

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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5-19-03

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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
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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

11

RONALD HAYES

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25

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

12

LINDA JOHNSON

13

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

19

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

25

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

23

24

25

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

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.

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

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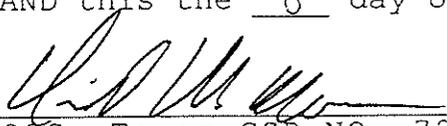
1 THE STATE OF TEXAS)
2 COUNTY OF TARRANT)

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

25

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 MY PREFERRED 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.

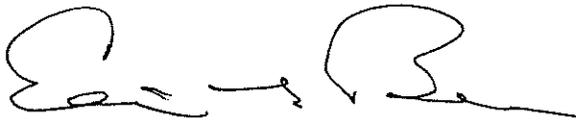
Although the DEIS concludes no mitigations are required, we

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.

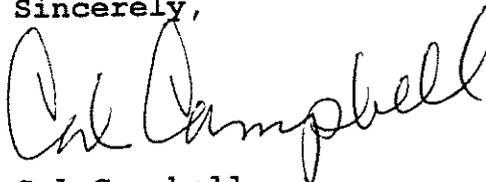
It is expected that a similar ruling in the near future will have the same affect on Fort Worth. If so, all it takes this year is 4 violations, slightly more than half of those in 2002, for us to lose federal highway funding. Also, complaints have been voiced regarding the January 2003 federal environmental 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).

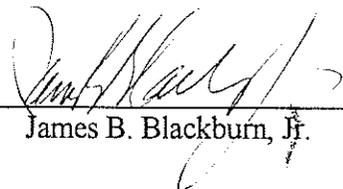
11. Yueliang Leon Guo, et. al., Climate, Traffic-Related Air Pollutants and Asthma Prevalence in Middle-School Children in Taiwan, Environmental Health Perspectives Vol. 107, Number 12 (December 1999).
12. M. Studnicka, et. al., Traffic-related NO² and the prevalence of asthma and respiratory symptoms 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

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 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
 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

The Texas Department of Transportation (TxDOT) actively seeks your comments on this proposed project. Your comments are welcome and will be given serious consideration during the remainder of project development. 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:

- 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-75. 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]

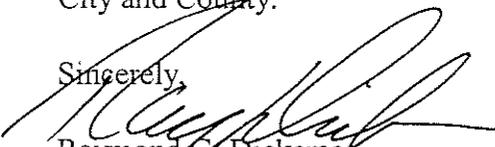
I am writing to express my strong support for the proposed extension of State Highway 121 from Interstate Highway 30 to Farm-to-Market Road 1187.

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.

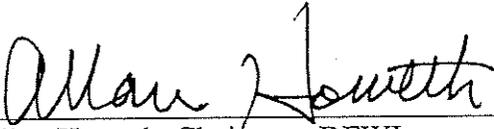
The SH121T Southwest Parkway also provides improved access to health care services at regional medical districts located south of Downtown and in southwest Fort Worth. Reduced traffic congestion and increased mobility on arterial streets will expedite emergency medical services. Residents of southwest 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.

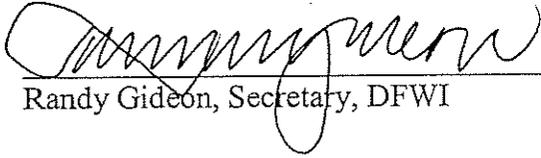
We commend the partners in the project for moving its development forward through extensive engineering, design, financial and public involvement processes in the preliminary phases of the project. Specifically we recognize the contributions of the Project Development Team, the Citizens Advisory Committee, 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:

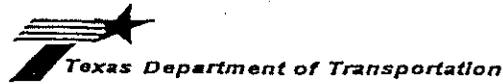
- City of Fort Worth
- Tarrant County
- Johnson County
- North Texas Tollway Authority
- Texas Department of Transportation
- North Central Texas Council of Governments
- Federal Highway Administration



Allan Howeth, Chairman, DFWI



Randy Gideon, Secretary, DFWI



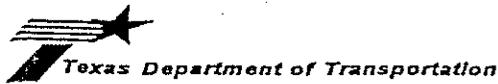
STATE HIGHWAY 121
From IH 30 to FM 1187
Tarrant County
Public Hearing
April 22, 2003

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

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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
Tarrant County
Public Hearing
April 22, 2003

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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 received this.
Thank you.

Nicki Howard



STATE HIGHWAY 121
 From IH 30 to FM 1187
 Tarrant County
 Public Hearing
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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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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

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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

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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 Brexatt

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,



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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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.

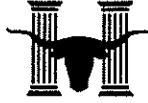
The best practices for urban road design must be followed:

- 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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Quentin McGown
Rosalyn G. Rosenthal

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

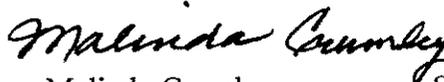
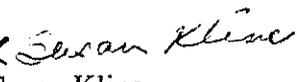
www.historicfortworth.org

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.

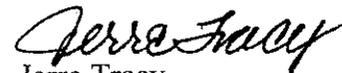
Thank you for your time and consideration.

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

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 comment.

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

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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

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.

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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
 Tarrant County
 Public Hearing
 April 22, 2003

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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

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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

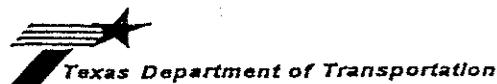
Ernest W. Kuback

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

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 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

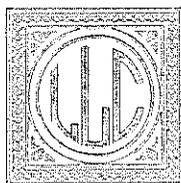
H. WAYNE LASATER

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

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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

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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. The signature is fluid and cursive.

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.