #26-2 (Commenter 15) Will there be reduced access to the University Center II building?

Response - Access would be maintained to the University Center II building and is basically the same with each alternative including the recommended C/A Alternative with access to and from the westbound connection to Vickery.

Comment #26-3 (Commenter 43) Would West Vickery road as a one-way street limit access to the University Centre II.

Response – The only limitation would be by Vickery being a one-way street to the west on the south side of University Centre II.

COMMENTS ON VISUAL IMPACTS

Comment #27-1 (Commenter 53) The new road will be visible from the Mistletoe Heights neighborhood.

Response – SH 121 would be visible only from northern most residence in the Mistletoe Heights neighborhood. SH 121, at this point, would be approximately the same elevation as the railroad, but beyond the tracks (behind the tracks from the perspective of Mistletoe Heights neighborhood). Please see response to Comment #27-2.

Comment #27-2 (Commenter 4, 5, 44, 56, 57, 68, 86) DEIS needs to more thoroughly document visual impacts on adjacent neighborhoods. Visual impacts to Botanic Gardens, Mistletoe Heights, Rall Ranch, the bridge in Overton area and Sunset Terrace would occur. Not enough

landscaping is being considered to prevent 121 from having a drastic negative visual impact on development.

Response – One of project goals is to fit the facility into the adjacent landscape in a way that is complementary to and enhances, the existing landscape. Achieving this goal requires consideration of natural, ecological, aesthetic, economic and social influences related to that landscape. Consideration has been given to CAC/PDT suggestions and recommendations.

Visual impacts are addressed in the FEIS. The following section titled: *Aesthetic Value Impact* addressed the public’s visual impact concerns: “The route of proposed SH 121 would have an aesthetic and visual effect on the surrounding environment. It would be the responsibility of the project design team, working closely with other planning agencies, to integrate this project into the existing environment with the least possible amount of adverse effects to the immediate surroundings.” The FEIS includes discussion of visual impacts and context sensitive design.

COMMENTS ON WATER QUALITY AND SAFETY

Comment #28-1 (Commenter 6) Request to coordinate with the City with regard to regional drainage to ensure quality of water; and design 121 to ensure clean water in accordance with Sec 401 and 402 of the CWA including NPDES and TPDES.

Response – Section 401, is discussed under the response to #7-1. The TPDES discussion is already included in the DEIS on page V-96 and is Section 8.25.3 of the FEIS.

Comment #28-2 (Commenter 38) Trinity River area including recreational facilities need to be protected.

Response – The areas recreational character would not be impacted permanently. Short-term construction impacts may occur. To minimize these potential impacts, trail detours would be provided until construction is finalized.

COMMENTS ON WETLANDS AND VALIDITY OF DEIS WETLAND SECTION

Comment #29-1 (Commenter 7, 68) DEIS needs to do more work to consider ecological features especially wetlands.

Response – More detailed assessment (wetland delineations) and ordinary high water mark determinations would be performed for the recommended alternative at the appropriate phase of the environmental process.

Comment #29-2 (Commenter 73, 72) Project will obliterate Summer Creek and associated wetland(s).

Response – According to the City of Fort Worth Floodplain Administrator and investigation of USGS topographic maps, Summer Creek is not present within the proposed project area. We

assume that the commenter is referring to one of the unnamed intermittent tributaries to the Clear Fort of the Trinity River.

Estimated impacts of the proposed project to Section 404 of the Clean Water Act (CWA) jurisdictional waters of the United States, including wetlands, were estimated for all four Build alternatives. These estimations were based on preliminary engineering and using a worst-case scenario of impacts to jurisdictional areas. The method for determining the boundary of jurisdictional areas included the use of off-site data sources such as 1992 National Wetlands Inventory (NWI) maps, aerial photography as well as limited visual on-the-ground inspection. The use of off-site data sources for making this determination is an accepted industry-wide practice as described in the 1987 Corps of Engineers (USACE) Wetland Delineation Manual.

Following the selection of a Recommended alternative, design of the proposed project would begin. During the design phase of the proposed project, a detailed on-the-ground jurisdictional water of the United States delineation and project impacts assessment would be completed along the entire proposed project's Recommended alternative. This jurisdictional waters of the United States delineation would be in accordance with the procedure described in the 1987 USACE Wetland Delineation Manual.

In accordance with CWA 404 (b)(1) guidelines, design of the proposed project would include measures to avoid and minimize impacts to jurisdictional areas. Unavoidable impacts to jurisdictional areas would be compensated for during the Section 404 permitting process by providing compensatory mitigation for unavoidable losses of waters (functions and values) of the United States as required by any pertinent Section 404 permit administered by the USACE. Mitigation would be proposed at no less than a one-to-one ratio.

Comment #29-3 (Commenter 4, 6) DEIS does not adequately address wetlands at Rall ranch. Requests for the following: 1) perform additional survey of aquatic resources; 2) provide a statement of analysis procedure; 3) revise DEIS to reflect findings of discrepancies.

Response – Please see response to comment #29-2.

OTHER COMMENTS AND ISSUES

Comment #30-1 (Commenter 34) Would like to know whether TxDOT or NTTA will develop the plan.

Response – The City of Fort Worth, TxDOT and NTTA are developing the plan for SH 121 jointly. The three parties are operating under a three party agreement signed in December 2000.

Comment #30-2 (Commenter 48) Suggests extending SH 4 between Granbury and Cleburne as a State Highway.

Response – We understand the commenter to mean FM 4. Comment noted. Suggestion does not fall within the scope of this project.

Comment #30-3 (Commenter 55) Would like the EIS to address signage.

Response – Signage would be addressed in later stages of the design process and in the detailed plans for construction and would conform to MUTCD.

Comment #30-4 (Commenter 56) The DEIS also does not thoroughly evaluate vibration impacts on adjacent neighborhoods.

Response – The issue of vibration is typically associated with rail projects. From the Federal Transit Administration (FTA): “...vibration refers to ground-borne noise and perceptible motion. For people living near a transit route or a maintenance facility, the rumbling sound and vibration from passing trains may permeate an entire building and may be extremely annoying for occupants of the building. In most cases, vibration is a problem associated with rail projects, not (other transportation) projects.”

Vibration issues normally are applied to sensitive receivers only. Although the perceptibility threshold is about 65 dB, human response to vibration is not substantial unless vibration exceeds 70 dB. Trucks and buses rarely created vibration levels that exceed 70 dB

Comment #30-5 (Commenter 63) A permanent air quality monitor should be placed at Summit and IH 30.

Response – Suggestion does not fall within the scope of this project. TCEQ is the responsible party for installing the air quality monitors.

Comment #30-6 (Commenter 68) Expand analysis of environmental impacts to include comparison of impacts.

Response – A comparison of impacts (Evaluation Matrix) in table format is included in the FEIS. Please refer to DEIS sections IV and V or FEIS sections 4 and 5 (Volume 1) for discussion of impacts for each alternative.

Comment #30-7 (Commenter 94) Add signature landmark signage.

Response – Suggestions and recommendations from the CAG via the City of Fort Worth would be included in the final design of the proposed project in so far as is reasonable and practicable. Landmark signage, if applicable, would conform to MUTCD.

Comment #30-8 (Commenter 102) Concerned that lack of frontage roads, access streets, crossings will be detrimental to Cassco Land Co. property.

Response – Equal access would be maintained throughout the project as it currently exists. Please see response to Comments 11-3 and 8-11.

Comment #30-9 (Commenter 19) In favor of hike and bike access and preservation of open spaces.

Response – The project would not impact the trail system permanently because no TRWD property ownership transfers for any portion of the bike trail or for any property controlled by TRWD would occur and no portion of the bike trail or property controlled by TRWD would be retained for long-term use. There is anticipated to be only a short-term detour to the hike and bike trail. Also see response to #8-20 and #9-2.

Comment #30-10 (Commenter 98) The US Dept of the Interior provided comments from USFWS and NPS. USFWS concurred with BA but recommended more explanation of secondary and cumulative impacts. USFWS suggests restoration of the Clear Fork riparian zone as mitigation. The NPS requested a better description of the parks potentially impacted by DEIS alternatives in order to determine if Sec 4(f) issues remain and to discuss 4(f) issues in a separate section. NPS also requested that information regarding archeological site location be removed from the document to better protect the site.

Response – Section 4(f) determinations are made by FHWA. Section 4(f) issues are addressed in the FEIS. More explanation of secondary and cumulative impacts is included in the FEIS. Suggestion that restoration of the Clear Fork of the Trinity River riparian zone be used as mitigation can be considered at the appropriate time in the environmental process. Information regarding specific archeological site locations has been removed from the document to better protect the sites.

Comment #30-11 (Commenter 68) Why isn't the ultimate plan for build-out considered fully in the DEIS?

Response – In order to better evaluate future potential impacts to the environment, additional studies have been accomplished for the proposed project and presented in the FEIS. The FEIS does consider the ultimate plan for build-out as addressed in Mobility 2025 Update and Mobility 2025-2004 Update.

Comment #30-12 (Commenter 68) SH 121 could be interpreted as inconsistent with the objective to minimize SOV needs.

Response – Single occupancy vehicle (SOV) analysis is discussed on pages 2-11 and 2-19 of the FEIS. The CMS analysis for the Transportation Management Area (TMA) is on file at NCTCOG. Also, see response to Comment # 4-1.

Comment #30-13 (Commenter 68) The Notice of Intent (NOI) is over four years old. Does this exceed its shelf life?

Response – According to FHWA's Technical Advisory 6640.8A there is no expiration date for a NOI.

COMMENTS ON SECTION 4(F) ISSUES

Comment #31-1 (Commenter 64, 68, 85) Sunset Terrace should be designated as a Sec 4(f) property. DEIS ignored Mistletoe Heights and Sunset Terrace in regards to Sec 4(f).

Response – During environmental investigation, Mistletoe Heights and Sunset Terrace were studied to determine their eligibility under NRHP rules and regulations. In accordance to coordination procedures with THC and FHWA, it was determined that there is no Section 4(f) takings and no adverse affects to these areas. No direct takings from these properties are required for the proposed project; therefore, a 4(f) statement is not required. The NEPA process demonstrated that existing conditions would not significantly change for the historic properties, with their protected activities, features or attributes not substantially diminished by the proposed project.

Similarly, TxDOT determined sites 80-227 in the Mistletoe Heights neighborhood to be NRHP-eligible as a potential historic district. As no direct takings from these properties are required for the project, however, no 4(f) statement is required. Moreover, construction of the recommended alternative would not constitute a constructive use of the potential historic district as the project's proximity impacts are not so severe that the protected activities, features, or attributes that qualify a resource for protection under section 4(f) are substantially impaired. The NEPA process demonstrated that existing conditions would not significantly change for the historic properties, with their protected activities, features or attributes not substantially diminished by the proposed project.

Comment #31-2 (Commenter 55) Would like the EIS to address parkland.

Response – Parkland issues are discussed in the DEIS in sections: IV-Publicly Oriented Facilities, V- Publicly Owned Facilities & Community Services Impacts and V-Publicly Owned Parks, Recreation, Wildlife and Waterfowl Refuge Lands. No impacts would occur to these properties. Parkland is discussed in Section 4.1.5, 4.6, 5.5, 5.9.1, 5.21.6, 5.23, 8.8 and Exhibit 4.6 of the FEIS.

Comment #31-3 (Commenter 68) Insufficient Environmental Impact Analysis with regards to 4(f).

Response – Section 4(f) impacts are addressed in Section V, Section 4(f) Impacts, Historic Sites Section and V-Historic Preservation Impact. Please see response to Comment #31-1.

GENERAL COMMENTS REGARDING THE SH 121 PROJECT

Comment #32-1 (Commenter 1, 16, 27, 28, 31, 30, 35, 36, 54, 58, 59, 62, 82, 83, 95, 97, 39, 81, 75, 22) Recommends TxDOT approve Alternative C/A.

Response – Comment noted.

Comment #32-2 (Commenter 23, 42, 45, 47, 69) Recommends TxDOT approve Alternative C/A. In favor of preserving “Hangman’s House of Horrors”

Response – Comment noted.

Comment #32-3 (Commenter 32) In favor of Alternative C. In favor of landscaped trees and bike trails.

Response – Comment noted.

PUBLIC HEARING TRANSCRIPT

Public Hearing Transcript

TXDOT

PUBLIC HEARING

APRIL 22, 2003



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MS. CHAVEZ: Thank you. Thank you very much. Good evening and welcome to the -- to this public hearing. This is the formal hearing for the State Highway 121T project, also known as Southwest Parkway. My name is Maribel Chavez, and I am the district engineer for the Fort Worth District of the Texas Department of Transportation.

Actually, relatively new to -- to Fort Worth. I've been here a little over, I guess, a year, a year and several months. And -- and let me tell you, I've already fallen in love with Fort Worth so this is home as far as we're concerned.

On behalf of this Department, I'd like to express our appreciation to the City of Fort Worth for allowing us to use this facility. And -- and before -- before I begin my comments, let me -- let me first, for the record, remind everyone that while TxDot is responsible for preparing the environmental impact statement for this project, that the design and construction of this project are being pursued through a partnership of the City of Fort Worth, the North Texas Tollway Authority, and the Department.

And at this time, before -- before I begin with some of my opening comments, I'd like to go ahead and recognize the other two partners on behalf of this effort.

1 For those of you on behalf of the North Texas Tollway
2 Authority that are here, if you would please stand?
3 Everybody's in the back row.

4 And -- and those on behalf of the City of
5 Fort Worth, including our elected officials, if you would
6 please stand, those of you associated with this project?
7 Mayor Barr is back there. You notice my staff is up here
8 where they belong.

9 And those on behalf of the Department of
10 Transportation with the Fort Worth district, if you would
11 please stand or raise your hand wherever you may be so that
12 folks that need to -- need to find you out when we break or
13 they need to talk to you at any time. Thank you.

14 I'd like to give just a short history on this
15 project. And I say that in all reality, there's not a short
16 history on this project. In fact, it's been around for --
17 for almost 40 years. There have been preliminary route
18 studies performed on -- on this project beginning in the
19 1970s, and then again in the early 1980s. And in the '80s
20 TxDOT presented an alignment to the public that indicated
21 the development pretty much as a typical freeway section.
22 And by that, I mean similar to an I -- an Interstate 35W
23 with main lanes and frontage roads. And this concept was
24 actually pursued all the way through public hearings in
25 1993.

1 It was at that time, due to funding
2 constraints both at the state and federal levels that it was
3 realized that construction of a roadway at the typical
4 freeway section would be absolutely cause prohibitive. And
5 it was in the mid '90s that the City of Fort Worth mentioned
6 the feasibility discussion for development of the State
7 Highway 121. From these discussions, the concept of
8 building 121 from Interstate 30 to FM 1187 as a controlled
9 access toll facility was developed.

10 It was in 1997 that the North Texas Tollway
11 Authority completed traffic and revenues that indicated
12 State Highway 121's feasibility as a tollroad from
13 Interstate 30 to the Altamesa Boulevard. Then on June 4th
14 of 1998, a public meeting was held both by NTTA and TxDOT
15 to -- to announce the revised design, and also the
16 environmental studies along with continuous public
17 involvement that we were conducting and cooperation with the
18 City of Fort Worth.

19 In 1999 the city of Fort Worth's appointed
20 what was known the Citizen Advisory Committee to review
21 design work and make some recommendations. They met
22 at several -- several meetings, and they did produce a
23 project recommendation to the City Council.

24 In -- in the year 2000, the City of Fort
25 Worth also organized an expert peer review team which

1 endorsed the need for the project, recognized the
2 acceptability of the citizen's advisory committee plan, and
3 also made recommendations for possible enhancements to the
4 project and also the study of possible alternatives for the
5 interchange at Interstate 30.

6 Later in 2000, the City of Fort Worth
7 organized a project development team or PDT as it was also
8 known. And again, to solicit further public input on the
9 project and to study possible alternatives as recommended by
10 the peer review team. The PDT studied the entire project,
11 and brought forth a studied enhancement concepts and themes,
12 numerous interchange concepts, and a detailed design to also
13 be considered in the public involvement process. The Fort
14 Worth City Council endorsed the PDT's recommendations for
15 further consideration in the ongoing public involvement
16 policies.

17 In 2001 we again held public meetings,
18 jointly through the NTTA and TxDOT on June the 4th and June
19 7th continuing the public input on all the reasonable
20 alternatives for the project. It was at this time that the
21 Department had some concerns, some safety and traffic
22 operation concerns, and this prompted the development of
23 what's also known as alternative C at Interstate 30 in order
24 to accommodate the concerns that the Department had and in
25 keeping with the themes and features of the PDT

1 recommendations.

2 It's been input from all of these various
3 public forums that were incorporated into project
4 alternatives, and again, another round of public meetings
5 were -- were conducted by NTTA and TxDOT on November 27th
6 and December 3rd of 2001. Which brings us to tonight with
7 the completion and submittal of the draft, environmental and
8 impact statement, that we submitted to the Federal Highway
9 Administration back in December 2002, we're now at the step
10 of conducting a formal public hearing.

11 Let me just say that, should this project
12 receive environmental clearance, we look forward to the
13 building of a transportation facility that this community
14 can be proud of. Building a facility of this magnitude
15 through development and environmentally sensitive areas of
16 the Trinity River requires extraordinary efforts, and we
17 fully recognize that.

18 Now, I'll ask that you bear with us before we
19 open it up to receive public comment. This is a formal
20 process, therefore, there's information that we're required
21 by law to present to you. We've also got to present some
22 project preliminary plans to you, as well. And -- and
23 again, I -- I would just remind you that -- that with a
24 formal hearing, we do have to follow a very structured
25 process. And what I'll do now is -- is introduce to you Mr.

1 Charles Conrad, the Fort Worth District's Director of
2 Transportation Planning and Development. And what he'll do
3 is lay out -- lay out for you the process and the procedures
4 that we'll follow in this public hearing. Thank you.

5 MR. CONRAD: Good evening. My name is
6 Charles Conrad, and I am the Director of Transportation
7 Planning and Development for the Fort Worth District of
8 TxDOT.

9 Roadway planning and construction requires
10 close cooperation among all levels of government. The
11 proposed project is being developed by the Texas Department
12 of Transportation, the North Texas Tollway Authority, and
13 the City of Fort Worth in cooperation with the Federal
14 Highway Administration, Tarrant County, and the North
15 Central Texas Council of Governments.

16 The state and federal governments have various
17 laws, regulations, and guidelines that outline the processes
18 whereby public awareness of system planning and project
19 planning can be assured. The opportunity for public
20 involvement in these developmental phases is accomplished in
21 conjunction with the technical, social, economic, and
22 environmental condition studies.

23 We're in the final stage of public
24 involvement for this project, our public hearing. And I
25 want to emphasize the word "hearing" by explaining the

1 difference between a public meeting and a public hearing for
2 transportation projects.

3 Meetings are informal in nature, in that
4 there is a gathering of information, ideas, and concerns or
5 an exchange of information with questions being raised and
6 answered in dialogue during the course of the meeting.

7 Hearings, on the other hand, are formal and
8 are not designed or intended to be a time of questions and
9 answers. During hearings, information about alternatives,
10 derived from design considerations and input received from
11 the public and various local entities, is presented. Public
12 statements on the information presented are recorded and are
13 included as part of the records of the project. More
14 specific information about hearings and your right and
15 ability to make statements will be given later as we
16 progress with this hearing.

17 When TxDOT submits a plan for any project, it
18 involves significant right-of-way acquisition, additional
19 mobility, or other potential significant impacts,
20 regulations require that the Department certify that it has
21 held a public hearing or has afforded an opportunity for
22 such a hearing, and that it has considered the economic and
23 social effects of such a project, its impacts on the
24 environment, and its consistency with the goals and
25 objectives of planning, promulgated by the communities and

1 entities involved.

2 After a hearing has been held, a written
3 summary and analysis of the hearing is prepared. The
4 summary and analysis, along with a verbatim copy of the
5 hearing transcript and certification of the hearing, is then
6 submitted for final approval of the public involvement
7 process.

8 In accordance with these processes, notices
9 of this public hearing were published in the local
10 newspapers.

11 Additionally, adjacent property owners and
12 public officials were mailed individual notices. Adjoining
13 property owners were identified using the county tax rolls.
14 If the tax rolls are updated after the Department received a
15 list, you may not have been included on this -- on this
16 list. Additional mailings were made to those who
17 specifically requested to be added to our mailing list. And
18 hopefully, everyone interested was made aware through their
19 neighbors or the other media notices.

20 As for tonight's agenda, I will outline the
21 proceedings for this hearing. We will discuss the
22 recommended project, and bring out various aspects of the
23 alternatives. Following that, a representative from our
24 District Right-Of-Way office will discuss the right-of-way
25 acquisition procedures.

1 We will then take a recess for about 15
2 minutes to allow everyone to look at the display in more
3 detail. Several persons involved with the project will be
4 on hand at the displays to assist you with questions that
5 you may have, and to help you understand how the project
6 will affect each abutting property. These questions and/or
7 discussions during the recess will not be a part of the
8 public hearing record.

9 We are providing two opportunities or methods
10 for you to provide oral statements tonight so that we may
11 have the benefit of your comments about the project. A
12 court reporter is located in the hallway near the
13 registration table for your convenience. At any time during
14 the hearing, statements can be made at this location. These
15 statements will be recorded, transcribed by the court
16 reporter, and will become a part of the hearing record.
17 Please state your name and address followed by your
18 statement. After the recess, the floor will be opened for
19 statements about the project. This time is strictly for
20 statements. Responses will not be provided during the
21 hearing. They will be included in the written summary and
22 analysis of the hearing.

23 We are making both audio and video recordings
24 of this hearing so that your statements can be accurately
25 transcribed and understood. Written statements will be

1 received for ten days after the public hearing or through
2 May 2nd, 2003. Written statements may be submitted tonight
3 or mailed to the address located on the back of the written
4 statement form and on the agenda. The statement form and
5 agenda are located at the registration table. If you did
6 not receive one as you came in, please feel free to get one
7 during the recess or after the hearing. Each statement we
8 receive tonight, and written statements received within ten
9 days, will become a part of the hearing record.

10 If you desire to speak tonight, please fill
11 out a form at the registration desk before the recess is
12 over. However, if you don't register, the floor will be
13 open for other statements before adjournment, to be sure
14 that every individual property owner, or occupant, or group
15 representative has an opportunity to voice their concerns or
16 support for the project. In response to statements, we may
17 alter the plan, if a feasible and prudent adjustment is
18 possible. If altered, we will meet with the affected
19 property owners to discuss the alterations.

20 Bear in mind that statements should be made
21 to tell us what you like about the project, as well as what
22 you don't like. There have been cases where a project was
23 revised in response to negative statements, only to learn
24 later that we changed something that others wanted, but had
25 not voiced their opinion. Help us to develop a balanced

1 project that will address the needs of everyone, by telling
2 us about your needs, both pro and con.

3 In order to move the hearing along, we ask
4 that all oral statements be limited to a maximum of three
5 minutes. If your statement will exceed three minutes,
6 please furnish a written statement. You may include any
7 information you feel is necessary to explain your concerns,
8 such as graphs, charts, tables, drawings or photographs.
9 Electronic data or projection slides will need to be
10 converted to hard copies for inclusion in the hearing
11 record.

12 Project Introduction

13 Tonight I want to discuss the engineering and
14 environmental studies for proposed State Highway 121 from
15 IH 30 to FM 1187.

16 The National Environmental Policy Act or NEPA
17 is the process to identify and assess the reasonable
18 alternatives to proposed actions that will avoid or minimize
19 adverse effects of these actions upon the quality of the
20 human environment. We use all practicable means, consistent
21 with the requirements of the NEPA and other essential
22 considerations of national policy, to restore and enhance
23 the quality of the human environment and avoid or minimize
24 any possible adverse effects of actions upon the quality of
25 the human environment. Consistent with NEPA, an

1 environmental document covering the social, economic, and
2 environmental effects of the alternatives for State Highway
3 121, including information covering impacts of air, noise,
4 water quality, vegetation, archeology, among other aspects
5 of the project has been prepared.

6 With growth and population, it is inevitable
7 that there be additional traffic demands on the already
8 overburdened existing facilities; hence the need for State
9 Highway 121. The North Central Texas Council of
10 Governments, or COG, is the metropolitan planning
11 organization for the Dallas/Fort Worth region. COG along
12 with the Regional Transportation Council, which is a group
13 of civic leaders, have identified State Highway 121 as a
14 needed corridor having -- and have included this facility in
15 a Metropolitan Plan for this region. As such, it has been
16 evaluated in the Air Quality Conformity Analysis for the
17 region.

18 The proposed project is approximately 15
19 miles long and requires approximately 770 acres of
20 right-of-way. Total displacements vary with the
21 alternatives and range from 154 to 104 properties.
22 Although most of the displacements are commercial, there
23 will be some residential displacements. Details about the
24 project alternatives will follow in the project
25 presentation.

1 No historical structures were found within
2 the project limits. No significant archaeological sites
3 were discovered, and there is no use of lands from waterfowl
4 refuge, park or public owned facilities significantly
5 impacted by the project. Hazardous material sites within
6 the project limits will be handled appropriately and are not
7 expected to impact the development of the project. Air
8 quality will not significantly change. Noise analyses were
9 conducted. Three locations approached, equaled or exceeding
10 the national -- the -- the Noise Abatement Criteria
11 established by the Federal Highway Administration and
12 adopted by TxDOT. Because the Noise Abatement Criteria was
13 approached, equaled or exceeded, noise abatement will be
14 considered. If noise barriers are reasonable and feasible
15 under federal and state guidelines, they will be included in
16 project design and construction. There are noise brochures
17 at the registration table for those who may be interested in
18 this criteria.

19 There are no known threatened or endangered
20 species impacts. There will be vegetation impacts due to
21 the construction on new location. Impacts to waterways are
22 preliminary at this time. This is because we are currently
23 working with a plan and not a detailed design. When the
24 detailed design is done, all areas of impact requiring
25 coordination with the US Army -- US Army Corps of Engineers

1 will be done and mitigation requirements will be addressed
2 at that time and implemented during project construction.
3 Development impacts will be minimal because the facility is
4 being planned with controlled access.

5 The Draft Environmental Impact Statement has
6 been reviewed by the Federal Highway Administration and
7 TxDOT received their concurrence that the project could
8 proceed to this public hearing. The United States
9 Environmental Protection Agency has also reviewed the Draft
10 EIS and has classified it and the proposed action as "LO" or
11 "Lack of Objections" to the proposed alternatives. EPA has
12 no objections to the selection of the preferred alternative
13 with implementation of the mitigation measures as described
14 in the Draft EIS. With prescribed mitigation, the Draft EIS
15 demonstrates the proposed action would have no significant
16 adverse effect on the human environment and would have
17 negligible impacts in all other areas. EPA's participation
18 as a cooperating agency provided them the opportunity to
19 comment early in the development stages of the Draft EIS and
20 contributed to the development of an environmentally
21 acceptable alignment and a full disclosure document.

22 Tonight we are here in our final official
23 public involvement setting to present the alternatives and
24 known potential impacts associated with the alternatives.
25 After this hearing and subsequent documentation, the NEPA

1 requirements for this project will have been addressed and
2 it is expected that the project will move forward from the
3 planning phase to the design phase.

4 All information developed concerning this
5 project, including the environmental documentation, is
6 available upon request for public inspection and copying at
7 TxDOT's District Office located at IH 20 and McCart Avenue
8 in Fort Worth. We have also brought a copy of the Draft EIS
9 with us tonight for your viewing during the recess and after
10 the hearing. The Draft EIS is also available on the
11 internet and in all branches of the Fort Worth public
12 libraries.

13 Each statement made at this hearing, and each
14 written statement received on or before May 2nd, 2003, will
15 be carefully analyzed in writing in the Summary and
16 Analysis. Where appropriate, changes will be incorporated
17 in the project design, and the analysis will be attached to
18 the environmental document.

19 After review of the transcript of these
20 proceedings and addressing of all concerns and concepts
21 contained in the statements, a Final Environmental Impact
22 Statement will be prepared. After approval is given in the
23 form of a Record of Decision by the Federal Highway
24 Administration, the acquisition of right-of-way and
25 development of detailed plans can begin. Construction can

1 then begin when right-of-way has been obtained, detailed
2 plans are completed, and utilities are relocated.

3 The preliminary plans for this project were
4 prepared by the consulting firm of Carter and Burgess for
5 the North Texas Tollway Authority and TxDOT. At this time
6 the project manager for Carter Burgess, Mr. Darrel Thompson
7 will explain the display and discuss the project
8 alternatives.

9 MR. THOMPSON: Good evening, I'm Darrell
10 Thompson with Carter & Burgess, a locally based consulting
11 and engineering firm. The process I will use tonight is I
12 will describe the alternatives while they are on the screen
13 in front of you. The proposed State Highway 121T is planned
14 to be a controlled access multi-lane divided tollway. This
15 total route will extend from Interstate Highway or IH 30
16 near downtown Fort Worth in Tarrant County to United States
17 US 67 in Cleburne, Johnson County.

18 This public hearing focuses on the northern
19 portion of the project from IH 30 to Farm-to-Market,
20 FM 1187, for a total project length of approximately 15
21 miles. The typical section of this portion of State Highway
22 121T will consist of two to three twelve-foot travel lanes
23 in each direction divided by a median. The median will vary
24 from 48-feet to 124-feet in width. The project will have
25 a -- have ten-foot inside and outside shoulders. The

1 minimum right-of-way for this project is 220 feet with
2 additional right-of-way needed at the interchanges.

3 This project contains up to ten diamond
4 interchanges and five grade separations without interchanges
5 depending on what alternative is selected, plus direct
6 connect interchanges at IH 30 and IH 20. A tollroad
7 consisting of two lanes in each direction will be
8 constructed in the first phase from IH 30 to Altamesa
9 Boulevard/Dirks Road. This initial construction will
10 include several diamond interchanges and grade separations
11 as well as the direct connect interchanges at IH 30 and
12 IH 20.

13 The initial construction of the IH 20
14 interchange may only include direct connectors from the --
15 from and to the west. The expansion of the initial tollroad
16 facility is planned to allow a third lane in each direction
17 to be constructed in the median without interference with
18 entrance and exit ramp configurations. The initial
19 construction south of Altamesa will be a two-lane roadway.
20 This -- this portion is planned to allow development of a
21 future tollroad facility. If justified, the entire tollroad
22 could be constructed initially.

23 Exhibits of the project are located in the
24 back of the room and will be displayed on the screen. The
25 color code utilized is yellow for the main lanes; bridges

1 are in red; frontage/roads surface/roads are in green; blue
2 identifies entrance and exit ramps; purple indicates
3 future roadways to be constructed by others; the orange
4 dashed line depicts the preliminary right-of-way for this
5 project. Property ownerships for tracts along the project
6 are in black text. For your convenience, there will be
7 representatives at the exhibits during the break.

8 I will describe the project from IH 30 south
9 and will include Alternatives A, B, C and D along with C/A
10 at IH 30. Each of these alternatives are on basically the
11 same alignment with variations in profile and interchange
12 locations and configurations.

13 Alternative D was the alternative displayed
14 at the June 1998 Public Meeting. Alternative B was
15 developed during the City of Fort Worth's Citizens Advisory
16 Committee process. Alternative A was developed by the City
17 of Fort Worth Project Development Team following the City's
18 Peer Review. Alternative C addressed issues with
19 Alternative A and Alternative C/A was the final alternative
20 developed and exists only at IH 30. Each of the
21 alternatives, with the exception of Alternative C/A are
22 included in the Draft Environmental Impact Statement. The
23 impacts of Alternative C/A are very similar to either
24 Alternative A or C. These alternatives, with the exception
25 of C/A, were displayed at the November and December 2001

1 Public Meetings.

2 Each of the alternatives tie to downtown
3 IH 30 improvements, including IH 30, Summit Avenue and the
4 connections to Macon, Cherry and Lancaster.

5 Alternative D at IH 30 is similar to the
6 remainder of the alternatives except for its connection to
7 Forest Park. This connection consists of two lane flyover
8 ramps that tie to Forest Park near the Lancaster bridge,
9 direct connections from Forest Park north of IH 30 west and
10 braided ramps adjacent to the St. Paul Lutheran Church.
11 Each of the alternatives replaces, in-kind, the connections
12 from IH 30 to Rosedale due to conflicts with the bridge
13 supports. Alternative B, as noted previously, was developed
14 during the Citizen's Advisory Committee process and resulted
15 in reducing the flyover connections to Forest Park to one
16 lane in each direction and removed the direct connections
17 from Forest Park north to IH 30 west.

18 Alternative A, developed by the City of Fort
19 Worth's Project Development Team eliminated the flyover
20 connections to Forest Park by relocating Forest Park to the
21 west and connecting to the relocated Forest Park with ramps
22 that traversed under IH 30 adjacent to Fort Worth & Western
23 Railroad. In addition, the braided ramps adjacent to the
24 church were replaced with a weave section on the IH 30
25 frontage road at this location. Access to Summit and Forest

1 Park in this alternative is by a split diamond with ramps
2 from and to the west at Forest Park and ramps to and from
3 the east at Summit. IH 30 has direct access to and from
4 SH 121T.

5 Alternative C modified Alternative A due to
6 safety and operation concerns. These modifications are
7 shown with the connection to Forest Park. SH 121T now
8 connects with existing Forest Park between IH 30 and the
9 Union Pacific Railroad. This revised connection eliminated
10 the impacts to the existing garbage dump located north of IH
11 30 and the construction of roadways on the Fort Worth and
12 Western Railroad property. In addition, the weave area on
13 the frontage road adjacent to the church was replaced by
14 stacked ramps in this location.

15 Alternative C/A was then developed to
16 eliminate the stacked ramps adjacent to the church. This
17 was done by raising the profile on IH 30, increasing the
18 length of the weave on the frontage roads and by eliminating
19 one of the connections utilizing this weave. Forest Park
20 still operates as a split diamond, but Summit is a full
21 diamond interchange with IH 30. In addition, a westbound
22 ramp from State Highway 121T to University has been added,
23 which will relieve traffic operating on the westbound IH 30
24 to University ramp. This connection utilizes the existing
25 Vickery bridge over the river, while a portion of this

1 bridge is proposed to accommodate pedestrian/bicycle traffic
2 from each side of the river.

3 I'll describe Alternative A from this point
4 forward with the alternatives, the other alternatives
5 described where they differ. Proceeding to the west or
6 south, the roadway crosses over the Clear Fork of the
7 Trinity River and University then under the Vickery
8 connections to Rosedale and the extended Montgomery. The
9 mainlane toll plaza is located between Montgomery and Hulen
10 with SH 121T alignment between Vickery and the U.P.
11 Railroad. A split diamond will serve University and
12 Montgomery with access to Rosedale to and from the west.
13 Vickery will continue to have access to the Rosedale
14 connections. Most of the improvements being acquired as
15 part of this project occur between Hulen and Summit.

16 At Hulen, SH 121T will pass under the Hulen
17 Bridge and over the railroad. The Hulen Bridge will be
18 rebuilt and widened as part of this project. Stonegate is
19 proposed to be extended to the west and will cross over SH
20 121T with a diamond interchange. Stonegate will serve as
21 access to and from Hulen and State Highway 121T.

22 This -- the alignment curves to the south at
23 this point and crosses over the Clear Fork of the Trinity
24 River. This river crossing is planned to span as much of
25 the river as possible with proper clearances for the

1 existing bike trail and maintenance road. It also allows
2 for future roads on each side of the river. SH 121T then
3 crosses under the future extension of Bellaire with no
4 interchange with Bellaire. The median on SH 121T is widened
5 in this area and 80-foot buffers are included on each side
6 of the SH 121T. Again, the alternative I'm describing is
7 Alternative A.

8 Next is the interchange with IH 20 and
9 frontage roads on SH 121T from SH 183 to Overton Ridge, on
10 SH 183 and on IH 20. A fully directional interchange is
11 planned for IH 20 with no direct connections to SH 183.
12 SH 121T crosses under the westbound 183 frontage road and
13 over 183, IH 20, the eastbound IH 20 frontage road and
14 Overton Bridge. A split diamond interchange is planned on
15 SH 121T with 183 frontage road and Overton Ridge. Overton
16 Ridge is planned to be lowered eight feet and reconstructed.
17 South of Overton Ridge the median is again widened and
18 buffers are included south to Altamesa/Dirks Road. This
19 results in impacts to the apartment complexes at Overton
20 Ridge, houses on the east side of SH 121T between Oakmont
21 and Altamesa and to recent development on the west side in
22 this same area.

23 SH 121T crosses over (sic) the proposed
24 Oakbend and existing Oakmont as well as under Altamesa. The
25 roadway will pass over Dutch Branch, with Dutch Branch

1 lowered eight feet and reconstructed. A diamond interchange
2 is planned for Oakmont with a half diamond at Altamesa.
3 Ramp plazas will be included at the interchanges south of
4 Hulen, with the -- at the interchanges south of Hulen, with
5 the exception of the IH 20 interchange. The initial
6 tollroad will end at Altamesa/Dirks Road.

7 South of Altamesa, SH 121T crosses over the
8 Fort Worth and Western Railroad and the future Sycamore
9 School Road with a diamond interchange at Sycamore School
10 Road. From this point, SH 121T continues south and passes
11 under the future Risinger and over future McPherson with an
12 interchange at McPherson. It then crosses under future
13 roads at Stuart-Feltz and Cleburne-Crowley, with a future
14 mainlane toll plaza between Cleburne-Crowley and FM 1187.
15 The initial tie-in at the intersection of FM 1187 and 1902
16 will be two lanes. An ultimate diamond interchange is
17 planned just west of this intersection. This is the
18 termination point of SH 121T on each of the alternatives.

19 Now I will describe the differences that
20 exist in other alternatives. I will begin with Alternative
21 D. This alternative goes over the Hulen Bridge, a future
22 development road and Stonegate, which is -- is located closer
23 to the river than in the other alternatives. A diamond
24 interchange is planned at Stonegate which frontage roads
25 along SH 121T on each side of the river between Stonegate

1 and Bellaire. At Bellaire, SH 121T crosses over Bellaire
2 and a diamond interchange is planned for this location with
3 frontage roads extended on 121T to SH 183 frontage road. No
4 widened medians or buffers are included in Alternative D.

5 Alterative B is the same in -- in this same
6 area, it crosses under the Hulen Bridge and over the future
7 Stonegate with an interchange at this location. Turning to
8 the south, it crosses over the future Bellaire with a
9 diamond interchange and frontage roads from Bellaire to
10 State Highway 183. This alternative follows the same
11 alignment as Alternative A from this point south. At IH 20,
12 direct connectors are included for all the movements of
13 IH 20 as well as direct connectors to the south -- from the
14 south and to the west on SH 183. A full diamond interchange
15 is included at Overton Ridge. Overton Ridge is not lowered
16 or reconstructed.

17 The major differences for Alternatives B & D
18 south of Overton Ridge from Alternative A is that the median
19 is not widened, both -- no landscape buffers are included,
20 Dutch Branch is not lowered or reconstructed, and SH 121T
21 crosses over Altamesa/Dirks Road. From this point south,
22 Alternative A, B and D are the same.

23 As I noted earlier, Alternative C was
24 developed after the Project Development Team developed
25 Alternative A. I noted the changes in Alternative C and C/A

1 at IH 30. I will now describe the differences in
2 Alternative C south of IH 30. This slide depicts the many
3 ways that C and A are the same. Between University and
4 Bellaire they are the same. They both have the same
5 alignment, horizontally and vertically, the same access and
6 interchanges, and both have the wide medians and landscape
7 buffers. In this area Alternatives A and C are the same.

8 In the IH 20 area, they are very -- they are
9 similar, but Alternative C has added direct connectors from
10 SH 121T to SH 183 and includes a full diamond interchange at
11 Overton Ridge. Overton Ridge is not lowered or
12 reconstructed with Alternative C. South of Overton Ridge
13 the median is widened where feasible, but landscape buffers
14 are not included where damage to current development, such
15 as apartments and houses, would be incurred. Where
16 possible, the landscape buffers are included. At Dutch
17 Branch, the existing roadway is not lowered or reconstructed
18 in Alternative C. As in Alternative A, SH 121T crosses
19 under the reconstructed Altamesa.

20 The alternatives remain the same south of
21 Altamesa to near Stuart-Feltz. At this point in Alternative
22 C, SH 121T curves to the southwest in accordance with the
23 most recent changes to the Fort Worth Master Thoroughfare
24 Plan. It ties to FM11 -- 1187 in a similar manner as the
25 other alternatives. Alternative C was developed with the

1 purpose to maintain the Project Development Team efforts
2 reflected in Alternative A. The only deviations from
3 Alternative A occur at IH 30 due to safety and operation
4 issues with additional modifications shown in Alternative
5 C/A, at IH 20 with direct connectors -- connections added to
6 SH 183, and south of Oakmont to eliminate the taking of
7 homes and apartments. In most instances, Alternative C is
8 Alternative A. This concludes my description of the
9 alternatives, and I will now turn the program back over to
10 Mr. Conrad.

11 MR. CONRAD: Thank you, Darrell. District
12 Right-of-Way engineer, Mr. Bill Wimberley will now discuss
13 the right-of-way acquisition process.

14 MR. WIMBERLEY: Good evening. As has been
15 described, this project will require the establishment of a
16 new -- of a new transportation corridor. We'll wait a few
17 minutes to get the lights up there.

18 (Audience member speaks out he can't hear.)

19 How's this? As has been described, this
20 project will require an establish of a new transportation
21 corridor. This will entail a major conversion of private
22 property for public use. One of the fundamental rights that
23 the framers of our Constitution sought to guarantee was the
24 right of private ownership of property. This right is
25 documented in the First Amendment to the Constitution.

1 It soon became apparent to the founding
2 fathers that supporting infrastructure would be necessary if
3 our country were to continue to grow and prosper. The land
4 requirements of this infrastructure are what prompted the
5 passage of the Eminent Domain Laws as documented in the
6 Fifth Amendment of the Constitution. These laws provide
7 authority for governmental entities to acquire property for
8 needed public works projects provided the owner is provided
9 compensation to the rights he or she is losing.

10 The Eminent Domain Laws apply only to
11 projects with a demonstrated public need. The Texas
12 Department of Transportation demonstrates the need for
13 projects by identifying operational deficiencies through
14 long-range planning tools and building compelling community
15 support through public hearings and coordination with local
16 governments. This meeting tonight is part of that process.

17 To enhance and further ensure compliance with
18 the spirit of the Constitution, Congress passed the "Uniform
19 Relocation Assistance and Real Property Acquisition Act of
20 1970." This law establishes guidelines for the acquisition
21 of property and the relocation of displaced individuals and
22 businesses in accordance with the guarantees of the
23 Constitution.

24 The first aspect of this law deals with
25 acquisition of property. Our procedures are structured to

1 comply with all the requirements of this law. The sequence
2 of the acquisition process is as follows:

3 * A Property owner must be notified in
4 writing of the need for his or her property. This is
5 usually accomplished by one of our staff members who has met
6 with the property owner to discuss the needs, and a letter
7 is sent as a follow-up to the meeting.

8 * The State hires an independent appraiser to
9 do a detailed appraisal on the property needed. These are
10 independent business people who provide appraisal services
11 to anyone in the community who has a need. The appraiser
12 must be -- must have experience in appraising properties
13 similar to the subject property. Education, certifications,
14 and work experience are reviewed prior to making this
15 assignment.

16 * Property owner will be given the
17 opportunity to accompany the appraiser when the property is
18 inspected. This is the option of the property owner, but is
19 encouraged because no one knows the property like the owner.

20 * When the appraisal is complete, it will be
21 reviewed by a second equally qualified appraiser who will
22 certify that the standards of uniform appraisal practice
23 were used in determining the value.

24 * A right-of-way agent will make an offer to
25 the property owner based on the value determined in this

1 appraisal report. The agent will explain the impacts the
2 right-of-way taking has on the remaining property, and try
3 to any -- answer any questions the owner may have at this
4 time.

5 * The property owner will be given a -- a
6 minimum of 30 days to consider the offer. This can be
7 extended if needed, and our project schedules allow it.

8 * If the offer is accepted, the owner will --
9 will go to a closing at a title company.

10 * If the property owner considers the offer
11 unacceptable, the right-of-way agent will explain the
12 options available to him or her under the Laws of Eminent
13 Domain.

14 The second aspect of this law deals with the
15 Relocation Assistance Program. The basic procedures are as
16 follows:

17 * At the time of the offer of purchase or
18 shortly thereafter, a Relocation Assistance Agent will meet
19 with the property owner or occupant to explain the benefits
20 of this program. This agent will work with the displaced
21 person or business until the move is completed.

22 * This program is designed to ensure that a
23 displaced residential occupant is properly relocated with no
24 undue financial hardship and a minimum of inconvenience.

25 * Business displacees are entitled to

1 reimbursement of the cost to move personal property and
2 inventories.

3 * Some business reestablishment expenses are
4 eligible for reimbursement under this program.

5 We have a short film which explains the
6 Relocation Assistance Program more in detail. This film is
7 playing out in the hallway, and I would encourage anyone who
8 has property impacted in this project to review this film.
9 It gives quite a few more details than what we've covered
10 here.

11 Also, we have a couple of brochures. These
12 are available at the table in the back. These brochures
13 explain the acquisition procedures and the Right-Of-Way of
14 Relocation Assistance Program in a little more detail. I
15 would encourage every person whose property's impacted to
16 get these. It would give you a better understanding of what
17 the process is, and when we come to visit you to make an
18 offer for your property, you'll have some idea of what --
19 what the process is.

20 Project specifics of this -- this particular
21 project, we anticipate there will be approximately 145
22 parcels of right-of-way to acquire. There may be as many as
23 four residential properties displaced, and as many as 50
24 businesses impacted. The total cost of the right-of-way is
25 estimated to be approximately \$115 million dollars. The

1 cost will be split between the State, and the City of Fort
2 Worth, and Tarrant County.

3 We think we could be released to begin the
4 right-of-way acquisition in the Fall of this year. It will
5 take 24 to 30 months to acquire the right-of-way and
6 relocate the displaced owners and businesses.

7 It is the policy of the Texas Department of
8 Transportation that individuals impacted by transportation
9 system expansions shall not be denied benefits, excluded
10 from the participation or otherwise subjected to
11 discrimination based on the grounds of race, color, sex,
12 age, handicaps or national origin.

13 In the months ahead, there's probably going
14 to be some rumors that you'll be hearing about the project
15 or you may have some questions about the project, we
16 encourage you to go ahead and call this number, which is our
17 right-of-way office. You can call us, and we'll try to give
18 you the latest information about the project timing and any
19 particular questions you have about the right-of-way
20 acquisition process.

21 If during the intermission, which will be
22 up -- upcoming here in a few minutes, we'll have
23 right-of-way folks at the back table and the far northwest
24 corner, I believe. They have some brochures back there, and
25 they'll try to answer any question you might have. And

1 also, the film is running out in the hallway. I would
2 encourage you to go ahead and review that, take the time to
3 review that this afternoon. Thank you for your time.

4 MR. CONRAD: Thank you, Bill.

5 Before we recess for fifteen minutes, I would
6 like to introduce the personnel from our staff, and from the
7 consultant staff that will be available at the boards and in
8 the selected areas to assist with the orientation on the
9 drawings, and to answer other questions in regard to this
10 project.

11 From Carter & Burgess, we have Darrell
12 Thompson, Lynn Pipkin, it -- it's difficult to see at the
13 back of the room. Just let -- let me read a few names.
14 The -- the real key is -- is look for somebody with a tag if
15 you have some questions to answer -- to -- to get with,
16 and -- and we'll find you, and -- if you have questions.
17 Randy Bowers up here at the front is TxDOT's project manager
18 for this. He'll be available. We'll be around the stage.
19 Like Bill has said, at the back of the room is -- is the
20 right-of-way folks with the -- the brochures.

21 Their film is -- is one that is a continuous
22 loop out in the hallway. So if you want to go watch that,
23 it is a continuous loop and it will start again when it
24 finishes. And the -- Judy, where's the Environmental
25 document? Is it out by the --

1 JUDY: It's back at the right-of-way table.

2 MR. CONRAD: It -- it's back at the
3 right-of-way table. As far as some of the environmental
4 questions, Robert Hall in the back of the room here is with
5 TxDOT. And Milton Richter is here with our consultant.
6 He's towards the back of the room here, too. And as a
7 reminder, please register at the table if you desire to make
8 a statements. Statements can be made at any time during
9 this hearing by utilizing the court reporter in the hallway.
10 Or when we reconvene, you will be given the opportunity to
11 give your statements. We will now recess and reconvene at
12 approximately 8:15.

13 (Short recess taken.)

14 MS. CHAVEZ: If you'll return to your seats,
15 we'd like to get started with the hearing. Ladies and
16 gentlemen, if you'd please go ahead and take a seat, we've
17 got quite a bit of cards for people who have are requested
18 to talk. Before I go ahead and open it to up to public
19 comment, I would like to recognize some of the elected
20 officials that are in the audience with us tonight.

21 From Johnson County, Judge -- Judge Harmon.
22 I can't see you, Judge. Thank you for coming, Judge. And
23 we've got some representatives, some folks representing some
24 of our state elected officials. From -- from our State
25 Senator's Office I believe we've got a representative from

1 Senator Ken Briner's office. Thank you. Also, representing
2 State Senator James Nelson, I believe we have a
3 representative from Senator Nelson's office. Thank you.

4 And then also from our partner, the City of
5 Fort Worth, of course, we have Major Ken Barr. Thank you,
6 Mayor. And then I believe we have some of the council
7 members from the City of Fort Worth present with us as well.
8 If you would stand and -- and introduce yourself, please.

9 Wendy Davis.

10 MS. CHAVEZ: Thank you.

11 Mike Davis.

12 MS. CHAVEZ: Thank you, Council. Thank you.

13 Did I miss any of the elected officials? Any of you that
14 want me to mention you? Before I -- I go ahead and open it
15 up to the whole public comment, I would like to recognize
16 also as part of the first comment, the first speaker, on
17 behalf and representing the City of Fort Worth, Mayor Ken
18 Barr. Mayor Barr?

19 MAYOR BARR: Thank you, Ms. Chavez.

20 The City and my colleagues on the City
21 Council appreciate the partnership with TxDOT and NTTA, and
22 we appreciate the recognition by TxDOT and NTTA that State
23 Highway 121T must be designed and constructed in a special
24 way for the citizens of Fort Worth. Done right, State
25 Highway 121T will not only provide improved mobility and

1 economic development opportunities for Fort Worth, but it
2 will also enhance the urban fabric of southwest Fort Worth,
3 preserve substantial green space, and support the Trinity
4 River addition.

5 And I can't help but stop for a moment and
6 observe that on recent mornings in the past few weeks that
7 I have driven into downtown Fort Worth, I can't help but
8 admire the literally hundreds, I guess thousands of trees,
9 being planted as a part of the 12 -- Interstate 30
10 relocation project.

11 What is there is going to make an incredible
12 addition to our city, and I can't help but thank the people
13 who are out here, Bob and Anne Bass, Don Nelson, and Ruby
14 Halden, and a host of other people who worked 20 years ago
15 to put in place a plan that is really today coming into
16 being, and in the years to come will really make an
17 incredible difference in this city.

18 Over the past four years, the city has
19 undertaken extensive public involvement and technical work
20 to guide this decision on a recommended locally preferred
21 alternative. That public involvement has included the work
22 of the Peer Review Team, the Citizen's Advisory Committee,
23 the PDT, the Project Development Team, and stake holders
24 attending scores of meetings over the past couple of years.
25 And I specifically want to acknowledge the help and the

1 leadership of the city people like Mark Bouma, our
2 assistant city manager, Robert Good, Joe (inaudible), Bryan
3 Beck, and Doug (inaudible), with whom we would not have
4 been able to arrive at a satisfactory conclusion relative to
5 the issues related to Bellaire Drive.

6 In February of this year, the City Council
7 adopted a locally preferred alternative culminating the
8 state based process initiated four years ago. The locally
9 preferred alternative is delineated in the City's LBA
10 resolution, which I will present to you here tonight for the
11 record. The work of the PDT forms the baseline for the
12 city's locally preferred alternative. But the PDT vision
13 has been refined in light of the productive work undertaken
14 over the past year in conjunction with the community NTTA
15 and TxDOT. Those requirements as were outlined earlier
16 include the C/A combo design for the IH-30 interchange,
17 which eliminates the stacked ramps next to downtown, but
18 maintains safe traffic operations and good access.

19 They also include utilization of the Trinity
20 River master plan vision which is the culmination of the
21 helpful commitment from our partner, TxDOT, and realigning
22 the main lanes to the north of the Stonegate area -- to the
23 north in the Stonegate area west of Hulen to improve
24 development opportunities north of the Trinity River. And
25 in the Bellaire area, utilizing Arbor Lawn Drive for the

1 interchange with 121, with Arbor Lawn going over the main
2 lanes of 121 with a (inaudible) on each side of 121 along
3 Arbor Lawn on both sides of the street and the frontage road
4 only on the west side of 121 to facilitate the Country Day
5 School's future development potential with ramps directly
6 connecting 121 and 183 and not lowering Dutch Branch Road or
7 Overton Ridge.

8 The parkway qualities, themes, and features
9 developed by the PDT remain central to the City's preferred
10 alternative. I cannot emphasize how important these
11 features, these enhancements are, to this project. These
12 qualities, themes, and features include first a split
13 roadway profile in order to fit the roadway to the existing
14 topography in the most sensible manner possible. Secondly,
15 landscaped buffers. Third, enhanced gateways and trail
16 lineages. And fourth, special architectural treatments on
17 bridges and other structures.

18 In terms of ensuring the implementation of
19 these qualities, themes, and features, the City requests
20 that the final Environmental Impact Statement better
21 document the PDT process and the other public involvement
22 undertaken. In addition to documentation, the final
23 Environmental Impact Statement must provide an analysis of
24 how the themes and features in the City's locally preferred
25 alternative compare and contrast with the other alternatives

1 so that the community can assess the nature of the impacts
2 and necessary mitigation for the project.

3 Frankly, the devil is in the details, and
4 these details are very important to the City Council and to
5 the citizens of Fort Worth. Just as important, the final
6 Environmental Impact Statement should not commit or confirm
7 the need for the project partners to agree immediately on a
8 process by which a charter enhancement mitigation master
9 plan is developed and eventually incorporated into the
10 schematic design and final design of the project. This will
11 ensure the implementation of the parkway qualities,
12 features, and themes.

13 In addition, the city will be utilizing an
14 advisory group to continue to focus on the process with a
15 particular focus on the process of implementing the parkway
16 features and themes. Regarding the specific mitigation
17 issues for the final environmental impact statement, the
18 city is calling for additional environmental assessment in
19 terms of noise and accumulative impacts on certain
20 neighborhoods, as well as lighting impacts and potential
21 alternative strategies so as to avoid high mass lighting
22 even though the NEPA process does not require that
23 assessment. These and some of the technical corrections are
24 delineated in the City's draft and Environmental Impact
25 Statement and resolution, which also is presented to you

1 here tonight for the record.

2 Because of the special nature of the
3 partnership between the City and NTTA and TxDOT, the City
4 stands ready to work with its partners over the next several
5 months to ensure the issues and concerns we have about the
6 draft Environmental Impact Statement in order to -- in order
7 to realize the final Environmental Impact Statement that
8 will propel the project toward success. A strong and
9 comprehensive final Environmental Impact Statement will
10 enable the project partners to work cooperatively towards
11 the successful and final project design, as well as an
12 equitable final funding agreement.

13 We're excited about working with TxDOT and
14 NTTA. We appreciate your leadership. We are ready to roll
15 up our sleeves with our partners to make this project a
16 project that we all can be truly proud of. Thank you very
17 much.

18 MS. CHAVEZ: Thank you very much, Mayor.
19 And -- and let me say that on behalf of the partners we
20 appreciate your leadership, not just on this project, but on
21 all the transportation activities that we have in the
22 community. And if anybody wonders whether or not you have
23 advocated on behalf of your constituents, I'll be sure to --
24 I can be a witness to that. I've had some of those behind
25 closed doors meetings where let me tell you, he definitely

1 advocated on your behalf. So I very much appreciate that.

2 And now let me go ahead and -- and call on -- on
3 Charles. He's going to give you a little bit of -- a little
4 bit of information on how we're going to conduct and take
5 the rest of your comments. And -- and then we'll go ahead and
6 start this process.

7 MR. CONRAD: Thank you. I'll remind you that
8 we do have two court reporters here tonight. You may make
9 your oral statements in the hallway at any time during --
10 during this hearing. There is a court reporter there. Or I
11 will be calling upon those individuals who have previously
12 indicated a desire to make a statement here tonight. Please
13 come forward to one of the three microphones and give us
14 your name and then your statement. Please limit your
15 statement to a maximum of three minutes. We do have a clock
16 down here that will time out three minutes. I think Randy
17 intends to -- to turn and get your attention at two minutes.
18 And you can see the hand turn as -- as it approaches three
19 minutes, and it does have a little ding on it. And we would
20 ask you to cooperate with us on that, to make sure that we
21 do give everybody an opportunity who wishes to speak that
22 opportunity.

23 Also, like to remind you that this time is
24 for statements only. Statements will be reviewed and
25 responded to in the written summary and analysis of this

1 hearing. If you wish to present more information, we will
2 be glad to receive it in writing through Friday, May 2nd,
3 2003, to become part of the hearing record. Any written
4 statements will be considered, along with the oral
5 statements given tonight.

6 In order to move the hearing along, I will
7 read two names at a time. This will allow the second person
8 to approach one of the microphones and be prepared to make
9 their statement. First person I have registered is Roger
10 Harmon, and the second one is Clyde Picht.

11 SPEAKER: Thanks, Charles. My name is Roger
12 Harmon. I'm the county judge in Johnson County. I'm here
13 tonight representing the Johnson County Commissioners Court
14 to lend our support in the construction of Highway 121. We
15 had our public hearing in Johnson County back in -- in
16 February. I think we had over 300 people at that public
17 hearing. And with overwhelming response it was in favor for
18 the construction of Highway 121. From Cleburne to Tarrant
19 County there is approximately 29 red lights, and I believe
20 that number is growing every year.

21 So we're excited in Johnson County to -- to
22 have a highway where we do not have to go through the 29 red
23 lights. So we're -- I believe I can speak for the majority
24 of the citizens of Johnson County, at least the ones who
25 were at that public hearing, were very supportive of the

1 construction of Highway 121. Thank you very much.

2 MR. CONRAD: Thank you. Clyde Picht, and
3 then Tim Keleher.

4 SPEAKER: My name's Clyde Picht, and I
5 represent the City Council District 6, part of Southwest
6 Fort Worth. And we have about 65,000 people out there all
7 supporting this freeway. Well, maybe a couple of them
8 don't, but I would say the vast majority do. And I just
9 want to express my support for the statement that Mayor Barr
10 made regarding the highway. It's a very important highway,
11 not just for the people in southwest Fort Worth, but for the
12 people in Johnson County and even the people in the -- in
13 the rest of the city and the northeast part of our county
14 who have to travel out that way, or used to travel out in
15 Granbury and that area.

16 We have a great deal of development going on
17 in the far southwest, the streets are getting more clogged
18 all the time, and I think it's going to be apparent to
19 everybody as -- as time goes on before we even get a chance
20 to -- to use this road, and -- and I just support it. And I
21 know that most of the people in southwest Fort Worth do
22 recognize the need of it, and I think it's important that we
23 get the road built and not fight over the details, but I
24 think that a lot of those details are very important to the
25 -- to the construction, and you have to pay attention to

1 them. And I encourage a speedy beginning and a speedy
2 conclusion of the road.

3 MR. CONRAD: Thank you. We have Tim Keleher
4 up next, and after that Donna Parker.

5 SPEAKER: Thank you, Mrs. Chavez and Mr.
6 Conrad. Thank you very much. My name is Tim Keleher, and
7 it's my privilege for speaking to provide a statement on
8 behalf of the members of the Fort Worth Chamber of Commerce.
9 We appreciate very much the opportunity to make a formal
10 comment regarding the State Highway 121 Southwest Parkway
11 project, and the draft Environmental Impact Statement
12 relating to that project.

13 The Fort Worth Chamber of Commerce represents
14 over 2,000 businesses of all types and sizes from every part
15 of the City of Fort Worth and throughout the areas of
16 Tarrant County and beyond. And we have appointed a special
17 task force to work with the partners, work with TxDOT and
18 the City and the North Texas Tollway authority and others as
19 the project progresses.

20 Ray Dickerson is the chairman of our SH121
21 Southwest Parkway task force, and he's the president of the
22 Citizen's Bank located at Bryant Irvin and Highway 183. I'd
23 like to first reaffirm the Fort Worth Chamber's continued
24 support for the expeditious and the prudent completion of
25 all necessary phases of the SH121 Southwest project. It's

1 -- this has been the top surface transportation
2 infrastructure priority for the Chamber of Commerce since
3 1990, and the need for the roadway is a critical
4 transportation lineage between and along the proposed route
5 from FM 1187 to IH-30 has increased as development and
6 population has rapidly increased in the southwest quadrant
7 of the county.

8 The Southwest Parkway is more than a
9 transportation project. It's about mobility, of course, but
10 also it's about air quality, and it's about economic
11 development. We believe at the Chamber that the proposed
12 SH121 Southwest Parkway has many significant benefits
13 related to mobility, and it will obviously and clearly
14 improve regional mobility and it's a key element of the
15 metroplex regional 2025 mobility plan.

16 It will improve local traffic circulation and
17 access to homes and businesses. It will provide greater
18 access to and from downtown Fort Worth, and it will improve
19 access to health care services south of downtown and in
20 southwest Fort Worth. Regarding environmental quality, we
21 believe that this project will improve air quality, will
22 reduce traffic congestion in southwest Fort Worth and
23 southwest Tarrant County. And we believe that the increased
24 commercial and residential development in the southwest will
25 increase local property and the sales tax revenues and allow

1 for improved local services throughout the county and the
2 City.

3 The Chamber would like to recognize the
4 outstanding efforts of the partners to the project, TxDOT,
5 North Texas Tollway Authority, the City of Fort Worth and
6 North Central Texas Council of Governments and the Federal
7 Highway Administration, and the counties of Tarrant and
8 Johnson for moving the project forward, including
9 engineering, design, financial and extensive public
10 involvement process.

11 Regarding the PDIS, we commend TxDOT and the
12 staff for the tremendous amount of work that went into the
13 preparation of the PDIS, and we appreciate this opportunity
14 to offer a public comment. The Fort Worth Chamber supports
15 the recommendations of the City of Fort Worth outlined by
16 Mayor Barr regarding some additional elements that should be
17 considered for inclusion in the final Environmental Impact
18 Statement. For example, the public -- public involvement
19 process should be documented, including the contributions
20 and recommendations of the project development team, the
21 Citizen's Advisory Committee, Streams and Valleys, Trinity
22 River Mission, and other key stake holders in the project.

23 Secondly, additional lighting and noise
24 impact analyses on the commercial and residential
25 development along the roadway, and finally the clarification

1 of certain technical elements that the VEIA raised by the
2 City of Fort Worth's Transportation staff. And this
3 concludes my testimony. Thank you very much. And I do have
4 a document that was prepared by the Fort Worth Chamber of
5 Commerce's executive committee last month, and I'd like to
6 submit that as a formal part of the record. Thank you.

7 MR. CONRAD: Next we have Donna Parker, and
8 then John Nelson.

9 SPEAKER: Good evening. My name is Donna
10 Parker. I appear before you both as vice chairman of the
11 North Texas Tollway Authority Board of Directors, and as a
12 resident of Fort Worth, Texas. The Authority is located at
13 5900 West Plano Parkway in Plano, Texas, and represents
14 Tarrant, Dallas, Collin, and Denton Counties along with our
15 contiguous counties with representatives from Johnson
16 County.

17 I reside at 6312 Mesa Ridge Drive in Fort
18 Worth. The North Texas Tollway Authority and our
19 predecessor agency, the Texas Turnpike Authority, has been
20 an active participant including mobility throughout the
21 North Texas region for the past 50 years. The Authority
22 built what is now I-30 connecting downtown Fort Worth with
23 downtown Dallas. The Authorities work with the North
24 Central Texas Council of Government and all of its members
25 who have been focused on providing people with quality

1 mobility options stretching traditional transportation
2 financial resources and meeting goals for air quality and
3 improving the quality of life in North Texas.

4 As part of this regional coalition, my fellow
5 directors and I at the North Texas Tollway Authority are
6 excited about reaching a significant milestone of the
7 Southwest Parkway from I-30 to FM 1187. Ultimate approval
8 of the Environmental Impact Statement with the issue of the
9 record of decision moves us closer to the ability to
10 possibly be a participant in the construction to build a
11 city roadway. The Southwest Parkway will not only offer a
12 major enhancement to regional mobility, but it will also
13 represent a significant achievement in public and private
14 cooperation.

15 The North Texas Tollway Authority has
16 supported the concept and State's recommendations of the
17 Southwest Parkway for a number of years, both
18 philosophically and financially. If we complete the new
19 roadway, it will increase mobility options for residents of
20 Fort Worth and Tarrant County and provide a crucial link for
21 Johnson County residents for the southern portions of State
22 Highway 121 when it is completed. The Southwest Parkway
23 will support access to a variety of those transportation
24 modes of the region including other highways, commuter and
25 light rail, and enhanced access to the Dallas/Fort Worth

1 International Airport.

2 As the region grows, more efficient
3 transportation systems will be needed to help reduce
4 congestion, and provide a safe means for people to travel to
5 work, to school, to medical care, and social events. As the
6 regional transportation network is improved, people will
7 hopefully enjoy a decrease in travel time and an improvement
8 to their overall quality of life, shorter travel times and
9 more efficient travel, speeds, and creates a positive effect
10 on air quality by reducing vehicle emission.

11 The Southwest Parkway is a key part of the
12 region's overall mobility plan to obtain these important
13 regional developments. The spirit of the community has
14 been part of the Southwest Parkway since its inception, and
15 the citizens, and the city officials of Fort Worth, the
16 Texas Department of Transportation, Tarrant County
17 Commissioners Court, and North Central Texas Council of
18 Government, and the residents of Tarrant County are to be
19 applauded for their diligence to work through issues and
20 arrive at this juncture. The Southwest Parkway has
21 represented the private and public cooperation, the decision
22 making at its best, and I have been proud to be a part of
23 this community and this elective process.

24 In summary, speaking on behalf of the North
25 Texas Tollway Authority and myself as well as the president,

1 we believe the process for the study of the Southwest
2 Parkway was carefully considered and addressed the potential
3 environmental impact and consequences of various
4 alternatives. We know there's additional studies to be
5 done, and a process that still needs to continue. Through
6 extensive public involvement this process has incorporated
7 concerns of my fellow citizens, the elected officials who
8 represent our community and other stake holders. The
9 Authority urges TxDOT and the Federal Highway Administration
10 to expedite the rapid Environmental Impact Statement and
11 ultimate environmental clearance for the Southwest Parkway,
12 and to move forward to all of North Texas. Thank you very
13 much.

14 MR. CONRAD: Thank you. John Nelson, and
15 next up is Steve Berry.

16 SPEAKER: My name is John Nelson. I'm
17 chairman of I Care. Twenty years ago the Highway Department
18 with tacit approval from City Hall decided to expand the
19 I-30, I-35 interchange design and proposed would have had a
20 devastating impact, a negative impact, on the Water Garden
21 T & P building and the post office. What happened was that
22 there was no meaningful public participation. And it took a
23 lawsuit in the Fifth Circuit Court of Appeals to set right
24 what had been done wrong.

25 Now, there is a difference between what

1 happened then and what has so far happened today. And that
2 is, there has been at least some superficial public
3 participation in the form of the PDT, CHC and several
4 meetings. I use the word superficial because the -- the
5 baseline of this meeting/hearing tonight is a draft
6 Environmental Impact Statement. And if one took that
7 document without knowing what processes had come before
8 this, one would be surprised that there was any public
9 participation, let alone so much.

10 None of that document, which forms the basis
11 of why we're here tonight, speaks to what the PDT, the City
12 of Fort Worth, the CHC, and many public speakers have
13 brought before TxDOT. There is not one mention of a
14 parkway like concept. What the DEIS statement did was, it
15 ignored public input. It reached wrong and unverifiable
16 conclusions. And it glossed over or completely ignored
17 potentially adverse impacts. And it was as though we had
18 gone back 20 years.

19 So the question for you is, are we going back
20 or are we going forward? Is this final Environmental Impact
21 Statement going to take into consideration what the law
22 requires that it take into consideration? That is, the
23 impacts. Is it going to discuss meaningfully and in depth
24 the impacts that do in fact exist under any alternative to
25 say as I just heard this evening that there are no

1 environmental impacts to any of the alternatives when one
2 simply looks at one example? And that is, where this
3 parkway goes over the bike trail is to ignore reality.

4 And so there -- there may have been this
5 tremendous amount of public participation, but it was
6 completely and totally ignored in the draft Environmental
7 Impact Statement. And so the question is, is it going to be
8 ignored again? Are we going back 20 years to where we were
9 and the ramifications? Or are you going to go forward and
10 do the project the way it needs to be, both for the people
11 and because it's the law?

12 MR. CONRAD: Steve Berry is up, and then
13 Robert Bass.

14 SPEAKER: My name is Steve Berry, and I'm
15 here representing the Streams & Valleys. I want to thank
16 you for the opportunity to present Streams & Valleys' views
17 concerning the impact of 121 on the Trinity River. I have
18 represented Streams & Valleys on both the Citizen's Advisory
19 Committee as well as the Project Development Team. We have
20 submitted information concerning the impact of 121 on the
21 river in each of these forums. There were concerns
22 regarding the impact on the Trinity River corridor which was
23 not addressed in the draft Environmental Impact Statement.

24 However, we understand that there is still
25 time for the inclusion of program elements involving the

1 plans. Streams & Valleys has worked with Union Toll to
2 develop a plan to offset the impact of the roadway. We have
3 presented this plan to the Mayor and the City Manager, and
4 it has been included in the City's resolution adopting the
5 recommended locally preferred alternative for the Southwest
6 Parkway. We are submitting this plan to you at this point
7 so that it will be included -- acknowledged and included in
8 the final AIS document. Thank you again for the opportunity
9 to present our views to you.

10 MR. CONRAD: We have Robert Bass, and then
11 Jerry Tracy.

12 SPEAKER: I'm Robert Bass, and I office at
13 201 Main Street in Fort Worth. I will speak tonight as an
14 investor in the long-range limited partners, the
15 right-of-way owner in the Oakmont and Dirk Road. As a land
16 owner of property, we're going to share some specific
17 concerns that we have regarding the information documented
18 in the DDIS. To help identify the opportunities, we will
19 share some perspectives on how we expect to work
20 collaboratively with TxDOT, NTTA, and the City to implement
21 the project that (inaudible) needs while enhancing natural
22 resources and minimizing property and environmental impacts.

23 As it stands, the DEIS does not adequately
24 document the extent of quality areas, nor does it
25 acknowledge the relationship between the impacted areas on

1 the long-range property and the downstream of ecosystems in
2 the City's parkland. It is imperative that the agency
3 develop a quality corridor review process collaborative with
4 the community to bridge the gap between the current locally
5 preferred alternative and the individuals that have the
6 plans.

7 The review process will create the
8 opportunity to identify specific parkway features and themes
9 and incorporate drainage and water quality features admitted
10 parkway impacts by preserving and enhancing the existing
11 streams and wetlands. In a separate cover we will provide
12 specific details of gaps in the current DEIS as related to
13 natural resources on the raw frontage property. However,
14 and potentially most disturbing is how cursory the
15 evaluations were for properties so obviously dominated by
16 stream and high quality lands. We challenge TxDOT and the
17 environmental reviewing agencies to verify whether or not
18 there are similar significant resources elsewhere along the
19 corridor.

20 Long range pertaining to HDR to assess the
21 environmental resources in the long range corridor of the
22 Parkway. They are a worldwide engineering firm with more
23 than 70 offices, and a leader in transportation and water
24 and environmental resource management. In the long-range
25 project, they regard jurisdictional delineations on site by

1 HDR wetland scientists using the methodology for the Corps
2 of Engineers Wetland Delineation Manual and recent
3 guidelines from the US Corps of Engineers, Fort Worth
4 District Regulatory Range personnel and in accordance with
5 the U.S. Supreme Court rulings.

6 A routine wetland delineation to determine
7 the nonjurisdictional waters in the U.S., not the two that
8 were documented in the DEIS. Of the nine, four are
9 (inaudible) of intermittent streams and a portion of wetland
10 habitats. These habitats have been impacted by the
11 parkway's construction. We are disturbed by the large
12 discrepancy and deficiency of the TxDOT environmental
13 review. There is an on channel pond that covers a half acre
14 of open water and wetland margin. This is not documented in
15 the DEIS. The 2,000 linear intermittent streams and
16 wetlands exceed the threshold of the U.S. Army Corp of
17 Engineers, and therefore require a separate Section 404
18 permit. We are surprised this would not have been noted,
19 and we cannot understand how the reviewing agencies have the
20 ability to compare alternatives and select a preferred
21 alternative without considering the impact on these
22 resources.

23 The wetlands are functioning as quick
24 lifeline sources, which protect habitant quality and
25 function to downstream habitats, including those for Fort

1 Worth City Park located between Dutch Branch and Bryant
2 Irvin Road.

3 I also want to comment on the significant
4 negative impact on the roadway on the potential development
5 of the property and note that the impact applies to the
6 entire corridor and requires significant mitigation not
7 acknowledged in the DEIS. What is clearly missing, however,
8 is an assessment of the individual impacts of the building
9 alternatives. The parkway will pass through a number of
10 community and public spaces requiring significant mitigation
11 of the visual as well as the noise impacts of the roadway.
12 To date, the DEIS has been an ongoing process. Lately there
13 have been indications of favorable receptivity by TxDOT and
14 NTTA and inclusion of community input addressing the
15 deficiencies by technical revision of the DEIS.

16 I look forward to working closely with TxDOT
17 and NTTA and the City considering the mitigations on the
18 long range property to mitigate the impacts and intrusion of
19 the Parkway.

20 MR. CONRAD: Jerre Tracy and Cal Campbell.

21 SPEAKER: Good evening, Mr. Conrad and Ms.
22 Chavez. My name is Jerre Tracy, and I'm here as the active
23 director of Historic Fort Worth, Inc. Historic Fort Worth
24 is a city-wide historic preservation organization with
25 approximately one thousand members and administrative

1 offices at 1020 Summit Avenue in the impacted area.
2 Historic Fort Worth applauds the work of the citizen based
3 project development team and consultants who studied the
4 complex issues surrounding the proposed T121.

5 We are very pleased with Fort Worth City
6 Council endorsement of the project team's recommendations.
7 We believe that the features and themes developed by the
8 project develop team best look at the negative impact of a
9 tollway of this magnitude as it stretches the heart of our
10 city and beyond. We find the draft Environmental
11 Impact Statement to be a disappointing document for many
12 reasons. But in particular, because it does not include the
13 PDT's recommendations.

14 We continue to hear concerns from citizens in
15 historic neighborhoods that are about increased traffic,
16 noise pollution, light pollution, air pollution, and
17 obstructed view corridors. We are most concerned with the
18 effects of these problems on city owned Botanic Gardens and
19 on the neighborhoods of Mistletoe Heights and Sunset
20 Terrace. We have identified the former Brooklyn Heights
21 Public school now known as the Middle Level Learning Center
22 as an overload to an impacted historic resource and
23 recognize that it will be potentially eligible for the
24 National Register of Historic Places in 2005.

25 We shudder at the current level of negative

1 impact caused by I-30 on Sunset Terrace. And we do not
2 imagine successfully mitigating more negative impact to this
3 neighborhood with the addition of SH121. For two of its
4 executive committee meetings, this organization has
5 prioritized Sunset Terrace given SH121 a negative impact on
6 this national registered eligible neighborhood.

7 We have listened carefully to the attorney
8 representing Fort Worth Country Day School as he cited
9 health issues from air pollution on the children attending
10 that school. We recognize that the 24-hour residential
11 children's home is nestled in the Sunset Terrace
12 neighborhood, as well as the day school for the potentially
13 national registered eligible St. Paul's Lutheran Church.
14 And then the same concern and issues that those expressed
15 with the children of Fort Worth Country Day School should
16 apply to these children.

17 In summary, as you can hear, the features and
18 themes of the project development team recommended already
19 represent significant perpetual compromises in our city, and
20 especially for historic preservation. The citizens of Fort
21 Worth have participated in numerous public meetings to make
22 their wishes known regarding the type of road they prefer to
23 enhance its function and appearance as well as mitigating
24 its negative impacts. Historic Fort Worth, Inc., joins
25 those who support the standards recommended by the project

1 development team to ensure that our city gets the highest
2 quality parkway that it most assuredly deserves and not just
3 another urban freeway. We request that PTD's report be
4 included as a part of the environmental impact study. Fort
5 Worth's future and historic preservation can afford no less
6 than the tollway to achieve the standards recommended by the
7 project development team or to you. And we also left you
8 written comments tonight. Thank you.

9 MR. CONRAD: Thank you. Cal Campbell, and
10 then Lezlie Monteleone.

11 SPEAKER: I'm Cal Campbell. My request is
12 that all Federal, State, and local funding be transferred
13 from this project to mass transit. To me, the only way to
14 solve our pollution congestion problems is to go toward mass
15 transit. I believe the number one priority of the city that
16 has been passed on to the legislature in session is to get a
17 regional transportation authority. Their main focus will be
18 mass transportation.

19 In looking at other alternatives, to me, it's
20 much easier to extend the TRE southwest along the existing
21 railroad line than it is to build a new highway, that it's
22 faster, more economical, and less destruction of businesses,
23 residences and drivers and commuters. And by the way, the
24 expanding the use of TRE I think gives some idea that we in
25 Tarrant County are ready for mass transit. The projected

1 cost for this new highway or tollway has skyrocketed. And
2 one of the more common methods of getting additional funding
3 the City has to have is to take 60 to 65 million out of the
4 bond election that was originally I think 160 million for
5 November (inaudible) existing roads in going for -- for our
6 parks. There are some costs reducing the cost by decreasing
7 the City's noise reductions, those have been mentioned.
8 Also, we may lose some state funding that is very central to
9 us meeting the EPA requirements here. They fumbled the ball
10 two years ago. I think they that had a surplus of ten
11 billion dollars deficit. I don't have a lot of confidence
12 in our folks down in Austin.

13 Also, the cost to Fort Worth can be expected
14 to increase even more because we had seven violations of our
15 Clean Air Act last year. It only takes three over a
16 three-year time period, supposedly we had to 2007 to the EPA
17 there have been three lawsuits successfully bringing that
18 back to 2005 in Washington, D.C., St. Louis, and more
19 recently in December to Beaumont who has the same problem we
20 do. Houston's pollution is better than here. You've
21 already heard the complaints on saying that the January 2003
22 environmental impact study is both filed and incomplete.
23 Our comprehensive plan states that we want people to live,
24 work, shop and play in the same area. This plan contradicts
25 that.

1 In past years, many of the residents have
2 been moving out of the city both for crime and the schools.
3 Our crime rate's going down, the schools are getting better,
4 at least we've got some more work to do there. We have lots
5 of plans and projects right now residences downtown and
6 there are two big projects that are going up within a couple
7 of miles of downtown for other residences. I've given you
8 right now a very brief summary that has been submitted
9 earlier. Thank you.

10 MR. CONRAD: Thank you. Lezlie Monteleone,
11 is it Monteleone, is the next speaker. And then Brooke
12 Lively.

13 SPEAKER: I'm Lezlie Monteleone, and I reside
14 at 3305 Moss Hollow. And I'm the president of the Overton
15 Woods Homeowner's Association. Our association has been an
16 active community participant in the public process on SH121,
17 including representation on the City Council and the project
18 development team. We support the construction of the
19 tollway subject to the defined meanings and specifications
20 as recommend by the project development team, and endorsed
21 by the City Council in January 2001 of resolution 2693.

22 Earlier this year, our association engaged in
23 extensive negotiations with the City of Fort Worth because
24 some council members were now recommending an interchange at
25 SH121 and Bellaire Drive, specifically going against

1 resolution 2693 which did not include such an interchange.
2 Through the negotiation an agreement was reached which
3 outlined ten specific points in section 180, one through ten
4 of resolution 2923, the locally preferred alternative. That
5 was unanimously approved by the Fort Worth City Council on
6 February 25th of this year.

7 We expect the Texas Department of
8 Transportation to accept and adopt the configuration and
9 specifications as outlined in resolution 2923 and to
10 readdress all environmental impacts based on that
11 configuration. In addition to the history of these
12 negotiations that led to our agreement with the City of Fort
13 Worth, there are other environmental issues that are not
14 addressed in the draft Environmental Impact Statement.
15 Those issues includes air pollution and related health
16 issues. Our attorney, Jim Blackburn, who is an
17 environmental attorney will submit written comments
18 separately addressing those issues. Light and noise
19 pollution, no studies were completed to address the impact of
20 light and noise in our area. The impact of area native
21 wildlife and ecology, we need an on-the-ground assessment of
22 the road impact and adduced land uses. Design elements
23 should have been incorporated to address land uses,
24 particularly commercial development to mitigate their impact
25 on our neighborhood. And we'll be submitting separate

1 letters to address all those issues.

2 All environmental impacts and the necessary
3 mitigations must take into account resolution 2923 as adopted
4 by the City Council, any deviation from this proposal would
5 result in Overton Woods Homeowner's Association withdrawing
6 its support to 121. We look forward to receiving your
7 response to our concerns and to working with you in
8 completion of the project. Thank you.

9 MR. CONRAD: Thank you. Brooke Lively, and
10 then Barbara Koerble.

11 SPEAKER: I'm Brooke Lively, co-chair here
12 for Children's Garden. The Children Gardens Committee is
13 planning construction of the Children's Garden within the
14 existing boundary of the Fort Worth Botanic Gardens, the
15 city park. The Children's Garden will occupy approximately
16 four acres within historic Rose Garden which is eligible for
17 the National Register of Historic Places to the east, the
18 Japanese Gardens to the north, the proposed greenhouse
19 facilities to the west, and the Interstate 30 frontage roads
20 to the south.

21 Sound impacts from the State Highway 121T
22 Southwest Parkway must be mitigated to reserve the existing
23 and future sanctuary of the Botanic Gardens. We
24 respectfully request additional noise studies at the
25 following locations: The southwest corner to the parking

1 lot directly behind and east of the antique mall building
2 located at the northeast corner of interstate 30 and
3 Montgomery between the curb fence along the north side of
4 the frontage road where the westbound Montgomery exit ramp
5 from Interstate 30 intersects the frontage road and at the
6 Rose Garden pavilion at the entrance to the Rose Garden.

7 Hopefully, these studies will identify the
8 impact that Southwest Parkway would have on the Fort Worth
9 Botanic Gardens, and specifically, the Children's Garden.
10 Please consider mitigation of this noise impact in the
11 design of the Parkway. The Children's Garden will be an
12 intense addition to what is already an historical and
13 environmental treasure for this region. We thank you for
14 your consideration of our concerns, and we look forward to
15 the findings of the noise study in anticipated mitigation of
16 any additional noise mitigated by the proposed Southwest
17 Parkway.

18 MR. CONRAD: Barbara Koerble and Lue Ann
19 Claypool. Is Barbara here? Barbara is not here right now.
20 Lue Ann Claypool, and then Ronald Hays.

21 SPEAKER: I'm Lue Ann Claypool, 3501 Bellaire
22 Drive North speaking for myself. I've attended endless -- a
23 number of meetings on the subject of SH121 over a period of
24 several years. During those meetings many good,
25 constructive changes were recommended by participants. Many

1 of those features have been included in subsequent
2 modifications to the plan, but the bad ideas never
3 disappeared. It has been explained to me that all plans
4 must be brought forward at all subsequent meetings, but it's
5 frightening to continue to meet plan D at every meeting.

6 Therefore, I stand here to state officially
7 for the record one more time that I have a strong preference
8 for plan C/A. Also, I greatly appreciate the statement made
9 by Mayor Barr, especially as it related to the enhancements
10 developed through public meetings. I hope you listened
11 carefully to those. We do not want a bare strip of
12 concrete. We want every one of the enhancements he
13 mentioned.

14 MR. CONRAD: Ronald Hays, Tom Reynolds.

15 SPEAKER: My name is Ronald Hays, and I
16 represent the Park Palisades Homeowner's Association. I
17 live at 6825 (inaudible). Garden Drive. Previously we
18 submitted a petition to the City Council and I also just
19 presented to Randy the same petition. But basically what we
20 would like to see is the turnpike's present location moved
21 furtherest west possible with the right-of-way keep it at
22 grade level at Dutch Branch to Dirks Road, and install noise
23 parameters (inaudible) our right-of-way. The current EPA
24 study does not recommend any type of noise abatement in that
25 facility, but I would offer my backyard to anyone on a

1 Friday or Saturday night or Monday morning to listen to the
2 noise on Dirks Road.

3 With the projected increase of a 40 percent
4 growth in our area noise will be a problem, and within the
5 guidelines with that projected growth we would like to
6 see the turnpike exit moved to approximately half to a
7 quarter of a mile further south to accommodate the extended
8 growth of Dutch Branch, Altamesa which will eventually be
9 required to be a four lane road.

10 As Mr. Bass spoke for the environmental area,
11 we do enjoy the wildlife in our area of wild turkeys, dove,
12 and quail, and an occasional coyote, and an occasional
13 bobcat in that area. So progress being what it is, that
14 area will be damaged and we'll miss that.

15 MR. CONRAD: Ty Reynolds and Linda Johnson.

16 SPEAKER: It's Tom Reynolds, actually

17 MR. CONRAD: Tom. Excuse me.

18 SPEAKER: That's all right. As a PDT member,
19 I just want to say how much I appreciate Mayor Barr's
20 comment about establishing the baseline per the PDT
21 recommendations for this proposed roadway. About two hours
22 ago or so I finally finished a rather lengthy letter and
23 mailed it on the way out of the office to Ms. Chavez and a
24 variety of other interested parties. My comments will be
25 brief tonight, and they will all regard the DEIS and my

1 favorite part of Fort Worth, which is my home in Sunset
2 Terrace, which is at the intersection of I-30 and Summit
3 Avenue.

4 Section 3H14 subparagraph 7 says
5 recommendations regarding, quote, noise mitigation visual
6 intrusion, etc., unquote, does not go far enough. This
7 needs to be amplified to say the least to include light
8 pollution, air pollution, traffic flow patterns,
9 particularly around in our area. Section V page 82 --
10 Section 5, excuse me, page 82, quote, the peak hour for this
11 project has been determined during the previous study
12 performed in 1992. Traffic patterns have not changed to a
13 measurable degree, and as such, the peak hour of development
14 in the 1992 setting was utilized.

15 Now, this is an incredible statement to me
16 because traffic patterns have changed so much since 1992, 11
17 years ago, and if you don't believe me, look at Summit
18 Avenue and the changes that have happened. The widening of
19 I-35 and the last lane impacted was -- Summit Avenue was the
20 boundary, the widening of I-30, the widening of Summit
21 Avenue and tying into 8th Avenue and the raising of the
22 Balinger Street Bridge, which has forced all the traffic
23 onto Summit Avenue. Anyone here who remembers three years
24 ago driving south on Summit where it used to dead-end into
25 Pennsylvania, I can't find anybody who ever sat in the back

1 of traffic. And now, no matter which way you're going south
2 you sit in the back of traffic.

3 Secondly, if we're going to be actually
4 doubling or nearly doubling the lanes at I-30, take that
5 into consideration with the way it is today. You talk about
6 impact. Section 5, page 139, on several pages regards,
7 quote, historic buildings and structures, and our area is
8 completely ignored. Sunset Terrace is eligible for this
9 National Register of Historic Places as is evidenced by a
10 copy of the letter from the Texas Historic Commission that
11 is included in the appendices section of the DEIS.

12 Section 5, page 185, secondary cumulative to
13 the project, quote, by definition, secondary impacts are
14 those that are caused by an action and are later in time or
15 further removed in distance, but are still reasonably
16 foreseeable. Cumulative effects which are even less are
17 impacts which result from incremental consequences of an
18 action when added to other passage reasonably foreseeable
19 future actions.

20 Again, I'd like to point out substantial
21 cumulative affects with the widening of I-35, I-30, Summit
22 Avenue, 8th Avenue, taking down the Balinger Street Bridge,
23 and never once apparently was there any consideration of
24 those long-ranging impacts. To boot, cut-through traffic in
25 our neighborhood has been another negative influence. It

1 was beginning to be a problem. It's far worse now.

2 I'll summarize two points. One, no
3 accumulative impacts have been considered in the DEIS. No
4 4F considerations are represented in the document, only the
5 direct taking of property. Two, this proposed new roadway,
6 121, should not be a zero sum gain whereby the efficiencies
7 created in the southwestern part of Fort Worth are offset by
8 the traffic jams, noise, pollution, and general
9 inefficiencies created in the inner city. And three, Sunset
10 Terrace was on (inaudible) in the mix master work, and did
11 not get the proper and needed attention as evidenced by the
12 high (inaudible) and no noise mitigation, and no attention
13 given to traffic flow impacts. We are once again on the
14 fringe of yet another major development, and we will not
15 stand for any project that does not include full and
16 appropriate documentation.

17 MR. CONRAD: Linda Johnson Quentin McGown.
18 Linda's given. We have Quentin McGown. After Mr. McGown,
19 Chip Diano.

20 SPEAKER: Thank you, Mr. Conrad, Mrs. Chavez,
21 for the opportunity to present some comments. Mr. Reynolds
22 stated many of the essentials I would express so I'll try
23 not to be too repetitive. I also live in Sunset Terrace,
24 which by the letter from the Texas Historical Commission on
25 August 9th, 2002, was determined to be eligible for the

1 National Register of Historic Places. My comments tonight
2 really reflect the panel's inefficiencies that we felt were
3 painfully obvious as (inaudible) by statement and I would
4 like to submit some changes as you move forward in the final
5 statement.

6 The project documents indicate the facility's
7 (inaudible). Is Summit Avenue, yet the DEIS's study
8 incorporated into it provide little or no data at all
9 regarding the impact to the section of the roadway between
10 Forest Park and Summit Avenue. The current locator maps are
11 included in the DEIS there were no site specific sound
12 studies conducted at or near Sunset Terrace, and we would
13 request that those be done to move to the next stage. All
14 studies of the lower section of the facility from Forest
15 Park Boulevard to Summit Avenue should take into account the
16 cumulative effects of Sunset Terrace and Mistletoe Heights
17 of the I-35, I-30 interchange project to the I-30 widening
18 and State Highway 121T.

19 The baseline should be established at a time
20 prior to the construction of the I-35 interchange, and we
21 need to look at it when moving forward. The DEIS does not
22 include any studies of projected accumulative impact of the
23 three projects on existing infrastructure. And as Mr.
24 Reynolds noted the increased impact on Summit Avenue will
25 now be especially exacerbated by increased traffic coming

1 into 121.

2 No studies of lighting methods or light
3 pollution are included in the DEIS, and even if such studies
4 are not required by the Federal Highway Administration, the
5 project authorities have been provided ample notice of
6 community concerns over lighting issues, that they need to
7 be concerned as we move forward with the next stage of the
8 impact statement.

9 The DEIS and those facilities will reduce
10 certain pollutants and create higher efficiency over the
11 southern portion of the route. Once studies were completed
12 the route (inaudible) the savings on the southern portion
13 will not be planned and not overcome by the increasing
14 efficiency on the northern end of the project. The DEIS
15 does not include data on the cumulative effects on air
16 quality of the three projects as they converge on the
17 northern limit. In determining the reasonableness and the
18 feasibility of any northern division for Sunset Terrace, any
19 study must factor in the projected number of benefited
20 procedures based on the area's decade for residential growth
21 and plans currently on file with the City of Fort Worth.

22 I do encourage that the City look at the
23 existing modification set in the neighborhood, and did not
24 look at the projected growth based on the existing the city
25 plans. I think the most glaring omission the DEIS was

1 favored to acknowledge residential views as the major and
2 current and future home of several businesses.

3 I'd lastly like to review the Section 4F
4 issues as they relate to Sunset Terrace. And again, the
5 DEIS was very clear to point out that they were no
6 (inaudible) properties designated and I want to remind you
7 that designation is not the operative word, but eligibility
8 is. The TxDOT consultation from the State Historic
9 Preservation Office focused, according to the Environmental
10 Impact Statement, on the area between Hulen and I-30,
11 completely ignoring both Mistletoe Heights and Sunset
12 Terrace. The DEIS appears to make a tacit finding, but no
13 4F impact without every completing any preliminary studies
14 for that finding. The TxDOT relies on the Historic
15 Preservation Office's finding those significant impacts to
16 support a lack of efficiencies, but the letter that's
17 included from the Historic Preservation Office and DEIS that
18 finding no significant impact was specifically conditioned
19 on TxDOT's addressing traffic noise and light pollution
20 issues both for Sunset Terrace and Mistletoe Heights along
21 with the rest of the project. May I finish one segment?

22 The adverse effects of the 121 projects on
23 the northern end of the neighborhood is substantial in terms
24 of increases of traffic, noise, and light pollution. The
25 northern end of the facility affecting both Sunset Terrace

1 and Mistletoe Heights suffers from the unique combination of
2 the I-35, I-30 project (inaudible). Any (inaudible)
3 Environmental Impact Statement must consider the
4 cumulative effects of these projects and right before the
5 value required by the historic designation of these two
6 neighborhoods.

7 We believe that the reasonably foreseeable
8 results of the TxDOT projects will result in the
9 constructive use of the historic properties and the DEIS
10 must study and clearly document the mitigation issues
11 proposed to protect the properties. We certainly look
12 forward with TxDOT as we move to that next stage. And
13 again, thank you for the opportunity to present our views.

14 MR. CONRAD: Chip Diano and Joe Staley, Jr.

15 SPEAKER: My name is Chip Diano. Well, first
16 I reside at 554 South Summit Avenue. It's located near the
17 interchange of I-30 and Summit Avenue. Those of us south of
18 I-30 have a major problem with TxDOT. You have increased so
19 much traffic in my neighborhood that we also have a historic
20 structure called Thistle Hill. A lot of you in TxDOT always
21 confirm themselves just by looking at maps. Do you know it
22 takes a lot of Texans to pay for various taxes for your
23 highways and maintenance? When Judge Harmon was here,
24 Highway 174 goes to Interstate 35 linking Johnson County to
25 the City of Cleburne, Texas.

1 A lot of things that were not mentioned yet,
2 impact, transportation, HOV lanes not mentioned, toll not
3 mentioned. You said proposed toll plaza. And option C/A,
4 it also says tax. Tax for Johnson County, not for Tarrant
5 County. In Dallas you have the Dallas North Tollway. There
6 is a problem. We have existing roads. The City of Fort
7 Worth has informed me that they want to move some water
8 mains in the medical district. If your employees get
9 injured, you have to come to my medical district for
10 treatment. How would you feel if your ambulances from our
11 community try to get your employees to our hospitals, and
12 they don't make it, because of your construction?

13 Let's face it, I look at traffic 24/7. For
14 our sake, and there is a lot of people that have to use the
15 Summit Avenue Bridge, we look at your construction and
16 traffic and congestion on a daily basis. I live in assisted
17 living. I have to look at your stuff all the time. What
18 I'm asking you is this, since nobody in this room contacted
19 me about this except one Council woman, and I know she is
20 here, this fine interchange that you have proposed better be
21 taken off of Summit Avenue. You have existing pavement
22 underneath the Summit Avenue Bridge from downtown, and you
23 currently have the Henderson Street interchange under
24 construction. That is an inconvenience to this medical
25 district. Thank you very much.

1 MR. CONRAD: Joe Staley and Charles Wendt.

2 SPEAKER: My name's Joe Staley, and I'm an
3 attorney from Dallas, Texas, and I represent the Fort Worth
4 Country Day School. I would like to make a short statement,
5 and also say that we will be filing written statements with
6 you at a later time.

7 Fort Worth Country Day School is looking at
8 the problem and especially with the Environmental Impact
9 Statement went to your engineers who were and asked them
10 about your Environmental Impact Statement, and I would say
11 that the response that we got was reasonably surprising.
12 There were five primary noise abatement issues which needed
13 to be addressed, none of which were addressed properly
14 in the statement, because there was a dodge put in to
15 categorize this property as a category E rather than a
16 category A where it should be.

17 The first question was to identify
18 potentially impacted land use activity. You said it was
19 identified as a sensitive receptor impacted by noise,
20 that -- that's the Country Day School. And then it said
21 there were no frequent human activities between the receptor
22 and the highway. And this is the main activity area for the
23 kindergarten, including where they have lunch from time to
24 time, art projects, they have a garden out there, and a
25 playground, and yet the impact statement says that they

1 don't have any activities there.

2 Your engineer said in the category A area is
3 not about where the preservation of these qualities is
4 essential to the area is to continue to serve its intended
5 purpose, if it is intended to serve its intended purpose,
6 and we can't use it to do that if we don't have continuation
7 of noise. And it also goes on to say, therefore, it is
8 important to stress that the school should be considered as
9 a category A zone. Not your words, your engineer's words,
10 yet that didn't occur.

11 The second thing was to determine the present
12 outside noise levels. That wasn't done. It was the report
13 relies on the 1998 and 2002 studies by others hiding behind
14 the category E designation, which only considers internal
15 noise abatement and not external. But if you apply the
16 internal criteria of category E and add what could
17 potentially be a 25 decibellic increase, we could have a 70
18 decibellic level, which according to your own statements is
19 the same noise level as running a vacuum cleaner nine feet
20 from your head. And that's what the children will be going
21 through outside the building.

22 Prediction of future noises, none. The
23 Carter & Burgess letter of February the 18th, 2003, says,
24 sound levels are model and estimated based on the type of
25 the building structure and not attenuation factors found in

1 the draft DEIS. So they weren't done. And then there's the
2 noise impact of the road. They made a kind of a significant
3 statement, I think, and this is what your engineer said,
4 "the school property will potentially experience sound
5 levels of ten to 14 DBA, decibels, that is decibels, higher
6 than the existing ambient sound levels. The school property
7 would exceed the TxDOT criteria noise mitigation
8 consideration. The property will be potentially severely
9 noise impacted for outdoor activities. Also, there is a new
10 ANSI standard acoustical performance criteria design
11 requirements and guidelines for schools. These guidelines
12 for excessive intruding sound levels would be those
13 exceeding 35 decibels. The TxDOT calculated sound levels
14 which exceed this interior sound level by five to eight
15 decibels. The buildings will be potentially severely noise
16 impacted on the interior."

17 The only thing that Country Day is asking is
18 pretty simply to be treated as the people were when they
19 built the Texas Turnpike Authorities Project in Dallas,
20 which is Dallas North Tollway. I was general counsel for
21 the Turnpike for 35 years, and they gave all underpasses on
22 that road. I represented the Fort Worth Independent School
23 District at the Arlington Heights High School situation, got
24 a depression because they gave them two and a half million
25 dollars to mitigate the damage. Ask no more and expect no

1 more, but I think that your -- one of your major educational
2 institutions should be treated fairly across the board as
3 other ones have been in the past. Thank you.

4 MR. CONRAD: Thank you. Next is Charles
5 Wendt, and then Margaret DeMoss.

6 SPEAKER: Mr. Conrad and Ms Chavez. I'm
7 Charles Wendt. I'm here tonight as the administrator of the
8 St. Paul Lutheran Church and School. We have been in that
9 location since 1954, it means 49 years at West Summit and
10 the freeway. We are aware of the Historic Fort Worth, but
11 Summit and Sunset Terrace wanting -- who are wanting to make
12 sure that you take into consideration noise, lights, and air
13 pollution so that the children of our schools can go
14 outside everyday and participate in the playground and
15 sports activities. We would ask you that you continue to
16 look for the effects of our properties that will continue to
17 grow in the process of finalizing a master plan for our
18 congregation which should be completed in June.

19 We're planning to go through the next few
20 years which will involve probably some more extensive
21 building on site, so we will be certainly concerned about
22 our access to and from the property. We will provide you
23 with a written report that we have before that we gave to
24 the City of Fort Worth. And we would look forward to seeing
25 this highway completed shortly so that our friends and

1 members of southwest Fort Worth will have an easier time
2 getting to us. Thank you.

3 MR. CONRAD: Margaret DeMoss and Michelle
4 Key.

5 SPEAKER: Ms. Chavez, Mr. Conrad, I'm
6 Margaret DeMoss, and I reside at 3421 Queen Arbor Court.
7 Many of the comments that I have in my letter have been very
8 eloquently spoken previously so I'll just try to summarize
9 my statements here and then submit this letter of mine. In
10 general, I did find the DES document disappointing and
11 devoid of detail supporting research and documentation, and
12 it's fairly simplistic approach to a very complex project
13 specifically has been referred to before that all the
14 documentation was done, and it was done by the PDT.

15 In addition to that document from other
16 previous (inaudible) on the roadway, other important data is
17 omitted and should be included in (inaudible). And I refer
18 to several specific pages where there were statements made,
19 but there was no supporting data that accompanied those
20 statements, specifically, the introductory summary on page
21 five, page eight, also exhibits 13 and 14 have significant
22 numbers that refer to traffic counts, but there's no
23 supporting traffic studies included and I would request that
24 all previous traffic studies relating to this -- this
25 roadway be included, and that would be all of North Texas

1 Council of Government studies, local studies (inaudible) and
2 court.

3 There also references in the section five
4 regarding air quality impacts and noise impacts. A lot of
5 technical jargon that's not defined, and I would suggest
6 that specifically some of those references be defined and
7 those standards be included in a reference standard, but
8 they don't tell you what the standards are.

9 And then my last comment is regarding section
10 5, page 132 to 135, which is on threatened and endangered
11 species, trees, and vegetation and (inaudible) other
12 referred to this as being incomplete. And specifically the
13 area near our neighborhood, the heavily wooded area near --
14 just south of the Trinity River, apparently that area was
15 analyzed only by aerial photography. And I would question,
16 number one, when was that photography done, and to what
17 detail is that photography accurate? I have personnel
18 knowledge that are trees there of different sizes and
19 species that are not included in the report.

20 Also, how can you tell what species of birds
21 and mammals are on the ground unless there's an actual
22 on-the-ground survey done? I'd request that there be an
23 on-the-ground survey done. It's -- it's hard for me to
24 give -- to accept the statement made earlier that there was
25 no impact on the environment. You haven't even looked at it

1 so I would request that you take a look on the ground and
2 evaluate those and then evaluate separately those impacts.
3 Thank you very much.

4 MR. CONRAD: Michelle Key, and then Mark
5 Oppenheimer.

6 SPEAKER: Good evening. I'm Michelle Key,
7 and I live 2222 Mistletoe Avenue in the Mistletoe Heights
8 neighborhood. We're immediately adjacent to the
9 intersection of the proposed highway and Interstate 30. Our
10 neighborhood association watched the PDT process very
11 closely, and much of our initial apprehension of the project
12 was relieved by the recommendations of the PDT. We, of
13 course, are very concerned that those recommended changes as
14 well as the features and themes developed by the PDT and
15 endorsed by the City Council are followed through to the
16 final design, and we refer to data included in the
17 alternative.

18 Unfortunately, the DDIS has heightened some
19 concern in our neighborhood. The draft report as it's been
20 mentioned does not even include the PDT report. And it also
21 does not appear to adequately state the effects of T121 on
22 Mistletoe Heights. First, we are concerned about the noise
23 level in our neighborhood, and how it will be mitigated. We
24 did not see any site specific noise studied, and we would
25 like to see one along the border of our neighborhood

1 adjacent to Rosedale and along the river bluff.

2 Next, we are concerned about traffic hazards
3 on Forest Park Boulevard. The traffic study referenced in
4 the DEIS related to that appears to come from 1984, and we
5 are interested in projections of traffic on Forest Park
6 through our neighborhood and between our neighborhood and
7 downtown based on our current traffic data and in light of
8 the pattern of development that has occurred downtown.

9 Third, we would like to see the lighting of
10 the roadway study and design to sensitivity towards
11 proximity to our neighborhood. We already have too much
12 lighting along the Rosedale Bridge and at Forest Park
13 Boulevard through our neighborhood. The proposed new road
14 will be visible from our neighborhood, from front and back
15 porches property of Mistletoe Heights.

16 Fourth, we are worried about the equality,
17 the draft does not appear to address potential stagnant
18 traffic on the northern end, in an already heavily congested
19 area. Fifth, and most importantly, we do not see anything
20 in the DEIS which shows the cumulative effect of Mistletoe
21 Heights, particularly in its historic significance to Fort
22 Worth when combined with the other freeways and street
23 expansions which have occurred in the same area. With the
24 proposed T121 lane, I count between 18 to 22 roadway lanes
25 and ramps in close secession excluding the railway bridge

1 all within one-half mile from the northern border of my
2 neighborhood.

3 We do not see how the DEIS can reasonably
4 claim that there is no environmental impact on us and our
5 ability to enjoy our properties. Finally, as a resident of
6 the City of Fort Worth, not just Mistletoe Heights, I can
7 support a roadway, but only one built as a parkway with all
8 the details as to grades, speed buffers, consistent
9 landscape, limited access, lack of service road, etc., and
10 with minimal impact to and significant mitigations for the
11 neighborhoods, the river, and our beautiful linear park
12 system, all of which it will clearly impact. Thank you.

13 MR. CONRAD: Mark Oppenheimer, and then I
14 have John Nelson again. Do you wish to make another --

15 SPEAKER: No, thank you.

16 MR. CONRAD: And then it will be Ann Bass.

17 SPEAKER: Mark Oppenheimer, I live at the end
18 of Fort Worth overlooking this beautiful area called Summer
19 Creek. I'd like to make some comments on particular
20 concerns to the Summer Creek area. Yes, there are people in
21 southwest Fort Worth that are concerned, and do not object --
22 and do object to this highway. I've lived here for a year,
23 and I've looked at this beautiful pasture land. Maybe it
24 was my mistake in not overseeing all the records when I
25 bought this land.

1 However, first of all, the DEIS does not
2 detail measures of alleviating what is commonly known as
3 urban sprawl which has become what is known as an EPA
4 primary concern. Fort Worth has recently rated the tenth
5 worst city out of 83 for urban sprawl, which means people
6 drive more, breathe more polluted air, face a greater risk
7 of car fatalities, have to own more cars, and walk and use
8 less transit.

9 Frankly, your report should take that into
10 consideration. I am particularly concerned with the
11 proposal of the highway after it dissects Dirks Road and
12 proceeds south, especially the area between Granbury and
13 Columbus Trail and Risinger Road. The current layout seems
14 to be the so-called route C as depicted as the yellow line
15 in exhibit 31 dated 1973. The highway will then obliterate
16 and establish the stream and wetlands area commonly known as
17 Summer Creek. That area is a defined wetlands. There is
18 absolutely no mention in the DEIS about that wetlands.

19 Frankly, I think the water flows (inaudible)
20 does not. Also, since I've lived here, I've seen
21 falcons. I've seen vultures. I've seen wild turkeys. I've
22 also seen other raptor birds that are endangered in that
23 area. The only one mentioned in the DEIS report was the
24 bald eagle. I hate to say, there are more and they live in
25 that area.

1 Lastly, I do believe -- I don't believe that
2 the Chamber of Commerce has taken into concern the fact that
3 this has absolutely nothing to do with our economics. What
4 will a highway to Cleburne do for us? Nothing. Frankly, a
5 highway that leads to nowhere brings us nothing. And we're
6 paying for it. Why does the tollway stop at Dirks? Why
7 doesn't it go down to Cleburne? And frankly, I understand
8 also Cleburne was very successful making railroad cars. Why
9 don't they continue to make railroad cars and have them be
10 transported up to Fort Worth?

11 MR. CONRAD: Ann Bass, and then Ed & Pauline
12 Wittenberg.

13 SPEAKER: Thank you. I'm Ann Bass. My
14 address is 201 Main Street. I'm a member (inaudible), but
15 I'm representing myself tonight. I would like to speak to
16 the design standards of the proposed project. Although the
17 project is -- is formally designated SH 121T, both TxDOT and
18 NTTA have repeatedly referred to it as a parkway. Citizens
19 have come to expect that the road will be constructed as a
20 parkway in accordance with nationally accepted design
21 criteria commensurate with a parkway.

22 It is important to note that parkways reflect
23 a suburban or moral character, not an urban swab of
24 concrete. Many of these features were described tonight by
25 Mayor Barr in his remarks, and I urge that TxDOT make sure

1 that all such amenities and enhancements are included in the
2 design of SH 121T. Despite TxDOT's characterization of a
3 parkway, I am not sure that anything in the DEIS
4 specifically addresses features of a parkway.

5 Having recently traveled on Federal George
6 Washington Parkway in Washington, D.C., and the Merit
7 Parkway in Connecticut, I want to make clear that design
8 standards of both parkways are radically different from
9 those of an urban freeway. It is incumbent on TxDOT to
10 design and build the project in a manner that meets public
11 expectations of a parkway, and not to engage in a slight of
12 hands in which a nomenclature is exchanged in reality for an
13 ugly urban freeway. Thank you.

14 MR. CONRAD: Mr. Wittenbuerg? I have a card
15 here. If not, Joseph Weiland. Barbara Koerble in the room
16 again? I see none of those three that are coming forward.
17 Are there anyone else that would like to make a statement
18 tonight? That's all that had registered, but we would
19 entertain any other statements that anyone would like to
20 make. I do not see anyone else wishing to make a statement.
21 Maribel, I'll turn the mic back over to you.

22 MS. CHAVEZ: Thank you, Charles. And ladies
23 and gentlemen, thank you very much for coming tonight. I
24 very much appreciate your comments, and -- and they are very
25 important process this is. I can tell you, this is probably

1 if not the most important one, the most important elements
2 in any transportation project, and that is public
3 involvement process. So thank you very much for bearing with
4 us, and for turning out tonight.

5 Again, as Charles told you, if you still
6 continue to have an opportunity even after tonight to submit
7 further comments if -- if you have something that you have
8 forgotten to mention or something else that you'd like to
9 include, please feel free to submit that to us. We -- we --
10 I forgot the date that Charles gave you but essentially May
11 2nd, we will continue to receive comments through May 2nd.
12 So again, thank you very much. And with that I close this
13 public hearing.

14 (Whereupon, the proceedings were concluded.)
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1 I, Christie Tawater, court-approved transcriber,
2 certify that the foregoing is a correct transcription of the
3 proceedings in the above-entitled matter.

4 I further certify that I am neither counsel for,
5 related to, not employed by any of the parties to the action
6 in which this hearing was taken, and further that I am not
7 financially or otherwise interested in the outcome of the
8 action.

9 I further certify that the transcription fee of
10 \$356.00 will be paid in full by TxDOT.

11

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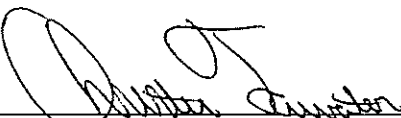
Christie Tawater, CSR, RPR

May 19, 2003

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Christie Tawater, Texas CSR #7352
Expiration Date: 12/31/03
DOLORES STEWART & ASSOCIATES
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Fort Worth, Texas 76104
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ORAL COMMENTS OUTSIDE OF THE PUBLIC HEARING

Oral Comments Outside
of the Public Hearing

TEXAS DEPARTMENT OF TRANSPORTATION
PUBLIC HEARING

Subject: SH 121 Public Hearing

Date: April 22nd, 2003

This hearing was held on Tuesday, April 22nd, 2003
at 7:00 p.m. in the Round Up Inn Room of the Amon G.
Carter, Jr., Exhibits Hall at Will Rogers Memorial
Center, 3400 Burnett-Tandy Drive, Fort Worth, Texas
76107.



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BARBARA KOERBLE

My name is Barbara Koerble. I represent Forward, which is the Fort Worth Alliance For Responsible Development. I live at 1815 Fifth Avenue in Fort Worth. Basically, I feel that this document does not meet the requirements of the NEPA process -- I mean, the DEIS. NEPA calls the alternative analysis section the heart of the DEIS, and this is a section that needs to be expanded on considerably.

Basically, the agencies are required to rigorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discussed the reasons for their having been eliminated.

There's a strong bias in the writing of the document that has preempted objective consideration of all reasonable alternatives, including the alternative of no action.

Another point is that the agency should devote substantial treatment to each alternative including the proposed action so the reviewers can evaluate the comparative merits. Reasonable alternatives not within the jurisdiction of a lead agency should be included.

As I mentioned, include the alternative of no

1 action. Also, I would suggest considering a limited
2 access parkway as an alternative that would have less
3 impacts, identify the agency's preferred alternative
4 in the draft statement, and identify that alternative
5 in the final statement.

6 And then lastly, include appropriate
7 mitigation measures not already included in the
8 proposed action or alternatives. And again, I think a
9 lot of the analysis doesn't detail enough what the
10 mitigation measures need to be for the impact on areas
11 adjacent to this toll facility.

12 It's important to examine why alternatives
13 have been eliminated from consideration during the
14 NEPA process. And in the way the alternatives have
15 been screened, it's important to know why the range of
16 alternatives were developed, through what process,
17 with what kind of public and agency input, and
18 important to know why any of these alternatives were
19 eliminated.

20 To get back to commenting on a no-bill
21 alternative, it is supposed to be included in the
22 analysis, and it may actually be a reasonable
23 alternative. That's one reason to include it. And at
24 any rate, it would always serve as a baseline to
25 compare the other alternatives against.

1 But one thing that I think a document should
2 explore regarding a no-bill alternative is, does the
3 proposed toll facility actually result in a
4 significant reduction of traffic in what are
5 determined to be adjacent congested areas.

6 And the North Central Texas Counsel of
7 Governments 2025 -- 2025 study among other studies
8 that have been done shows that the toll facility will
9 not significantly reduce congestion in coming years.
10 So one question that might be asked is, whether it is
11 worth building, if there's not a better impact on the
12 congestion issue.

13 Also, the limited access parkway could have a
14 lower speed limit than a toll facility, and this would
15 reduce emissions from cars traveling on that
16 facility. It would also reduce other impacts, visual
17 impacts, the noise impacts. Basically, a parkway
18 would -- would have less negative impact.

19 The other alternatives that should be looked
20 at include transportation system management
21 alternatives, and those are potential design options
22 that should be considered. Those could include high
23 occupancy vehicle lanes, ride sharing, signal
24 synchronization, and other similar actions.

25 Also, mass transit options should be

1 considered even if they are outside the federal
2 highways funding authority. There also should be
3 considered that there can be an impact on
4 disadvantaged populations that will not be able to
5 utilize this toll road for transportation purposes if
6 they don't have cars and if no mass transit is
7 provided as part of the toll road -- yeah, for
8 example, rail, and that that mass transit should
9 seamlessly connect with existing transit systems.

10 The other thing that I question is the
11 determination of the logical terminus (sic) for this
12 project. That's a term that they used to define the
13 end points for reviewing the environmental impact.

14 And basically, what I think a major problem
15 is, is that they have segmented this project into two
16 portions, and the portion that's being evaluated
17 tonight is being evaluated completely separately from
18 the portion of the roadway that will go all the way to
19 Cleburne. And this problem of segmentation does
20 exist, and it really needs to be addressed.

21 In fact, the Fifth Circuit Court of Appeals
22 has ruled segmentation to avoid evaluating cumulative
23 impacts on environmental issues and other issues.
24 They have ruled that that is illegal, besides which,
25 it's simply not logical to not include half of this

1 proposed facility, because, obviously, the traffic
2 that is coming to Fort Worth originating in Cleburne
3 and areas around there is going to add to the total
4 traffic volume, and therefore, it will increase any
5 impacts from the facility.

6 The DEIS does not thoroughly evaluate impacts
7 such as visual impact, noise, air pollution,
8 vibrations from the passing cars, damage to
9 vegetation due to air pollution, and light pollution.
10 Those impacts are not being thoroughly addressed in
11 the draft document as they impact on the adjacent
12 neighborhoods. Just a few examples would be Mistletoe
13 Heights, Sunset Terrace, and Bellaire neighborhood,
14 but all of the adjacent areas should be thoroughly
15 evaluated for these impacts, and that's one way that
16 this document really falls short of what it needs to
17 do.

18 The overall impression is that there is no
19 significant impact, but I believe there really is an
20 impact, and the document needs to more thoroughly
21 evaluate that. Basically, I think a lot more work
22 needs to be done on this document. It's a start, but
23 it falls way short of what the final document should
24 be. And I think that thoroughly considering the
25 alternatives is a very important step that needs to be

1 taken as well as evaluating the impacts. Thank you.

2

3

Mance Bowdin

4 Good evening. My name is Mance Bowdin. I'm
5 the assistant vice president for governmental affairs
6 with Omni American Credit Union headquartered here in
7 Fort Worth, Texas. Omni American was originally
8 chartered in 1956 as Carswell Federal Credit Union. It
9 currently serves more than 200,000 members with 15
10 branches located in 7 counties with assets of more
11 than \$1,000,000,000.

12 With our growth, we outgrew our headquarters
13 building, and in November 2002, Omni American property
14 located at 1320 South University Drive known locally
15 as University Center II.

16 At the time that we purchased this ten-story
17 building, it was our understanding and belief that
18 West Vickery Boulevard would remain a two-way street
19 between the University Center II facility and
20 University Drive, and that we, as well as our tenants,
21 would have ready access to and from University Drive
22 and eastbound I-30 via West Vickery Boulevard.

23 Based upon these understandings, we purchased
24 the University Center II property. We recently have
25 learned that changes have been proposed to the project

1 that effects West Vickery Boulevard. It is our
2 understanding that the proposal currently under
3 consideration calls for West Vickery Boulevard to be a
4 one-way street in the westbound direction beginning at
5 University Drive.

6 We believe that this proposal will have a
7 substantial and negative effect on the tenants of
8 University Center II and, thus, on the value of our
9 building. If a proposal is incorporated until the
10 final plans for 121-T, tenants of University Center II
11 will have no reasonable method of accessing University
12 Drive, eastbound I-30, or eastbound 121-T. To access
13 University Drive, tenants of the University Center II
14 building would be required to travel west on West
15 Vickery to Montgomery Street, turn north on
16 Montgomery, and proceed to the I-30 access road, turn
17 east onto the eastbound I-30 access road, and continue
18 down the access road past the University II facility
19 to University Drive.

20 This exceedingly out-of-the-way route would
21 have to be taken each time the tenant wished to access
22 University Drive. From Vickery to Montgomery to I-30
23 route would also have to be taken by any tenant
24 wishing to travel eastbound on either I-30 or 121-T.

25 In addition to being a burden on our tenants,

1 we believe the proposal would dramatically affect the
2 value of the building by taking away a vital access
3 route. An access route that we relied upon in
4 purchasing this building. Additionally, the proposal
5 would unnecessarily increase the traffic on West
6 Vickery Boulevard west of the University Center II
7 building and on Montgomery Street and on the eastbound
8 access road to I-30.

9 We submit the most viable resolution would be
10 to allow West Vickery Boulevard to remain a two-way
11 street between University Drive and the University
12 Center II facility. But for some reason this is not
13 being deviable, we submit that a road under 121-T
14 linking the University Center II entrance and the
15 eastbound service road of 121-T should be included in
16 the final plans for 121-T so that the tenants of the
17 University Center II building can continue that access
18 to University Drive in the eastbound arteries without
19 being required to circumnavigate west Fort Worth.

20 We have discussed our concerns with city
21 staff as well as engineers at Carter & Burgess. As
22 such, we respectfully request and urge you to give
23 serious consideration to this issue in the adverse
24 effects that the proposed changes to Vickery Boulevard
25 would have on our facility as well as our tenants.

1 We are and remain willing to discuss this
2 matter with TxDOT staff, NTTA staff, City Staff, as
3 well as Carter & Burgess staff in the effort to find
4 an equitable solution.

5

6

DAVE FRASER

7 My name is Dave Fraser, address is 8713
8 Overland Drive, Fort Worth 76179. I have read
9 somewhat extensively in the project minutes and the
10 various reports, and I looked at the various maps that
11 were available on the WEB before I came to the meeting
12 tonight, and I have not seen anything related to a
13 relationship with rail with respect to this project.

14 I found that a little bit odd and a little
15 disconcerting. Mrs. Javez (phonetic) and Mr. Chonrad
16 both mentioned population growth and mass transit is
17 certainly consistent with that issue. And I can tell
18 you that I attended college in Chicago, and they have
19 a very successful L-line that runs back down the
20 middle of the expressway from downtown, and it's -- as
21 I said, it's extremely successful.

22 And I have heard from one of the colleagues
23 on the explanation that I've been made aware of is
24 that there's a State law that prevents the mixture of
25 rail and road funds. And based on my perception of

1 the Texas Constitution laws were made to be
2 amended -- so let's not let that stand in our way, or
3 let's call in a fourth agency to throw some funds in
4 here.

5 At the very least, we should make certain
6 that sufficient median has been provided and that the
7 grading is consistent with rail usage and that
8 stations can be added at appropriate points. And
9 that's all I have. Thank you.

10

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RONALD HAYES

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My name is Ronald Hayes. It's 6825 Destanco
Gardens Drive in Fort Worth, Texas 76713. I have
before me a petition for the record from the
homeowner's association with the following
recommendations in order for our HOS to support the
121-T.

We would like to see the turnpike moved as
far west to the edge of the right-of-way as possible.
The median should be at a maximum of 25 feet, turnpike
should be kept as grade level from Dutch Branch to
Dirks Road, proposed highway should have a 25-foot
high berm at the right-of-way, shoulder east side to
buffer park from the turnpike.

If the berm should be used, again,

1 approximately one-quarter of a mile north of Dutch
2 Branch Road and terminate at Dirks Road. If the berm
3 is not feasible, then a noise wall should be
4 installed. The right-of-way should, in no way,
5 encroach upon any residential property at Park
6 Palcades, and the turnpike, that should be
7 approximately one-quarter to one-half mile further
8 south of Dirks Road to allow for the four-lane
9 expansion of Alta Mesa and Dirks Road in the future.
10 Thank you.

11

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LINDA JOHNSON

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I'm Linda Johnson, 3405 Crestwood Court, Fort
Worth. My concern focuses on the design of a true
parkway for SH-121-T, and I believe most of the
details that constitute a true parkway design are not
included in the drawings of the draft environmental
impact statement.

The themes and features outlined in the
project development themes' recommendations are not
clearly stated as designed guidelines for the
southwest parkway. These parkway features must be
addressed in the final DEIS and incorporated in the
next phase of design and construction drawing.

TxDOT and NTTA's standard construction

KIRK W. MOSS, CSR

DOLORES STEWART & ASSOCIATES, INC. (817) 810-0244

1 must be clearly defined at the beginning of the design
2 process, and its clear delineation must be used to
3 determine the most effective use of the City of Fort
4 Worth's \$8,000,000 designated for landscape, wall, and
5 architectural enhancement. So physically, it's
6 imperative that the roadway fit harmoniously with the
7 land following land forms incorporating park-like
8 structures.

9 I strongly encourage TxDOT to adhere closely
10 to the recommendations of the project development team
11 concerning the parkway design as well as landscaping
12 the architectural elements. I'd also like to express
13 my concern of what I heard tonight that this design
14 will meet minimum federal and state guidelines for
15 noise and light abatement and air quality. I think we
16 must do better than just the minimum standards, and I
17 would admonish TxDOT to make this an example of what a
18 structurally-sound environmentally sensitive and
19 emphatically pleasing roadway can be. Thank you.

20

21

CHARLES BLANTON

22

My name is Charles Blanton. I reside at
23 3600 Briarhaven, Fort Worth, Texas 76109. The draft
24 environmental impact statement does not adequately
25 address the issues of induced land use on adjoining

KIRK W. MOSS, CSR

DOLORES STEWART & ASSOCIATES, INC. (817) 810-0244

1 neighborhoods and other private properties. TxDot is
2 finalizing designs for SH-121-T must consider and
3 incorporate design elements that will adequately and
4 appropriately address the issue of induced land use,
5 especially as it relates to increased commercial
6 development.

7 Specifically, the -- the design should
8 include minimal use of frontage roads to discourage
9 urban sprawl, they should keep the highway at grade or
10 below grade with respect to residential streets, and
11 then they should connect the residential and
12 commercial areas adjacent to the parkway with
13 pedestrian connections.

14 The highway needs to have big, larger
15 buffer zones between the residential and commercial
16 areas and reduce the -- you know, the stated purpose
17 for SH-121-T is to reduce traffic congestion, but with
18 reduced land use, they could contra -- be at -- across
19 to each other. Thank you.

20

21 JOSEPH K. WEILAND

22 I'm Colonel Joseph K. Weiland. I live at
23 6612 High Brook Drive, Fort Worth, Texas 76132. I
24 speak for the Hulen Bend Estates neighborhood and many
25 of the residents in the Oakmont Meadows section just

1 north of Hulen Bend Estates. As the mayor said, the
2 details of where the proof of the pudding lies -- and
3 we are still rather sketchy in many of the areas
4 there.

5 The people of our neighborhood generally
6 desire two specific alternatives, and that is, to
7 ensure that the northbound traffic on T-121 can make a
8 direct exit onto Highway 183 to the west and north;
9 secondly, they much prefer Plan C for the intersection
10 of the toll road and Oakmont Boulevard. That is to
11 have the toll road go underneath Oakmont Boulevard.

12 The primary reason for this is that the
13 new Arbor Apartments on Harris Boulevard and the homes
14 built on Stockton Street in the last two years have
15 encroached on the original right-of-way that was
16 designated for the Highway 121. This encroachment has
17 resulted in that the present drawings indicate that
18 the northbound exit onto Oakmont Boulevard will be
19 adjacent to; that is, like, within 20 feet of the back
20 fence to these houses on Stockton Street.

21 This is a problem and this is one of the
22 areas that has been identified as a noise pollution
23 problem. I'm sure there's many enlightening decisions
24 and alternatives that can be discovered to remedy this
25 problem.

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We are looking forward to helping and providing people, if necessary, to assist all of the partners in this endeavor to solve this problem as they get into the specific details relating to the problem. Thank you very much.

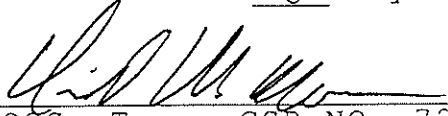
1 THE STATE OF TEXAS)
2 COUNTY OF TARRANT)

3 I, Kirk W. Moss, Official/Deputy Official Court
4 Reporter of Tarrant County, State of Texas, do hereby
5 certify that the above and foregoing contains a true
6 and correct transcription of all portions of evidence
7 and other proceedings requested in writing by counsel
8 for the parties to be included in this volume of the
9 Reporter's Record, in the above-styled and numbered
10 cause, all of which occurred in open court or in
11 chambers and were reported by me.

12 I further certify that this Reporter's Record of
13 the proceedings truly and correctly reflects the
14 exhibits, if any, admitted by the respective parties.

15 *I further certify that the total cost for the
16 preparation of this Reporter's Record is \$82.00 and
17 was paid/will be paid by Texas Department of
18 Transportation.

19 WITNESS MY OFFICIAL HAND this the 8th day of
20 May, 2003.


KIRK W. MOSS, Texas CSR NO. 7245
Expiration Date: 12/31/04
Tarrant County, Texas
DOLORES STEWART & ASSOCIATES, INC.
Fort Worth, Texas 76104
(817) 810-0244

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WRITTEN PUBLIC COMMENTS



STATE HIGHWAY 121
 From IH 30 to FM 1187
 Tarrant County
 Public Hearing
 April 22, 2003

RECEIVED
 APR 28 2003
 GARY ADAMS

The Texas Department of Transportation (TxDOT) actively seeks your comments on this proposed project. Your comments are always welcome and will be given serious consideration during the remainder of project development. Written comments may be submitted to the District Office using this form or by letter postmarked by May 2, 2003. Written and verbal comments will become part of the project record and will be included in the written summary and analysis of the public hearing. Thank you for your comments.

OFFICIAL COMMENTS:

RE: SH 121 TURNPIKE/PARKWAY

PLEASE BE ADVISED THAT THE A/C COMBO PLAN UNDER CONSIDERATION FOR THIS PROPOSED PROJECT WOULD BE FAR PREFERABLE TO ME IN MY DAILY COMMUTE TO AND FROM MY EMPLOYER, COLONIAL SAVINGS AT 2626 WEST FERRYWAY. THEREFORE I ENDORSE THE A/C COMBO PLAN FOR ADOPTION AND APPROVAL.

Name

GARY ADAMS

Address

853 WOODCREST DR,
 HURST, TEXAS 76053

Phone

(817) 390-2254

BERNARD S. APPEL

4917 Ranch View Road, Fort Worth, Texas 76109

Home 817/377-2544

Office 817/338-9579

Fax 817/338-4305

E-Mail bappel@flash.net

Maribel Chavez, District Engineer
Texas Department of Transportation
PO Box 6868
Fort Worth, TX 76115

April 22, 2003

Re: Noise, Light, and Visual Pollution from SH 121 T, Southwest Parkway

The Draft Environmental Impact State for SH 121 T, or Southwest Parkway, does not adequately address the issues of noise and light pollution and their detrimental effects on adjoining neighborhoods.


Every effort must be made to minimize the negative impacts of light and noise emanating from this roadway. Noise tests have been inadequate in the areas in which they were performed, but no studies have been conducted in several neighborhoods particularly vulnerable to increased noise pollution, including Overton Woods. Potential noise effects from increased traffic must be considered. Studies must be conducted using standards acceptable to the neighborhoods involved so that appropriate mitigations can be incorporated into the final design.

I strongly encourage the Texas Department Of Transportation, in developing designs and themes for SH121, to adhere closely to the recommendations outlined by the Project Development Team. These include:

- Minimize noise pollution by lowering by the parkway and building sound walls where required by TxDot standards. The parkway must be kept at grade or below grade wherever possible. Seek other funding where TxDot requirements are not met.
- Require new development to berm and use walls compatible with NTTA and TxDot designs.
- Mitigate light pollution by using Cut-off fixtures and minimizing the height of fixtures.
- Expand the buffer of native trees along either side of the parkway to minimize both noise and visual pollution.
- Maintain strict signage controls and prohibit all billboards.

I strongly encourage you to be vigilant in these matters and to follow the recommendations of the PDT in all sound and light pollution mitigations for SH121. Additionally, I encourage TxDot to find new and innovative ways to make this roadway even more attractive and less intrusive than any other in the state of Texas; SH121 should be a model of urban highway design in all respects.

Sincerely,



Robert M. Bass
201 Main Street
Fort Worth, TX 76102

Investor in Rall Ranch: Right of Way owner between Oakmont and Dirks Road

X The proposed Southwest Parkway project will be successful only if there is collaboration between the sponsoring Agencies (TXDOT, NTTA, and CFW) and the community. A successful working relationship will be dependent on two primary areas: 1. How well the community and agency can share in understanding the opportunities and constraints of the project through the NEPA process (where we are today). 2. How we move beyond the NEPA process in a meaningful and continuous dialogue among the agencies and the community that will lead to schematic plans that balance community interests and values with transportation mobility needs.

4 In addressing the NEPA process, it's important to have a solid base of information that will serve as the building blocks for the community and the agency discussions. Specifically, that the information provided in the DEIS is accurate and factual while including site-specific input that can lead to a working relationship.

As the landowner of the Rall Ranch property, we are going to share some specific concerns we have regarding the information documented in the DEIS. And to help identify opportunities, we will share some perspectives on how we expect to work collaboratively with TXDOT, NTTA, and the City to implement a project that meets agency needs while enhancing natural resources and minimizing property and environmental impacts. As it stands, the DEIS does not adequately document the extent of quality wetland areas nor does it acknowledge the relationship between the impacted areas on the Rall Ranch property and the downstream eco-systems in the City's parkland.

Beyond the NEPA process, the completed Parkway will have significant physical impacts on the Rall Ranch property by the magnitude of its impact area on the surrounding regional drainage basin. The facility will affect the drainage by changing the volume and quality of run-off through required modifications of existing drainage patterns both on the Rall Ranch property and area wide. By understanding the opportunities via appropriate documentation, TXDOT, NTTA, and the City have opportunities to develop schematic plans that: 1. Minimize impacts, 2. Preserve and enhance the existing eco-system on the Rall Property, and 3. Mitigate the Parkway impacts, perhaps even those offsite, by considering drainage and water quality features on site.

It is imperative the agencies develop a quality corridor review process collaborative with the community to bridge the gap between the current LPA and

the eventual Schematic Plans. The review process will create the opportunity to identify specific parkway features and themes and incorporate drainage and water quality features that mitigate Parkway impacts by preserving and enhancing existing streams and wetland.

In a separate cover, we will provide specific details of gaps in the current DEIS as related to natural resources on the Rall Ranch Property. However, and potentially most disturbing, is how cursory the evaluations were for a property so obviously dominated by stream and high quality wetlands. We challenge TXDOT and environmental reviewing agencies to verify whether or not there are similar significant resources along the corridor.

Rall Ranch retained HDR, Inc. to assess the environmental resources in the Rall Ranch corridor of the parkway. HDR is a worldwide engineering firm with more than 70 offices and is a leader in transportation, water, environmental and resource management, serving multiple districts of TXDOT as well as Federal, state, municipal, industrial and other clients in a wide range of disciplines. HDR is currently functioning as an extension of the Texas Turnpike Authority to provide program management, design oversight and construction management for the Central Texas Turnpike Project in Austin.

In the Rall Ranch project, HDR performed jurisdictional wetland delineations on site by HDR wetland scientists using the methodology of the *Corp of Engineers Wetland Delineation Manual* and recent guidance from the U.S. Army Corps of Engineers, Fort Worth District Regulatory Branch personnel, in accordance with the U.S. Supreme Court rulings.

1. A routine wetland delineation determined there are a total of nine Jurisdictional Waters of the U.S., not the two that were documented in the DEIS. Of the nine, four are reaches of intermittent streams and are portions of five wetland habitats. These habitats would be impacted by the Parkway's construction. We are disturbed by large discrepancy and deficiency of the TXDOT environmental review.

2. There is an on-channel pond that includes over 1/2 acre of open water and wetland margin. This is not documented in the DEIS. The 2000 linear feet of streams and acreage of wetlands exceed the threshold of the US Army Corps of Engineers and therefore will require a separate Section 404 permit. We are surprised this would not have been noted, and we cannot understand how the reviewing agencies can adequately compare alternatives and select a preferred alternative without considering the impacts on these resources.

3. The wetlands are functioning as critical aquatic resources which protect habitat quality and functions of downstream habitats, including those in a Fort Worth City Park located between Dutch Branch and Bryant Irvin Road . There is

no acknowledgment of the potential impacts to the high quality fish and wildlife habitat. This is an area in which the City, also, should also be quite concerned.

4. The wetlands and stream channels that will be affected by the Parkway are serving as a filter for storm water coming from the adjacent housing developments. The water currently flowing out of these wetlands is clear water cleansed of nutrients and pollutants, sustaining high quality of habitat in the city parkland. TXDOT and NTTA must be prepared to develop plans incorporating Parkway drainage (culverts, etc) in such a way as to not degrade this bioremediation. In addition, NTTA has an obligation through the Clean Water Act to assure what comes from the ROW is not a point source of pollution. We will look forward to working directly with the designers in addressing and preserving the water quality.

5. Based on regional drainage, including upstream basin areas in the expanding housing development areas, we believe that there are opportunities for one or more detention areas to help address future regional drainage needs while addressing water quality impacts. We look forward to working with the City and TXDOT to identify these opportunities during the schematic plan efforts.

6. TXDOT will need to work with the US Army Corps of Engineers and the EPA to preserve the integrity of the aquatic resources along the corridor and specifically on the Rall Ranch property and in the city parkland. We look forward to assuring that TXDOT adequately documents aquatic resources the length of the corridor, and to considering alternatives to incorporate design mitigations on the Rall Ranch Property to address on-site impacts and perhaps others along the Parkway.

I will also comment on the significant negative impact of the visual intrusion of the roadway on the potential development of the property and note that this impact applies to the entire corridor and requires significant mitigation not acknowledged in the DEIS.

In addition, Section V of the DEIS addresses "Environmental Consequences." The section describes a long list of topics and the impact of the various build alternatives. For example, these topics include: Land Use; Social; Economic; Air Quality; and Noise Impacts, just to name a few of the many in the 187 page section.

What is clearly missing, however, is an assessment of the Visual Impacts of the Build Alternatives. The Parkway will pass through or near a number of community and public spaces (the Trinity River hike and bike trail parkland and the Country Day School to name two), requiring significant mitigation of the visual as well as noise and other impacts of the roadway. It will also be located adjacent to the Rall Ranch property, passing OVER Dutch Branch Road and become a significant physical feature, significantly impacting and constructively

using the high quality habitat and development areas adjacent to the completed Parkway and destroying the unity of use of the property. The revised EIS should include a detailed assessment of Visual Impacts along the entire corridor to appropriately mitigate community impacts.

To date, the DEIS has been a flawed process. Lately, there have been indications of favorable receptivity by TXDOT and NTTA to inclusion of community input addressing of the deficiencies by technical revision of the DEIS.

I look forward to working closely with TXDOT, NTTA, and the City in considering mitigations on the Rall Ranch property to mitigate the impacts and intrusion of the Parkway.

ROBERT M. BASS
201 MAIN STREET
FORT WORTH, TEXAS 76102
817/390-8500 • FAX 817/338-2064

April 29, 2003

Mrs. Maribel Chavez, P.E.,
District Engineer
Texas Department of Transportation
P.O. Box 6868
Fort Worth, Texas 76115

RE: Comments to the Draft Environmental Impact Statement for State Highway 121T (CSJ: 0504-02-008, 0504-02-013) ("DEIS"); Potential Impacts to Waters of the U.S., including Wetlands, located on the Rall Ranch

Dear Mrs. Chavez:

I have a substantial interest in a limited partnership (Rall Properties, L.P.) that owns certain property in southwest Fort Worth that was documented in the DEIS to be impacted by the proposed construction of SH 121T. The property is known as the Rall Ranch and is located between Oakmont Boulevard and Dirks Road. The purpose of this letter is to provide my comments and express my concerns regarding potential impacts to important aquatic resources, located both on the Rall Ranch and on adjacent property, that have not been adequately addressed in the DEIS.

In planning for future development activities, an independent delineation of Jurisdictional Waters of the U.S., Including Wetlands, was commissioned for the Rall Ranch (the "Rall Ranch Delineation"). The Rall Ranch Delineation was performed by wetland scientists employed by HDR, Inc., using the methodology of the *Corp of Engineers Wetland Delineation Manual* (Environmental Laboratory 1987) and recent guidance provided by personnel of the U.S. Army Corps of Engineers, Fort Worth District Regulatory Branch, in accordance with the recent U.S. Supreme Court ruling in the SWANCC case. Numerous discrepancies are evident between the findings of the Rall Ranch Delineation and the data presented in Section V of the DEIS. I strongly believe that the data resulting from the Rall Ranch Delineation represents a more accurate assessment of both the jurisdictional extent of and the vital habitat functions being performed by the water resources on the Rall Ranch.

Among the apparent discrepancies between the DEIS and the Rall Ranch Delineation is the fact that the DEIS indicates there are only two water resources within the proposed ROW on the Rall Ranch that would be impacted by the proposed construction of SH 121T, while the Rall Ranch Delineation indicates there are nine such resources. All nine resources indicated in the Rall Ranch Delineation are performing significant and critical functions with regard to maintaining the health of the downstream watershed of the Clear Fork of the Trinity River. As property that will receive significant drainage from the proposed roadway and upstream areas, the impact on all of the resources must be evaluated and addressed in the final EIS, and that impact must be properly mitigated during the project permitting and planning phases.

DEIS Assessment

Of the two water resources on the Rall Ranch indicated in the DEIS to be impacted by the construction of SH 121T, one is a diked impoundment identified in the DEIS as Map ID #2 (PUBFh)(Section V, page V-99), and the other is a jurisdictional water identified in the DEIS as Map ID #10 (Section V, page V-99). Map ID #2 is an on-channel pond and is therefore jurisdictional under Section 404 of the Clean Water Act. Map ID #10 is an intermittent stream that flows into the Clear Fork of the Trinity River. The DEIS reported these waters to total 0.73 acre with the total anticipated impact estimated to be from 0.64 to 0.70 acre depending on the alignment alternative selected for the ROW. The 1992 National Wetlands Inventory (NWI) maps, aerial photography, and visual inspection of the proposed alignments were reportedly used to document the waters. The DEIS characterizes both waters (Map ID #2 and #10) as very poor quality for wetland and wildlife habitat.

Rall Ranch Delineation

During the field survey for the Rall Ranch Delineation, which was conducted on January 29, 2003, it was determined there are a total of nine jurisdictional waters of the U.S., including five reaches of intermittent streams, and all or portions of four contiguous wetland habitats located on the Rall Ranch that would be directly or indirectly impacted by the proposed construction of SH 121T. The Rall Ranch Delineation also indicates two additional contiguous wetlands that are located on the Rall Ranch adjacent to, but outside of, the proposed ROW, which may also be impacted. Depending on the final drainage designs for the roadway, the total impacts to intermittent streams could range from 1500 to 2000 linear feet and jurisdictional wetland/open water impacts could easily exceed one acre, twice the threshold for a Section 404 Individual Permit.

Each stream channel within the proposed ROW on the Rall Ranch contains in-channel fringe emergent wetland habitats and indicators of ground water seepage from the uplands. The on-channel pond in the proposed ROW includes an extensive emergent wetland fringe habitat. The on-channel pond is 0.14 acres of open water with an 0.38 acre wetland margin. None of the contiguous or adjacent wetland habitats along the streams or pond is documented in the DEIS. The report that was prepared as part of the Rall Ranch Delineation describes these waters and wetlands in great detail and is available in my offices at 201 Main Street in downtown Fort Worth.

Recent development of adjacent properties has resulted in the channelization of portions of one stream channel and drainage improvements to another. This work has resulted in the creation of additional jurisdictional waters of the U.S. on the Rall Ranch, which are all hydrologically connected and serve as tributaries to the Clear Fork of the Trinity River. The emergent wetlands in and adjacent to the proposed ROW are functioning as critical aquatic resources, thereby protecting the habitat quality and functions of downstream aquatic habitats. One stream that crosses the Rall Ranch from southeast to northwest, flows directly from the Rall Ranch into a City of Fort Worth park on Dutch Branch Road between Harris Parkway and Bryant Irvin Road. The park is dominated by a native woodland corridor which serves as high quality habitat for fish and wildlife. Three active beaver dams were observed in the park, providing permanently flooded areas that support a variety of fish and other aquatic life.

Key Issues

The Rall Ranch Delineation illustrates that more jurisdictional water resources on the Rall Ranch could potentially be impacted by the construction of SH 121T than were reported in the DEIS. Specifically, I am concerned that the DEIS fails to take into account the key ecological role played by the aquatic resources on the surrounding properties and how they are directly impacted by the construction of SH 121T. There is currently high quality water flowing out of the wetlands that are located on Rall Ranch and the authorities charged with the development and construction of SH 121T have an obligation to maintain that clean water for the benefit of the downstream resources.

While I may understand how the DEIS preparers could consider the quality of the water resources (streams and wetlands) within the proposed ROW on the Rall Ranch to be very poor as wetland and wildlife habitats, that determination can only be reached by limiting their consideration to the water resources contained within the actual ROW and directly impacted by the project. However, the wetlands on the Rall Ranch are performing important ecological functions that extend far beyond the proposed ROW and which are not considered in the DEIS. The DEIS fails to consider both the filtration and nutrient assimilation functions of these directly impacted resources as well as the corresponding impact upon those downstream aquatic resources that lie outside of the proposed ROW (both on the Rall Ranch and in the city park) and which will be affected by any disruption to the wetlands inside of the proposed ROW. The wetlands and stream channels within and immediately downstream of the ROW are serving to filter the stormwater from the adjacent housing development and upstream channelization efforts. The species and density of plants growing within these wetlands are indicative of wetlands assimilating increased nutrient loads from fertilizers and sediment. Additionally, the wetlands are probably filtering other common chemicals (i.e. pesticides, automotive petroleum products, etc.) that are being released from the adjacent residential areas. Therefore, the functions of these wetlands in filtration and nutrient assimilation are critical to the maintenance of the high quality and biologically functional downstream reaches located on the Rall Ranch and the city park as aquatic and riparian habitat for wildlife and fish. It is vital that this sensitive, natural eco-system be conserved by protection of the important functions performed by the wetland habitats on the Rall Ranch, a point that is overlooked in the DEIS.

Conclusions

If the DEIS is so deficient with respect to the water resources associated with the Rall Ranch, which accounts for a relatively small portion of the proposed ROW, it is logical to assume that the DEIS is also deficient for the remainder of the 15.1 mile proposed ROW. To protect the integrity and function of the aquatic resources downstream of the proposed SH 121T corridor, I expect the Federal Highway Administration ("FHWA"), Texas Department of Transportation ("TxDOT"), North Texas Tollway Authority ("NTTA"), U.S. Army Corps of Engineers ("Corps"), and the Environmental Protection Agency ("EPA") to perform a more rigorous evaluation of the functions of the wetlands along the entire proposed ROW to determine the impact on the entire downstream watershed and ensure that the functions of all of the streams and wetlands impacted during roadway construction are fully replaced and compensated for through the creation of high quality wetland habitat in the same general vicinity. I also expect

the regulatory entities, including the Corps, Texas Commission on Environmental Quality ("TCEQ"), the EPA, and the City of Fort Worth, to require TxDOT and the NTTA to design and manage the project to ensure clean water during both the construction and post-construction periods, in accordance with the full extent of applicable requirements under Sections 401 and 402 of the Clean Water Act; including the TCEQ 401 Water Quality Certification Program, the National Pollutant Discharge Elimination System ("NPDES"), and the Texas Pollutant Discharge Elimination System ("TPDES"). In addition to standard measures to control construction site runoff, to meet the full requirements of these programs, the roadway designers and operators must also maintain the quality of the water entering the Rall Ranch, as well as the City's municipal storm sewer system, in perpetuity through appropriate means such as detention ponds and wetlands. Additionally, any wetland detention areas must be designed to provide stormwater detention and erosion control, in order to assimilate the additional pollutants and sediment anticipated due to the construction and ongoing existence of the new roadway, as well as to future development in the watershed. More specifically, TxDOT and the NTTA must coordinate with the City of Fort Worth to ensure that the drainage being discharged from the ROW, including the regional drainage flowing through the ROW, is of a quality and volume that will not endanger the downstream ecosystems of the Rall Ranch, the city park, or any other such environmentally sensitive areas along the ROW

There are plans to enhance the riparian habitats on the Rall Ranch as an aesthetic amenity and an integrated natural component of future development. Maintaining and preserving the critical functions of the jurisdictional water resources in the proposed ROW is a key issue necessary to maintaining a healthy ecosystem in this important tributary to the Clear Fork of the Trinity River. I therefore request that the concerns expressed in this letter be reviewed by your project staff and addressed with my engineers and consultants prior to going forward with the pursuit of financing, design, and construction of SH 121T. I would also like to be assured that, since my investigations relate to only a small portion of the proposed ROW covered by the DEIS, the final EIS will contain a complete and proper analysis of the full extent of all such ecologically sensitive portions of the entire proposed ROW and the significant functions they are performing will be fully compensated for in the Section 404 permitting process. Proper analysis of the totality of the proposed ROW, including all such areas to be impacted, is necessary to plan properly for the preservation of all environmentally sensitive sites. I understand that such preservation is legally mandated; and it is that mandate which underpins my concerns and my actions. Please feel free to contact either myself or Tom Delatour at Rall Properties, L.P., 201 Main Street, Suite 3100, Fort Worth, TX 76102, at any time to discuss these comments and solutions to the environmental issues facing this watershed. We would be pleased to discuss opportunities and alternatives with the project proponents to plan for adequate mitigation for the functions of the impacted aquatic resources to ensure that the downstream watershed is not adversely impacted by the SH 121T project.

Requirements

As a member of the community and the owner of a substantial interest in property that will be impacted by the proposed SH 121T, I expect the responsible authorities to undertake the following tasks:

- Perform a more rigorous and thorough survey and evaluation of the aquatic resources along the entire proposed ROW, utilizing the most recent maps (more recent than the 1992 NWI maps used to prepare the DEIS) and resources as well as more intensive survey techniques to ensure complete coverage and more detailed information regarding such resources, including their functions and potential impact with regard to the downstream ecosystems;
- Provide a statement of the analysis procedures and level of detail used in the updated survey and evaluation;
- Revise the DEIS to both reflect the findings of the more rigorous and thorough evaluation of the aquatic resources and thoroughly address the technical discrepancies described in this letter;
- Coordinate with the City of Fort Worth with regard to regional drainage and design storm-water detention and filtration systems to ensure that the quality and quantity of the drainage discharged from the ROW does not disturb the delicate balance of the downstream ecosystems; and
- Design and manage the SH 121T project to ensure clean water both during construction and post-construction periods in accordance with the full extent of requirements under Sections 401 and 402 of the Clean Water Act; including the TCEQ 401 Water Quality Certification Program, NPDES, and the TPDES.

Thank you for your attention to this matter. I look forward to meeting with your staff to address these concerns.

Respectfully submitted,



Robert M. Bass

cc: Patrick Bauer, Federal Highway Administration
Jerry Hiebert, North Texas Tollway Authority
Wayne Lea, U.S. Army Corps of Engineers, Fort Worth Regulatory Branch
Norm Sears, U.S. Environmental Protection Agency
Mark Fisher, Texas Commission on Environmental Quality, Water Quality Assessment Section
Gary Jackson, City of Fort Worth
Scott Polikov, Prime Strategies

ROBERT M. BASS
201 MAIN STREET
FORT WORTH, TEXAS 76102
817/390-8500 • FAX 817/338-2064

April 29, 2003

Mrs. Maribel Chavez, P.E., District Engineer
Texas Department of Transportation
P.O. Box 6868
Fort Worth, Texas 76115

Re: Proposed SH-121T; Draft Environmental Impact Statement ("DEIS");
FHWA-TX-EIS-99-05-D

Dear Mrs. Chavez:

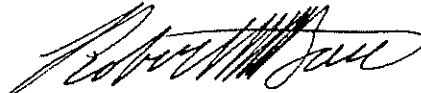
I am separately delivering to you that certain letter dated April 29, 2003, which provides comments to the DEIS and specifically addresses wetland and other aquatic issues relating to a certain tract of property (generally known as the "Rall Ranch") that is owned by Rall Properties, L.P., in which I have a substantial ownership interest. The Rall Ranch was documented in the DEIS to be impacted by the construction plans for SH 121T.

Independently from the comments enclosed in that letter, I would like to address certain other issues relating to the proposed construction as set forth below. First, I believe it is important to note that overall, the DEIS is superficial and fails to thoroughly and completely address the impact of the proposed construction upon ecological resources not directly in the SH 121T right-of-way. As one example, the DEIS fails to consider the role certain ecological features on the Rall Ranch currently play in the larger eco-systems encompassing areas outside the right-of-way, such as the city park located on Dutch Branch Road between Harris Parkway and Bryant Irvin that is discussed in greater detail in the accompanying letter. If that one very important aspect of the potential impact has been overlooked with respect to the Rall Ranch, it is almost certain that other equally important aspects have also been overlooked with respect to other properties along the right-of-way. Second, it is imperative that the effect SH 121T will have on surrounding neighborhoods be more fully considered, particularly with respect to safety, noise and other nuisance concerns. Finally, the SH 121T proposal does not envision sufficient landscaping along the right-of way, particularly with respect to the appearance of the highway from the vantage point of neighboring properties. There should be an obligation for the City of Fort Worth, N.T.T.A., and/or the Texas Department of Transportation to install and maintain sufficient landscape along the right-of-way to prevent SH 121T from having a drastic negative visual impact on neighboring development.

Maribel Chavez
April 29, 2003
Page 2

It is vital that the totality of the impact of SH 121T be considered and addressed before proceeding with the proposed construction. I appreciate your attention to this matter and I am looking forward to meeting with your staff to address these concerns.

Very truly yours,

A handwritten signature in black ink, appearing to read "Robert M. Bass", written in a cursive style.

Robert M. Bass

cc: Gary Jackson, City of Fort Worth
Scott Polikov, Prime Strategies
Patrick Bauer, Federal Highway Administration
Jerry Hiebert, North Texas Tollway Authority

Mr. and Mrs. Edwin G. Bell
3509 Elm Creek Court
Fort Worth, Texas 76109

1.817.763.0060
cbelli@flash.net

April 22, 2003

Maribel Chavez
District Engineer
Texas Dept. of Transportation
PO Box 6868
Fort Worth, Texas 76115

Dear Ms. Chavez:

Section IV of the DEIS addresses the impact of SH121T on the ecological environment. We believe that inadequate study of the existing flora and fauna has been conducted to justify the conclusion that no mitigating measures are required during or after the construction of the tollway. The introduction to the DEIS (page vi) states there will a long-term negative aesthetic impact on the scenic nature within the project corridor. On page IV-24, the report states the Clear Fork of the Trinity River represents a valuable ecological environment. Its hike and bike trails and the flora and fauna in the nearby area are an integral part of our neighborhood.

Although the DEIS states over 40 species of indigenous mammals have been inventoried in the Tarrant County, including mammals present in the PSC have not been identified. Residents of our neighborhood, which abuts the PSC have observed bobcat, red fox, raccoon, armadillo, opossum, cottontail rabbit, gray squirrel, nutria, bats, wild turkey, chaparral, herons, great horned owl, numerous ducks (permanent and migratory residents) and others, in our neighborhood and along the Clear Fork which borders both our neighborhood and the PSC. Not only will the construction of the tollway impact the fish, waterfowl, and other wildlife, so will the road, which will bisect the habitat for the mammals. The planning and construction of SH121T should include mitigating strategies and protect the scenic, ecological, and recreational resources of the area.

Although the DEIS concludes no mitigations are required, we

question the basis for that conclusion. Since there has been no on-the-ground survey of the flora and fauna of the area just south of the Clear Fork, how can the impact be evaluated? The only tree survey was conducted through the use of aerial photography which was not included nor referenced. When did the photography take place or how accurate is it with regard to size and species? There was no animal survey referenced in the report.

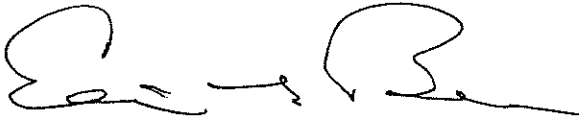
The economic value of ecological and scenic resources is difficult to assess. But we know that the presence of large native trees and the wildlife harbored in urban neighborhoods and found in adjacent undeveloped land (both privately owned and in the public right-of-way) add to the land value of the local homeowners. To destroy the natural habitats and to replace green with concrete and steel will most certainly decrease the value of adjacent residential properties. Studies are unanimous in the fact that trees and natural scenic beauty add the value of homes.

Please complete a thorough study of existing ecological resources, assess their value, and re-evaluate the need for mitigation. Include those studies in the FEIS.

Sincerely,



Carolyn M. Bell



Edwin G. Bell

THOMAS A. BESSANT, JR.
2437 LOFTON TERRACE
FORT WORTH, TEXAS 76109

April 28, 2003


Ms. Maribel Chavez, P.E.
District Engineer
Texas Department of Transportation
P. O. Box 6868
Fort Worth, Texas 76116

Reference: SH 121 Project

Dear Ms. Chavez:

I am writing on behalf of the Park Hill Association to express our collective opinion regarding the SH 121 Project. We are strongly in favor that the Project Development Team's (PDT) features and themes be addressed in the DEIS and that the PDT report be included as a part of the EIS. The citizens of the Park Hill neighborhood support the PDT design; the PDT process designed a parkway, not a typical urban freeway.

Sincerely yours,



Thomas A. Bessant, Jr.
Mayor, Park Hill Association

cc: Marty Craddock (I-CARE)

Charles E. Blanton
3600 Briarhaven Road
Fort Worth, Texas 76109
817-377-1350

April 22, 2003

Maribel Chavez, P.E., District Engineer
Texas Department of Transportation,
P.O. Box 6868,
Fort Worth, Texas 76115

Dear Ms. Chavez:

The Draft Environmental Impact Statement for SH 121T does not adequately address the issues of induced land use on adjoining neighborhoods and other private properties. The Texas Department of Transportation, in finalizing designs for SH 121T, must consider and incorporate design elements that will adequately and appropriately address the issue of induced land use, especially as relates to increased commercial development.

Several design elements are particularly conducive to inappropriate commercial development adjacent to established and future neighborhoods. These neighborhoods should be involved in the development of any and all land use plans. The Environmental Impact Statement must follow the recommendations of the Project Development Team in this regard.

Specifically, the EIS should require:

Minimal use of frontage roads to discourage urban sprawl along the corridor

SH 121T should be kept at grade or below grade with residential/city streets passing over the parkway to further discourage inappropriate commercial development along the corridor.

Development adjacent to the parkway should include pedestrian connections between residential and commercial areas.

Development should be required to add to the parkway buffer zones where private lands abut the parkway. Development of new residential areas in particular should include linear parks along the parkway to augment the vegetative buffer zones and create a system of pedestrian linkages.

Future proposed land uses along the parkway should be compatible with existing neighborhoods. New development should offer a balanced mix of dwellings, workplaces, shops, civic buildings and parks.

The stated purpose of SH 121T is to reduce traffic congestion in the Southwest Tarrant County corridor. By limiting and controlling land uses, SH 121T can have a positive impact on reducing this congestion. The roadway should not, by inducing inappropriate land uses, contribute further to the problem it is intended to solve.

Sincerely,



Charles E. Blanton



STATE HIGHWAY 121
From IH 30 to FM 1187
Tarrant County
Public Hearing
April 22, 2003

The Texas Department of Transportation (TxDOT) actively seeks your comments on this proposed project. Your comments are always welcome and will be given serious consideration during the remainder of project development. Written comments may be submitted to the District Office using this form or by letter postmarked by May 2, 2003. Written and verbal comments will become part of the project record and will be included in the written summary and analysis of the public hearing. Thank you for your comments.

OFFICIAL COMMENTS:

I like the A/C Combo Plan

Name Lee J. Brockelbie Jr.
Address 2600 W. Fwy
Ft Worth 76102
Phone 817-390-2201

HWY 121/SW PRKWAY/SW TOLL ROAD OPPOSITION

April 21, 2003

I request that all federal, state, and local funds currently available for HWY 121/SW PRKWAY/SW TOLL ROAD be transferred to mass transit with only a very small (less than 5%) allocated to improve and expand existing roads. To me, mass transit is the only long-term solution to solving our congestion and pollution problems. I have yet to see a freeway or toll road be anything more than a short-term solution. Many are obsolete before they are completed. Mayor Barr stated at a pre-council meeting earlier this month that we have to find better ways of solving our traffic problems than simply building more roads.

Fort Worth's #1 priority before the state legislature this term is creation of a regional transportation authority whose main focus will be to expand mass transit for the region. The TRE can be extended southwest along the existing Burlington Northern Santa Fe Railway faster, more economically, and with less disruption of businesses, residences, the environment, and commuters than the proposed new road. The rapidly increasing use of the current TRE illustrates that the Metroplex is more than ready for mass transit.

The projected cost of this new road for the city skyrocketed from \$25M to \$95M. Later it was reduced to \$65M by a NTCOG grant, 1998 bond money, and water department funds. Besides a TIF, the most prominent solution to getting the extra money that I have heard is to use \$60M from the \$160M Park/Street Bond Election that was originally scheduled for November. Due to the economy, current plans are fluid to postpone, reduce, and/or split the election into 3 parts. I believe that the entire \$160M should be used to benefit all of the city by building more parks and improving existing streets rather than using a large portion to benefit only the citizens in the southwest quadrant by extending Highway 121 in that direction.

Other cost-related items are (1) the consideration being given to decreasing aesthetics and noise reduction plans and (2) the loss of significant state funding as part of the Metroplex plan to comply with EPA requirements. Decreasing aesthetics (e.g., landscaping and building the highway above existing roadways and interchanges) and noise reduction buffers would make the Highway 121 extension just another strip of concrete rather than a highway which is pleasing to motorists and a minimum intrusion on residents along its path. The state pledged \$130M (currently \$188M) for incentive programs (e.g. diesels) to reduce pollution. However, the 2001 Legislature rejected several options to raise this money and decided to increase the cost of out-of-state car registration from \$1 to \$225. That plan caused a lawsuit that resulted in the plan being declared unconstitutional. With a \$9.9B shortfall facing the 2003 Legislature, it is highly doubtful that adequate funding can be found to avoid EPA sanctions. However, the current Legislature is again considering higher vehicle inspection fees, added costs for new and used cars, and more expensive diesel fuel. The fate of those plans is a large question mark since they have been considered previously and abandoned when strong opposition surfaced.

The cost to Fort Worth can be expected to increase even more drastically by the loss of federal funding. EPA regulations state that an area can have no more than 3 air quality violations within a 3-year period or federal funds for highways will be eliminated. Fort Worth has experienced the following annual

violations since 1974: a high of 30 in 1976 and a low of 2 in 2001. Besides the 2 in 2001, the lowest number of violations is 4 during 6 years between 1989 and 1998. Last year, we experienced 7 violations.

The original year for compliance to avoid loss of federal funds was 2005. However, the EPA granted Fort Worth and several other areas a 2-year extension until 2007 because much of their pollution originated outside these areas. Recent federal court decisions based on lawsuits filed by environmentalists have ruled that the EPA did not have this authority. Washington DC, Saint Louis, and Beaumont (December 2002) have all had their date of compliance returned to 2005.

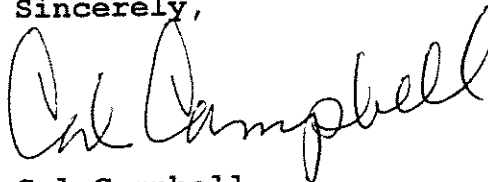
It is expected that a similar ruling in the near future will have the same affect on Fort Worth. If so, all it takes this year is 4 violations, slightly more than half of those in 2002, for us to lose federal highway funding. Also, complaints have been voiced regarding the January 2003 federal environmental impact study (stated the highway would not cause serious, permanent environmental damage) saying that it is both flawed and incomplete.

Fort Worth's Comprehensive Plan specifies that we will move toward an "Urban Village" concept where many residents will live, work, shop, and play all in the same neighborhood. Residents will be able to walk, bike, and use other environmentally friendly methods of transportation due to the short distances of travel for routine daily activities. The extension of Highway 121 contradicts this plan. In fact, it encourages residents of Cleburne, who will pay nothing for the Highway 121 extension, to eventually travel daily to Fort Worth and add to our congestion and air pollution.

I watched a Pre-Council presentation in January. I believe it mentioned that another highway is currently authorized extending due north from Cleburne that will help relieve congestion from the far southwest. Increased carpooling and improving the sequencing of signal lights along both South Hulen and Bryan Irving Road might also help relieve some congestion/pollution.

In past years, many residents moved to the suburbs from areas in the central city because of high crime rates and poor school quality. Crime rates have decreased significantly in recent years; however, even though scholastic improvements have been made, it is recognized that much work remains before we have an acceptable FWISD. Still, with plans to construct new downtown residences in the original Bank One Tower, the Tandy Towers, the T&P Station, the Transport Life Building, and the Landmark Building, attractive alternatives to many miles of commuting will be offered within the next 2-to-5 years. In addition, residential development is also planned for the area west of Trinity Park and along Samuels Avenue (Trinity Bluffs) that is only 1-to-2 miles from most of downtown.

Sincerely,



Cal Campbell
3801 Crestwood Terrace
Fort Worth TX 76107-1139
817-626-6112



STATE HIGHWAY 121

From IH 30 to FM 1187

Tarrant County

Public Hearing

April 22, 2003

The Texas Department of Transportation (TxDOT) actively seeks your comments on this proposed project. Your comments are always welcome and will be given serious consideration during the remainder of project development. Written comments may be submitted to the District Office using this form or by letter postmarked by May 2, 2003. Written and verbal comments will become part of the project record and will be included in the written summary and analysis of the public hearing. Thank you for your comments.

OFFICIAL COMMENTS:

The preservation of open spaces, maintaining & improving the bike trail & river canoeing trails and preserving the integrity of the river of the river are important and integral parts of the SH 121 T corridor. There is a great opportunity to improve the safety for boaters, bikers, and joggers of the plan from Streams & Valleys and the Trinity River Vision are included. Please include their recommendations in the ^{final} design element.

Name

Kathy Cash, M.Ed.

Address

408 EASTWOOD AVE

FORT WORTH, TX 76107

Phone

817-675-1218

BLACKBURN CARTER

A Professional Corporation
Lawyers

James B. Blackburn, Jr.
Mary W. Carter
Richard R. Morrison, IV

2900 Wesleyan, Suite 400
Houston, Texas 77027
Telephone (713) 524-1012
Telefax (713) 524-5165

April 23, 2003

Via Federal Express

Marybel Chavez
Texas Department of Transportation
2501 SW Loop 820
Fort Worth, Texas 76115-0868

RE: Comments regarding the TxDOT Fort Worth District FHWA-TX-EIS-99-05-D Draft Environmental Impact Statement (DEIS) State Highway 121 (SH121) from Interstate Highway 30 to FM 1187 in Tarrant County

Dear Ms. Chavez:

These comments are submitted on TxDOT Fort Worth District FHWA-TX-EIS-99-05-D Draft Environmental Impact Statement (DEIS) State Highway 121 (SH121) from Interstate Highway 30 to FM 1187 in Tarrant County (December 2002) on behalf of the Overton Woods Homeowners Association (OWHA) by Jim Blackburn and Huma Ahmed of the Blackburn Carter Law Firm.

There are several major problems with the SH 121 DEIS. We will discuss air pollution issues first, followed by health effect issues.

I. THE DEIS DOES NOT INCLUDE AN ANALYSIS OF PARTICULATE MATTER AIR POLLUTION

The DEIS does nothing to address the issue of particulate matter air pollution. There are national ambient air quality standards (NAAQS) for both PM 10 and PM2.5. Particulate matter air pollution is one of the most important pollutants from a health effects standpoint. As we learn more about air pollution, we are becoming increasingly concerned about small particles that can go deep into the lungs. These fine particles are the subject of a recently enacted NAAQS by the U.S. Environmental Protection Agency. The standard includes an annual average of 15 micrograms per cubic meter and a 24-hour average of 50 micrograms per cubic meter for PM2.5.

The DEIS contains no analysis of the impact of the increased traffic created by the construction of SH 121 on either PM10 or PM2.5. TxDOT apparently does not analyze PM10 or PM 2.5 at all simply because the area is not in violation of the NAAQS for PM10 or PM 2.5, apparently confusing conformity analysis requirements with environmental impact statement requirements. According to case law, an EIS is supposed to investigate the environmental impacts of the proposed action regardless of whether or not the area is currently in violation of the standard. For example, if the area adjacent to the proposed SH 121 were close to the PM10 or PM 2.5 standard, but was not currently exceeding it, the EIS should analyze what the impact of the proposed action on the ambient levels would be. It is important to inform the public as to the potential for exceeding a national standard, as well as whether air pollution will worsen. It is inexcusable to fail to report this issue.

The commenters are attaching several documents to these comments. First, we are attaching excerpts from Air Quality Criteria for Particulate Matter from the U.S. Environmental Protection Agency. This document discusses the health evidence arising from studies of particulate matter and concludes that both PM10 and PM2.5 represent significant health threats. The commenters are attaching Chapter 8, Volume II: Epidemiology of Human Health Effects from Ambient Particulate Matter from this document as Attachment A.

Second, we are attaching a copy of the report prepared by Sonoma Technology Inc., entitled Assessment of the Health Benefits of Improving Air Quality in Houston, Texas, (Sonoma Report) prepared for the City of Houston. This study examined both the concentration of PM in the City of Houston and assessed the health impacts associated with PM2.5 within the City of Houston. This document concludes that substantial health effects are associated with PM2.5, estimating that upwards of \$2.9 billion per year in health costs can be attributed to health effects of PM2.5 exposure. These health effects include both mortality and morbidity effects. These address the health impacts of PM. The Sonoma Report is included with these comments as Attachment B.

We also are attaching the expert report of Dr. Matt Fraser of Rice University. Dr. Fraser is a Ph.D. in Atmospheric Chemistry and teaches in the Civil and Environmental Engineering Department at Rice. In this attached report, Dr. Fraser includes the results of PM2.5 analysis he conducted for the proposed SH 121 project. Dr. Fraser found that the 1-hour average for fine particle concentrations would increase significantly with the proposed project.

The modeling calculations show an increase above regional background levels of fine particles in communities in the vicinity of the roadway of up to $15.2\mu\text{m}^3$ based on 1-hour average concentrations.

Dr. Fraser notes that,

Time series analysis of health and pollution levels have shown that these spikes in fine particle concentration have been associated with increases in the morbidity and mortality associated with exposure to fine particles.

Dr. Fraser also calculated the expected increases in long-term average fine particle concentrations. He notes that the effects from long-term exposure to fine particle matter are also serious because "...because atmospheric fine particles penetrate deep into the human respiratory system where they can accumulate over long periods of time." Dr. Fraser's analysis of the Fort Worth project clearly illustrates that that PM2.5 can be meaningfully analyzed. Dr. Fraser's Report and the CD containing input data, output data and accompanying explanation on the Fine Particle Dispersion Modeling are included with these comments as Attachment C.

Asking that an analysis of particulate matter be conducted is not an unimportant request. The health effects data regarding particulate matter is overwhelming and significant. Dr. Fraser alludes to the health effects in his report, but there is much more as is shown in the attached EPA report on particle air pollution. It is too important to be ignored and the effects from the proposed project are potentially significant.

II. THE DEIS DOES NOT ANALYZE HEALTH EFFECTS ASSOCIATED WITH THE EXPOSURE FROM HIGHWAYS

In an environmental assessment of a highway, the Agency should consider, evaluate, and report information from the epidemiological literature that associates proximity to highways to negative health effects. There is an abundance of such literature, enough to convince the harshest critic that there is a statistical association between proximity to highways and negative health effects.

Attachment D is an expert report prepared by Dr. Michael T. Kleinman of the Department of Community and Environmental Medicine at the University of California at Irvine. Dr. Kleinman has included an extensive bibliography of studies describing associations between highways and health effects. Among Dr. Kleinman's conclusions are the following. With regard to lung disease:

These studies substantiate the important deleterious cardiopulmonary health effects associated with motor vehicle pollution near heavily trafficked roads. Reinforcing these findings is a recently published study in the Journal of the American Medical Association...that lends an immense degree of credence to these associations. During the 1996 Summer Olympic Games changes in traffic flow patterns dramatically improved air quality in Atlanta...These data provide support for the causal relationship between motor vehicle exhaust and lung disease since reducing air pollution via reductions in motor vehicle traffic improved health.

* * *

Dr. Kleinman also notes in his report that heart disease is documented to be associated with pollution from roadway traffic:

This finding suggests that pollutants more closely associated with traffic, which include ultrafine particles and associated air toxics, could be causal components in the cardiovascular mortality associations.

Dr. Kleinman concludes by stating that it is his expert opinion that there are causal relationships between exposure to urban highways and respiratory illnesses, such as asthma, and heart disease.

This is important. This is what is supposed to be discussed and revealed in an environmental impact statement or evaluated for significance in a DEIS. This is where one identifies "significance". If, however, TXDOT does not evaluate the issue, there will be no finding of significance.

In addition to Dr. Kleinman's report, we have included a Summary of Health Studies Reporting on Health Effects Associated with Living Near Heavy Traffic Areas. These 18 health studies that have been reported in the peer reviewed literature. These studies support the correlation of negative health effects with urban roadways and highways. We have attached copies of the articles, as well. The summary and related articles are included with this comment as Attachment E.

III. THE DEIS DOES NOT DISCUSS HEALTH EFFECTS OF DIESEL CARCINOGENS

The United States Environmental Protection Agency recently released "Health Assessment Document for Diesel Exhaust", a study where it identified diesel emissions as carcinogens. There is no mention of this information in the DEIS. This information is directly relevant to the health effects associated with pollution from the use of an urban highway and should be included in any discussion of effects from the proposed project. A copy of that report is included as Attachment F in these comments.

There should be a detailed discussion of diesel pollution from the proposed design of SH 121. What is the mix of trucks and other diesel-powered vehicles on the roadway? What are the effects of the design of the highway on diesel emissions? What mitigation is being proposed to address diesel emissions? There was no such discussion in the DEIS.

IV. CONCLUSION REGARDING THE ANALYSIS OF AIR POLLUTION IN THE DEIS

The DEIS does not adequately address certain air pollution issues from this proposed construction of SH 121. An environmental document is supposed to inform the decision-maker and the public about any important issues so that they can be considered in the decision-making process. There may be ways to address these problems if they are brought to the attention of those in charge. However, if the document is silent or if a finding of no significant impact is made, then the decision-maker would be justified in thinking that no major problems arise from the proposed project.

There are major air pollution problems with the proposed SH 121 construction – problems that have not been addressed correctly or fairly. The health effects literature must be presented. It should be addressed through quantitative analysis whenever possible. We have included Dr. Matt Fraser's analysis to assist the agency in this regard. Regardless, the health effects association is clear and must be addressed. The documentation of this association is overwhelming. There are actions that can be taken to minimize these impacts. There are things that can be done to help those who will be exposed to these pollutants. But we cannot do anything if we are ignorant. This is the reason that an EIS is called a *full* disclosure document.

The National Environmental Policy Act (NEPA) was intended to aid decision-makers and the public in addressing these important issues. The DEIS fails miserably at this laudable goal. Instead, these documents deny the decision-maker and the public the truth about this project. That is wrong. That is illegal under NEPA.

We wish to stress in these comments that the DEIS does not fairly consider the environmental impacts of a highway on air pollution levels and public health. We believe that the many reports, studies, and other documents that we have attached to these comments clearly and convincingly establish that these impacts are real and that they are significant. Had the DEIS considered this important issue correctly, their impacts would have been thoroughly disclosed. Because it did not, the DEIS does not meet the requirements of a DEIS as set out in the rules of the Federal Highway Administration and NEPA.

The bottom line is that this document fails to analyze particulate matter impacts or diesel exhaust impacts and health concerns related to these impacts.

In addition to the comments, we have included Attachments A - F containing the following material:

- A. Excerpts from US EPA Air Quality Criteria for Particulate Matter (Third External Review Draft, April 2002): Volume II: Epidemiology of Human Health Effects from Ambient Particulate Matter.
- B. Sonoma Technology, Inc., Assessment of the Health Benefits of Improving Air Quality in Houston, Texas.
- C. Expert Opinion of Dr. Matt Fraser, Assistant Professor from Rice University, Department of Civil and Environmental Engineering, California Institute of Technology on Analysis of Impacts on Surrounding Environment and Health Impacts and attached CD on the analysis of the proposed SH 121 project in Fort Worth, Texas.
- D. Expert Report of Dr. Michael Kleinman, Ph.D. Environmental Health Science, New York University, Professor, Department of Community and Environmental Medicine, College of Medicine, University of California at Irvine.
- E. Summaries of Health Studies Reporting on Health Effects Associated with Living Near Heavy Traffic Areas (Copies of each published study are included).
 1. Bert Brunekreef, et. al., Air Pollution from Truck Traffic and Lung Function in Children Living near Motorways, Epidemiology Resources, Inc., Vol. 8, Number 3 (1997).
 2. David L. Buckeridge, et. al., Effect of Motor Vehicle Emissions on Respiratory Health in an Urban Area, Environmental Health Perspectives, Vol. 110, No. 3 (March 2002).
 3. Kristina Mukala, et. al., Seasonal Exposure to NO² and Respiratory Symptoms in Preschool Children, Journal of Exposure Analysis and Environmental Epidemiology, Vol. 6, No.2 (1996).
 4. Peter A. Steerenberg, et. al., Traffic Related Air Pollution Affects Peak Expiratory Flow, Exhaled Nitric Oxide, and Inflammatory Nasal Markers, Archives of Environmental Health, Vol. 56 (No.2) (March/April 2001).
 5. Patricia van Vliet, et al., Motor Vehicle Exhaust and Chronic Respiratory Symptoms in Children Living near Freeways, Environmental Research, 74, 122-132 (1997).
 6. Matthias Wjst et. al., Road traffic and adverse effects on respiratory health in children, BMJ, Vol. 307(4 September 1993).
 7. Jan Dejmek, et. al., Fetal Growth and Maternal Exposure to Particulate Matter during Pregnancy, Environmental Health Perspectives, Vol. 107, Number 6 (June 1999).
 8. Jan Dejmek et. al., The Impact of Polycyclic Aromatic Hydrocarbons and Fine Particles on Pregnancy Outcome, Environmental Health Perspectives, Volume 108, No. 12 (December 2000).
 9. Beate Ritz, et. al., Ambient Air Pollution and Risk of Birth Defects in Southern California, American Journal of Epidemiology, 155:17-25 (2002).
 10. John Edwards et al., Hospital Admissions for Asthma in Preschool Children: Relationship to Major Roads in Birmingham, United Kingdom, Archives of Environmental Health, Vol. 49 (No. 4.) (July August 1994).

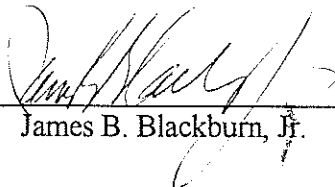
11. Yueliang Leon Guo, et. al., Climate, Traffic-Related Air Pollutants and Asthma Prevalence in Middle-School Children in Taiwan, Environmental Health Perspectives Vol. 107, Number 12 (December 1999).
12. M. Studnicka, et. al., Traffic-related NO² and the prevalence of asthma and respiratory symptoms in seven year olds, European Respiratory Journal, 10:2275-2278 (1997).
13. Catherine Wyler, et. al., Exposure to Motor Vehicle Traffic and Allergic Sensitization, Lippincott Williams & Wilkins, Inc., Vol. 11, No. 4 (July 2000).
14. A la Tertre, et. al., Short-term effects of particulate air pollution on cardiovascular diseases in eight European cities, Journal of Epidemiol Community Health 2002, 56: 773-779 (2002).
15. Gerard Hoek, et. al., Association between mortality and indicators of traffic-related air pollution in the Netherlands: a cohort study, The Lancet, <http://image.thelancet.com/extra/01art7366web.pdf>, (September 24, 2002).
16. E.G. Knox and E. A. Gilman, Hazard proximities of childhood cancers in Great Britain from 1953-80, Journal of Epidemiology and Community Health, 51:151-159 (1997).
17. Robert Pearson, et. al, Distance-Weighted Traffic Density in Proximity to a Home Is a Risk Factor for Leukemia and Other Childhood Cancers, Journal of Air and Waste Management Association, Vol. 50: 175-180 (February 2000).
18. Ole Raaschou-Nielsen, et. al., Air Pollution from Traffic at the Residence of Children with Cancer, American Journal of Epidemiology, Vol. 153, No.5 (2001).

F. US EPA, Health Assessment Document for Diesel Engine Exhaust.

Thank you very much for your consideration of these comments. Should you have any questions, please contact me at (713) 524-1012.

Sincerely,

BLACKBURN CARTER, P.C.

by 
James B. Blackburn, Jr.

Attachments



STATE HIGHWAY 121
 From IH 30 to FM 1187
 Tarrant County
 Public Hearing
 April 22, 2003

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OFFICIAL COMMENTS:

Please do not consider any plan that would destroy the Forest Park Blvd entrance & exit. I come through the main master @ 6:30^(from the east) a.m. each weekday morning. Some days the Summit exit is already backed up onto the freeway. Summit exit could not handle Forest Park traffic without causing horrible delays and/or accidents.

Name

Lynn Boelter

Address

707 Hillview Drive

Arlington, Texas 76011

Phone

Day 817/390-2202

Nite 817/461-5053

Cell 817/247-0603



STATE HIGHWAY 121
From IH 30 to FM 1187
Tarrant County
Public Hearing
April 22, 2003

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OFFICIAL COMMENTS:

- 1. I strongly recommend the adoption of the "Alternative C/A" plan for the section of the new SH121 that will go from I-30 to I-20. This alternative has no negative impact on the facility that houses Hangman's House of Horrors, the eighteenth largest event in Tarrant County.
2. Hangman's, in its fifteenth year, is the top charity haunted house in the world! The money we raise--close to half a million dollars each year--supports the local chapter of the National Multiple Sclerosis Society. All our funds stay in Tarrant County and provide direct patient aid to over 7,500 local citizens with the devastating disease.
3. Over 1,000 adult volunteers and 200 local companies support this project each year, entertaining over 30,000 patrons annually. Hangman's House of Horrors is a "haunted funhouse" and provides a fun, safe celebration of the Halloween season for our local community.
4. We would be hurt by any of the other Alternative plans, and would be completely wiped out by the "Alternative A" plan!
5. Please allow us to continue making a dramatic difference in the lives of so many of our Fort Worth citizens. Thank you for your consideration.

Name D'Ann Dagen
Address 2300 West Freeway
Ft Worth, TX 76102
Phone (817) 336-2111

D'Ann Dagen

Margaret W. DeMoss
3451 Green Arbor Court
Fort Worth, Texas 76109-3111

April 22, 2003

Maribel Chavez, District Engineer
Texas Dept. of Transportation
PO Box 6868
Fort Worth, Texas 76115

RE: DEIS for SH121-T

In general, I found the DEIS document disappointing in its avoidance of detail, lack of supporting research and documentation, and simplistic approach to a complex project. Specifically, the previous work by the city of Fort Worth and its study committees was completely omitted in the DEIS. Engineering studies, traffic schematics, drawings for structural and mitigating features, and valuable testimony from public hearings associated with both the Citizens Advisory Committee and the Project Development Team (PDT) and their consultants are not included in the DEIS. Much time, money, and public input was ignored. All the recommendations and supporting documentation should be included in the FEIS. To omit this testimony violates the intent of FHA requirements for inclusion of public dialogue.

In addition to the documentation from previous studies on this roadway, other important data is omitted and should be included in the FEIS. Numerous references in the DEIS omit supporting data for statements made. Examples include:

- **Introductory summary, page (v).** The conclusion stated in the third paragraph has no supporting evidence included in the document with regard to the proposed extension of Bellaire Drive. Under the PTD recommendation, there was no interchange included for Bellaire. Without such an intersection, the statement that the Bellaire extension allows for "greater capacity for the proposed SH121T to serve more regional traffic needs" is an exaggeration at best. There are no traffic studies in the DEIS which support this statement. Please omit this statement as it biases a recommendation for a Bellaire interchange without supporting traffic studies.
- **Exhibit III-8.** The use of the term "original" for Alternative D is not accurate and is misleading. "Original" alternatives preceded "D" in the 1970's and 1980's. The plan (from the 1980's), on record the longest as the recommended alternative, proposed a Hulen

interchange - and no Stonegate or Bellaire interchange. Change and clarify the term "original" and insert a reference to the 1980's plan for the single Hulen interchange between I-20 and I-30.

- **Exhibits III-13 and 14.** These exhibits are perhaps as confusing as un-supported. References on those charts to what the headings mean should be included. Because Section III - indeed the entire document - omits traffic studies, Exhibits III-13 and 14 have little relevance. The inclusion of all available traffic studies and related reports should be added to the FEIS (i.e., NTCOG studies, Lopez study, Kimley-Horn report).
- **Page V-75. Air Quality Impacts.** Throughout the sections on environmental impacts, measurements are given, but the standards or environmentally safe or acceptable measures are omitted. For example, near the end of the paragraph the report states the "CO levels... exceeded the 1-hour NAAQS standards." Add a statement about what NAAQS is and what are the standards. And add similar clarification in other such references to standards.
- **Page V-84. Noise Impacts.** Undeveloped areas are omitted from the testing for noise impacts. Some areas omitted have since been developed; others will be before construction on the road begins and certainly before it is completed. Those areas should be included in the noise testing. More specific information about abatement measures should be included in the FEIS. Examples should be cited to show how much particular fencing or berming reduces noise impacts. The public needs more technical information in order to make valid responses.
- **Page V-132-135. Threatened or Endangered Species, Trees and Vegetation Impacts.** The analysis is incomplete. It appears the area that contains the most wooded acreage was analyzed not from on the ground but through interpretation of aerial photography. How recent was that photography done? I know from observation the tree survey is incorrect or incomplete with regard to tree sizes and species. South of I-30 are numerous burr oaks (not listed) and pecans that exceed the maximum diameter of 24" shown in Table V-17. There is also no reference to actual observation of existing birds and mammals in the area. How can impacts be studied without accurate information about existing flora and fauna? A complete on-the-ground survey of plants and animals should be conducted and included in the corrected FEIS.

Yours truly,



Margaret W. DeMoss



Raymond G. Dickerson
President and Chief Executive Officer

April 23, 2003

Mrs. Maribel P. Chavez, P.E.
Texas Department of Transportation
Box 6868
Fort Worth, TX 76115-6868

Dear Ms. Chavez:

RE: State Highway 121 [Southwest Parkway]

I am writing to express my strong support for the proposed extension of State Highway 121 from Interstate Highway 30 to Farm-to-Market Road 1187.

My Bank is located at the intersection of Bryant Irvin Road and Southwest Boulevard [State Highway 183] and is directly impacted by the gridlock in this area of town. We strongly support the construction of this roadway for the following reasons:

1. Without this project, mobility in this area of town will be increasingly impacted to the point that local economic activity will suffer,
2. Future commercial and residential development will be positively impacted by this project resulting in increased property tax and sale tax revenues for our local governmental entities,
3. Citizens in this part of town will have increased access to our Central Business District for work, dining and entertainment. We believe that this project will enhance the viability of our Downtown and improve the quality of life for the residents of southwestern Tarrant County,
4. Air quality should improve as we will be able to move vehicles through the area quickly rather than having them waiting at traffic lights on Hulen and Bryant Irvin Road.
5. This project will also provide easier access to the health care facilities that are becoming an increasingly important factor in southwest Tarrant County.

I strongly encourage you to move this project along in a most expeditious manner. We have waited too long for this project and failure to implement it will have a negative impact on our City and County.

Sincerely,


Raymond G. Dickerson
President

Corporate Office
6002 Southwest Blvd.
P.O. Box 123437
Fort Worth, TX 76121-3437
(817) 731-1444
Fax (817) 738-7411
Toll Free (888) 467-7760

Arlington Office
1201 N. Watson Road
Suite 100
Arlington, TX 76006
(817) 652-4100
Fax (817) 633-7855
Toll Free (888) 467-7760

Mid-Cities Office
2000 Precinct Line Road
Suite 102
Hurst, TX 76054
(817) 605-4420
Fax (817) 281-2667
Toll Free (888) 467-7760

**DOWNTOWN FORT WORTH INC.
POSITION STATEMENT**

SOUTHWEST PARKWAY (SH121T)

Downtown Fort Worth, Inc. reaffirms its support for the expeditious and prudent completion of all necessary phases of the proposed SH121T Southwest Parkway project. While the proposed scope of the project and its engineering and design elements have changed over the past decade, the need for the roadway as a critical transportation linkage between and along the proposed route from Farm-to-Market Road (FM 1187) to IH 30 has increased.

The SH121T Southwest Parkway will provide greater access to and from Downtown Fort Worth, including adjacent cultural, historic, educational and other central city assets. The 121T Southwest Parkway will serve as a direct link to central business district employment centers and entertainment and dining venues for the growing population of southwest Fort Worth, Tarrant County and northern Johnson County. Increased economic activity resulting from improved access will ensure the continued vitality of Downtown Fort Worth, stimulating job creation and new capital investment in the central city.

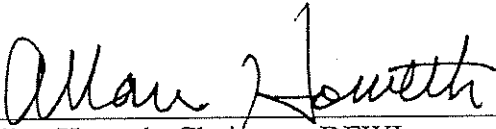
The SH121T Southwest Parkway also provides improved access to health care services at regional medical districts located south of Downtown and in southwest Fort Worth. Reduced traffic congestion and increased mobility on arterial streets will expedite emergency medical services. Residents of southwest Fort Worth and Tarrant County will also benefit from direct access to these regional patient care facilities and medical employment centers.

We encourage the partners to be respectful of the public process and to assure continuous and meaningful public participation during each stage of the project development, including implementation. Recognition should be given to the PDT process and recommendations, and consideration and response should be provided for public comments during the DEIS public input process.

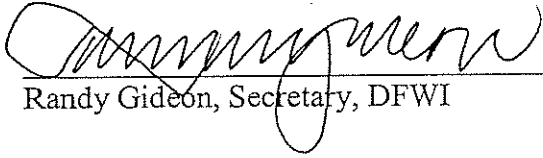
We commend the partners in the project for moving its development forward through extensive engineering, design, financial and public involvement processes in the preliminary phases of the project. Specifically we recognize the contributions of the Project Development Team, the Citizens Advisory Committee, Streams and Valleys, Tarrant Regional Water District, and the Project Review Team for identifying and recommending significant improvements to the design of the roadway and urge the implementation of their recommendations. We strongly encourage the following major partners to continue to expedite the planning and development of the project so that all

city and county citizens may realize the benefits of a completed SH121T Southwest Parkway:

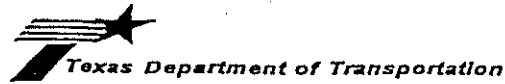
- City of Fort Worth
- Tarrant County
- Johnson County
- North Texas Tollway Authority
- Texas Department of Transportation
- North Central Texas Council of Governments
- Federal Highway Administration



Allan Howeth, Chairman, DFWI



Randy Gideon, Secretary, DFWI



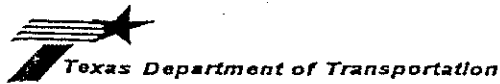
STATE HIGHWAY 121
From IH 30 to FM 1187
Tarrant County
Public Hearing
April 22, 2003

The Texas Department of Transportation (TxDOT) actively seeks your comments on this proposed project. Your comments are always welcome and will be given serious consideration during the remainder of project development. Written comments may be submitted to the District Office using this form or by letter postmarked by May 2, 2003. Written and verbal comments will become part of the project record and will be included in the written summary and analysis of the public hearing. Thank you for your comments.

OFFICIAL COMMENTS:

I agree with the Texas Department of Transportation and the City of Fort Worth in endorsing the A/C Combo Plan street design for SH 121 PARKWAY.

Name Michael Hall
Address 203 Driftwood Place
Joshua, Texas 76058
Phone 817-295-6828



STATE HIGHWAY 121
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OFFICIAL COMMENTS:

I am looking forward to the completion of the
SH 121 Turnpike/Parkway project as I
live in Southwest Fort Worth. I am recommending
you adopt and approve the A/C Combo Plan.
Thank you

Name William B. Hamilton
Address 4301 Willow Way Rd
Ft. Worth Tx 76133
Phone 817-263-8385

STATE HIGHWAY 121
From IH 30 to FM 1187
Tarrant County
Public Hearing
April 22, 2003

I am a citizen of Southwest Fort Worth. I drive the **OVERLY CROWDED STREETS** of Hulen and Bryant Irving very often.

The State Highway 121 Project is way behind schedule. The need is evident. The project must be completed as soon as possible.

TxDOT and NTTA need to complete this project using the best design for the projected traffic. All environmental requirements must be met. Right-of Way should be purchased that allows for necessary sound walls and median widths. Many items, such as extreme landscaping etc. may be added latter.

The construction plans need to include the items to make the project safe and in conformance with Federal and State requirements. This will probably keep the cost within the finances available. All items not required to meet the above requirements may be added later, to be paid for by others.

Thank you for the opportunity to make these comments.

Billy Hardie, P. E.

3612 Lawndale Avenue

Fort Worth, Texas 76133-3019

CSJ 0504-02-008 & 0504-02-013



STATE HIGHWAY 121
From IH 30 to FM 1187
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OFFICIAL COMMENTS:

AS A VOLUNTEER AT HAUGHMAN'S HOUSE OF HORRORS, THE
MOST SUCCESSFUL CHARITY HAUNTED HOUSE IN THE WORLD, I
STRONGLY URGE THE ADOPTION OF ALTERNATIVE "C/A".
ANY OTHER ALTERNATIVE WOULD GREATLY INHIBIT OUR
CAPABILITY TO RAISE THE NEARLY 1/2 MILLION DOLLARS
EACH YEAR THAT WE CURRENTLY ACCOMPLISH. IN FACT, ALTERNATIVE
"A" WOULD BASICALLY STOP OUR EFFORTS. PLEASE ALLOW
US TO CONTINUE TO SUPPORT THE 7,500+ LOCAL CLIENTS
OF THE MULTIPLE SCLEROSIS CHAPTER. THANK YOU!

Mail to:
Mrs. Maribel P. Chavez, P.E.
Texas Department of Transportation
P.O. Box 6868
Fort Worth, Texas 76115-6868

Fax to:
817-370-6787

BY MAY 2, 2003

Name Lil Helms
Address 9712 RAVENS WAY
FT WORTH 76126
Phone 817-249-1979 (H)
817-280-5710 (B)

TEXAS REP. OF TRANSPORTATION

TO: Mrs. Maribel P. Chavez, P.E.
From: Nicki Howard

Subject: State Hwy 121
Tarrant County Public hearing

My phone # @ home : (940) 433-~~5777~~ 2463
@ work : (940) 433-5777

Please call me at work so
I'll know you recieved this.
Thank you.

Nicki Howard



STATE HIGHWAY 121
From IH 30 to FM 1187
Tarrant County
Public Hearing
April 22, 2003

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OFFICIAL COMMENTS:

I have been volunteering at Hangmans for three years. The hours I've contributed have been worth it because I know I've helped out many patients diagnosed with Multiple Sclerosis. That is why I ask with all sincerity that the State adopt "alternative C/A" plan. Hangmans would be hurt by any other plan, especially "alternative A" plan. Do please take into consideration all that Hangmans contributes to 7,500 Multiple Sclerosis patients to help them ^{out} for what they need. Adopt "alternative C/A" plan and allow Hangmans and its volunteers to continue making a difference in the lives of many patients & citizens of Ft. Worth. Thank you for your consideration.

Mail to:
Mrs. Maribel P. Chavez, P.E.
Texas Department of Transportation
P.O. Box 6868
Fort Worth, Texas 76115-6868

Fax to:
817-370-6787

BY MAY 2, 2003

Name: Nick Howard
Address: 225 CR 4693 Boyd, TX 76023
Work: (940) 433-5777
Phone home: (940) 433-2463

TO: Mrs. Maribel P. Chavez, P.E.
From: Nicki Howard

Subject: State Hwy. 121
Tarrant County Public hearing

My phone # [Ⓢ] home : (940) 433-~~5777~~ 2463
[ⓐ] work : (940) 433-5777

Please call me at work so
I'll know you received this.
Thank you.

Nicki Howard

STATE HIGHWAY 121

From IH 30 to FM 1187

Tarrant County

Public Hearing

April 22, 2003

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OFFICIAL COMMENTS:

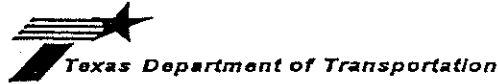
I have been volunteering at Hangmans for three years. The hours I've contributed have been worth it because I know I've helped out many patients diagnosed with Multiple Sclerosis. That is why I ask with all sincerity that the State adopt "Alternative C/A" plan. Hangmans would be hurt by any other plan, especially "Alternative A" plan. Do please take into consideration all that Hangmans contributes to 7,500 Multiple Sclerosis patients to help them out for what they need. Adopt "Alternative C/A" plan and allow Hangmans and its volunteers to continue making a difference in the lives of many patients & citizens of Ft. Worth. Thank you for your consideration.

Mail to:
Mrs. Maribel P. Chavez, P.E.
Texas Department of Transportation
P.O. Box 6868
Fort Worth, Texas 76115-6868

Fax to:
817-970-6787

BY MAY 2, 2003

Name: Vicki Howard
Address: 235 CR 4693 Boyd, TX 76023
Work: (940) 433-5777
Phone home: (940) 433-2463



STATE HIGHWAY 121
 From IH 30 to FM 1187
 Tarrant County
 Public Hearing
 April 22, 2003

The Texas Department of Transportation (TxDOT) actively seeks your comments on this proposed project. Your comments are always welcome and will be given serious consideration during the remainder of project development. Written comments may be submitted to the District Office using this form or by letter postmarked by May 2, 2003. Written and verbal comments will become part of the project record and will be included in the written summary and analysis of the public hearing. Thank you for your comments.

OFFICIAL COMMENTS:

As a representative of the Panther Heights Edition, we welcome the 121 project and its benefits. We would like the consideration of route C at the McPherson to 1187 section. Due to current and existing development of home features that promote + provide trees and park images along the route and bike trails.

Name

Michael Grigsby

Address

4224 Truand Dr.
 Fort Worth TX 76119

Phone

(817) 536-3004



STATE HIGHWAY 121
 From IH 30 to FM 1187
 Tarrant County
 Public Hearing
 April 22, 2003

The Texas Department of Transportation (TxDOT) actively seeks your comments on this proposed project. Your comments are always welcome and will be given serious consideration during the remainder of project development. Written comments may be submitted to the District Office using this form or by letter postmarked by May 2, 2003. Written and verbal comments will become part of the project record and will be included in the written summary and analysis of the public hearing. Thank you for your comments.

OFFICIAL COMMENTS:

I have been attending meetings since 1968 on this subject. Not everyone can be pleased although you have certainly tried.

Proceed at full speed before costs rise further for a much needed State Highway 121 / SW Freeway

Name

Earline Breeseott

Address

2700 Hartwood Dr
 Fort Worth, Texas 76109

Phone

(817) 924-1353

7600 Kingsmill Tr.
Fort Worth, TX. 76112-6026
April 30, 2003

Mrs. Maribel P. Chavez P.E.
Texas Department of Transportation
P.O. Box 6868
Fort Worth, Texas 76115-6868

Re: STATE HIGHWAY 121
From IH 30 to FM 1187
Tarrant County
Public Hearing
April 22, 2003

Official Comments:

I want to thank the Department of Transportation for providing CART services at this hearing. It was helpful to those of us who do not hear well.

It is necessary to point out that the above title says "From IH 30 to FM 1187", while actually the hearing and exhibits included a long segment of IH 30 which is not covered by the title and therefore this hearing did not officially cover the left out portion in the event it is protested.

In over fifty years of engineering experience I have not seen a project that has incurred so much mismanagement as this one:

Development.-----Allowing developers to develop lands slated to be right-of-way to be developed from raw land to urban thus requiring small and BIG changes in routing from time to time.

Financing.-----Voting of bonds and failure to proceed with the work and ending up with bond money, State of Texas money, Federal money, toll road money, the details and amounts of which have never been disclosed to the public and the total of which is out of reason for the relatively small traffic involved.

Engineering.-----It is difficult to understand some of the engineering that has been put forth after the Texas Highway Department made its original proposal of extending Highway 121 directly to I 30 and on to FM 1187 without interfering with I-30. In the world of today toll roads less than three roadways are a no -no. If there will not be sufficient traffic for three lanes then the facility should be built as a freeway. This project does not meet this requirement for a toll road and proposing a two now - three later is nothing but a subterfuge to cover up the real total cost that has been and will be incurred.

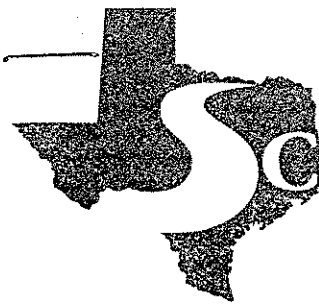
Politics.-----Bringing in the State Legislature to reroute 121 to utilize I-30 and already overloaded W I-35.

The resulting project now proposed consists of I-30 and 121 running parallel for a great distance with confusing exchanges for both highways and then dumping 121 traffic on to already overcrowded downtown streets. It will result in a major increase in pollution and consume a tremendous amount of money which is needed for other projects in the area. Since the downtown growth which is being promoted is at the north side of downtown, the correct solution is the original alignment proposed by the Texas Department of Transportation and which will provide much less pollution.

Sincerely,

A handwritten signature in cursive script that reads "Ed J. Groscurth".

Ed J. Groscurth P.E.



SCENIC FT. WORTH

A Chapter of Scenic Texas, Inc.

2222 Winton Terrace E, Fort Worth, Texas 76109
P.O. Box 61411 Houston, Texas 77208-1411
817-926-1100

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Jane Lomas
Chuck Nixon
Elaine Petrus
Ida Piper
Jennifer Renta

TO: Texas Department of Transportation
From: Judith L. Harman
Re: SH121 DEIS
Date: April 28, 2003

The design and construction of SH121 must incorporate the values, themes, features, and qualities that were adopted by the Fort Worth City Council and supported by the Project Development Team report. Scenic Fort Worth commends the public process of the last three years and urges that similar public oversight continue through the completion of this project.

The best practices for urban road design must be followed:

- Whenever possible, SH121 must be at grade level or below, follow the natural contour of the land, and be context sensitive.
- Keep the posted speed of this road at no more than 55 mph. We encourage the use of traffic slowing or calming elements such as placements of trees, other native plantings, earth berms, colored concrete shoulders, etc
- Minimize the space needed for toll booths. Take particular care with the design and landscaping of these areas.
- Include no frontage road that can be used for commercial development. Since one of the goals for SH121 is to reduce congestion from Hulen Street and from Bryant Irving Road, allowing commercial use along this road would be counterproductive.
- No study of the particulate levels along the road is included in the DEIS.
- Please address the light pollution/intrusion and ways to minimize this concern in residential areas along the entire roadway.
- There is a lack of site-specific noise analysis included in the DEIS. This is particularly needed in the northern section of the road.
- The Trinity River area, including its recreational facilities, must be protected. The impact of the road and its construction must be fully mitigated.
- Fort Worth's historic neighborhoods of Mistletoe Heights and Sunset Terrace need additional studies to show the cumulative effects of SH121 and the widening of I-30.
- Scenic Fort Worth has special concern about the SH121 interchange at University Drive. This is a major gateway for Texas Christian University, Botanic Gardens, and the Museum District. The complex of structures, congestion, and air/noise/light intrusion require significant mitigation.

SH121 must be more than a facility for moving vehicles. It will affect the development of the southwest quadrant of Fort Worth for decades. Because of its urban location, the physical and visual impact must be mitigated by added design elements along the entire route.



HISTORIC FORT WORTH



April 22, 2003

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Jerre Tracy
Acting Executive Director

The mission of Historic Fort Worth is to plan for, preserve and protect Fort Worth's unique historic identity through action, education and advocacy.

Mr. Maribel Chavez, P.E., District Engineer
Texas Department of Transportation
P.O. Box 6868
Fort Worth, Texas 76115

Dear Mr. Chavez:

Historic Fort Worth, Inc. appreciates this opportunity to express our concerns regarding the proposed construction of State Highway 121T. We are a citywide, nonprofit organization whose mission is to plan for, preserve and protect Fort Worth's unique historic identity through action, education, and advocacy.

We are concerned about the possible negative impacts that the road may have on our city's historic resources. The Texas Historical Commission has determined that the proposed alignment will not have any increased visual negative impacts upon adjacent historic resources. However, we are concerned that such by-products as increased traffic, noise, and light pollution will adversely effect some of the historic resources identified in the Draft Environment Impact Statement. In particular, we are most concerned with the effect of these problems on the Botanic Garden and the Mistletoe Heights and Sunset Terrace neighborhoods. We wish to note that the Sunset Terrace neighborhood is already severely impacted by previous highway projects and believe that SH 121 should not erode further the quality of life in this central city neighborhood. We believe that there has not been adequate thought put into reducing the impact of these consequences and wish to know what steps will be taken to protect these historic resources and the people who live, work, and play within them.

We support the Texas Historical Commission's request that the Texas Department of Transportation consider minimizing *or avoiding* increases in traffic, noise and light pollution, particularly in regard to the Summit interchange near Sunset Terrace and at Rosedale near Mistletoe Heights. The Summit Avenue interchange is already a bottleneck of idling traffic. Our administrative office is located at 1020 Summit Avenue, several blocks north of the I-30 interchange. It is currently difficult to get out of our parking lot and onto Summit between 4:30 and 5:30 P.M. Any increases in traffic will make that task even more difficult and will expose our office to more toxic fumes. Imagine what it will be like for those folks who live and work closer to the interchange, including the dependent children who live at the All Church Home.

Historic Fort Worth is a Local Partner of the National Trust for Historic Preservation.

HISTORIC FORT WORTH, INC. * 1020 SUMMIT AVENUE * FORT WORTH, TEXAS 76102 * phone 817-336-2344 * fax 817-336-2346

www.historicfortworth.org

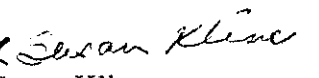
In addition, we believe that the DEIS failed to identify the former Brooklyn Heights School, now the Middle Level Learning Center, at 3813 Valentine as a historic resource. This school was designed by the firm of Easterwood and Easterwood and was constructed in 1955. It will be potentially eligible for the National Register of Historic Places in 2005. The school is within the Area of Potential Effect. We ask that TxDot consider the impact of SH 121 on this historic resource as well as the children who attend this school. In addition, St. Paul Lutheran Church is also located within the APE as it is immediately adjacent to I-30. It was designed by William Lane with construction beginning in 1954. It, too, should be evaluated for eligibility for the National Register and the potential impact of the road on this building.

The citizens of Fort Worth have participated in numerous public meetings to make their wishes known regarding the type of road they prefer and the amenities it should have that will not only enhance its function but its appearance as well while mitigating its negative impacts. Historic Fort Worth, Inc. joins those who support the standards recommended by the Project Development Team to insure that our city gets the highest quality parkway that it most assuredly deserves and not just another urban freeway. We request that the PDT's report be included as a part of the EIS.

Thank you for your time and consideration.

Sincerely,


Malinda Crumley
Chairman


Susan Kline
Preservation Program Director


Jerre Tracy
Acting Executive Director

cc: Mr. Gary Jackson, City Manager
Mr. Jerry Hiebert, Executive Director, NTTA
Mr. Scott Polikov A.I.C.P., J.D., Prime Strategies
Honorable Kay Granger
I-CARE

Comments regarding State Highway 121 Tollroad (Southwest Parkway)

DIST 02 FT. WORTH
TXDOT MAILROOM

Greg Hughes, 2544 Stadium Drive, Fort Worth, Texas

MAY 05 2003

I submit the following comments as an individual. I am not representing the views or policies of the Fort Worth Transportation Authority, which I serve as the Secretary of the Executive Committee. I am also not representing the views or policies of the Regional Transportation Council, of which I am a member.

The Draft Environmental Impact Statement (DEIS) for the State Highway 121 Tollway project in Fort Worth, Texas has numerous flaws and shortcomings. Some are technical and others are legal. The overall quality of the document falls far short of acceptable and invites lawsuits and other delays if substantial improvements are not made.

As a taxpayer and as a technical professional I am very disappointed at the poor quality of the document overall. It fails to cover several substantive aspects of the project and does not include information that has been public knowledge for several years. The purchasing agency should take a very close look at the requirements included in the statement of work and other applicable agreements. While those might have been drafted too permissively, the DEIS produced appears not to meet reasonable expectations for such a document. Compensation to the contractor should be adjusted accordingly if possible.

The first and most serious flaw is the lack of cumulative impact evaluation. The 5th Circuit U.S. Court of Appeals made it clear in *Fritiofson v. Alexander*, 772 F.2d 1225 (5th Cir. 1985) that when conducting the evaluation of a project, cumulative impacts must be evaluated. Impacts were not limited to those from actual proposals, but must also include impacts from actions that are reasonably foreseen. Furthermore, 23 CFR § 771.111(f) requires that an EIS be of sufficient length to address environmental matters on a broad scale. Evaluating only half the project, as has been done in the DEIS, is a flawed approach.

Although it is clear and even noted within the document that the proposed roadway will extend beyond the endpoint of the DEIS, into Johnson County and on to Cleburne, the county seat, the document does not evaluate the impacts of the southern part of that roadway. Yet the impacts can be expected to be significant as evidenced by the tremendous interest in the Fort Worth segment exhibited by Johnson County landowners, developers, and politicians.

The part of Johnson County through which the road will be built is characterized by inexpensive undeveloped (i.e. rural) land with no development restrictions. The sudden connection of that land, particularly in the northern part of the county (closest to Fort Worth), will most likely generate subdividing of land and residential development. The impacts of that development, both direct and indirect, are not addressed in the DEIS.

The second flaw is the lack of analysis of the no-build alternative as required in 40 CFR§1502.14. At best there are some hand-waving attempts to appeal to intuition, but the no-build analysis should be considered with the same rigor as the other alternatives. There is no presentation comparing no-build with the other alternatives with respect to traffic predictions, air quality, historic structures, or any other factors required to be evaluated.

Furthermore, 40 CFR§1508.14 states: "...When an environmental impact statement is prepared and economic or social and natural or physical environmental effects are interrelated, then the environmental impact statement will discuss all of these effects on the human environment." The DEIS does not address the human environment.

Building a radial freeway from an urban center to undeveloped inexpensive rural land has social and economic effects, primarily negative, on the urban center. The conversion of rural land to residential and commercial use is a reasonably foreseen effect of the proposed project. Social and economic impacts follow. One social impact is the tendency for such development to promote "white flight" which leads to a significant increase in the concentration of minority children in the urban school district. An example economic impact is the reduced valuation of inner city residential property as it encounters the competition of unregulated development on cheap land. The project under consideration promotes those and other effects, yet the DEIS takes no accounting of them.

The final Environmental Impact Statement should include the topics and approaches described above if the project is to move forward in a timely manner. And if the procuring documents allow such poor quality work from a contractor the agency should review them prior to any further use.

RUBY JO HALDEN
P. O. BOX 11130
FORT WORTH, TEXAS 76110
817-924-6994 (H)
817-735-4420 (W)

April 30, 2003

Maribel Chavez, P.E., District Engineer
Texas Department of Transportation
P. O. Box 6868
Fort Worth, Texas 76115

Re: SH121T

Dear Ms. Chavez:

Please add my concerns regarding SH121T to your file.

The DEIS statements regarding noise, pollution, water and traffic appear to me to be nothing but someone's fantasy about what our situation will be 20+ years after a road is built. Numerous situations here in Fort Worth belie the abilities of TXDOT to judge into the future. Probably the lighting statement could be relied upon as this is a more definitive measurement, but who can predict the impact on any new development—and we all know that will occur along this corridor.

The lack of inclusion of the PDT recommendations into the DEIS is abdominal. Knowledgeable, concerned, and dedicated citizens of Fort Worth spent an enormous amount of time, sweat and energy to compile this information. To have it so arbitrarily ignored is arrogant, and the image TXDOT is sending is that they are only doing lip service and have no intention of doing their best to actually build a "parkway".

As we have two governmental entities involved in this endeavor (TXDOT and NTTA), I would like clarification as to which group will develop the plan or will each develop their own plan and should TXDOT approve one that is agreeable will NTTA ignore the plan as they are not bound by what the TXDOT recommends? I have been involved with city affairs for a number of years and I admit that I am completely jaded to any promises made that are not signed by any and all governmental entities that will be involved.

Page 2, April 30, 2003, Maribel Chavez, P.D., District Engineer, TXDOT, Re: SH121T

The use of the word "parkway" by NTTA and other entities pushing for this is a deception. For 20 years it has been referred to as the SW Freeway. The NTTA representative at the Public Hearing referring to a toll road as a Parkway would have much more meaning if we could see their plans. Having traveled along the Palisades Parkway in New York where it allows only automobiles and is a divided four lane road with plantings along the sides and middle with controlled access would be most acceptable, however, I feel we could do much better.

The above parkway restricts trucks, semis, etc. As the toll way here has a gate at Vickery and Montgomery, the thought of funneling trucks, semis, etc. will create a great deal of pollution, traffic and noise into and out of our cultural district and will send it through either the cultural district or into downtown. This is an unknown quantity. This roadway should be restricted to automobiles, as this whole thing was sold as moving people into Fort Worth from outlying areas. Obviously, the motivation for the NTTA is financial, but we should at least try it as a restricted "parkway", then if it warrants consideration after it is built and in use for a period of time, a reevaluation should be done then to see if semis, etc could be added.

The early meetings I attended when the word "parkway" replaced "freeway" you showed us beautiful pictures of roads, landscaped, divided, green space, no billboards or signs. The cost of implementing enhancements cannot be measured in the final summation when the final advantage to Fort Worth will be incomparable. To build another I-35 or I-30 instead of what you promised will relegate Fort Worth to mediocrity or worse.

As this was a DEIS, I look forward to the EIS and your inclusion of the recommendations of the PDT. Your group at the Public Hearing was most cordial and your attention was appreciated. I only hope that you really listened and will enhance the image of TXDOT (and possibly NTTA) by your inclusion of the PDT recommendations.

Yours truly,



Ruby Jo Halden



STATE HIGHWAY 121
From IH 30 to FM 1187
Tarrant County
Public Hearing
April 22, 2003

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OFFICIAL COMMENTS:

I strongly endorse the adoption of the Alternative C/A
plan for the new section of Hwy. 121 from I-30 to Hulen.
I fully support the building which houses Hangman's
House of Horrors and this plan will not have a negative
impact on the property. Hangman's is a major contributor
to the local Multiple Sclerosis Society and the loss of
these funds would be sorely missed by the Fort
Worth Community. Thank you.

Mail to:
Mrs. Maribel P. Chavez, P.E.
Texas Department of Transportation
P.O. Box 6868
Fort Worth, Texas 76115-6868

Fax to:
817-370-6787

BY MAY 2, 2003

Name: Ron Isbell
Address: 980 Meadow Oaks Dr.
Arlington TX 76010
Phone: 817-274-8063

Jack P. Jones
5028 Bellaire Drive South
Fort Worth, Texas 76109
(817) 732-0786 / E-mail: loujac@mymailstation.com

*Retired Vice President and Director of Associate Relations
Winn-Dixie Stores, Inc.,
President
Winn-Dixie Stores Foundation.*

February 7, 2003

Texas Department of Transportation:

Re: SH-121-T

As you know, one of the stated principles/objectives of the Project Development Team, when it began its study of the overall project, was to "Discourage use of neighborhood streets for through traffic." Yet, an interchange at SH-121 and Bellaire Drive South would do just that ... a position that has been articulated with clarity by the Overton Woods Homeowners' Association and by the Tanglewood association and by many individuals. And, as you know, after many months of study The Project Development Team voted to *not* recommend the Bellaire interchange. The City Council subsequently affirmed this position.

But, in spite of this, proponents keep putting a Bellaire interchange "back on the table." We now hear that it is up for consideration again, this time using what is referred to as "an initial study" showing that this interchange would "would decrease traffic on arterial streets - Hulen, Bryant Irvin, Stonegate - and in the Overton Woods neighborhood." It is the *Tollway* itself that will decrease traffic on Hulen and Bryant Irvin ... that is a major reason for building it. But to state that by building an interchange and access roads allowing vehicles to enter or exit to and from the tollway and/or Bellaire will thereby "decrease traffic" in the Overton Woods neighborhood is simply illogical and can not be taken seriously.


Not only would this interchange be detrimental to the quality of life in Overton Woods, it would most certainly be detrimental to our property values. And since there is a major interchange planned just about a half-mile south of Bellaire, a Bellaire interchange would be redundant and very expensive. One can only wonder if the motivation for the interchange and access roads is the development of commercial property alongside the access roads.

Please don't buy what we feel must be a flawed study. We sure don't.

Please hold firmly against an interchange at Bellaire.

Thanks.

Sincerely,


Jack P. Jones

Linda Johnson

3405 Rustwood Court * Fort Worth, Texas 76109

April 22, 2003

Texas Department of Transportation
Maribel Chavez, District Engineer
PO Box 6868
Fort Worth, Texas 76115

As a resident of the Overton Woods neighborhood, I remain concerned, as I have been through the entire planning process for SH 121T, that this project be built as a true parkway. Unfortunately, most of the details that constitute a parkway design are not included in the drawings in the Draft Environmental Impact Statement.

The themes and features outlined in the Project Development Team's recommendations are not clearly stated as design guidelines for the Southwest Parkway. These parkway features must be addressed in the Final EIS and incorporated in the next phase of design and construction drawings.

TxDOT and NTTA standard construction must be clearly defined at the beginning of the design process, and this clear delineation must be used to determine the most effective use of the City of Fort Worth's \$8 million designated for landscape, wall and architectural enhancements. Hopefully, TxDOT and NTTA are already allocating and spending additional funds to enhance the design elements of bridges and retaining walls.

Specifically, it is imperative that the roadway fits harmoniously with the land, following land forms and incorporating park-like structures. All structures—bridges, walls, toll booths, etc.—should incorporate architectural treatments representative of and consistent with Fort Worth and Texas themes and standards.

I strongly encourage and request that TxDOT adhere closely to the recommendations of the PDT concerning the parkway design as well as all landscaping and architectural elements in a concerted effort to minimize the negative impacts of SH 121 on adjoining neighborhoods along its entire 8.4-mile course. I also encourage you to be open and receptive to comments and requests from citizens on whom this roadway will have a significant impact. Many active citizens have devoted countless hours to this project and want to remain engaged in the project review until the Southwest Parkway is successfully built. We look forward to working with TxDOT to make the Southwest Parkway the best, most attractive and least intrusive roadway possible.

Sincerely,



Linda Johnson

DISTRICT NORTH
TXDOT MAILROOM

APR 28 2003

STATE HIGHWAY 121

From IH 30 to FM 1187

Tarrant County

Public Hearing

April 22, 2003

The Texas Department of Transportation (TxDOT) actively seeks your comments on this proposed project. Your comments are always welcome and will be given serious consideration during the remainder of project development. Written comments may be submitted to the District Office using this form or by letter postmarked by May 2, 2003. Written and verbal comments will become part of the project record and will be included in the written summary and analysis of the public hearing. Thank you for your comments.

OFFICIAL COMMENTS:

SH 121T must be built as a true parkway. Details constituting a parkway design are not in the DEIS.

PDT themes & features must be clearly stated as design guidelines in Final EIS. See attached letter.

I am concerned that TxDOT's design will meet only minimum state & federal requirements for noise & light abatement & air ^{quality} pollution. SH 121T should exceed minimum standards & be an environmentally sensitive and aesthetically pleasing model for roadways in Texas & the nation.

Name

Linda Johnson

Address

3405 Rustwood Ct

Fort Worth, TX 76109

Phone

817-738-6095

Linda Johnson

3405 Rustwood Court * Fort Worth, Texas 76109

April 22, 2003

Texas Department of Transportation
Maribel Chavez, District Engineer
PO Box 6868
Fort Worth, Texas 76115

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I strongly encourage and request that TxDOT adhere closely to the recommendations of the PDT concerning the parkway design as well as all landscaping and architectural elements in a concerted effort to minimize the negative impacts of SH 121 on adjoining neighborhoods along its entire 8.4-mile course. I also encourage you to be open and receptive to comments and requests from citizens on whom this roadway will have a significant impact. Many active citizens have devoted countless hours to this project and want to remain engaged in the project review until the Southwest Parkway is successfully built. We look forward to working with TxDOT to make the Southwest Parkway the best, most attractive and least intrusive roadway possible.

Sincerely,



Linda Johnson



STATE HIGHWAY 121
 From IH 30 to FM 1187
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OFFICIAL COMMENTS:

Consider:

Long Term plan to extend to
 SH 4 - Between Acton TX (Graham) and
 Cleburne TX.
 Then extend as a state highway
 if possible

Name

CLIFF JONSON

Address

5130 LARGO ST

De Cordova, TX 76044

Phone

817 326 5852



STATE HIGHWAY 121
From IH 30 to FM 1187
Tarrant County
Public Hearing
April 22, 2003

The Texas Department of Transportation (TxDOT) actively seeks your comments on this proposed project. Your comments are always welcome and will be given serious consideration during the remainder of project development. Written comments may be submitted to the District Office using this form or by letter postmarked by May 2, 2003. Written and verbal comments will become part of the project record and will be included in the written summary and analysis of the public hearing. Thank you for your comments.

OFFICIAL COMMENTS:

FAVOR C/A FOR FOREST PARK INTERCHANGE

Name J.R. Kimball
Address 7211 WEATHERS
FORT WORTH - TX
Phone 817 926 4465

KLINE & CO.

Commercial and Investment Realtors

April 30, 2003

Ms. Maribel P. Chavez, P. E./District Engineer
Texas Department of Transportation
P. O. Box 6868
Fort Worth, TX 76115

Dear Ms. Chavez:

RE: Public Hearing for SH 121 T/Southwest Parkway

The design features and themes as proposed by the Project Development Team should be addressed in the Draft Environmental Impact Study and must be included in the Environmental Impact Study.

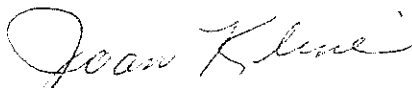
Primary in addressing the transportation and traffic congestion issues of our city and the cumulative effects Fort Worth will experience, as these issues are managed, is paramount to the quality of life of our citizens.

Some issues of concern and their impact I wished to be addressed are listed below:

- 1.) Landscaping
- 2.) Lighting
- 3.) Signage
- 4.) Air Quality
- 5.) Residential Neighborhoods
- 6.) Parkland
- 7.) Historic Properties and Neighborhoods
- 8.) Water Run Off
- 9.) Sound
- 10.) Frontage Roads
- 11.) Interchanges

Create a Parkway not a Freeway. Our citizens participated in removing the blight of the Overhead I-30 at the southern end of our Central Business District. Consider the impact of SH 121 on the Central Business District residential component both existing and proposed.

Sincerely,



Joan Kline
JK/mcs

1305 W. Magnolia Ave.
Fort Worth, Texas 76104
817.924.1987
Fax 817.924.8252

MAY 05 2003

May 1, 2003

RE: Comments regarding DEIS for State Highway 121 Tollroad (Southwest Parkway)

FROM: Barbara Koerble, 1815 5th Avenue, Fort Worth, TX 76110

As the Co-Chair of the Fort Worth Alliance for Responsible Development (FORWARD), I am providing these comments on SH121-T, specifically, the Draft Environmental Impact Statement.

First of all, the limited scope and incomplete content of the DEIS is extremely disturbing, from the perspective of residents and taxpayers in Fort Worth. Taxpayers in Fort Worth will ultimately be paying a substantial share of the cost of this roadway, and it is reasonable for us to expect that its development will be undertaken in accordance with state and federal laws and guidelines, and with adequate safeguards against statutory violations that could invite lawsuits against the entities involved in planning the roadway, including the city of Fort Worth. Whoever or whatever entity produced this DEIS document for TxDOT hardly seems to know or follow the requirements of federal law. It is hard to believe that even a draft of something as significant as an Environmental Impact Statement would be so incomplete, so 'un'-comprehensive that it would invite lawsuits, yet that could be the result of a careless and incomplete document. This study does not begin to meet the requirements of the NEPA process. It is obvious that size does not equal substance, at least in terms of the compilation of this document.

The Council of Environmental Quality, which established the regulations implementing NEPA, calls the Alternative Analysis Section "the heart of the EIS," yet in the Southwest Parkway's DEIS, this section is hardly complete or comprehensive. There is a strong bias in the writing of the document that has seemingly pre-empted objective consideration of all reasonable alternatives, including the alternative of no action. The alternatives screening process is also very inadequate. Obviously, thorough re-evaluation and revisions of these sections is in order.

Probably the most serious flaw in the DEIS that invites legal action is the lack of cumulative impact evaluation. In *Fritiofson v. Alexander*, 772 F.2d 1225 (5th Cir. 1985), the 5th Circuit U.S. Court of Appeals held that when agencies were conducting the evaluation of a project, cumulative impacts must be evaluated. Impacts were not limited to those from actual proposals, but must also include impacts from actions that could reasonably be foreseen. In addition, 23 CFR§ 771.111(f) requires that an EIS be of sufficient length to address environmental matters on a broad scale. The proposed roadway will extend beyond the endpoint of the DEIS, into Johnson County and on to Cleburne, the county seat, yet the document does not evaluate the impacts of the southern part of that roadway. Evaluating only half the project, as has been done in the SH121-T DEIS, is a flawed approach. A problem of 'segmentation' may occur where a transportation need extends throughout an entire corridor but environmental issues and transportation need are inappropriately discussed for only a segment of the corridor. How were the 'logical termini' determined for this project, and isn't it possible that the reasoning behind that basic decision is flawed? The 'logical termini' are defined both as (1) rational end points for a transportation improvement and (2) rational end points for review of the environmental impacts. Clearly, the cumulative environmental impacts will

logically include both segments of SH121-T. The deliberate segmentation of the roadway project is a patently obvious attempt to circumvent the requirement to investigate cumulative impacts.

The DEIS does not thoroughly evaluate impacts (visual, vibrations, noise, light pollution, air pollution and other environmental impacts) on adjacent neighborhoods. Mistletoe Heights is just one example of such oversights. Cumulative impacts on neighborhoods such as Sunset Terrace which has already been negatively impacted by the construction and expansion of I-30 have also not been reviewed or mitigated. Potential impacts under Section 107 which addresses preservation of historic resources have insufficient consideration. What about the impact on the Mistletoe Heights neighborhood which is eligible for the National Register, or the Fairmount Southside Historic District which is already a National Register District? In addition, any neighborhood that has structures or groups of structures that are potentially eligible for the National Register of Historic Places should come under Section 107 review. Therefore, any neighborhoods with structures built earlier than 1950 should be reviewed. There are several neighborhoods that were overlooked or shortchanged in this document in terms of evaluating these sorts of impacts. The reviewing bodies should investigate the typical age of structures in neighborhoods adjacent to the roadway and conduct their investigations accordingly.

Another area that has not been evaluated is the resulting development and subdivision of land in Fort Worth that can be reasonably foreseen with the proposed construction of this roadway. While land lying within the city limits of Fort Worth will be subject to development controls, all land lying in Fort Worth's ETJ and the county is not subject to any development controls. What will the environmental and other impacts of uncontrolled development along both segments of the SH121 roadway? What will the traffic impact be on adjacent arterials and side streets of traffic going to or exiting the roadway as well as on the impacted neighborhoods? What are the fiscal impacts for the City of Fort Worth of sprawling subdivisions that will result from the construction of this roadway? What is the fiscal impact of extending public services to these new areas—police and fire protection, streets and utilities? What will the impact of the tollroad be on Fort Worth's Central City neighborhoods—the inner ring of older, formerly suburban residential developments, which have recently begun to revitalize due to demand for housing closer to the CBD? Will the availability of cheaper and newer housing in new subdivisions accessible by the tollroad reverse the trend toward revitalization of housing in Fort Worth's Central City areas? What are the social and fiscal impacts to those older neighborhoods, which experienced white flight, depopulation and decline during bursts of suburban development in previous decades? These older neighborhoods currently compete with existing suburban development fully equipped with new infrastructure and amenities that either deteriorated or do not exist in older, inner city neighborhoods. How does a tollroad which is unaffordable for much of the low income population to use, contribute to racial and economic integration of new neighborhoods, and how will its construction potentially affect the racial and economic diversification which has recently occurred within the Central City?

Transportation System Management alternatives are often evaluated as potential design options to a proposal. This can include high-occupancy vehicle lanes, ridesharing, signal synchronization, and other actions. Also, where appropriate, mass transit options should be considered even when they are outside FHWA's funding authority. Minority and low income populations are already disadvantaged by being priced out of housing in new subdivisions that are located close the jobs in those areas, making those jobs

inaccessible or requiring lengthy commutes if the individual owns a car. Since city bus routes frequently do not circulate to sparsely populated areas, many of these suburban jobs are completely inaccessible to individuals who can not afford to maintain and operate an automobile. How does the construction of a toll facility without any TSM alternatives included in its design benefit minority and low income populations in Fort Worth?

Public input is, and should continue to be, important in the development of SH121-T. The recommendations for landscaping, mitigation, design and other enhancements that were made by the public task force (PDT) should be consistently incorporated into all sections of the DEIS and the EIS.

The DEIS is a disappointing and potentially halting step in the long process of approvals for this roadway and the eventual creation of an EIS document. We hope that the responsible agencies will ensure that the appropriate and necessary investigations and revisions are made to the documents so that they will meet all federal and state requirements.

Sincerely,



Barbara Koerble

Co-Chair, FORWARD



STATE HIGHWAY 121
 From IH 30 to FM 1187
 Tarrant County
 Public Hearing
 April 22, 2003

The Texas Department of Transportation (TxDOT) actively seeks your comments on this proposed project. Your comments are always welcome and will be given serious consideration during the remainder of project development. Written comments may be submitted to the District Office using this form or by letter postmarked by May 2, 2003. Written and verbal comments will become part of the project record and will be included in the written summary and analysis of the public hearing. Thank you for your comments.

OFFICIAL COMMENTS:

I have worked in Fort Worth, Texas for the past 25 years and I have to commute to the I30 and Forrest Park Boulevard interchange to my employers location. I have reviewed the various street designs proposed for the SH 121 Parkway and I would strongly recommend that the Texas Department of Transportation approve the A/C Combo Plan. Thank you!

Ernest W. Kuback

Name

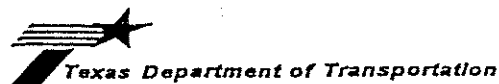
Ernest W. Kuback

Address

239 Country Ct.
 Bartonville, Tx 76226

Phone

(817) 390-2255



STATE HIGHWAY 121

From IH 30 to FM 1187

Tarrant County

Public Hearing

April 22, 2003

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OFFICIAL COMMENTS:

I WISH TO EXPRESS my Request
 for the ADOPTION OF the A/C COMBO
 PLAN FOR THE S 121 TOLLWAY PROJECT.

THANK You
 H. Wayne Lasater
 4-25-03

Name

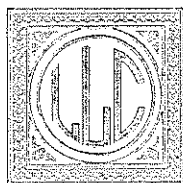
H. WAYNE LASATER

Address

2600 W. FRWY.
 FT. WORTH, TX. 76102

Phone

817-390-2075



April 25, 2003

Mrs. Maribel P. Chavez, P.E.
Texas Department of Transportation
P.O. Box 6868
Fort Worth, Texas 76115-6868

Thank you for this opportunity to comment on the proposed State Highway 121. First we would like to acknowledge the amount of time and work that has been expended on this project. However we feel that the DEIS is a fundamentally flawed document. The information is incomplete, inaccurate and uses out of date data. This document considers all of the road design proposals as equal. How can the impact of a roadway be determined if the specific design is not considered? There are currently 5 plans: A,B,C,D and C/A. After extensive input from public forums, the PDT, and the CAG, the City Council through resolution 2923 endorsed plan C/A. Oddly there is nary a mention of this in the DEIS. This is the design the DEIS should specifically evaluate concerning its impact on air quality, noise quality, light pollution, archeological concerns, historic structures and the Trinity River and other waterways and wetlands.

We live in the Mistletoe Heights neighborhood, a locally designated Historic District. We are greatly concerned about the effects of the northern end of the proposed road, particularly the I-30 and Forest Park interchange on our neighborhood. Specifically there is no evaluation of the cumulative affects of the recent I-30 work, the planned Rosedale Street expansion, the train yard, and the planned SH 121 on air quality, noise and light pollution, and water drainage in regards to our neighborhood. We challenge the conclusion that there will be no significant impacts when such cumulative affects have not been considered. We would like site-specific data collection from multiple sites in our neighborhood addressing these concerns.

We would also like to see cumulative affect data specifically addressing The Botanic Gardens, Trinity Park and the bike trail, Sunset Terrace (a National Register eligible neighborhood), the All Church Home (a 24 hour dependent children's facility), the St. Paul Lutheran Church and its Day School, Thistle Hill and the Ball-Eddleman-McFarland House (both are National Register and Texas State Historic properties). We feel each of these need site specific monitoring to address potential impacts.

Though we realize the need for an additional north-south traffic corridor we are adamantly against the "highway as usual" concept. If the parkway design with all the accompanying landscaping, speed buffers, limited access, noise and light mitigation, and

architectural accoutrements cannot be guaranteed, then the road should not be built. This parkway design is supported by the City Council, the PDT, the CAG and the effected neighborhoods, yet this was not specifically addressed in the DEIS. We feel this oversight must be corrected in the Final Environmental Impact Study.

Dr. and Mrs. William Bruce Lowry
1208 Mistletoe Drive
Fort Worth, Texas 76110
817-926-9391



STATE HIGHWAY 121
From IH 30 to FM 1187
Tarrant County
Public Hearing
April 22, 2003

The Texas Department of Transportation (TxDOT) actively seeks your comments on this proposed project. Your comments are always welcome and will be given serious consideration during the remainder of project development. Written comments may be submitted to the District Office using this form or by letter postmarked by May 2, 2003. Written and verbal comments will become part of the project record and will be included in the written summary and analysis of the public hearing. Thank you for your comments.

OFFICIAL COMMENTS:

I am against the new proposal to cut through Arborlawn to Hwy 121. With a Entrance/Exit at Stonegate and at I 20 there is no need for one at Arborlawn or Bellaire. No freeways need an interchange less than 1 1/2 miles apart. Also Bellaire was built to be a 6 lane road and Arborlawn was built to be a 4 lane road. It will also cost a lot of additional money to build Arborlawn just to avoid a Bellaire interchange.

The residents of Overton Woods have always known that Bellaire would be cut through to Hwy 121. It would be a waste of the tax payer's money to also cut through Arborlawn to 121.

Name

Ann Mecklenburger

Address

3800 Black Canyon
Ft Worth, TX 76109

Phone

817-737-6196

George Q. McGown IV
Attorney at Law
1615 Sunset Terrace
Fort Worth, Texas 76102
(817) 332-1615

MAY 01 2003

April 30, 2003

Maribel Chavez, P.E., District Engineer
Texas Department of Transportation
P.O. Box 6868
Fort Worth, Texas 76115

Re: Public comments regarding SH121T DEIS

Dear Ms. Chavez:

Thank you for the tremendous efforts you and your staff continue to make on behalf of TXDOT. I deeply appreciate your enthusiasm for what has been an admittedly difficult development process for SH121T, and want you to know that I believe your presence and the welcoming tone you have set for the public process have helped bridge many of the divisions within the community over this project. Thank you, too, for patiently listening to the comments made on April 22. I am providing mine in writing, with slight amendment, so that they may be included in the record.

1. Project documents indicate that the facility's northern terminus is Summit Avenue, yet the studies incorporated into the DEIS provide little or no data regarding the impact of the facility to the section between Forest Park Boulevard and Summit Avenue.
2. Sunset Terrace is eligible for listing in the National Register of Historic Places, as noted in the August 9, 2002 letter from the SHPO, but the DEIS contains no acknowledgement of the eligibility and no data to indicate that required studies were completed or contemplated regarding the facility's impact to the neighborhood. The DEIS notes that no NRHP properties have been designated. It is eligibility for designation, not actual designation, that is the standard for review.
3. According to the locator maps included in the DEIS, no site-specific sound study was conducted at or near Sunset Terrace. The neighborhood requests a sound study and asks that TXDOT coordinate testing with the neighborhood and the City to ensure that the testing is time and place appropriate.
4. When a site-specific study is done, it must incorporate noise analysis for the topographically unique relationship of the facility's components to both Sunset Terrace and Mistletoe Heights.
5. All studies for the northern section of the facility, from Forest Park Boulevard to Summit Avenue, must take into account the cumulative effects to Sunset Terrace and Mistletoe Heights of the I-35/I-30 interchange project, the I-30 widening, and SH121T.

The baseline should be established at a time prior to the construction of the I35 interchange.

6. The DEIS does not include any studies of the projected cumulative impact of the three projects (I-35, I-30 widening, SH121T) on existing city-maintained infrastructure, particularly regarding traffic flows and capacities at Summit/8th Avenues and I-30. Traffic congestion worsened following the removal of the Ballinger Bridge and the routing of all traffic to Summit, which appears to have been designed without adequate consideration for the increased use by semi's and other large commercial vehicles that are unable to maneuver the intersections without damage to the bridge and medians. Studies must also take into account major corporate campus relocations and the Trinity River Master Plan and its effects on downtown traffic.

7. No studies of lighting methods or light pollution are included in the DEIS. Even if such studies are not required by the FHWA, the project agencies have been provided ample notice of community concerns over lighting issues and they should have addressed those concerns.

8. The traffic needs study dates from 1984, prior to the area's non-attainment status. The FEIS should address the changed circumstances.

9. The DEIS notes that the facility will reduce certain pollutants and create higher efficiency along the southern portion of the route. What studies were completed to demonstrate that increased efficiencies on the southern end would not be balanced or completely offset by increased inefficiency at the northern end?

10. The DEIS does not include data on the cumulative effects on air quality of the three projects as they converge at the northern terminus. Cumulative data should also include the effects of the diesel locomotive exhaust created adjacent to the right of way.

11. A permanent air quality monitor should be placed at Summit Avenue and I-30.

12. In determining the reasonableness and feasibility of noise mitigation for Sunset Terrace, any study must factor in the projected and reasonably foreseeable number of benefited receivers based on the area's decades long designation for residential growth, and plans currently on file with the City of Fort Worth. .

13. The DEIS fails to acknowledge residential use, with its attendant quality of life issues, as a major current and future component of the Central Business District.

14. The DEIS appears to make a tacit finding of no Section 4(f) impact from Alternatives A and C without completing even a preliminary study to support the finding (Page V-160). TXDOT relies on the SHPO's concurrence in a finding of no significant impact to support the DEIS determination that no 4(f) issues exist. However, the SHPO's concurrence was specifically conditioned on TXDOT's addressing traffic, noise and light

pollution mitigation for Sunset Terrace and Mistletoe Heights, both NRHP eligible, and, therefore, requiring 4(f) review.

On page V-159, the DEIS notes that TXDOT consultation with the SHPO focused on the area from Hulen to I-30, indicating that inadequate or limited information may have been provided to the SHPO in determining the extent of historic resources along the project corridor. It appears that TXDOT relied on information compiled for the Tarrant County Historic Resources Survey, which began publication in 1981. There is no indication that information based on subsequent research and designations was incorporated into the DEIS.

The adverse effects of the SH121T facility on the NRHP-eligible neighborhoods at the northern terminus are substantial in terms of increased and unmitigated traffic, noise and light pollution. The NRHP-eligible neighborhoods suffer from the unique combination of the I-35 interchange relocation, the I-30 widening, and the proposed SH121T, each creating foreseeable impacts. Any Final EIS must consider the cumulative effects of these projects, as well as the adjacent rail operation, as part of the Section 4(f) evaluation required by the NRHP eligibility of the two neighborhoods. The residential functions and integrity of the neighborhoods have been substantially impaired by the proximity of the multiple projects and the reasonably foreseeable negative effects created by those projects. The impairment has resulted in what the neighborhoods believe to be constructive use of 4(f) resources, requiring the FEIS to address mitigation measures necessary to preserve the historic integrity of the neighborhoods.

15. The public input reflected in the design, mitigation and enhancement features included in the Project Development Team recommendations should be incorporated into the assessments for each alternative. Additionally, the "A/C Combo" should be assessed specifically.

Thank you, again, for allowing me the opportunity to address these issues during the Public Hearing on April 22. If you have any questions, or need additional information, please do not hesitate to call.

Very truly yours,



Quentin McGown

GQM/bh

cc: Mr. Gary Jackson, Fort Worth City Manager
Mr. Jerry Hiebert, NTTA
Mr. Scott Polikov, Prime Strategies
The Honorable Kay Granger
The Honorable Lon Burnham
The Honorable Wendy Davis
I-Care

Overton Woods Homeowners Association, Inc.
P. O. Box 100832
Fort Worth, Texas 76185

April 22, 2003

Ms. Maribel Chavez, P.E., District Engineer
Texas Department of Transportation
P. O. Box 6868
Fort Worth, Texas 76115

VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED

Re: Draft Environmental Impact Statement SH121T

Dear Ms. Chavez:

The Overton Woods Homeowners Association has been an active community participant in the public process on SH121T including representation on the City Council appointed Project Development Team. We support the construction of the Tollway subject to the defined themes and specifications as recommended by the Project Development Team and unanimously endorsed by the Fort Worth City Council January 2001 in Resolution 2693.

Earlier this year the Overton Woods Association engaged in extensive negotiations with the City of Fort Worth because some Council members were now recommending an interchange at SH121T and Bellaire Drive, specifically going against Resolution 2693 which did not include such an interchange. Through this negotiation an agreement was reached which outlined 10 (ten) specific points in Section 1) e) i.)-x.) of Resolution 2923, the Locally Preferred Alternative, that was unanimously approved by the Fort Worth City Council February 25, 2003.

The ten points i.) – x.) as detailed in Resolution 2923 pertaining to the Overton Woods neighborhood and the Bellaire area are:

1. SH121T will be constructed as low and as close to grade as practical between the Trinity River and SH183/I-20 interchange.
2. Arborlawn Drive serves as the primary East-West roadway between Hulen Drive and Bryant Irvin Road.
3. Bellaire Drive extends and T's into Arborlawn Drive upon construction of the Arborlawn Drive extension to SH121T.
4. Arborlawn Drive is constructed over SH121T.
5. A full diamond interchange constructed at the intersection of SH121T and Arborlawn Drive, as far north as practical to aid in the safe design of the Bellaire Drive/Arborlawn Drive intersection.
6. Land to be designated as "Parkland" purchased (by the City) east of SH121T adjacent to Arborlawn Drive/Bellaire Drive, an area at least 50 feet in width measured from the right-of-way line along both sides of Arborlawn Drive intersection and continuing 50 feet beyond that intersection, to serve as an additional buffer.

7. Construct a frontage road along the west side of SH121T between the Arborlawn Drive interchange and the SH183/I-20 interchange.
8. Do not construct frontage roads along the east side of SH121T between the SH183/I-20 interchange and the Arborlawn Drive interchange.
9. Do not construct frontage roads along SH121T north of Arborlawn Drive.
10. Utilize uniform traffic control devices at the Arborlawn Drive/Bellaire Drive intersection to encourage the use of Arborlawn Drive and not Bellaire Drive.

We expect the Texas Department of Transportation to accept and adopt the configuration and specifications as outlined in Resolution 2923 and to re-address all environmental impacts based on that configuration.

In addition to the history of negotiations discussed above that led to our agreement with the City of Fort Worth there are other environmental issues that are not addressed in the Draft Environmental Impact Statement. The environmental issues that will need to be addressed are as follows:

- a) Air pollution and related health issues. Jim Blackburn, our environmental attorney, will submit written comments separately.
- b) Light and noise pollution. No studies were completed to address the impact of light and noise in our area.
- c) Impact of area native wildlife and ecology. An on-the-ground assessment of the road's impact is required.
- d) Induced land uses. Design elements should have been incorporated to address land uses, particularly commercial development, to mitigate their impact on our neighborhood.

Letters from members of our Association will address the last three points specifically.

All environmental impacts and necessary mitigants must take into account Resolution 2923 as adopted by the Fort Worth City Council February 25, 2003. Any deviation from this proposal would result in Overton Woods Homeowners Association's withdrawing its support and to mount an official challenge to SH121T. We look forward to receiving your responses to our concerns and working with you to the completion of this project.

Sincerely,



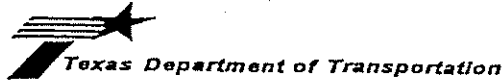
Leslie E. Monteleone
President

Cc: Mr. Gary Jackson, City Manager
City of Fort Worth
1000 Throckmorton Street
Fort Worth, Texas 76102

The Honorable Kenneth Barr
1000 Throckmorton Street
Fort Worth, Texas 76102

Mr. Jerry Hiebert, Executive Director
North Texas Tollway Authority
5900 W. Plano Parkway, Suite 200
Plano, Texas 75093

The Honorable Kay Granger
1600 West Seventh Street, Ste. 740
Fort Worth, Texas 76102



STATE HIGHWAY 121

From IH 30 to FM 1187

Tarrant County

Public Hearing

April 22, 2003

The Texas Department of Transportation (TxDOT) actively seeks your comments on this proposed project. Your comments are always welcome and will be given serious consideration during the remainder of project development. Written comments may be submitted to the District Office using this form or by letter postmarked by May 2, 2003. Written and verbal comments will become part of the project record and will be included in the written summary and analysis of the public hearing. Thank you for your comments.

OFFICIAL COMMENTS:

I support the A/C Combo Plan
for the proposed SH 121 Turnpike/Parkway.

I believe this plan - when finalized -
will make a significant impact on
traffic flow -

Name

Ken Majka

Address

919 Bent

Arlington Tx 76012

Phone

please do not call



DIST 02 FT. WORTH
TXDOT MAILROOM
MAY 14 2003

900 S.W. Fifth Avenue, Suite 2600
Portland, Oregon 97204
main 503.224.3380
fax 503.220.2480
www.stoel.com

PETER D. MOSTOW
direct dial (503) 294-9338
e-mail pdmostow@stoel.com

May 12, 2003

Maribel Chavez, P.E., District Engineer
Texas Department of Transportation
PO Box 6868
Fort Worth, TX 76115

Re: Highway 121 Draft EIS, FHWA-TX-EIS-99-05-D

Dear Ms. Chavez:

With our submittal of May 1, 2003, we enclosed a transcript of the February 3, 2003 PDT/CAC meeting. One of the speakers referenced in the transcript was Mr. Mike Weaver. Attached for the record is a copy of the powerpoint presentation Mr. Weaver gave at that meeting.

Very truly yours,

A handwritten signature in black ink, appearing to read "Peter D. Mostow", is written over a horizontal line.

Peter D. Mostow

PDM:chb
Encl.

cc: Gary Jackson, City Manager
City of Fort Worth
1000 Throckmorton
Fort Worth, TX 76102

Patrick Bauer, District Engineer
Federal Highway Administration
Federal Office Building Room 826
300 East 8th Street
Austin, Texas 78701

Jerry Hiebert, Executive Director

Oregon
Washington
California
Utah
Idaho



Maribel Chavez
May 12, 2003
Page 2

North Texas Tollway Authority
5900 W. Plano Parkway, Suite 200
Plano, Texas 75093

Scott Polikov A.I.C.P., J.D.
Prime Strategies
1508 South Lamar Blvd.
Austin, TX 78704

The Honorable Kay Granger
1600 W. 7th, Ste. 7410
Ft. Worth TX 76102



SH-121T
PDT/CAC Briefing
February 3, 2003



**PRIME
STRATEGIES,
INC.**

Schedule

- Feb. 3 – PDT/CAC Briefing
- Feb. 4 -- Bellaire Traffic Study Council Briefing
- Feb. 11 – City Public Hearing
- Feb. 13 – TxDOT Public Hearing on DEIS for Johnson County
- Feb. 18 – City Council Consideration of Recommended LPA
- Feb. 25 – TxDOT Public Hearing on DEIS for Tarrant County
- Mar. 7 – All Comments Due to TxDOT on DEIS

Importance of Recommended Locally Preferred Alternative

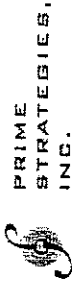
- Facilitates focus of CFW policy
- Delineates what the City wants the tollway to look like
- Facilitates negotiation position with Partners
- Defines project costs and costs responsibility
- Safeguard: final funding agreement still to be negotiated
- Safeguard: CFW shall approve schematic design per Tri-Party Agreement before PS&E can be finalized.

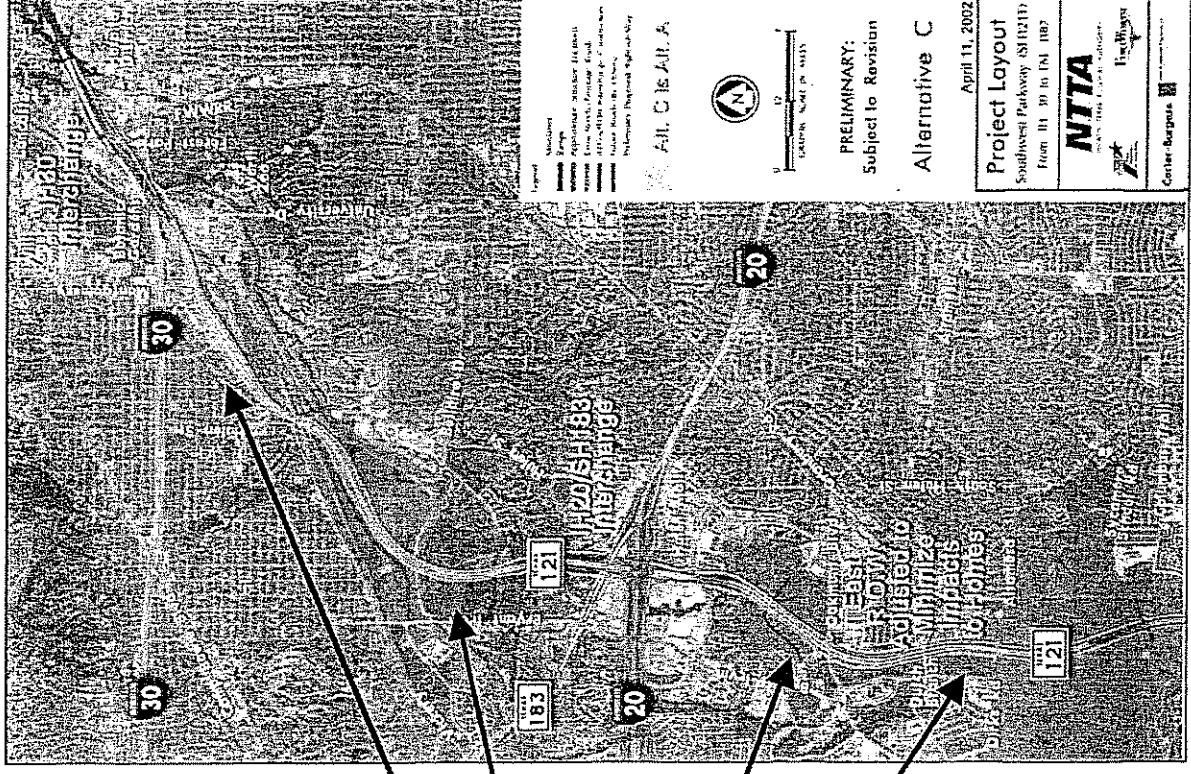
Where are we?

Building Blocks for the City's Locally Preferred Alternative



SH-121T



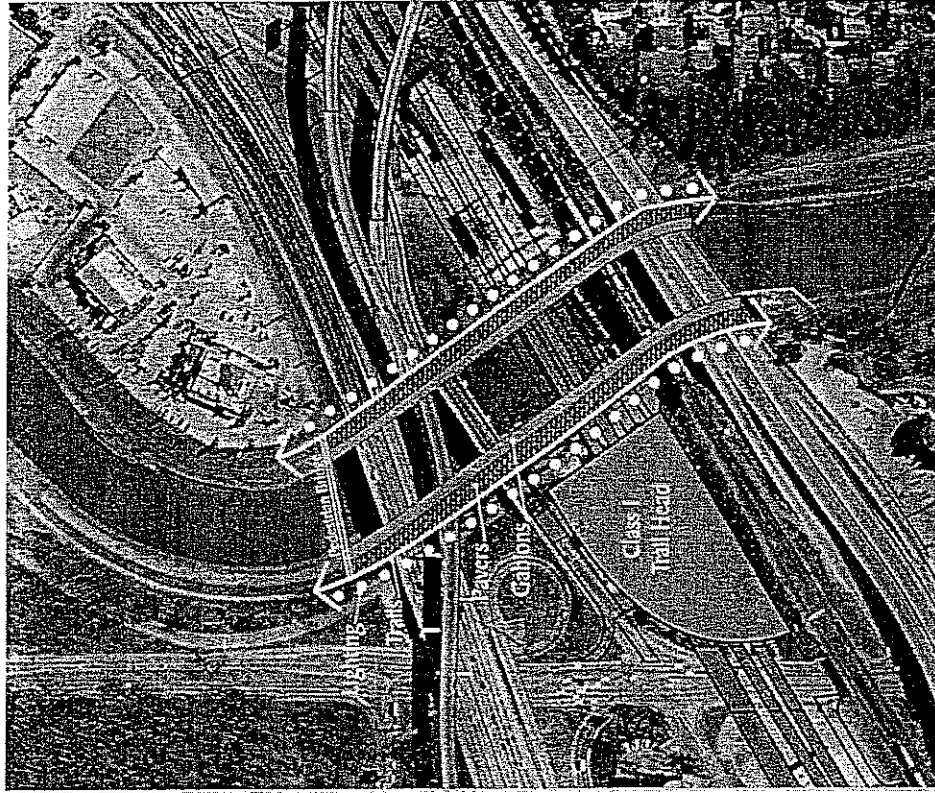


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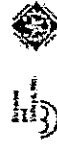
Emerging Consensus

- Trinity River Vision Mitigation/Enhancement Program
- PDT buffers where possible (no taking of existing homes or businesses)
- 100-foot Median where feasible
- Split roadway profiles—separate lanes where possible
- \$8 M for enhancements plus NTTA's estimated \$4 M
- Finalize and execute agreement (“MOU”) among project partners for process to create Corridor Enhancement/Mitigation Master Plan

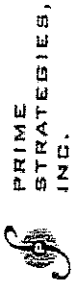
Trinity River Master Plan Vision IH-30/University



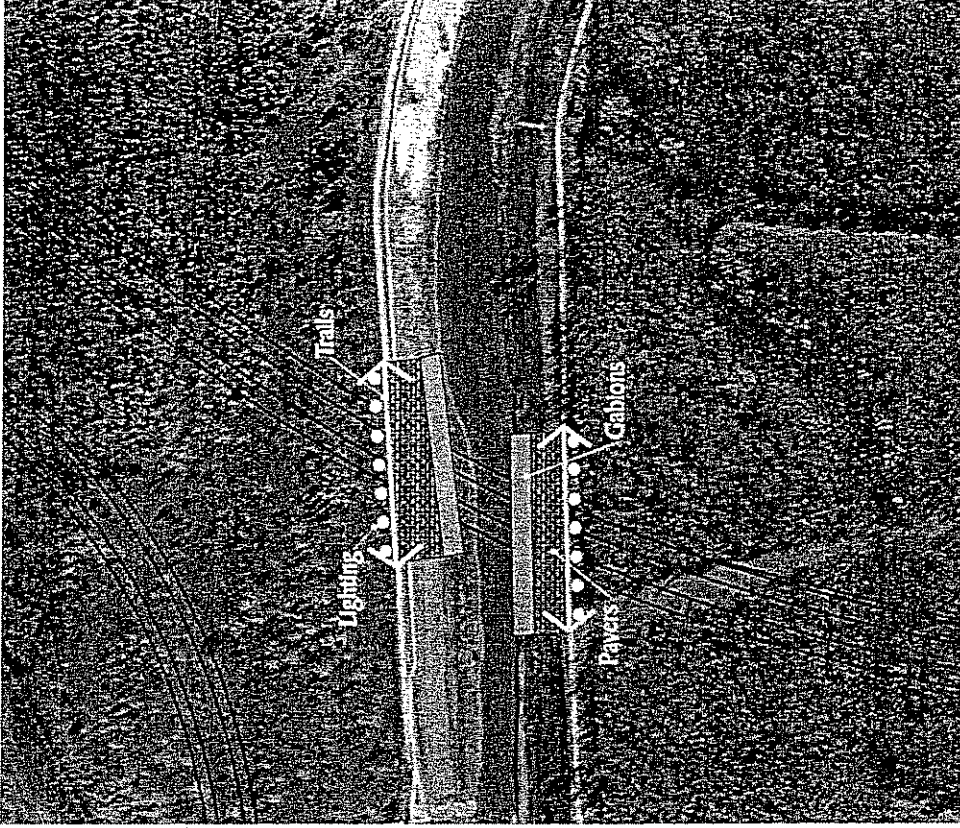
University and I-30:
River and Trail Improvements



SH-121T



Trinity River Master Plan Vision Near Bryant Irvin



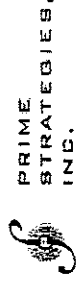
1" = 100' 100' 200' 300'

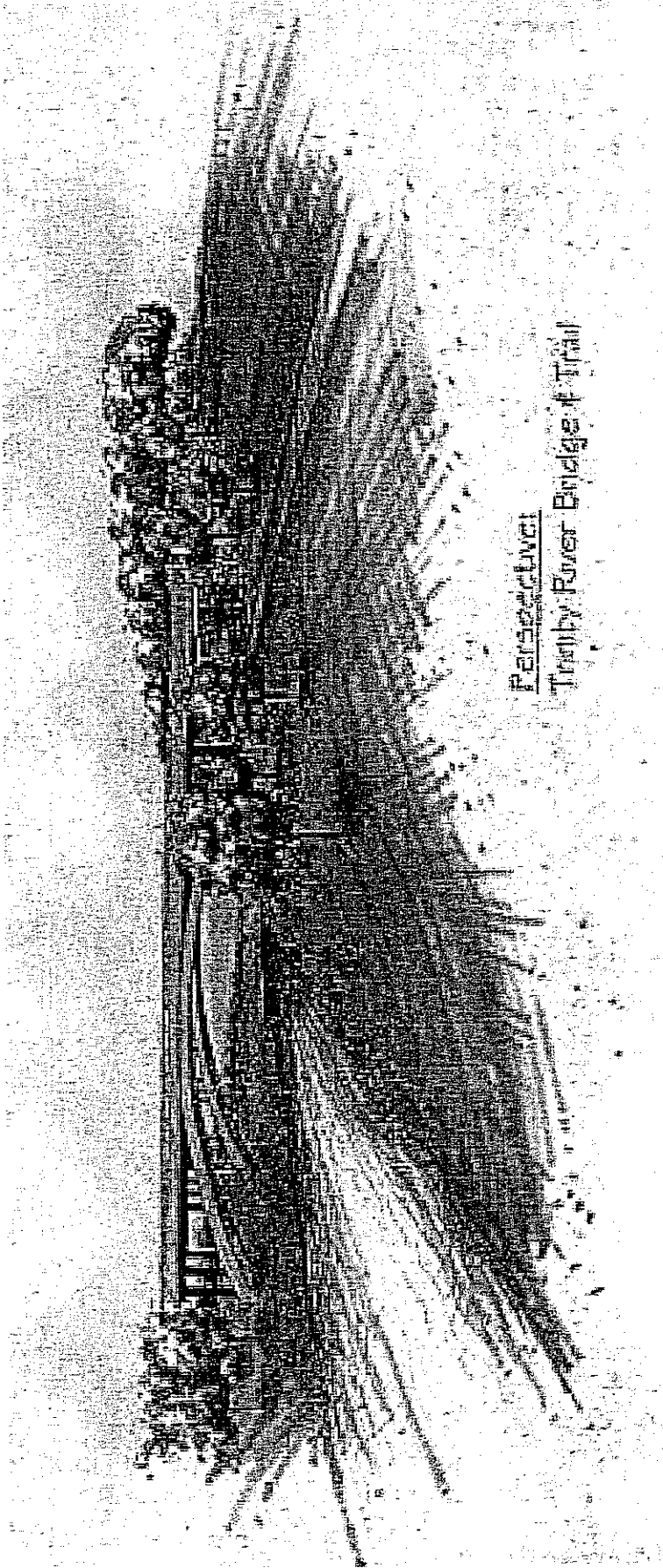
GideonFont

Crossing Near Bryant Irvin:
River and Trail Improvements



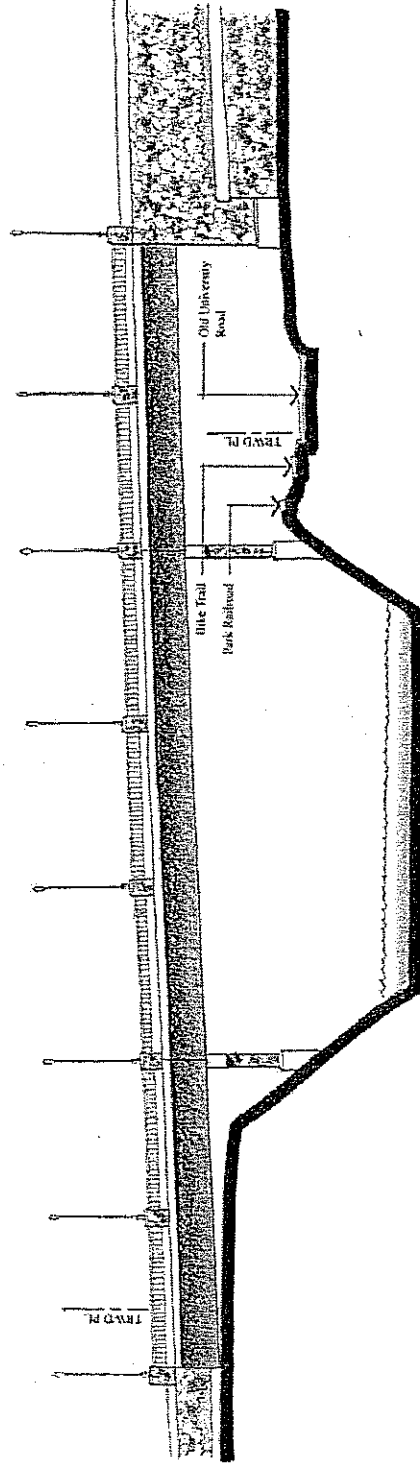
SH-121T





Periscope
Tribby River Bridge # 1111

NTTA Bridge Design Alternative



Steel I-Beam Bridge

January 10, 2003

Horizontal Scale in Feet 0 10 20 30 40

Vertical Scale in Feet 0 10 20

SH 121 T - Crossing at the Clear Fork of the Trinity River
near University Drive

Carter Burgess

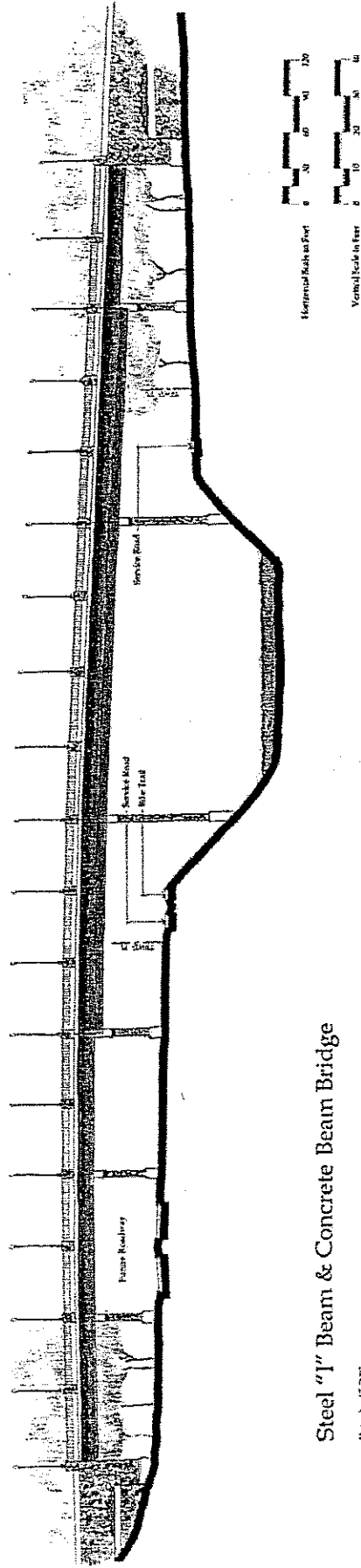


SH-121T



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NTTA Bridge Design Alternative



Steel "I" Beam & Concrete Beam Bridge

December 17, 2010

SH 121 T - Crossing at the Clear Fork of the Trinity River

Cartier Burgess

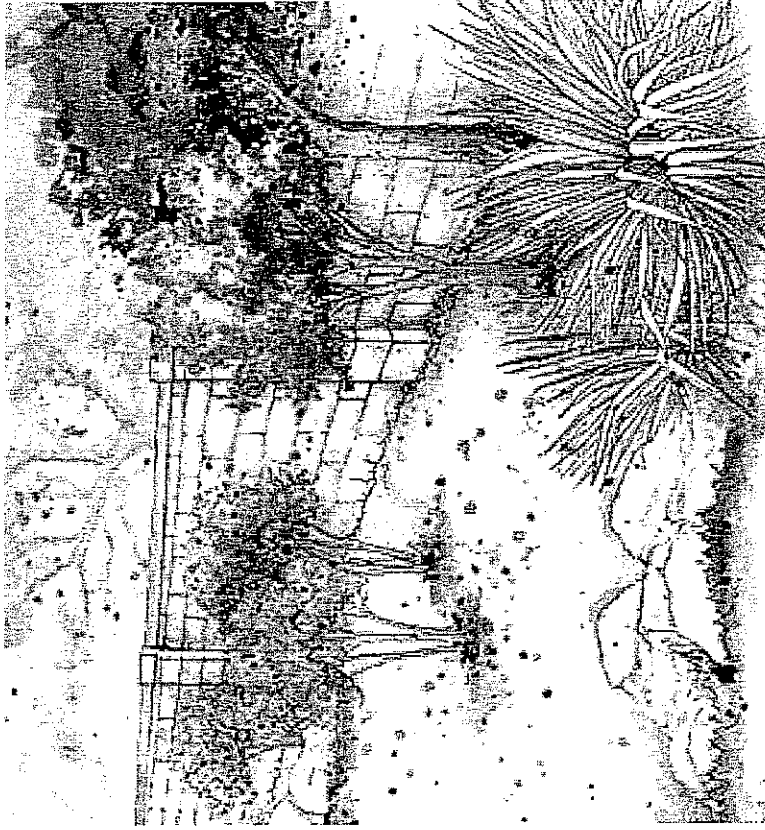


SH-121T



PRIME STRATEGIES, INC.

Landscaped Buffers



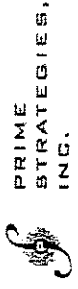
Berm Buffers



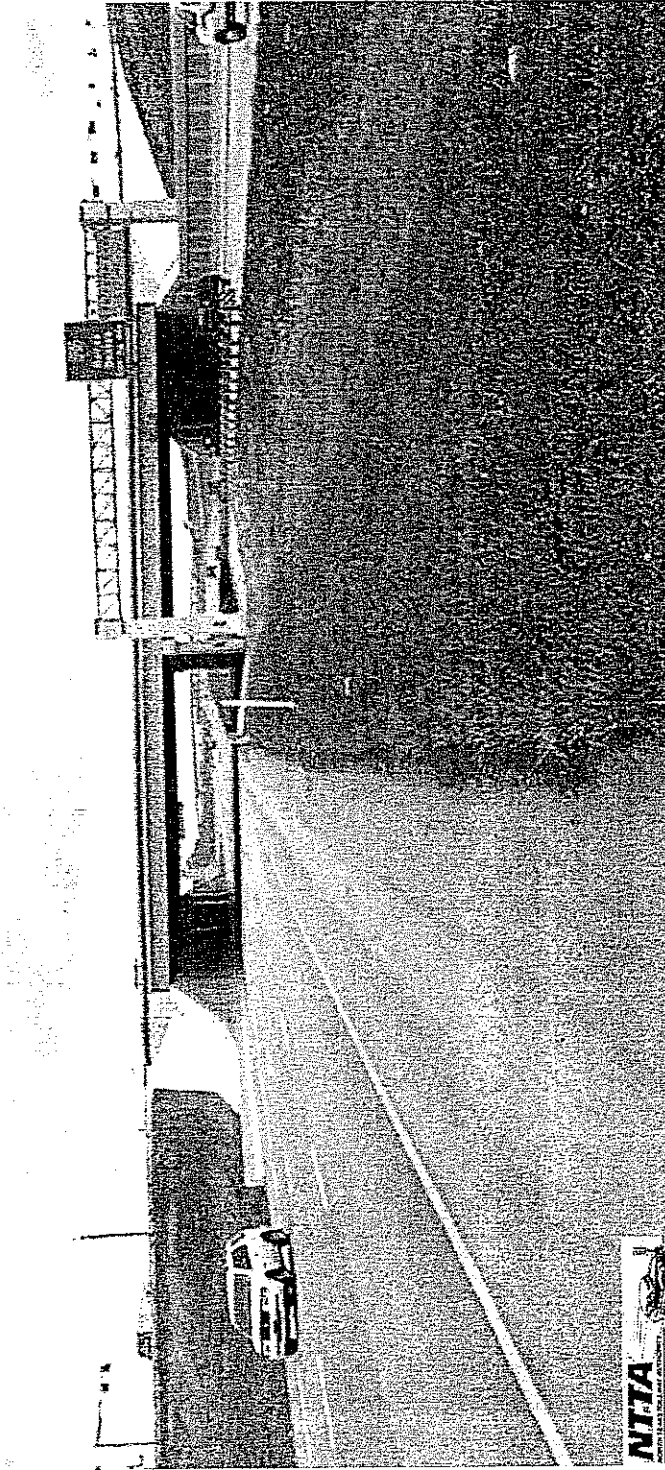
Berm & Wall Buffers



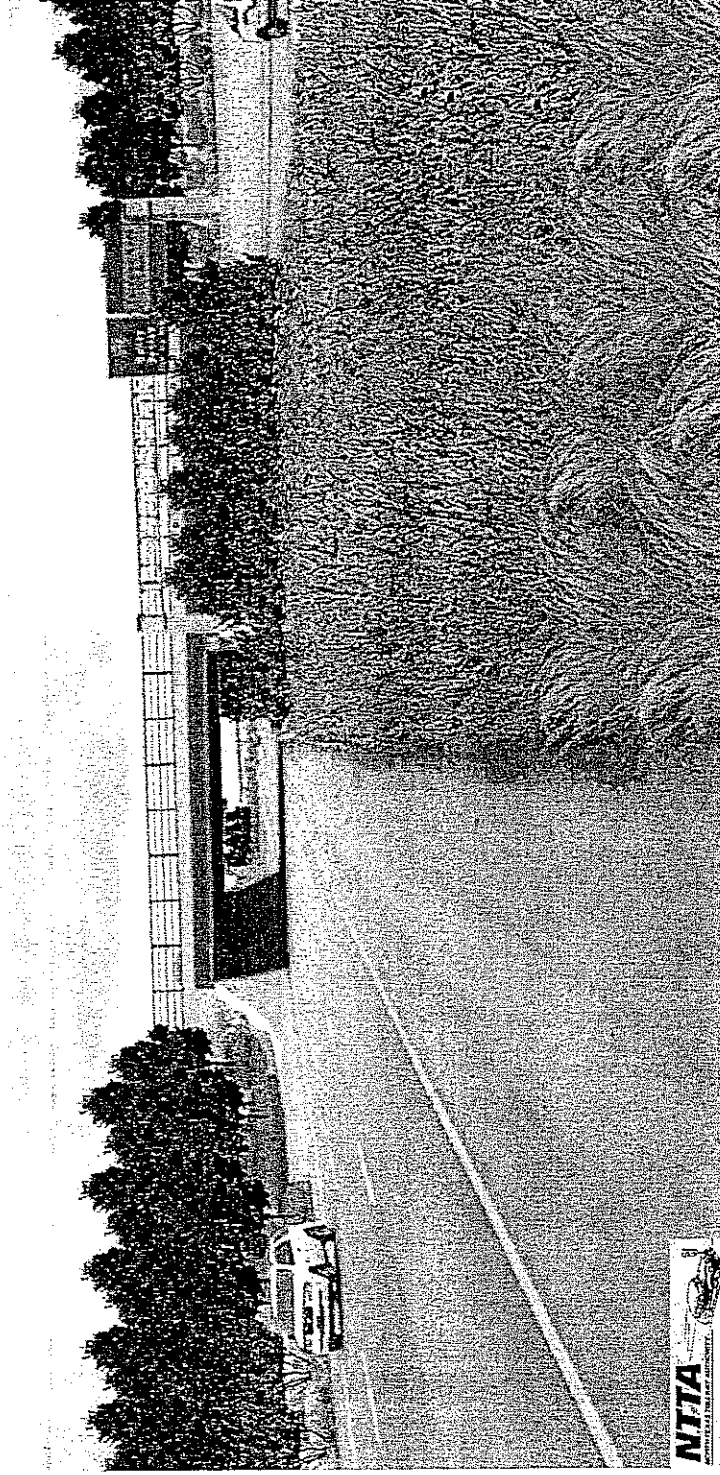
SH-121T



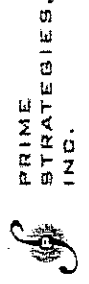
Proposed NTTA Landscaping Before



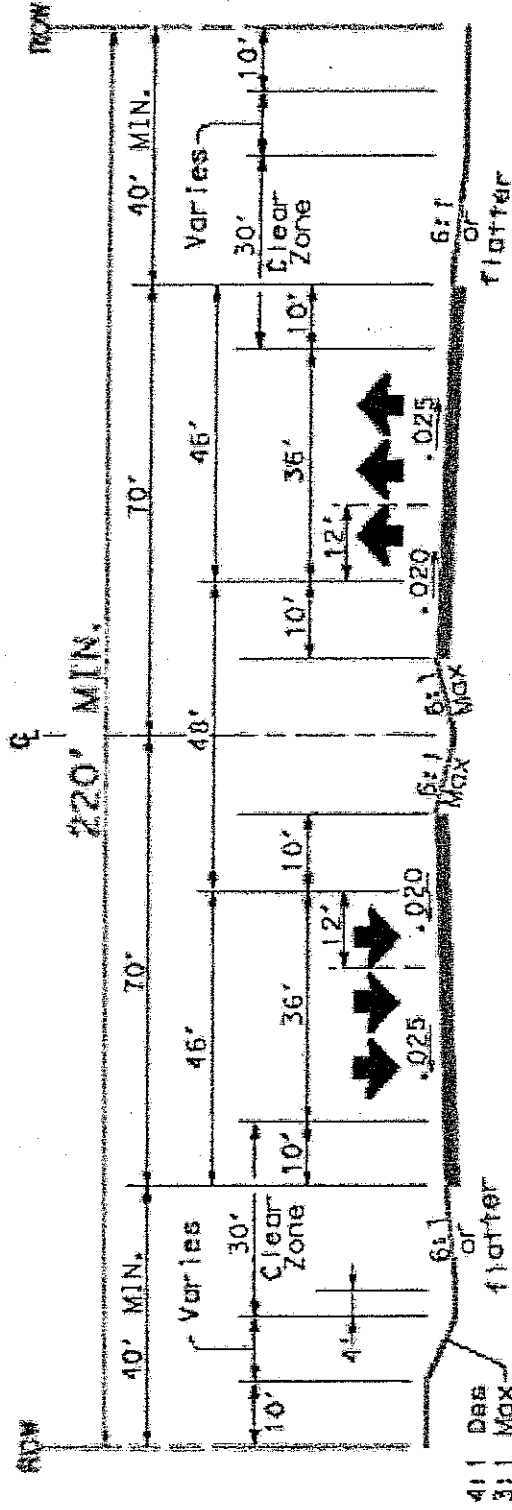
Proposed NTTA Landscaping After



SH-121T



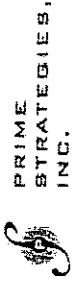
Typical Tollway Cross-Section



Typical Section
 Current Construction – 2 Lanes
 Ultimate Construction – 3 Lanes
 (No Median Widening or Buffers)

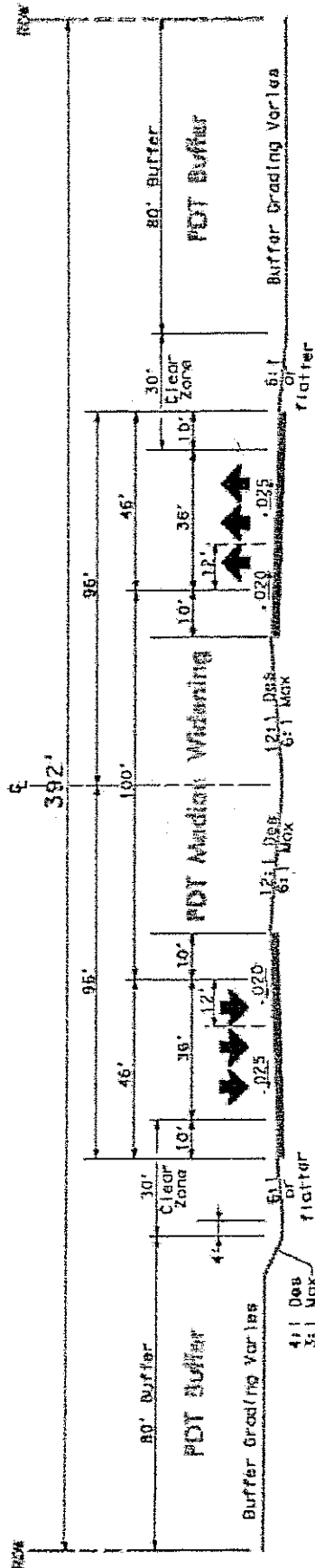


SH-121T



Alt. A and Alt. C Cross-Section

PDT proposed 160' buffer (80' on each side) for entire project.



Typical Section
 Current Construction - 2 Lanes
 Ultimate Construction - 3 Lanes
 (Includes PDT Median Widening and Buffers)

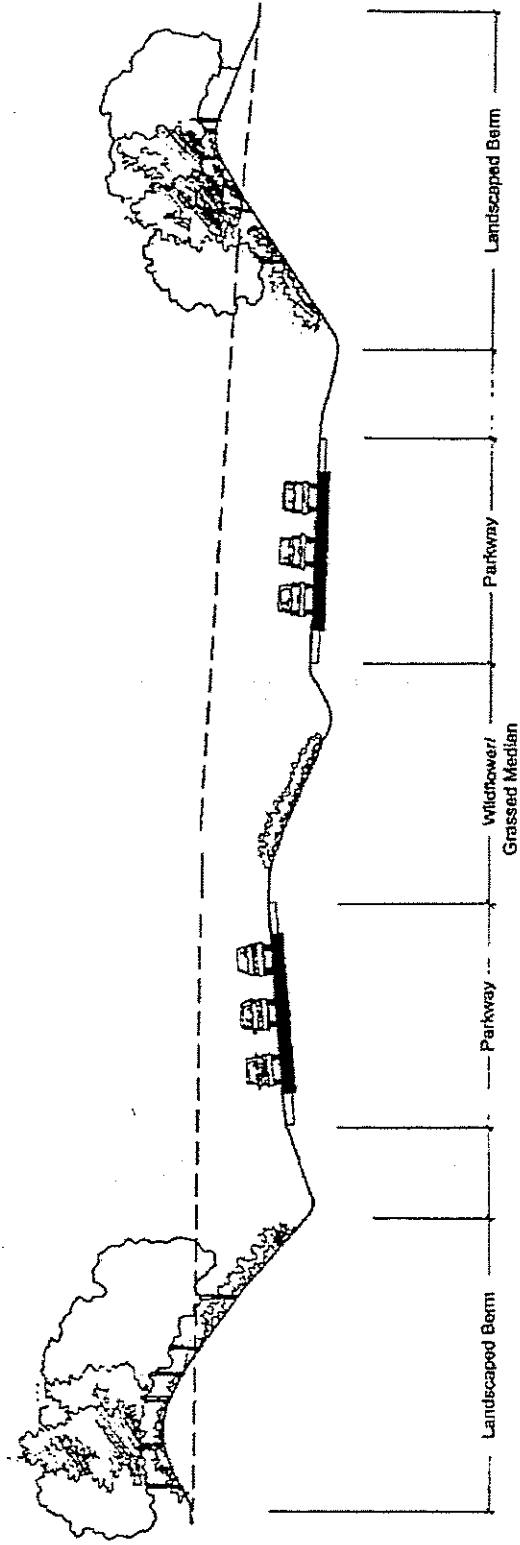


SH-121T

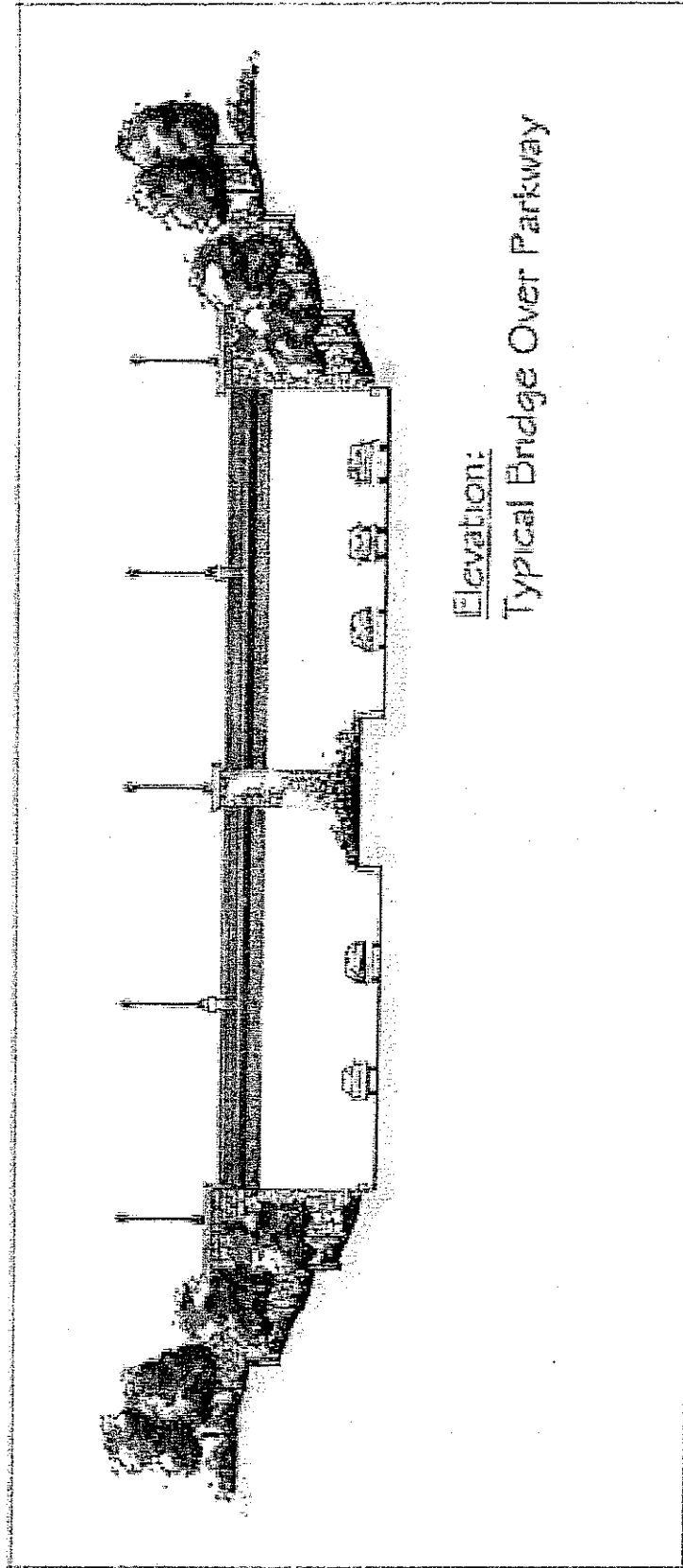


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Figure IV-1 Split Profile Design (Cross Section)



PDT Local Road Bridge Alternative

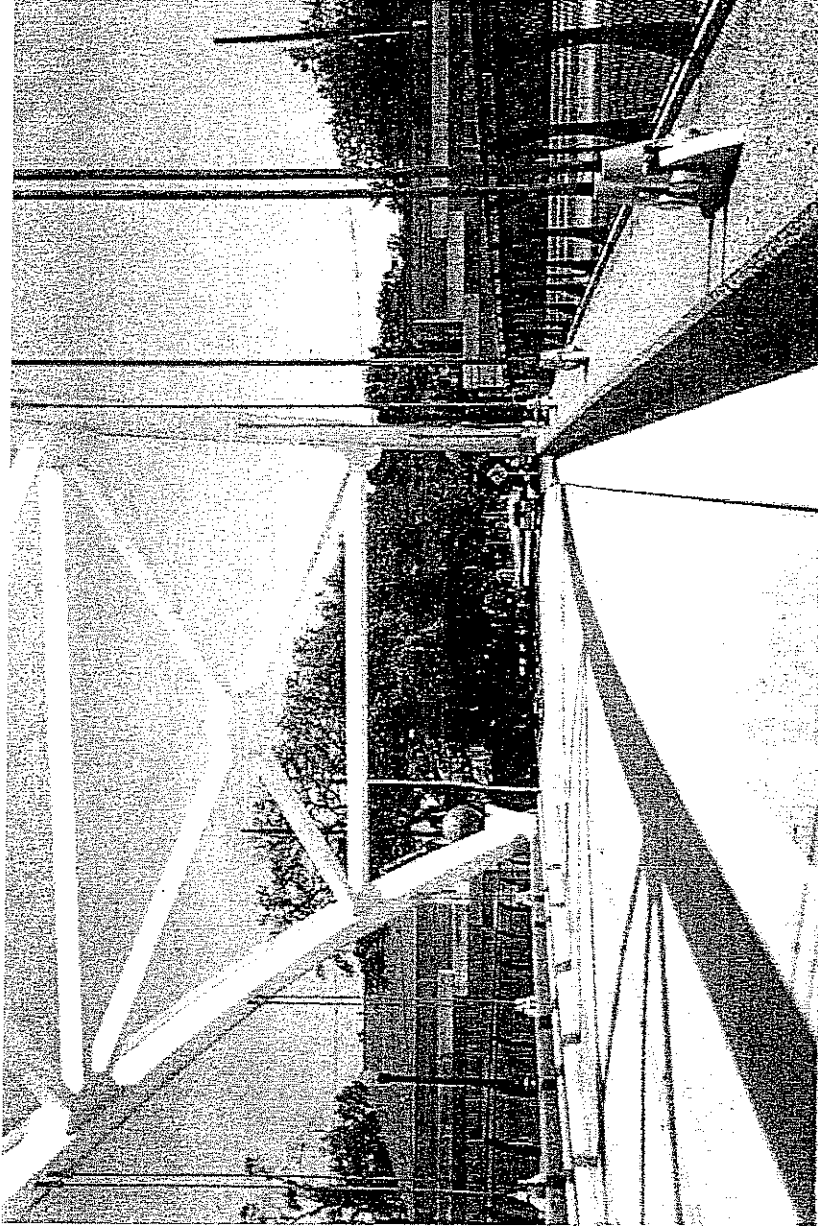


Elevation:
Typical Bridge Over Parkway

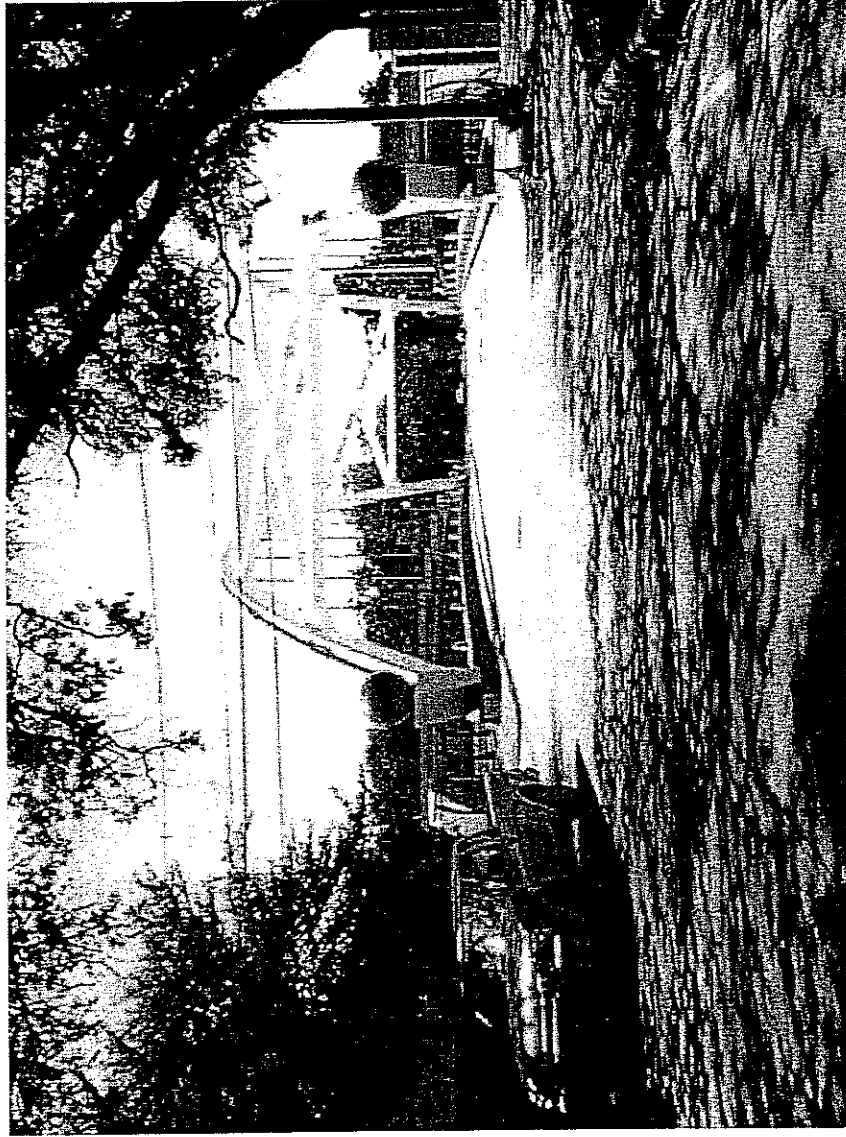
I-59 in Houston Local Bridge



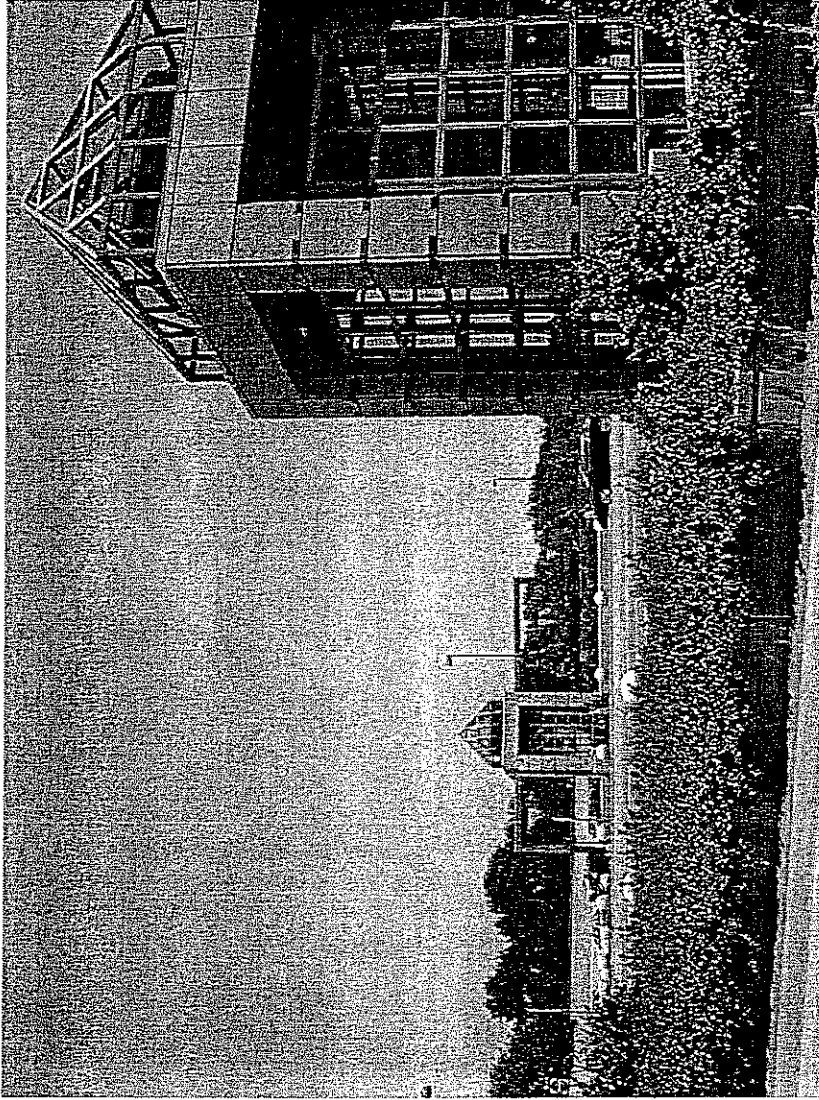
I-59 Local Bridge Main Lane



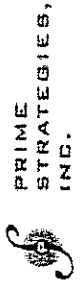
I-59 Local Bridge Neighborhood Gateway



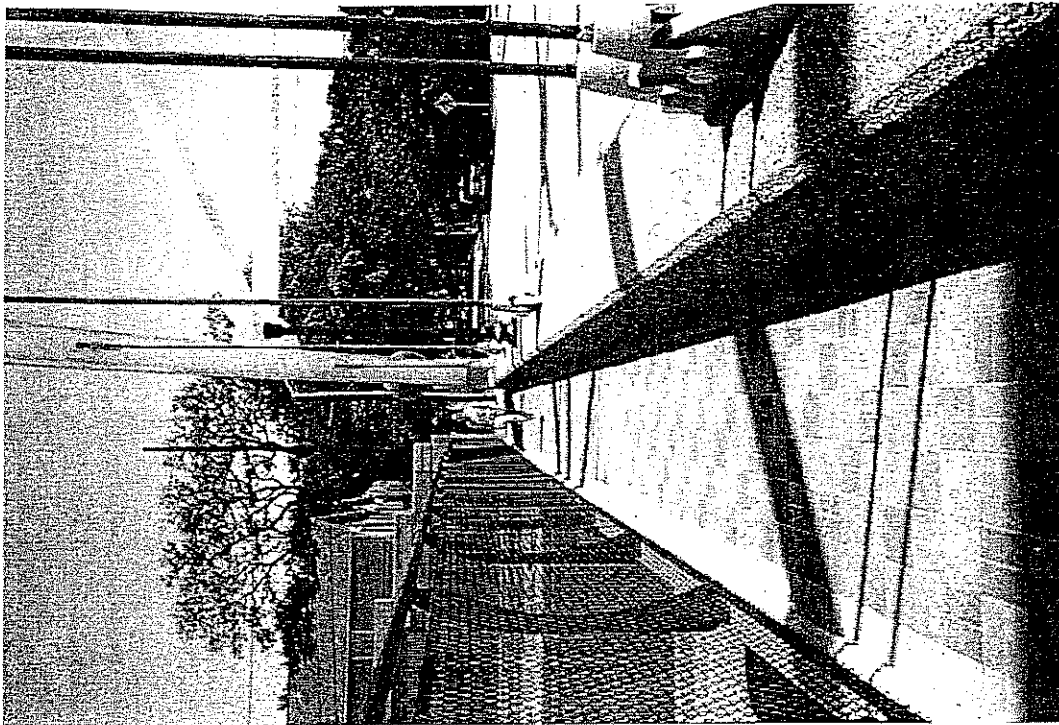
Central Expressway Local Road Gateway



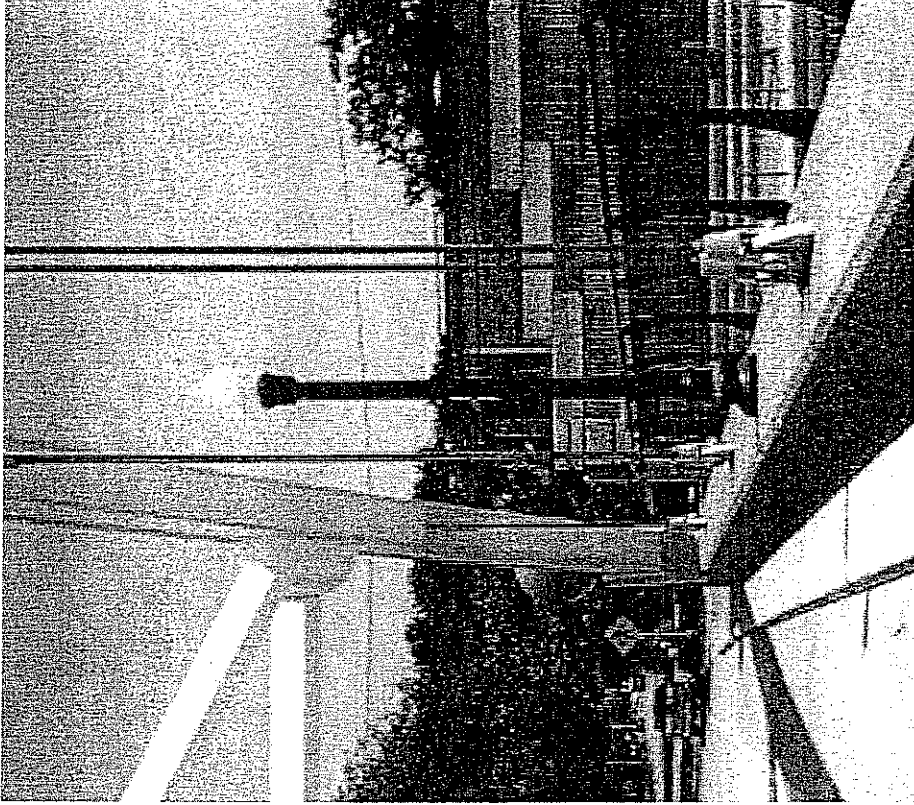
SH-121T



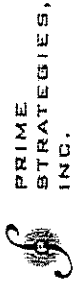
I-59 Bridge Sidewalk



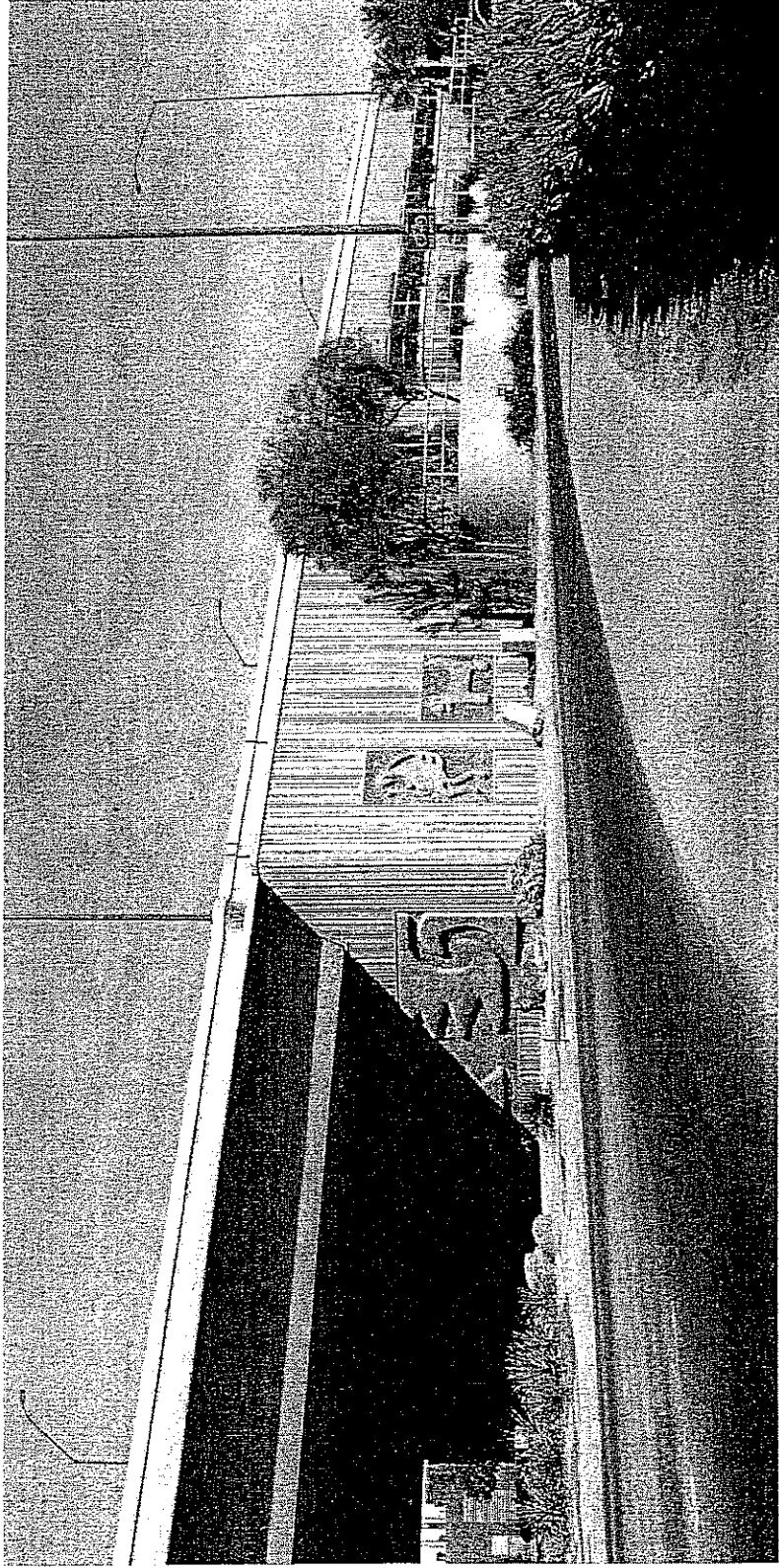
I-59 Bridge Lighting



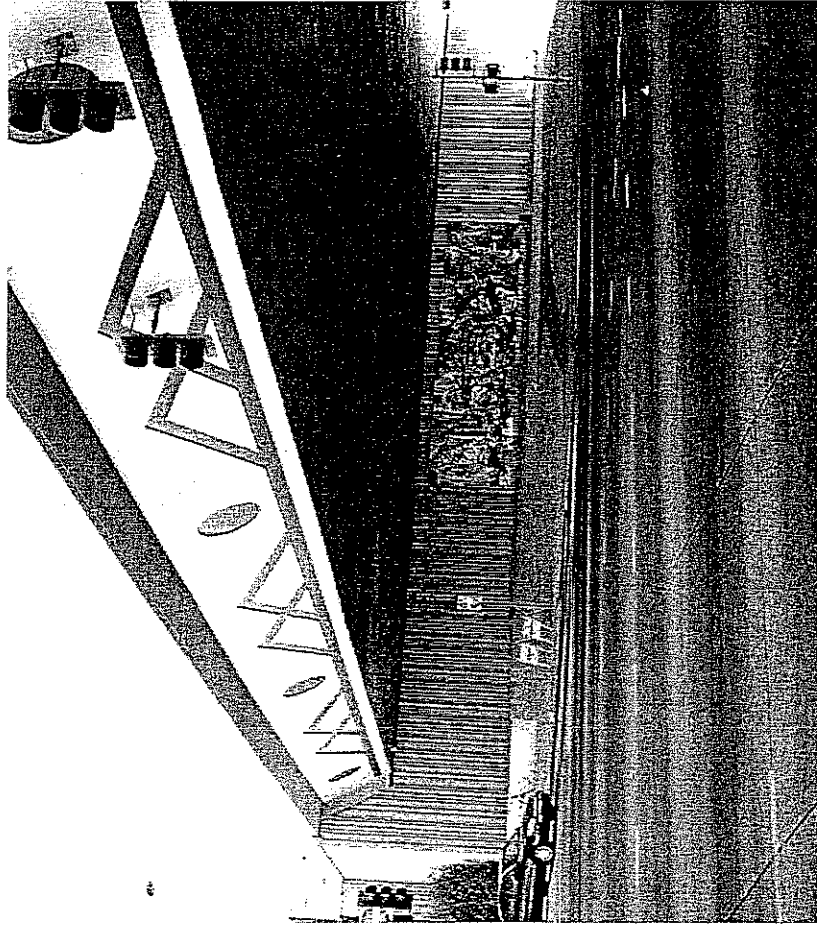
SH-121T



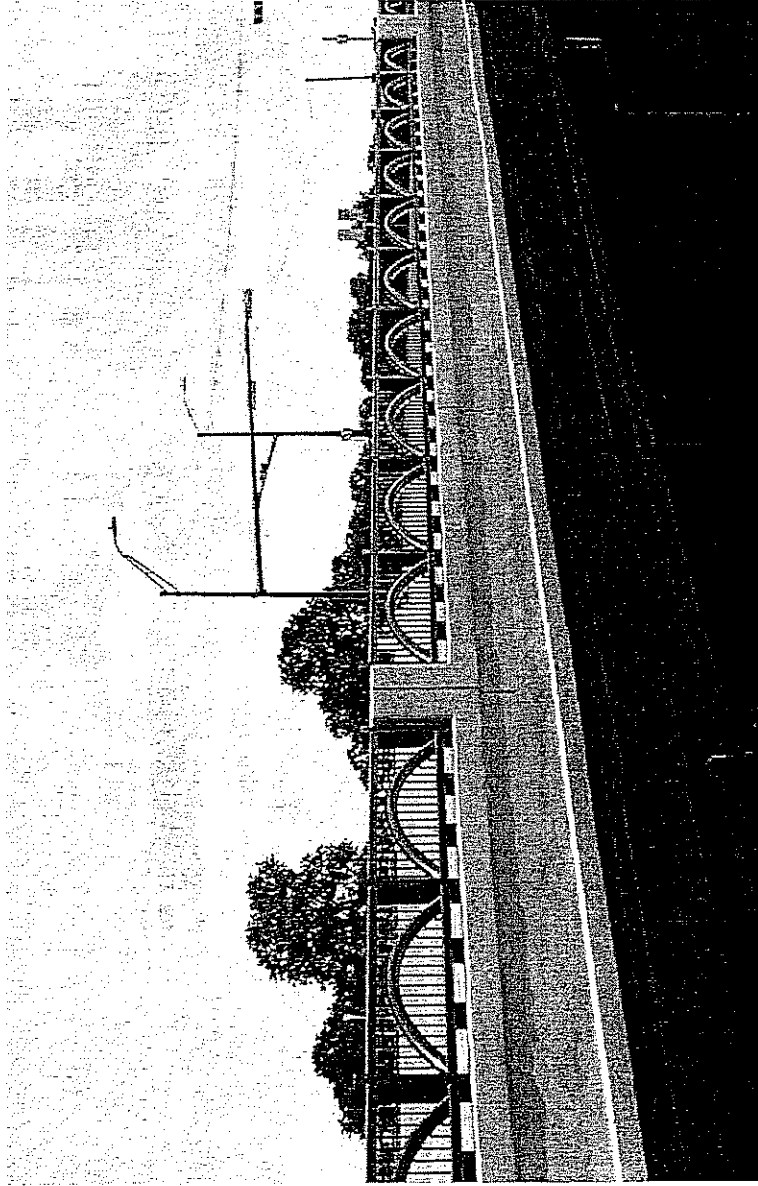
Squaw Peak Parkway Architectural Enhancements



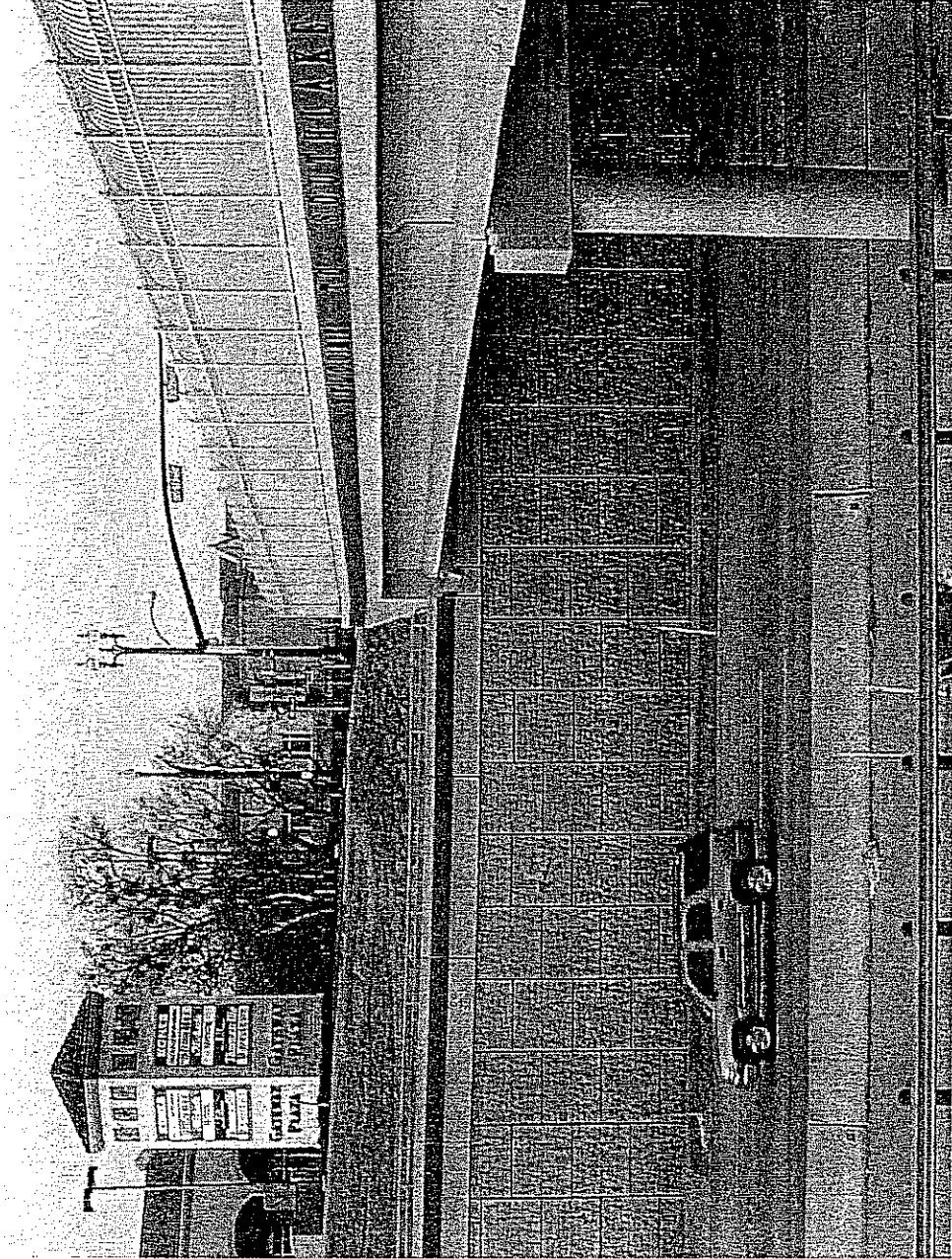
Squaw Peak Parkway Enhancements



Westlake Blvd. Crossing at SH-114




Southlake Boulevard at SH-114

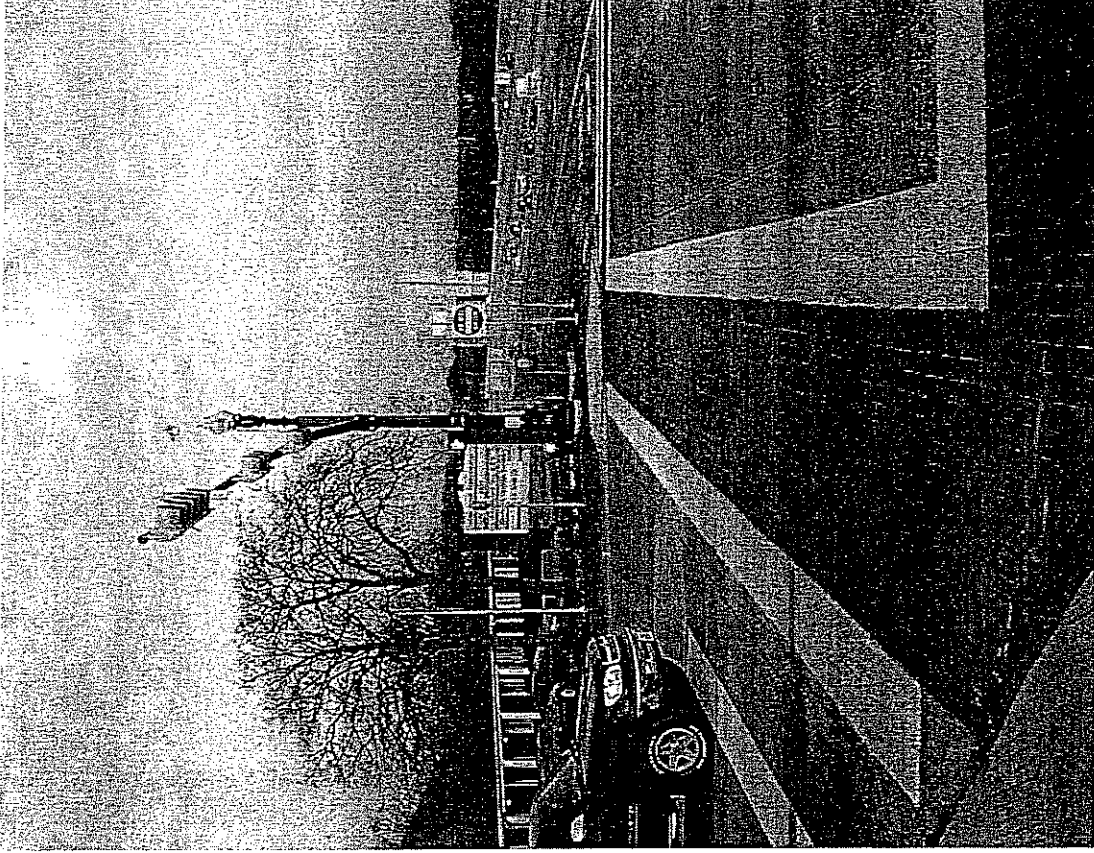


FORT WORTH

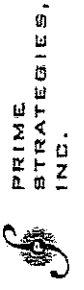
SH-121T

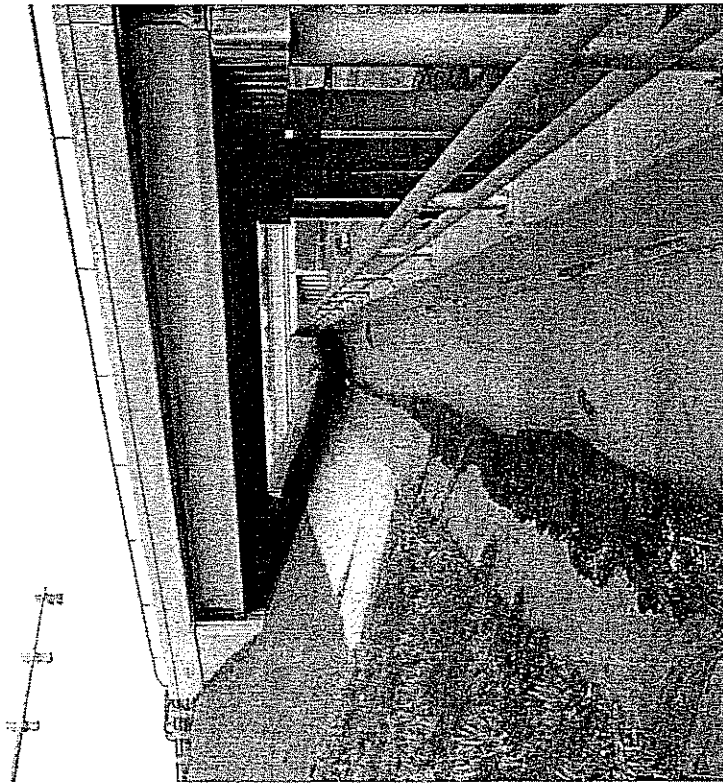
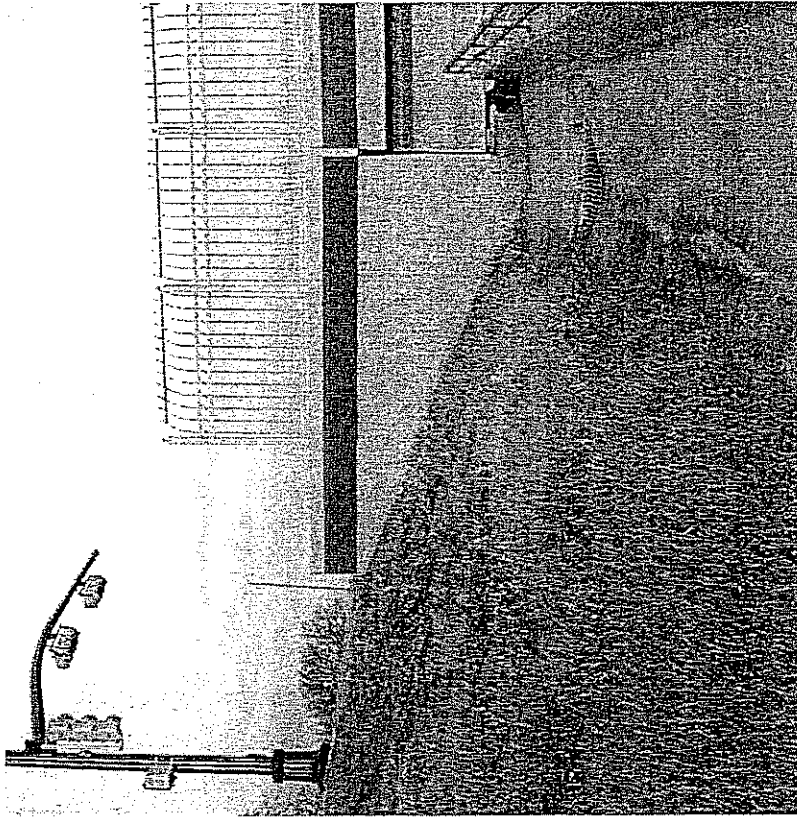

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Southlake Blvd. Gateway




SH-121T





FORT WORTH


SH-121T


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Emerging Consensus Cont.

- C/A Combo at IH-30
- IH-30 Interchange Limits west of University
- Shift SH-121T at Stonegate north towards the RR Yard
- Phase construction of Stonegate and Oakbend Trail
- Direct-Connection Ramps at IH-20
- IH-20 Interchange Limits South of Overton Ridge Blvd.
- Do not rebuild Overton Ridge or Dutch Branch

C/A Combo at IH-30



SH-121T

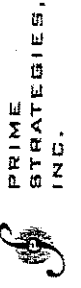


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Mobility and Funding



SH-121T



City Limits/ETJ



PDT Project Cost

- In April of 2002, Council was provided an estimate of probable cost for the PDT (Alternative "A") project scope of \$130 M.

- ROW	\$92.2 M
- Utility Construction	\$10.8 M
- Construction	\$19.0 M
- Enhancements	\$ <u>8.0 M</u>
	\$130.0 M

City Cost Responsibilities

- The “Tri-party” Agreement with NTTA and TxDOT specified the City’s financial obligations:
 - Provide ROW
 - Relocate City Utilities
 - Provide City Utility Service to NTTA
 - Provide Stormwater Drainage

- City Base Cost ≈ \$54 - \$67 M

Additional City Cost Items

<u>Item</u>	<u>Probable Cost</u>
<ul style="list-style-type: none"> • Buffers (40%/60% undeveloped – developed) 	\$4.0 M - \$7.0 M
<ul style="list-style-type: none"> • Landscaping, Lighting, and Architectural Enhancements 	\$8.0 M
<ul style="list-style-type: none"> • Bellaire Drive 	\$9.5 M
<ul style="list-style-type: none"> • Reconstruction of Existing Streets (Overton Ridge Blvd. and Dutch Branch Rd.) 	\$5.1 M
<ul style="list-style-type: none"> • Defer Construction of New Arterial Tie-ins for E/W Arterial Mobility 	<u>\$5.4 M</u> \$32.0 M - \$35.0 M

Economic Development Opportunities

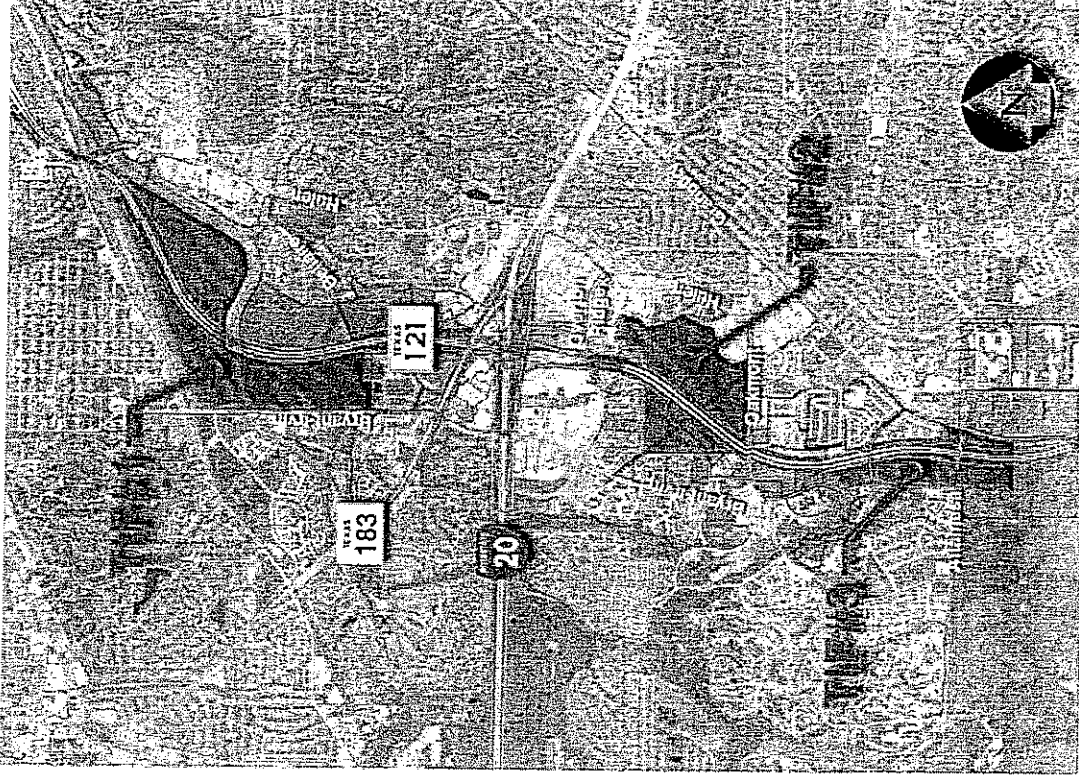


SH-121T

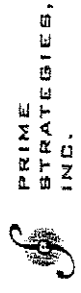


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Potential TIF Boundaries



SH-121T



Draft Environmental Impact Statement



SH-121T



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Texas Department of Transportation
Fort Worth District

FHWY 121-1187-0001
DRAFT ENVIRONMENTAL IMPACT STATEMENT

**State Highway 121
from Interstate Highway 30 to FM 1187
in Tarrant County**

CSJ 0504 02 008

CSJ 0504 02 013

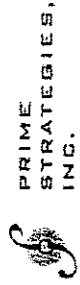
Submitted Pursuant to 42 U.S.C. 4332(d)(2)(c)

by the
US Department of Transportation
Federal Highway Administration
Texas Department of Transportation
North Texas Tollway Authority
&
Cooperating Agency
US Environmental Protection Agency

December 2002



SH-121T



Issues/Comments

- Limited Documentation of Public Involvement
- Supplemental Noise Analysis Needed
- Incorporation of Trinity River Master Plan Vision
- Realignment of SH-121T/Stonegate north of Trinity River
- Lighting Impacts
- “But not limited to...”; however, all comments due Mar. 7

Public Involvement

- The City has undertaken extensive public involvement
- As a partner with NTTA and TxDOT, the City has taken special care to facilitate meaningful input from a context sensitive design perspective due to SH-121T traversing an urban environment.
- Accordingly, the DEIS should better document:
 - Peer Review Team Process
 - Citizens' Advisory Committee Efforts
 - Project Development Team Work and Report

Noise – Sunset Terrace

- Sunset Terrace Neighborhood is in the limits between the terminus of SH-121T and the recently reconstructed IH-30 interchange.
- TxDOT has agreed to supplement its noise analysis adjacent to the neighborhood and to conduct a new projection of future noise impacts.

Noise – Park Palisades/Hulen Bend Estates

- It appears that the noise analysis in the area of the Park Palisades and Hulen Bend Estates Neighborhoods was undertaken before a substantial number of homes were developed in those subdivisions.
- Accordingly, the noise analysis should be updated to take into consideration the potential noise impacts on the homes recently developed.

Trinity River Master Plan

- The DEIS has concluded that there are no 'Section 4f' impacts on the Trinity River or its Trails System where spanned by future SH-121T.
- Nevertheless, it is critical that TxDOT and NTTA work with the City, Streams & Valleys, Inc., and the Tarrant Regional Water District to lessen the impacts of the bridge spans over the river and to best leverage regional investments in the Trinity River Master Plan Vision.
- Normal practice when crossing rivers and trails is to rebuild to equal or better current standards.

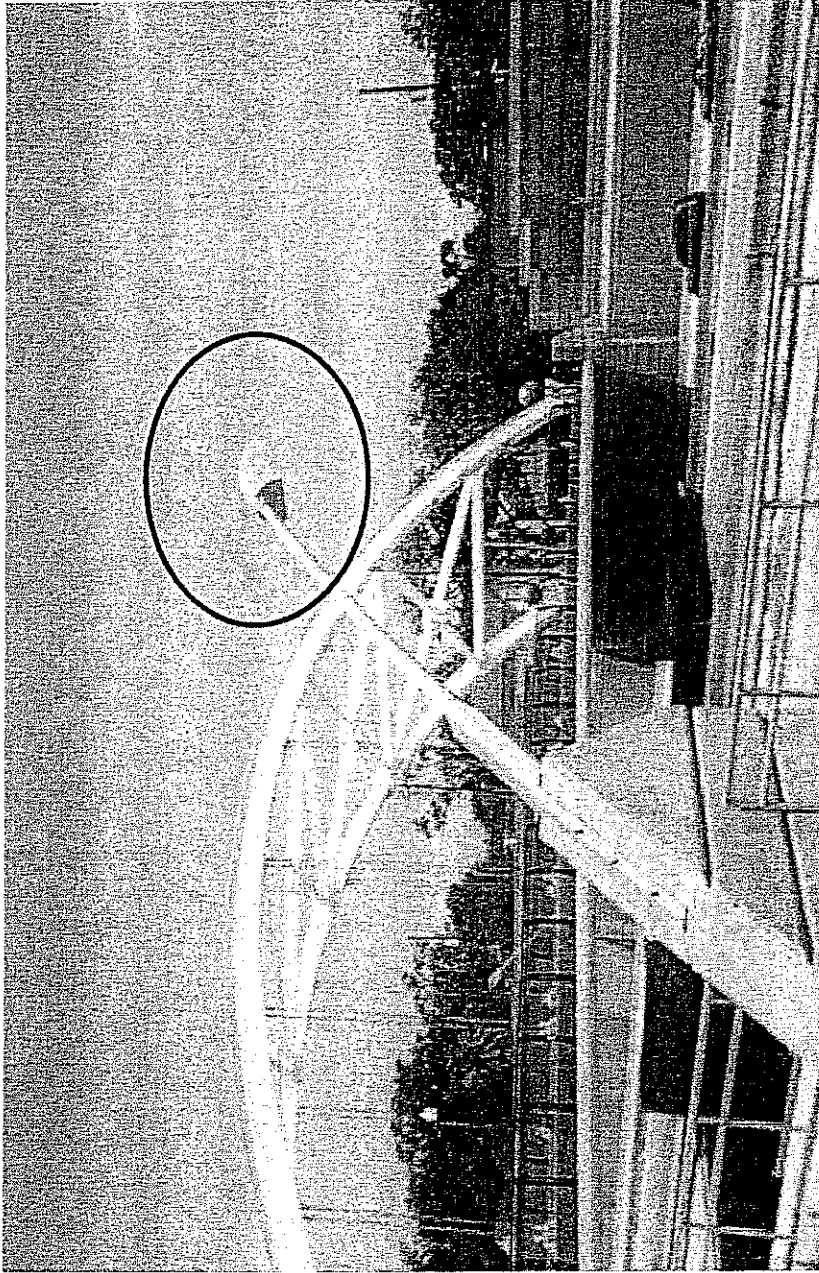
Realignment of SH-121T/Stonegate

Recommend that NTTA realign SH-121T northward between the rail yard and the power line easement, and the City realign the future Stonegate south of SH-121T.

Lighting

- FHWA does not require analysis of light impacts.
- However, the City understands that TxDOT and NTTA are willing to entertain lighting impacts and consider certain strategies to lessen those impacts.
- The City desires that TxDOT consider alternatives to high-mast lighting in the IH-30/IH-20 area as it is reconstructed in order to minimize impacts on adjacent development.
- Similarly, as the tollway portion of SH-121T traverses developed areas and areas that will develop and urbanize in the future, the City desires that NTTA consider utilizing directional lighting and low-mast lighting where feasible.

I-59 Low Mast Lighting



The City has heard concerns about possible impacts on:

- Sunset Terrace Neighborhood
- St. Paul Lutheran Church
- Mistletoe Heights/Berkley Place Neighborhoods
- Vickery Street Businesses
- Overton Woods Neighborhood
- Country Day School
- Hulen Bend Neighborhood
- Park Palisades Neighborhood
- Quail Ridge Neighborhood
- And Other Locations

Status Report of Nimrod Long



SH-121T



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Review of Parkway Design Status

- In DEIS, PDT Goals and Features are not stated clearly as design guidelines for Southwest Parkway.
- Tri-Party Agreement: “Design Standards—intent of the parties that the project design incorporate a high degree of aesthetic and urban design standards to the extent reasonably possible.”
- What Improvements must be paid for and what can be done within the City’s \$8 million budget in addition to the NTTA \$4 million landscape budget?

Bottom Line of Parkway Design Status

- Long and circuitous process.
- Detailed design information is not yet available.
- Difficult for the layperson to follow/read plans.
- City of Fort Worth should have professional design and engineering firms review plans at each step as they progress.
- Public must stay actively involved throughout Design and Construction Process, and then they must monitor thereafter to assure proper maintenance.
- Hire one outside landscape architectural firm to design and provide continuity throughout process and corridor.
- Overall, since the PDT process, some excellent design ideas have surfaced and progress is being made.

PDT Public Participation Process

The PDT clearly stated the principal and goals of the neighborhood leaders and citizens:

- Fit SH-121T harmoniously with the land—follow land forms
- Incorporate park-like landscaping
- Fort Worth inspired architectural treatment of structures
- Recess Southwest Parkway below city streets

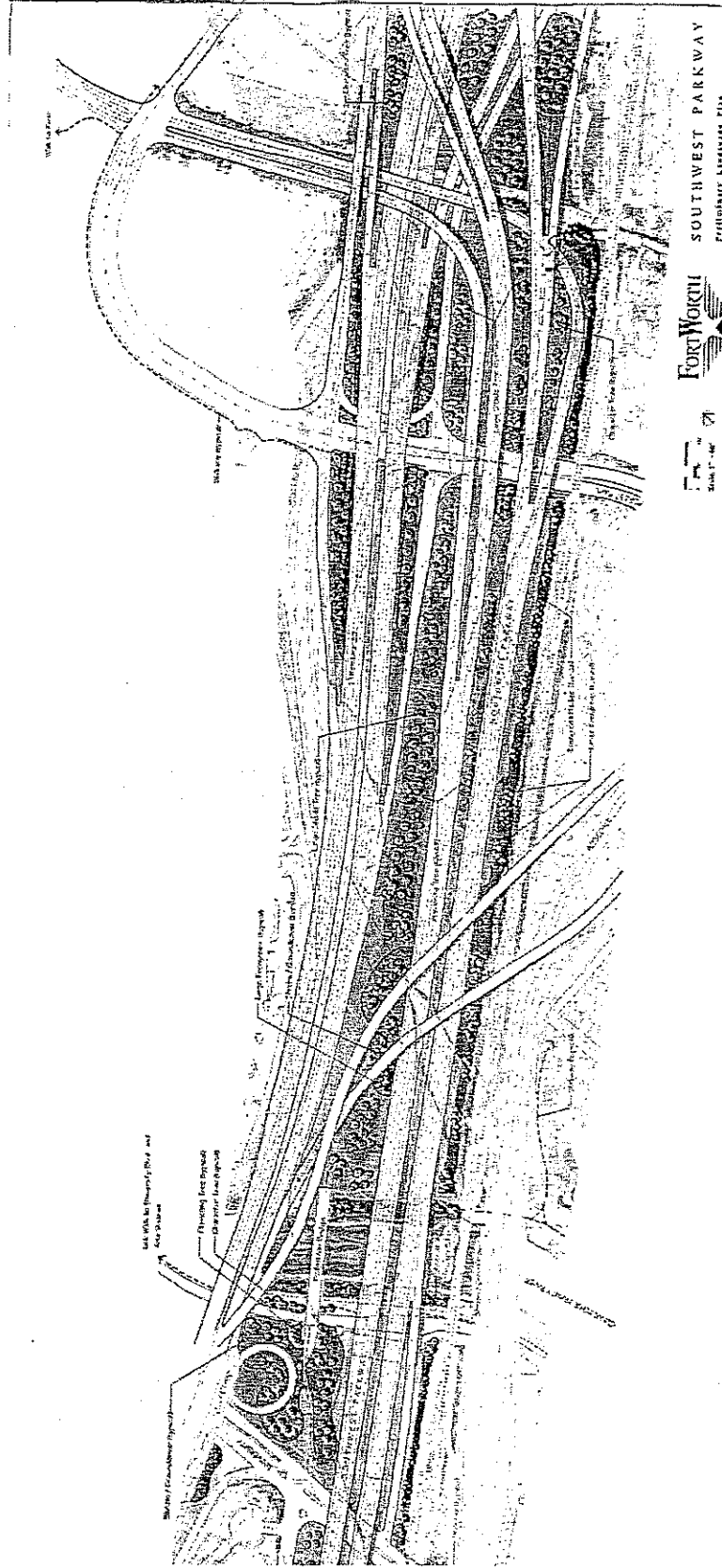
Roadway Features to Achieve Goals


- (+) Vary medians width for buffer between roadways. (48'-100')
- (+) Split profile of roadway
- (+) Expanded buffer of native trees where possible
- (-) Minimize width of pavement by using stabilized shoulder
- (+) Minimal use of frontage roads
- (+) Strict signage controls/prohibition of billboards
- (+) Attractive architectural elements as proposed
- (?) A 60 mph design speed with a 55 mph posted speed.
- (+) Design should enhance Trinity River Park
- (+) Strengthen pedestrian connections between destinations

I-30 Interchange

- (+) Main issues resolved: elevated ramp to Forest Park eliminated
- (+) Incorporated/Improved PDT design adjacent to Sunset Terrace
- (+) Pedestrian Bridge crossing Trinity River (Streams & Valleys)
- (+) Create trailhead and positive environment under bridge
- (?) Rosedale Ramp Structures could be gateway to SH-121T
- (?) Lighting/Noise impacts should be considered for neighborhoods
- (-) Effective landscaping can ameliorate expansive interchange


I-30 Landscaping



 **FORT WORTH**
SOUTHWEST PARKWAY
PERIPHERAL LANDSCAPE PLAN



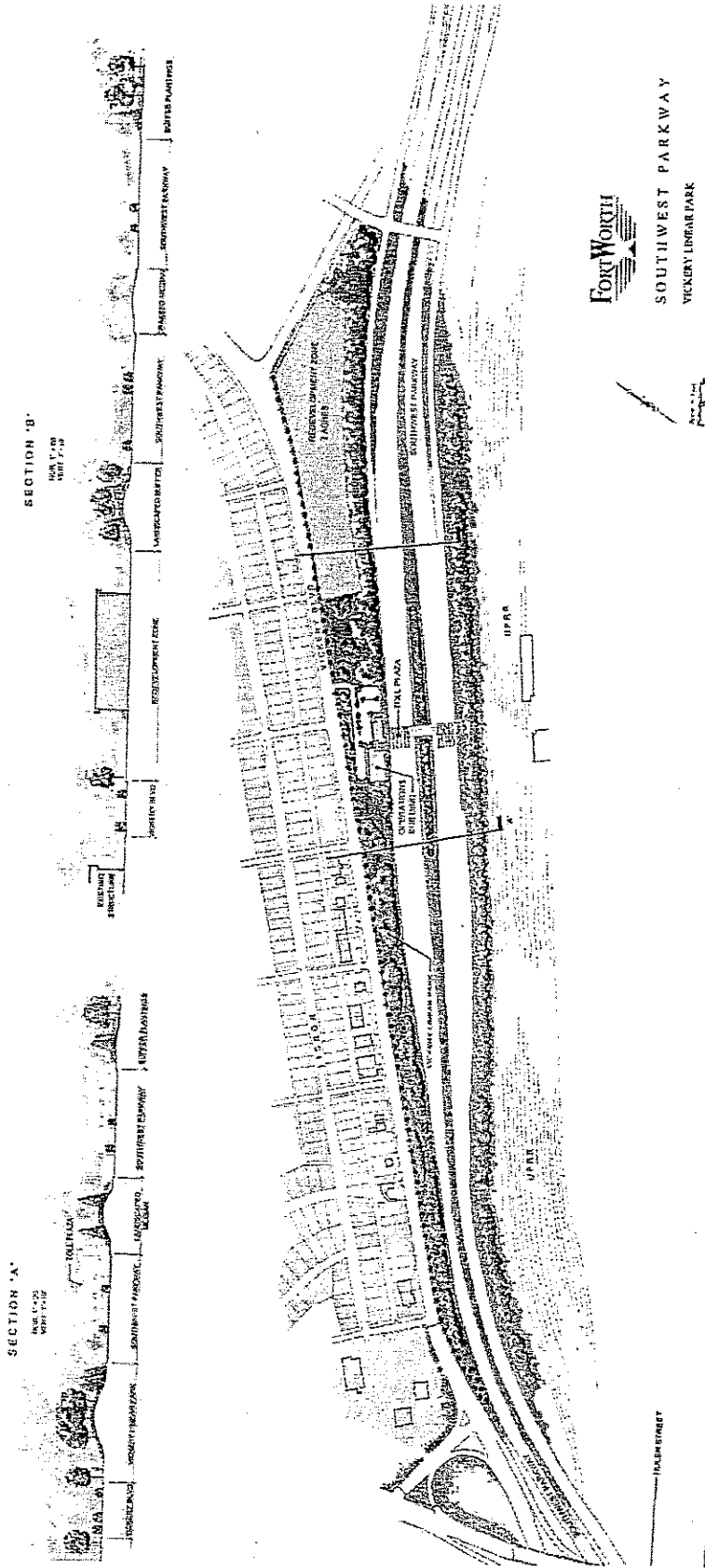
SH-121T


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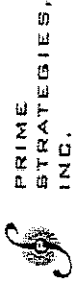
Toll Facility Linear Park Opportunity

- (+) Pedestrian connection to Trinity River, Cultural District and Downtown
- (?) Provides valuable Neighborhood Amenity to Alamo Heights
- (?) Visual buffer for Neighborhood
- (?) Timeless Ft. Worth inspired architectural treatment for NTTA buildings
- (?) Reduce number of lanes to reflect use of electronic toll tags
- (?) Widen toll area median width to soften wide roadway expanse

Toll Facility Linear Park Opportunity



SH-121T



SH-121T/Stonegate Shift Towards Railroad

- (+) Relocation towards RR greatly enhances future development potential
- (+) Entire area would have positive relationship to Trinity River Park
- (+) Tremendous potential as a quality high density mixed-use infill
- (+) Stonegate/SH-121T trailhead excellent idea

I-20 Interchange Area and South

- (+) Surrounding Commercial, office and multi-family residential are generally compatible with interchange.
- (?) Bold expanses of trees with wildflower meadows are an Ideal Landscape Treatment.
- (+) Ramps should not act as typical frontage roads.
- (+) Overton Ridge Boulevard/Dutch Branch Road: expense required to lower roadways not cost effective.
- (+) Oakbend Trail, Oakmont Boulevard and Dirks Road: agree with recessed parkway--Keep Parkway at lowest grade possible to protect neighborhoods.
- (+) Rolling vertical road alignment south provides for attractive parkway

Bellaire

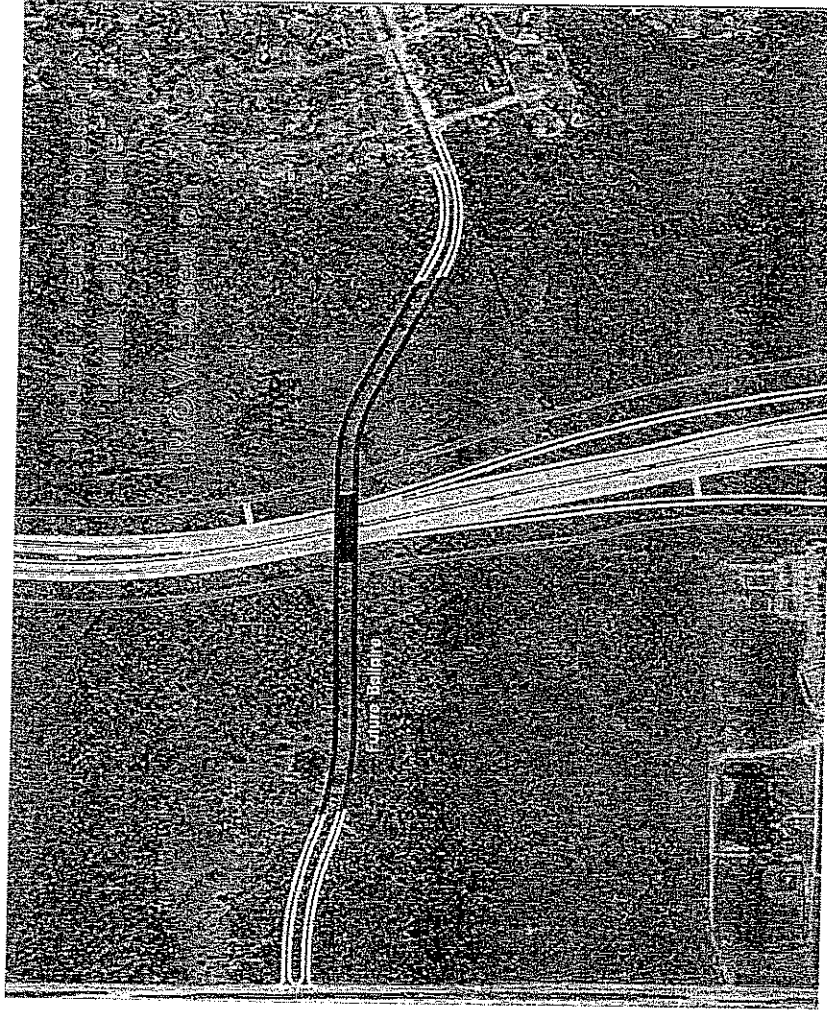


SH-121T

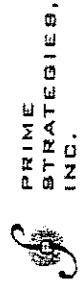


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STRATEGIES,
INC.

Bellaire Over

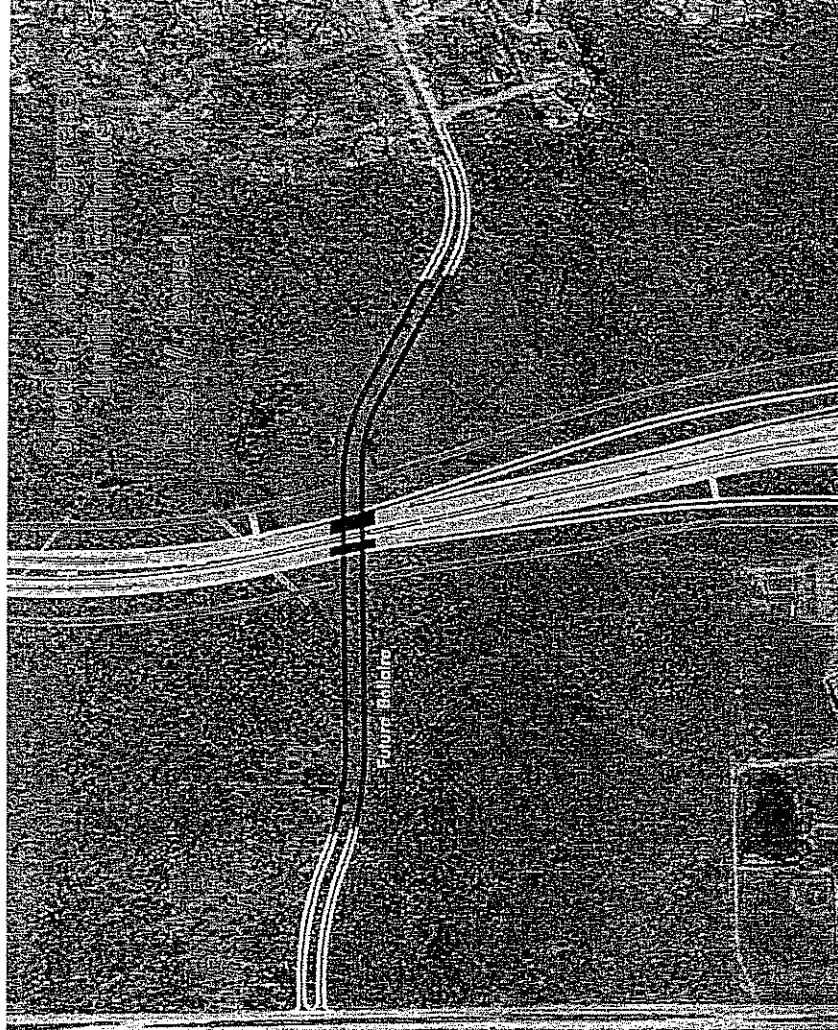


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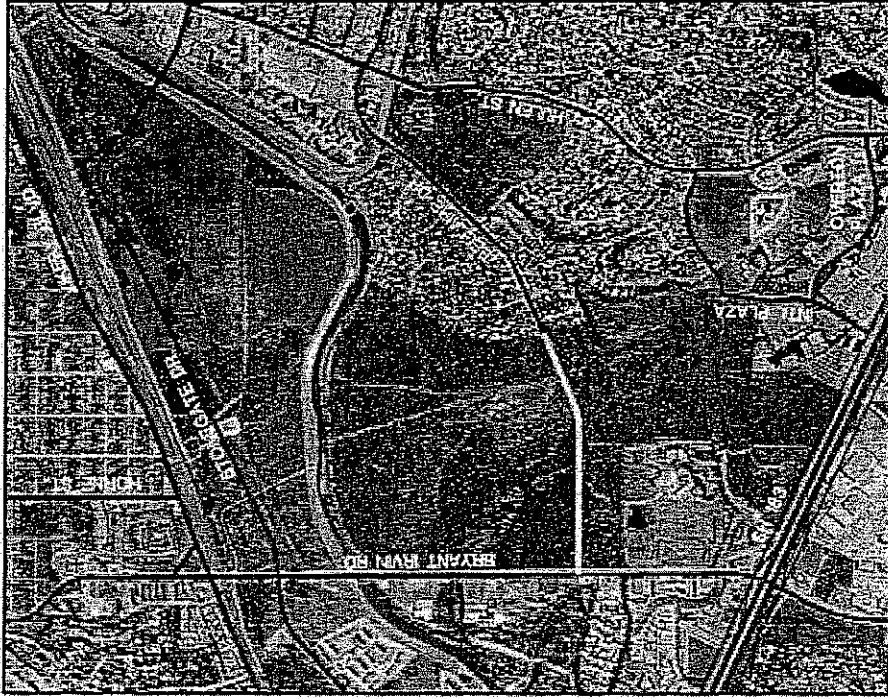


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STRATEGIES,
INC.

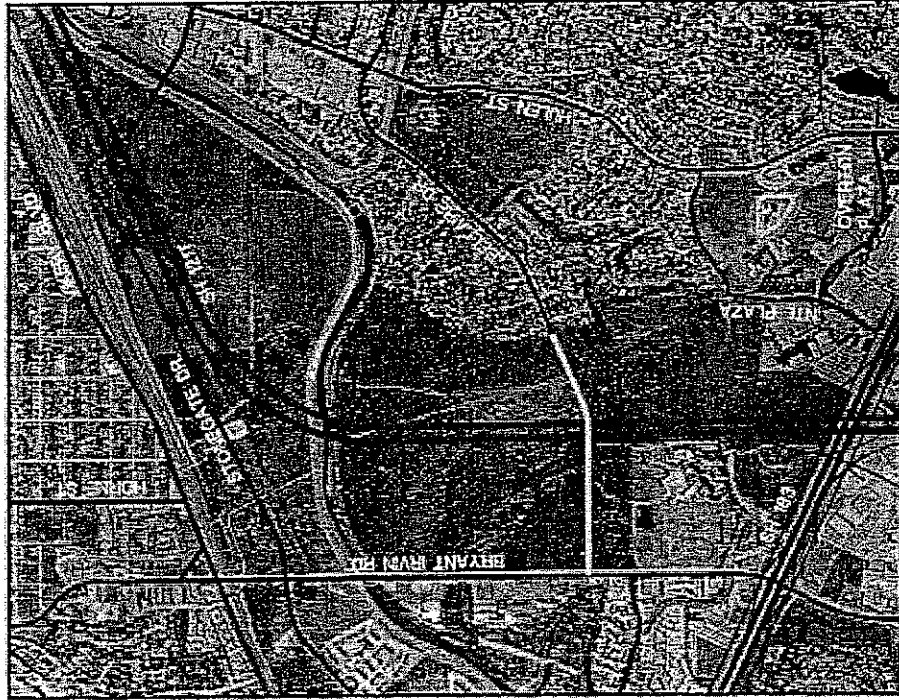
Bellaire Under



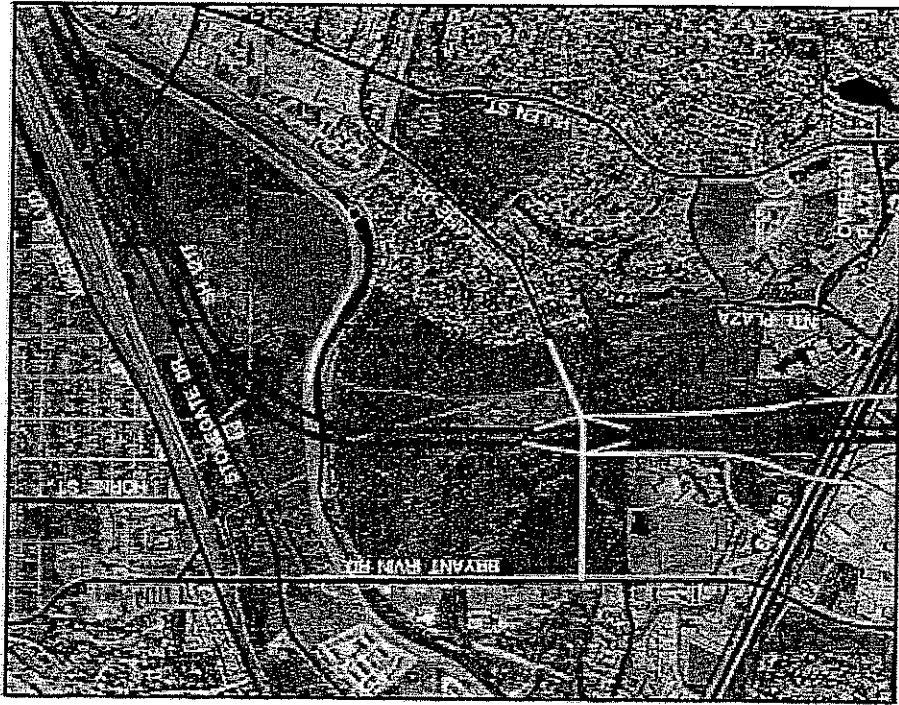
BELLAIRE TRAFFIC STUDY
ALIGNMENT ALTERNATIVES
NO BUILD ALTERNATIVE



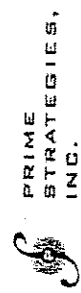
BELLAIRE TRAFFIC STUDY
ALIGNMENT ALTERNATIVES
NO INTERCHANGE AT BELLAIRE



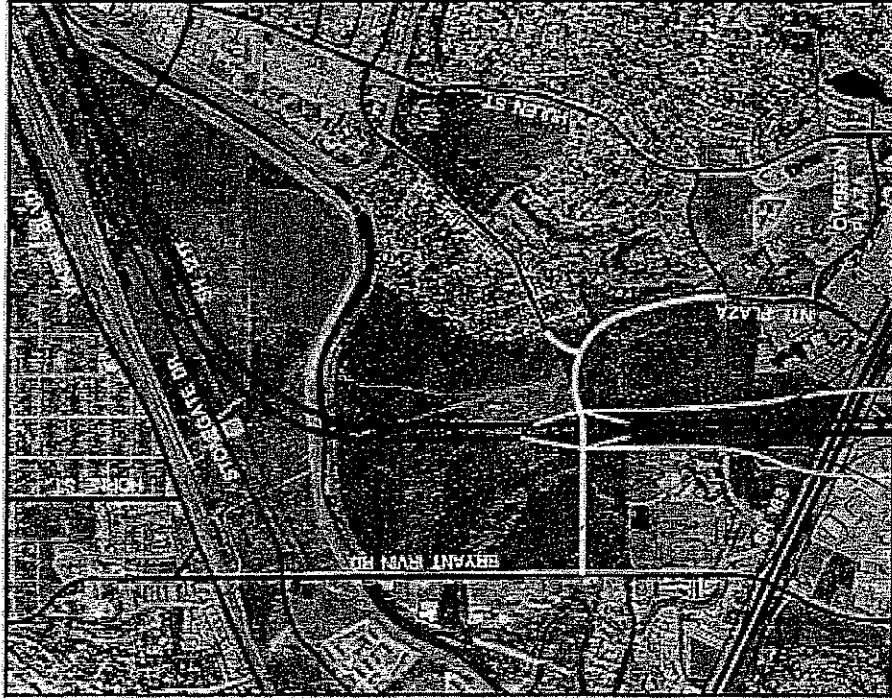
BELLAIRE TRAFFIC STUDY
ALIGNMENT ALTERNATIVES
BELLAIRE INTERCHANGE ONLY



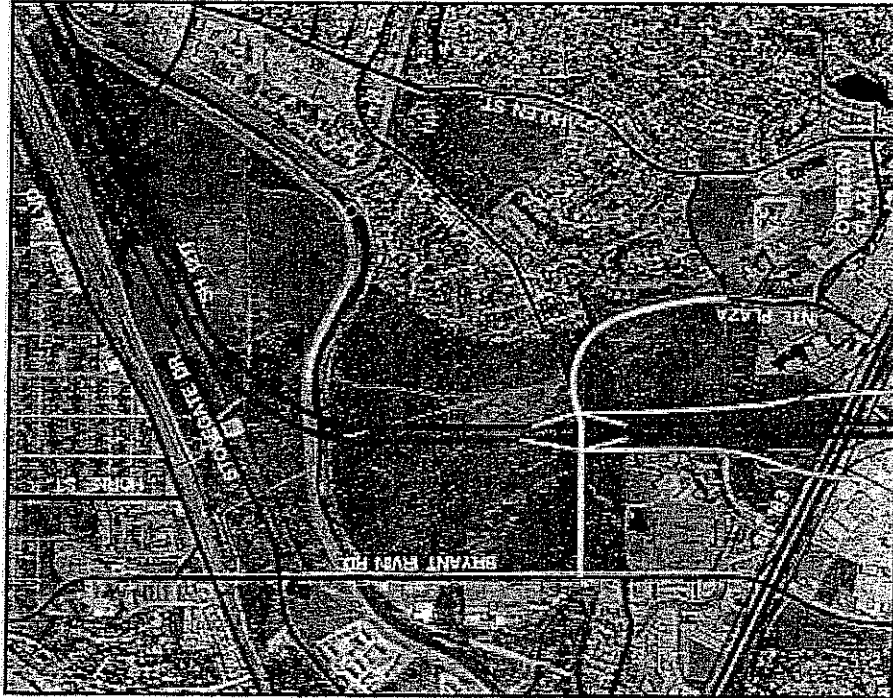
SH-121T



**BELLAIRE TRAFFIC STUDY
ALIGNMENT ALTERNATIVES
INTERCHANGE INTERNATIONAL
WITH BELLAIRE EXTENSION**



BELLAIRE TRAFFIC STUDY
ALIGNMENT ALTERNATIVES
INTERNATIONAL INTERCHANGE ONLY

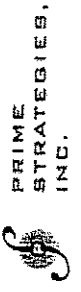


Bellaire Area Traffic Study

Public Presentation of Results
City Council
Tuesday, February 4, 2003



SH-121T



Nimrod Long's Assessment of Bellaire Area

- (+) Idea of cul-de-sac of Bellaire Boulevard and expanding residential development to Parkway and River is great Urban Design.
- (+) Extension of Arborlawn provides important east west connectivity and allows buildings of interchange with minimal adverse impact on neighborhood.
- (+) New Roadway Concept allows for mixed-use development on west side of parkway and on west side of Arborlawn.
- (?) Plan should accommodate pedestrian link to Trinity River Park Trails (pedestrian bridge) and walkways to commercial areas and schools.
- (?) Proper land use transition and buffers must be in place to not adversely impact Overton View Court and Briarhaven Rd.
- (?) Parkway should go under Interchange to reduce negative impact on residential development and to Country Day School.

Bottom Line of Parkway Design Status

- Long and circuitous process.
- Detailed design information is not yet available.
- Difficult for the layperson to follow/read plans.
- City of Fort Worth should have professional design and engineering firms review plans at each step as they progress.
- Public must stay actively involved throughout Design and Construction Process, and then they must monitor thereafter to assure proper maintenance.
- Hire one outside landscape architectural firm to design and provide continuity throughout process and corridor.
- Overall, since the PDT process, some excellent design ideas have surfaced and progress is being made.

Next Steps

- Feb. 4 -- Bellaire Traffic Study Council Briefing
- Feb. 11 – City Public Hearing
- Feb. 13 – TxDOT Public Hearing on DEIS for Johnson County
- Feb. 18 – City Council Consideration of Recommended LPA
- Feb. 25 – TxDOT Public Hearing on DEIS for Tarrant County
- Mar. 7 – All Comments Due to TxDOT on DEIS



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www.stoel.com

May 1, 2003

Maribel Chavez, P.E., District Engineer
Texas Department of Transportation
PO Box 6868
Fort Worth, TX 76115

Re: Highway 121 Draft EIS, FHWA-TX-EIS-99-05-D

Dear Ms. Chavez:

On behalf of I-CARE, we submit the following comments on the draft environmental impact statement (DEIS) for the above-referenced project (Project). This letter sets forth our primary substantive concerns. We have attached a document containing additional comments of a more technical nature.

OVERVIEW

The Project has been the subject of lengthy and intensive public participation. During this public process, the Texas Department of Transportation (TXDOT) and the North Texas Tollway Authority (NTTA) made numerous statements and commitments that provided I-CARE and the community at large with assurance that the Project was being modified to address the many significant issues we collectively have raised. On February 3, 2003 you stated at the joint Citizens Advisory Committee (CAC)/Project Development Team (PDT) meeting: "I think that we have an opportunity, particularly at 30 and the University and Trinity River area, to design a beautiful facility, one that should compliment the area." (Full transcript attached.) I-CARE wholeheartedly appreciates and endorses such statements. However, the DEIS neither meets such lofty aspirations nor reflects the intensive public process of the past few years.

The failure of the DEIS to document and respond to public participation is a procedural failing under the National Environmental Policy Act (NEPA). Much more importantly, it undermines the working relationship the agencies have established with I-CARE and the

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Idaho



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community at large through many prior discussions. For that reason, I-CARE is compelled to submit for the record the following exhaustive comments on the DEIS.

We sincerely hope our comments will trigger a rapid effort to revise the DEIS. In particular, the purpose and need for the Project should be to construct an urban parkway that is not just a needed transportation amenity for the city of Fort Worth but also a reflection of its civic pride. The DEIS also should be based on clear description, evaluation and comparison of real Project alternatives that meet the purpose of the Project and incorporate the intensive discussions of the past few years. The alternatives should be described and analyzed with enough detail (including figures, diagrams and supporting graphics to convey the nuances between the complex build alternatives) to allow public and governmental reviewers to evaluate and compare them.

As you know, I-CARE strongly believes that once the DEIS is supplemented in this fashion it will clearly show that there is one Project alternative that best meets the purpose and need for the Project while minimizing impacts to the natural and human environment: the Locally Preferred Alternative adopted by the Fort Worth City Council (Resolution 2923) on February 25, 2003. I-CARE supports that alternative. We believe TXDOT and NTTA also support this alternative, and the current DEIS must be revised to reflect this support and document it adequately under the requirements of NEPA.

We look forward to working with TXDOT, NTTA, and the City of Fort Worth to develop the NEPA documentation necessary to support the best Project alternative. We are excited to positively contribute to the future corridor advisory activities and to detail the best project alternative in appropriate schematic plans. This process will help assure the Project's community support and speed it toward construction.

LEGAL COMMENTS

1.0 Improper Focus

NEPA requires TXDOT and NTTA to take a "hard look" at the environmental impacts of reasonable Project alternatives. It is impossible to take a hard look at anything if your vision is not focused. The primary deficiency in the DEIS is a lack of focus on the key Project issues that have been identified in the lengthy public process.



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The descriptions and analyses of Project alternatives A through D are performed at a level that at best are characteristic of a corridor alignment EIS. This analytic focus is inappropriate for the Project because there has been no real dispute about the corridor alignment. The real alternatives for this project are choices of project concept, design and engineering, and these alternatives have real consequences in terms of impacts to the human and natural environment. Because the DEIS does not describe a reasonable spectrum of build alternatives and then present them in sufficient detail, it is impossible to evaluate their relative impacts. The DEIS therefore does not constitute sufficient documentation supporting TXDOT and NTTA's selection of any alternative over any other alternative.

Applicable Federal Highway Administration (FHWA) guidance clearly states that:

“[d]evelopment of more detailed design for some aspects ... of one or more alternatives may be necessary during preparation of the draft and final EIS in order to evaluate impacts of mitigation measures or to address issues raised by other agencies or the public.” FHWA, Guidance for Preparing and Processing Environmental and Section 4(f) Documents, section V.E.

Pursuant to such guidance, the DEIS must be focused at a level commensurate with the intensive, multi-party dialogue of the past few years. The DEIS must especially incorporate the work of the City-sponsored Southwest Parkway Transportation Design Study (TDS), a public conceptual design product authored by the Project Development Team (PDT) with broad citizen involvement. In light of the Southwest Parkway TDS, TXDOT and NTTA cannot credibly say they have met the “hard look” duty under NEPA unless the DEIS carefully evaluates the relative impacts of a typical “urban highway facility” (DEIS, page III-30) versus parkway designs such as those developed by the PDT, acknowledged by TXDOT in developing alternative C, and adopted as the locally preferred option by the Fort Worth City Council.

Frankly, because that issue has been the focus of the public process at least since 1994 and the subject of enormous City and privately sponsored efforts, it is disheartening to I-CARE that the DEIS does not clearly analyze and resolve it.

2.0 Incorrect Statement of Purpose and Need

The statement of Purpose and Need in an EIS is essential because it drives the scope of reasonable alternatives that must be analyzed. If the statement is defective, the document likely



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will not analyze a proper spectrum of alternatives and the selected alternative will not be adequately documented.

The DEIS contains 34 pages nominally discussing purpose and need, however, the discussion centers around general corridor alignment issues of a radial freeway component first documented in 1962. As the land adjacent to the corridor has developed and subsequent City actions eliminated the "north section" alignment portions, the focus of the project shifted from alignment-based to the impacts of the specific build alternatives within one specific alignment. However, the DEIS remains focused on justifying the alignment without addressing the key project issues that are relevant since the project terminus became IH-30. Critical community issues and discussions since 1994 have focused on build alternative issues (frontage roads, interchange locations, cross section, etc) rather than alignment issues since there is only one practical alignment.

The DEIS is deficient in not containing a clear and concise statement of the purpose and need for this Project and evaluating community and stakeholder-raised build alternative impacts. Most of the material presented could be supportive of any transportation improvement project in the greater Metroplex area. There is little discussion of the specific needs for a transportation link between Hwy 30 and FM 1187 and no real discussion of the context-sensitivity required for the portions of such a link that run directly through established urban areas of Fort Worth.

In particular, the DEIS statement of purpose and need gives inadequate guidance to formulate and choose between various Project alternatives. The statement should, but does not, clearly state the Project purpose that has been forged through heated public discussion into a tool to distinguish the City of Fort Worth and reflect its civic pride: namely, to build an urban parkway connecting Hwy 30 and FM 1187 with engineering and design features that make it sensitive to the neighborhoods through which it passes. We had thought this was established in 1994, refined in the PDT process and plan adopted on January 2001 by City Council resolution 2693 and ratified when the City Council adopted a locally preferred alternative. In light of this history, the purpose of the Project should be to deliver the needed transportation infrastructure in a way that minimizes impacts on these neighborhoods and provides to them an aesthetic benefit where possible.

3.0 Inadequate Alternatives Analysis

Many Federal courts have called analysis of reasonable project alternatives the "heart" of the NEPA process. An EIS is not sufficient if it does not contain a reasonable scope of



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alternatives, described and analyzed at an appropriate level of detail. Both the proponent agencies and the public at large must be able to assess those real alternatives that meet the Project's purpose and need, and choose among them on the basis of their relative impacts on the human and natural environment. That is what taking a "hard look" under NEPA is all about.

Alternatives B and D in the DEIS are woefully stale. They do not reflect the very thorough, productive discussions that have occurred over the past few years. Only Alternatives A and C contain features and themes of a contemporary urban parkway. However, the DEIS description and supporting figures provide no insights as to the key design components of each build alternative. Further, the DEIS remains focused on the weak and obsolete discussions of the broader corridor need. These discussions, rooted in 1962 proposals to justify a radial freeway segment are irrelevant and do not respond to the contemporary issues identified by the Project's Citizen Advisory Committee (CAC) and later documented graphically by the city-sponsored design process that resulted in the Southwest Parkway TDS.

TXDOT and NTTA have made significant progress in their understanding of community consensus for a facility that integrates features and themes of a parkway-type corridor. This is most evident in their developing Alternative C (building on the foundation of Alternative A) as a plan that addresses documented opposition of Alternatives B and D. I-CARE appreciates the gesture and intent to address community issues, however the DEIS is sorely inadequate to represent and document the impacts of community-driven corridor solutions. Clearly, the DEIS is a carry over from documentation efforts of the mid-1990s. Most of the DEIS is based on information that in many cases is outdated (e.g., 1990 census data and 1992 peak hour traffic volumes). In sum, the alternatives in the DEIS give I-CARE the uncomfortable impression that while some representatives of TXDOT and NTTA were out talking with the public and agreeing to significant project modifications, others were busily drafting the DEIS based on a pre-determined, narrow set of alternatives that disregard TXDOT and NTTA's stated understanding of community concerns. This documentation approach represents a disregard for the integrity of the NEPA process and is disrespectful to the citizens and stakeholders who have contributed so much time and effort to developing community-based solutions.

As mentioned above, the most fundamental problem with the alternatives is that they do not allow a reasoned evaluation of the relative impacts of a typical urban freeway (Alternatives B and D) on the one hand and a carefully-designed parkway (Alternatives A and C) on the other. I-CARE does not see it as an impossible or even unduly burdensome task to adequately characterize such alternatives and to assess their relative impacts on the human and natural



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environment. However, to achieve this goal and to comply with the requirements of NEPA it will be necessary to characterize the Project alternatives at a level of detail appropriate to an agency decision between significantly different build alternatives that all occupy essentially the same corridor. The difference between alternatives in this case involves engineering and design features such as the split plan and profile and wider median developed in the PDT process, which was an integral part of Alternative A. In addition, Alternative A, at the direction of the PDT members fundamentally called for a facility that was “lower, slower, and greener.” This resulted in the cross streets under Alternative A going over the Parkway where ever possible to reduce visual and noise impacts.

Of the four build alternatives, only Alternative A and its post-PDT derivative, Alternative C contain features and themes noted as required mitigations for the new roadway. Alternatives B and D contain no such mitigations. And while Alternative C has been verbally described by TXDOT, NTTA, and the City as a “compromise” between the community-desired Alternative A and the reality of physical constraints and built up right-of-way, there is no way to discern the qualities of Alternative C.

The DEIS does not contain, to our surprise, any design drawings whatsoever of the design concepts presented to the public and project stakeholders in the numerous meetings of the PDT process and post-PDT discussions. Further, the DEIS text is misleading and factually incorrect in stating on page III-43 that Alternative B is “identical” to Alternative A. Alternative B does not have a split plan and profile and the Parkway would pass over virtually all cross roads. The lack of adequate figures, maps, and other supporting graphics make it impossible for a citizen, stakeholder, or reviewing agency to objectively review and compare alternatives.

4.0 Deficient Environmental Impact Analyses

Many of the specific impact analyses are not sufficient under NEPA. Further, the analyses appear to rely heavily on promised mitigation measures, but the measures are not specifically described. These issues are addressed in turn below.

4.1 Noise

The noise analysis in the DEIS has been completed at a level which would be appropriate for a location-level EIS but which is not helpful in comparing the several build alternatives that occupy essentially the same corridor. This coarse evaluation must be refined to better reflect



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contemporary development and traffic volumes and patterns. For example, no site-specific analyses were performed at the Sunset Terrace neighborhood near IH-30 and Summit Avenue. In addition, the DEIS states (page V-82) the noise analyses were based on 1992 traffic volumes and patterns. This data is invalid and does not reflect the significant changes in traffic patterns from the removal of the downtown IH-30 "overhead", changes in the traffic circulation patterns (removal of Ballinger Street Bridge and realignment of the Summit Avenue overcrossing), or intense development along the corridor.

In addition, the noise analyses do not consider the very unique but significant contributions of the variations of the specific Build Alternatives. For example, the direct connect ramps of Alternatives B and D would have a significantly different footprint and noise impacts compared to Alternatives A and C. In addition, the vertical profile of Alternative A and C is fundamentally different (with the highway passing under most cross streets) than Alternatives B and D. A legally sufficient EIS for the Project must consider the specific physical differences between alternatives so citizens and reviewing agencies can adequately evaluate the comparative impacts. Given the significant changes in regional development, roadway networks, and adjacent development along the project corridor, the noise analyses must be revised to reflect current conditions.

4.2 Visual

While Section V of the DEIS addresses "Environmental Consequences," there is no analysis or discussion related to a visual assessment and the visual impacts of the Build Alternatives. The FHWA Guidance states that when the potential for visual impacts exists,

"the draft EIS should identify the impacts to the existing visual resource, the relationship of the impacts to potential viewers of the project, as well as measures to avoid, minimize or reduce the adverse impacts. When there is potential for visual quality impacts, the draft EIS should explain the consideration given to design quality, art, and architecture in the project planning."
Guidance, Section V.G (emphasis added.)

The proposed Parkway will pass through or near a number of community and public spaces (e.g., Trinity River Parkway and the Country Day School). In Alternatives B and D, the Parkway would pass over each of the cross streets. These alternatives will become a significant



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physical feature in the visual landscape, especially in contrast to high quality habitat areas adjacent to the proposed Parkway. Alternatives A and C have the Parkway pass under most of the cross streets and therefore have significantly less visual impact on adjacent properties. In addition, the wider median of Alternatives A and C at the Trinity River Parkway will minimize the loss of natural light and therefore mitigate vegetative loss along the Trinity River while improving the experience for trail users. The revised EIS should include a summary and comparison of visual impacts along the entire corridor, to appropriately assess community impacts of each Build Alternative.

I-CARE looks forward to working closely with TXDOT, NTTA, and the City in considering mitigations for visual impacts to offset the Parkway's construction.

4.3 Wetlands

Section V of the DEIS presents the findings related to the Clean Water Act, Section 404 permits and wetlands analyses. The DEIS states 1992 National Wetlands Inventory (NWI) maps, aerial photography, and visual inspection of the proposed alignments were used to document jurisdictional waters of the United States and wetlands impacts (Page V 96). Like the 1992 traffic volumes used in the noise analyses, I-CARE requests the DEIS consider the most current information and supplement visual inspection of mapping with contemporary field reconnaissance along the entire corridor.

The DEIS inadequately describes wetlands and quality habitat areas on streams within the Rall Ranch property near Dutch Branch Road. For example, the DEIS states there are two jurisdictional waters of the United States impacted while an independent wetland delineation determined there are a total of nine jurisdictional waters of the U.S., including five reaches of intermittent streams, and all or portions of four contiguous wetland habitats located on the Rall Ranch that would be directly or indirectly impacted by the proposed Parkway construction. The Rall Ranch Delineation also indicates two additional contiguous wetlands that are located on the Rall Ranch adjacent to, but outside of, the proposed ROW, which may also be impacted. I-CARE is disturbed by the large discrepancy in this analysis and is surprised this would not have been noted.

Such lacks of key data and analysis make it impossible, in our view, for reviewing agencies and members of the public to make an informed decision between the various Build Alternatives.



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4.4 Section 4(f) and NHPA section 106 Impacts

The discussion of historic property impacts and comparison of alternatives is a gaping hole in the DEIS. The affected environment section (pages IV-24-26) misses the identification of Sunset Terrace and Mistletoe Heights districts entirely. These two districts should be described and identified as potentially eligible here, consistent with supporting documentation provided in Appendix E. The discussion on 4(f) impacts (pages V-34-36) should refer to the two historic districts, report on the correspondence with the SHPO, and address the issues of light, noise and traffic impacts (for the preferred alternative. The two districts are clearly eligible under 4(f) and the DEIS text ignores these issues entirely.

The historic section starting on page V-139 does not refer to the Sunset Terrace neighborhood at all. This should be included, and the impacts discussed. The discussion of Mistletoe Heights says that the district will be indirectly impacted, and yet does not describe how. Since the DEIS does not adequately describe the impacts of each Build Alternative, we are unclear how the public or reviewing agencies could make meaningful decisions regarding any of the Build Alternatives. The DEIS should discuss impacts included in the agency coordination letter handled, including possible mitigations. Residents from Sunset Terrace and Mistletoe Heights have been active participants in the project's CAC and City PDT processes. At all times the representatives from these neighborhoods have consistently stated the need for an adequate review of impacts. The DEIS text ignores the residents consistent message through out the public involvement stages. The significant deficiency in assessing historical property impacts is a fundamental flaw of the NEPA process. I-CARE will be monitoring how the DEIS omissions are remedied and expect the revised EIS to be more comprehensive in its assessment and proposed mitigations.

Similarly, the DEIS (page V-35) minimizes and oversimplifies impacts to the Trinity River Parkway. Since the DEIS has been published, TXDOT and Steams and Valleys, Inc. have had productive discussions that acknowledge the flaws in the DEIS and look forward to conceptual mitigations. We applaud these efforts and support these concept plans. We also will expect the revised EIS to include appropriate documentation of the true impacts to historic and publicly owned park facilities along the corridor and identify appropriate mitigations.



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4.5 Mitigation Analysis

As stated above, NEPA requires federal agencies to take a hard look at the environmental impacts of project alternatives before making any choice among them. Comments 4.1 to 4.4 relate to deficiencies in the descriptions of various project impacts, and show how those deficiencies make it impossible to make a genuine comparison between the project alternatives. The most important comparison—the ultimate one—is of the alternatives *as mitigated*. Given the DEIS in its present state, that too is impossible.

Presumably in some cases the same mitigation measure would apply to all four alternatives, whereas in other cases there are mitigation measures unique to each alternative. Pursuant to FHWA's own Guidance, section V.G., mitigation measures "normally should be investigated in appropriate detail for each reasonable alternative so they can be identified in the draft EIS." The DEIS must present a detailed discussion of mitigation measures and functions for each alternative, so that the agencies can ultimately make their choices based on a complete understanding of the impacts of each alternative, as mitigated. Furthermore, good practice calls for creating a matrix showing all proposed mitigation features on one axis, and the four alternatives on the other, so that the reader can have a unified mitigation list and instantly see which mitigation measures are connected to which alternatives. The DEIS does not contain any such discussion of mitigation.

If mitigation is not discussed, it is assumed that the full impact will result from an alternative. As a result, if it is not clear where mitigation will be implemented, and the differences in impacts associated with each alternative is clear, the comparison of alternatives will be imbalanced. In most sections of Chapter 5, the impacts are generalized, and if mitigation is mentioned at all, it too is generalized for all build alternatives.

In particular, impacts along the Trinity River (median widths) and at the Country Day School (roadway profile) are different for different alternatives and the impacts could be mitigated in different ways. The DEIS does not provide any basis for making these important choices. Nor does it analyze many noise issues, much less present possible mitigation for noise impacts. I-CARE feels these deficiencies make it impossible to provide meaningful feedback at this stage.



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5.0 Inadequate Cumulative Impact Analysis

Federal courts have invalidated EIS documents when they do not contain a sufficient analysis of how project impacts will accumulate with, or even amplify, the impacts of other existing or proposed projects. The very brief cumulative impacts section in the DEIS does not pass muster under established legal tests.

As an example, the DEIS does not adequately consider cumulative impacts at the project's northern terminus, in the Sunset Terrace area. The IH-30 and IH-35 projects are nearing completion. These projects have resulted in insignificant changes in traffic, noise and glare for local residents. Sunset Terrace Neighborhood has been at the edge of these past projects and is once again at the project limit for the Southwest Parkway. Noise modeling may have been insufficient for the earlier project, and high-mast lights were installed all along this stretch of IH-30. Problems at Sunset Terrace have been deemed important enough that the PDT recommended re-analyzing noise and glare issues, potentially changing features or incorporating mitigation measures, as part of the present project. The PDT recognized that this project's connection to the previous one will exacerbate an already-problematic situation—essentially the definition of a cumulative impact. Nonetheless, the DEIS does not contain any discussion of current noise and glare impacts at Sunset Terrace, the likely exacerbation of such impacts by the proposed project, and possible mitigation measures. Agency coordination letters in the DEIS and presentations by TXDOT have acknowledged the need for supplemental noise analyses and a removal of high mast lighting. I-CARE supports these future activities but once again, is dismayed by the lack of effort and appropriate documentation in the DEIS.

Changes on City roadways caused by recent improvement projects on IH-30 and IH-35 have resulted in significant changes in local circulation and have resulted in concentrated traffic flows on Summit Avenue near and around IH-30. Changes on IH-30 by removing the "overhead" have required roadway realignments and removals, such as the Ballinger Street Bridge. While we are unsure if prior environmental documentation efforts addressed these impacts, we are positive the DEIS does not address the cumulative impacts of these past closures combined with proposed roadway changes near Sunset Terrace. The proposed Parkway ramp and frontage road configuration at Summit Avenue near Sunset Terrace will once again change travel patterns in this area. The proposed closing of 15th Street under IH-30 will further reduce



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route choices while concentrating traffic flow in and around the Sunset Terrace neighborhood. The cumulative impacts of these changes must be considered in the revised EIS.

6.0 Failure to Justify Project Termini

NEPA does not allow a federal agency to “segment” a project in order to consider its environmental impacts in a piecemeal fashion. A highway project in particular must demonstrate that it connects “logical termini” and has not been shortened simply to simplify NEPA analysis or divide and conquer real environmental issues. One way to show that logical termini have been selected is to prove that the project would be built as a self-standing unit and that it meets the statement of purpose and need without having to rely on other, future projects.

In the present case, the lack of information in the DEIS makes it impossible to tell if logical termini have been selected. The Project History chapter is convoluted and confusing. However, it reflects a continuous change of project termini over the years, associated with each Notice of Intent and updates. From the descriptions, it is difficult to understand the project termini and in some cases, the DEIS is inconsistent. Page V-9 states the northern terminus is “west of Summit Avenue” and yet Page V-22 says Summit Avenue is the terminus. In other locations, the project terminus is simply stated as “IH-30.” Given the nature of impacts to historic properties, NEPA requires a consistently defined logical terminus.

The most significant defect relative to project termini is the lack of traffic analysis. The lack of existing and forecast traffic data (volumes and analysis results) makes it impossible to tell if this project will meet the stated purpose, or if the purpose will be frustrated by traffic bottlenecks just beyond the selected termini. This issue is particularly evident at the northern terminus, where the project connects to the just-completed section of IH-30. The number of lanes under the reconstructed Summit Avenue overpass permanently constrains the capacity of IH-30 and the SH 121 connections. The IH-30 and IH-35 projects may be near completion, but they were planned 15 years ago and may already be close to capacity or unable to serve new volumes from the Southwest Parkway. It does not appear to us that it will be possible to get all SH 121 traffic under the Summit Avenue bridge without significant delays.

If true, this suggests that the chosen northern terminus is not logical. Because of the lack of traffic analysis in the DEIS, we cannot confirm whether this is the case. More importantly, neither can TXDOT or NTTA. Accordingly, to be legally sufficient the revised EIS should include sufficient traffic volume and analyses summary information to verify the appropriate



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project termini are being considered and that this proposed project does not meet a bottleneck. We look forward to reviewing the traffic analysis results that support acceptable forecast traffic operations on the IH-30 mainline, ramp merge/diverge areas, and weaving sections associated with the proposed Parkway.

CONCLUSION

Although I-CARE has identified significant defects in the DEIS, we believe the solution is quite straightforward and that it reflects what we take to be the community consensus and the current agency viewpoint. In particular there are just a few steps necessary to develop a successful EIS:

- Revise the Statement of Purpose and Need to make clear that the project purpose is to construct a “lower, slower and greener” urban parkway with features and themes that enhance the civic pride of Fort Worth and the experience of its citizens;
- Separate out and minimize the alignment-level discussion, since there are no significant choices at this level;
- Flesh out the description of build alternatives (providing details such as design drawings and examples of key features and treatments), focusing on the ability of each alternative to meet the revised Statement of Purpose and Need suggested above;
- Expand the analysis of environmental impacts of each alternative, and include a more comprehensive discussion of mitigation as it plays into the impacts analysis;
- Develop a more consistent comparison of the environmental impacts of the four alternatives; and
- Include a more detailed consideration of cumulative impacts and propose mitigation measures as appropriate.

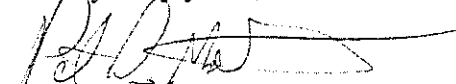
I-CARE also strongly believes the agencies should implement revisions to the DEIS via a working partnership with the City of Fort Worth and involved citizens. The needed revisions to the DEIS should be developed in consultation with Fort Worth’s Citizen’s Advisory Group (CAG) established consistent with Point 7 of Resolution 2923 of the Fort Worth City Council adopted on February 25, 2003. Working closely with this CAG will ensure that the project alternatives advanced in the EIS are reflective of the actual community dialogue that has been intensively developed over the past few years.



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I-CARE has been encouraged by recent discussions with, and public presentations by, TXDOT and NTTA officials. But we have come to the stage of the process when commitments must be and put into writing. The foregoing comments are intended to provide a roadmap to the proper documentation of a project that will benefit the community, minimize opposition and survive any legal challenge. Please accept them in that spirit.

Very truly yours,



Peter D. Mostow

PDM:chb

Encls.

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HIGHWAY 121 DRAFT EIS
Supplemental Comments of I-CARE, Appendix 1

This document sets forth page-by-page comments and questions designed to assist TXDOT and NTTA with preparation of a revised EIS.

PAGE-BY PAGE DEIS COMMENTS

<u>Page</u>	<u>Paragraph</u>	<u>Summary</u>
i	¶ 2	“Additional improvements north of I-30” have been taken out of the proposed action and should not be referenced unless a full cumulative impact analysis is included.
v	¶ 1	Future evaluation needed for 2 nd phase. Why isn’t the ultimate plan for build-out considered fully in the DEIS? Why aren’t there cumulative impacts of a project plus build-out considered?
v	¶ 3	What O-D studies have been prepared to qualify trip types? How do they relate to “Regional traffic needs”? This automatically implies a Bellaire interchange.
vi	¶ 1	Why wasn’t a “no-build” alternative observed reasonable?
vi	¶ 2	Aesthetic call out “during construction” implies no issues later. Yet no reasons (Parkway vs. Freeway) are described.
viii	¶ 2	Aesthetic treatments and mitigations are significant unresolved issues.
viii	¶ 3	Individual wetland and habitat areas should be evaluated for regulatory review. Is there a list of known wetlands?

I PROJECT HISTORY

I-16	¶ 2	This toll discussion and segments is critical and should have a supporting exhibit for clarity.
I-16	¶ 3	The NOI is over four years old. Does this exceed its shelf life?
I-17	¶ 1	“Earlier traffic analyses” for Forest Park Ramps – What analyses are meant and are they still current?
I-17	¶ 2	<u>Confusing</u> “This plan removed the direct connections”...“However, ... direct connections were retained.”

- I-18 ¶ 1 & 2 Discussion of PDT results focuses on “AIR1” and makes no reference to “features and themes” of the corridor project. Pending the review of safety issues, the City endorsed these conceptual themes.
 - I-19 ¶ 1 This is a biased statement and conclusion. Alternative C was not as thoroughly evaluated and includes numerous safety and operational deficiencies the compromise (C/A combination) also has issues.
 - I-19 ¶ 1 This paragraph should differentiate between the I-30 Interchange specific alternatives and corridor – long alternatives.
-

II PURPOSE AND NEED

- II-5 ¶ 1 The purpose and need statement is extremely broad and focuses on the entire Metroplex. 121 will have an impact on regional travel. Only ¶ 2 P II-2 discusses city of Fort Worth specifically. What are defined SW corridor needs and trends?
- II-5 ¶ 1 Exhibits II-1, 2 and 3 are generalized to Metroplex level analyses. Fort Worth is at the edge of projected congestion on a regional level. There is no specific SW Fort Worth discussion. What are specific trends?
- II-6-20 The TDM and TSM discussion is generic, refers to greater Metroplex. This discussion does not support purpose and need of the corridor.
- II-19-20 ¶ 2 & 5 All the previous discussion is interesting information but does not support project purpose and need. ¶ 5 notes the need to reduce congestion and need for SOV lanes => Yet the 121 corridor is a specific SOV facility. The corridor is independent of the strategies and still not adequately documented in the purpose and need.
- II-20 ¶ 2 The section concludes the project is justified with no nexus to prior discussion. STH 121 is an SOV facility and in fact could be interpreted as inconsistent with objective to minimize SOV needs.
- II-20 ¶ 2 121 does not appreciably improve non-auto use. While it is a link in the Regional System, it is an SOV facility. This does nothing to support the project purpose and need. Be specific to SW Fort Worth needs.
- II-27 ¶ 1 Where is the supporting documentation for findings of LOS F operations at named streets? What type of failure is occurring link or mode? Demonstrates that there have been considered and are inadequate.

- II-28 ¶ 3 This is a generic statement that could apply to any project. The DEIS should present documentations of project specific locations versus generic to support project purpose and need.
- II-28 Exhibit II-6 and II-7 Depict I-30 configurations that are no longer valid. 1994 and 1996 traffic data (used in 2002 analysis) are stale.
- III-33 ¶ 1 Conclusion is generic and so far, hasn't been supported or adequately proven.
- II-33 "Funding and Legislation" section is informative but does nothing to support the purpose and need.
-

III ALTERNATIVES

- III-14 Point 7 As early as 1984 City Council recognized the need for "special design elements." This DEIS should specifically address how this current project meets those recommendations.
- III-15 The 1987 study had limited alignment changes – this DEIS should address project specific Build Alternatives, not alignment issues.
- II-27 ¶ 2 1993 SH121 Task Force refined extent of alignment.
- III-27 ¶ 3 First reference to Alternative D. Alternative D is shown in Exhibit III-7, but is a small segment. Is Alternative D just that segment?
- This is a key breakdown in the discussion from a corridor/alignment discussion to specific of potential Build Alternatives. However, there are no diagrams that show a plan of alternatives. A, B, C and D.
- III-28 ¶ 2 This discussion minimizes the findings of the PDT. Discussion focuses on AIR1 (Alt A) but does not capture any essence of Parkway. As NTTA is proud of its facilities, this should be clarified. Separate corridor and I-30 issues.
- III-29 ¶ 1 References to Frontage Roads is generic and non-descriptive. State specific locations while differentiating between AASHTO designated Ramps, Frontage Roads, or Collector distributed roads. Without specific description and lack of Alternatives (A, B, C and D) public and reviewing agencies cannot assess the environmental impacts.
- III-29/30 The alignment discussion is generalized to a single description that is

insufficient to evaluate specific impacts. Alts A and C have some varied plans and profiles that reflect addressing specific public needs.

The discussion of interchange has been summarized to “variances” of several interchanges. A key issue of PDT outcome has been reduced to “aesthetic components” that can be combined.

Pursuant to FHWA guidance for a project like this one, the Aesthetic Components are critical issues at a concept level and must be Integral to the project.

III-30 Alternative A references a “Park like” facility and states that such design concepts are atypical for an urban highway – We agree. This is not an urban highway; it is a Parkway, an NTTA facility.

III-30 Alternative A Description – This discussion is value-laden and subjective. It minimizes the results of the PDT process to yielding an alternative that “includes design concepts not usually proposed for an urban highway facility.” Since before the PDT process, TXDOT, NTTA, and the City have stated the SH 121 facility was not going to be a typical urban freeway, such as I-30 and I-20.

Discussion that “Plan concepts unique to this alternative” are in direct conflict with TXDOT, NTTA public statements and presentation materials that depict Alt C as having most of the features of Alt A.

Discussions that “Connections to future and existing roadways were minimized to address the PDT’s perceived idea that this alternative would generate additional traffic on the local roadway network” is value laden and inaccurate. Only the Bellaire interchange ramps connections were debated. This is not an accurate portrayal of the alternative, and therefore provides insufficient information for evaluating and selecting a preferred alternative.

TXDOT, NTTA, NCTCOG were members of the PDT. Therefore, if these agencies also had a “perceived idea,” it must have had some merit and should have been adequately considered in comparing impacts of alternatives.

Ex. III-8→ III-30 There is no “comparative” analysis, as stated on page III-30, just a description. Since the NEPA process is to compare the impacts of each alternative (including the no-build) this is a significant flaw.

Ex. III-8 **STONEGATE:** In Alt A, 121 would pass under Stonegate. Alts B, C, D, 121 would pass over Stonegate. Since Stonegate is a phased addition, why not save money now by not building bridges and keep 121 down?

- Ex. III-8 IH 20/183: Text should note fully directional interchange violates AASHTO criteria for weaving on the main line and inconsistency in ramp sequencing.
- Ex. III-8 DIRKS RD: Currently proposed as half-diamond in alternatives. Are future ramps being considered? If so, what environmental review will occur. There are potential stream and water quality issue. Are there cumulative impacts?
- Ex. III-9 These figures and text from Ex. III-9 are insufficient for agencies and the public to understand the Build Alternatives. As such, it is impossible to adequately assess potential impacts of any alternative let alone chose between what is being said by TXDOT/NTTA/CFW and is being depicted in this important document.
- Exhibit III-9 needs to have specific locational reference points for each Build Alternative. Generic typical sections are meaningless to all reviewers.
- Ex. III-9 There is no indication of “Parkway” characteristics, features and themes. There is nothing that differentiates the urban freeway of Alt D with Parkway of Alt A.
- Additional discussion should focus on specific design concept treatments to manage speed including possible changes between travel way and shoulder, possible use of geotextile reinforced shoulders, and roadside design equipment. These details should be referenced and noted as being resolved in schematic planning efforts.

Note: Exhibit III-9 began after page III-30 and before III-43, hence the gap in page numbers.

- III-43 ¶ 1 There is no description of the A1R1 interchange concept at I-30, even though it was the controversy over the I-30 interchange that led to the PDT development and outreach. This plan (and Alt B and Alt C) has unique impacts. Whether the A1R1 plan was ultimately chosen or not, this further demonstrates the lack of information available for reviewers to make, informed decisions.
- Text discusses various median width without noting the locations. Without noting the locations, there is no way for a reviewer to compare alternatives and their impacts.
- III-43 Alternative B Description – This description is technically and factually incorrect. Such a description is misleading and prevents an adequate

comparison of alternatives to select a preferred alternative.

At first alternative B is described as “similar” to alternative A, then it is described as “identical” in the next sentence. Alternative B does not have a split plan and profile, as provided in alternative A. This is a fundamental engineering component that must be differentiated to compare and evaluate alternatives.

III-43 (cont.) Alternative B does not follow the same profile as alternative A and therefore has unique impacts to the community. Specifically the profile for alternative B goes over virtually all cross streets creating significant visual and physical impacts.

III-43 Alternative C Description – This description is inadequate to provide a meaningful comparison of Alternatives. TXDOT and NTTA have publicly stated and provided documentation depicting how and where alternative C is the same as alternative A. This description provides no comparison or discussion that leads a reviewer to understand that relationship or to differentiate this alternative from either A or B.

While there is no information to differentiate the Alternatives on the north section (from Dirks Road to I-30) there is information on an alignment variation south of McPherson Road. The document notes this deviation without clarifying in Alts A and B key features or alignment elements for this segment.

The document states, “The recommended alternative for the proposed SH 121T project is Alternative C.” While TXDOT likely was referring to the alignment variation noted on Alt C, this demonstrates the DEIS focus on “corridor” issues. The document is inadequate to address build-alternative impacts between the alignment alternatives.

III-44 Alternative D Description – While there are no figures or exhibits depicting the specific components of Alt D, Alt B (the “Modified Design”) was derived by eliminating some ramp connections and eliminating continuous frontage roads. The description does not include a specific reference to Alt D’s including frontage roads, which were a significant community concern.

As with the other alternatives descriptions, there is insufficient information or exhibits to understand the particular features of this alternative and make a comparison of impacts.

III-44 ¶ 3 This sentence is inaccurate and misleading. The essence of the assessment of Community Impacts is based upon the intrusiveness and disruption of the new freeway facility. The long project history (page I-16-18) and controversy

since 1998 is based specifically on the unique impacts of Alt D and Alt B. Alt A was derived as a means to mitigate the negative community impacts of Alts B and D. Therefore, the DEIS misleads the reviewer into mistakenly understanding that all alternatives can equally mitigate publicly identified community impacts.

V ENVIRONMENTAL CONSEQUENCES

- V-9 The description of the northern project terminus is inconsistent in the DEIS. In addition, traffic analysis of terminus area is critical to decide if project limits have been correctly established.

- V-13 The DEIS should describe impacts on Harold Park and Cobb-Barney House, including mitigation if necessary.

- V-34 Need 4(f) discussion of Sunset Terrace neighborhood.

- V-82 Peak hour data from 1992 is stale, given current traffic patterns.

- V-185 Cumulative impacts discussion needs to focus on impacts of multiple projects on Sunset Terrace and Mistletoe Heights neighborhoods.

SH-121T Fort Worth PDT/CAC Meeting February 3, 2003Selected Transcript:Mike Weaver

Thank you Mayor. It is interesting for forty years we have talked about the roads and now we are on a sprint the last four weeks. What I want to start with tonight is the Mayor used the sequence over the last eight or nine months the City Council working without partners and a lot of you in this group have tried to start addressing the issues that were still remaining after the PDT and some things that happened with the DDISD. What I would like to do is walk through those items that we heard from Council. There have been some specific actions taken by Council. There have been other things that have evolved in discussion with individual members and their discussion with folks that are in this room tonight that we will try to go through.

I think the first thing to go back a little bit in time, back when many of you were at the public meetings that were held the end of May. When Alternative C came out, it was a refinement of review of the PDT process you all heard today. And, as this map pointed out, C was very close to A. About 90% of the way there we kept a lot of the features that PDT and the City of Fort Worth were asking for in the process.

Some of those things that came out in what we have been seeing over the last four to five months is a support of the Trinity River program. We had very good meetings over the last 30 days to try to bring that together with our partners to address those issues and those were very important things that we talked about and they continue to be.

Alternative C provided for PDT buffers. The difference between A and C - we didn't buy houses, didn't buy apartments, didn't buy buildings. The alignment allowed for the extra 80 foot buffer. The same thing was true with the 100 foot margin that is in alternative C. NTTA and TXDOT agreed to look at the split profiles and how that might work and to allow the road to be separated. Again, an important feature of the parkway program. The 8 million dollars that you recommended - while there were discussions with Council about what we might take out and what we might put back, I've not heard one council member say we are going to cut that 8 million dollars. Since you all met, NTTA, and you will hear from Gary Ingram tonight, have an aggressive landscape program that may now bring about another \$500,000 a mile to the 1.1 ___ dollars. The council also instructed us in June as to one of your concerns about the concern that most of you are hearing is how do you make this happen. We have sent over to NTTA, and their legal staff is reviewing it, a memorandum of understanding that will commemorate this process and would provide a process from now until the time the road is open where the city and TXDOT and NTTA would be fully involved in

looking at all the issues that you will hear us talk about a little bit more in a minute. These are just some slides that the Streams and Valleys provided to the City and our partners a couple of weeks ago to begin to address what happens over the river at University.

This is down in the Clear Fork crossing that is Cass Edward's property. All these are things that make a lot of sense and we'll try to figure out how to incorporate those into the final recommendation that the council will make on the 18th.

You've seen this before, this is the picture of the Nimrod crew that is part of the PDT for that same ___ river. These are some bridge designs that NTTA and the TXDOT have shared with the River Authority and also Streams & Valleys. These are some options for what they envision that bridge might look like. As you can see, they've done a pretty good job of what it might look like and allowed for an area where there would still be room to put the trail in underneath the structure. This is the one further down at Clear Fork where there is a much longer span that allows for a location for a trailhead and some other improvements that again overall ___ have to do.

People have asked what does a wall look like – a noise wall or a visual wall. These are some real quick images of what types of native landscaping might be done with a wall. This is a berm with just landscaping and this is a berm with a wall landscaping. These are all combinations of things that we have been talking to neighborhood groups all up and down the corridor, Country Day and others where it would be the types of things that the City might want to do or whatever is required by TXDOT and NTTA.

Gary is going to go into this in a lot more detail in a minute. NTTA has done a great job over the last year or two in developing a program for what their roads look like. This is over on the George Bush right now. This is what it looks like today. This is what they hope it will look like when they get through replanting it over the next year. We'll go back to the cross section. If you recall there was a lot of discussion about a minimum section, a smaller median, a very small parkway section on the outside. What the PDT did and what is now included in Alternative C throughout the entire floor of the _____ are the 8-foot bumpers on the side and the 100-foot median in the middle.

This is another profile that some people have asked what does this mean? This is basically letting the road not meet completions all the way across. Again, we had an agreement in principal with our people who will build the road to tie to that where we can.

This is another shot out of the PDT that you recall and I think if you look back at the NTTA bridge, while it may not be as pretty as Nimrod's drawing, it basically is the same design not having the open section but more the parkway commons.

So again, they are already doing a lot of the things that you all want to see on this road, they are already doing on other projects.

These are some examples of mitigation bridges that TXDOT has built. A lot of people don't trust TXDOT. Over the last four or five years, TXDOT has made huge strides in working with communities and neighborhoods to try and do things with financial participation and even if it takes some times mitigation.

This next series of shots are all local streets that go over the Southwest Freeway in Houston – a 12 lane freeway with a HOV lane in the middle. These are kind of fake cable stay bridges, two lanes, bikeways and in a second we will show you what feature into the neighborhoods.

You can see here this is just a two lane street, the freeway is down below. This is the type of monumentation that the City of Dallas helped fund on North Central Expressway and heavy landscaping and some monumentation that the North Central Expressway east of those interchanges are kind of a theme to go into neighborhood parks and other area.

This is back to the bridges in Houston again where you have the separated bike/sidewalk which is a nice feature and doesn't cost much more money. And, again, these are just special lighting for different ___ lighting. One reason for going through these will be to talk to people. Everyone wants to know what are you going to do with the \$8 million, what makes this look like a parkway. Well we don't really know yet, we haven't defined the final design. It's a memo of understanding about what these images have been made and talk around the community has begun to give people and the Council an idea of what types of things we might be able to do with our partners.

This is a project in Arizona where we are working with Native American tribes and the project was, they were allowed to do murals underneath and old Indian markings on the bridge. Again, just not real expensive to do. Go back to that slide for a second. This is another thing I know the PDT has talked about was not having the traditional bridge that we see here with the open girders but to have a closed structure underneath. This is a very good example of a closed structure like that.

This is a bridge I know many of you have seen. This was recently built, in the Town of Trophy Club and the Town of Westlake on State Highway 114. The Town of Westlake and some area developers working with TXDOT spent about \$400,000 to change the character of the bridge, to go to this railing system and to go with some different lighting fixtures.

This is the interest of Southlake. A brand new bridge on 114 at Southlake Boulevard and the City helped fund the decorative railing in the interest of the community. This is a very inexpensive way of getting a different texture on the

rock walls. This is something TXDOT does now almost routinely. It shouldn't have to cost any extra to have TXDOT build something like that. Some of the City's money in the Southlake area went to intersection improvements and may be something the City wants to do working with PDT. Again unique light fixtures. Did real nice work on the lighting. Maybe 50% lighter. This is a good example of again where the City spent a little extra money and got creative.

This particular bridge on this side is that bridge right down there. This was the old TXDOT bridge, this was what the City was able to work on – different lighting fixture, landscapings, the concrete flume, the closing of the ends instead of being open. Again, just small details like that, that can be done in working with our partners.

The next set of items that we focus on are trying to groom down some of the construction aspects of 121 with the council. It's something called the CA _____. In a minute Carter Burgess will make a presentation about what that is. When you finished your work on Alternative A, TXDOT reviewed that and came up with Alternative C. Some people liked parts of A, some people liked parts of C. The Council hired Carter Burgess as a separate contractor to come back and try to blend those two together. You will see that tonight and I've heard from Council that both of our partners have now supported this to move forward with the CA _____. An important part of that was, it helped fix the limits of who paid for what and there is already some debate about where that would be and if the City of Fort Worth built the interchange, the limits moving out to University, actually saves the City some money from having to buy from Monihan and the lumber company and some other things.

There has been a lot of discussions since summertime and we have had additional design work done to look at moving 121 over next to the railroad tracks and I know that PDT debated that issue and talked about it. We think it makes sense and will have to work with NTTA to figure out how that will fit and how that could work. That could probably be beneficial long term in that area. Base construction at Stonegate and Oakland Trail in November will be presented to Council with a variety of cost issues. We talked about these two roads which are really developer roads and when they would be built and how they would be built. The phase-in to Stonegate only pertains to the piece between 121 and Bryant Irvine. All the cost numbers today and the city's budget assume that the city will build a road from Hulen to tie into the 121 interchange. Oakland Trail is the future city street that has a crossover over 121 with no interchange. The land is not even inside the city limits right now. And, so what we heard from Council is that maybe we should go spend 5 or 6 or 17 million dollars building those roads right now. The direct connection ramp at 1-20 – those were an issue with the redefined and TXDOT has worked on and NTTA on lowering all of that. Those ramps could be built in and lower the interchange about four levels. Again, that allowed us to fix the point of where the City's obligation of right of way stopped and started. So now TXDOT limits of the interchange go to the point almost

north of Bellaire Boulevard and south to south of Overton Ridge Trail. And then the last item we heard in looking at one of your recommendations was the private ___ at Dutch Branch and Overton Ridge to lower the 121 main ___ a few feet. Looking at the cost of that and what we heard again after formal action on this, it is probably not cost effective to do that.

I'm going to stop right now and let Darrell Thompson of Carter Burgess come up and give a little more detail about this because this is a pretty significant change from what you all wanted a couple of years ago and they may not want to do that and we'll be back in just a second.

Nimrod

I'm going to do three things – One, I'm going to comment on the status of the design and where it has gone in the last couple of years. Then, I'm going to review the elements of the parkway design which the PDT and the public involvement process now completed the work. And then the last thing I'm going to do is to start downtown and then I'm just going to go all the way to Dirks Road and talk about changes that have been made and the progress that has been made and what's positive and what's negative and what's still unresolved.

In the DEIS the features of the design elements we talked about with PDT were not clearly stated. The tri-party agreement calls for design standards ten of the parties that the project incorporates or a high degree of aesthetic and urban design elements to the extent reasonably possible. At this point what is reasonably possible has not been determined and it is going to take a process to mesh that out. And, the last thing that is kind of a key point is this \$8 million the city has budgeted and the \$4 million the NTTA has had – what improvements will these pay for exactly and how much of this that everybody wants to do can actually be accomplished and that is unknown at this time. The bottom line on this is that this is a long process and has already been going on for years. The detail design information is not yet available. It is very difficult for a layperson to read the plans and to know what is happening. It is even difficult for everybody to read but it is complicated plans. I feel that the City of Fort Worth should continue to have people look at the plans along the way and to make comments and to work on refinements. Even more important is the public must stay actively involved. This is a long process and it usually wears everybody out. But, you have got to be involved through the design, you've got to be involved through the construction process to make sure that you get quality construction of landscape and hardscape elements. And then after the project is finished, the maintenance and the landscaping is critical, especially in the first couple years.

One thing we recommended is that they hire one landscape architectural firm to do the entire project, both the DOT, the improvements that the City makes and also the toll authority. The bottom of this I say is that overall, since the PDT process, I am excited about some of the ideas that have come forth; things that

we didn't think about which are very dramatic improvements of the plan. So, I think progress is being made. The PDT process - what we heard clearly was that the neighborhood had certain goals about what this parkway should be. It has been called a parkway and that was maybe the first mistake that was made. The idea that it is a parkway that it is attractive is important. 121 should fit harmoniously with the land and should follow land forms. It should incorporate park-like plants and it should utilize Fort Worth inspired architectural elements through the bridges, through the buildings and the retaining walls using materials that you will see throughout this evening. And, that whenever possible, the parkway should be recessed below city streets so that the impact would be minimized. So the features to achieve these goals, and I've got plusses and minuses, and I doubt if you can all see them and that's why I'm standing back here, because I can't see them if I get further back. But, varying medians, that's a plus; everybody is in agreement that the medians should vary. The split profile is a plus; everybody has agreed that that is possible and you can split the profile. What it does is it breaks the scale of the roadway. If the roadway is on the same level it wide expands its level and that is a huge impact. If you split it, it appears small. The expanded proffers. I think the decisions that have been made about the buffers are logical, narrow when construction of new buildings is taking place is something we would also agree to.

Here is a minus – it says minimize the pavement by using stabilize shoulder. On the inside of the lanes shown now, there is a 12 or 10 foot shoulder. In a lot of areas that you see on interstates there is maybe a 3-foot shoulder with a stabilized dirt shoulder or gravel shoulder. If you can do that and narrow the road some, it is going to look better and function at a good level. Already, and it is a positive, there has been a minimal use of frontage roads and PDT recommendations are to move forward. Another plus would be the recommended signage controls and the prohibition of billboards. The city's signage ordinance does that. Another plus is that everybody is in agreement about the architectural elements and taking on the character of the City with the unique Fort Worth.

The 60 MPH designed speed and 55 MPH posted speed, I don't know what the result of that recommendation has been at this time.

And, this design should enhance the Trinity River Park. What it has the opportunity to do is create linkages that are not there now. East/West connections across this expanse will connect neighborhoods and connect these neighborhoods to the property to be annexed across the river in a number of places where there are no crossings now so it can strengthen the overall Trinity River Park if things are done properly.

The other thing that it does, is strengthen pedestrian connections by the design of these bridges with pedestrian crosswalks. Of course, the City has to tie into those so they go somewhere.

Starting downtown, the main issue that we were called in for was the elevated overpass connecting the Forest Park. The elevated ramp has been eliminated. I think the design they have come up is incredible. The PDT design around Sunset Terrace I think has the least impact that it could have in that area. The idea of a pedestrian bridge that crosses under the Trinity River that ties into the Heights neighborhood, Mistletoe Heights, I think is the next ____, so that neighborhood can utilize some of the park improvements that are done along the Trinity River.

One idea that I have is that the Rosedale ramps and the Trinity River bridge could be the gateway to the parkway. That is where the parkway begins and the character from I-30 changes in that where you go under the Rosedale bridges, go across the Trinity bridge and now you are on the parkway. And that is kind of the way that TXDOT and the division has also been laid out. I agree that questions still exist about lighting and noise impacts of the roadway. I think this needs to be studied further. The last thing is on the PDT recommendation where we show extensive landscaping in this area from I-30 all the way across this area to the railroad, I haven't counted the lanes recently, but there must be 16 to 20 lanes of traffic, maybe more than that. It is a huge expanse of paving and roadway system, it is an interchange that is compressed into a smaller area than normal, but there is still a foot in the plan here, there is still enormous areas, probably 40% of the overall area and can be graded and can be landscaped and by doing that, you can soften the impact of all this road and get a little separation between these areas.

The toll facility, there is a linear park opportunity along this area, where next to Alamo Heights, a lot of those business are being taken in the widening of this area with the roadway going through. There is anywhere from 100 to 200 feet that is left over off the street and next to the neighborhood. The linear park could connect the neighborhood to the Trinity River and Trails there to the Cultural District if done properly and it could provide valuable neighborhood amenity for Alcoa Heights and it will add visual buffer as well from the toll area to the neighborhood.

We talked about the architectural treatment. One of the things that still appears to be prevalent in this area is that the number of lanes is I think 16 or 14. There are a lot of lanes here and it would be from what I hear the use of electronic toll tags it may be that you can narrow that down and make it more efficient. The narrower you can get that pavement gutter also, possibly the median between the two different directions wider and landscaped; it would also soften this expanse and _____. This shows the tollbooth area here, it shows this large area that is kind of leftover in the long neighborhood. The neighborhood right in this area. The linear park here that links back and across this bridge and over to the river here, the river where it bleeds down through here to the Trinity River Park and over to the downtown and over to the cultural district. You can make a loop

along the river and come back this way. This is a great opportunity to strengthen this neighborhood and urban neighborhood that is desperately needed.

At Stonegate there is an idea of shifting of the road/parkway toward the railroad. This relocation of the roadway will greatly improve the development here and potential of this area and gives a larger area that is adjacent to the river and the _____ is that this allows for the new roadway to go under the bridge at the Trinity River and if a trailhead could exist there that could provide access to the park. So, I think that this is one of the great ideas that we didn't come up with and moving the roadway against the railroad instead of cutting through the middle of this property greatly enhances the design.

The I-20 interchange area south of that, popular use at the I-20 interchange and bridges and such are generally compatible with the surrounding land uses which are predominantly commercial. Landscaping with these bold expanses of trees and wild flowers, I think would be ideal for this area. And, the ramps should not add typical frontage roads, they should have limited access to the surrounding properties.

South of I-20, the Overton Ridge Blvd. And Dutch Branch Road, the new extension requires we lower those 6 feet. The benefits and costs are not (tape ends)

Maribel Chavez

Good evening. My name is Maribel Chavez and I am the District Engineer for the Fort Worth District of TXDOT. If you can't hear me just holler at me and I will try to be a little bit louder. I have been with the Fort Worth District for about a year now so with respect to the history with this project I am certainly a short timer and I guess to join Mark and Robert as far as being relatively new to this project and to this history I guess I will tell you in not only reading the history that is captured in the draft DEIS and also in reading through some of the correspondence that we have on record we may set a record. This may be the project that has the longest longevity with respect to highway projects. When it comes to major transportation projects it is customary for them to take a long time – but 40 years? This one may be it – this one may set a record for Texas yet.

Let me just tell you briefly where we are in the process. We have come to probably the most critical stage in the _____ process – the National Environmental Policy Act. We have prepared and even though we do have three full and equal partners which is TXDOT, NTTA and the City of Fort Worth, TXDOT is the lead with respect to preparing the DEIS. We did submit that to Federal Highways Administration and they in turn upon their review have allowed its release. It was released for publication and for public consumption on January 10. From the 10th

they required 45 days for it to be out to the public and then we have also set the public hearing date which is the 25th of this month. Then we will allow ten days from that public hearing in which to continue to accept written comments.

What happens from the Public Hearing and at the Public Hearing? Let me tell you briefly what you see as far as the Public Hearing for those of you who are not familiar with public hearings for draft DEIS's. We will give a project overview, you will see some presentations with respect to the various alternatives that have been reviewed.

You will also hear an explanation of what the state and federal right of way acquisition process is and then we will open it up to public comments. It will all be a formal public hearing and it will be formally transcribed and we will have court reporters there to take public comment for those folks that want to speak, of course they are more than welcome. Those that want to provide written comment; we will certainly have court reporters there so that they can accurately capture what their comments are. What will happen is that every comment that is made, whether it is verbal or written, will be compiled and then it is our responsibility to address all those comments. It will all be compiled according to the final environmental impact statement.

Let me tell you that the public comment is the most important part for all of the various state and federal regulatory agencies that will have some say and some role in this transportation project and they will all rely very strongly on what the public comment is and how the sponsoring agency addresses that comment.

This will all then be submitted back again to the Federal Highway Administration. They will look, they and in consultation with many of their regulatory partners, US Army Corps of Engineers, the Department of Interior, US Fish and Wildlife and the Environmental Protection Agency. In consultation with them, they will review what has been compiled, what has been addressed and then they will make the final determination as to whether or not this project is cleared environmentally. They will issue a record of decision. The timeline on that really will depend on how much and the extent of the public comment that is received at the public hearing depending on how much comment, the complexity of that comment, how we are able to address those comments, how the various state and regulatory agencies feel that those comments are addressed. You really never know, it just depends on the comments on how long that process may take. Perhaps by the end of this year, perhaps we will be submitting the final EIS and submitting that to federal highways. And, again, depending on the various issues it may take the federal highways I would say a minimum of three months then to issue a record of decision as to whether or not this project is environmentally clear. And, it is then, when environmental clearance has been secured, if it is secured, it is only then, that we can begin the design process. It is only then that we can formally begin all of the commitments for the various design elements that obviously need to be incorporated into this project.

I can tell you that in the short time that I have been associated with this project, in the discussions that I have had with the Tarrant Regional Water District and with the Streams & Valleys, the issues and concerns that they have raised are reasonable, they are valid, they are the type of design elements that I think should be in the final project. I think that we recently reviewed a letter in fact that the Streams & Valleys submitted to the City of Fort Worth and while we haven't completely ____, I can tell you just on the surface, the design elements that they have raised are doable type of design elements. I think that TXDOT has an incredible opportunity to do right by the citizens of Fort Worth. I think that we have an opportunity, particularly at 30 and the University and Trinity River area, to design a beautiful facility, one that should compliment the area. I can tell you personally as an engineer, I think that this would be ____ and I think my old English teacher would probably whop me if I said that this has got to be the funniest project that I think we will be working on in this area, if indeed it does happen.

I think that all of the things that you have heard tonight and the things we've been hearing from the water district, from Streams & Valleys, I think that these are the type of issues and concerns and comments that you need to come to a public hearing with. You need to make those a matter of public record and then you need to hold all of us accountable for what you have come forward to. This is your project, that is as simple as I can put it. It is not TXDOT's project, it is not NTTA's project and it is not even the City of Fort Worth's project. It is the citizens of this area, it is your project. So you need to step up, you need to make your voices and your comments and your concerns be heard and as I said, you need to hold us accountable for what your concerns are. That is pretty much what I have to say.

Maribel

I think and I tried to explain this when we met at the Water District we are not changing our position that we feel differently about the 4F issue. We, and it is stated in the draft DEIS, we have not changed our position with respect to the 4F issue.

That does not mean that we don't acknowledge that there are opportunities for us to work and also for us to do the right thing. As I stated, in reviewing the letter that the City received from Streams & Valleys, I can tell you and this is without having gone into a whole lot of detail in that review, but the elements that were identified and for the most part they are the same things that you (tape ends)

And our opinions and I think that at a very um, at an appropriate stage and I don't believe it is now, but I also don't think it is inappropriate for us to make the comment to make the pledge that should we have an opportunity to design, if there is environmental clearance granted to this project, that these things can be

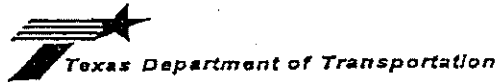
incorporated in the design. I think that when we review some of those comments that were made to the City, I think we will be able to provide you some language that I hope will make you feel more comfortable so that you can then hold us accountable when we start designing and say that you have a right to be at the table when we are designing and I think all of that is doable. I think the elements that were identified are appropriate in that environment. That we will be, again, if we build the project that should be there.

Nimrod (?)

And I appreciate that and I think we want progress. Just one question we just want to make sure that we are not totally in the enhancements and if the cost of this project until we go on that is one of the enhancements that is cut. I know you know that but I just wanted to acknowledge and thank you for the comments and hopefully you continue to make progress.

Maribel:

And, I guess to try to explain what I am trying to say is that some of those elements, obviously like riverbank protections really we would have to coordinate and work with the Water District to determine and they, and obviously the Corps of Engineers, will have a large role in determining what that type of protection would be. It would be inappropriate for me based on right now to say well it should be ____ protection it should be _____. It ought to be what those governing and jurisdictional bodies deem is the best, is the appropriate type of protection. And, that is what we will have to do. It is what we should do. And they will be the ones that also help us determine what the limits of that type of protection should be. It is their jurisdiction, so they will be the ones for the most part working with us in trying to determine what those limits should be and where they should be. And obviously because they are for the most part the owners of that property, they will also be the ones that will have to work with us in determining for instance a pedestrian bridge, where should that be, where will it have the least amount of impact and where will it be the most useful. It shouldn't be up to us to say this is where we ought to put it. It should be those governing bodies that help us determine where the best place is.



STATE HIGHWAY 121
 From IH 30 to FM 1187
 Tarrant County
 Public Hearing
 April 22, 2003

The Texas Department of Transportation (TxDOT) actively seeks your comments on this proposed project. Your comments are always welcome and will be given serious consideration during the remainder of project development. Written comments may be submitted to the District Office using this form or by letter postmarked by May 2, 2003. Written and verbal comments will become part of the project record and will be included in the written summary and analysis of the public hearing. Thank you for your comments.

OFFICIAL COMMENTS:

Please opt for the Adoption of Alternative C/A. This plan for the new SH121 section has no negative impact on Hangman's House of Horrors. We have been in business for 15 years and each year we raise nearly a half million dollars for charity to stay here in Tarrant County. Our charity organization aids over 7500 local citizens with Multiple Sclerosis. We are the 18th largest event in Tarrant County. Over 30000 patrons visit

Mail to:

Mrs. Maribel P. Chavez, P.E.
 Texas Department of Transportation
 P.O. box 6868
 Fort Worth, Texas 76115-6868

Fax to:

817-370-6787

BY MAY 2, 2003

Name

Alicia Nelms

Address

4638 Glenview Ct
 NR Hills, TX 76180

Phone

817-595-9798

us each year. We make a difference in Tarrant County. We provide fun and support for Fort Worth locals. Please do not take that away by deciding Against plan "Alternate C/A."

Thank you.

RECEIVED
MAY 01 2003

April 23, 2003

Ms. Maribel Chavez, PE
District Engineer
Texas Department of Transportation
PO Box 6868
Fort Worth, Texas 76115

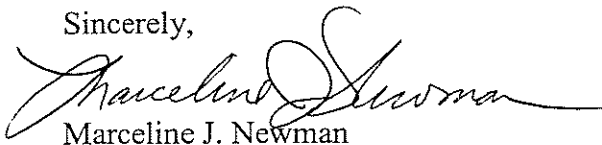
Dear Ms. Chavez,

I am writing as a concerned citizen of the City of Fort Worth in support of the SH 121T project. I live at 11301 Northpointe Court in West Fort Worth. I have lived and worked in southwest Fort Worth for over 20 years. I have seen traffic and development expand exponentially in the southwest quadrant of town and have seen my travel times increase from 10 minutes to 45 minutes during the afternoon commute along Bryant Irvin Road.

I wholeheartedly support TxDOT and NTTA's efforts to advance the development of the project. I do not see the need to add extensive landscape improvements and additional right-of-way buffers that will benefit a few select property owners at the expense of the rest of the taxpayers of the City of Fort Worth. I cannot see the logic in spending between \$65 and \$100 million dollars for extensive aesthetic amenities during times of fiscal shortfalls. As stewards of the taxpayers money, I feel TxDOT and NTTA have developed a prudent, financially feasible design and should move forward with it.

Thank you for your efforts to move this project forward. Those of us who live, work and conduct business on the southwest side of Fort Worth look forward to the successful completion of the Public Involvement process and the beginning of construction soon.

Sincerely,


Marceline J. Newman



STATE HIGHWAY 121
From IH 30 to FM 1187
Tarrant County
Public Hearing
April 22, 2003

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OFFICIAL COMMENTS:

see attached

Name	<u>MARK U. OPPENHEIMER</u>
Address	<u>8424 Whippoorwill Dr</u> <u>FT. WORTH TX 76123</u>
Phone	<u>817 - 808-6698</u>

Mark V. Oppenheimer

8424 Whippoorwill Drive
Fort Worth, TX 76123
(817) 294-5558
russiuus@yahoo.com

April 22, 2003

Texas Department of Transportation
Fort Worth District
McCart at Interstate 20
Fort Worth TX 76133

Re: Draft Environmental Impact Statement FHWA-TX-EIS-99-05-D
SH 121 T from IH 30 to FM 1187 Tarrant County

To whom it may concern:

After reading the Draft Environmental Impact Statement and following the various public informational meetings relating to this highway, I do want to speak in opposition to this highway for several reasons. My concerns certainly were not properly addressed in the DEIS statement. Those concerns are as follows:

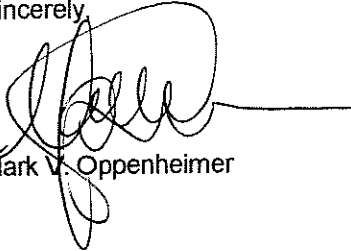
- With the current state of the economy, do we the citizens of Fort Worth and Tarrant County have to bear the brunt of the costs of this highway which will not improve the economics of our city and county? It will seemingly benefit Cleburne and its residents, not the citizens of Fort Worth.
- The DEIS does not detail measures of alleviating what is commonly known as urban Sprawl. Fort Worth was recently rated the 10th worst city, out of 83, for urban sprawl which means people drive more, breathe more polluted air, face a greater risk of car fatalities, have to own more cars, and walk and use transit less. Also, it leads more to the deterioration of the inner city, which, I must say, Fort Worth cannot afford... I have attached two articles which deal with this issue. Also, it should be understood that the EPA is concerned with this problem and should be dealt with in any DEIS. Here the statement does not deal with this issue at all.
- I am particularly concerned with the proposed alignment of the highway after it dissects Dirks Road and proceeds south, especially the area between Granbury Road (Columbus Trail) and Reisinger Road. The current layout seems to be Route C as depicted as a yellow line in Exhibit III-1, dated 1973. The highway will then obliterate an established stream and wetlands area, commonly known as Summer Creek. This creek serves as the sole release for all the drainage for the numerous homes and streets that have proliferated between Hulen and Summer Creek. The DEIS makes no comment about these wetlands, nor makes any provision for them. In fact, there is no logical reason to take this easterly turn following Dirks Road when the highway could have proceed directly south without doing any damage to the environment. I strongly urge that Route A (the Blue line) in the 1973 map be considered as the official site. The Department may argue that they need to bypass the electrical station on Columbus Trail, while at the same time cross the rail lines at a proper angle. Taking the Blue route in the 1973 map would accomplish both without damage to the environment.
- Lastly, no study was performed considering other Raptor birds that live in the area in question. I dare say mention the DEIS considered only one Raptor in its study, the bald eagle. As we all know, there are other raptors [eagles, falcons, vultures and owls] that inhabit this area. A highway as proposed would devastate this natural habitat. While living in this area, I have personally seen falcons, owls, vultures, and other types of eagles. The DEIS should do a better study of the animals and birds that live in the area.

April 22, 2003

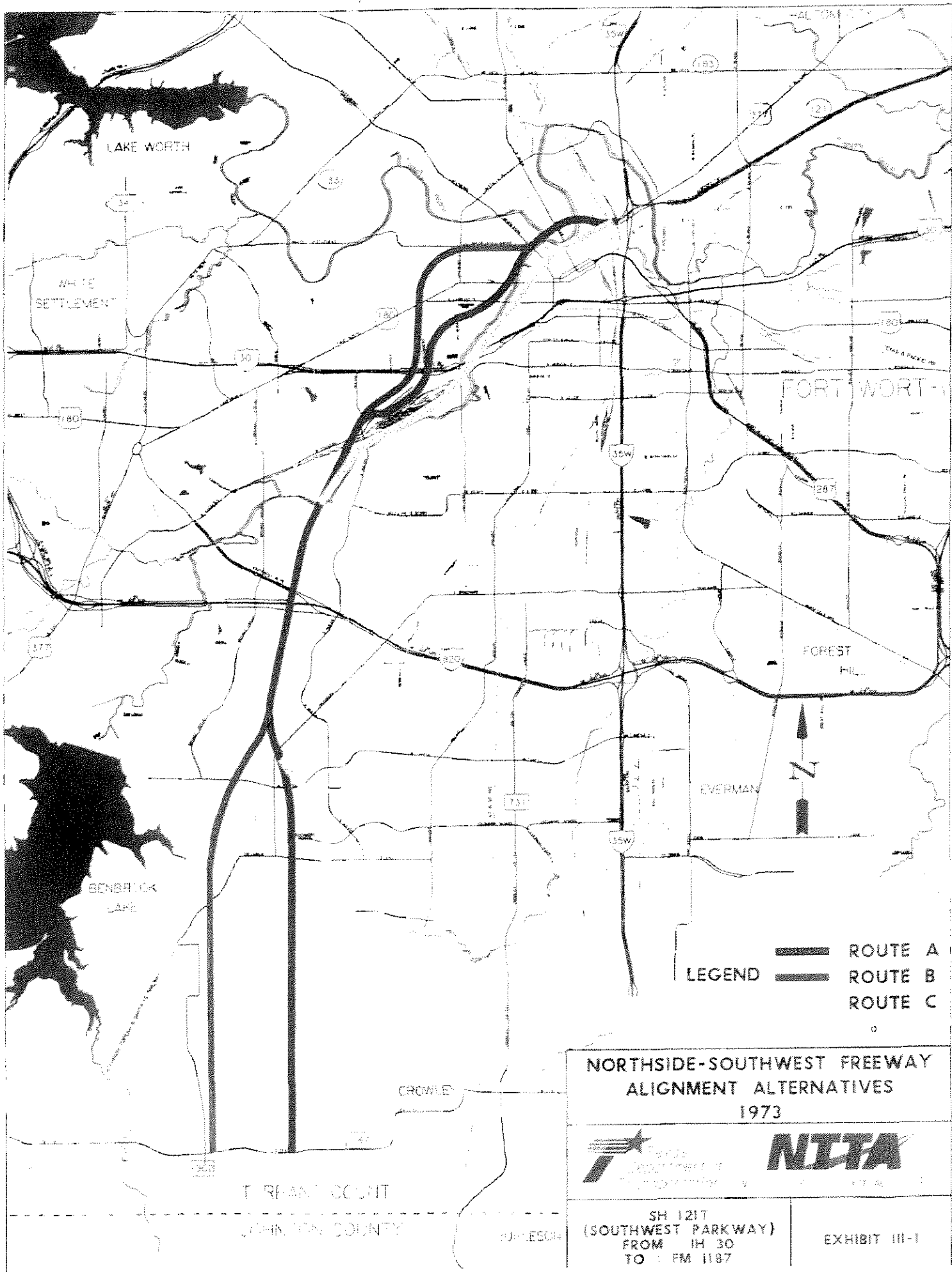
- Lastly, I do believe one industry existed in Cleburne which was the building of railroad cars. Wouldn't it wiser to build passenger cars and allow those who need to come to Fort Worth to be transported as commuters? It would certainly be better for the environment. The line exists. Why not use it?

I do hope the City and State take my concerns seriously and incorporate what may be necessary to negate my concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark V. Oppenheimer', with a long horizontal line extending to the right.

Mark V. Oppenheimer



LAKE WORTH

WHITE SETTLEMENT

FORT WORTH

FOREST HILL

EVERMAN



BENBRICK LAKE

CROWLEY

TARRANT COUNTY
JOHNSON COUNTY

LEGEND
 ROUTE A
 ROUTE B
 ROUTE C

**NORTHSIDE-SOUTHWEST FREEWAY
ALIGNMENT ALTERNATIVES
1973**

SH 121T
(SOUTHWEST PARKWAY)
FROM IH 30
TO FM 1187

EXHIBIT III-1



from the December 04, 2002 edition - <http://www.csmonitor.com/2002/1204/p15s01-lihc.html>

Planned growth vs. sprawl: the best and worst cities

In a sprawling area, families drive 40 miles more daily than those who live in cities with less sprawl

By Ross Atkin | Staff writer of The Christian Science Monitor

How does your community rate on the "sprawl meter"? If you live in New York, San Francisco, or Honolulu, your city has a low sprawl rating. But San Bernardino, Calif.; Atlanta; and Knoxville, Tenn., are among the 10 areas with the most sprawl.

According to Smart Growth America, the advocacy group that ranked 83 major metropolitan areas, sprawl is unplanned urban growth that happens outside the existing infrastructure.

The group recently released a comprehensive assessment of sprawl and its impacts. The project took three years to complete and ranks cities in four major categories: by residential density, by how well they incorporate a mix of homes, jobs, and services; by the strength of their downtowns and town centers; and by how interconnected their streets are.

The amount of land that's built upon isn't the point; the way it's used is.

In Omaha, for instance, which ranked sixth in the least-sprawling ratings, there's room to spread out, and the city does (it has a below-average residential density). But it scores well with its active, vibrant downtown and smaller commercial districts, and for its mix of housing, shopping, and offices.

No development pattern is inherently good or bad, the study's authors explain. It all depends on the consequences.

"In sprawling places, people drive more, breathe more polluted air, face a greater risk of car fatalities, have to own more cars, and walk and use transit less," says Don Chen, executive director of Smart Growth America and a co-author of the report.

In the most sprawling metropolitan areas, he adds, a family of four can be expected to drive 40 more miles per day than a family in a low-sprawl area.

In Riverside-San Bernardino, a bedroom community near Los Angeles, several factors contributed to its being ranked the most sprawling place in the country:

- More than 66 percent of its population lives at least 10 miles from a central business district.

- It's not very pedestrian-friendly. More than 70 percent of its blocks are larger than traditional urban size.
- Less than 1 percent of its population lives where there's enough density to be effectively served by mass transit.

Fortunately, cities that are poster children for sprawl can change the course of their development.

Reid Ewing, a coauthor of the report, says that Riverside-San Bernardino needs more dynamic centers of commerce and public activity.

But that won't necessarily happen quickly. "You have projects that start down the pipeline and need two, three, five years to do the design, start the entitlement process, and get the needed approvals," explains Michael Pawlukiewicz of the Urban Land Institute. "It's the old story of [taking time] to turn the battleship around."

And even when the spirit is willing, the building climate may not be.

There are often barriers to building more densely. Community policies and personal preferences can interfere with such common antisprawl techniques as placing homes closer together; using a mix of homes, shops, and workplaces; and building on unused or underused properties in already-developed neighborhoods.

"We want to remove those barriers," says Gary Garczynski, president of the National Association of Home Builders, "but you just can't ignore people's preferences for lower-density development."

New York and Jersey City, N.J., are ranked as the nation's least sprawling cities. But this doesn't necessarily make them the most attractive places to live for the many people who favor a house and yard in the suburbs.

Mr. Garczynski knows that home buyers vote with their pocketbooks - they go where they can get the most house for the least amount of money, and this often means looking at the edge of cities, where new sprawl is generated.

To avoid sprawl while providing the affordable housing that homebuyers want, Garczynski advocates comprehensive planning. And that requires participation and compromise by community members with diverse interests and views.

His company is a charter member of a Washington, D.C.-area planning coalition that brings together builders, activists, and environmentalists. "We agree on things we can support, and that establishes a level of trust and respect," Garczynski says. "We build on common interests before tackling the tough development issues. That's what has to be done, but it doesn't happen overnight; it's long-term."

Officials in Omaha, Neb., realize that keeping the city's high ranking could be a challenge. Steve Jensen, the city's assistant planning director, told the Omaha World-Herald that "we could slip in the future unless we are careful."

Still, the big question might not be what Omaha does, but what planners in neighboring jurisdictions and the region decide to do.

Which region of the US needs to do the most planning? According to the report, it's the South. After Riverside-San Bernardino, the next most sprawling metropolitan areas are

Greensboro/Winston-Salem/High Point, N.C.; Raleigh/Durham, N.C.; Atlanta; and Greenville/Spartanburg, S.C.

Authors of the report chalk up the South's sprawl tendencies to two factors: the absence, in many cases, of topographic restraints, such as mountains, lakes, and rivers, which naturally contain growth; and the lack of planning and zoning that encourage denser development.

In Atlanta's case, part of the challenge has been a preexisting network of country roads. "Developers find it pretty easy, quick, and cheap to go out to where the next road is rather than to build a denser street pattern closer to the existing metro area," says Rolf Pendall, a third author of the sprawl report.

In future studies, the team intends to look at the impact of sprawl on racial segregation, the decline of central cities, the loss of open space, and public health.

For now, in the interest of encouraging more compact, but not high-rise neighborhoods, they offer these policy recommendations:

1. Reinvest in neglected communities and promote more housing opportunities.
2. Rehabilitate abandoned properties.
3. Encourage new development and redevelopment within the existing urban area.
4. Create and nurture mixed-use centers of activity, in some cases rezoning to permit multifamily housing in and around jobs-rich mini-cities on the edge of larger cities.
5. Support growth-management strategies, including preservation of prime farmland and sensitive environmental lands, forests, and other green spaces, in conjunction with careful planning for development in designated areas.
6. Craft policies that favor nonautomotive forms of transportation and maintain existing streets and highways in preference to building new ones.

Areas with the most sprawl

1. Riverside-San Bernardino, Calif.
2. Greensboro-Winston-Salem- High Point, N.C.
3. Raleigh-Durham, N.C.
4. Atlanta
5. Greenville-Spartanburg, S.C.
6. West Palm Beach-Boca Raton-Delray Beach, Fla.
7. Bridgeport-Stamford-Norwalk Danbury, Conn.
8. Knoxville, Tenn.
9. Oxnard-Ventura, Calif.
10. Fort Worth-Arlington, Texas

Cities with the least sprawl

1. New York
2. Jersey City, N.J.
3. Providence
4. San Francisco
5. Honolulu

6. Omaha, Neb.
7. Boston
8. Portland, Ore.
9. Miami
10. New Orleans

Source: Smart Growth America

[Full HTML version of this story which may include photos, graphics, and related links](#)

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DO HIGHWAYS MATTER?
EVIDENCE AND POLICY IMPLICATIONS OF
HIGHWAYS' INFLUENCE ON
METROPOLITAN DEVELOPMENT

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and Institute of Transportation Studies
University of California, Irvine

Andrew F. Haughwout
Federal Reserve Bank of New York

A Discussion Paper Prepared for
The Brookings Institution Center on Urban and Metropolitan Policy

August 2000

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CENTER ON URBAN AND METROPOLITAN POLICY
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ACKNOWLEDGEMENTS

The Brookings Institution Center on Urban and Metropolitan Policy would like to thank the John D. and Catherine T. MacArthur Foundation, the George Gund Foundation, the Rockefeller Foundation and the Ford Foundation for their support of the Center's research and policy work on metropolitanism. The Metropolitan Initiative aims to better understand the mix of market, demographic, and policy trends that may be contributing to the growth and development patterns we see in metropolitan areas nationwide and to identify, where possible, options for reform. The purpose of this paper is to better understand the role of highways in metropolitan growth and development and its implications for federal and regional policies.

ABOUT THE AUTHORS

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The views expressed in this discussion paper are those of the authors and are not necessarily those of the trustees, officers, or staff members of The Brookings Institution

ABSTRACT

Growing concerns about traffic congestion and rapid suburban expansion (also known as sprawl) have reignited interest in the ways in which highway spending affects metropolitan growth patterns. This discussion paper extracts the best evidence to date on how highway investments distribute growth and economic activity across metropolitan areas. The paper also offers ideas on how transportation financing and policies can better respond to the various costs and benefits of highway projects in a region.

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DO HIGHWAYS MATTER? EVIDENCE AND POLICY IMPLICATIONS OF HIGHWAYS' INFLUENCE ON METROPOLITAN DEVELOPMENT

I. INTRODUCTION

Highways and urban growth. The two seem inextricably linked, and certainly in popular and scholarly debate much attention is given to the way that highways shape urban development. But the link between road building and metropolitan growth is extraordinarily complex and common assumptions on both sides of the political spectrum are often overly simplistic. Some claim that the problems of central cities can be confidently attributed to suburban highway programs while others deny that any such link exists. A balanced policy perspective most certainly lies in the middle. More importantly, a balanced policy perspective requires an understanding of theory and evidence that, while often complex, points in a consistent direction.

This paper critically reviews the evidence on how highways are linked to metropolitan development and makes policy recommendations that suggest the need to rethink the way we finance and program highways in this country.

The analysis proceeds in four steps:

First, we summarize the policy research context for this debate;

Second, we summarize recent theory and empirical evidence on how highways influence urban growth. An up-to-date assessment of this question is the linchpin of any policy analysis that seeks to link federal highway programs to problems that are by-products of metropolitan growth patterns;

Third, we reformulate some of the policy questions that are popular in this area, emphasizing that questions of economic efficiency, the geography of urban development, and the institutional structure of regional transportation agencies have been overlooked too often;

Fourth, we develop policy recommendations based on our assessment of theory and evidence, and on the need to give increased attention efficiency, geography, and political institutions.

Overall, we conclude that changes in metropolitan location patterns are induced by highways, and these changes are not, on net, costless. A rational highway investment plan should account for the effects on location that highways induce. Land price, population or employment growth benefits that appear in one part of a metropolitan area may come at the expense of even larger costs elsewhere. The difficulty is that the way in which we make and finance our highway investment decisions does not induce rational consideration of all these effects.

We recommend an increased role for representative regional decision-making bodies with both the vision and the authority to balance the competing transportation demands of various metro area constituencies. Such bodies would ideally design policy so as to maximize the regional, rather than local, advantages that transportation policies offer. Although traditionally advisory and research organizations, metropolitan planning organizations (MPOs) are well positioned to fulfill the regional role that is necessary in highway governance and finance. Yet to do that, MPOs must complete the transition, started by earlier federal legislation, from advisory bodies to full highway financing, planning, and programming authorities. To be sure, such a transition faces political obstacles, but federal policy can be used to encourage and guide this policy change.

Overall, we conclude that federal highway policy should be oriented toward more efficiently funding and managing the nation's road infrastructure. In urban areas, that requires that the federal government, among other things, empower metropolitan authorities.

II. A BRIEF INTELLECTUAL HISTORY OF THE ARGUMENT ABOUT HIGHWAYS AND GROWTH

The debate on the link between highways and urban development has long focused on two policy problems: central city decline and suburban sprawl. Central cities often have larger per capita public expenditures and higher per capita tax burdens than suburban municipalities. The cause of such fiscal stress is complex (e.g., Ladd and Yinger, 1989; Bradbury, Downs, and Small, 1982; Peterson, 1981), but regardless of the cause, central city fiscal distress is typically exacerbated when upper-income residents and tax-generating firms flee to what are often lower-tax suburbs. To the extent that suburban highways facilitate this, they are implicated in the minds of many with the problem of central city fiscal distress. Related problems, such as the concentration of poor persons who are left behind in the flight to the suburbs, are also sometimes attributed to suburban highway building programs.

Changing the focus to outlying portions of metropolitan areas, there are heated debates about the costs, benefits, and even the definition of urban sprawl. Many in the policy and planning communities claim that far-flung suburban growth requires expensive extensions of utilities and public services, wastes often underused central city land and infrastructure, and brings traffic congestion and air quality problems from increased driving (e.g., Burchell, 1998; Real Estate Research Corporation, 1974.) These costs may fall disproportionately on those least able to avoid them (Persky & Wiewel, 1998). Others argue that suburban residential development is desired by persons who prefer low-density living on the metropolitan fringe so the concern about sprawl, more properly stated, is a concern that the costs of particular development patterns outweigh the benefits.

The concerns about central city decline and suburban sprawl are two sides of the same coin. Both concerns reflect the idea that metropolitan areas are excessively decentralized in ways that draw tax and economic resources out of the central city while requiring additional infrastructure investments, land, and driving (with attendant congestion and air quality impacts). The broad question of whether United States cities should be more or less centralized and related questions about the costs and benefits of urban sprawl are controversial (e.g. the exchange between Ewing, 1997 and Gordon and Richardson, 1997). We mention these issues not to suggest that American urban areas ought to be more centralized, but to emphasize the perceived links to highway policy. The question of how highway policy enters the debate thus becomes a question of whether highways contribute to the decentralization of urban areas and if so, whether that influence is, on net, beneficial or harmful.

Phrased differently, the key factual point is the "chicken and egg" question of whether suburban highways facilitate (or even cause) the decentralization of metropolitan areas, or whether outlying highways simply serve growth that would have otherwise occurred. This is not a new question by any means. Four decades ago, informed opinion was divided in ways that still characterize the current debate. On one side are those who believe that highways shape urban growth and decentralization, and on the other side are those who believe that the influence of highways is not large and that other factors are more responsible for the decentralization of urban areas.

In 1960, Daniel Patrick Moynihan, then a university professor (and later, as a United States Senator, a co-sponsor of major transportation legislation) argued that there was a link between, according to the title of his article, "New Roads and Urban Chaos." Moynihan wrote, "Highways determine land use, which is another way of saying they settle the future of the areas in which they are built." Moynihan saw the then-fledgling Interstate Highway System as a great engine of urban decentralization. In his words, "For good or ill, the location of the interstate arterials would, more than any other factor, determine how this [projected urban] growth would take place." Elsewhere in the same article, Moynihan makes it clear that

he thinks the effect on urban areas would be negative. Without proper planning (which he complained was largely absent at the time) interstate highways would eviscerate downtowns, drawing persons, shopping, and employment to the suburbs while dividing and disrupting older urban neighborhoods (Moynihan, 1960, p. 19).

But there were other voices in the debate. John Meyer, a transportation scholar at Harvard University, wrote in 1968 that, "The financial problems of city governments are almost certainly more attributable to over-reliance on property taxes and, at least in some states, to inadequate urban representation in state legislatures than to urban transportation choices." (Meyer 1968, p. 52) In 1970, John Kain, also of Harvard University, wrote that, "... research indicates that the postwar pattern of residential development is as much, or possibly even more, a cause of rapid growth of car ownership as the converse." Arguing that the automobile is only one of several factors that contribute to metropolitan decentralization, Kain states, "Cheap credit, favorable mortgage loan terms, accumulations of savings, rapid family formation, the postwar baby boom, favorable tax treatment, a strong preference for home ownership, and the suburbanization of an ever larger number of jobs must all be regarded as important causes of the suburban boom." (Kain 1970, p. 77).

In 1993, Peter Mieszkowski and Edwin S. Mills returned to a similar theme in summarizing the research evidence on the determinants of suburbanization. They asked whether metropolitan areas decentralize as part of a natural evolution that is a response to technological changes and market forces, or whether suburbanization is driven by a flight from the blight of central cities. This is not precisely the same as debating whether highways cause urban decentralization because highway infrastructure could facilitate either evolutionary decentralization or a flight from downtown blight. Yet Mieszkowski and Mills' distinction is informative because the opponents of suburban highways usually couch their argument in terms of the fiscal and social ills that are part of what Mieszkowski and Mills classify as flight from blight. In the maddening habit of social scientists, Mieszkowski and Mills (1993, p. 144) claim that both the "natural evolution" and the "flight from blight" explanation of suburbanization are important.

In many ways we are still where the debate started some forty years ago. The link between highways and metropolitan development is complex, and different persons draw different conclusions from often-similar evidence. In this paper, we argue that there is a way out of this policy morass - but two questions must be answered. First, what can objectively be said about the influence of highway infrastructure on metropolitan development? Second, if highways do influence urban growth and vitality, and thus are part of what Moynihan (1970, pp. 8-9) called the federal government's hidden urban policy, what reforms are suggested by both theory and evidence? We turn first to the factual question of the link between highways and metropolitan growth.

III. HIGHWAYS AND METROPOLITAN GROWTH

A. Theory

Economic theory suggests that highway improvements will have effects on urban growth by changing both intra- and inter-metropolitan accessibility. Much of the theoretical apparatus for examining the intrametropolitan effect of transportation investments is rooted in "monocentric" models of urban land use. In these models, jobs are assumed to be concentrated in a single central business district (CBD), and persons live in residential communities that surround the CBD. Land values drop with distance from the CBD to reflect the increased cost of commuting from distant locations into the jobs in the city center. (For summaries of monocentric urban location models, see, e.g., Alonso, 1964 or Fujita, 1989.) New highways that link the outlying residential areas to the CBD lower the cost of commuting into the employment concentration in the center of the city. This increases land values in the suburban fringe while reducing the "accessibility premium" that central locations had previously enjoyed. The urban area will grow geographically as commuters can live farther from work without increasing their travel budgets. Densities will fall as the premium for the densely developed locations near the CBD is reduced. In short, in monocentric models, transportation improvements are associated with decentralization and deconcentration of the population of the urban area. (For a more detailed discussion of these results, see, e.g., Fujita, 1989.)

While this broad interpretation of the link between transportation and urban development is accepted at its simplest level within much of the urban literature, there are considerable complications that the monocentric model does not address. The most obvious difficulty is that modern metropolitan areas are far from monocentric. While the assumption that jobs are located only in a central business district might be a reasonable depiction of early eighteenth century American cities¹, both anecdotal and scholarly evidence have clearly documented that modern cities are now characterized by multiple employment centers (e.g. Garreau, 1991; Small and Giuliano, 1991). This immediately leads to the need to explain not only residential location, but also how firms choose to locate within metropolitan areas and how firm location is influenced by transportation accessibility.

Like households, firms that value the use of a particular transportation mode will have incentives to cluster near access points to that system. For example, the Interstate Highway System offers low transportation cost for moving goods and passengers over long distances (so-called "line haul" benefits) and interchanges in that system are thus valuable locations that will command high land prices and foster dense job development (Hoover 1975). This is consistent with the evolution of urban employment locations, which were originally concentrated near points of access to waterway transportation, then increasingly at rail junctions near the fringes of central cities and finally have clustered around highway interchanges on the edges of metropolitan areas (Jackson 1985; Cronon 1991; Garreau 1991).

Clustering to gain transportation access is a special case of a more general phenomenon that helps explain the geographic concentration of firms within and across metropolitan areas. The existence of "agglomeration economies" implies that firms are more efficient when they locate in close proximity to each other. Some of these benefits are transportation-related. Firms that produce for regional or national markets may cluster near points of access to the inter-metropolitan transportation system. Retail businesses may share a customer base that values the convenience of shopping in a small

¹ See, for example, Jackson's (1985) descriptions of the "walking city"; Pred (1966) includes some fascinating maps of job locations and journeys to work in New York during the first half of the 19th century.

geographic area. Firms may also cluster if they produce for each other: the growing prevalence of "just-in-time" inventory techniques provides incentives for suppliers and their buyers to locate together (Doeringer & Terkla 1995). Geographically concentrated firms may also provide each other with industry-specific information about markets, production processes or suppliers that translates into higher productivity and profits. Quigley (1998) contains a recent review of the literature on these agglomeration economies.

Further complicating the relationship between highway investments and metropolitan development patterns is the fact that transportation costs may play an important role in determining the overall level of regional growth, as well as its intra-metropolitan distribution. Often, those in favor of transportation improvements argue that they will improve the productivity of an entire region. A new highway system can theoretically provide a large enough boost to a region's economic development that the central city will grow in spite of increased pressure for decentralization created by the same highway.

Transportation infrastructure can provide a region with a potentially important advantage in the inter-regional competition for firms and economic development. Regions that are far from sources of raw materials can nonetheless attract development if their transportation systems allow delivery of these inputs at low cost. Examples from American history underline this point. In the nineteenth century, the development of canals and railroads provided significant advantages to the locations they served, allowing city businesses to simultaneously locate near their markets while keeping raw material transportation costs acceptably low. The rapid growth of New York in the first half of the nineteenth century and Chicago in the second half would not have been possible without the development of canals (for New York) and railroads (for both cities) -and the benefits of these transportation systems may be quite widespread. The completion of the Erie Canal, for example, contributed powerfully to the growth of Albany, Buffalo and Rochester - all located at junctions along its length. At the same time, the development of this transportation network helped New York to rise relative to its primary competitor, Philadelphia, which tried unsuccessfully to construct a series of canals connecting the Schuylkill to the Ohio River basin during the early part of the nineteenth century. Similarly, the interstate highway system allows produce to be rapidly transported from fertile regions to markets. Thus a key benefit of an interregional transportation network is its ability to foster the relative growth of those places that are accessible to the network.

However, in spite of this history, the interaction of transportation and regional development is complex. By limiting the geographic area that can be served from any particular point in space, transport cost provides the impetus for the development of small-scale industries that serve the local market. For these firms (and their employees), transport cost reductions may lead to a loss of customers as larger firms in other regions are able to penetrate the local market. In the theoretical models of Krugman (1993) and Walz (1996), reductions in transportation costs lead to growth in developed regions but decline in regions whose industries operate at less than efficient scale.

The bottom line is that there is no single bottom line. For some industries (especially high cost producers in small markets) transportation cost reductions will eliminate the barriers that protect them from outside competition, eroding their markets. For others (especially industries that already operate efficiently at a relatively large scale), improved access opens up new markets and allows costs to be reduced.

Of course, as touched upon above, the distinction between inter- and intra-regional transportation networks is applicable only in theory. In practice, the very same highway investments that reduce long-distance transportation costs may

also be used for intra-urban transportation. The building of the interstate highway system reduced the cost of transporting goods from region to region while simultaneously altering the geography of accessibility within metropolitan areas. The complex nature of highway systems means that theory alone cannot untangle the effects of a particular investment. We must turn to empirical evidence to assess how the conflicting theoretical effects actually play out.

B. Empirical Evidence

Despite the ambiguity of some of the theoretical results, most models predict a link between improvements in transportation access and increases in land prices and development densities nearby. A fundamental empirical question, then, is whether transportation access influences land prices and development densities in the way that theory predicts. Some studies have examined whether land near highways sells for a higher price which reflects, at least in part, the value of the transportation access provided by the highway. Other studies have examined how highways influence population and employment growth patterns within urban areas. Both groups of studies are often intrametropolitan in their geographical focus. After reviewing the evidence on the influence of highways on land prices and growth patterns, we will turn to literature that suggests that the traditional view has overlooked the important possibility that highways influence the spatial distribution of urban growth. A focus on the way that highways influence the spatial distribution of urban growth helps illuminate policy issues related to highways and urban development.

1. Evidence on Land Prices and Highway Access

Giuliano (1989) reviewed the literature on land use and transportation and Huang (1994) reviewed the narrower literature on land prices and transportation infrastructure. Both agree that studies of land prices and highways yield results that vary depending on when the study was conducted. The early studies, from the 1950s and 1960s, usually showed large land price increases near major highway projects. The later studies, from the 1970s and (less often) the 1980s, typically showed smaller and often statistically insignificant land price effects from highway projects. The early studies typically examined the first limited access or interstate highway built in an urban area.² Giuliano (1989) and Huang (1994) both argue that the first link in a metropolitan highway system is likely to bring large improvements in transportation access and thus, based on the theory summarized above, large increases in land prices near the project. As more highways are built, and the metropolitan highway network matures, the incremental effect on accessibility from new or improved highways decreases, thus accounting for a smaller change in land prices due to any access premium.

Giuliano (1989, p. 151), interpreting this and other evidence on land use and transportation concludes, "Transport cost is a much less important factor (in locational decision-making) than location theory predicts." She bases that conclusion partly on the good metropolitan-wide accessibility provided by mature urban highway systems and partly on changes in production relations, economic structure, and metropolitan development that, in Giuliano's view, reduce the value of within-metropolitan area transportation access. While the character of the influence of transportation on land use changes as a highway system matures, we suggest that the view that transportation access is less important now than in the past is incomplete.

² In these early studies, land value increases near highways were usually compared with land value changes in other similar parcels distant from the project. This is not too different from the logic of later studies, although the statistical approach used to choose similar parcels far from highways in early studies was often less sophisticated than in later studies.

New evidence suggests that metropolitan highway projects still influence land use in the way that theory predicts. The important difference between the new evidence and earlier studies is that the geographic scale of the land use effect appears to be somewhat smaller. A new highway or improvement might importantly reduce travel times in the immediate vicinity of the project, even if the resulting changes in metropolitan-wide transportation accessibility are small. Hence, the land use effects of modern highway projects likely operate over a very fine geographic scale, rather close to the project.

Voith (1993), in a study of the determinants of house sales prices in Montgomery County, Pa. (a suburb of Philadelphia) from 1970 to 1988, found that homes in locations with lower highway travel time to the Philadelphia central business district had higher sales prices, other things being equal. The study further found that the value of highway access increased during the 1980s. Ryan (1997), in a study of office and industrial property rents in San Diego, found that better highway access, measured by distance from a property to the nearest freeway on-ramp, is consistently associated with higher office rents, controlling for other characteristics of the property. Both of these analyses used site-specific information that provides substantially more geographic detail than many earlier studies.

2. Evidence on Highway Access and Intrametropolitan Population and Employment Growth

Several recent studies have examined the determinants of population and employment changes in census tracts or similarly small geographic units within a metropolitan area. The advantage of these studies is their fine geographic scale.³ Much previous research examined the influence of highways on growth in central cities and suburban rings (e.g. Payne-Maxie, 1980), a level of detail substantially more coarse than the geographic scale used in the research described below. In New Jersey, Boarnet (1994a and 1994b) used municipalities. New Jersey municipalities are quite small, such that the geographic scale of municipalities in New Jersey is comparable to the scale of census tracts.⁴ The studies of tract or (for New Jersey) municipality data yield a consistent relationship between population and employment change and highway location. Highway access positively influences tract or municipal employment levels in the northern half of New Jersey (Boarnet 1994a and 1994b), Orange County, California (Boarnet, 1996; Geho, 1998), the Atlanta metropolitan area (Bollinger and Ihlanfeldt, 1997), South Carolina and parts of North Carolina and Georgia (Henry, et. al, 1997), and strictly within South Carolina (Singletary, et. al., 1995). These studies use data from both the 1970s (Boarnet, 1996) and the 1980s (Boarnet 1994a and 1994b; Bollinger and Ihlanfeldt, 1997; Geho, 1998; Henry, et. al., 1997; Singletary, et. al., 1995). Some of these studies restricted their attention to employment changes, but in the studies that also examined population (Boarnet 1994a; Bollinger and Ihlanfeldt, 1997; Geho, 1998; Henry, et. al., 1997), highways were also shown to be associated with larger levels of tract or municipal population growth.

These studies, combined with the recent evidence on highways and land prices, suggest that highway access is still an important determinant of fine-grained geographic variation in intrametropolitan growth patterns. This leads to another question: is growth near highways, in part, growth that otherwise would have gone elsewhere in the metropolitan area? Several studies hint at the existence of these intrametropolitan shifts.

³ As an example, the median census tract size in the Boarnet (1996) study of Orange County, California was less than one square mile. Census tracts are based in part on population, and so tract sizes are larger in less densely settled parts of a metropolitan area.

⁴ The median size of the New Jersey municipalities used in Boarnet (1994a and 1994b) was four square miles.

3. *Highways and the Spatial Character of Urban Development*

Stephanedes and Eagle, in a time series study of Minnesota counties, found a positive association between highway expenditures and employment in counties that are regional employment centers, and a negative association between highway expenditures and employment in what they classified as "next-to-urban" counties.⁵ They concluded that, "... while certain areas are likely to gain from improved roads, others are likely to lose and the statewide effect may not be significant." (Stephanedes and Eagle 1987, p. 77)

Rephann and Isserman (1994) echoed Stephanedes and Eagle's findings in a later study. Rephann and Isserman conducted a quasi-experimental study of employment, income growth, and population change in two groups of counties – those with and without interstate highway improvements in the 1963 through 1975 time period. Rephann and Isserman found that counties with some prior urbanization (specifically, counties with cities of 25,000 persons or larger) appeared to benefit from interstate highway projects, but other more rural counties showed much smaller or, for some variables, no impact from the highway projects. Combined with Stephanedes and Eagle's (1987) results, the research suggests that the land use effect of highways differs in ways that are related to the urban character of particular locations.

Two studies by Haughwout (1999a, 1999b) explore the effect of highway investments on the distribution of activities within urban areas. Haughwout (1999a) finds that increases in state highway stocks reduce house values in both the city and suburbs of large metropolitan areas. Since (by definition) the majority of an urban area's housing units are located in its most densely developed areas, this means that new highways tend to reduce the accessibility premium that central locations enjoy. In Haughwout (1999b), state highway investments are shown to foster the decentralization of employment growth from dense to less dense counties

To interpret these findings, we draw on the concept of negative spillovers. For our purposes, a negative spillover is defined as a negative economic consequence experienced distant from a highway project. If highways enhance the economy of nearby areas, while at the same time reducing economic activity in distant places, we call the reduction in economic activity at distant locales a negative spillover. This implies that highway projects built in one jurisdiction might be associated with, in addition to any local benefits, reductions in economic activity that spill over, or extend beyond, the jurisdiction that contains the project.

More intuitively, we might say that highway projects affect the geographic location of economic activity by advantaging some places while causing firms and persons to shift their location choices away from other places. If, as the studies of Stephanedes and Eagle (1987) and Rephann and Isserman (1994) suggest, relatively urbanized counties benefit more from highway projects, it is not unreasonable to suspect that some of that benefit comes at the expense of less urbanized counties. Haughwout's studies (1999a, 1999b) suggest that the fringes of urban areas benefit at the expense of the center. Other evidence on spillovers comes from the extensive literature on production function studies of public infrastructure.

⁵ More formally, Stephanedes and Eagle (1997) examined whether highway expenditures "Granger cause" county employment changes. This is a statistical technique that examines whether highway expenditures are statistically associated with later employment changes, rather than employment changes being associated with later highway expenditures. Stephanedes and Eagle (1987) found evidence that highway expenditures "Granger caused" employment changes in the regional employment centers.

Production function studies look for links between private sector economic output or productivity and the stock of public infrastructure.⁶ Most studies in this literature use data from U.S. states or time series data for the entire United States. (See, e.g., the summaries in Gramlich, 1994 or Boarnet, 1997.) The evidence suggests that when studies correct for important statistical difficulties, there is little or no link between public infrastructure (or, for those studies that examine it, highway infrastructure) and economic output or productivity. Yet the level of geographic detail – states or nations – is coarse compared to the land price and intrametropolitan growth studies discussed above. To get more fine geographic detail, Boarnet (1998) fit a production function on data for California counties from 1969 through 1988.

When explicitly testing for negative cross-county spillovers from street and highway infrastructure, Boarnet (1998) found that street and highway stocks are associated both with output increases in the same county and output decreases in other, similarly urbanized counties. This is consistent with the evidence from Stephanedes and Eagle (1987) and Rephann and Isserman (1994) that the effect of highways varies across geography.

In sum, the evidence suggests that highways influence land prices, population, and employment changes near the project, and that the land use effects are likely at the expense of losses elsewhere. Yet the question that we started with was subtly different – do highways contribute to suburban growth at the expense of central cities? The evidence that highways influence land use, especially near a project, suggests that highways can be an important factor in shaping and channeling the growth of urban areas. But that is different from saying highways cause or even contribute to urban decentralization.

Much of the debate on highways and suburbanization has asked to what extent highways lead to the decentralization of urban areas, or, conversely, whether United States urban areas would be more centralized had the Interstate Highway program not been so ambitiously funded. The evidence on this question suggests, as Mieszowski and Mills (1993) concluded, that transportation access is only one of several factors that led to the decentralization of United States metropolitan areas. (For similar evidence and conclusions, see also Giuliano and Small, 1993.) Believing that highways are the sole or even the most important cause of suburbanization ignores important evidence that suburbanization is driven by a broad range of influences.

Yet given that metropolitan areas are decentralizing for reasons that might be unrelated to transportation, highways certainly have the potential to influence the geographic character of that decentralization. The evidence discussed above, especially the census tract population and employment studies, suggests that highways can be conduits for decentralization, helping to channel urban growth in some places rather than others. Furthermore, the evidence on negative spillovers suggests that locations that gain due to highway access do so in part at the expense of other locations. Highway projects confer economic advantages on some places and the relative pattern of comparative advantage can be expected to, and appears to, influence the location of economic activity and growth within and across metropolitan areas.⁷ Highways are,

⁶ Street and highway capital is approximately a third of the public infrastructure owned by states and the federal government in the United States (Gramlich, 1994), and some studies examine highway infrastructure as distinct from all infrastructure. The results hardly vary depending on whether the study examined all public capital or only street and highway infrastructure.

⁷ The limited spatial scale of many modern highway projects, which is suggested by rather consistent recent empirical evidence, leads us to conclude that many of the spatial impacts of highways will be within metropolitan areas. This is part of the motivation for our later focus on policy initiatives within metropolitan areas.

as Moynihan claimed years ago, part of the federal government's "hidden" urban policy. Highway construction is more than concrete and cars -- it also influences the ways metropolitan areas grow. This has implications for policy but to understand those implications, one must focus on several often overlooked issues related to highways and metropolitan development.

IV. NEGLECTED POLICY ISSUES

As mentioned, the evidence suggests that metropolitan highway investments can (and do) act as conduits for growth, influencing where new firm and household growth occurs within a metropolitan area. In broad terms, this pattern is likely to favor suburban places over central cities. An important question is what effect such a redistribution of economic activity will have on social welfare.

Highway investments, like other public programs, are justified on economic efficiency grounds only if they improve social welfare, which itself is comprised of the well-being of the individuals who make up society. This implies that highway investments should pass a benefit-cost test – those investments should generate more social benefits than costs, and ideally (for social welfare maximization) the investments should generate a larger surplus of benefits minus costs than alternative uses of the money. Thus both the benefits and costs of highway projects need to be accurately measured, which is a complex task. We focus mostly on measuring how highways influence individual well being (highway benefits), because that is often more confusing and thus a more likely source of serious errors than measuring project costs.⁸

Transportation economists have traditionally argued that public assessment of the benefits of highway programs should be restricted to road user benefits – the value of travel time savings, safety improvements, and other reductions in the cost of travel (e.g. Forkenbrock and Foster, 1990; Mohring, 1976). The argument is that other benefits, such as reductions in consumer prices that result from cheaper transport costs or increases in land value that result from improved accessibility, are simply transfers of road user benefits to other persons. Thus to count both road user and transfer benefits would “double count” benefits (Mohring, 1961, 1976, 1993, Mohring and Harwitz, 1962).⁹ That point is well taken, but the transfer benefits, even if they flow directly from road user benefits, are often highly visible and some discussion of the transfer benefits is important, if for no other reason than that such benefits are often drawn into the policy debate. Even more importantly, ignoring transfer benefits obscures some of the more important and obvious location-specific impacts of highway programs. Those location-specific impacts, including some of the economic and land use impacts summarized in Section III, are often part of the political debate about particular highway projects, and the location-specific impacts are also a key source of inefficiencies in highway finance.

⁸ We do not mean to imply that measuring highway costs is easy. Both accurately projecting dollar value highway costs and assessing how those relate to the opportunity cost of the resources can be difficult. Yet both are technical problems which, however difficult, have been often discussed (e.g. Gramlich, 1991), and we see little need to add to that discussion. Measuring external costs of highway projects can be more complex, but with the exception of links to metropolitan development, external costs are not discussed here as that would complicate matters without much changing the thrust of our argument.

⁹ Jara-Diaz (1987) notes that, in cases of imperfect competition, road user benefits might not exactly equal the social benefits of transportation projects. While this raises the prospect of a potentially important shortcoming in the traditional maxim to focus only on road user benefits, we still believe the focus on road user benefits is technically sound, even if short-sighted for the reasons mentioned above. The analytical errors that can result if one counts both road user and transfer benefits can be large (see the discussion in Boarnet, 1997 or Forkenbrock and Foster, 1990), and we suspect that any errors created by focusing only on road user benefits in cases of imperfect competition would be smaller. Overall we conclude that, in an ageographic sense, a focus on only road user benefits is usually acceptable. The difficulty with using only road user benefits to evaluate projects is that it obscures the geographic shifts, discussed below, that are important sources of inefficiency in the current system of highway finance. Of course, one could argue that the geographic shifts discussed below the result of a form of imperfect competition. We prefer not to use that language and to focus on geographic rather than market structure effects, as the former leads more clearly to policy implications that relate to metropolitan growth patterns.

At first glance, it may appear that redistributions of activities from one place to another are zero-sum: the winners (possibly often suburbanites and their governments) gain exactly as much as the losers lose. If this is true, then evaluations of the social welfare effects of highway investments will be based on distributional considerations. Equity may be an argument in the social welfare function, and we may choose to avoid policies that transfer welfare from city to suburban residents on the grounds that they are inequitable. However, such judgements are inherently subjective and prior to resorting to what will surely be contentious grounds for policy making, it is worthwhile to determine whether a redistribution of activity from city to suburb is indeed zero-sum.

It turns out that there are substantial and growing reasons to believe that the spatial distribution of activity is an important determinant of total growth. In a series of papers, Voith (1992, 1993, 1998) has uncovered evidence of strong and increasing connections between city and suburban growth. Other authors have confirmed this general finding, and Brooks and Summers (1997) show that the direction of causality in the relationship runs from central city to suburb. That is, when the city's growth is robust, the entire region is more prosperous than it would be without strong city growth. This leads to the possibility that highways, by influencing the spatial character of metropolitan development, influence growth and social welfare in ways that are not readily apparent.

The literature on the productivity benefits of agglomeration (e.g. Ciccone and Hall, 1996; Ihlanfeldt, 1995) implies that the spatial concentration of producers leads to higher productivity and higher incomes to owners of land, labor and capital. For any particular firm, the incentive to locate in a dense agglomeration of activities will presumably decline with transportation cost; improved accessibility reduces the value of central locations, since employees and inputs may be drawn from a greater distance. The firm considers only its private costs and benefits, and ignores the effects of its decision on other businesses. A decentralizing firm loses the benefits of agglomeration, but this is only part of the cost to society since other firms lose the benefit of proximity to the moving firm. That is, a firm's location decision process ignores the fact that its presence in a dense agglomeration is beneficial to other firms. If agglomeration effects are important, then transportation improvements may lead to excessive job decentralization from society's point of view. The potential for reduced agglomeration benefits is an important, but rarely discussed, social cost of improvements in highway infrastructure. Haughwout's (1999b) finding that state highway investments reduce the relative density of a state's core counties, for example, suggests that state highway investments may indirectly undermine economic growth.

An analogous case may be made for household locations. Sociologists and, more recently, economists have found evidence that the characteristics of an individual's neighbors can affect a person's well-being (Wilson 1987; Case and Katz 1991, Cutler and Glaeser 1997). In these studies, an individual's residence in a racially segregated or extremely poor neighborhood is associated with a variety of unhappy social and economic effects. If high-skill individuals consider only their own welfare and not the potentially beneficial effects that their presence in an integrated urban neighborhood can have, then their decision to move to an ethnically or economically homogenous suburb may have negative social effects. Again, improvements in transportation that foster the segregation of income groups and races may generate social costs that must be accounted for when evaluating the investment.

Finally, the distance of employees from their jobs may have social effects as well. Of much interest among planners is the effect of automobile commutes on congestion, the environment and energy use. At least the first two of these are classic unpriced negative externalities, but the evidence suggests that decentralization has contributed little to increased commute times (Gordon and Richardson, 1994; Gordon, Richardson, and Jun, 1991). Labor economists, meanwhile, have emphasized

“spatial mismatch” - the idea that low skill job creation within metropolitan areas tends to take place far from the residences of low-skill workers, making it difficult for employees to reach them (Hhlanfeldt 1997). To the extent that improvements in the highway system induce relocations that worsen these problems, they generate social costs that ought to be considered as part of the decision process.

Taken together, these factors suggest that changes in metropolitan location patterns induced by highways are not, on net, costless and that a rational highway investment plan should account for the effects on location that highways induce. Land price, population or employment growth benefits that appear in one part of a metropolitan area may come at the expense of even larger costs elsewhere. The difficulty, as we discuss in the next section, is that the way in which we make and finance our highway investment decisions does not induce rational consideration of all these effects.

V. POLICY IMPLICATIONS

A. Highway Finance and Economic Efficiency

Given the discussion in the previous section, there are two economic efficiency issues that must be addressed -- the *cross-subsidies* that are endemic across different localities in the current system of highway finance, and the potential for *negative spatial externalities* from highways that are most often built in suburban portions of metropolitan areas. Consider first the problem of cross-subsidies.

There are many reasons to conclude that highways are often paid with funds that come from outside of the area that will benefit from the project. The evidence summarized in Section III suggests that modern highway projects typically bring localized benefits, often for only a part of a metropolitan area or region. Further, the evidence implies that much of the economic impact of highways is to shift activity across the landscape, suggesting that some local benefits are, in part, at the expense of other places that might lose economic activity as a result of a highway project. Add to this the fact that many highway projects are financed in large part by state and federal funding, and the highway system takes on the appearance of a patchwork of local benefits purchased with state and federal money. If local decisions and preferences dominate, this raises the potential that localities will argue for a project that might produce benefits in excess of the local funds expended, but that might also produce benefits which fall short of the total cost once state and federal funds are included.

Ideally, the area that benefits from a project would pay the cost, since that would encourage a more complete consideration of costs and benefits. As things currently stand, local governments can often export a large share of the cost of projects to states and the federal government, in effect buying local gains with money that comes from other cities, regions, and states. This can lead to a systematic bias toward too much highway construction -- too much in the sense that projects which do not produce social benefits that exceed social costs nevertheless get built.

As an example of this problem, consider a rail transit analogy. Donald Pickrell, of the United States Department of Transportation's Volpe Research Center, published the results of an analysis of cost and ridership forecasts for eight rail transit systems built during the 1970s and 1980s. Pickrell (1992) reports that initial travel demand estimates for seven of the eight systems exceeded actual travel in the early years of system operation. Pickrell (1992) further documents that actual construction costs exceeded estimated costs in seven of the eight systems. Operating costs similarly exceeded forecasts for most of the systems. Overall, in the eight cities examined, rail transit system project analysis displayed a strong trend toward an overly optimistic assessment of system benefits, while underestimating costs.¹⁰ Pickrell (1992) concludes that a primary reason for this poor project analysis is that the systems he examined were built with large shares of state and federal funds. In short, localities did not bear the full cost of their own faulty analysis and were able to export the cost of analytical "mistakes" to other regions. The lesson is not so much an indictment of rail transit planning as an example of the potential inefficiency in financing local benefits with state and federal money. We are not aware of similar studies for highway projects, but the geographic mismatch between often localized highway benefits and large state and federal funding

¹⁰ Pickrell (1992) analyzed the accuracy of forecasts that "... were available to decision makers at the time they chose among alternative projects." These forecasts were often from planning phases rather than preliminary engineering phases of a project and some persons have contended that an analysis of the accuracy of forecasts should give more weight to later, more detailed, estimates. Yet for our purposes the early estimates (because they are often influential in both rail transit and highway project decisions) are more important, and examining the accuracy of those early forecasts can give insight into the efficiency of the infrastructure spending and allocation process.

responsibility creates the potential for poor assessment of highway projects in a manner analogous to what Pickrell (1992) describes for rail transit.

There are two broad solutions to this problem. Policy-makers can either require careful benefit-cost analyses of all projects, or funding shares can be changed to bring local incentives more in line with social goals. While either would be desirable, we suggest that reforming highway finance has more promise.

Benefit-cost analysis has been advocated for highway projects for years. In 1977, the American Association of State Highway and Transportation Officials published a guide on conducting benefit-cost analysis for highway and other transportation projects (AASHTO, 1977). Other textbooks, research reports, and publications discuss the importance of analyzing highway projects using benefit-cost techniques (Friedlander, 1963; Mohring, 1976; Weisbrod and Weisbrod, 1997). Yet, as long as localities are able to purchase local benefits with state and federal funds, local governments have incentives to overstate highway project benefits and understate costs, in a fashion similar to what Pickrell (1992) documents for the rail transit projects he examined.

The current system of highway finance provides large pools of money to states and localities for highway programs. In federal fiscal year 1996, federal transportation grants to state and local governments were 34% of all federal grants, excluding grants for health (mostly Medicaid) and income support. Of the transportation grants, over two-thirds were for the federal aid highway system. Both proportions have remained roughly constant since the mid-1980s (United States Office of Management and Budget, 1997, Table 9-2, p. 196). The implication is that highway money is a large pool of the federal funding available to states and cities, and that local governments will behave in ways consistent with obtaining that money. If highway projects are required to pass a benefit-cost test, the risk is that local governments will be tempted to tilt the analysis in ways that helps them garner more funds.

In short, better benefit-cost analysis of highway projects, while important and desirable, faces an uphill battle as long as local governments have incentives to influence the analysis to obtain projects built in part with state and federal funds. Instead of attempting to cajole local governments into ignoring their own interests for the greater regional, state, or national good, we discuss in the next section how highway finance might be reformed to require that projects be financed by the area of benefit. A policy that requires such a geographic correspondence between areas of benefit and areas of funding responsibility can help reduce the regional cross-subsidies inherent in the current system. In a simple world, requiring that highways be financed by a mix of intergovernmental funds that exactly reflects how project benefits accrue across different jurisdictions would go a long way toward ensuring more economically efficient highway policies. Yet there is a complication that makes highway policy not so simple.

Highways bring spatial externalities. Spatial externalities exist when the geographic pattern of activities affects households or firms in ways that are not fully mediated even by well functioning, otherwise competitive markets. As discussed above, suburban highway projects might weaken agglomeration benefits in central cities, isolate poor residents in ways that are socially undesirable, and possibly worsen air quality or (although the evidence here is weaker) traffic congestion problems.¹¹ Because all of these are external to any one local jurisdiction, a policy of matching local benefits and

¹¹ The evidence on air quality and spatial externalities is also thin. Does suburban highway construction worsen air quality problems? There is little conclusive evidence here, but one possible link is provided by emerging evidence on induced travel. Recent studies (Hansen and Huang, 1997; Noland, 1999) suggest that highway construction leads to overall increases in vehicle miles of travel. If that leads to, on

local costs would still not incorporate the external costs of highway building. Even if local governments paid the full dollar value cost of local highway benefits, the external effects of highway construction described above could lead to, on net, a highway program that is too large from the broader perspective of an entire metropolitan area or region.

Overall, we conclude that highway finance should be guided by a principal that local benefits should be purchased with local funds, combined with attention to the often negative within-region external costs of highway projects.¹² Yet for decades United States highway finance has been based on the opposite principal; funds are provided largely by states and the federal government, and external effects (when discussed at all) are typically assumed to be the positive external benefits associated with enhancing the performance of a network. Highway finance in the United States is still predicated on the idea that the system confers broad national and regional benefits, while the evidence summarized in Section III suggests a pattern of local benefits. Highway finance should change to be more consistent with this evidence. The change would have two pieces – matching local benefits and local funding responsibilities, and incorporating spatial externalities into the decision-making process.

1. Matching the Benefiting Geographic Area with Highway Funding Responsibility

This step requires an assessment of what locations benefit from highway projects. This is difficult because the evidence on the geographic variation in benefits from highways is aggregate and is difficult to apply to a specific project. Lacking better information, one might proxy the geographic area of project benefits by the geographic lengths of trips served by a project. Transportation planning software can be used to infer, at least for commuting trips, the distribution of trip lengths served by a particular project, and projects that serve longer trip lengths might be judged to have benefits that accrue over larger areas. One would also want to adjust this to reflect the value of freight shipments that use a particular highway, and the distribution of origins and destinations of that freight. Such information exists both for freight and commuting, and transportation planners should begin to examine how to better use that information to estimate how highway project benefits are distributed across different geographic areas. Focusing more on long-term research, there is also a need to refine our knowledge of spillovers to better link those effects to specific projects and to better identify areas of loss and gain.

Yet even without clear project-specific information on spillover benefits, it is possible to develop some rules of thumb to guide highway finance. The evidence in Section III suggests that as the highway system in the United States has matured, highway benefits have become increasingly local. To catch up with this change, highway finance should also become increasingly local. The state and federal role in highway finance is a legacy of an earlier era when highway investments likely generated broad national benefits. Some of that funding responsibility ought to be shifted to local governments, not, as has been suggested, in ways that simply return gasoline tax revenues to the collecting jurisdictions, but

net, lower air quality, the fact that air quality is a regional issue implies that local jurisdictions will not fully appreciate and act on the air quality impacts of highway construction decisions.

¹² Traditionally, highway finance has focused on positive cross-regional externalities. Because a highway project in one location can enhance the performance of the overall network, areas distant from the project can benefit nevertheless. This is the more traditional formulation of how highway benefits spill over to distant regions, and it is one of the motivations for the large federal funding shares used to construct the Interstate Highway System. For a discussion of these positive spillovers in the context of, e.g., all public infrastructure, see Munnell (1992). We focus here on negative cross-region externalities because the evidence suggests that cross-state positive spillovers from highway capital are somewhat unimportant (Holtz-Eakin and Schwartz, 1995), and that within-state negative spillovers can be potentially as important as positive spillovers (Boarnet, 1998).

in the much more specific sense that local governments will bear lead financial responsibility for highway projects that bring predominantly local benefits. Conversely, projects with large state or national importance should be funded by proportionately large state and federal shares. For additional discussion of this idea, see Boarnet (1997, 1999).

2. *Incorporating Spatial Externalities into the Decision-Making Process*

The second step in highway finance reform should incorporate within-region spatial externalities in the decision-making process. Yet there is little solid evidence that can be used to quantify how a specific highway project might weaken central city agglomeration economies, isolate poverty populations, or worsen air quality, even if the theoretical link (especially for agglomeration and concentrated poverty) is highly plausible. For that reason, we suggest that the best start toward incorporating spatial externalities is to ensure that those issues are at least aired. Local, state, and federal practice should increasingly require a discussion of possible external effects, even if the magnitude of harm cannot be quantified. For now, the best approach to the external costs of agglomeration, social isolation of central cities, and other externalities associated with urban development patterns might be to put those issues, almost always ignored, on the agenda for public discussion. This bears more on process and governance than on funding arrangements. Highway finance reform is certainly important, but changing governance and political procedures to better address within-region external costs is also vital. We discuss those issues below.

B. Governance, Highways, and Economic Efficiency

The possibility of within-metropolitan area external costs and the localized nature of many highway benefits suggests that the regional level is the best one for highway financing, programming, and planning. In the wake of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), regional transportation planning bodies have grown in importance and are often well positioned to internalize the spatial externalities of highway-building discussed above.

Large metropolitan areas have long recognized that transportation investments are very likely to have consequences that do not respect jurisdictional boundaries. This realization has resulted in the establishment of both regional public transit authorities and metropolitan planning organizations (MPOs) for the purposes of planning road improvements. In both ISTEA and TEA 21 (the Transportation Equity Act for the 21st Century, enacted in 1998), metropolitan areas with populations over 50,000 are required to plan transportation investments on a regional basis. These federal acts aimed to give MPOs powers that would put them on a more equal footing with state DOTs, including authority over prioritizing highway (and other transportation) projects within each region. MPOs are instructed to use a list of criteria to evaluate projects, including controlling many of the region-wide externalities discussed above, like air pollution, energy consumption and the relationship between transportation and land use.

In principal, the statutorily important role of MPOs would seem to make them an ideal vehicle for maximizing the efficiency with which urban transportation investments are made. These bodies, with their presumed interest in benefits and costs in all parts of the region, can balance the net effect of projects on the region as a whole, offering an escape from both the too parochial perspective of local governments and the too expansive responsibilities of state DOTs. MPOs should be able to rationally plan and prioritize the allocation of available transportation investment funds, leading to intra-metropolitan investment efficiency. However, there are several reasons to be concerned about the ability of MPOs to act in this way:

First and foremost is the structure of the organizations themselves. MPOs are composed of representatives of local governments, and in many cases they follow a “one government / one vote” decision making rule. Since central cities tend to have significantly larger populations than individual suburban jurisdictions, this structure leads to an underrepresentation of central cities and certain other areas -- particularly unincorporated places. (Lewis 1998 contains an excellent review of and data on the structure of California MPOs.)

This organizational structure is very likely to lead to inefficiency in the allocation of transportation funding. If the benefits of new investments are localized while the costs are spread throughout the MPO’s jurisdiction, then each locality will want to obtain as many projects as possible. In these circumstances, overrepresentation of particular areas will lead to too much investment in those areas, and too little in areas with less political clout on the MPO board.¹³

The *second* problem involves the size of the investment pool to be allocated. In theory, the overall level of highway investment ought to be in the purview of the regional body, but in practice the total amount is given by state and federal decisions. Prior to ISTEA, MPOs tended to generate “wish lists” of projects that more than exhausted available funding. State DOTs were then able to pick and choose from these lists, giving them the real decision making power. However, under current law only those projects that have a reasonable prospect of being funded may be included in transportation improvement programs (TIPs). MPOs may thus be forced to forego including projects that, while of relatively low priority within the region, might still provide positive net benefits beyond the region. On the other hand, the existence of a pool of funding may be difficult to ignore, and projects that have negative net benefits within the region may get funded, particularly if MPO officials believe that a failure to spend all the funds made available to them will lead to reductions in funding (and influence) in the future.

The institutional structure of MPOs combines with the significant extra-regional funding of transportation projects to provide incentives for local areas to essentially compete to get projects into the TIP, with over-represented jurisdictions winning the competition more frequently than is optimal. As each locality seeks to maximize its own advantage, overall regional welfare can become a secondary consideration, if it is considered at all. It should be noted that while many votes on MPO boards are unanimous, this cannot be taken as reliable evidence that there is little or no competition for funds. First, the board relies heavily on reports and technical analyses authored by staffs who themselves are appointed by boards and can anticipate their reactions (Lewis 1998). In addition, unanimity on proposals that generally provide only localized benefits may be evidence of “log-rolling” politics, in which policy makers agree to support each other’s projects. Underrepresented areas could find themselves with relatively little influence to trade in this process, and emerge with concomitantly few projects. For example, on a per capita basis, a “one government/one vote” MPO structure would typically cause central city residents to be under-represented on a per capita basis. So even if central cities could form coalitions with other jurisdictions to get their projects into the TIP, it is possible that the resources flowing to the central city will still not be commensurate with that city’s population relative to the metropolitan area.

¹³ If land prices reflect the value of highway investments, then apportionment of MPO votes would ideally be made on the basis of land area. For example, a rule that one acre is one vote on the MPO board would lead to decisions made on the basis of their effect on the region’s aggregate value of land, a proxy for their effects on regional welfare. Such a scheme, while possible in theory, requires that the effects of highway investments be completely capitalized into land prices, that the electorate recognize the link between land price changes and highway projects, and that persons vote based on the intensity of their harm, so that small parcels with large benefits or costs would be appropriately weighted in any vote. While all are plausible to some extent, none seem likely in the complete sense needed for this scheme to yield an efficient outcome. For that reason, we do not recommend or further explore that voting arrangement here.

While the MPO structure is clearly an improvement over purely state and local planning, the actual institutional structure of MPOs and the divorce between their funding and their spending responsibility are likely to lead to inefficient outcomes. Improvements in MPO organizational structures would make them more closely approximate the distribution of transportation dollars' long term effects, which means making them more reflective of the underlying population distribution in the regions they represent (Lewis 1998). Overall, highway finance reform should focus on a geographic scale consistent with project benefits - often the MPO. This will require changes in both highway finance and MPO governance.

VI. POLICY RECOMMENDATIONS

The key policy idea to flow from this analysis is that efficient highway spending is most likely in a system where the geographic area that benefits from a project is also financially responsible for building the project.¹⁴ The current structure of United States highway finance creates geographic cross-subsidies that, while once justified based on the national importance of the Interstate Highway network, now often provide opportunities for inefficient allocation of highway resources. The initial step toward reform is to tie highway finance more closely to the areas that benefit.

The localized nature of many modern highway benefits suggests that metropolitan planning organizations often have the appropriate regional scale to internalize highway project effects while potentially balancing shifts of economic activity and externalities within the metropolitan area. One practical effect of matching financial responsibility to the area of benefit would be to empower MPOs to prioritize and finance highway projects. This requires reform of federal and state highway finance and of the institutional structure of many MPOs.

Dealing first with highway finance reform, a maxim that local benefits should be purchased with local funds requires that MPOs have revenue sources that they can use for transportation projects.¹⁵ Currently, MPOs program state and federal funds. Instead of simply expanding the role of MPOs as programmers of state and federal funds, MPOs should be empowered and required to raise local revenues for local highway projects. This would require that MPOs become true regional transportation infrastructure authorities – something that is rare in United States politics, but which the evidence described above suggests is necessary for efficient allocation of highway resources. Local funds needed to pay for the local benefits of projects could come from many sources. Ideally, tightly targeted user fees would generate those funds, because that would make explicit to voters the link between taxes paid and transportation benefits provided by projects. The tighter and more explicit that link, the more likely the electorate is to carefully consider project costs and benefits.

Such a call for locally financed highway projects is consistent with the trends in some rapidly growing metropolitan areas. Taylor (1995) and Brown et al. (1999) have documented that gasoline tax revenues have failed to keep pace with both vehicle miles traveled and highway construction costs. Faced with a highway “fiscal squeeze,” some rapidly growing suburban areas have already pursued ambitious programs of locally funded highway improvements. For example, Orange County, California has built over fifty miles of new highways and expanded capacity and improved interchanges on the existing network during the 1990s. This ambitious program of highway construction is largely locally financed through a combination of dedicated sales tax revenues, private investment, and largely toll-financed roads built by a special purpose public agency. The challenge now is to learn from experiments such as those in Orange County and to devise more

¹⁴ An alternative viewpoint, put forward by Winston and Shirley (1998), is that special interest politics effectively dooms any prospect for efficient provision of urban transportation services through the public sector and that the best option for reform is to privatize public services. To the extent that Winston and Shirley (1998) highlight and measure the social cost of inefficiencies in transportation policy, we see little conflict between their argument and ours. The primary focus of Winston and Shirley's work is urban mass transit, although they also argue for privatization of highways. We believe that road privatization is consistent with our call for greater local responsibility in highway finance, but that the role of government in highway finance is large enough and entrenched enough that public sector solutions, of the sort we advocate below, must be considered.

¹⁵ Note that this suggestion goes beyond, and is different from, policies that would simply devolve federal highway funds to the metropolitan areas where those funds are collected. Rebating gasoline tax funds directly to MPOs would likely look like a transportation block grant, and it is not at all clear that local MPOs would treat those funds like anything other than grants which should be exhausted. Efficiency under that system would hinge on the unlikely occurrence that federal (and state) gasoline taxes collected within a metropolitan area equal the funds needed to build the projects, and only the projects, that pass a social benefit-cost test.

systematic methods for efficiently splitting highway financial responsibilities across levels of government and funding mechanisms. A start is to shift lead funding responsibility for many projects (those with predominantly local benefits) to the MPO level.

Such a shift necessitates that MPO institutional and voting structures be reformed so that MPO governing bodies more directly reflect the populations they serve. Lewis (1998) notes that the policy of "one government/one vote," while an understandable legacy of the reluctance of local governments to yield authority to regional agencies, often has the effect of disproportionately favoring suburban jurisdictions in MPO voting arrangements. If MPOs were to become more important taxing, financing, and programming bodies, their standard "one government/one vote" institutional structures would be increasingly likely to be viewed as inconsistent with the Fourteenth Amendment's equal protection clause.¹⁶ It is also vital that MPOs reflect in some reasonably proportionate fashion the entire metropolitan area for issues of shifts in economic activity and intrametropolitan externalities to get more fully aired in political debates and technical analyses of highway projects.

In short, we suggest that MPOs complete the transition, started by ISTEA, from advisory bodies to full financing, planning, and programming authorities. The key element of reform, necessary to match local benefits with local costs, is that MPOs raise local revenues for local highway projects.

No suggestion for such reform can be advanced without mentioning the very substantial obstacles to such a regional authority in most United States metropolitan areas. Local jurisdictions guard their powers jealously and voters have traditionally been wary of moving government functions, especially taxing authority, to regional bodies. We suggest three ways that traditional opposition to regional authorities might be lessened:

The revenues for local highway projects should be raised through highway user fees. We suspect that much of the reluctance toward giving regional governments taxing authority has to do with a sense that regional bodies might be less accountable to voters than more local governments. Clear user fees can mitigate that concern by demonstrating a close link between the financing mechanism and the transportation services provided by the funds. Tolls are being used for an increasing number of new highway projects in the United States and appear to be one mechanism that can be used by regional and even private-sector authorities with, at least in some instances, little public opposition.

The role of the federal government in empowering MPOs is vital. Federal transportation legislation has already been used to enhance the role of MPOs, and it might usefully be employed toward that end again to overcome reluctance toward that goal at the local level. While Congress may be very reluctant to relinquish its power to provide localized benefits with federal highway dollars, evidence is mounting that economic growth in parts of metropolitan areas depends on the health of the region as a whole. If this conclusion becomes widely accepted, designing transportation governance to enhance regional growth should increasingly appeal to the enlightened self-interest of each individual jurisdiction (Voith 1993, Haughwout 1999a). *By taking advantage of the highway fiscal squeeze that exists in some rapidly growing urban areas, there*

¹⁶ Lewis (1998) provides a discussion of this and some explanation of why the courts have not invalidated current MPO voting arrangements based on Fourteenth Amendment criteria. In short, the judicial thinking as embodied in the case of *Education/Instruction, Inc. et. al. v. Moore*, was that MPOs were largely advisory and research-oriented at the time the case was decided and did not exercise governmental powers or perform governmental functions. See Lewis (1998) for a discussion.

might be a political opening to create new highway financing mechanisms and to then attach those funds to regional authorities such as MPOs. Highway benefits that cross regions should continue to be financed by state and federal matching aid. In some instances that might entail substantial state and federal funds. But the evidence on the geographic span of modern highway benefits suggests that current state and federal matching rates are often too high. Again, the geographic span of a project's benefits should, ideally, inform the split of funding responsibilities across metropolitan, state, and federal authorities.

VII. CONCLUSION

We started this paper with an examination of how highway investments influence metropolitan development. The evidence pointed to two efficiency problems with current highway finance: (1) The current system of large state and federal subsidies does not lead to a correspondence between the geographic area of benefit and the geographic area of financial responsibility for many highway projects, and (2) There is little, if any, consideration of possible within-metropolitan area external costs from highway investment, especially when one focuses on the often neglected issues of central city agglomeration, the social isolation of the poor, and other incompletely understood but highly plausible sources of spatial externalities. The solution to both problems is to better link highway spending to highway costs. This requires both funding and MPO governance reforms.

Overall, we recommend a shift in the federal role from being a major source of highway revenues to encouraging, through the leverage that federal monies provide, states and metropolitan areas to empower MPOs or similar regional governments in transportation planning. Importantly, the focus of highway finance should shift from the state and federal level to metropolitan areas. This implies that future funding increases should more often be at the metropolitan than the state or national level. The federal role in highway transportation will be to preserve the vitality of the portions of the network that provide truly national benefits and provide assistance to poorer regions that might not be able to provide local funding for all of their highway projects. The federal government should continue to cooperate with state agencies and the newly empowered MPOs in setting standards, conducting research, and collecting and analyzing data. Importantly, federal leadership will be vital if any devolution of highway funding responsibility occurs in a manner consistent with the efficiency objectives outlined in this paper. This requires more than simply returning gasoline taxes to the jurisdictions in which they were collected. It requires regional responsibility to raise local revenues for local projects – something that likely will not occur without federal encouragement and possibly requirements. Finally, the federal role in protecting the environment in the transportation planning process should remain, largely because the federal government has, in concert with a few states on particular issues, traditionally played a lead role in environmental issues. Given the decentralization of highway policy that we advocate here, the federal role as it pertains to the environment would be especially (but not solely) useful in funding pilot and other programs intended to encourage local experimentation with solutions to what are often external costs of highway programs.

At the metropolitan level, our reforms imply that MPOs will become true regional infrastructure agencies, with taxing authority to match the planning and programming function already resident in those governmental bodies. This will correct an important shortcoming in transportation planning. Currently, the financing of projects is divorced from project selection and planning. Too often, local governments have incentives to lobby for projects without being forced to consider the cost – either the dollar value or the external costs. Combining the financing, planning, and project selection functions in one agency that is accountable to the population that predominantly benefits from highway projects is essential for encouraging more careful consideration of highway project benefits and costs.

One question remains: what would these reforms imply for the nature of metropolitan growth? Would metropolitan areas grow differently if our reforms were implemented? Despite the fact that an analysis of highways and metropolitan growth led us to our reform suggestions, we are reluctant to speculate in detail on the effect of our reforms on metropolitan development. Recall that urban decentralization is a result of many factors, and it is possible that even with a reformed highway finance and MPO governance system that United States urban areas will continue to decentralize. We

argue that our reforms should be pursued not because they will lead to some clearly identifiable urban form, but because a more efficient matching of highway project costs and benefits will lead to a more efficient allocation of highway investments. That allocation will likely include fewer highway projects, a relative shift in transportation resources from outlying areas toward central cities, and at least a continued examination of how investments in suburban highways affect central cities. Whether any resulting changes in urban form and metropolitan development patterns are large or small is beside the point.

Instead, the important policy point is that the investment in the United States highway system is huge, and the nation has a vital interest in managing, expanding, and maintaining that investment in an economically efficient manner. Federal policy is often at odds with that goal in ways that, among other things, likely lead to less than optimal urban growth patterns. The federal government should use its influence to take the lead in requiring that metropolitan governments pay for highway benefits that are strictly metropolitan in nature. The highway program has long been part of the federal government's hidden urban policy. The reforms suggested here would go a long way toward supporting the efficient allocation of highway resources and thus make the federal highway program one that better supports the vitality of metropolitan areas.

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Smart Growth America



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Petition for the record:

The following petitioners are residents of Park Palisades and members of the Park Palisades Home Owners Association. Park Palisades is in Fort Worth council District 3. The petitioners will support the proposed 121T turnpike but only with the following modifications adjacent to Park Palisades.

1. Move the turnpike to the west edge of the right of way.
2. Medians should be a maximum of 25 feet wide.
3. Turnpike should be kept at grade level from Dutch Branch Road to Dirks Road.
4. Proposed roadway should have a 25 foot high berm at the road way shoulder (east side), to buffer Park Palisades from the turnpike. The berm should begin approximately ¼ mile north of Dutch Branch Road and terminate at Dirks Road. If berm is not feasible then a noise wall should be installed in the same location.
5. The right of way shall in no way encroach upon any residential property of Park Palisades.
6. Turnpike exit should be approximately 1/4-1/2 farther south to allow for future 4 lane expansion of Altamesa/Derks road.

Park Palisades HOA

Beverly Glen Drive

Stephen Griffith x _____

Tamara Griffith x _____

6801 Beverly Glen Drive

Ft. Worth, TX 76132

Patricio Eduardo Orozco x _____

x _____

6802 Beverly Glen Drive

Ft. Worth, TX 76132

Dean Linch x *Dean Linch*

Debra Linch x *Debra Linch*

6804 Beverly Glen Drive

Ft. Worth, TX 76132

(817) 263-5859

Kim Marshall x _____

Deborah Marshall x _____

6805 Beverly Glen Drive

Ft. Worth, TX 76132

Stephen Satterwhite x *Stephen Satterwhite*

Gracia Satterwhite x *Gracia Satterwhite*

6808 Beverly Glen Drive

Ft. Worth, TX 76132

817 346 1184

Travis Reynolds x _____

Carrie Reynolds x *Carrie Reynolds*

6809 Beverly Glen Drive

Ft. Worth, TX 76132

817-294-0719

Park Palisades HOA

Beverly Glen Drive

Nelson Nuckles x _____

LeeAnn Nuckles x _____

6812 Beverly Glen Drive
Ft. Worth, TX 76132

Matt Williams x _____

Maida Williams x _____

6813 Beverly Glen Drive
Ft. Worth, TX 76132

Teresea Adcock

x *Teresea Adcock*
x *817-423-0146*

6816 Beverly Glen Drive
Ft. Worth, TX 76132

Madeline Stein x _____

x _____

6817 Beverly Glen Drive
Ft. Worth, TX 76132

Ellen Swinton x _____

x _____

6821 Beverly Glen Drive
Ft. Worth, TX 76132

Greg Rubio x _____

Jane Rubio x _____

6824 Beverly Glen Drive
Ft. Worth, TX 76132

Park Palisades HOA

Beverly Glen Drive

Mary Balderas

x _____

x _____

6825 Beverly Glen Drive
Ft. Worth, TX 76132

Harry Bakker

x _____

Estee Bakker

x _____

6828 Beverly Glen Drive
Ft. Worth, TX 76132

Howard Clarke

x _____

Beverley Clarke

x _____

6829 Beverly Glen Drive
Ft. Worth, TX 76132

Chung Dang

x _____

x _____

6832 Beverly Glen Drive
Ft. Worth, TX 76132

Shah Farash

x _____

x _____

6833 Beverly Glen Drive
Ft. Worth, TX 76132

Abdool Razack

x _____

x _____

6836 Beverly Glen Drive
Ft. Worth, TX 76132

Park Palisades HOA

Beverly Glen Drive

~~MODEL HOME~~

x Doris E. Fisk

x Carroll & Fisk

6837 Beverly Glen Drive
Ft. Worth, TX 76132

817-346-3656

Laura Quenette

x _____

x _____

6840 Beverly Glen Drive
Ft. Worth, TX 76132

~~UNDER CONSTRUCTION:~~

x _____

6841 Beverly Glen Drive
Ft. Worth, TX 76132

Ken Byrd

x Kenneth Byrd

Lisa Byrd

x Lisa B. Byrd

6844 Beverly Glen Drive
Ft. Worth, TX 76132

817-346-3675

Andy Self

x Andy Self

Tera Self

x Tera Self

6848 Beverly Glen Drive
Ft. Worth, TX 76132

817-361-7048

Park Palisades HOA

Coldwater Canyon

Steve Carlson x _____

Pam Carlson x _____
6800 Coldwater Canyon
Ft. Worth, TX 76132

Heath McKinley x Heath McKinley

Nikki McKinley x _____
6801 Coldwater Canyon
Ft. Worth, TX 76132

817. ~~817. 423. 7018~~ 570. 7018

Marshall Gardner x Marshall Gardner

Joy Gardner x Joy Gardner
6812 Coldwater Canyon
Ft. Worth, TX 76132

817 - 423 - 3015

Ove Fladberg x _____

Leslie Fladberg x _____
6813 Coldwater Canyon
Ft. Worth, TX 76132

James Roberts x _____

Charmaine Roberts x Charmaine Roberts
6816 Coldwater Canyon
Ft. Worth, TX 76132

817 - 346 - 7520

Wendy Suire x _____

6817 Coldwater Canyon
Ft. Worth, TX 76132

(817) 423 - 9662

Park Palisades HOA

Coldwater Canyon

Tyson Browning

x

Meredith Browning

x

6820 Coldwater Canyon

Ft. Worth, TX 76132

Meredith Browning
817-294-3073

Mary L. Sherwood

x

6821 Coldwater Canyon

Ft. Worth, TX 76132

Mary L. Sherwood
817-370-2472

James Chambers

x

Cynthia Chambers

x

6824 Coldwater Canyon

Ft. Worth, TX 76132

James Chambers
817-370-6051

Julien Wayne

x

Brandie Wayne

x

6825 Coldwater Canyon

Ft. Worth, TX 76132

Brandie Wayne
817-294-1156

Robert Bruner

x

Harumi Bruner

x

6828 Coldwater Canyon

Ft. Worth, TX 76132

Robert D. Bruner
817-423-9951

Kyle Williams

x

Kellie Williams

x

6829 Coldwater Canyon

Ft. Worth, TX 76132

Kyle Williams
Kellie Williams
817-370-2900

Park Palisades HOA

Coldwater Canyon

Mario Abad x _____
x _____

6832 Coldwater Canyon
Ft. Worth, TX 76132

Adam Stanley x *Adam J Stanley*
Kristi Stanley x *Kristi Stanley*
6833 Coldwater Canyon
Ft. Worth, TX 76132
817-292-9732

Stephen Swienton x _____
Angela Swienton x _____
6836 Coldwater Canyon
Ft. Worth, TX 76132

Marc D'Argenzio x *Marc D'Argenzio*
Danielle D'Argenzio x *Danielle D'Argenzio*
6837 Coldwater Canyon
Ft. Worth, TX 76132

Thomas Villars x *Thomas L. Villars*
Anna Villars x *Anna R. Villars*
6840 Coldwater Canyon
Ft. Worth, TX 76132
817-263-6301

Curtis Ebling x _____
Elizabeth Ebling x *Elizabeth A Ebling*
6841 Coldwater Canyon
Ft. Worth, TX 76132
817 346 7540

Park Palisades HOA

Coldwater Canyon

Chris Cash

x

Cathryn Cash

x

6845 Coldwater Canyon
Ft. Worth, TX 76132

Chris Cash
Cathryn Cash
877-274-0706

Mark Townsend

x

Jenny Townsend

x

6900 Coldwater Canyon
Ft. Worth, TX 76132

Mark Townsend
Jenny Townsend
817-361-9791

Todd Hennington

x

Karen Hennington

x

6901 Coldwater Canyon
Ft. Worth, TX 76132

Todd Hennington
Karen Hennington
817-370-0912

Chung-Lin Tseng

x

Enrica Tseng

x

6904 Coldwater Canyon
Ft. Worth, TX 76132

Chung-Lin Tseng
Enrica Tseng
TEL. 817-292-4032

Kevin Staub

x

Mary Staub

x

6905 Coldwater Canyon
Ft. Worth, TX 76132

Keith Kline

x

Pattie Kline

x

6908 Coldwater Canyon
Ft. Worth, TX 76132

Park Palisades HOA

Coldwater Canyon

Greg Hicks

x

Greg Hicks
Greg Hicks

Pattye Hicks

x

6909 Coldwater Canyon

Ft. Worth, TX 76132

817-294-0776

Kenneth Henson

x

Kathy Henson

x

6912 Coldwater Canyon

Ft. Worth, TX 76132

Kenneth Henson
Kathleen Henson
817-294-7737

~~Tubock, Rose~~
Antony Geller

x

Rose Tubock

Jennifer Geller

x

6913 Coldwater Canyon

Ft. Worth, TX 76132

817-346-7801

Scott Waller

x

Jonell Waller

x

6916 Coldwater Canyon

Ft. Worth, TX 76132

Scott Waller
Jonell Waller
(517) 370-1502

David Cavasar

x

Janine Cavasar

x

6917 Coldwater Canyon

Ft. Worth, TX 76132

David Cavasar
Janine Cavasar

~~Ellie Johnson~~
Christopher Johnson

x

Ellie Johnson

Christine Johnson

x

6920 Coldwater Canyon

Ft. Worth, TX 76132

817-346-7566

Park Palisades HOA

Coldwater Canyon

James Ray

Theresa Ray

6924 Coldwater Canyon

Ft. Worth, TX 76132

x

James Ray

x

Theresa Ray
817-346-6603

Randi Johnston

Grant Johnston

6925 Coldwater Canyon

Ft. Worth, TX 76132

x

Randi Johnston

x

817-292-4299

~~Dennis Rigney~~ Betty G. ALEXANDER

~~Dennis Rigney~~

~~Patricia Rigney~~

6928 Coldwater Canyon

Ft. Worth, TX 76132

x

Mrs. Betty H Alexander

x

817 370 0433

Nick Ravelo

Luz Ravelo

6929 Coldwater Canyon

Ft. Worth, TX 76132

x

Nick Ravelo

x

Luz Ravelo

817 346 3329

Todd Nalder

Kelli Nalder

6933 Coldwater Canyon

Ft. Worth, TX 76132

x

Todd Nalder

x

Kelli Nalder

817-263-4871

Timothy Clevenger

Margaret Clevenger

6935 Coldwater Canyon

Ft. Worth, TX 76132

x

Timothy Clevenger

x

Margaret Clevenger

(417) 346-0674

Park Palisades HOA

Descanso Gardens

Ricky Thibodeaux

x [Signature]

Sharon Thibodeaux

x [Signature]

6801 Descanso Gardens

Ft. Worth, TX 76132

817 263-4681

Andrew Contreras

x [Signature]

Lacy Contreras

x [Signature]

6805 Descanso Gardens

Ft. Worth, TX 76132

817.292.7285

Kevin McKeown

x [Signature]

x _____

6809 Descanso Gardens

Ft. Worth, TX 76132

817-423-0091

James Gordon

x [Signature]

Penny Gordon

x [Signature]

6813 Descanso Gardens

Ft. Worth, TX 76132

(817) 294-9957

Travis Whisenant

x _____

April Whisenant

x _____

6817 Descanso Gardens

Ft. Worth, TX 76132

Brad Poynor

x _____

Dina Poynor

x _____

6821 Descanso Gardens

Ft. Worth, TX 76132

Park Palisades HOA

Descanso Gardens

Ronald Hays

x _____

Jo An Hays

x _____

6825 Descanso Gardens

Ft. Worth, TX 76132

Park Palisades HOA

Laurel Canyon Terrace

Ricardo Neaves

x

Ricardo Neaves Jr.

Kathy Neaves

x

Kathy Neaves

6900 Laurel Canyon Terrace

Ft. Worth, TX 76132

817-370-1891

Renee Bianco

x

Renee Bianco

x

6904 Laurel Canyon Terrace

Ft. Worth, TX 76132

817-423-0550

Robert Jackson

x

Robert P. Jackson

Sharon Jackson

x

Sharon S. Jackson

6905 Laurel Canyon Terrace

Ft. Worth, TX 76132

817-294-1604

Nathan Terry

x

Nathan Terry

Beth Terry

x

Beth Terry

6908 Laurel Canyon Terrace

Ft. Worth, TX 76132

817-294-9211

Jonathan Kellam

x

Jonathan M. Kellam

Kristi Kellam

x

Kristi S. Kellam

6909 Laurel Canyon Terrace

Ft. Worth, TX 76132

817-294-4111

Keith Hughes

x

Pamela Hughes

x

6912 Laurel Canyon Terrace

Ft. Worth, TX 76132

Park Palisades HOA

Laurel Canyon Terrace

M.H. Herbert Herzfeld

x *M.H. Herzfeld* 817-292-8887
x _____

6913 Laurel Canyon Terrace
Ft. Worth, TX 76132

Ernesto Anzaldúa

x *Ernesto Anzaldúa*

Jennifer Anzaldúa

x *Jennifer Anzaldúa*

6916 Laurel Canyon Terrace
Ft. Worth, TX 76132

817-263-4792

Arturo Chavez

x _____

Cristina Chavez

x _____

6917 Laurel Canyon Terrace
Ft. Worth, TX 76132

Lenny Herzfeld

x *Lenny Herzfeld* 817-292-5920

Cathy Herzfeld

x *Cathy Herzfeld* 817-292-5920

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Ft. Worth, TX 76132

Jennifer Dunlap

x *Jennifer Dunlap* 817-370-0368
y _____

6921 Laurel Canyon Terrace
Ft. Worth, TX 76132

Paul Briscoe

x *Paul Briscoe* 817-263-5096

Jennifer Briscoe

x *Jennifer Briscoe* 817-263-5096

6924 Laurel Canyon Terrace
Ft. Worth, TX 76132

Park Palisades HOA

Lomo Alto Drive

Bill Blackwell
Susan Blackwell
6900 Lomo Alto Drive
Ft. Worth, TX 76132

x *Bill Blackwell*
x *Susan Blackwell*
817-361-7261

Bobby Cook
Nancy Cook
6904 Lomo Alto Drive
Ft. Worth, TX 76132

x *Bobby Cook*
x *Nancy Cook*
817/294-8890

Jeff Markgraf
Michelle Markgraf
6908 Lomo Alto Drive
Ft. Worth, TX 76132

x *Jeff Markgraf*
x *Michelle Markgraf*
817/292-0991

Catherine Alois
6909 Lomo Alto Drive
Ft. Worth, TX 76132

x *Jim Pat Cook*
x *Catherine Alois*
817 361 9920

2-6-03
279-03

George Berger
6912 Lomo Alto Drive
Ft. Worth, TX 76132

x *Jackie Brown*
x

Chong Choi
Kyong Choi
6913 Lomo Alto Drive
Ft. Worth, TX 76132

x *Chong Choi*
x *Kyong Choi*

Park Palisades HOA

Lomo Alto Drive

Bob Dow

Susan Dow

6916 Lomo Alto Drive
Ft. Worth, TX 76132

x *Bob Dow*
x *Susan Dow*
817 361 9378

Jeff Kirby

Sheryl Kirby

6917 Lomo Alto Drive
Ft. Worth, TX 76132

x *Jeff Kirby*
x *Sheryl Kirby*
817 423 8923

Mike Lutz

Tena Lutz

6920 Lomo Alto Drive
Ft. Worth, TX 76132

x *Mike Lutz*
x *Tena Lutz*
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David Tatum

Sharon Tatum

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Ft. Worth, TX 76132

x *David Tatum*
x *Sharon Tatum*
817-423-2448

Jason Hood

Rhonda Hood

6924 Lomo Alto Drive
Ft. Worth, TX 76132

x
x

OUT OF TOWN

J.C. Suire

Cynthia Suire

6925 Lomo Alto Drive
Ft. Worth, TX 76132

x *J.C. Suire*
x *Cynthia Suire*
817-346-7417

Park Palisades HOA

Lomo Alto Drive

Lawrence Rudat

x

Corina Rudat

x

6928 Lomo Alto Drive
Ft. Worth, TX 76132

(OUT OF TOWN)

Ray Villasenor

x

Christine Villasenor

x

6932 Lomo Alto Drive
Ft. Worth, TX 76132

Ray Villasenor
Christine Villasenor
(817) 361-5996

Cheryl Carleo

x

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Ft. Worth, TX 76132

Cheryl Carleo
817-263-1796

Scott Kelley

x

Theresa Kelley

x

6936 Lomo Alto Drive
Ft. Worth, TX 76132

Scott Kelley 817-346-7964
Theresa Kelley

Deb Holland

x

Donna Holland

x

6937 Lomo Alto Drive
Ft. Worth, TX 76132

817-361-6791
Donna Holland
Deborah Holland

Richie Escovedo

x

Kristen Escovedo

x

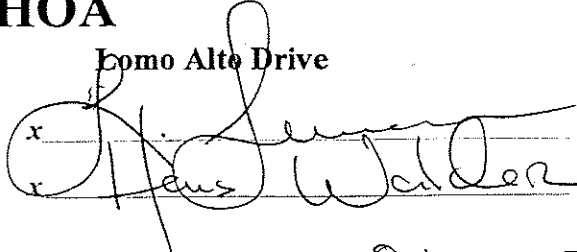
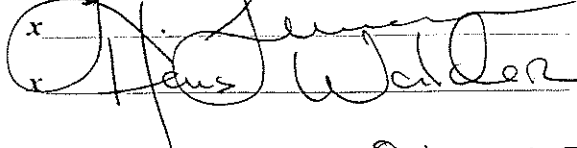
6940 Lomo Alto Drive
Ft. Worth, TX 76132

Richie Escovedo
Kristen Escovedo
817.292.9770

Park Palisades HOA

Lomo Alto Drive

Linda Suwara
Hans Walder
6941 Lomo Alto Drive
Ft. Worth, TX 76132

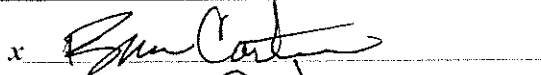

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817 292-3508

Linda Powers
6944 Lomo Alto Drive
Ft. Worth, TX 76132

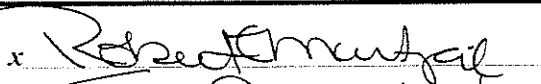

x _____
x _____

Bruce Casten
Diana Casten
6945 Lomo Alto Drive
Ft. Worth, TX 76132

x 
x 

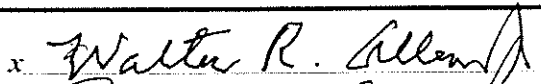
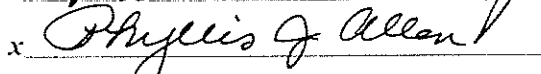
817-346-6361

Robert Martinjak
Tabby Martinjak
6948 Lomo Alto Drive
Ft. Worth, TX 76132

x 
x 

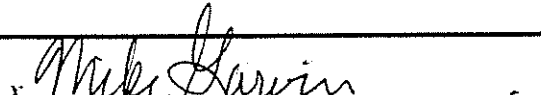
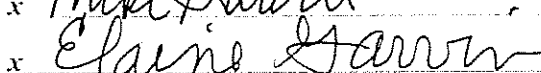
817-346-3186

Walter Allen
Phyllis Allen
6949 Lomo Alto Drive
Ft. Worth, TX 76132

x 
x 

817-423-3719

Mike Garvin
Elaine Garvin
6952 Lomo Alto Drive
Ft. Worth, TX 76132

x 
x 

817 346-0601

Park Palisades HOA

Lomo Alto Drive

Randall Crabtree x _____

Shannon Crabtree x _____
6956 Lomo Alto Drive
Ft. Worth, TX 76132

Gary Schwartz x _____

Claire Schwartz x _____
6960 Lomo Alto Drive
Ft. Worth, TX 76132

Clinton Price x _____

Cheryl Price x _____
6964 Lomo Alto Drive
Ft. Worth, TX 76132

Reggie Jones x _____

Amy Jones x _____
6968 Lomo Alto Drive
Ft. Worth, TX 76132

William Juenger x William Juenger

Phyllis Juenger x Phyllis Juenger
6972 Lomo Alto Drive
Ft. Worth, TX 76132
(817) 292-8649

Doyle Price x _____

Cheryl Price x _____
6974 Lomo Alto Drive
Ft. Worth, TX 76132

Park Palisades HOA

Lomo Alto Drive

Dick Townsend x _____

Brigitte Townsend x _____

6976 Lomo Alto Drive
Ft. Worth, TX 76132

Brenda Zimmerman x _____

x _____

7000 Lomo Alto Drive
Ft. Worth, TX 76132

David Dworz x *David Dworz (817 294 8416)*

Leslie Dworz x *Leslie Dworz*

7004 Lomo Alto Drive
Ft. Worth, TX 76132

Greg Dobson x _____

Diana Dobson x _____

7008 Lomo Alto Drive
Ft. Worth, TX 76132

~~Jay Gitter~~ Justin Whippo x *[Signature]*

Vanessa Gitter Hegarty x *[Signature]*

7012 Lomo Alto Drive
Ft. Worth, TX 76132

Doug Grady x *[Signature]*

x _____

7016 Lomo Alto Drive
Ft. Worth, TX 76132 817-263-6029

Park Palisades HOA

Lomo Alto Drive

Andrew Whitlock

x

Maureen Whitlock

x

7020 Lomo Alto Drive

Ft. Worth, TX 76132

LEASE
OWNER
OWNER OUT OF
TOWN

Cory Potts

x

Skye Potts

x

7024 Lomo Alto Drive

Ft. Worth, TX 76132

Cory Potts
Skye Potts

817-423-0463

Joel Arredondo

x

Sarah Arredondo

x

7028 Lomo Alto Drive

Ft. Worth, TX 76132

Joel Arredondo

Joseph Nix

x

Jennifer Nix

x

7029 Lomo Alto Drive

Ft. Worth, TX 76132

Kenneth Smith

x

Kimberly Smith

x

7032 Lomo Alto Drive

Ft. Worth, TX 76132

Kenneth Smith
Kimberly Smith

(817) 361-7104

Ronald King

x

Gentry King

x

7033 Lomo Alto Drive

Ft. Worth, TX 76132

Ronald King
Gentry King

817-244-1864

Park Palisades HOA

Lomo Alto Drive

Lorraine Ricotta

x Lorraine M. Ricotta
x 817-292-7251

7036 Lomo Alto Drive

Ft. Worth, TX 76132

Berry Stevens

x Berry Stevens
x Berry Stevens
817-361-8628

Jennifer Stevens

7037 Lomo Alto Drive

Ft. Worth, TX 76132

Diane Clark

x Diane Clark
x [Signature]

Michael Pursley

7040 Lomo Alto Drive

Ft. Worth, TX 76132

817 292-7978

Darryl and Lisa Johnson
~~Scott Sawyer~~

x Lisa Johnson
x Darryl Johnson

~~Brandy Sawyer~~

7041 Lomo Alto Drive

Ft. Worth, TX 76132

817-263-4485

Henry Nava

x Henry & Teresa Nava

Teresa Nava

x _____

7044 Lomo Alto Drive

Ft. Worth, TX 76132

817-294-1304

Damon Marsden

x Damon Marsden

Elsa Marsden

x Elsa Marsden

7048 Lomo Alto Drive

Ft. Worth, TX 76132

817-292-2212

Park Palisades HOA

Oceano Terrace

Hussain Fawaz

x

Kristin Parker

x

6900 Oceano Terrace

Ft. Worth, TX 76132

[Signature]
[Signature]
817-361-0969

Sau Tagaloa

x

Gina Tagaloa

x

6901 Oceano Terrace

Ft. Worth, TX 76132

[Signature]
[Signature]
817-294-5489

Dessie K. McCall

x

6904 Oceano Terrace

Ft. Worth, TX 76132

x

[Signature]
[Signature]
(817) 292-6663

Sean

x

6905 Oceano Terrace

Ft. Worth, TX 76132

x

Thurman Schweitzer

x

Nancy Schweitzer

6909 Oceano Terrace

Ft. Worth, TX 76132

[Signature]
[Signature]
817-473-8254

x

[Signature]
[Signature]
"

Park Palisades HOA

Topanga Terrace

Craig Judge
Terry Judge
6900 Topanga Terrace
Ft. Worth, TX 76132

x for Craig Judge
x Terry Judge
817-346-8502

Paul Krebs
Joy Krebs
6901 Topanga Terrace
Ft. Worth, TX 76132

x
x

Chao-Nien Wang
Yi-Fang Wang
6904 Topanga Terrace
Ft. Worth, TX 76132

x
x

Bok Hym Bots

6905 Topanga Terrace
Ft. Worth, TX 76132

x
x

Keith Wilcox
Debbie Wilcox
6908 Topanga Terrace
Ft. Worth, TX 76132

x
x

Richard Fernando
Glenda Fernando
6909 Topanga Terrace
Ft. Worth, TX 76132

x Richard Wagner Sawd
x Glenda R. Fernando
817 292 0931

Park Palisades HOA

Topanga Terrace

Michael Hoover

x Michael Hoover

Regina Hoover

x Regina Hoover

6912 Topanga Terrace

Ft. Worth, TX 76132

817-346-6084

2217 Harrison Ave
Fort Worth, TX 76110
Feb. 26, 2003

Dear Ms. Chavez,

As a homeowner in Mistletoe Heights, I am writing to express my concerns about Hwy. 121.

I support inclusion of the principles of the Project Development Team in the Environmental Impact Statement relating to Hwy-121

This would mitigate the effects of urban traffic in our area and would give residents what they want, which is a parkway, not an urban expressway.

Thank you for your
consideration.

Mrs. Mary E. Peipert



STATE HIGHWAY 121

From IH 30 to FM 1187

Tarrant County

Public Hearing

April 22, 2003

The Texas Department of Transportation (TxDOT) actively seeks your comments on this proposed project. Your comments are always welcome and will be given serious consideration during the remainder of project development. Written comments may be submitted to the District Office using this form or by letter postmarked by May 2, 2003. Written and verbal comments will become part of the project record and will be included in the written summary and analysis of the public hearing. Thank you for your comments.

OFFICIAL COMMENTS:

As a rower I am concerned with anything that might affect the quality of the water in the river. I am especially concerned with trash that will float down river to the area where we row. As a cyclist and trail user I am concerned with how construction will affect the trail and my ability ~~to~~ to pass through that area. Safety will be an issue when the construction is complete because of a lack of light. I also support the issues raised by Streams and Valleys Inc.

Name David Perez
 Address 2938 5th Ave
Fort Worth TX 76110
 Phone 817-921-0509



STATE HIGHWAY 121
 From IH 30 to FM 1187
 Tarrant County
 Public Hearing
 April 22, 2003

The Texas Department of Transportation (TxDOT) actively seeks your comments on this proposed project. Your comments are always welcome and will be given serious consideration during the remainder of project development. Written comments may be submitted to the District Office using this form or by letter postmarked by May 2, 2003. Written and verbal comments will become part of the project record and will be included in the written summary and analysis of the public hearing. Thank you for your comments.

OFFICIAL COMMENTS:

I work in Fort Worth and use the current entrance and exit ramps at I-30 & Forest Park. I have looked at the current AIC Combo Plan for proposed SH 121 start point of I-30 and want TxDOT to know I support that plan.

Name

Jack Ploncin

Address

6012 Calender Road
 Arlington, TX 76001-5442

Phone

817-468-4469

DIST OF FORT WORTH
TXDOT MAILROOM

FEB 27 2003

LYNN AND TEENA PRINCE
5000 River Bluff Drive
Fort Worth, Texas 76132

Ms. Maribel P. Chavez, P.E. - District Engineer
Texas Department of Transportation
P.O. Box 6868
Fort Worth, Texas 76115

Re: SH121T

Dear Ms. Chavez,

I am an advocate in favor of the proposed SH121T (a.k.a. Southwest Parkway).

We have lived in the southwest side of Fort Worth for a number of years and most recently off Bryant Irvin and Oakmont. The traffic in this area has progressively gotten worse to the point that on the weekends we try and find an alternative route to I20 and parts north of Southwest Boulevard. This situation is only going to worsen due to more expansion of both homes and commercial use to the south of us.

Once again as a family of four who all drive we implore each and every person involved in this project to give it their utmost attention so it can be built and built soon.

Thanking you in advance.

Teena Prince

Lynn and Teena Prince
And Family

Lynn Prince

**Thomas B. Reynolds
1605 Sunset Terrace
Fort Worth, Texas 76102**

April 22, 2003

Maribel Chavez, P.E., District Engineer
Texas Department of Transportation
P. O. Box 6868
Fort Worth, Texas 76115

Dear Ms Chavez and Other Concerned Parties:

I am writing in response to the DEIS document regarding the potential building of the road known as 121. Having read the document, I have been truly surprised by the number of errors and assumptions made. One would think that with a road of this magnitude and expense that there would be no assumptions, but rather plans based on hard fact as the result of rigorous testing. Although I could comment on several areas of the proposed parkway, my comments are mostly restricted to my neighborhood, Sunset Terrace. Sunset Terrace is a Historic neighborhood just west of the intersection of I-30 and Summit Ave. Rather than comment in narrative style, I will refer to the section and page number of the DEIS document, followed with question or commentary. There will be a summary at the end.

Sec. 1, pg.1-“ 121 would provide a needed alternate relief route to the already congested urban arterials serving Southwest Tarrant Co. as well as I-30 and I-35 w. corridors”.

How is 121 going to relieve I-30? It is going to add lanes on top of I-30 and bring more traffic to it.

Also on pg.1, “ additional improvements north of I-30...”

The city council and PDT have unanimous agreement that phase 2 of the proposed 121 project should not be built, due to what it would do to our city visually and the ensuing expense. This needs to be stricken from all maps and commentary and not be considered further.

Sec.111- 14, #7 – Recommendations regarding “ Noise mitigation visual intrusion, etc.” does not go far enough. This needs to be amplified to include light pollution, air pollution and traffic flow patterns, particularly in and around the Sunset Terrace neighborhood.

Sec. 111-30. 121 MUST be built as a true Parkway, not a highway, per the PDT and others recommendation. Summit Ave. traffic is so bad now due to the tearing down of the Ballinger St. bridge, reconfig Summit into 8th Ave. and forcing all the traffic that used to have alternate arterials onto Summit. With additional planned growth, such as the new Pier 1 campus that is under construction down Summit and the new Tandy complex which will also impact Summit to a large extent, the numbers of vehicles generated will be backed up far worse than what has already been created. Relieving the congestion that the “improvements” of the last 5 years has created at Summit/ 8th Ave. and I-30 needs to be a high priority, NOT adding to it.

Sec. V-3. “ In addition, it encourages major employers, business and apartment complexes to locate at proposed entryways and stops of the proposed Southwest parkway facility and single family residential housing to generate between points”.

How is this possible? I live at the proposed entryway and I own a small apartment complex. For the first time ever, in the last 6 months we have had 3 nice, potential renters say they liked the units, but the noise was too much, (I-30 noise).

Also, our neighborhood has had to petition the city to stripe across Summit Ave. at Jarvis Street and put up “Do not block intersection” signs because of the volume of traffic that has been created at I-30 and Summit. It sometimes works.

Sec. V-9. "From the Northern terminus, west of Summit Avenue..."

The description of the northern terminus is inconsistent throughout the DEIS. Some reference the terminus at Summit. Where is it? As I have indicated, it is important for traffic flow that the terminus is NOT at Summit.

Sec. V22- mentions Summit as the northern terminus.

Sec. V 13. "... The route would not permanently impact any existing public park or recreation area..."

Harrold Park is immediately north of I30 on Summit Ave. 4 (f) considerations need to be taken into account here, as well as the Cobb- Burney house which is mentioned as being within .25 miles of the ROW. The park is even closer. Air quality issues need to be addressed as well.

Sec. V-34. Section 4 (f) impacts- Public parks and Historic sites- regards additional scrutiny and taking only if "no feasible and prudent alternative to the use of the resource" and b.) "All possible planning has been taken to minimize harm to the resource".

Since section 4 (f) came into law in 1966, our neighborhood has been consistently and methodically overlooked regarding these provisions. Forty years of highway/roadway changes to I30, I35, Summit Ave. 8th Ave. and Ballinger street have produced adverse effects that could be construed as an indirect taking.

Sec. V-35. "Other than the Trinity bicycle/ pedestrian trail, there no publicly owned lands for parks, recreation areas, wildlife (waterfowl) refuge that could be classified as Sec. 4 (f) lands within the project area".

This is complete nonsense! See comment on V-34.

Sec. V-36. "Alternative B and D.... would require Section 4 (f) evaluation".

Why wouldn't alternatives A and C, with the impacts on Sunset Terrace/ Harrold Park?

Sec. V-39. Microscale analysis- "A monitoring site located on Ross Ave. near downtown Fort Worth records 1 hour CO concentrations in ppm for the area".

Would a site closer to the source provide a more accurate reading, such as I30 at Summit?

Sec. V-82." The peak hour for this project has been determined during a previous study performed in 1992. Traffic patterns have not changed to a measurable degree and as such the peak hour developed from the '92 study was utilized".

This is an incredible statement. Traffic patterns have changed dramatically around I30 and Summit Ave. as well as other sites within the project development. Within the last 9 years, I35 has been widened, with the end of that project letting at Summit, I30 has been widened, Summit has been widened and tied into 8th Ave. and the Ballinger street bridge has been razed. There is no resemblance to the traffic patterns of nine years ago to today. All monitoring/ modeling must be completely re-evaluated using traffic patterns as they exist currently. It is astounding that a DEIS could make an erroneous assumption like this.

Sec. V-139. On several pages regards "Historic buildings and Structures", once again our area is completely ignored. Sunset Terrace is eligible for listing in the National Register of Historic Places, as is evidenced by a copy of a letter from the Texas Historical Commission that is included in the Appendices section of the DEIS.

Sec. V-150. "NEPA requires agencies of the Federal government to consider effects of their actions on "the human environment"...Cultural resources are defined as any prehistoric or historic district, building, structure, object or archeological site included in, or eligible for inclusion in the National Register of Historic Places".

As mentioned above, Sunset Terrace is eligible for listing in the National Register, as evidenced by the letter from the Texas Historical Commission included in the appendices of the DEIS.

Sec. V-150. ".....Historic structures/archeological sites determined eligible for listing in the National Register of Historic Places by the State Historic Preservation Officer, (SHPO)... are subject to evaluation under Sec. 4 (f)... Sec. 4(f) requires that the agency show that all planning to minimize harm to any NRHP property resulting from the proposed action was considered and that all feasible or prudent alternatives to avoid adverse impacts to the NRHP properties have been explored". Also." require the agency to consult with the SHPO concerning the potential effects that a proposed project may have on NRHP properties located within the project area of potential effects".

Sec. V-185. Secondary and Cumulative Project Impacts-

"By definition, secondary effects are those that are "caused by an action and are later in time or farther removed in distance but are still reasonably foreseeable".

Cumulative effects which are even less defined are "impacts which result from the incremental consequences of an action when added to other past and reasonably foreseeable future actions".

Again, I must point out the substantial cumulative effects of the widening and reconstruction of I35, I30, Summit Ave./8th Ave. and the razing of the Ballinger street bridge have had on our neighborhood with no thought given to the long lasting impacts. Cut through traffic in our neighborhood has been another negative impact resulting from the closure of certain arteries such as Ballinger street, which has forced all the traffic onto Summit Ave. where before, there were other means of disbursing traffic. The non-existent traffic planning that has created office, school and church traffic to cut through our neighborhood has been an ongoing and increasing problem over the past few years.

Sec. V-186. " In addition to traditional transportation goals, i.e. enhanced mobility, balanced multimodal systems, improved air quality, etc. equal consideration was given early in the process to other issues such as quality of life and financial goals".

Quality of life is all-important, but if you create a truly bad situation for some people, quality of life has hardly been considered. All the weight in this almost six hundred-page document has been given over to the wonderful things 121 will do for the southwest portion of Tarrant County. What about those of us who live and work in the inner city? This should absolutely NOT be a zero sum game whereby one group gets the benefits at the expense of another. Also, as I have mentioned before, I own an apartment complex and nearly two acres of land in my neighborhood that I wish to develop for town houses. My financial goals will be better met without the increasing difficulty my neighbors and I have with ingress and egress to and from our neighborhood, the increase in cut through traffic, noise pollution, air pollution and light pollution.

Appendices- Mayor and Council Communication- dated 12/8/98.

" Council supports it, (121), if feasibility can be established and.... The assumption of a design of two lanes in each direction".

The DEIS consistently describes road as ultimately 6 lanes.

Appendix C- Letter from the Texas Historical Commission to TXDOT;

" We CONDITIONALLY agree that the project as proposed will have no adverse effect on historic resources, provided that public testimony and design alternatives are given consideration".

From page 2 of TXDOT's letter in response-

" Thank you for your concurrence with our determination that this project poses no adverse effect to historic properties".

Clearly, that is NOT what the State Historic Preservation Officer said.

Sec. 1V-26. Regulatory compliance.

" Under section 106 of the National Historic Preservation Act of 1966, Federal agencies are required to take into account the effects that an undertaking will have on historic properties. Historic properties are those included in or eligible for inclusion in the NRHP".

" Under 36 CRF 800.4 of the ACHP reg. Pertaining to the protection of historic properties, Federal agencies are required to locate, evaluate and assess the effects an undertaking will have on such properties".

"This report focuses on the preliminary identification of potential historic properties within the PSC".
This report has completely missed far more of the historic property inventory than it has begun to identify.

Sec. 1V 28. " Of the sites surveyed, the city of Fort Worth Holly Water Treatment plant and the Lancaster Street Bridge are the only two potentially eligible NRHP sites that are a concern".
Nonsense! Again, I reference the letter from the Texas Historical Commission.

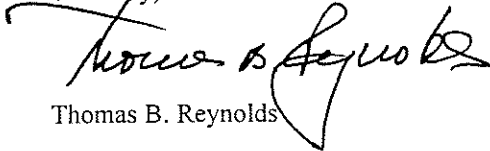
Sec. 1V 29. " One registered THL, the Cobb- Burney house is located within .25 miles of the proposed new roadway".

MANY more National Register eligible properties and parks are located within .25 miles as well.

To summarize a few points:

1. No cumulative impacts have been considered in the DEIS. No 4 (f) considerations are represented in the document, only direct takings of property.
2. This proposed new roadway, 121, should not be a zero sum game whereby the "efficiencies" created in the southwestern part of Fort Worth are offset by the traffic jams, noise, pollution and general inefficiencies created in the inner city.
3. Sunset Terrace was on the fringe of the mixmaster work and did not get the proper NEPA attention, as evidenced by the high mast lighting and no noise mitigation and no attention given to traffic flow patterns. We are once again on the fringe and WE WILL NOT STAND for any project that does not include full and appropriate documentation.

Sincerely,



Thomas B. Reynolds

Cc: Gary Jackson, City Manager-City of Fort Worth
Jerry Hiebert, Executive Director-North Texas Tollway Authority
Scott Polikov-Prime Strategies
The Honorable Kay Granger
I-Care

BETH J. RIVERS

301 COMMERCE, SUITE 1900
FORT WORTH, TEXAS 76102-4119

April 22, 2003

Maribel Chavez
District Engineer
Texas Department of Transportation
PO Box 6868
Fort Worth, Texas 76115

Dear Ms. Chavez:

Our neighborhood, Overton Woods, is just south of the West Fort of the Trinity River. Homes in our subdivision back up to the trails along the south bank, and many homes overlook the river, the north bank, and the area where the extension of SH121-T will cross the river and be elevated to the north as it heads toward town between the river and Vickery Boulevard. The river and its trail system are amenities to our neighborhood and add to the individual values of our homes. Realtors tout our neighborhood as one that is heavily wooded and accessible to the extensive Trinity River trail system. Fellow residents hike, bike, bird watch, fish and enjoy the serenity of this natural resource within the loop of our city.

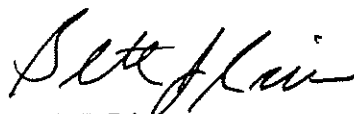
The Draft Environmental Impact Statement (DEIS) for SH121-T states there will be no permanent impact to the trail system. We disagree. The bridge, which will cross the West Fork, will be viewed from not only the trail system but also our homes. Unless the design of the bridge is attractive, elevated and open in design, so that the safety of the trails and the health of the vegetation underneath are preserved, there could be permanent negative consequences.

We support mitigations for those negative impacts as suggested by Streams and Valleys, Inc., and the Trinity River Vision. We also support the additional amenities suggested, such as improvements to the trail system, additional pedestrian access, splitting the bridge spans, open railings on the bridges, no pillars in the river but a span design for the bridge(s), enhancing the landscaping, and adequate parking for any additional trailheads.

We request that these mitigations be added to the FEIS and that we be included in the approval process for the schematic designs for the parkway as it crosses the river near our neighborhood.

The DEIS does state there will be a long-term negative aesthetic impact on the scenic nature within the project corridor. We agree. Including the mitigations and amenities listed above will go a long way toward mitigating those negative aesthetic impacts. Particular attention to the bridge design and the use of extensive landscaping are the most critical issues in preserving the scenic nature. Please include these items in the FEIS.

Thank you for your consideration,



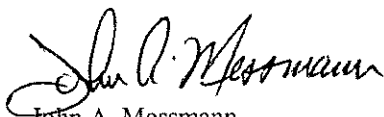
Beth J. Rivers

Mayor Kenneth Barr
Mr. Gary Jackson
February 3, 2003
Page 2


2. Allow current parking on access roads on Sundays and holidays.
3. Provide sound abatement for continued (and increasing) noise impacts on the sanctuary.
4. Retain the continued free left turn loop (existing at the railroad bridge) for eastbound egress under I-30. The loop will benefit all development (west of the church between the church and Forest Park Blvd.) by reducing downstream congestion.
5. Work with St. Paul Lutheran Church and its neighbors to resolve circulation issues emanating from the Summit intersection and new ramp configurations.

Please enter these concerns and requests into the record on behalf of the St. Paul Lutheran Church. We look forward to working with all parties for the continued benefit of the entire community.

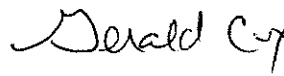
Sincerely,



John A. Messmann
Senior Pastor



Chuck Wendt
Administrator



Gerald Cox
Congregation President

St. Paul Lutheran Church & School

Sharing New Life in Christ

1800 West Freeway • Fort Worth, Texas 76102 • 817-332-2281 • (Fax) 817-332-2640 • E-mail: stpaul@stplefw.org
The Lutheran Church Missouri Synod

April 22, 2003

Ms. Maribel P. Chavez, P.E. -- District Engineer
Texas Department of Transportation
P. O. Box 6868
Fort Worth, TX 76115

Dear Ms. Chavez,

God has been transforming lives through the St. Paul ministry for 110 years. St. Paul Lutheran Church has been serving the greater Fort Worth community from its West Freeway location since 1954. As the city has grown, so has the landmark facility in central Fort Worth.

The current location has seen St. Paul's membership continue to expand and diversify. Its members come to St. Paul from all over Tarrant County and the metroplex. The members come for the services, a growing 1st through 8th grade school, an innovative youth ministry and an initial ministry to immigrant populations (including a thriving Sudanese ministry). The church has grown and prospered while rebuilding from storm damage and enduring encroachment from an expanding city fabric. As the city has matured, the increasing pressure on the freeway has caused both physical and acoustical encroachment on the St. Paul Lutheran site.

St. Paul Lutheran Church still believes in the vital mission it serves as a central city congregation. Continued growth of its program requires the appropriate facility development on the site. St. Paul has continued to strategically acquire properties and work with its neighbors in its quest to respond to the ministerial needs of the community.

Recent freeway revisions have concentrated traffic from the near south side at the Summit intersection, severely impacting access and the use of the eastern part of the property. Even with the reopening of downtown access, Summit will continue to be a major entrance into downtown from the west. Ramp configurations have had significant impacts on arrival, departure, school car pool and parking on the church campus. The eastern end of the campus has been severely limited in its ability to be utilized for future development. Site encroachment and years of increased traffic volumes have had dramatic impact on the acoustical quality of the iconic sanctuary.

While St. Paul understands the importance of the facilitation of traffic into and through the downtown area, the church must be able to continue to perform its missions at this site. To limit site access and egress discourages facility use. Parking, as currently configured, is essential for adequate distribution around the facilities. Appropriate access is crucial for the church's seniors and those members with physical disabilities due to the site's extreme physical characteristics.

Therefore, St. Paul Lutheran Church requests the following:

1. Maintain current ingress and egress.

FORT WORTH SOUTH, INC.

Donald W. Scott
President

Board of Directors

Mary Kathryn Anderson *
Herb Beckwith *
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Barclay Berdan *
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Gary Terry
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Ed Vanston
Philip Williamson
Executive Committee *

April 22, 2003

Maribel P. Chavez, P.E.
District Engineer
Texas Department of Transportation
P.O. Box 6868
Fort Worth, Texas 76115-0868

Subject: SH-121T - Southwest Parkway

Dear Ms. Chavez:

Fort Worth South, Inc. is a private, member funded, non-profit organization created in 1996 by the businesses and property owners of the Fort Worth Medical District to serve as a catalyst for the revitalization of Fort Worth's near Southside.

We have participated in the ongoing discussions about proposed SH-121T. Our organization has been especially interested in ensuring access/egress to and from the medical district, and encouraging design elements that make the highway more of a "parkway" and less a freeway.

Fort Worth South, Inc. endorses the recommendation of the Fort Worth City Council's "Locally Preferred Alternative," and encourages the implementation of that proposal. We also encourage continued community involvement during the upcoming design phase of the project.

Sincerely,



Don Scott

bcc: Barclay Berdan Fort Worth South, Inc., Chair-Board of Directors
David Motheral Fort Worth South, Inc., Chair-Development Committee
Ray Boothe Fort Worth South, Inc., Chair-Transportation Committee
John Freese, M.D. Fort Worth South, Inc.
Wendy Davis Fort Worth City Council
Ralph McCloud Fort Worth City Council
Joe Ternus City of Fort Worth
Marty Craddock I-Care



STATE HIGHWAY 121
From IH 30 to FM 1187
Tarrant County
Public Hearing
April 22, 2003

The Texas Department of Transportation (TxDOT) actively seeks your comments on this proposed project. Your comments are always welcome and will be given serious consideration during the remainder of project development. Written comments may be submitted to the District Office using this form or by letter postmarked by May 2, 2003. Written and verbal comments will become part of the project record and will be included in the written summary and analysis of the public hearing. Thank you for your comments.

OFFICIAL COMMENTS:

See attached documents.

Name

Streams & Valley

Address

P.O. Box 11373

Ft. Worth, TX 76185

Phone

Streams and Valleys, Inc.



April 24, 2003

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EXECUTIVE DIRECTOR

Adelaide B. Leavens

Ms. Maribel Chavez
Texas Department of Transportation
P.O. Box 6868
Fort Worth, TX 76115-6868

Dear Ms. Chavez:

Streams & Valleys has continued to work closely with the City of Fort Worth staff and the City's Consultant Prime Strategies in order to ensure that the impact on the Trinity River Corridor from the proposed Southwest Parkway can be completely mitigated.

With the publication of the Draft Environmental Impact Statement (DEIS) on January 10, 2003, it is clear that the Texas Department of Transportation (TXDOT) has failed to fully consider the impacts of SH 121 T on the river corridor and its associated recreational and transportation-related amenities. The DEIS states that the river corridor will not be permanently affected. The DEIS is deficient in that it only acknowledges a singular negative impact which is the temporary closure of the trail during the construction process. It goes further to state that:

"Elevated bridge structures would cross the river and would not affect the existing facilities. Site investigation of the proposed route corridor and coordination of information with applicable public agencies indicate that the route would not permanently impact any existing public park or recreation area."

This statement in the DEIS shows a clear lack of understanding by TXDOT of the value of the Trinity River Corridor and an incomplete site investigation and a lack of coordination with affected public agencies.

The purpose of this letter is to reiterate the concerns of Streams & Valleys, Inc. that the intrusion of the SH 121T on the River does, in fact, have long term permanent negative impacts on the river corridor and associated open space and amenities. These impacts include:

1. The Bridges spanning the river :
 - 1.1. cause the loss of the view to the sky and the subsequent loss of natural light along the trail. This loss of light will
 - 1.2. cause a loss of vegetation along the banks and within the river,
 - 1.3. cause the extension of the tunnel like quality experienced by the bicyclist, walker, runner and casual trail user. The darkness created by decking the River in this area totally diminishes the quality of experience of the trail and open space user.
 - 1.4. near I-30 expands the coverage area of the River to approximately ¼ of a mile. This area below SH121 T will receive little rainfall and will be susceptible to the additional concentrated drainage run off from SH 121 T. This is likely to cause erosion and destabilization of the banks of the river in this area.
 - 1.4.1. The run-off is also likely to contain hydrocarbons and derivatives, which will increase the pollution in the river and diminish water quality.

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- 1.5. and the associated daily volumes of traffic will cause exhaust emissions that will further diminish the air quality.
2. The addition of bridge support structures within the adjacent greenspace will cause the interruption of trail continuity.
3. The addition of the spans for the Bridge also creates additional visual barriers at both locations that precludes views to and from the river. This limits the users and neighbors from understanding the legibility of the trail and river corridor.

The DEIS also fails to identify alternate modes of transportation as they may relate to minimizing future congestion on I21T.

To mitigate the areas of impact caused by the Southwest Parkway, the following design elements must be in the final schematic plans approved by the Texas Department of Transportation, North Texas Tollway Authority and the City of Fort Worth:

- Provide lighting and painting under new and existing bridges to offset the loss of natural light caused by adding the bridge structure in an area where there is currently no overhead structure.
- Trailheads and parking to encourage multiple modes of transportation and lengthen the life of the proposed parkway. This will limit congestion on the parkway and preserve capacity of the roadway over the long term.
- Provide trail continuity and looped trails to insure accessibility to the parks, open space and neighborhoods. These additions will reduce the number of local trips on the Parkway.
- These bridges also afford the opportunity to provide integrated pedestrian and bicycle crossings as alternative modes of transportation.
- Provide enhanced pedestrian access including trails and bridges linking neighborhoods, businesses and opens spaces to the cultural district the river parks.
- Insure that a view of the river corridor from the bridges is provided. Enhanced visibility of the River from the bridges will increase awareness of the legibility, value and character of the Clear Fork of the Trinity River.
- Splitting bridge spans separating east and west bound traffic lanes will minimize the visual impact of a multi-lane bridge on the River Corridor and allow natural light to penetrate to the River level between the bridges.
- The two river crossings also afford the opportunity to place signature landmark crossings, which mark, acknowledge and celebrate the Trinity River in Fort Worth and help road and river users orient themselves in the City.
- Enhanced landscaping of the area of the two roadway river crossings and existing railroad bridge embankments at University Drive will serve to soften the impact of the necessary superstructure of the I21T bridges and will also serve to remove particulate and other forms of air pollution from the air.
- Open Railings to allow views to and from the River.

Streams & Valleys believes that these critical components should be included as integral costs to mitigate the impact of the roadway project on the River Corridor. These costs should be included in the base funding provided by TxDOT and NTTA and matched by

Streams and Valleys, Inc.



local City funding. These components are crucial to the basic success of the 121T project and are not elements that can be delayed to future enhancement plans for the project.

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The attached document provides a range of preliminary costs for the needed design mitigation components as outlined above. We have been assured in previous meetings with TxDOT and NTTA that bridge designs allowing for open railings, supports outside of the riverbanks, and splitting of bridge spans can be accommodated with no additional costs to the sponsoring agencies.

We respectfully request that the City ensure that these impacts be formally stated in the public record so as to be identified in the Final Environmental Impact Statement. We also request to be included in the approval process of the schematic designs for the Southwest Parkway as it crosses the river. It is also our desire to see that the necessary design elements will be incorporated into the final schematic plans for the Southwest Parkway and that the needed funding will be incorporated into the cost of the project.

We appreciate your stated support of the Streams and Valleys, Inc. and the Trinity River. We are confident that the spirit of partnership, commitment to quality and the thirty years of cooperation between the City, Tarrant Regional Water District and Streams and Valleys will serve as the foundation for the construction of an outstanding parkway.

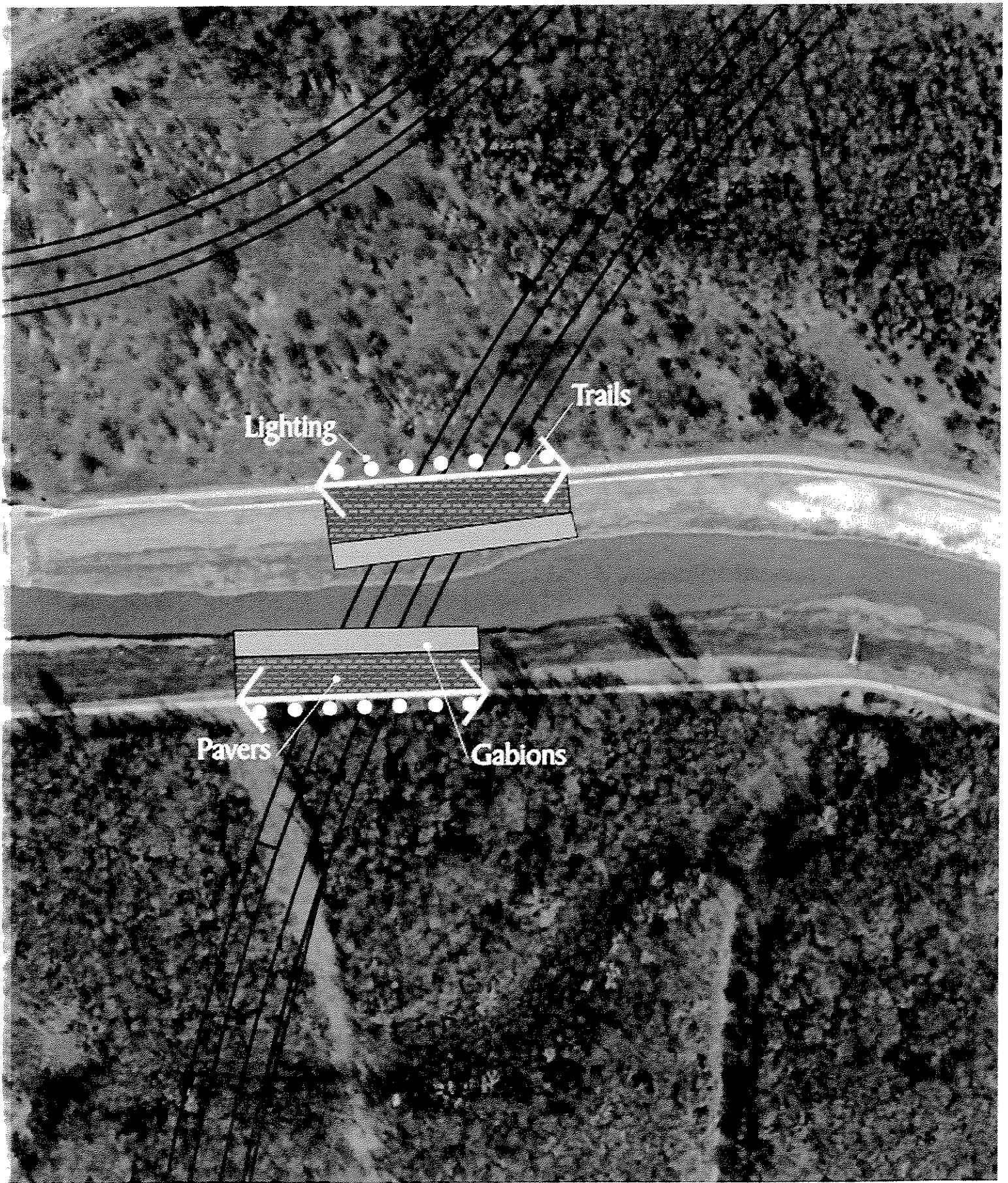
Sincerely,

Tom Purvis, III
Chairman
Streams & Valleys

Elaine Petrus
Co-Chairman
Trinity River Vision

Steve Berry
Co-Chairman
Trinity River Vision

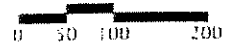
Enclosures



Lighting
Trails

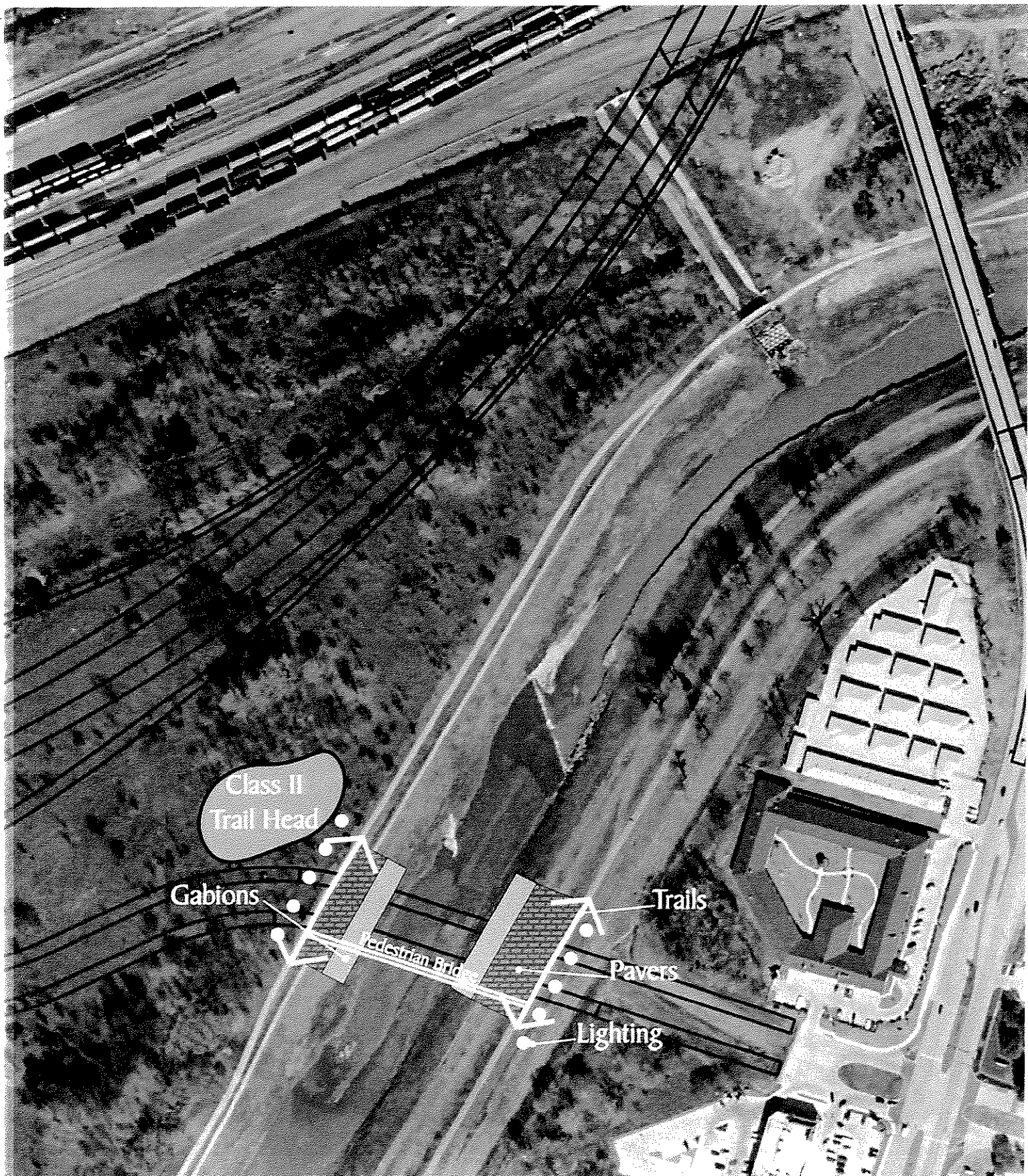
Pavers
Gabions

Crossing Near Bryant Irvin: River and Trail Improvements



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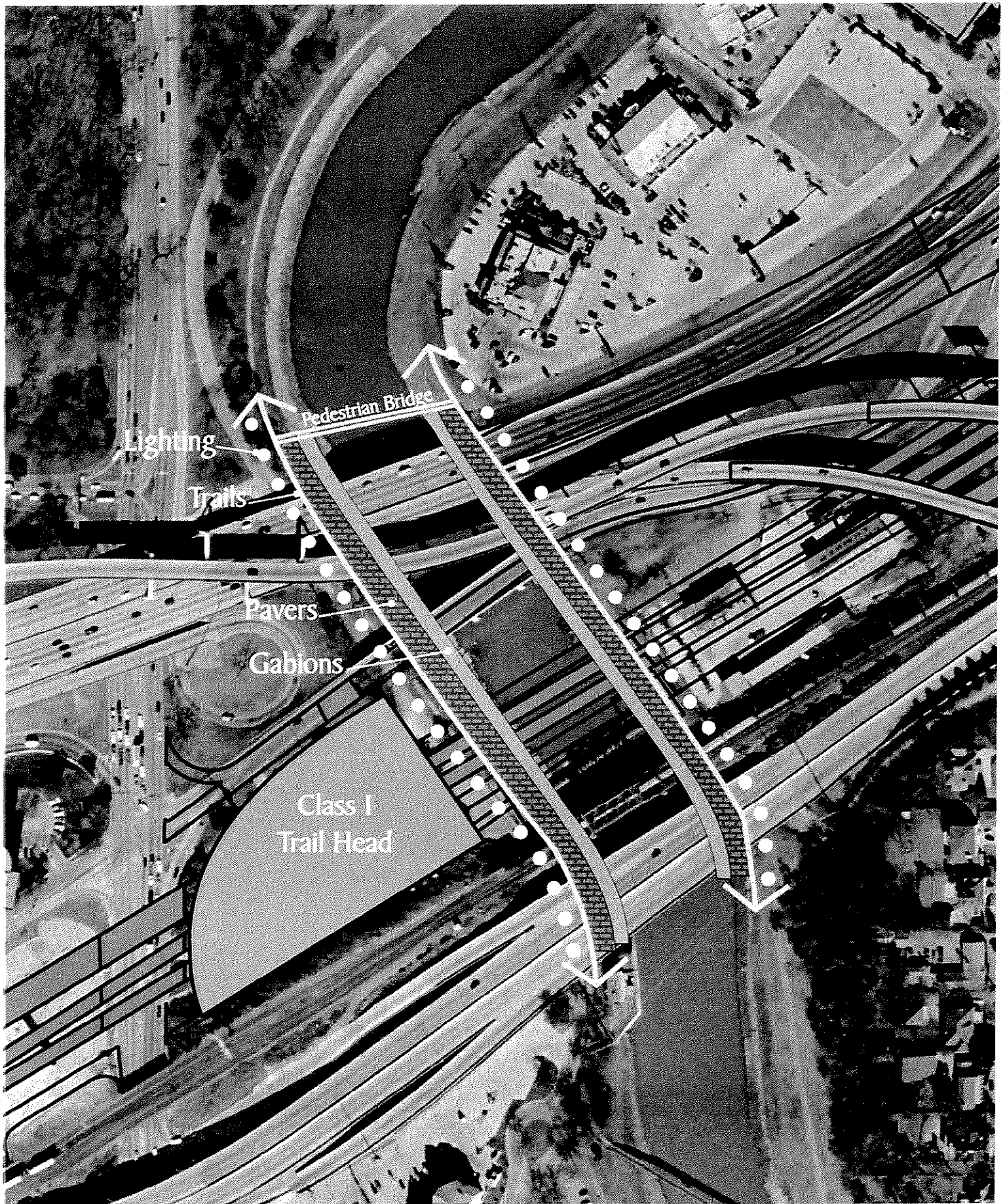




Stonegate Crossing: River and Trail Improvements



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Pedestrian Bridge

Lighting

Trails

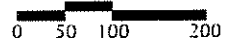
Pavers

Gabions

Class I
Trail Head



University and I-30: River and Trail Improvements



GideonToal

SH 121T - River and Trail Improvements
January 28, 2003
Projected Costs

University Drive

100 Class I Trail Head with user amenities, space for 100 vehicles	\$250,000
Pedestrian Bridge across river for looped trail and neighborhood access	\$100,000
Riverbank Stabilization and Development (2000 lineal ft @ \$300/lineal ft)	\$60,000
Trail Lighting (to provide for security and aesthetics)	\$40,000
Paving and Landscaping	\$50,000
Trail (apprx 1 mile in length including replacement of existing trail, looped trail, neighborhood connections)	\$450,000 - 1,000,000
Planning & Design	25%
Contingency	25%
Total Estimated Cost	\$1,500,000 - \$2,300,000

121 Crossing Near Bryant-Irvin

Lighting	\$20,000
Trail Construction	\$250,000
Riverbanks (gabion mats)	\$300,000 - 400,000
Landscape Enhancements	\$50,000
Pedestrian Bridge	\$100,000
Planning & Design	25%
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Total Estimated Cost	\$1,100,000 - \$1,300,000

Note: If service roads are part of Parkway design, a Class II trailhead would need to be included in the design

**SH 121T - River and Trail Improvements
January 28, 2003
Projected Costs**

Stonegate Crossing	
Lighting	\$10,000
Trail Construction	\$150,000
Riverbanks (gabion mats)	\$150,000 - 200,000
Class II Trail Head	\$100,000
Planning & Design	25%
Contingency	25%
<i>Total Estimated Cost</i>	<i>\$640,000 – 720,000</i>

The Stonegate Drive bridge is to be constructed to accommodate pedestrian crossing as stated in Trinity River Vision

Total cost estimate for river and trail improvements: \$3,240,000 - \$4,320,000

GideonToal

FAX TRANSMITTAL

To: Steve Berry **Re:** SH 121 Letter
From: Mary Swofford
Date: April 21, 2003 **Pages:** 12
Fax No.: (817) 332-2120 **CC:**

Attached per Elaine's request.

Streams and Valleys, Inc.



January 28, 2003

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EXECUTIVE DIRECTOR
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Mayor Kenneth Barr
Mr. Gary Jackson
City of Fort Worth
1000 Throckmorton
Fort Worth, TX 76102

Dear Mayor Barr & Mr. Jackson:

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With the publication of the Draft Environmental Impact Statement (DEIS) on January 10, 2003, it is clear that the Texas Department of Transportation (TXDOT) has failed to fully consider the impacts of SH 121 T on the river corridor and its associated recreational and transportation-related amenities. The DEIS states that the river corridor will not be permanently affected. The DEIS is deficient in that it only acknowledges a singular negative impact which is the temporary closure of the trail during the construction process. It goes further to state that:

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Streams & Valleys believes that these critical components should be included as integral costs to mitigate the impact of the roadway project on the River Corridor. These costs should be included in the base funding provided by TxDOT and NTTA and matched by local City funding. These components are crucial to the basic success of the 121T project and are not elements that can be delayed to future enhancement plans for the project.

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We appreciate your past and continued support of the Streams and Valleys, Inc. and the Trinity River. We are confident that the spirit of partnership, commitment to quality and the thirty years of cooperation between the City, Tarrant Regional Water District and Streams and Valleys, Inc will serve as the foundation for the construction of an outstanding parkway.

Sincerely,

Tom Purvis, III
Chairman
Streams & Valleys

Elaine Petrus
Co-Chairman
Trinity River Vision

Steve Berry
Co-Chairman
Trinity River Vision

Enclosures

cc: North Texas Tollway Authority
Tarrant Regional Water District
Prime Strategies

SH 121T - River and Trail Improvements

January 28, 2003

Projected Costs

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100 Class I Trail Head with user amenities, space for 100 vehicles	\$250,000
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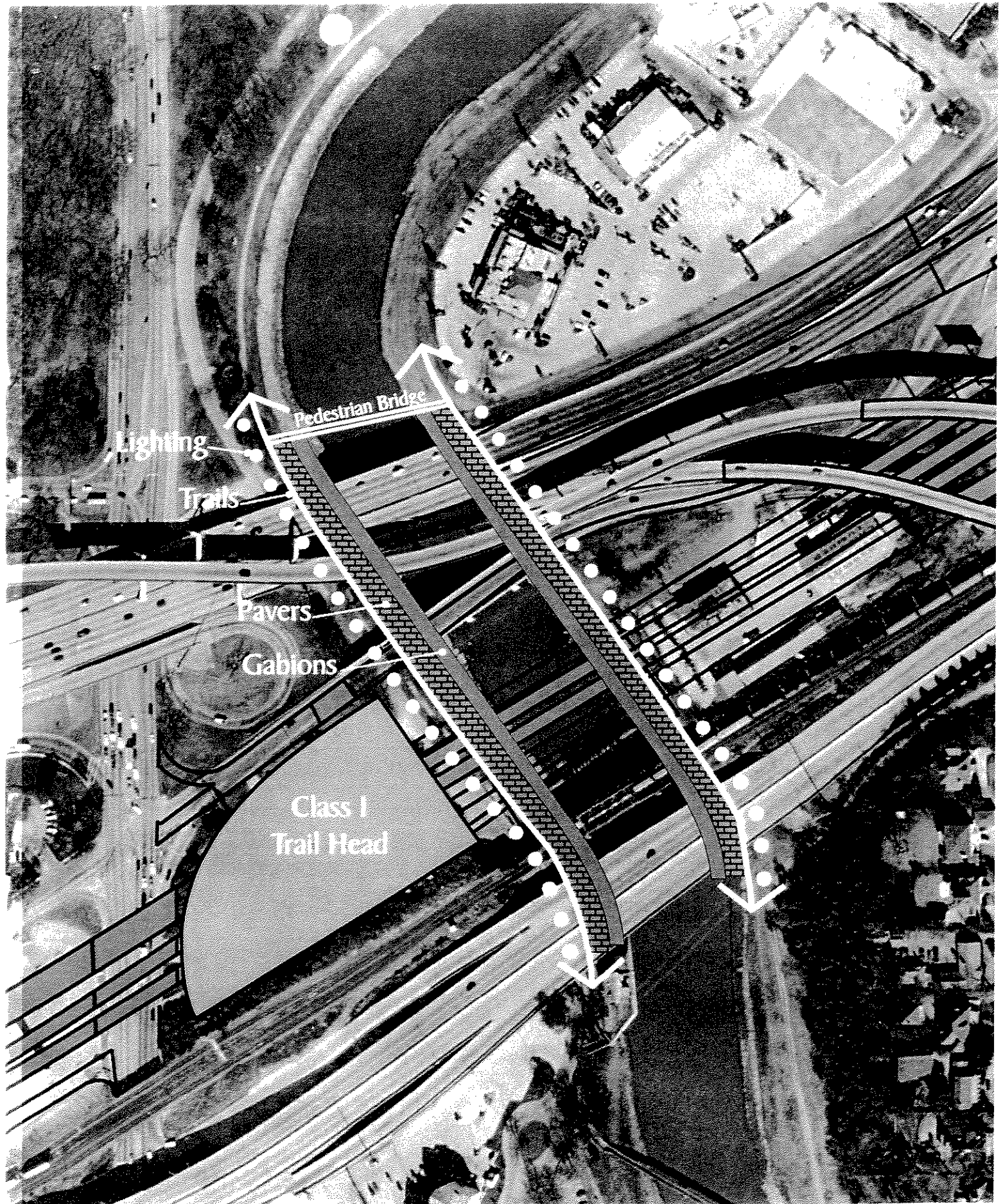
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SH 121T - River and Trail Improvements
January 28, 2003
Projected Costs

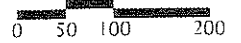
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Total cost estimate for river and trail improvements: \$3,240,000 - \$4,320,000



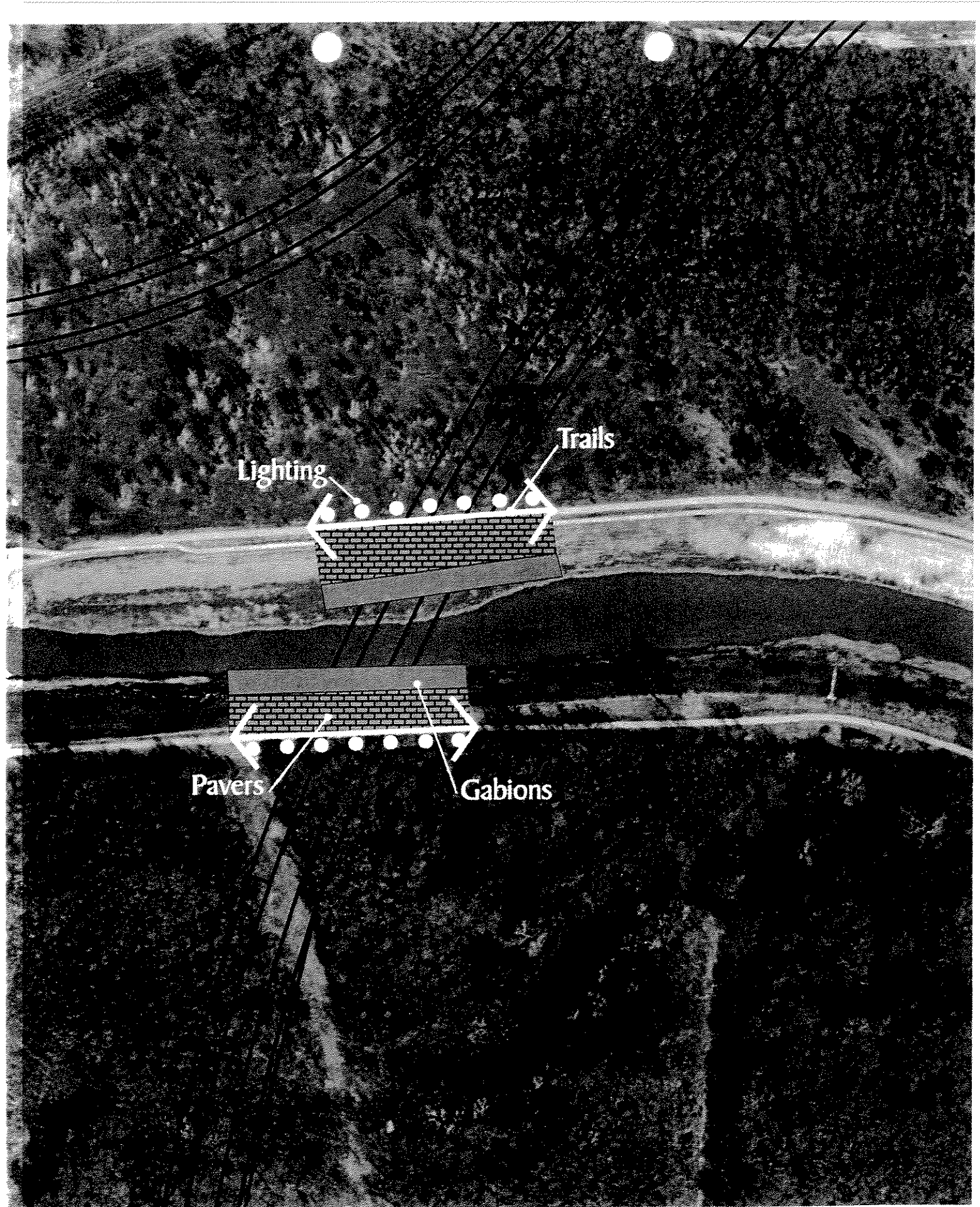
University and I-30: River and Trail Improvements



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Streams
and
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Lighting

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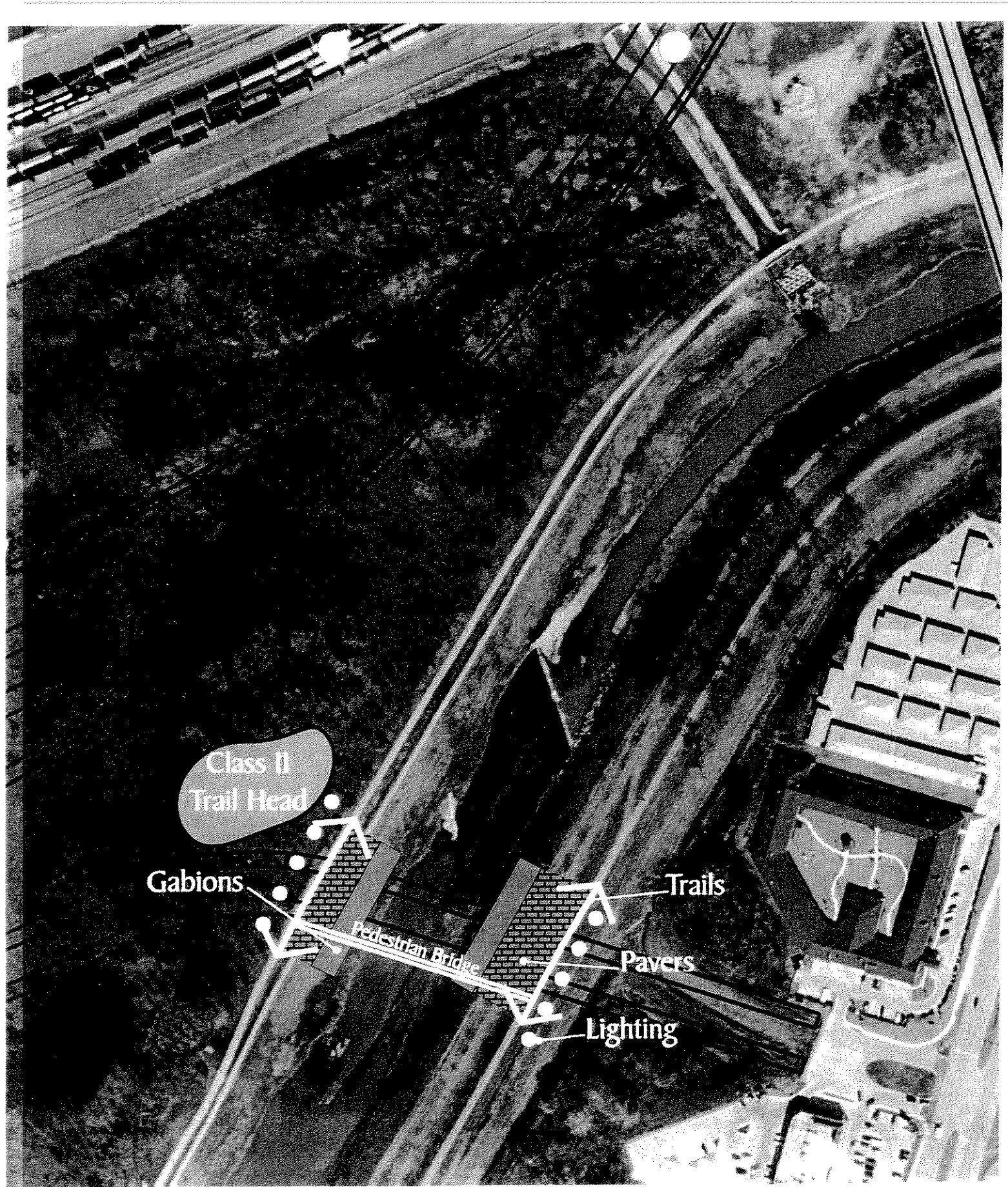
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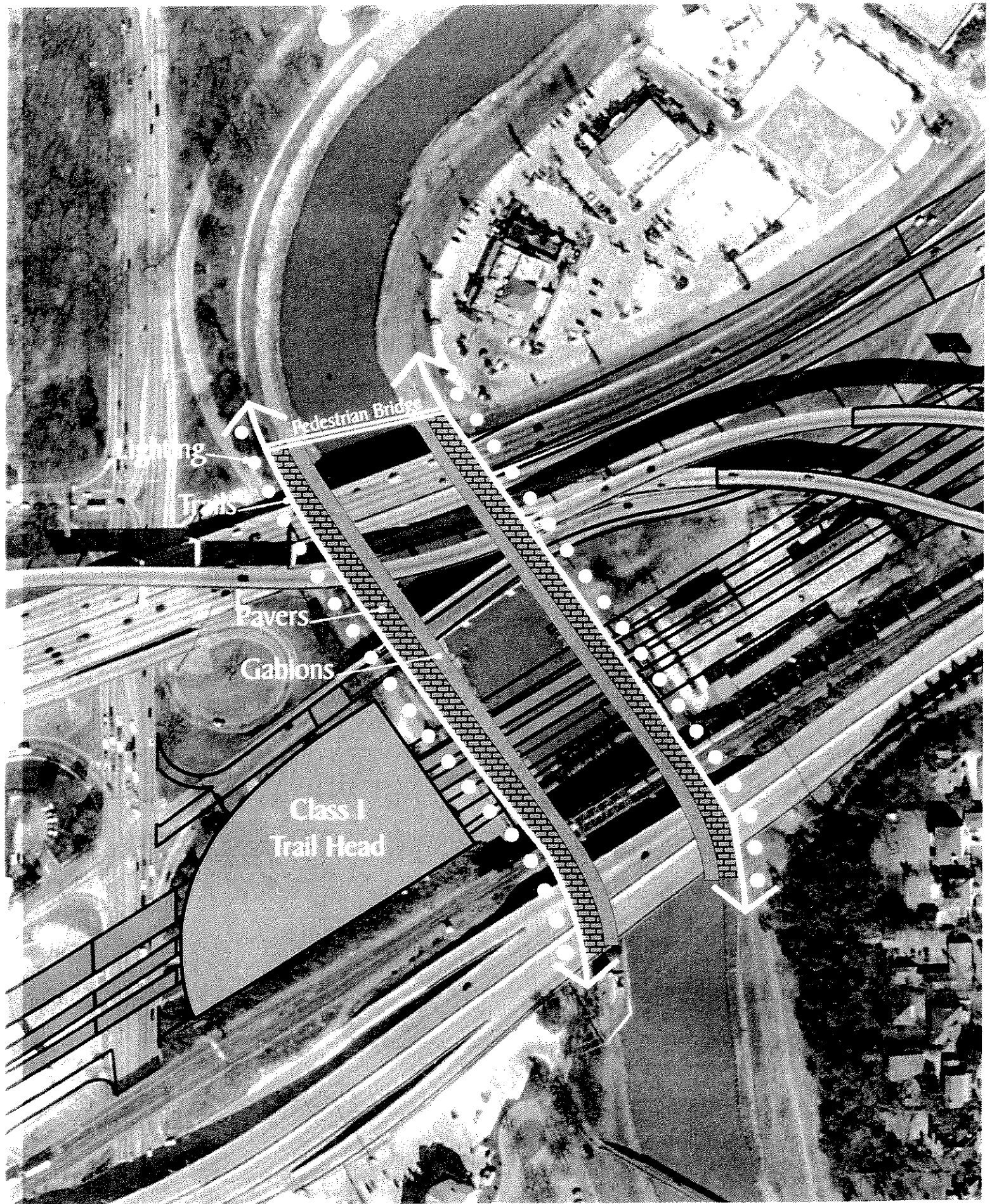
Crossing Near Bryant Irvin: River and Trail Improvements



GideonToal



Stonegate Crossing: River and Trail Improvements



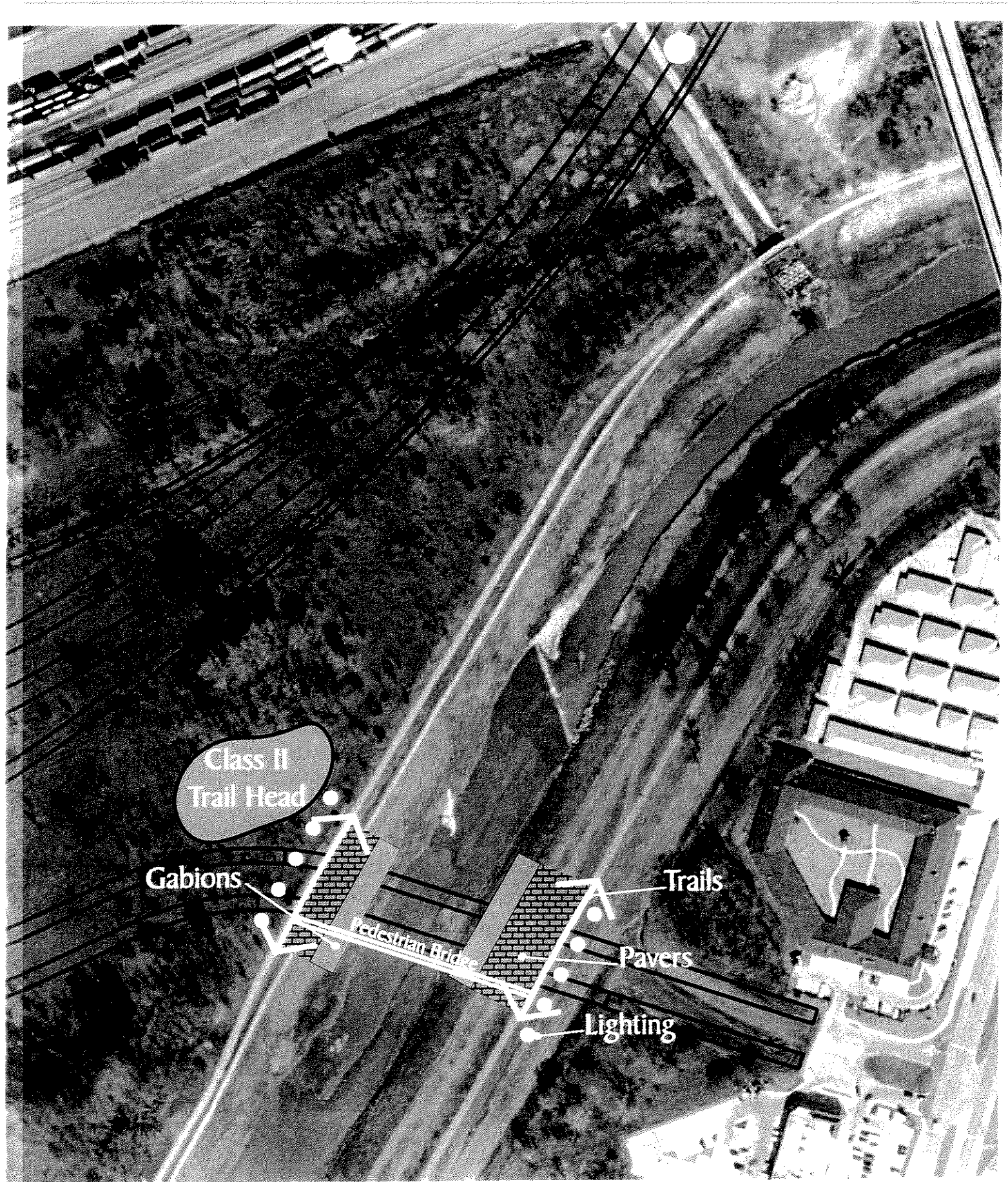
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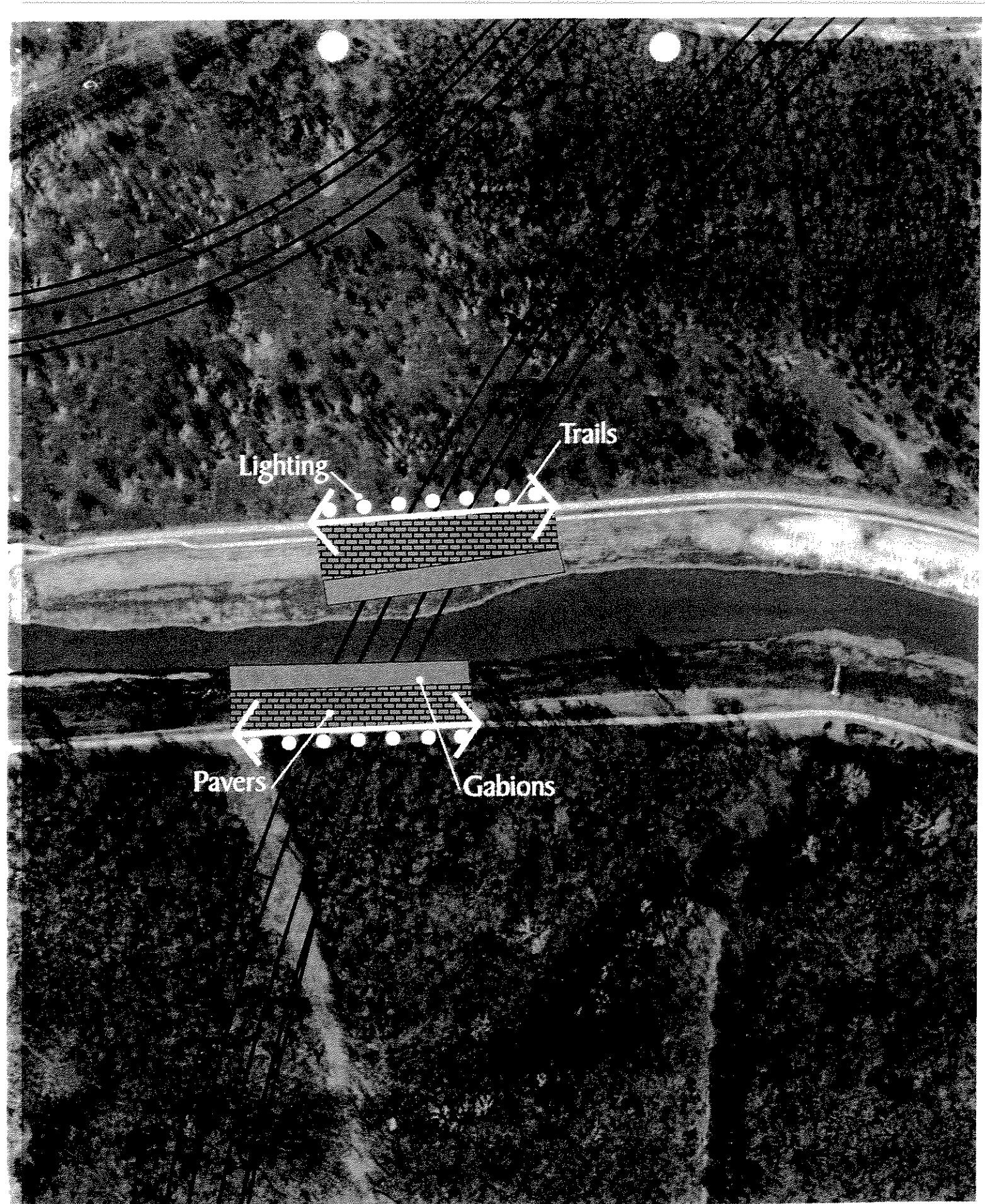
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Stonegate Crossing: River and Trail Improvements



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Crossing Near Bryant Irvin: River and Trail Improvements



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FORT WORTH CHAMBER OF COMMERCE POSITION STATEMENT

SOUTHWEST PARKWAY (SH121T)

The Fort Worth Chamber of Commerce reaffirms its continued support for the expeditious and prudent completion of all necessary phases of the proposed SH121T Southwest Parkway project. The project has remained the top surface transportation infrastructure priority of the chamber since 1990. While the proposed scope of the project and its engineering and design elements have changed over the past decade, the need for the roadway as a critical transportation linkage between and along the proposed route from Farm-to-Market Road (FM) 1187 to IH 30 has increased. The SH121T Southwest Parkway will provide:


- **Improved mobility and air quality** by relieving traffic congestion on arterial streets in the southwest quadrant of Fort Worth and Tarrant County. The SH121T Southwest Parkway according to traffic flow analyses will alleviate a significant increase in traffic congestion on Hulen Street and Bryant Irvin Road as well as increased cut-through traffic on neighborhood streets. Local and regional air quality will also be favorably impacted. According to the Draft Environmental Impact Statement “mobile emissions are predicted to decrease due to program (mobility) improvements...decreasing carbon monoxide concentrations.” Additionally, “based on predicted 2025 population and employment growth and traffic congestion, the No-build alternative of this project might contribute to air quality degradation.”
- **An expanded local property tax base** resulting from increased commercial and residential development in the southwest quadrant of Fort Worth and Tarrant County. The expanded tax base and growth in property tax revenue will allow for improved city and county services and additional funding for public education throughout the city.
- **Growth in sales tax revenue** resulting from increased commercial activity in the southwest quadrant. This additional tax revenue will allow for improved local services throughout the city as well as relieving upward pressure on residential and commercial property tax rates.

- **Greater access to and from downtown Fort Worth** including adjacent cultural, historic, educational and other central city assets. The 121T Southwest Parkway will serve as a direct link to central business district employment centers and entertainment and dining venues for the growing population of southwest Fort Worth, Tarrant County and northern Johnson County. Increased economic activity resulting from improved access will ensure the continued vitality of downtown Fort Worth stimulating job creation and new capital investment in the central city.
- **Improved access to health care services** at regional medical districts located south of downtown and in southwest Fort Worth. Reduced traffic congestion and increased mobility on arterial streets will expedite emergency medical services. Residents of southwest Fort Worth and Tarrant County will also benefit from direct access to these regional patient care facilities and medical employment centers.

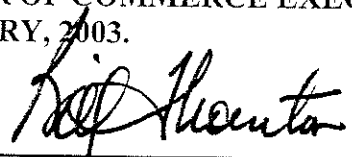
The Fort Worth Chamber of Commerce SH121T Southwest Parkway Task Force commends the partners in the project for moving its development forward through extensive engineering, design, financial and public involvement processes in the preliminary phases of the project. Specifically, we recognize the contributions of the Project Development Team, the Citizens Advisory Committee and the Project Review Team for identifying and recommending significant improvements to the design of the roadway. We strongly encourage the following major partners to continue to expedite the planning and development of the project so that all city and county citizens may realize the benefits of a completed SH121T Southwest Parkway.

- City of Fort Worth
- Tarrant County
- Johnson County
- North Texas Tollway Authority
- Texas Department of Transportation
- North Central Texas Council of Governments
- Federal Highway Administration

**ADOPTED BY THE FORT WORTH CHAMBER OF COMMERCE EXECUTIVE
COMMITTEE ON THE 20TH DAY OF FEBRUARY, 2003.**



DANNY R. SMITH
Chairman



BILL THORNTON
President and CEO



April 25, 2003

Mr. Rob Waston
Haynes and Boone, LLP
Suite 2200
201 Main Street
Fort Worth, TX 76102-3126
By mail and telecopy (817) 347-6650

Dear Mr. Watson:

I received your February 21 letter. You express your client's concerns about the possible effects of the proposed SH 121T on access to and from University Centre I to Vickery Boulevard. You also request that Vickery Boulevard remain a two-way street, that the City provide schematic drawings of the proposed one-way travel, that the City supply you "any future proposals or revisions [to Vickery Boulevard]," and that the City notify you of "any meetings that will affect or concern access to University Centre I."

I understand your concern to be that the conversion of Vickery Boulevard from a two-way street to a one-way street will "result in taking an important right away from the tenants and reduce the value of the building." While I can understand that you believe that circuitry of travel may be increased, I do not believe that the increase is a material and substantial impairment of access to the building and its parking facilities.

In addition, Vickery Boulevard must become one way for safety reasons. Vickery Boulevard will serve as an entranceway to SH 121T. Two-way traffic on Vickery Boulevard would create an unreasonable risk to the traveling public. Therefore, Vickery Boulevard should be changed to one way as in the current design. In this connection, please see the enclosed schematic that shows the proposed construction of SH 121T. I believe this is the schematic that you requested. If it is not, please let me know. While my staff and I are willing to work to explore access issues on this project with any affected property owners,



ENGINEERING DEPARTMENT

THE CITY OF FORT WORTH ★ 1000 THROCKMORTON STREET ★ FORT WORTH, TEXAS 76102-6311
(817) 871-7941 ★ FAX (817) 871-7854

the City believes that the circuitry of travel and safety concerns do not favor keeping Vickery Boulevard two way.

Your last two requests ask that I provide personal notice to you and your client regarding possible changes to Vickery Boulevard and "any meetings that will affect or concern access to University Centre I." I must decline your requests. As you can imagine, it would be impossible for me to provide that type of assistance to anyone affected by the nearly eight-mile long project. Moreover, I would run the risk of being blamed for failing to provide the information if I inadvertently overlooked any request.

That is not to say that you and your client cannot receive information concerning future meetings and proposed design changes. State law requires that all public meetings concerning SH 121T be posted on the City Hall bulletin board (it may be viewed 24 hours a day) with the date, time, place, and subject matter of the meeting. Any change in the access for University Centre I will be shown at a posted meeting and you or your client may see those changes by simply calling my office. The enclosed schematic is the latest modifications that will affect access to University Centre I.

I also urge you to provide your comments to Maribel Chavez, P.E., District Engineer, Texas Department of Transportation, at P. O. Box 6868, Fort Worth, Texas 76115, to voice your client's concerns over the proposed schematic design. I suggest that if your client wishes to suggest an engineering proposal that would be better and less expensive, that the proposal be sent to TxDOT and to me.

If you have additional questions or wish to discuss this matter further, please do not hesitate to contact me at (817) 871-7909.

Sincerely,



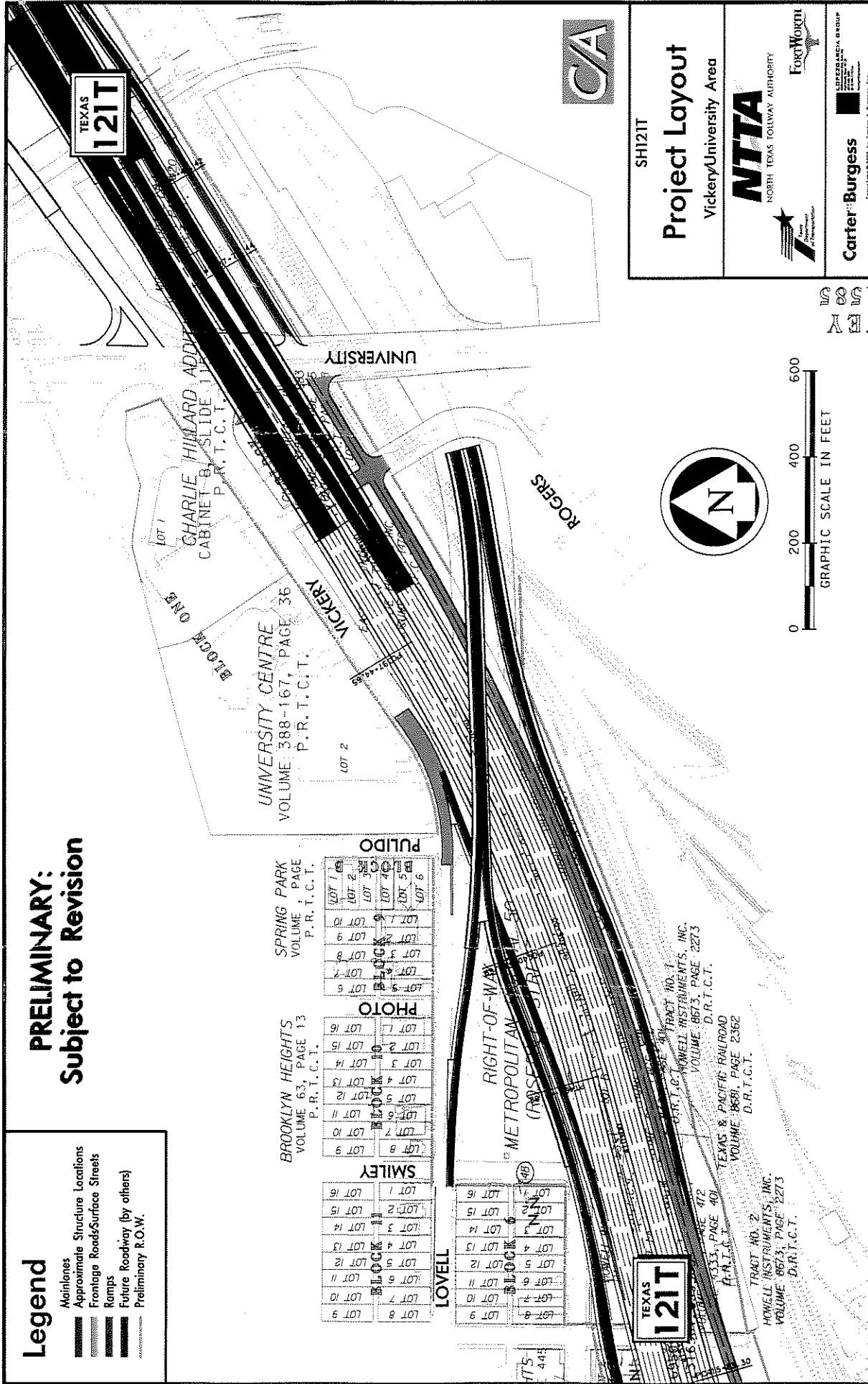
Bryan Beck, P.E.
Project Manager

Cc: Marc Ott, Assistant City Manager
Maribel Chavez, P.E., Texas Department of Transportation
Katie Nees, P.E., North Texas Tollway Authority
CFW 121 Project Team

Legend

- Mainlines
- Approximate Structure Locations
- Frontage Roads/Surface Streets
- Ramps
- Future Roadway (by others)
- Preliminary R.O.W.

**PRELIMINARY:
Subject to Revision**



SH121T

Project Layout

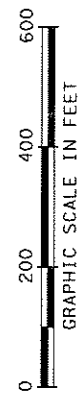
VickyUniversity Area

NTTA
NORTH TEXAS TOLLWAY AUTHORITY

Fort Worth

Carter Burgess
CORPORATE GROUP

Copyright © 2009 by Carter & Burgess, Inc.





Gregory W. Higgins
General Counsel

Direct Dial (817) 367-5491
Telecopy (817) 367-4891

February 20, 2003

Ms. Maribel Chavez, P.E.
Fort Worth District Engineer
Texas Department of Transportation
Post Office Box 6868
Fort Worth, Texas 76115-0868

DISTRICT ENGINEER
TXDOT MAILROOM

FEB 26 2003

Re: State Highway 121T/University Centre II

Dear Ms. Chavez:

Please accept this letter as written testimony regarding the proposed construction of State Highway 121T. Additional oral testimony will be given at the hearing scheduled for February 25, 2003.

OmniAmerican Credit Union (OmniAmerican) purchased the property located at 1320 South University Drive, known locally as University Centre II, in November 2002. At the time that we purchased this ten story building, it was our understanding and belief that West Vickery Boulevard would remain a two-way street between the University Centre II facility and University Drive and that we, and our tenants, would have ready access to and from University Drive and eastbound I-30 via West Vickery Boulevard, notwithstanding the construction of the State Highway 121T. We also understood that the parties involved in the design and construction of 121T would consider incorporating a road crossing under 121T and linking the entrance to University Centre II to the eastbound 121T service road. Based upon these understandings, we purchased the University Centre II for a substantial sum of money.

We recently learned that changes have been proposed to the project that affects West Vickery Boulevard. It is our understanding that the proposal currently under consideration calls for West Vickery Boulevard to be a one-way street in the westbound direction, beginning at University Drive. Further, we have been advised that it does not appear that it will be feasible to incorporate the previously discussed road linking the entrance of the University Centre II to the eastbound 121T service road. We believe that this proposal will have a substantial and negative effect on the tenants of University Centre II, and, thus, on the value of our building.

Ms. Maribel Chavez, P.E.
February 20, 2003
Page 1 of 2

P.O. Box 150099
Fort Worth, Texas 76108
www.OmniAmerican.org

Commercial Banking
817.332.3751
817.870.2260 fax

Personal Banking
817.481.6359 metro
817.421.4276 fax

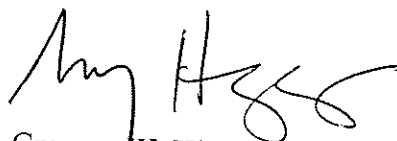
If the proposal is incorporated into the final plans for 121T, tenants of University Centre II will have no reasonable method of accessing University Drive, eastbound I-30, or eastbound 121T. To access University Drive, tenants of the University Centre II would be required to travel west on West Vickery to Montgomery Street, turn north on Montgomery and proceed to the I-30 access road, turn east onto the eastbound I-30 access road and continue down the access road back past the University Centre II facility to University Drive. This circuitous route would have to be taken each time that a tenant wished to access University Drive and its previously convenient dining and shopping destinations. The Vickery-to-Montgomery-to-I-30 route would also have to be taken by any tenant wishing to travel eastbound on either I-30 or 121T.

In addition to being a burden on our tenants, we believe that the proposal would dramatically affect the value of the building that we just purchased by taking away a vital access route – an access route that we relied upon in purchasing the building. Additionally, the proposal would unnecessarily increase the traffic on West Vickery Boulevard (west of the University Centre II), on Montgomery Street, and on the eastbound access road to I-30.

We submit that the most viable resolution would be to allow West Vickery Boulevard to remain a two-way street between University Drive and the University Centre II facility. If for some reason this is not deemed viable, we submit that a road under 121T, linking the University Centre II entrance and the eastbound service road of 121T should be included in the final plans for 121T so that the tenants of the University Centre II can continue to have access to University Drive and the eastbound arteries, without being required to circumnavigate West Fort Worth.

We respectfully request and urge the Texas Department of Transportation, the City of Fort Worth, and the North Texas Tollway Authority to give serious consideration to this issue and the adverse effects that the proposed change to Vickery Boulevard would have on our facility and our tenants. We are (and remain) willing to discuss this matter with you and we welcome any thoughts or proposals that you may have.

Very truly yours,



Gregory W. Higgins
General Counsel
OmniAmerican Credit Union

cc: Members, Texas Department of Transportation

Ms. Maribel Chavez, P.E.

February 20, 2003

Page 2 of 2

February 21, 2003

DIST 02 FT. WORTH
TXDOT MAILROOM
FEB 23 2003

Mr. Brian Beck, P.E.
City of Fort Worth
Department of Engineering
1000 Throckmorton
Fort Worth, Texas 76102

Re: State Highway 121T/University Centre I

Dear Mr. Beck:

1300 UC-I, Ltd. purchased the office building known as University Centre I in November 2002. The building is located at 1300 South University Drive. At the time the owner purchased the six story office building, the owner understood and believed that West Vickery Boulevard would remain a two-way street to provide access from University Centre I to University Drive and from Montgomery Street to University Centre I so that all tenants and visitors would have access to and from University Drive, Montgomery Street and also be able to access east bound I-30 toward downtown Fort Worth. The owner understood that the proposed construction of Highway 121T would not interfere or change such access.

At the end of last week, the owner was told about a proposal to restrict the access that is currently available to University Centre I. The owner understands that the proposal provides that a portion of West Vickery Boulevard beginning at the University Drive intersection will be a one-way street in the west bound direction.

The proposal will greatly reduce the value of University Centre I. The current ability to access the office building is important to the tenants and the owner. Losing access to the building from Vickery Boulevard in the east bound direction and prohibiting any other access that is currently available to University Centre I will result in taking an important right away from the tenants and reduce the value of the building to the owner. To avoid damaging the owner of University Centre I, we request that West Vickery Boulevard remain a two-lane street between University Drive and Montgomery Street.

Please send me a drawing of the new proposal referenced above in which West Vickery Boulevard will become a one-way street and any changes that would limit access to I-30 from University Centre I. I would also appreciate any future proposals or revisions be forwarded to me for review and that I be notified of any meetings that will affect or concern access to University Centre I.

Attorneys

201 Main Street Suite 2200 Fort Worth, Texas 76102-3126

Telephone [817] 347.6600 Fax [817] 347.6650 <http://www.haynesboone.com>

h b

Mr. Clyde Picht, District 6
Fort Worth City Council
Municipal Building
1000 Throckmorton S.
Fort Worth, Texas 76102

Mr. Jeff Wentworth, District 7
Fort Worth City Council
Municipal Building
1000 Throckmorton S.
Fort Worth, Texas 76102

Mr. Ralph McCloud, District 8
Fort Worth City Council
Municipal Building
1000 Throckmorton S.
Fort Worth, Texas 76102

Ms. Wendy Davis, District 9
Fort Worth City Council
Municipal Building
1000 Throckmorton S.
Fort Worth, Texas 76102

Mr. Brandon Aghamalian
City of Fort Worth, Manager of Governmental Relations
1000 Throckmorton S.
Fort Worth, Texas 76102

Ms. Donna Parker
North Texas Tollway Authority
5900 West Plano Parkway, Suite 100
Plano, Texas 75093

Members
Texas Transportation Commission
2501 Southwest Loop 820
Fort Worth, Texas 76133



April 28, 2003

Joe H. Staley
5949 Sherry Lane, Suite 501
Dallas, Texas 75225

Re: SH-121T

Dear Mr. Staley:

On February 25, 2003, the City Council adopted by resolution a Locally Preferred Alternative (LPA) and comments on the Draft Environmental Impact Statement (DEIS) for State Highway 121T. Copies of those resolutions are enclosed herein. The adoption of the City's LPA provides opportunity for continued dialogue about implementation of the community's vision for the facility. In that regard, we understand how critically important the design of SH-121T is to the future of Fort Worth Country Day School.

Before the adoption of the LPA, your client wrote the parents of students raising concerns about the plans for the roadway. Those concerns were then communicated to the City Council. In addition, during the City's public hearing you raised several concerns about the planned design of the toll road.

Regarding the concerns raised, the City's LPA reflects the City's recognition that S.H.-121T will have a significant impact on the school's future. In particular, the LPA calls for the main lanes of the toll road to be constructed under, instead of over, Arborlawn Drive, the local arterial that will be used for the east-west connector in the Bellaire area. This design will ensure that S.H. 121T remains as low as possible as it passes by the school. In addition, frontage roads on the west side of S.H. 121T and an interchange with Arborlawn will be utilized in order to provide as much access as possible for planned future development for the school in the area of the "Ropes Course."

Regarding your comments at the City's public hearing, we want to provide a couple of responses. As to your concerns about the appropriateness of the approach taken to analyze noise impacts, the City concurs as is reflected in the City Council's Resolution commenting on the DEIS. Accordingly, additional noise analysis has been requested.

As to your statements about the transformation of the plans for the roadway from an urban arterial to a controlled access toll road, that transformation took place several years ago when the facility evolved from a pure TxDOT project into a toll road. That transformation was necessitated by the realization that the level of funds needed to construct S.H. 121 would be insufficient unless it was developed as a toll road.

CITY MANAGER'S OFFICE

THE CITY OF FORT WORTH ★ 1000 THROCKMORTON STREET ★ FORT WORTH, TEXAS 76102
817-871-6111 ★ FAX 817-871-6134

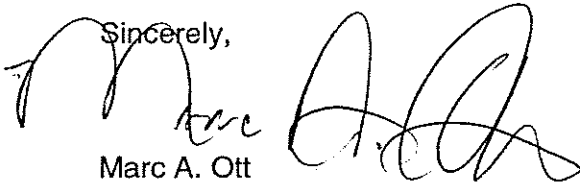
Continued –
Joe H. Staley
April 28, 2003

Regardless, the concern boils down to the issue of local access. As called for in the LPA, the utilization of frontage roads on the west side of the main lanes substantially responds to those access concerns.

In general, the elements established in the LPA necessitate continued work in order to develop design details. For example, continued dialogue with TxDOT will be useful on the issue of the relationship of the SH-121T frontage roads with SH 183. In addition, the City understands that Fort Worth Country Day School may have additional concerns about the details of implementation. The City looks forward to continued dialogue with the leadership of Fort Worth Country Day School and facilitating resolution of the remaining design issues in coordination with TxDOT and the North Texas Tollway Authority.

In closing, the City is in possession of your letter dated March 24, 2003 pertaining to the direction of all correspondence being directed through your office. It is our hope that the City of Fort Worth and Fort Worth Country Day can enter into a productive dialogue regarding the City's LPA for this project, including the upcoming Arborlawn Route Study. It is the City's intention to involve the appropriate FWCD staff in these discussions as they relate to the local circulation issues concerning the campus. We intend to make contact with FWCD staff in the coming weeks unless we receive direction otherwise.

Sincerely,



Marc A. Ott
Assistant City Manager

Enclosures

c: Gary W. Jackson, City Manager
Maribel Chavez, P.E., Texas Department of Transportation
Bryan Beck, P.E. Project Manager
CFW 121 Project Team

CHRISTINA PATOSKI
POST OFFICE BOX 9052
FORT WORTH, TEXAS 76147
817/738-0330

DIST 02 FT. WORTH
TXDOT MAILROOM

MAR 06 2003

March 5, 2003

Maribel Chavez, P.E., District Engineer
Texas Department of Transportation
P.O. Box 6868
Fort Worth, Texas 76115

RE: Letter of comment for Proposed 121 Toll Road

I urge you to deal with the mitigating impact of the noise from the proposed 121 toll road by conducting thorough noise impact studies throughout its routing.

I live four blocks to the north of Interstate 30. I spend a lot of time on my backyard patio. However, when the wind is blowing from the south, the noise from the interstate is so loud that I can hardly have a conversation, much less enjoy the experience. If the wind is from the north it's as quiet as a sanctuary. But, if it's from the south I'm literally confined to the interior of my house (with the windows closed) to find peace. It's amazing how much it varies from day to day and how far the noise travels, sometimes to neighborhoods miles away.

Therefore, I urge you to conduct the noise impact studies on multiple days, and when the wind is blowing in different directions. I predict you will be quite surprised at the different results.

An area that stands to be extremely effected by the 121 traffic noise is the Botanic Gardens. This is one of Fort Worth's crown jewels where all ages and classes of people go to escape from the stresses of urban life. Experiencing the gardens to the roar of nearby speeding cars and trucks seems a ludicrous thing. Please go to whatever design lengths are necessary to protect one of our community's most popular retreats from the noise of the proposed toll road.

Sincerely,



Christina Patoski

cc: Gary Jackson,
Jerry Hiebert,
Scott Polikov,
The Honorable Kay Granger,
I-CARE

Christina Patoski
4237 El Campo Ave.
Fort Worth, Texas 76107
817/738-0330 tel 817/732-4676 fax

May 1, 2003

Maribel Chavez, P.E.
Texas Department of Transportation
2501 Southwest Loop
PO Box 6868
Fort Worth, Texas 76115

Dear Ms. Chavez:

This is a letter of comment on the proposed 121 Toll Parkway.

After attending the public hearing at the Roundup Inn on Tuesday April 22, 2003 I would like to add the following comments to the public record. I am very concerned about the existing traffic noise levels as a result of Interstate 30 between Hulen and Forest Park Blvd. I believe that the traffic noise levels from I-30, and for miles beyond, exceed the noise abatement criteria established by the Federal Highway Administration. Building 121 will only serve to exacerbate an already existing traffic noise problem.

The areas most severely impacted are the Botanic Gardens and adjacent Trinity Park, both places of extraordinary significance and where serenity and quiet are paramount. I believe that the traffic noise levels from I-30 are already more than 57 decibels, especially if the prevailing wind is from the south, which is most of the spring and summer months when these sites are most often used by the public. I request that multiple sensors are installed at the Gardens and along the river to measure decibels and that these measurements be done at multiple times and on multiple days, especially when the wind is from the south.

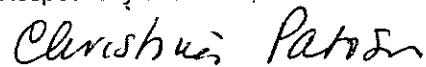
The other area of concern is the proposed tollway plaza booths area along Vickery Blvd. from Hulen to Montgomery. The Alamo Heights neighborhood is already negatively impacted from the traffic noise of I-30, and on the other side the massive railroad switching yard. Alamo Heights will literally be hemmed in by 121. They will also have added air quality issues from the emissions of cars braking and accelerating at the toll plaza booths. The cumulative effects of 121, along with I-30 and the railroad switching yard will be beyond what noise abatement barriers can contain and will severely impact the Alamo Heights neighborhood.

I live four blocks to the north of I-30 and am deafened by the traffic noise from the road. There are many days that I'm not able to enjoy my backyard because of the traffic noise. I can even hear the noise from inside my house. Noise barriers are there, but they obviously aren't doing the job.

Therefore, I formally request that the design of 121 from Hulen to Forest Park Blvd. be depressed, that is below grade enough that the traffic noise is abated. That means not slightly below grade, but way below grade. It's the only thing that really works to stop the noise.

Noise pollution damages the quality of life in the neighborhoods, at our schools, our cultural institutions, and our city parks. I urge you to include the Project Development Team themes and features regarding all the alternatives in the Final Environmental Impact Statement.

Respectfully submitted,



Christina Patoski

cc: Gary Jackson, City Manager
City of Fort Worth
1000 Throckmorton
Fort Worth, TX 76102

Jerry Hiebert, Executive Director
North Texas Tollway Authority
5900 W. Plano Parkway, Suite 200
Plano, Texas 75093

Scott Polikov A.I.C.P., J.D.
Prime Strategies
3908 Duval Street
Austin, TX 78751

The Honorable Kay Granger
1701 River Run
Fort Worth, TX 76107

Wendy Davis
2325 Mistletoe Dr.
Fort Worth, TX 76110

I-CARE
P.O. Box 1899
Fort Worth, TX 76101-1899

Christina Patoski
4237 El Campo Ave.
Fort Worth, Texas 76107
817/738-0330 tel 817/732-4676 fax

April 30, 2003

Maribel Chavez, P.E.
Texas Department of Transportation
2501 Southwest Loop
PO Box 6868
Fort Worth, Texas 76115

Dear Ms. Chavez:

This is a letter of comment on the proposed 121 Toll Parkway.

After attending the public hearing at the Roundup Inn on Tuesday April 22, 2003 I would like to add the following comments to the public record. I am very concerned about the existing traffic noise levels as a result of Interstate 30 between Arlington Heights High School and Forest Park Blvd. I believe that the traffic noise levels from I-30, and for miles beyond, exceed the noise abatement criteria established by the FHWA. Building 121 will only serve to exacerbate an already existing traffic noise problem.

The areas most severely impacted are the Botanic Gardens and adjacent Trinity Park, both places of extraordinary significance and where serenity and quiet are paramount. I believe that the traffic noise levels from I-30 are already more than 57 decibels, especially if the prevailing wind is from the south, which is most of the spring and summer months when these sites are most often used by the public. I request that multiple sensors are installed at the Gardens and along the river to measure decibels and that these measurements be done at multiple times and on multiple days, especially when the wind is from the south.

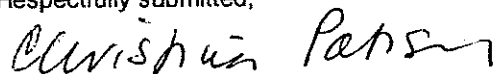
The other area of concern is the proposed tollway plaza booths area, from Hulen to Vickery. The Alamo Heights neighborhood is already negatively impacted from the traffic noise of I-30, and on the other side the massive railroad switching yard. Alamo Heights will literally be hemmed in by 121. They will also have added air quality issues from the emissions of cars braking and accelerating at the toll plaza booths. The cumulative effects of 121, along with I-30 and the railroad switching yard will be beyond what noise abatement barriers can contain and will severely impact the Alamo Heights neighborhood.

I live four blocks to the north of I-30 and am deafened by the traffic noise from the road. There are many days that I'm not able to enjoy my backyard because of the traffic noise. I can even hear the noise from inside my house. Noise barriers are there, but they obviously aren't doing the job.

Therefore, I formally request that the design of 121 from Hulen to Forest Park Blvd. be depressed, that is below grade enough that the traffic noise is abated. That means not slightly below grade, but way below grade. It's the only thing that really works to stop the noise.

Noise pollution damages the quality of life in the neighborhoods, at our schools, our cultural institutions, and our city parks.

Respectfully submitted,



Christina Patoski

cc: Gary Jackson, City Manager
City of Fort Worth
1000 Throckmorton
Fort Worth, TX 76102

Jerry Hiebert, Executive Director
North Texas Tollway Authority
5900 W. Plano Parkway, Suite 200
Plano, Texas 75093

Scott Polikov A.I.C.P., J.D.
Prime Strategies
3908 Duval Street
Austin, TX 78751

The Honorable Kay Granger
1701 River Run
Fort Worth, TX 76107

Wendy Davis
2325 Mistletoe Dr.
Fort Worth, TX 76110

I-CARE
P.O. Box 1899
Fort Worth, TX 76101-1899

LAW OFFICES OF
JOE H. STALEY, JR.

5949 Sherry Lane, Suite 501
Dallas, Texas 75225
(214) 739-3700
Fax: (214) 739-1919

FAX

To: Maribel Chavez

Fax: 817-370-6787

Date: May 2, 2003

Total Number of pages, including cover sheet: 7

Comments:

LAW OFFICES OF
JOE H. STALEY, JR.

5949 Sherry Lane, Suite 501
Dallas, Texas 75225
(214) 739-3700
Fax: (214) 739-1919

May 2, 2003

Maribel Chavez
District Engineer
Texas Department of Transportation
P.O. Box 6868
Fort Worth, Texas 76115

SENT VIA FACSIMILE AND REGULAR MAIL

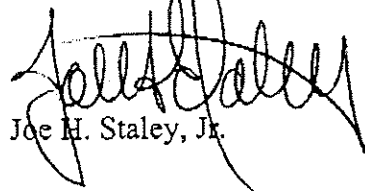
In Re: Fort Worth Country Day School's written comments and questions regarding
environmental study for SH121T

Dear Ms. Chavez,

When I spoke at the public hearing on April 22 on behalf of Fort Worth Country Day School, I said I would submit written comments and questions on behalf of the school. Attached hereto are the written comments and questions.

Please include them in the record of public comments and questions for the TxDOT and North Texas Tollway Authority hearing held on April 22 in Fort Worth, Texas.

Very Truly Yours,



Joe H. Staley, Jr.

**ADDENDA TO TESTIMONY OF FORT WORTH COUNTRY DAY SCHOOL
AT PUBLIC HEARING ON APRIL 22, 2003**

- A. Fort Worth Country Day School (FWCDS) has been unable to verify the findings of the Draft Environmental Impact Statement, which justifies classifying parts of its campus as Category "E" (interior impact only) property. The specific sites, called "sensitive receptors", are the Kindergarten, R3, the Middle School, R4, and the Library, R5.

In this regard, FWCDS requests the following background information be addressed and answers furnished to it:

1. The basis (visual observation, discussion with FWCDS staff or other) for the statement in the DEIS, *"The school... (has) no frequent human outdoor activity areas between highway and receptor"*.
2. The dates and duration of any observations made of the outdoor activities at FWCDS in order to write the above italicized statement.
3. Any member of faculty or staff at FWCDS who confirmed whether the school ever held outdoor activities between the proposed roadway and school buildings.
4. All inquiries as to the nature of human outdoor activities, who participated in them, how often they might occur, and the importance of outdoor activities to the goals and curriculum of the school.

- B. FWCDS has found that the DEIS contains no information regarding the determination of existing noise levels at sensitive locations, three of which include buildings at FWCDS.

In this regard we have the following questions:

5. Did the writers of the DEIS determine the existing noise levels at receptors R4 and R5 in accordance with Step 2 of the traffic noise analysis procedure outlined on page V-80 beneath Table V-10?
6. If the answer to question 5. is yes, how was the existing noise level measured (state date(s), times and durations of measurements, and type of measurement equipment used)?
7. If the answer to question 5. is yes, why were the existing noise levels at sensitive receptors not included in the DEIS?

8. If the answer to question 5 is yes, were the existing noise levels compared with the predicted noise levels at the Estimated Time of Construction Completion (ETC) and with the ETC+20 predicted noise levels?
9. If the comparison in question 8. was made, what was the result? Specifically, could the difference between the existing noise level at the FWCDS and the predicted ETC level create a Relative Criterion noise impact, defined as being a difference of more than 10 dB(A)?
10. If the answer to question 9 is that there is a traffic noise impact based on the Relative Criterion, why was this information not included in the DEIS?
- C. FWCDS alleges that the predicted interior noise level of 43 dB(A) at sensitive receptors R3 and R4 and 40 dB(A) at sensitive receptor R5 in ETC 2005 are speculative and not based on the actual construction of the school buildings. There are no noise contours or spot exterior noise levels accompanying the DEIS which could be used as a necessary part of the calculation of the interior noise levels, the absence of which contradicts Step 3. of the Traffic Noise Analysis Procedure, Prediction of future noise levels.
11. What are the predicted exterior noise levels at the three FWCDS sensitive receptor sites?
12. What is the building shell attenuation (the loss or noise reduction value in dB(A)) afforded by the construction of the FWCDS buildings at these three sites, which was used to arrive at their interior noise levels?
13. If the Relative Criterion is applied to an occupancy classified as Activity Category "E", interior, and the Criterion states that, "The predicted noise level substantially exceeds *the existing noise level at a receiver...*", would this not imply that a Category "E" receiver is an *indoor* receiver?
14. Did the authors of the DEIS measure the *interior noise levels* in the three affected buildings at FWCDS?
15. If the answer to question 14 is no, what other method was used to justify the finding as to whether traffic noise impact has occurred for an indoor receiver?
16. If the answer to question 14 is no, would a traffic noise impact occur inside one of these three buildings if the measured noise level indoors adjacent to the proposed

- roadway were found to be a low number, and the predicted interior noise level exceeded it by more than 10 dB(A)?
17. Will such occur after construction of the road?
- D. FWCDs alleges that its property should have been categorized at a minimum as Activity Category "B".
18. Does Category "B" include "schools" as one of the uses eligible for that category?
19. Does FWCDs include several other associated uses on its property which also may be eligible for inclusion under Category "B", such as playgrounds, recreation areas, parks, and libraries?
20. If it is unsubstantiated that "there is no outdoor activity..." at FWCDs, and there are *compelling* uses of this site which would dictate it to be placed in Category "B", wouldn't Category "B" be the most proper category for FWCDs?
21. If Category B is an equally or more compelling category, why was Category "E" selected instead?
22. What are the factors utilized to distinguish whether Category E or Category B is applicable to a property; which were used in this instance, and how were they applied and what were the specific result for each?
- E. FWCDs alleges that the authors of the DEIS did not discuss with school staff the types of activity categories in which the campus might be placed, did not discuss the potential ramifications of the category placement in terms of its potential to secure consideration and evaluation of noise impact reduction measures.
23. Did the authors of the DEIS explain any of the above issues to the school, or ask their opinion of or reaction to the location of a freeway adjacent to their property?
24. Did the authors of the DEIS ask FWCDs staff whether they thought that the impact of the proposed roadway would significantly change the environment of the school?

25. Did the authors of the DEIS ask FWCDS staff if, in its judgment, changes such as those predicted from the presence of the proposed roadway would harm the school's ability to deliver a tranquil setting and educational curriculum consistent with their past standards?
26. Did the DEIS advise the school that it was considered non-impacted by noise and that any noise reduction efforts, if feasible, would have to be borne at the school's expense?
- F. FWCDS alleges that a prior report by Pelton Marsh Kinsella, a division of Carter and Burgess, Inc., (C&B) the engineering firm in charge of the SH121T project, addressed to Mr. Steve Stackhouse at FWCDS on February 7, 2003, stated twice that, "it is important to stress that the school should be consider (sic) in a Category "A" zone."
27. Have any authors of the DEIS, TxDOT or NTTA officials who have been working on the SH121T project reviewed the above letter from PMK on this subject and reviewed their findings with C&B?
28. If the answer to question 27 is yes, did these other entities consider Carter & Burgess/PMK's judgment incorrect or inaccurate?
- G. Eleven days later, on February 18, 2003, PMK wrote a letter to Mr. Stackhouse which noted that they had "become aware" that their parent company, Carter & Burgess was actively working with TxDOT on the SH121T project, and on the basis of conflict of interest, withdrew from providing any further sound analysis of the FWCDS site. This letter also changed their original assessment of the proper category for the school's setting from Category "A", the first and most sensitive land use category, to Category "E", the last and arguably least sensitive category. They also noted that their reference to ANSI Standard S12.60-2002, *Acoustical Performance Criteria, Design Requirements and Guidelines for Schools*, "should not be used" because it is a voluntary National Standard and has not been adopted by any Code, even though in their February 7th letter they noted that this Standard states that "excessive intruding sound levels would be those exceeding 35 dBA as a 1-hour Leq average. The TxDOT calculated sound levels exceed this level by 5 to 8 dBA."
29. What suggestions or instructions were given to PMK concerning its second letter by either TxDOT, NTTA, or C & B to modify its earlier conclusions, made before it was discovered that C&B was working on the SH121T project?

- 30. Please explain the specific reasoning for the letter modification brought about by TxDOT's engineers (C & B) and all factual basis reconsidered in determining same.

- H. FWCDS alleges that the DEIS is incomplete and therefore draws erroneous and misleading conclusions to attempt to avoid the noise impact issue at FWCDS by SH121T by arbitrarily assigning the Noise Activity Category least likely to elicit a Noise Impact action.

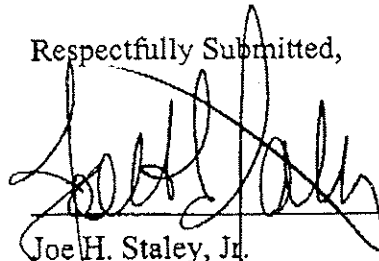
- 31. Will noise abatement issues decided in favor of actions which cause construction or design changes to the Design increase its cost?

- 32. Do increased costs jeopardize the chances that the project might be built?

- 33. Does an interest in maintaining lowest construction costs practicable present a conflict of interest with minimizing noise impact on the communities through which SH121T will pass?

- 34. Should TxDOT have utilized an independent agency to conduct its Noise Activity categorization and noise impact analyses?

Respectfully Submitted,



Joe H. Staley, Jr.

LAW OFFICES OF JOE H. STALEY, JR.

5949 Sherry Lane, Suite 501

Dallas, Texas 75225

Tel: (214)739-3700

FAX: (214)739-1919

ATTORNEY FOR

FORT WORTH COUNTRY DAY SCHOOL

May 2, 2003

Ms. Maribel Chavez, P.E., District Engineer
Texas Department of Transportation
P. O. Box 6868
Fort Worth, Texas 76115

Re: DEIS for 121 Parkway, Fort Worth, and impact on Sunset Terrace Historic
Neighborhood, one block west of I-30 and Summit Avenue intersection

Dear Ms. Chavez:

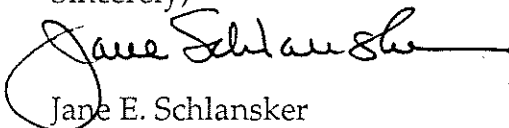
In response to the DEIS for the proposed construction of the 121 Parkway through the central corridor of Fort Worth, I am writing to comment on several points. For reference, I live at 1614 Sunset Terrace and also am part owner of the apartments located at 1700 Sunset Terrace, both properties located adjacent to the intersection of I-30 and Summit Avenue.

Environmental Studies. As a resident of the historic Sunset Terrace neighborhood (eligible for the National Historic Register), I join my neighbors in requesting that there be a full and total evaluation of all of the cumulative environmental impacts on our neighborhood – noise, air and traffic. (We are currently having great difficulty renting an apartment at 1700 Sunset Terrace due to freeway noise, a factor that will only increase with the addition of 121.)

Traffic Impacts. It is currently extremely difficult to get into and out of our neighborhood due to traffic congestion at the intersection of Summit Ave. and I-30. This problem will only get worse with the opening of the RadioShack and Pier 1 Imports new corporate campuses in downtown Fort Worth. The DEIS must address these negative impacts, offering relief not only to our neighborhood but to others who work in the downtown Fort Worth area and nearby medical district.

Historic Property. The Sunset Terrace neighborhood is eligible for the National Historic Register. I understand that under the law, federal agencies are required to evaluate and take into account the impacts that projects such as the construction of the 121 Parkway will have on affected historic areas. The DEIS for 121 does not include such an evaluation for the Sunset Terrace neighborhood, and I am requesting that this be accomplished and addressed.

Sincerely,



Jane E. Schlansker

1614 Sunset Terrace
Fort Worth, Texas 76102
817-332-6522

April 22, 2003

Ms. Maribel P. ChaVEZ, P.E. - District Engineer
Texas Department of Transportation
P.O. Box 6868
Fort Worth, TX 76115

Our neighborhood watched the T121 process very closely and our initial apprehension of the T121 project was largely relieved by the recommendations of the PDT and the subsequent adoption of those recommendations by the Fort Worth City Council. Since this time, we have become concerned that the features and themes developed by the PDT will not be followed through in the final product. The DEIS has done little to relieve those concerns.

Specifically, we are concerned about the noise level in our neighborhood and how it will be mitigated. We do not think that the noise studies to date are adequate and would request additional site specific studies be performed.

Next, we are concerned about traffic patterns on Forest Park Boulevard. The traffic study referenced in the DEIS appears to come from 1984, now almost 20 years ago. I do not need to tell you how much has changed in 20 years particularly with the redevelopment of downtown. We are interested in projections of traffic on Forest Park based on current traffic data with and without T121.

Third, we would like to see the lighting of the roadway studied and designed with sensitivity to its proximity to our neighborhood and other neighborhoods along the corridor. We already have too much tall mast lighting along the Rosedale bridge and up Forest Park Blvd. through our neighborhood. The proposed new road will be visible from our neighborhood from several points (including our personal backyard deck) given the unique topography of Mistletoe Heights.

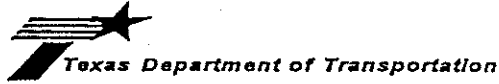
Fourth, we are worried about air quality effects. The DEIS particularly does not address potential stagnant traffic on the northern end of the project and its potential effect on air quality.

Fifth, as to all of the above, we do not see anything for T121 which studies the cumulative effect on Mistletoe Heights, given its historical significance to Fort Worth, when combined with the other freeway and street expansions which have occurred in that past 20 years. With the proposed T121 lanes, I count between 16 and 22 freeway lanes and ramps in succession (excluding a railroad bridge) within 1/2 mile from the northern border of our house. We do not see how anyone can claim that has no environmental impact on us and the livability and value of our properties.

Finally, as a resident of the City of Fort Worth and not just Mistletoe Heights, I am concerned about the entire corridor. If this road cannot be built as a parkway with all that entails and with minimal impact to and significant mitigation for the neighborhoods, the river, and our beautiful linear park system, all of which it will clearly impact, I simply cannot support it.

Truly yours,

Patey H. Stocum
2218 W Rosedale So
In Worth TX 76110
817-923-5510



STATE HIGHWAY 121

From IH 30 to FM 1187

Tarrant County

Public Hearing

April 22, 2003

The Texas Department of Transportation (TxDOT) actively seeks your comments on this proposed project. Your comments are always welcome and will be given serious consideration during the remainder of project development. Written comments may be submitted to the District Office using this form or by letter postmarked by May 2, 2003. Written and verbal comments will become part of the project record and will be included in the written summary and analysis of the public hearing. Thank you for your comments.

OFFICIAL COMMENTS:

As a property owner in Overton Woods, our household strongly supports Alternative CA. However, we believe a more attractive variation on this alternative would be to permit ingress/egress at Belleire/Arboclawn to downtown destination traffic in order to eliminate the cut through impact on the neighborhood that will result from existing traffic to avoid trouble in SH 121 (from downtown existing southbound into neighborhood; to downtown existing northbound into neighborhood).

Name

Elizabeth Tindall

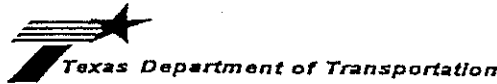
Address

3713 Black Canyon

FT WORTH TX 76109

Phone

07 862 9000



STATE HIGHWAY 121
From IH 30 to FM 1187
Tarrant County
Public Hearing
April 22, 2003

The Texas Department of Transportation (TxDOT) actively seeks your comments on this proposed project. Your comments are always welcome and will be given serious consideration during the remainder of project development. Written comments may be submitted to the District Office using this form or by letter postmarked by May 2, 2003. Written and verbal comments will become part of the project record and will be included in the written summary and analysis of the public hearing. Thank you for your comments.

OFFICIAL COMMENTS:

I whole heartedly support the A/C Combo Plan. I live in SW Fort Worth and have worked off Forest Park and I-30 for many years. This seems to be the most beneficial route to all parties concerned.

Name

Darlene Trojacek

Address

5121 Whistler Dr
JTW 76133

Phone

817 3466615

ARLINGTON HEIGHTS NEIGHBORHOOD ASSOCIATION
P.O. Box 470692 Fort Worth, TX 76147

MAR 04 2003

March 3, 2003

Maribel Chavez, P.E., District Engineer
Texas Department of Transportation,
P.O. Box 6868,
Fort Worth, Texas 76115

RE: Letter of comment for Proposed 121 Toll Road

The Arlington Heights Neighborhood Association urges the Texas Department of Transportation to follow its mandate to listen to the citizens of Fort Worth when making decisions about building the proposed 121 Toll Road.

Our neighborhood association is concerned about the negative impact that noise and lighting from the proposed toll road will have on the neighborhoods that it passes through. We know first-hand how much a multi-lane highway can damage the quality of life in a neighborhood. A large portion of our neighborhood is adjacent to Interstate 30, and has been negatively impacted by the acoustics of said road, sometimes at almost deafening decibels. There are days when it sounds like we live on the Daytona 500 racetrack.

Therefore, we feel that it is imperative that a noise impact evaluation be conducted for the Botanic Gardens area. The Japanese Gardens are among the city's most popular tourist attractions. The Rose Garden structures are eligible for the National Register and a children's garden is planned on the southern end of the park, adjacent to Interstate 30 and the Rosedale ramps. Hundreds of thousands of Fort Worth citizens have come to depend on their Botanic Gardens to provide them with an experience of tranquility and solace. We are concerned that the acoustics from the 121 traffic will negatively effect that experience.

We feel that it is essential and of the utmost importance that the design of this road impacts the citizens of Fort Worth in a positive manner and that the road in all of its various manifestations maintains and facilitates the highest possible quality of life for those established citizens living in its path.

We believe that high mast lighting is not acceptable when such lighting spills over into the adjacent neighborhoods, and would like to see directional lighting used when the roadway is

adjacent to residential areas.

We are concerned about mitigating impacts on the Trinity River, and support the Fort Worth Water District and the Streams and Valleys Committee in their requests on this matter.

We would like to see a linear park developed in the toll plaza area and would like to see the Trinity River hike and bike trails connected up to that park. Further, we request that the all of the latest technologies, such as toll tags, be used to reduce the number of toll booths in the toll plaza. We would also like to see lighting and noise impact mitigated in the toll plaza area.

We support the Fort Worth City Council's request that Project Development Team themes be included in consideration of all the alternatives in the Environmental Impact Statement, and request that Project Development Team report be attached to the final statement.

Respectfully submitted,



Darla Vaughan

President of Arlington Heights Neighborhood Association

cc: Gary Jackson,
Jerry Hiebert,
Scott Polikov,
The Honorable Kay Granger,
I-CARE

Linbeck

STATE OF TEXAS
TxDOT MAILROOM

APR 28 2003

April 15, 2003

Ms. Maribel P. Chavez, P.E.
District Engineer
Texas Department of Transportation
P. O. Box 6868
Fort Worth, Texas 76115

Re: SH-121T
Draft Environmental Impact Study
Public Hearing April 22, 2003 @ 7 PM @ Will Rogers Round Up Inn

Dear Ms. Chavez:

Linbeck is the project manager for the Children's Garden Committee which is planning for construction of a Children's Garden within the existing boundaries of the Fort Worth Botanic Gardens, a city park. The Children's Garden will occupy approximately 4 acres with the historic Rose Garden (which is eligible for the National Register of Historic Places) to the East, the Japanese Garden to the North, the proposed Greenhouse facilities to the West, and the Interstate 30 frontage road to the South. Sound impacts from the SH-121T Southwest Parkway must be mitigated to preserve the existing and future sanctuary of the Botanic Gardens.

We respectfully request additional noise studies at the following locations:

1. The SW corner to the parking lot directly behind and east of the Antique Mall building located at the NE corner of I30 and Montgomery.
2. Between the curb and fence along the north side of the frontage road where the westbound Montgomery exit ramp for I30 intersects the frontage road.
3. At the Rose Garden Pavilion at the entrance to the Rose Garden.

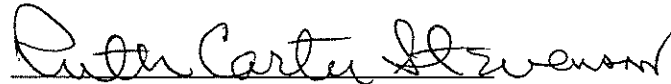
Hopefully, these studies will identify the impact the Southwest Parkway would have on the Fort Worth Botanic Gardens and specifically, the Children's Garden. Please consider mitigation of this noise impact in the design of the Parkway.

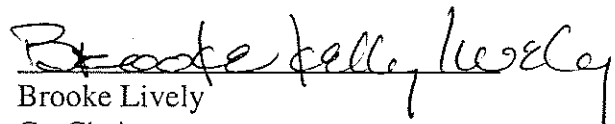
The Children's Garden will be a significant addition to what is already an historical and environmental treasure for this region. Thank you for your consideration of our concerns. We look forward to the findings of the noise studies and anticipated mitigation of any additional noise generated by the proposed Southwest Parkway.

Sincerely,



George T. Vavrek
Senior Vice President

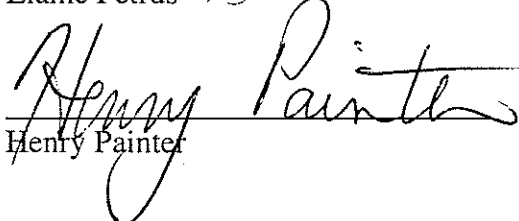
Endorsed by:


Ruth Carter Stevenson
Co-Chair


Brooke Lively
Co-Chair


Edward P. Bass


Elaine Petrus


Henry Painter

Cc: I-Care
P.O. Box 1899
Fort Worth, TX 76101-1899

CASSCO LAND CO., INC.

4200 SOUTH HULEN, SUITE 614
FORT WORTH, TEXAS 76109-4988
PHONE (817) 731-7396; FAX (817) 731-7398

DIST 02 FORT WORTH
TXDOT MAILROOM

FEB 26 2003

February 24, 2003

Mayor Kenneth Barr
City of Fort Worth
1000 Throckmorton
Fort Worth, Texas 76102

RE: Locally Preferred Alternative for State Highway 121T ("SH121T")

Dear Mayor Barr:

Maribel Chavez suggested we send you this letter following our meeting with her and members of the Fort Worth District TXDOT staff last Friday afternoon.

Specifically, we were asked to make clear the willingness of the owners of the property known as the Edwards Ranch to support that part of the SH121T project that would have Arborlawn, rather than Bellaire Drive, extended to become the main east-west arterial between Vickery and SH183. Arborlawn would veer north and then turn west with an interchange at SH121T. Bellaire Drive would terminate into the Arborlawn extension. While we would prefer Bellaire to be extended as a thru street, we would accept this alternative which is similar to the plan that we presented to you, Gary Jackson and Mike Weaver last June and is shown on the attached map. When Cassco developed the Overton Woods subdivision in the late 1970's the City required that Cassco build Bellaire Drive as a six-lane divided arterial. Typically, traffic-calming measures are not used on six lane divided arterials. However, to facilitate compromise, the property owners would support traffic calming on Bellaire Drive.

Previously, the owners of the property committed to donate the right-of-way for the extension of Bellaire Drive to Bryant Irvin Road with the construction being funded by the 1998 Capital Improvement Bond funds. The commitment to donate the right-of-way was conditioned on Bellaire Drive being built at grade. This letter also is to let you know that the owners would agree to donate the right-of-way for the Arborlawn extension to Bryant Irvin Road and the extension of Bellaire Drive to terminate into Arborlawn if the bond funds will be used to construct the Arborlawn and Bellaire Drive extensions at grade and in a reasonable time frame.

The owners believe that this compromise option would provide the needed traffic mobility, protect the Overton Woods neighborhood, minimize the damages to the Edwards Ranch property, and reduce the expense of remainder property damages as part of right of way acquisition. Maribel Chavez and the TXDOT staff

encouraged us to indicate our support for this compromise, which we understand, is being considered for the Locally Preferred Alternative.

We also told Ms. Chavez that the property owners would also consider donating the right of way necessary to create SH121T frontage roads to complete a Texas turnaround north of I-20 so as to improve access for the Country Day School assuming, again, that this frontage road is at grade and intersects at grade with the Bellaire or Arborlawn extension and affords reasonable frontage road access to the Edwards property.

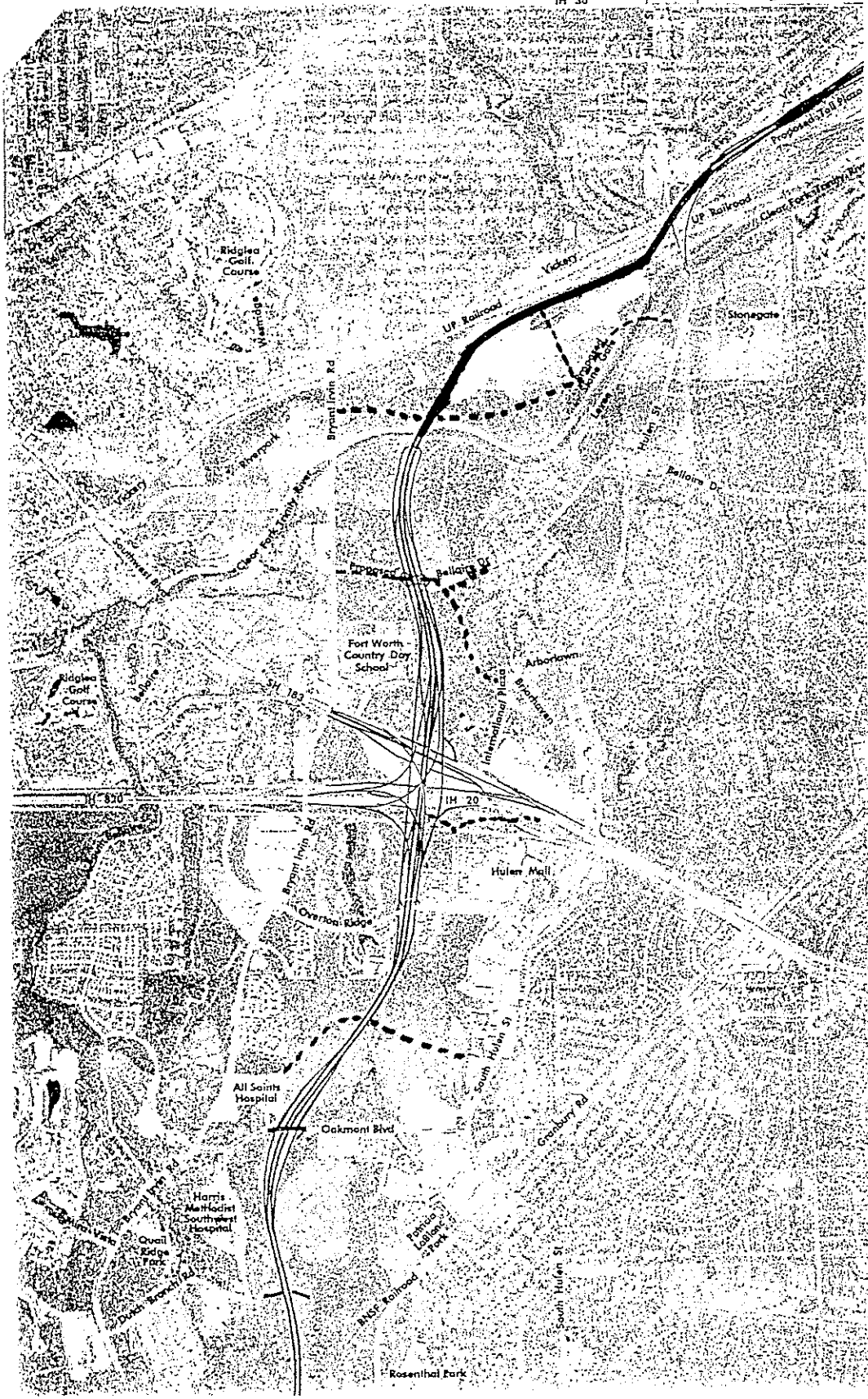
Please also note TXDOT was receptive to our requests for changes north of the Trinity River and hope Mike Weaver's work aligning SH121T north of the electric transmission right-of-way and south of the Union Pacific railroad would also be included in the Locally Preferred Alternative. We also gave TXDOT copies of the design prepared by Jacobs Engineering showing east-bound exit and entrance ramps from Interstate 20/820 to River Ranch Boulevard. This is the same information provided to Mike Weaver in our meeting last June. We also hope that this access be included in the Locally Preferred Alternative.

Sincerely,



Scott Walker

cc: Councilmember Jim Lane
Councilmember Chuck Silcox
Councilmember Becky Haskin
Councilmember Frank Moss
Councilmember Clyde Picht
Councilmember Jeff Wentworth
Councilmember Ralph McCloud
Councilmember Wendy Davis
City Manager Gary Jackson
Jerry Hiebert, NTTA Executive Director
Donna Parker, NTTA Vice Chairman
Maribel Chavez, Fort Worth District Engineer, TXDOT
Stephen Adler, Barron, Adler & Anderson, LLP



7-1-1955

CASSCO LAND CO., INC.

4200 SOUTH HULEN, SUITE 614
FORT WORTH, TEXAS 76109-4988
PHONE (817) 731-7396; FAX (817) 731-7398

CERTIFIED MAIL # 7001 0320 0004 2088 6870
Return Receipt Requested

May 1, 2003

Mrs. Maribel P. Chavez, P.E.
District Engineer
Texas Department of Transportation
P. O. Box 6868
Fort Worth, Texas 76115-6868

Re: Proposed State Highway 121 ("SH121")

Dear Mrs. Chavez:

This letter serves as our written public comment on the SH121 project in connection with the Public Hearing conducted on April 22, 2003. Our comments concern that portion of the project between Vickery Boulevard and Oakmont Boulevard. These comments are presented on behalf of Edwards Geren Limited and Cassco Land Co., Inc. ("Cassco interests") which own most of the private property in this segment of the project.

The Cassco interests own approximately 1,050 acres in four tracts between Vickery Boulevard and Oakmont Boulevard. This land is among the last large, undeveloped and prime properties in central Fort Worth, Texas. If SH121 was not under consideration or was not to be constructed, these properties would have a very significant and immediate development potential. For many years, before introduction of the SH121 toll road or controlled access freeway concept, the City of Fort Worth's transportation plan provided for or allowed access to or through these properties on Stonegate Boulevard, Bellaire Drive, International Plaza, Interstate 20 frontage roads, River Ranch Boulevard and Oakbend Trail. The uses available to these properties were to take advantage of this access for significant and upscale residential, industrial, commercial, retail, and mixed uses. Mindful of our responsibilities and commitments to neighbors and consistent with our long time practice of responsible land use and development, we would be able to put these properties to their significant highest and best uses without the currently proposed SH121. For over forty years, the Cassco interests have forborne from developing these properties and have kept the corridor open and available specifically for this project. The public benefited and now has the opportunity to acquire the needed property without having to acquire the residences and businesses that could have been on these properties. The involved public entities, including the Texas Department of Public Transportation

Mrs. Maribel P. Chavez, P.E.
May 2, 2003
Page 2

("TXDOT") through its discretion in determining the final SH121 design, should not now penalize the Cassco interests but should act in a way that encourages such civic minded behavior among others in the future.

The proposed plan for SH121 would require acquisition of approximately 150 to 170 acres out of the Cassco interests' ownership identified above. The project as presently proposed effectively builds a wall down the middle of these parcels and severs them into multiple disassociated pieces. The failure of the proposed plan to contain (1) a sufficient number of crossings of the project, (2) effective interchanges at those crossings, or (3) frontage road access results in the proposed SH121 being a significant detriment to the development potential and value of the parcels owned by the Cassco interests. Some of the specific ways in which the proposed SH121 harms and diminishes the use and value of the Cassco interests' properties are as follows:

1. By running parallel to but distant from the railroad tracks and Vickery Boulevard, the proposed SH121 renders virtually inaccessible and without value approximately 70 acres that are severed from the balance of the parent parcel.
2. By elevating Stonegate Boulevard from the Trinity River to the north side of proposed SH121, the properties realize only very contorted or limited access to or benefit from the project or the extension of Stonegate Boulevard.
3. Routing Stonegate Boulevard north of proposed SH121 precludes access to it from most of the Cassco interests' property north of the Trinity River.
4. By replacing what would have been a continuous north/south spine road through the middle of much of these properties north of Interstate 20 ("I-20") with proposed SH121 (without frontage roads), these tracts have no significant access except at their perimeters, thus greatly reducing the accessibility, available uses, and the quality and value of the parcels.
5. By extending Bellaire Drive above grade and without access to proposed SH121, the property being split by proposed SH121 cannot access it and the property cannot even access all of Bellaire Drive because of its embankments.
6. The construction of proposed SH121 through the property south of I-20 prevents River Ranch Boulevard from being what would have been a spine road that would have provided access to all of the Cassco interests' property south of I-20.

7. The approximately 14 acre tract at the southeast corner of SH121 and I-20 will lose all of its access to the existing east bound I-20 frontage road and will have limited access to the north-bound SH121 frontage road as shown on the attached map provided by the City of Fort Worth ("Exhibit A"). The City of Fort Worth's development policies limit the ability to obtain a median opening on River Ranch Boulevard so this parcel is severely limited in its use and value by the SH121 changes.
8. At various meetings of the City of Fort Worth's Citizens Advisory Committee, Project Development Team and City Council and meetings of the North Texas Tollway Authority recommendations have included burdening the undeveloped property adjoining SH121 with the requirement that landscaping buffers and noise mitigation be provided at the time of development by and at the expense of the developer.

A property owner confronted with the public's need for right of way is entitled to receive the market value of property acquired and, in addition, the diminution in market value of property not taken that arises as a result of the project (damages). As discussed above, the proposed SH121 will cause considerable harm and damage to the remaining property of the Cassco interests by limiting the access and use potential from which these tracts otherwise would have benefited and burdening the property with additional development costs.

We request that the proposed plan for SH121 be altered or amended so as to mitigate and lessen the damages to remaining property not taken in order to minimize cost of property acquisition and related damages. The following are our specific proposals along with notations of agreement and differences between our requested changes and the Locally Preferred Alternative adopted by the City of Fort Worth ("LPA"):

1. The route of SH121 parallel to and proximate to Vickery Boulevard and the railroad tracks should be redesigned so as to follow a route as nearly adjacent to the railroad tracks as is possible before the route turns southward to cross the Trinity River. This change will serve to salvage the 70 acres that otherwise are needlessly severed and rendered virtually unusable. This change was included in the LPA as shown on the attached map provided by the City of Fort Worth ("Exhibit B").
2. Stonegate Boulevard should be brought to grade after crossing the Trinity River, and its alignment should be moved south of SH121, and SH121 should be elevated over Clear Fork Crossing (the proposed intersecting street coming north from Stonegate Boulevard to SH121). We understand

that this change was included in the LPA as shown on the attached Exhibit B.

3. Bellaire Drive should remain at grade under elevated SH121 main lanes. This would maximize the access the properties would have to Bellaire Drive and minimize the costs of the damages and drainage improvements required by extending the embankments for the cross street to the east and west into the future development. The LPA provides for Arborlawn to be elevated over SH121. If TXDOT adopts the LPA recommendation that Arborlawn be the street that intersects SH121 rather than Bellaire Drive our request that the SH121 main lanes be elevated would still apply.
4. A "diamond" or meaningful interchange should be constructed at the intersection of Bellaire Drive and SH121. The LPA includes the "diamond" interchange at the proposed Arborlawn intersection in place of the Bellaire Drive intersection as shown on the attached Exhibit B.
5. A roadway perpendicular to Bellaire Drive should run from Bellaire Drive south to an extension of Arborlawn Drive. The LPA eliminates this roadway by providing for an Arborlawn interchange with SH121 rather than a Bellaire interchange.
6. Frontage roads should be provided on both sides of SH121 between State Highway 183 and Bellaire Drive so as to provide access to and around SH121. The LPA includes a frontage road on the west side of SH121 but not on the east side.
7. There should be a "diamond" or meaningful interchange at the intersection of SH121 and Oakbend Trail, between Overton Ridge Boulevard and Oakmont Boulevard. The LPA does not include such an interchange. If an interchange is not provided the SH121 main lanes should be elevated over the proposed alignment of Oakbend Trail to allow access between the parcels severed by SH121 and allowing the future construction of Oakbend Trail without having to construct a bridge over SH121.
8. I-20 entrance and exit ramps at River Ranch Boulevard should be provided as shown on the attached plans prepared by Jacobs Engineering dated May 30, 2002 ("Exhibit C") that were provided to the City of Fort Worth's consultant, Michael Weaver, in June 2002 and to TXDOT at our meeting on February 21, 2003. We believe that this plan will improve overall circulation around Hulen Mall and reduce the congestion at the Hulen Street/I-20 intersection.

Mrs. Maribel P. Chavez, P.E.
May 2, 2003
Page 5

9. All required landscaping buffers and noise mitigation, whether in developed or undeveloped areas, should be included in the SH121 project and not left to burden the property adjoining SH121.

The Cassco interests, from only the perspective of their ownership, would prefer that SH 121 not be constructed at all if it is to be constructed as proposed at the Public Hearing or as proposed by the LPA. If it is determined by the public entities involved that this project is in the best interest of the public, then the Cassco interests respectfully request that the project be redesigned so as not to increase needlessly the cost of right-of-way acquisition and damages.

Sincerely,



Scott Walker

cc: Marc A. Ott, Fort Worth Assistant City Manager

EB. Fig. Rd

ERS, LTD
PAGE 1600
T.

CITY OF FORT WORTH
VOLUME 18788, PAGE 57
D.R.T.C.T.

TEXAS
121

No Access
Allowed

CASSCO LAND CO., INC
VOLUME 5783, PAGE 1
D.R.T.C.T.

CO LAND CO., INC
E 6886, PAGE 2336
D.R.T.C.T.

ACCESS
ALLOWED

Access per
City of
Fort Worth

CASSCO LAND CO., INC
VOLUME 5783, PAGE 1
D.R.T.C.T.

SOUTH WEST PROPERTIES, L.P.
VOLUME 11512, PAGE 158
D.R.T.C.T.

CITY OF FORT WORTH
VOLUME 8788, PAGE 157
D.R.T.C.T.

PLUNTERS RIDGE
VOLUME 30884, PAGE 39
P.R.T.C.T.

River Ranch

BLOCK 22
OVERTON SOUTH
VOLUME 30884, PAGE 39
P.R.T.C.T.

ARRIERS, LTD
PAGE 1600
T.C.T.



Overton Ridge

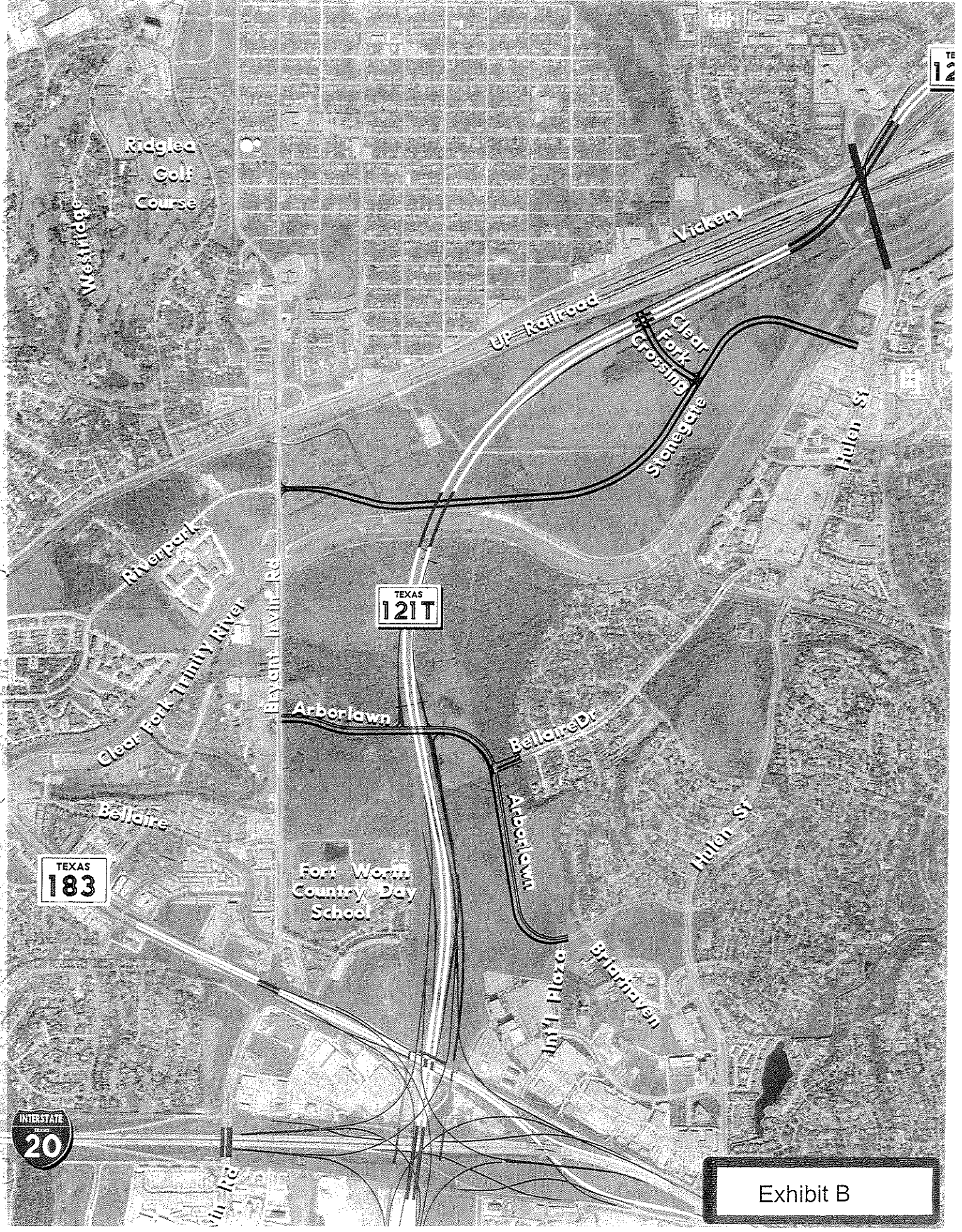


Exhibit B

Sent in
April 30
package



REQUEST TO MAKE ORAL STATEMENT

PUBLIC HEARING

State Highway 121
From IH 30 to FM 1187
Tarrant County

April 22, 2003

PLEASE CHECK APPLICABLE ITEM OR ITEMS:

_____ I would like to make an oral statement in the general assembly of the public hearing.

_____ I would like to make an oral statement to a court reporter outside the general assembly. (A court reporter will be stationed outside the assembly to take statements at your convenience any time during the public hearing.)

X_____ I am a property owner in the near vicinity of the proposed project.

_____ I have a general interest in the project. *4317 W. Vickery*

_____ I am an elected public official, and my position is:

It then will the property start to be valued and bought.

NAME: *Ed + Pauline Wittenberg*
(PLEASE PRINT)

REPRESENTING: *Self*

ADDRESS: *3009 Preston Hollow*
H. North, Texas 76109

Called



HOWELL INSTRUMENTS, INC.

3479 WEST VICKERY BOULEVARD ♦ FORT WORTH, TEXAS 76107
TELEPHONE 817/336-7411 ♦ FAX 817/336-7874 ♦ WWW.HOWELLINST.COM

April 22, 2003

Texas Department of Transportation
Attn: Ms. Maribel P. Chavez, P.E. - District Engineer
P.O. Box 6868
Fort Worth, TX 76115

Reference: Written Comments – SH121T

Dear Ms. Chavez:

Howell Instruments, Inc. is one of many businesses that will have to relocate because of SH121T. We have been in business since 1951 and have been at our present location since 1956. Howell is a leading manufacturer of turbine test equipment and instrumentation with a worldwide customer base including our largest customer the U.S. military.

The reason for this letter is to identify certain areas that should be addressed if our property is to be taken for this highway. First, we are a U.S. Department of Defense contractor holding contracts that must have timely uninterrupted deliveries. The manufacturing for these contracts is performed here at this facility, and for this reason, Howell must be given at least 18 months notice before our property is taken so a new facility can be placed into operation.

Also, we request that our situation be given first priority if the highway is finally approved. Our company has been unable to make some strategic decisions or address current facility concerns because of the uncertainty surrounding this project. Consequently, over the past several years, our business has been impacted. If a decision to build SH121T is reached, an expedited reconciliation with Howell Instruments would be appropriate.

We request our situation be addressed in your consideration of the proposed SH121T project.

If there are any questions, please do not hesitate to contact me.

Best Regards,

Scott A. Worrell
President

cc: Bryan Beck, City of Fort Worth.

A RESOLUTION

No. 2923

A RESOLUTION ADOPTING THE RECOMMENDED LOCALLY PREFERRED ALTERNATIVE FOR THE SOUTHWEST PARKWAY (SH-121T) AND TRANSMITTING THE RECOMMENDED LOCALLY PREFERRED ALTERNATIVE TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE TEXAS DEPARTMENT OF TRANSPORTATION'S HEARING ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR SH-121T.

WHEREAS, the proposed Southwest Parkway (SH-121T) is necessary to alleviate congestion, enhance regional mobility, sustain economic development and enhance air quality; and

WHEREAS, the proposed SH-121T (Project) requires federal, state, tollway and local funding for the design and construction of the project; and

WHEREAS, on December 8, 1998, the Fort Worth City Council authorized the negotiation and execution of an agreement with the North Texas Tollway Authority (NTTA) and the Texas Department of Transportation (TxDOT) concerning the development of the Project; and

WHEREAS, on November 28, 2000, the City of Fort Worth (City) entered into an agreement with NTTA and TxDOT (2000 Tri-Party Agreement) concerning the funding for the Project, as well as the rights and obligations of the City, NTTA and TxDOT (Project Partners) for the design, construction and operation of the Project; and

WHEREAS, the 2000 Tri-Party Agreement contained an estimate of the total Project cost of \$180 million, inclusive of right-of-way acquisition and the interchanges at IH-30 and IH-20; and

WHEREAS, if the estimated total Project cost of \$180 million is exceeded, the parties in the 2000 Tri-Party Agreement have agreed that they will work collaboratively to address any remaining funding shortfalls; and

WHEREAS, the estimated total Project cost in 2003 exceeds \$300 million; and

WHEREAS, the 2000 Tri-Party Agreement calls for a final agreement among the Project Partners before the City will be committed financially to the Project; and

WHEREAS, all parties to the 2000 Tri-Party Agreement are committed to incorporating a high degree of aesthetic and urban design standards to the extent reasonably necessary; and



CITY OF FORT WORTH

WHEREAS, the City established the Citizens' Advisory Committee (CAC) and, subsequently, the Project Development Team (PDT) to provide a process for stakeholder involvement related to the schematic design of the Project and the desired features and themes; and

WHEREAS, the PDT, building on the community process started by CAC, recommended a Preferred Design for the Project, as is delineated in the "Summary and Recommendations" of the January 2001 Transportation Design Study Report, attached hereto and incorporated by reference as **Exhibit A**; and

WHEREAS, the City Council, in Resolution No. 2693, accepted the recommendations of the PDT and adopted them as the City's Preferred Design for evaluation by TxDOT and NTTA as part of the preparation of the Draft Environmental Impact Statement (DEIS) for the federally mandated environmental clearance process under the National Environmental Policy Act (NEPA); and

WHEREAS, the City Council, in Resolution No. 2693, also provided that the final design of the Parkway must satisfy Federal Highway Administration (FHWA), TxDOT and NTTA engineering standards for safety and operation, and that the City, NTTA and TxDOT work cooperatively to identify and obtain funding to construct SH-121T and to implement the Project at the earliest possible date; and

WHEREAS, the City Council, in Resolution No. 2693, urged TxDOT and NTTA to follow the recommendations contained in the City's Preferred Design (Alternative A) as closely as practical, absent insurmountable environmental problems or unacceptable conflicts with safety and engineering standards; and

WHEREAS, NTTA and TxDOT assessed Alternative A, accepting a substantial portion of the design elements of Alternative A in the subsequent design alternative known as Alternative C; and

WHEREAS, the 2000 Tri-Party Agreement provides that NTTA shall not proceed to the preparation of plans, specifications and estimates (PS&E) for construction until the Schematic Design for the Project has been approved by the City and TxDOT; and

WHEREAS, the City, the Tarrant Regional Water District (TRWD) and Streams & Valleys, Inc. have partnered to conserve and enhance the Trinity River Corridors as a focal point for Fort Worth Neighborhoods and as a means to link virtually every part of the City via the Trinity Trails System; and

WHEREAS, the City, the TRWD and Streams & Valleys, Inc. have worked cooperatively to develop the Trinity River Master Plan Vision; and TRWD and Streams & Valleys, Inc. have developed a program within that vision as it relates to SH-121T, as delineated by Streams & Valleys, Inc. and the TRWD in the letter addressed to the Mayor of Fort Worth (Mayor), dated January 28, 2003, for the two crossings of the Trinity River by SH-121T, attached hereto and incorporated by reference as **Exhibit B**; and for which the Mayor and City Manager have recommended that an appropriate level of funds be committed based on that which is necessary to complement the investment of NTTA and TxDOT, as is memorialized by the letter from the Mayor to Streams & Valleys, dated February 12, 2003, attached hereto and incorporated by reference as **Exhibit C**, not to exceed that funding commitment as is referenced in Paragraph 2 Page 4 of this Resolution; and in which TxDOT will partner with the City and



CITY OF FORT WORTH

TRWD to develop a transportation project that will compliment the Trinity River Corridor as stated in a letter dated February 18, 2003 from Maribel Chavez, P.E., District Engineer, Fort Worth District, attached hereto and incorporated by reference as **Exhibit D**; and

WHEREAS, the City recognizes that NTTA is developing landscape and other design guidelines for its tollway system; and

WHEREAS, the City has proposed to develop cooperatively with NTTA a comprehensive plan (Corridor Enhancement/Mitigation Design Master Plan) for the Project in order to facilitate an overall design theme, the Trinity River Master Plan Vision as it relates to the Project, buffer designs, architectural details of bridges and other structures, neighborhood gateways, bridge span impact mitigation, trail locations, landscaping and other aesthetic details, and lighting methods, so that the City can effectively consider the Schematic Design for approval before the preparation of PS&E so as to ensure that those design elements are implemented for the Project, as is provided for in the 2000 Tri-Party Agreement; and

WHEREAS, the FHWA has approved the DEIS for public comment, as it was prepared by TxDOT with input from NTTA and various resource agencies; and

WHEREAS, TxDOT will assess all comments regarding the DEIS that are received during the public comment period in order to prepare a Final Environmental Impact Statement (FEIS); and

WHEREAS, the FHWA will consider the FEIS to determine whether the Project should be cleared environmentally; and, during the process of determining whether the Project should be cleared environmentally, a Locally Preferred Alternative for the Project will be considered; and

WHEREAS, the City is a partner in the development of SH-121T as memorialized in the 2000 Tri-Party Agreement because, in part, the City will be providing funding for the project, and because the project is located in the City's corporate limits; and because the City is a partner in the Project, the City should recommend a Locally Preferred Alternative for the Project; and

WHEREAS, after substantial public input, coordination with the City's Project partners, and technical evaluation, the City has determined that its Locally Preferred Alternative shall be the PDT Recommendations, Alternative A, with modifications as adopted by City Council.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:

- 1) The City adopts the PDT Recommendations, Alternative A, as the City's Locally Preferred Alternative with the following modifications:
 - a) Utilize the buffers as delineated in Alternative C; and
 - b) Utilize the "C/A Combo" design for the IH-30/SH-121T Interchange; and



CITY OF FORT WORTH

- c) Utilize the Trinity River Vision Master Plan design elements as delineated by Streams & Valleys, Inc. and the TRWD in the letter addressed to the Mayor of Ft. Worth, dated January 28, 2003, for the two crossings of the Trinity River by SH-121T, attached hereto and incorporated by reference as **Exhibit B**; and
- d) North of the Trinity River in the Stonegate Area, shift SH-121T northwards towards the UP Rail Yard, and shift future Stonegate Boulevard southward, in order to facilitate better development opportunities between SH-121T and the Trinity River, including enhanced conservation of the Trinity River Corridor, which also requires Stonegate Boulevard to be constructed at grade; and
- e) In the Bellaire Area:
 - i.) SH 121T constructed as low and as close to grade as practical between the Trinity River and SH 183/I-20 interchange;
 - ii.) Arborlawn Drive serves as the primary East-West roadway between Hulen Drive and Bryant Irvin Road;
 - iii.) Bellaire Drive extended to Arborlawn Drive upon construction of the Arborlawn Drive extension to SH 121T;
 - iv.) Arborlawn Drive constructed over SH 121T;
 - v.) A full diamond interchange constructed at the intersection of SH 121T and adjacent to Arborlawn Drive, as far north as practical to aid in the safe design of the Bellaire Drive/Arborlawn Drive intersection;
 - vi.) Land to be designated as "Parkland" purchased east of SH 121T adjacent to Arborlawn Drive/Bellaire Drive, an area at least 50 feet in width measured from the right-of-way line along both sides of Arborlawn Drive from SH 121T to the Bellaire Drive/Arborlawn Drive intersection and continuing 50 feet beyond that intersection, to serve as an additional buffer;
 - vii.) Construct a frontage road along the west side of SH 121T between the Arborlawn Drive interchange and the SH 183/I-20 interchange;
 - viii.) Do not construct a frontage road along the east side of SH 121T between the SH 183/I-20 interchange and the Arborlawn Drive interchange;
 - ix.) Do not construct frontage roads along SH 121T north of Arborlawn Drive; and
 - x.) Utilize uniform traffic control devices at the Arborlawn Drive/Bellaire Drive intersection and encourage the use of Arborlawn Drive instead of Bellaire Drive.
- f) Utilize direct connection ramps between SH-121T and SH-183; and
- g) Do not reconstruct and lower Overton Ridge Boulevard nor Dutch Branch Road.
- 2) The City's funding for the project shall include \$8 million for design enhancements consistent with a Corridor Enhancement/Mitigation Design Master Plan.
- 3) In order to realize the Trinity River Vision design elements delineated in the Trinity River Vision Master Plan program referenced in **Exhibit B**, attached hereto, an appropriate level of funds shall

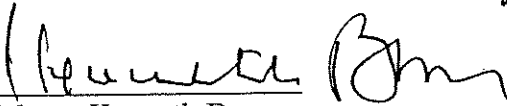


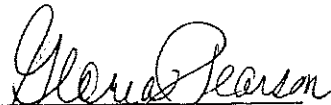
CITY OF FORT WORTH

be committed by the City, based on that which is necessary to complement the investment of NTTA and TxDOT.


- 4) The City shall provide its approval of the Project Schematic Design pursuant the 2000 Tri-Party only if the Schematic Design incorporates the Corridor Enhancement/Mitigation Master Plan.
- 5) The City shall proceed with negotiations for the Final Agreement with NTTA and TxDOT only after the Project Partners agree on and commit to a process for the development of the Corridor Enhancement/Mitigation Master Plan to be included in the Project Schematic Design.
- 6) The City shall establish a Citizens' Advisory Group to provide a process for stakeholder involvement related to development of the Corridor Enhancement/Mitigation Master Plan as well as the completion and approval of the Project Schematic Design and the desired features and themes consistent with the Locally Preferred Alternative.
- 7) The City Council hereby authorizes the Mayor and City Manager to transmit and present this resolution to TxDOT during the public comment period for the DEIS.

ADOPTED this 25th day of February, 2003


Mayor Kenneth Barr

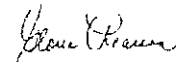

City Secretary

APPROVED AS TO FORM


City Attorney

APPROVED
CITY COUNCIL

FEB 25 2003


City Secretary of the
City of Fort Worth, Texas



CITY OF FORT WORTH

Exhibit A

Project Development Team Transportation Design Study Report January 2001

Summary and Recommendations

The four-month study, integrated with the public participation process and based on the Project Development Team (PDT) and general public comments, has resulted in a clear vision for the Southwest Parkway. The detailed by the North Texas Tollway Authority (NTTA) and the Texas Department of Transportation (TxDOT) have been modified slightly, yet significantly, to develop a "park like" road consistent with the Peer Review Team's Recommendations and the PDT's Mission statement and the Project Goal and Guiding Principle. The Project Development Team has endorsed the following recommendations:

CORRIDOR RECOMENTATION

DESIGN

- Lower, recess, or depress the Southwest Parkway as feasible and practical
- The design speed should be 60 mph from the CBD to Altamesa Boulevard. The posted speed should be 55 mph.
- Develop "3D" perspectives of the NEPA process selected designs for the Forest Park Boulevard and IH-20 interchanges and other design elements as necessary for better public comprehension and design refinement.

Environmental

- Noise pollution should be minimized by lowering the parkway and building sound walls where required by TxDOT standards. Seek other funding sources where TxDOT requirements are not met.
- Require new development to berm and use walls compatible with NTTA and TxDOT designs.
- Light pollution is to mitigated by use of cut-off fixtures and height of fixtures

- Filtration of water run-off from the parkway should be done in grass swales and detention ponds.

Architectural

- Bridge design should include cast limestone walls, attractive box beams, and decorative light fixtures.
- Retaining walls and sound walls should be cast limestone with a concrete cap. Height of retaining walls should be minimized by using two shorter walls with landscaping in between to soften impact. Consistency should be maintained along the parkway.

Signage

- Billboards will not be allowed along the parkway
- Existing signage ordinance should be reviewed to make sure height and size of signs do not product visual clutter.

Land Use

- Review of proposed land use in areas along parkway should consider minimizing impact on residential areas.
- Frontage roads should not be allowed except in the areas adjacent to the IH-20 and IH-30 interchanges.
- Require developers to provide landscaping buffers and noise mitigation compatible with the aesthetic and architecture of the Southwest Parkway.

Pedestrian Friendly

- All roadways that cross the Southwest Parkway should include attractive pedestrian walkways that link commercial areas, parks, school, and neighborhoods.

SOUTH SECTION RECOMMENDATIONS

Design

- Vary the median up to 100' (maximum of 50' of additional right of way)
 - Between Stonegate Boulevard and Bellaire Drive South and over the Trinity River.

- Between Overton Ridge Boulevard and Altamesa Boulevard.
- “Split” profile, as appropriate, to take advantage of landform between Overton Ridge and Dutch Branch.
- Stonegate Boulevard interchange: Southwest Parkway at-grade and Stonegate over.
 - Bellaire Drive is to pass over the Southwest Parkway with the Parkway at-grade or close to grade.
 - The Bellaire Drive interchange is deleted from the plan for the Southwest parkway
- Overton Ridge Boulevard, to be considered as an alternative in the NEPA process: Southwest Parkway over and lower existing Overton Ridge approximately eight feet (8’0). This requires:
 - Rearrangement of access to developed properties adjacent to the interchange
 - Maintenance of traffic costs and issues during reconstruction; and
 - Increase in overall construction costs.
- Oakbend Trail: Southwest Parkway at grade or depressed and Oakbend over
- Oakmont Boulevard: Southwest Parkway depressed and Oakmont over.
- Dutch Branch: lower Dutch Branch 6’ to 8’ and take Southwest Parkway over. This requires:
 - Reconstruction of Dutch Branch and associated traffic and maintenance costs, and;
 - Additional drainage costs and easement from adjacent property owners:
- Major reconstruction of Altamesa Boulevard/Dirks Road and associated maintenance of traffic costs.
- Southwest Parkway/IH-20/SH 183 interchange: alternative present in this report is to be carried forward into the NEPA process for evaluation with the TxDOT plan. Other alternatives are to be developed and evaluated as well.

Aesthetic/Architectural

- Trinity River Bridge should have a maximum span with minimal piers to preserve the attractive river park and trail system.
- Provide buffers and berms with naturalized reforested areas along the sides of the parkway to provide a scenic corridor to protect neighborhoods.

NORTH SECTION RECOMMENDATION

Design

- Alternative A-1, R-1 is to be carried forward into the NEPA process. The "Modified Design" would also be included in the NEPA process.
- Maintain the "Modified Design" south of the Rosedale Bridges to Hulen Street.

Aesthetic/Architectural Issues

- Impact of three major parallel roadways should be reduced by extensive plantings, berms, and attractive retaining walls. Specific attention should be paid the "tunnel effect" along the Trinity River and University Drive.

Mainline Toll Plaza and Ramp Toll Plazas

- Widen median and plant raised berms with evergreens and flowering trees to reduce impact of expansive paved area
- Architectural of buildings should reflect character of local buildings. Care must be taken to break up scale of structures

Environmental

- Mitigate Forest Park garbage dump. Consistent with Texas environmental requirements, for the realignment of Forest Park Blvd.

This report and the recommendations cited here represent a "balanced" perspective for the design of the Southwest Parkway. While the Southwest Parkway is a vital transportation element for Fort Worth, the design as envisioned here not only maintains the safe and efficient transportation integrity of the system but also does so in harmony with the environment and community values.

Streams and Valleys, Inc.



January 28, 2003

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David Sykes
Jan Upchurch
David Vasquez
Loftin Witcher

Mayor Kenneth Barr
Mr. Gary Jackson
City of Fort Worth
1000 Throckmorton
Fort Worth, TX 76102

Dear Mayor Barr & Mr. Jackson:

Streams & Valleys has continued to work closely with the City of Fort Worth staff and the City's Consultant Prime Strategies in order to ensure that the impact on the Trinity River Corridor from the proposed Southwest Parkway can be completely mitigated.

With the publication of the Draft Environmental Impact Statement (DEIS) on January 10, 2003, it is clear that the Texas Department of Transportation (TXDOT) has failed to fully consider the impacts of SH 121 T on the river corridor and its associated recreational and transportation-related amenities. The DEIS states that the river corridor will not be permanently affected. The DEIS is deficient in that it only acknowledges a singular negative impact which is the temporary closure of the trail during the construction process. It goes further to state that:

"Elevated bridge structures would cross the river and would not affect the existing facilities. Site investigation of the proposed route corridor and coordination of information with applicable public agencies indicate that the route would not permanently impact any existing public park or recreation area."

This statement in the DEIS shows a clear lack of understanding by TXDOT of the value of the Trinity River Corridor and an incomplete site investigation and a lack of coordination with affected public agencies.

The purpose of this letter is to reiterate the concerns of Streams & Valleys, Inc. that the intrusion of the SH 121 T on the River does, in fact, have long term permanent negative impacts on the river corridor and associated open space and amenities. These impacts include:

1. The Bridges spanning the river :
 - 1.1. cause the loss of the view to the sky and the subsequent loss of natural light along the trail. This loss of light will
 - 1.2. cause a loss of vegetation along the banks and within the river,
 - 1.3. cause the extension of the tunnel like quality experienced by the bicyclist, walker, runner and casual trail user. The darkness created by decking the River in this area totally diminishes the quality of experience of the trail and open space user.
 - 1.4. near I-30 expands the coverage area of the River to approximately 1/4 of a mile. This area below SH121 T will receive little rainfall and will be susceptible to the additional concentrated drainage run off from SH 121 T. This is likely to cause erosion and destabilization of the banks of the river in this area.
 - 1.4.1. The run-off is also likely to contain hydrocarbons and derivatives, which will increase the pollution in the river and diminish water quality.
 - 1.5. and the associated daily volumes of traffic will cause exhaust emissions that will further diminish the air quality.

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Streams and Valleys, Inc.



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2. The addition of bridge support structures within the adjacent greenspace will cause the interruption of trail continuity.
3. The addition of the spans for the Bridge also creates additional visual barriers at both locations that precludes views to and from the river. This limits the users and neighbors from understanding the legibility of the trail and river corridor.

The DEIS also fails to identify alternate modes of transportation as they may relate to minimizing future congestion on 121T.

To mitigate the areas of impact caused by the Southwest Parkway, the following design elements must be in the final schematic plans approved by the Texas Department of Transportation, North Texas Tollway Authority and the City of Fort Worth:

- Provide lighting and painting under new and existing bridges to offset the loss of natural light caused by adding the bridge structure in an area where there is currently no overhead structure.
- Trailheads and parking to encourage multiple modes of transportation and lengthen the life of the proposed parkway. This will limit congestion on the parkway and preserve capacity of the roadway over the long term.
- Provide trail continuity and looped trails to insure accessibility to the parks, open space and neighborhoods. These additions will reduce the number of local trips on the Parkway.
- These bridges also afford the opportunity to provide integrated pedestrian and bicycle crossings as alternative modes of transportation.
- Provide enhanced pedestrian access including trails and bridges linking neighborhoods, businesses and opens spaces to the cultural district the river parks.
- Insure that a view of the river corridor from the bridges is provided. Enhanced visibility of the River from the bridges will increase awareness of the legibility, value and character of the Clear Fork of the Trinity River.
- Splitting bridge spans separating east and west bound traffic lanes will minimize the visual impact of a multi-lane bridge on the River Corridor and allow natural light to penetrate to the River level between the bridges.
- The two river crossings also afford the opportunity to place signature landmark crossings, which mark, acknowledge and celebrate the Trinity River in Fort Worth and help road and river users orient themselves in the City.
- Enhanced landscaping of the area of the two roadway river crossings and existing railroad bridge embankments at University Drive will serve to soften the impact of the necessary superstructure of the 121T bridges and will also serve to remove particulate and other forms of air pollution from the air.
- Open Railings to allow views to and from the River.

Streams & Valleys believes that these critical components should be included as integral costs to mitigate the impact of the roadway project on the River Corridor. These costs should be included in the base funding provided by TxDOT and NTTA and matched by local City funding. These components are crucial to the basic success of the 121T project and are not elements that can be delayed to future enhancement plans for the project.

Streams and Valleys, Inc.



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EXECUTIVE DIRECTOR
deLaide B. Leavens

The preservation of open spaces along the river corridor, the linkage to neighborhoods, the improvements to the trail amenities and maintaining the integrity of the view corridor provided by the River encompass the key elements within our recently completed master plan, the Trinity River Vision. This plan reflects the values of all previously adopted plans for the River Corridor. City officials and the public have overwhelmingly endorsed these plans as we have moved forward with our inclusive community process. It is our sincere hope that this support from the City continues through the design and construction of the Southwest Parkway.

The attached document provides a range of preliminary costs for the needed design mitigation components as outlined above. We have been assured in previous meetings with TxDOT and NTTA that bridge designs allowing for open railings, supports outside of the riverbanks, and splitting of bridge spans can be accommodated with no additional costs to the sponsoring agencies.

We respectfully request that the City ensure that these impacts be formally stated in the public record so as to be identified in the Final Environmental Impact Statement. We also request to be included in the approval process of the schematic designs for the Southwest Parkway as it crosses the river. It is also our desire to see that the necessary design elements will be incorporated into the final schematic plans for the Southwest Parkway and that the needed funding will be incorporated into the cost of the project.

We appreciate your past and continued support of the Streams and Valleys, Inc. and the Trinity River. We are confident that the spirit of partnership, commitment to quality and the thirty years of cooperation between the City, Tarrant Regional Water District and Streams and Valleys, Inc will serve as the foundation for the construction of an outstanding parkway.

Sincerely,

Tom Purvis, III
Chairman
Streams & Valleys

Elaine Petrus
Co-Chairman
Trinity River Vision

Steve Berry
Co-Chairman
Trinity River Vision

Enclosures

cc: North Texas Tollway Authority
Tarrant Regional Water District
Prime Strategies

SH 121T - River and Trail Improvements

January 28, 2003

Projected Costs

University Drive

100 Class I Trail Head with user amenities, space for 100 vehicles \$250,000

Pedestrian Bridge across river for looped trail and neighborhood access \$100,000

Riverbank Stabilization and Development \$60,000
(2000 lineal ft @ \$300/lineal ft)

Trail Lighting (to provide for security and aesthetics) \$40,000

Paving and Landscaping \$50,000

Trail \$450,000 - 1,000,000
(apprx 1 mile in length including replacement of existing trail,
looped trail, neighborhood connections)

Planning & Design 25%

Contingency 25%

Total Estimated Cost \$1,500,000 - \$2,300,000

121 Crossing Near Bryant-Irvin
Lighting \$20,000

Trail Construction \$250,000

Riverbanks (gabion mats) \$300,000 - 400,000

Landscape Enhancements \$50,000

Pedestrian Bridge \$100,000

Planning & Design 25%

Contingency 25%

Total Estimated Cost \$1,100,000 - \$1,300,000

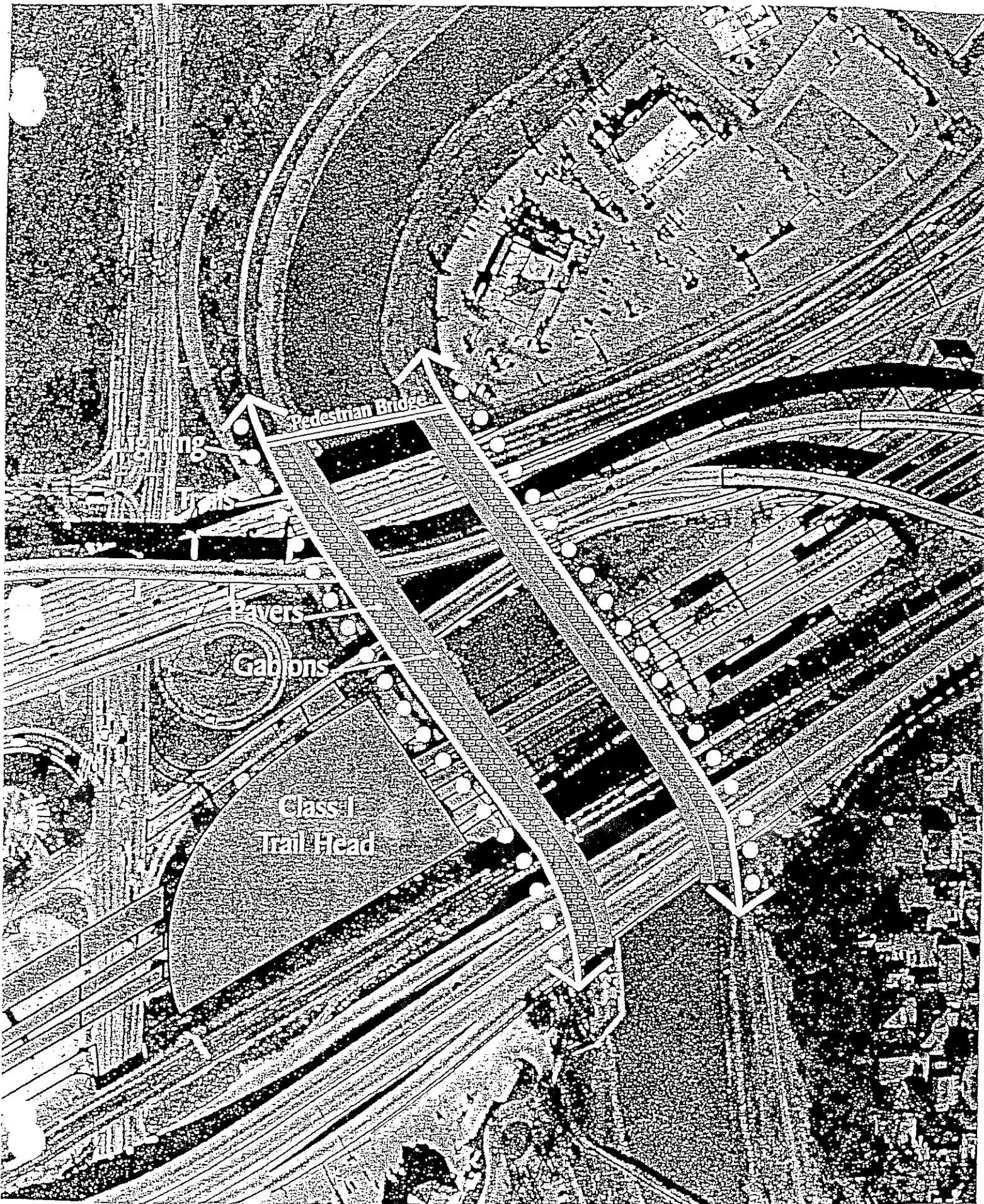
Note: If service roads are part of Parkway design, a Class II trailhead would need to be included in the design

SH 121T - River and Trail Improvements
January 28, 2003
Projected Costs

Stonegate Crossing Lighting	\$10,000
Trail Construction	\$150,000
Riverbanks (gabion mats)	\$150,000 - 200,000
Class II Trail Head	\$100,000
Planning & Design	25%
Contingency	25%
<i>Total Estimated Cost</i>	<i>\$640,000 - 720,000</i>

The Stonegate Drive bridge is to be constructed to accommodate pedestrian crossing as stated in Trinity River Vision

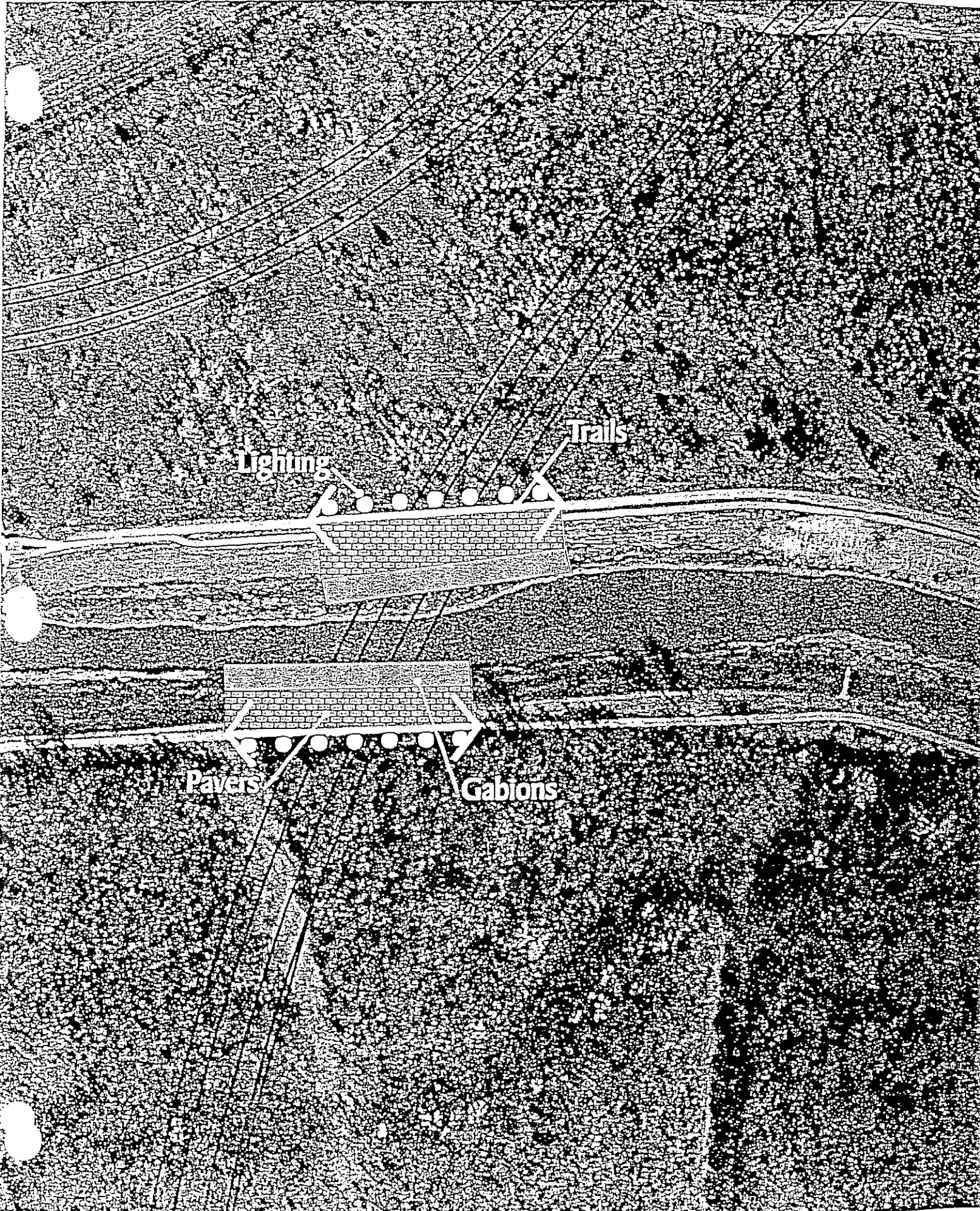
Total cost estimate for river and trail improvements: \$3,240,000 - \$4,320,000



Streams

University and I-30:

0 20 40 60 80 100 120 140 160 180 200



Lighting

Trails

Pavers

Gabions

Crossing Near Bryant Irvin



Class II
Trail Head

Gabions

Pedestrian Bridge

Trails

Pavers

Lighting



February 12, 2003

Mr. Tom Purvis, III
Ms. Elaine Petrus
Mr. Steve Berry
Ms. Adelaide Leavens
Streams & Valleys, Inc.
P.O. Box 101373
Fort Worth, Texas 76185

Dear Tom, Elaine, Steve and Adelaide:

We truly appreciate your ongoing commitment to Fort Worth and the Trinity River. No doubt, the partnership among the City, Streams & Valleys and the Tarrant Regional Water District has made our community a much better place.

We thank you for your recent efforts working with your consultant, Gideon Toal; our consultant, Prime Strategies; and City Staff to develop a program for the SH-121T river crossing in the context of the Trinity River Vision Master Plan. The specific program elements put together by Gideon Toal, which you presented at our meeting on January 28, are reasonable and needed for the success of both SH-121T and the Trinity River Vision.

In moving this issue forward, we are also appreciative of TxDOT and NTTA for their willingness to work cooperatively with you. Likewise, we are appreciative of your cooperative spirit and willingness to be flexible in terms of working with the City, NTTA and TxDOT to realize the program. We clearly understand your need for assurances from the SH-121T partners, given the importance of the Trinity River to all of us.

We wish to encourage a continuation of the creative dialogue at our last meeting. We were intrigued by the notion that the tollway partners might consider entering into an agreement with the Tarrant Regional Water District so that it may undertake some of the work on behalf of the SH-121T partners in light of the Water District's role as the fee owner and manager of the Trinity River. Regardless of the specific delineation of responsibility, cost and the eventual engineering/architectural details, we are committed to realizing the program set forth in your letter presented to us January 28.

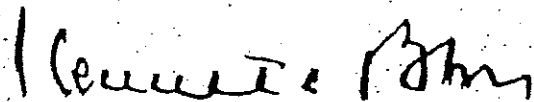
Since our last meeting, City Staff and Prime Strategies have been discussing the proposed program with NTTA and TxDOT. In that regard, Maribel Chavez's comments at the PDT/CAC meeting February 3, 2003, were positive and clear in terms of TxDOT's commitment to the program elements set forth in your January 28 letter.

Based on the positive discussions with our partners and Ms. Chavez's refreshing comments, the City Manager and I will recommend to the rest of the City Council that the City commit an appropriate level of funds to realize the program elements delineated in your letter. That commitment will be based on that which is necessary to complement the investment of NTTA and TxDOT. Because these program elements are integral to offset the impact of the roadway project on the Trinity River Corridor, these costs shall be included in base funding and construction.

The City's commitment will be incorporated into the anticipated City Council resolution for adoption of the City's Locally Preferred Alternative (LPA). The recommended LPA will also include a statement to the effect that, because the City is a full partner in the funding and development of SH-121T, the City will be working with the other SH-121T partners throughout the design process so that the goals of the Trinity River program are included in the context of the City's eventual required approval of the schematic design for SH-121T. To that end, the City commits to include Streams and Valleys and the Tarrant Regional Water District in the City of Fort Worth's final schematic design review process.

Again, thank you for your vision and efforts on behalf of our community.

Sincerely,



Kenneth Barr

cc: Fort Worth City Councilmembers
Maribel Chavez, P.E., District Engineer, TxDOT
Randy Bowers, P.E., TxDOT
Jerry Hiebert, Executive Director, NTTA
Katherine Nees, P.E., Deputy Executive Director, NTTA
Daryl Thompson, P.E., Carter Burgess
James Oliver, General Manager, Tarrant Regional Water District
Michael Morris, P.E., N.C.T.C.O.G.
Gary Jackson, City Manager, City of Fort Worth
Marc Ott, Assistant City Manager, City of Fort Worth
Robert Goode, P.E., Director, T/PW, City of Fort Worth
Richard Zavala, Director, PACS, City of Fort Worth
Doug Rademaker, P.E., Director, DOE, City of Ft. Worth
Bryan Beck, P.E., 121-T Project Manager, City of Ft. Worth
Mike Weaver, Prime Strategies, Inc.
Scott Polikov, Prime Strategies, Inc.



EXHIBIT D

Texas Department of Transportation

P.O. BOX 6868 • FORT WORTH, TEXAS 76115-0868 • (817) 370-6500

February 18, 2003

The Honorable Kenneth Barr
Mayor, City of Fort Worth
1000 Throckmorton Street
Fort Worth, Texas 76102

Dear Mayor Barr:

The Fort Worth District of the Texas Department of Transportation (TxDOT) appreciates the opportunity to comment and offer our response to the request that you received from Streams and Valleys, Inc.

Based on the studies to date, we believe that the SH 121T project will not result in adverse environmental impact on the river corridor and associated amenities. However, we are not yet through with the environmental review and public involvement process for this project. As you are aware, we have released the Draft Environmental Impact Statement (DEIS) for public review and comment and we have scheduled a Public Hearing. I encourage and welcome the participation and input of Streams and Valleys, Inc.

I would like to point out that as part of our environmental impact studies for this project, we were sensitive to the project's surrounding environment and considered its context and physical location during this stage of planning the project. I am aware and agree that this project has the potential to affect the setting of this corridor if not designed in keeping with the vision of the Trinity River Corridor.

Many of the design elements as described in Streams and Valleys, Inc. letter are design concepts which I am firmly committed to assessing and incorporating into the final design of the project. I intend to work with the community to incorporate these and other detail design concepts once a preferred alternative has been selected.

During the final design phase, it is the details associated with the project that are often most important to the community.

TxDOT has in previous meetings not only assured that bridge designs allowing for open railings, supports outside of the riverbanks and splitting of bridge spans can be accommodated, but that safety lighting, enhanced landscaping of the area and river embankments can and should also be included.

The Honorable Kenneth Barr

Page 2

February 18, 2003

I look forward to working with the Tarrant Regional Water District (TRWD) to design and provide for access and connectivity to the existing trail system. I also anticipate extensive coordination with TRWD in designing and determining the limits of whatever appropriate riverbank protection is deemed warranted.

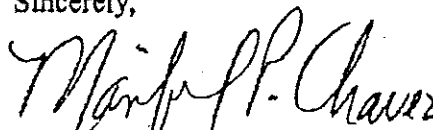
I believe that should the project receive environmental clearance, that the design elements that have been discussed in this letter are a very important and integral part of a successful transportation project.

I anticipate the support, cooperation and partnership of the City of Fort Worth, TRWD and Streams and Valleys, Inc. in developing a transportation project that will complement the Trinity River Corridor.

We look forward to hearing of these and many other issues at the Public Hearing for the DEIS of SH 121T on February 25, 2003.

If you should have any questions concerning this matter, please contact this office at (817) 370-6511.

Sincerely,



Maribel P. Chavez, P.E.
District Engineer
Fort Worth District

cc: Jerry Hiebert, Executive Director, NTTA
Jim Oliver, General Manager, TRWD
Michael Morris, N.C.T.C.O.G.
Bryan Beck, SH 121-T Project Manager, City of Fort Worth
Randy Bowers, SH 121T Project Manager, TxDOT

A RESOLUTION

No. 2924

A RESOLUTION ADOPTING COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS) FOR THE SOUTHWEST PARKWAY (SH-121T) AND TRANSMITTING THE COMMENTS TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE TEXAS DEPARTMENT OF TRANSPORTATION'S HEARING ON THE DEIS FOR SH-121T.

WHEREAS, the proposed Southwest Parkway, SH-121T, (Project) is necessary to alleviate congestion, enhance regional mobility, sustain economic development and enhance air quality; and

WHEREAS, on December 8, 1998, the Fort Worth City Council authorized the negotiation and execution of an agreement with the North Texas Tollway Authority (NTTA) and the Texas Department of Transportation (TxDOT) concerning the development of the Project; and

WHEREAS, on November 28, 2000, the City of Fort Worth (City) entered into an agreement with NTTA and TxDOT (2000 Tri-Party Agreement) concerning the funding for the Project, as well as the rights and obligations of the City, NTTA and TxDOT (Project Partners) for the design, construction and operation of the Project; and

WHEREAS, the 2000 Tri-Party Agreement requires a final agreement among the Project Partners before the Project shall commence; and

WHEREAS, all parties to the 2000 Tri-Party Agreement are committed to incorporating a high degree of aesthetic and urban design standards to the extent reasonably necessary; and

WHEREAS, the City established the Citizens' Advisory Committee (CAC) and, subsequently, the Project Development Team (PDT) to provide a process for stakeholder involvement related to the schematic design, aesthetic standards, urban design standards, as well as the desired features and themes of the Project; and

WHEREAS, the PDT, building on the community process started by CAC, recommended a Preferred Design for the Project, as is delineated in the "Summary and Recommendations" of the January 2001 Transportation Design Study Report, attached hereto and incorporated by reference as **Exhibit A**; and

WHEREAS, the City Council, in Resolution No. 2693, accepted the recommendations of the PDT and adopted them as the City's Preferred Design for evaluation by TxDOT and NTTA as part of the



CITY OF FORT WORTH

preparation of the Draft Environmental Impact Statement (DEIS) for the federally mandated environmental clearance process under the National Environmental Policy Act (NEPA); and

WHEREAS, the City Council, in Resolution No. 2693, urged TxDOT and NTTA to follow the recommendations contained in the City's Preferred Design (Alternative A) be followed as closely as practical, absent insurmountable environmental problems or unacceptable conflicts with safety and engineering standards; and

WHEREAS, NTTA and TxDOT assessed Alternative A, accepting a substantial portion of the design elements and parkway characteristics and features of Alternative A in the subsequent design alternative known as Alternative C; and

WHEREAS, the City, the Tarrant Regional Water District (TRWD) and Streams & Valleys, Inc. have partnered to conserve and enhance the Trinity River Corridors as a focal point for Fort Worth Neighborhoods and as a means to link virtually every part of the City via the Trinity Trails System; and

WHEREAS, the City has committed an appropriate level of funds to implement the Trinity River Vision Master Plan program elements as they relate to the crossing of the Trinity River by SH-121T, based on that which is necessary to complement the investment of NTTA and TxDOT for those program elements, by Resolution No. 2923, adopted 25th day of February, 2003; and

WHEREAS, the City recognizes that NTTA is developing landscape and other design guidelines for its tollway system in order to apply those guidelines on all of its facilities; and

WHEREAS, the City has proposed to develop cooperatively with NTTA a comprehensive plan (Corridor Enhancement/Mitigation Design Master Plan) for the Project in order to facilitate an overall design theme, the Trinity River Master Plan Vision as it relates to the Project, buffer designs, architectural details of bridges and other structures, neighborhood gateways, bridge span impact mitigation, trail locations, landscaping and other aesthetic details, and lighting methods, so that the City can effectively consider the Schematic Design to ensure that those design elements will be incorporated into the plans, specifications and estimates (PS&E); and

WHEREAS, the 2000 Tri-party Agreement provides that NTTA shall not proceed to the preparation of PS&E for construction until the Schematic Design for the Project has been approved by the City and TxDOT; and

WHEREAS, the DEIS, prepared by TxDOT, with input from NTTA and other resource agencies, has been approved by the Federal Highway Administration (FHWA) for public comment; and

WHEREAS, TxDOT will assess all comments regarding the DEIS that are received during the public comment period in order to prepare a Final Environmental Impact Statement (FEIS); and

WHEREAS, the FHWA will consider the FEIS to determine whether the Project should be cleared environmentally; and



CITY OF FORT WORTH

WHEREAS, the DEIS did not adequately document and analyze the City's public involvement process for the Project and the design recommendations of the PDT including features and themes, Alternative A; and further, the DEIS did not clarify that those qualities were to be included as part of Alternative C; and

WHEREAS, the inadequacy of the DEIS to document and analyze the design recommendations of the PDT, as well as to compare and contrast those design recommendations with the other design alternatives, makes it impossible to determine the differences in impacts and resulting mitigation needed among the various alternatives; and

WHEREAS, the features, themes, enhancements and mitigation elements delineated in the PDT recommendations, Alternative A, as modified in the City's Locally Preferred Alternative, adopted by Resolution No. 2923, on the 25th day of February, 2003, are critical to the City's support for the Project; and

WHEREAS, the City's approval of the Schematic Design is dependent on the implementation of the features, themes, enhancements and mitigation elements delineated in the PDT's recommendations, Alternative A, as modified in the City's Locally Preferred Alternative; and

WHEREAS, the DEIS also did not adequately analyze certain potential noise, air pollution, light, traffic, historic and cumulative impacts; and

WHEREAS, TxDOT has publicly stated to the City that TxDOT will undertake additional noise analysis necessary to gauge the impacts on the Sunset Terrace Neighborhood; and

WHEREAS, the FEIS should provide an opportunity for the City to ensure that the Project is designed and constructed so that the City's Locally Preferred Alternative is implemented;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:

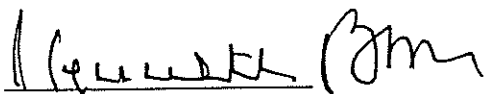
- 1) Adopts the following comments on the Draft Environmental Impact Statement such that:
 - a) The FEIS document the extensive public involvement process undertaken by the City including the work of the Peer Review Team, CAC and PDT, as well as the City Resolution No. 2693 adopting the PDT recommendations.
 - b) The FEIS document and analyze the design recommendations of the PDT (including the delineated themes and features), Alternative A, as modified by the City's Locally Preferred Alternative, as well as compare and contrast those design recommendations with the other design alternatives in the DEIS, in order to determine the differences in impacts and resulting mitigation needed among the various alternatives; and

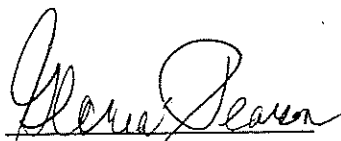


CITY OF FORT WORTH


- c) The FEIS document that the Project Partners need to agree on and commit to a process for the development of the Corridor Enhancement/Mitigation Master Plan to be included in the Project Schematic Design so that the City's Locally Preferred Alternative can be incorporated into the PS&E and implemented if the Project is cleared environmentally by FHWA.
 - d) The FEIS analyze and document the impacts of shifting SH-121T north towards the UP Rail Yard between the Trinity River and the rail yard.
 - e) The FEIS facilitate and document additional noise analysis to gauge the potential impacts on Mistletoe Heights, Berkeley Place, Park Palisades, Hulen Bend Estates, Fort Worth Country Day School, Fort Worth Botanic Gardens in addition to Sunset Terrace Neighborhood.
 - f) The FEIS facilitate and document an analysis of roadway lighting impacts, and alternative technologies for lighting, along the entire corridor starting at IH-30.
 - g) The FEIS assess and document potential cumulative impacts on Mistletoe Heights Neighborhood and Sunset Terrace, including air quality, noise, and traffic impacts, generally and in terms of the neighborhood's historical significance.
 - h) The FEIS clarify and correct the issues raised by City Staff in the document attached hereto and incorporated by reference as Exhibit B.
 - i) The Project Schematic Design be developed by NTTA and approved by the City for preparation of the PS&E, as provided for in the 2000 Tri-Party Agreement, within 180 days of the publication of the FEIS.
- 2) The City Council hereby authorizes the Mayor and City Manager to transmit and present this resolution to TxDOT during the public comment period for the DEIS.

ADOPTED this 25th day of February, 2003


Mayor Kenneth Barr


City Secretary

APPROVED AS TO FORM


City Attorney



CITY OF FORT WORTH

Exhibit A

Project Development Team Transportation Design Study Report January 2001

Summary and Recommendations

The four-month study, integrated with the public participation process and based on the Project Development Team (PDT) and general public comments, has resulted in a clear vision for the Southwest Parkway. The detailed by the North Texas Tollway Authority (NTTA) and the Texas Department of Transportation (TxDOT) have been modified slightly, yet significantly, to develop a "park like" road consistent with the Peer Review Team's Recommendations and the PDT's Mission statement and the Project Goal and Guiding Principle. The Project Development Team has endorsed the following recommendations:

CORRIDOR RECOMENTATION

DESIGN

- Lower, recess, or depress the Southwest Parkway as feasible and practical
- The design speed should be 60 mph from the CBD to Altamesa Boulevard. The posted speed should be 55 mph.
- Develop "3D" perspectives of the NEPA process selected designs for the Forest Park Boulevard and IH-20 interchanges and other design elements as necessary for better public comprehension and design refinement.

Environmental

- Noise pollution should be minimized by lowering the parkway and building sound walls where required by TxDOT standards. Seek other funding sources where TxDOT requirements are not met.
- Require new development to berm and use walls compatible with NTTA and TxDOT designs.
- Light pollution is to mitigated by use of cut-off fixtures and height of fixtures

- Filtration of water run-off from the parkway should be done in grass swales and detention ponds.

Architectural

- Bridge design should include cast limestone walls, attractive box beams, and decorative light fixtures.
- Retaining walls and sound walls should be cast limestone with a concrete cap. Height of retaining walls should be minimized by using two shorter walls with landscaping in between to soften impact. Consistency should be maintained along the parkway.

Signage

- Billboards will not be allowed along the parkway
- Existing signage ordinance should be reviewed to make sure height and size of signs do not product visual clutter.

Land Use

- Review of proposed land use in areas along parkway should consider minimizing impact on residential areas.
- Frontage roads should not be allowed except in the areas adjacent to the IH-20 and IH-30 interchanges.
- Require developers to provide landscaping buffers and noise mitigation compatible with the aesthetic and architecture of the Southwest Parkway.

Pedestrian Friendly

- All roadways that cross the Southwest Parkway should include attractive pedestrian walkways that link commercial areas, parks, school, and neighborhoods.

SOUTH SECTION RECOMMENDATIONS

Design

- Vary the median up to 100' (maximum of 50' of additional right of way)
 - Between Stonegate Boulevard and Bellaire Drive South and over the Trinity River.

- Between Overton Ridge Boulevard and Altamesa Boulevard.
- “Split” profile, as appropriate, to take advantage of landform between Overton Ridge and Dutch Branch.
- Stonegate Boulevard interchange: Southwest Parkway at-grade and Stonegate over.
 - Bellaire Drive is to pass over the Southwest Parkway with the Parkway at-grade or close to grade.
 - The Bellaire Drive interchange is deleted from the plan for the Southwest parkway
- Overton Ridge Boulevard, to be considered as an alternative in the NEPA process: Southwest Parkway over and lower existing Overton Ridge approximately eight feet (8’0). This requires:
 - Rearrangement of access to developed properties adjacent to the interchange
 - Maintenance of traffic costs and issues during reconstruction; and
 - Increase in overall construction costs.
- Oakbend Trail: Southwest Parkway at grade or depressed and Oakbend over
- Oakmont Boulevard: Southwest Parkway depressed and Oakmont over.
- Dutch Branch: lower Dutch Branch 6’ to 8’ and take Southwest Parkway over. This requires:
 - Reconstruction of Dutch Branch and associated traffic and maintenance costs, and;
 - Additional drainage costs and easement from adjacent property owners.
- Major reconstruction of Altamesa Boulevard/Dirks Road and associated maintenance of traffic costs.
- Southwest Parkway/IH-20/SH 183 interchange: alternative present in this report is to be carried forward into the NEPA process for evaluation with the TxDOT plan. Other alternatives are to be developed and evaluated as well.

Aesthetic/Architectural

- Trinity River Bridge should have a maximum span with minimal piers to preserve the attractive river park and trail system.
- Provide buffers and berms with naturalized reforested areas along the sides of the parkway to provide a scenic corridor to protect neighborhoods.

NORTH SECTION RECOMMENDATION

Design

- Alternative A-1, R-1 is to be carried forward into the NEPA process. The "Modified Design" would also be included in the NEPA process.
- Maintain the "Modified Design" south of the Rosedale Bridges to Hulen Street.

Aesthetic/Architectural Issues

- Impact of three major parallel roadways should be reduced by extensive plantings, berms, and attractive retaining walls. Specific attention should be paid the "tunnel effect" along the Trinity River and University Drive.

Mainline Toll Plaza and Ramp Toll Plazas

- Widen median and plant raised berms with evergreens and flowering trees to reduce impact of expansive paved area
- Architectural of buildings should reflect character of local buildings. Care must be taken to break up scale of structures

Environmental

- Mitigate Forest Park garbage dump. Consistent with Texas environmental requirements, for the realignment of Forest Park Blvd.

This report and the recommendations cited here represent a "balanced" perspective for the design of the Southwest Parkway. While the Southwest Parkway is a vital transportation element for Fort Worth, the design as envisioned here not only maintains the safe and efficient transportation integrity of the system but also does so in harmony with the environment and community values.

Exhibit B

CITY OF FORT WORTH STAFF COMMENTS ON SH 121T DRAFT ENVIRONMENTAL IMPACT STATEMENT

Overall, the Draft Environmental Impact Statement (DEIS) is complete and presents expected conclusions concerning the anticipated benefits of SH 121T, including greater mobility, reduced congestion, and potentially improved air quality. The DEIS also provides a thorough history of the project, starting in 1962, and explains all of the design options considered over time. However, some information is out-of-date and lacks clarity, and some assertions are not sufficiently justified by supporting documentation.

- Page II-17: References the "planned" RAILTRAN line. This section should be updated to reflect the current Trinity Railway Express service.
- Page II-20: Discusses quicker access to the north side (Historic Stockyards area), Central Business District, the Cultural District, and the medical complex in southwest Fort Worth. The reference to the Stockyards should be deleted, and a reference to the Medical District should be added.
- Page III-67: "...comparative analysis of Build versus No-build traffic operations does not assume any affect on demographic growth..." based on the existence of the project. It would seem that the project would attract growth, which would impact traffic operations.
- Exhibits IV-1 through IV-4 (Land Use maps): May be based on 2000 Comprehensive Plan future land use, which is out-of-date. For example, the Cassco property south of Vickery and north of the Trinity River is shown as industrial, not commercial.
- Pages V-2 through V-4: References the 2000 Comprehensive Plan, but should reference the 2002 plan. This section also states that "SH 121T would potentially help the City of Fort Worth achieve its land use goals of developing multiple growth centers...." The DEIS lacks documentation to justify this assertion that the project would support development of mixed-use growth centers rather than the standard suburban growth pattern of single-use subdivisions, shopping centers, and office parks.
- Page V-28: References out-of-date capital costs, such as \$35 million for a "Trolley System," and \$40 million for "Convention Center Upgrades."
- Page V-82: Identifies three "receiver" sites as being impacted by noise, but defers any specific noise abatement measures until a final noise analysis is conducted.
- Page V-140: Identifies 13 potential National Register eligible sites, but there are only three houses selected from the Mistletoe Heights Neighborhood. It is unclear why only three are selected.
- Page V-144: The report should note that as of 8/13/02, Mistletoe Heights is a local district as well. (Report identifies that it is a local conservation area.)
- V-153: The last line of the last paragraph is unclear: "North Holly is potentially eligible for NRHP listing under Criteria A and C; however, there will be no direct taking is proposed by the project of any..."