

**CSJs: 0364-01-054, 0364-05-025, 0364-05-026, and 0094-02-077**

**SH 121/SH 183 Public Hearing  
COMMENT AND RESPONSE REPORT**

**Public Hearing  
August 25, 2009**

**Comment and Response Report**

**SH 121/SH 183: From IH 820 to SH 161**

(CSJs 0364-01-054, 0364-05-025, 0364-05-026, and 0094-02-077)

<b>Name of Individual</b>	<b>Representing</b>	<b>Comment #</b>	<b>Type</b>
Roy S. Lee	Self	1	Written
Berrien Barks	North Central Texas Council of Governments	1	Written, Verbal
Michael Hutchison	Self	1	Written
Clif Davis	Self	1	Written
Floyd Wall	Self	1	Written
Jim Wilson	City of Benbrook	2,13	Written, Verbal
John G. Artus	Self	13	Written
Don Koski	Self	13	Written
Mary Williams	Self	3	Written
Marvin Hughes	Self	4	Written
Bill Rodgers	Self	5	Written
Brian Duelm	Self	5, 13, 69	Written
John Royse	Self	6	Written
Rajkamal Rao	Treasurer, Villas of Forest Ridge HOA	1, 6	Verbal
David Franklin	Self	7	Written
Russell Floyd	Self	7, 75	Verbal
Indra Dayaram	Cantex Hospitality, LLC	8	Written
Bo Avakian	Self	9	Written
Bruce Hansberry	Self	10,11	Written
Jeannette Cook	Self	12, 13, 14, 15	Written
Gary Phillips	First Baptist Church of Euless	16	Written
Ralph Parker	First United Methodist Church of Bedford	16	Written
Eddie Price	Self	17,18	Written
Hugh E. Vinson	Self	19	Written
R.B. Richards	Self	19,21, 24	Written
Pat Brown	Self	19	Written
Phillip Podhrarsky	Self	20, 73	Written, Verbal
Melanie Podhrasky	Self	20	Written,
Glenadean King Tolar	Self	20	Written
Jeane Welch	Self	20	Written
Christina Hearn	Self	15, 20, 21	Written
Jill and Harold Reed	Self	21	Written
Robin Willmer	Self	21	Verbal
Raul Pequeño	Self	22	Written, Verbal

<b>Name of Individual</b>	<b>Representing</b>	<b>Comment #</b>	<b>Type</b>
Alice and Gary Bright	Self	23, 24	Written, Verbal
Dr. Alan Siebenthall	Self	25	Written
Ron, Janece and Jeremy Hill	Self	20, 26, 27, 28, 29	Written
Glenn D. and Alma Payne	Self	30	Written
W. E. Beloate	Self	1, 30, 63	Written
Rohan Fernando	Self	30	Written
Herbert and Patty Kee	Self	29,30	Written
Robert and Diane Thompson	Self	31, 32, 33	Written
H. D. Keller	Self	34, 35	Written
Leon & Gwen Adams	Self	34	Written
Raymond F. Peters	Self	34	
Rob Blanton	Self	36, 37, 38, 39	Written
Bryan Huchton	Self	1, 36, 37	Written
Joe and Liz Motley	Self	40, 41	Written
Delores N. Vaughn	Self	6, 15, 29, 36, 37	Written
Thomas White	Self	15, 29, 37	Written
John W. Chaloupka	Self	37	Written
Jamie W. Janke	Self	15, 36,37	Written, Verbal
Tammy Johnson	Self	36, 37	Verbal
Toni White	Self	36, 37, 74	Verbal
Jorge A. Torres	Self	42	Written, Verbal
Robert and Judy Tetuan	Self	43	Written
James and Kristen Carlton	Self	37, 44, 45, 46	Written
Ken Shinker	Self	44	Written
John and Karla Thompson	Self	44	Written
Ernest Walley	Self	12, 44	Written
Peter and Maria Babalola	Self	1, 6, 12, 44, 46, 49	Written
Donna Howell & Janet Smith	Self	6, 26, 29, 44, 46, 49, 80	Written
Tayseer and Cindy Hourani	Self	29, 44, 46, 49, 65	Written
James and Paula Cleaver	Self	6,12,26, 44,46, 49	Written
Shane and Sherrill Hobbs	Self	1, 42, 44, 46, 49, 76	Written
David W. Freidell	Self	1, 37, 42, 44	Written
Unknown	Self	12, 26, 44, 46, 49	Written
Jason Vycital	Self	37, 44, 46	Written

<b>Name of Individual</b>	<b>Representing</b>	<b>Comment #</b>	<b>Type</b>
Carla Lacey	Self	12, 26, 44, 46, 49	Written
Frank and Melanie Cazzato	Self	37, 44, 46	Written
Brad and Dixie Davidson	Self	12, 26, 44, 46, 49	Written
Sue Darwin	Self	44	Written
Rob and Pat Talley	Self	1, 29, 37, 44, 46, 49	Written
Benjamin and Teresa Goff	Self	1, 29, 37, 44	Written
Lorrina J. Miller	Self	12, 26, 44, 46, 49	Written
Robert Stevens	Self	12, 26, 44, 46, 49	Written
Phillip Freedman	Self	12, 26, 44, 46, 49	Written
Carol Black	Self	12, 26, 44, 46, 49	Written
Dean and Lona Morrison	Self	12, 26, 44, 46, 49	Written
Luigi Frigoli	Self	12, 26, 44, 46, 49	Written
Phil Laudlin	Self	12, 26, 44, 46, 49	Written
Church Mickel	Self	12, 26, 44, 46, 49	Written
Johnny and Mary Vanlandingham	Self	44	Written
Theravan & Hazel Jarrett	Self	44	Written
Richard and Cindy Boyd	Self	37, 44	Written
Kim Small	Self	1, 12, 26, 44, 46, 49	Written
Max and Claire Ulrich	Self	12, 26, 44, 46, 49	Written
Frank and Nancy Viola	Self	6, 26, 29, 37, 44, 46, 49	Written
Gary F. Turner	First United Methodist Church of Euless	47	Written
Kevin Methner	Self	48	Written
Ray Brockie	Self	13, 49, 50	Written
Russ Parker	Airport Freeway Church of Christ	51	Written
Rafael Escobar	Self	52	Written
Roger Fisher	City of Bedford	1, 14, 53, 54, 55, 56	Written, Verbal
John Kubala	City of Bedford	54	Written
Ron A. Young	City of Euless	54	Written
Mary Lib Saleh	City of Euless	1, 54, 57, 58	Written

Name of Individual	Representing	Comment #	Type
Gary L. McKamie	City of Eules	1, 54,57,58	Written
Suzette Barnes	Dalworth Management	59	Written
O.D. Lively	Self	60	Written
Lezlie Monteleone	Northstar Airport Freeway Partners, LP	61	Written
Eric Grubbs	Grubbs Nissan	1	Written
Jenna Grubbs	Grubbs Nissan	1	Written
John Sharp	Grubbs Nissan	1	Written
Cheryl Faifee	Grubbs Nissan	1	Written
Ema Moga	Grubbs Nissan	1	Written
Lisa Tichenor	Grubbs Nissan	1, 62	Written
Mark J. Ranch	Grubbs Nissan	1, 62	Written
Shanti Isam	Grubbs Nissan	1, 62	Written
Jorge Robles	Grubbs Nissan	1, 62	Written
George Haydin	Grubbs Nissan	1, 62	Written
Charles Bade	Grubbs Nissan	1, 62	Written
Lisa Rippengale	Grubbs Nissan	1, 62	Written
Maggie Dulaney	Grubbs Nissan	1, 62	Written
Ken Morrieon	Grubbs Nissan	1, 62	Written
Pat Skaggs	Grubbs Nissan	1, 62	Written
Dave Olson	Self	13, 15,37, 49, 50, 64	Written
Rohit Gupta	Baymont Inn& Suites	66	Written
Margie Rojas-Rodriguez	Self	67	Written
Mac Grantland	Northeast Plaza Ltd.	68	Written
Michael Hill	Self	68	Written
Bill Syblon	City of Bedford	70	Written
Mike Curtis	City of North Richland Hills	71	Written
Ralph Willingham	Self	72	Verbal
Rochelle Ross	Self	72	Verbal
Jake Barron	QuickTrip Corporation	77	Written
Jed Morash	Morash Family Limited Partners	78	Written
Samuel Chee	McDonald's USA	79	Written

**Comment 1:**

The commenters expressed approval for the project and a speedy implementation.

**Response 1:**

*Comment noted.*

**Comment 2:**

Concerned that all representatives that delivered the formal public hearing presentation were not present on the stage during the public hearing comment period. Only the moderator being present on the stage failed to provide a perception of care.

**Response 2:**

*All representatives, other than the moderator, that delivered the formal public hearing presentation were present in the audience to hear the oral public comments.*

**Comment 3:**

Expressed concern that fault lines related to earthquakes in the surrounding area, attributed to natural gas drilling and injection wells in local media, be taken into account during planning of construction so the highways do not collapse.

**Response 3:**

*Seismic design criteria are not required or recommended in the project area based on American Association of State Highway and Transportation Officials specifications.*

**Comment 4:**

Suggest a dedicated right-turn only lane be included in the proposed design along Norwood Drive at the intersections with the eastbound and westbound frontage roads.

**Response 4:**

*The current lane configuration along the city street of Norwood Drive includes two lanes southbound north of SH 121/SH 183 and one lane northbound south of SH 121/SH 183. The proposed design includes additional capacity at the intersections with the frontage roads as three lanes southbound and northbound along Norwood Drive are included. The outside southbound lane at the intersection is proposed to be a right-turn only lane with the northbound outside lane being a shared thru-right turn movement. Level of service (LOS) analysis was performed for proposed diamond interchange configurations along the corridor through PASSER V software. The overall interchange for Norwood Drive is expected to operate at LOS B for year 2010 and LOS D for year 2030. The LOS for the southbound right-turn only lane is not calculated as free rights on red are permitted. The LOS for the northbound thru-right turn movement is expected to be LOS D in year 2010 and LOS F in year 2030. An additional northbound lane to provide a right-turn only lane is not recommended to be provided due to right of way impacts. The addition of a lane would require longer and wider deceleration lanes be provided extending to the south that would displace the home located in the southeast corner of Norwood Drive and Sunnyvale Terrace.*

**Comment 5:**

Commenter's request a direct connection from southbound SH 121 be provided to travel eastbound along SH 183 and describe if this movement is not provided motorists will still be required to exit to Murphy Drive and also travel through Westpark Way and three red lights. One of the commenter's also states the northbound entrance ramp from Central Drive to northbound SH 121 is going away and this will greatly increase traffic use of Westpark Way/Murphy Drive bridge and access roads.

**Response 5**

*Alternatives incorporating a southbound SH 121 direct connection to eastbound SH 183 were evaluated during early advanced project development efforts and dismissed due to additional right of way impacts, the necessity to provide local ramps within the same vicinity along SH 183, and additional alternative routes available for regional travel. One alternative of providing the direct connection resulted in a width of approximately 20 feet of additional proposed right of way for a distance of approximately 500 feet near the intersection of SH 183 and Doc McGinnis Drive. The second alternative would have required much more expensive straddle bents used for bridge structures but resulted in no additional right of way impacts. Both alternatives required the removal of the local eastbound entrance ramp from Westpark Way to SH 183 that also serves the requested travel movement from SH 121 southbound to SH 183 eastbound. Alternative routes are available through travel of SH 360 and FM 157 for regional movements from SH 121 southbound to SH 183 eastbound. The requested travel movement will remain as*

*it exists and be served through the local ramps and interchanges at Murphy Drive and Westpark Way.*

*The existing eastbound entrance ramp from Central Drive is located upstream of the major diverge of SH 121/SH 183. A distance between the entrance ramp and major diverge of approximately 1000 feet, less than minimal current design standards, provides for operations of the weaving movements that consistently break down to a Level of Service (LOS) F throughout the day. To provide for proper operations along the general purpose lanes, the eastbound entrance from Central Drive was relocated east of the major diverge area, allowing access only to the heavier travel movement along SH 183, with travel to SH 121 required through Westpark Way and the northbound entrance from Murphy Drive.*

*Additional capacity is proposed along the southbound SH 121 exit to Murphy Drive and along the cross streets that serve the requested movements. The southbound SH 121 exit is currently one lane and is proposed to be two lanes. The cross streets of Murphy Drive and Westpark Way currently include one to two through travel lanes each direction and the proposed project includes three through travel lanes each direction. LOS analysis was performed for proposed diamond interchange configurations along the corridor through PASSER V software. The overall interchanges for Murphy Drive and Westpark Way are expected to operate at LOS A and B, respectively, for year 2010 and LOS B for both interchanges during year 2030.*

**Comment 6:**

The commenter is concerned that during the construction of SH 121/SH 183, access into their neighborhood would be disrupted. Requests consideration be given to providing access through the emergency access location. Primary access into the neighborhood is provided from the westbound frontage road through a gated entry located along Stonecourt Drive. Another commenter who lives along the southside of Stratford Drive in Bedford is concerned about the noise and inconvenience during the 3-5 years of construction and states the proposed noise barrier will not stop the vibrations from traffic from finding their way into the house. Several residents who live along Storm Court E and Storm Drive in Bedford commented on the increased dust levels and bright lighting entering their home and requests dust control measures be used during construction. An additional commenter in this neighborhood expressed concern with construction occurring at night and wants a detailed scheduled of worktimes in the area and milestone dates, i.e. Baymont Inn demo. The Treasurer of the Villas of Forest Ridge Homeowners Association, representing 52 homes bordered by Cantebria Lane, Forest Ridge Drive, and Oak Lane, described the neighborhood has a lot of young children and all suitable means should be utilized to ensure they are not impacted by construction activity.

**Response 6:**

*The detailed traffic control plan/sequence of work for the reconstruction of SH 121/SH 183 has not been developed at this time. Access to and from city streets, businesses and residential neighborhoods will be maintained during construction. Temporary closures during the day for construction activities may be required and most likely will occur during the evening hours and other non-peak periods to minimize the impact to the local residents, provide a safe and efficient facility during construction for the traveling public, and expedite the reconstruction of SH 121/SH 183. Measures to control dust, noise, and temporary lighting during construction will be employed as a part of the sequence of work. TxDOT and NTE Mobility Partners will work with local city staffs to develop traffic control plans/sequences of work to minimize construction impacts to the local communities and traveling public and ensure compliance with any local noise ordinances.*

*Construction activities most likely will occur during the evening hours and other non-peak periods during the day to minimize the impact to local residents and businesses, provide a safe and efficient facility during construction for the traveling public, and expedite the reconstruction of SH 121/SH 183.*

**Comment 7:**

States with the large investment in new infrastructure, it would be prudent to consider the inclusion of a mass transit component such as light rail similar the rail line along Chicago's JFK Expressway. An additional commenter asks if light rail transit was ever considered in place of the widening that will have an impact on the quality of life in the people of Bedford, Hurst, North Richland Hills, all the way over to Euless.

**Response 7:**

*The reconstruction and additional lanes proposed for this corridor along with parallel mass transit lines are required to meet mobility needs of the region. Transit, including rail, in the area of SH 121/SH 183 is currently available through the Trinity Rail Express (TRE) under the joint jurisdiction of The Fort Worth Transportation Authority (The T) and the Dallas Area Rapid Transit (DART). Based on the adopted RTC Managed Lane Toll Policies, transit vehicles will not be charged a toll to travel in the managed lanes. For information on upcoming projects and request for mass transit locations you can visit their websites at <http://www.the-t.com> and <http://www.dart.org>. For further information on regional rail studies, you may view the North Central Texas Council of Governments (NCTCOG) website at <http://www.nctcog.org>*

**Comment 8:**

The commenter owns a major hotel at 8709 Airport Freeway in North Richland Hills and describes concerns of the project believed to negatively impact their business. Noise generated during construction will cause a loss of business. The hotels viability along SH 121/SH 183 will be obscured as a result of the elevated managed lanes. Relocation of the exit ramp for Bedford-Euless Road from the westbound general purpose lanes will have an impact on their business in the future. The hotel managers live on the property and will be equally impacted as the hotel guests.

**Response 8:**

*The detailed traffic control plan/sequence of work for the reconstruction of SH 121/SH 183 has not been developed at this time. Construction activities most likely will occur during the evening hours and other non-peak periods during the day to minimize the impact to local residents and businesses, provide a safe and efficient facility during construction for the traveling public, and expedite the reconstruction of SH 121/SH 183. TxDOT and NTE Mobility Partners will work with local city staffs to develop traffic control plans/sequences of work to minimize construction impacts to the communities and traveling public and ensure compliance with local noise ordinances.*

*The managed lanes are elevated through the IH 820/SH 121 (Northeast Mall) interchange in order to have a minimal impact to this recently completed facility. Lowering the managed lanes to be at the same level as the general purpose lanes would require significant reconstruction of the IH 820/SH 121 interchange and additional right of way along the SH 121/SH 183 corridor. The cost to reconstruct the IH 820/SH 121 interchange and acquire the additional right of way to lower the managed lanes to improve visibility for businesses along the SH 121/SH 183 corridor is not considered reasonable or practical.*

*The westbound exit ramp to Bedford-Eules Road from the SH 121/SH 183 general purpose lanes is being relocated approximately 700 feet east of the existing ramp location. Relocation of the ramp to the east will improve traffic operations and safety for patrons/residents of the hotel and will not increase travel time.*

**Comment 9:**

Expresses several questions/concerns with the project including how the eminent domain process applied to a for profit venture, will delays in property acquisition delay construction, will cost increases delay construction, what are the managed lane fees, how many general purpose lanes are to remain open during construction, and what are the penalties for construction delays.

**Response 9:**

*Eminent domain is a right reserved to the United States Government under the Fifth Amendment to U.S. Constitution and may be delegated to state and local governments. Eminent Domain laws apply only to projects with a demonstrated public need. Property owners are compensated for right of way acquired based on the Uniform Relocation Assistance and Real Property Acquisition Act of 1970. Property is appraised at fair market value as determined by an independent appraiser and the property owner is offered this compensation. Compensation could include not only the fair market value for the land acquired but any improvements within the taking and damages, if any, to the remainder.*

*Delays in the acquisition of right of way needed for SH 121/SH 183 will delay the adjustment of the existing utilities and the beginning of construction. Utility adjustment cannot occur until the additional right of way is acquired by NTE Mobility Partners or TxDOT.*

*Cost increases for the NTE concession segment are expected to be borne by NTE Mobility Partners and are not expected to delay construction of this project. Cost increases would be expected to delay the reconstruction of SH 183 from SH 121 to SH 161 as they would effect the financial viability of this particular segment.*

*Toll rates for the managed lanes will be based on the regional toll policy adopted by Regional Transportation Council (RTC). When the facility within the North Tarrant Express (NTE) concession segment opens in 2015, the high toll rate in today's dollars to travel is estimated to be \$0.53 per mile with the low toll rate at \$ 0.09 per mile. In the final year for the concession Comprehensive Development Agreement (CDA) in 2061, the high toll rate is \$0.78 per mile with the low toll rate at \$0.09 per mile. Toll rates for the section along SH 183 extending from SH 121 to SH 161 will be based on the RTC Toll Policy when the facility is opened.*

*The detailed traffic control plan/sequence of work for the reconstruction of SH 121/SH 183 has not been developed at this time. To reduce the impact on the traveling public during daily peak periods, TxDOT will maintain the same number of lanes that currently exist during construction and will limit construction activities requiring lane closures during the peak periods of the day. Construction activities requiring lane closures on SH 121/SH 183 will most likely occur during the evening hours and other non-peak periods to minimize the impact to the local residents, provide a safe and efficient facility during construction for the traveling public, and expedite the reconstruction of SH 121/SH 183.*

*Liquidated damages for late service commencement along the NTE concession segment are \$5,600 per day.*

**Comment 10:**

Suggests moving the proposed facility to the south approximately the width of the frontage road to straighten the main lane curve at the Euless Main Street overpass to reduce congestion, eliminate the sight distance slowdown in the area, reduce accidents and retain the tax generating residences along Westwood Drive. This would only require the removal of the First United Methodist Church, Euless building on the south east corner of SH 183 and Euless Main Street.

**Response 10:**

*The alignments of the proposed roadways along SH 183 near Main Street were developed to incorporate the existing right of way effectively as possible. Shifting the proposed horizontal alignment south, the approximate width of the frontage road, would require a larger area of right of way be taken as the alignment currently closely follows the SH 183 north existing right of way approximately 500 feet west of Main Street and the design utilizes a compressed urban section. Shifting the proposed alignments south, would alleviate right of way impacts to the neighborhood east of Main Street and north of SH 183 but would require displacement of the main church building and additional property of First United Methodist Church of Euless. The proposed horizontal curves of the managed and general purpose lanes at this location are a modest amount flatter than the existing curve and provide for stopping sight distance of 620 feet or greater which is more than the design stopping sight distance of 570 feet regarding the project design speed of 60 mph.*

**Comment 11:**

Expressed interest in the time frames for acquisition of his property near the east end of the project in the neighborhood east of Main Street and north of SH 183 and described that his home may be one of the first purchased for the project.

**Response 11:**

*Mobility 2030, 2009 Amendment to The Metropolitan Transportation Plan for the Dallas/Fort Worth area describes the project will be completed by 2019. As development of the financial plan being prepared through the NTE Segments 2-4 CDA continues, more detailed schedules for future phasing for the project will be determined. At that time, your request for early acquisition will be given due consideration.*

**Comment 12:**

Suggests drainage impacts be considered. Homeowner's located along Storm Drive and Storm Court E expressed concerns that storm water runoff from construction activities will lead to health issues in the form of mosquitoes and West Nile Virus, and flooding of homes.

**Response 12:**

*The storm sewer systems and culverts for the project will be sized to convey the recommended design frequency for this facility based on TxDOT's Hydraulic Design Manual and Federal Emergency Management Agency (FEMA) policies and procedures. TxDOT will meet and discuss specific drainage design issues with the local entities along the corridor and develop solutions that satisfy the local needs while meeting TxDOT's hydraulic design criteria and FEMA guidelines once detailed design begins.*

*As a requirement of the NTE concession CDA for Segment 1, NTE Mobility Partners is required to ensure adjacent property is protected from damage, including flooding, as a result of construction activities. To control storm water runoff from the project, NTE Mobility Partners is required to design, place and maintain required storm water pollution prevention (SW3P)*

devices to be in compliance with the Texas Commission on Environmental Quality (TCEQ) storm water prevention requirements.

*TxDOT understands construction activities along with storm water runoff could cause an increase in the population of mosquitoes along the corridor due to standing water. TxDOT and NTE Mobility Partners will employ measures to reduce the opportunity for standing water within construction areas along the corridor. However, the control of mosquitoes who are carriers of the West Nile virus is the responsibility of the Texas Department of Health and the local entities along the corridor and not TxDOT.*

**Comment 13:**

Requests a desperately needed sidewalk be placed on Westpark Way/Murphy Drive bridge. Additional commenter's request non-motorized traffic on cross streets and frontage roads be considered to prevent disconnecting communities, businesses, and commuters between the north and south side of this project.

**Response 13:**

*A visual survey along the corridor was performed to determine the locations where sidewalk currently exists or where there was visual evidence of pedestrian traffic. For Precinct Line Road (FM 3029), Norwood Drive, Forest Ridge Drive, Central Drive, Industrial Boulevard (FM 157) and Ector Drive, a raised median between the travel lanes and the Texas U-turn has been provided to accommodate pedestrian traffic. Sidewalks are provided on the Hurstview Drive, Brown Trail, Murphy Drive/Westpark Way, North Euless Main Street, and Bear Creek Parkway/American Boulevard underpass bridges to accommodate pedestrian traffic. Additionally, all sidestreet and frontage road typical sections have been developed to accommodate a sidewalk within the border width. The cross slope indicated in these areas is 1.5 percent (usual). On all cross streets, a 14 foot outside lane with a 1 foot curb offset will allow for bicycle/non-motorized vehicle use.*

**Comment 14:**

Describes local cities should not be required to pay any portion of the utility adjustments. Expresses that State subsidies or other funding through the comprehensive development agreement must be provided to pay for the utility adjustments.

**Response 14:**

*It is anticipated the Texas Transportation Commission will designate this project a toll project before utility adjustments are performed. By law, TxDOT and a utility shall share equally the cost of the relocation of the utility that is required by the construction of a toll project. (See Texas Transportation Code §203.092)*

**Comment 15:**

Commenter requests greenbelt access and improvements be provided. Another commenter states the sound barriers will be ugly and a magnet for graffiti further degrading property and neighborhood values and requests having a greenbelt on the residential side of the sound barriers. Additional commenter's suggest TxDOT purchase all the homes along the south side of Stratford Drive in Bedford and use the left over right of way to create a green space complete with a playground, trees and picnic tables. Trees could be planted to hide the proposed noise barriers and provide additional noise reduction as they grow bigger. These items would increase the quality of life for the homeowners remaining in the neighborhood.

**Response 15:**

*Comment is noted. TxDOT has not made a commitment to use any surplus right of way once construction is complete on SH 121/SH 183 to develop a greenbelt area for the community. TxDOT is committed to preserving as many of the large trees in the area as additional right of way is acquired. Aesthetic and landscape plans will be provided and approved for areas retained within the corridor right of way prior to construction. Noise barriers are, and will continue to be, an important tool to reduce the impacts of traffic noise. Noise barriers are meant to be a positive addition to the neighborhood and are usually constructed of concrete or masonry materials. Trees, while providing a more visually appealing appearance to the corridor do not serve as a noise reducer unless they are at least 100 feet in depth and do not lose their leaves in the winter; therefore, there is no noise reductions anticipated to proposed vegetative plantings along this corridor. Aesthetics treatments for noise barriers will be determined at the noise barrier workshop. Anti graffiti paints/stains can be considered if the neighborhood believes graffiti will be an issue. Maintenance for noise barriers located within TxDOT right of way will be the responsibility of NTE Mobility Partners. Development, funding and maintenance of green belt areas for locations along the corridor would be the responsibility of the Cities along the corridor if the surplus right of way is sold or donated to the City. TxDOT is committed to work with the Cities along the corridor in this endeavor. TxDOT has no control over the real estate market in the area. Property values along the SH 121/SH 183 corridor are mostly impacted by national and local market conditions that are beyond the control of TxDOT. There are no available studies that indicate that noise contributes to the value of residential properties.*

*For the properties located along the south side of Stratford Drive in Bedford, per State Law, TxDOT can only acquire the necessary right of way needed for the construction of the SH 121/SH 183 facility. Complete acquisition of these properties is not needed for the expansion of SH 121/SH 183.*

**Comment 16:**

One commenter describes concern about the proposed driveway location providing access from the First Baptist Church of Euless south parking lot to the SH 183 frontage road. Another commenter requests the First United Methodist Church of Bedford's driveway along the frontage road west of the church be moved as far west as possible to still allow access to and from the frontage road and the westbound entrance ramp to SH 121/SH 183 due to safety concerns related to the proximity of the intersection and traffic volumes.

**Response 16:**

*The main access to the First Baptist Church of Euless property from the westbound frontage road is located approximately 200 feet upstream to the east of the existing exit ramp to Industrial Boulevard (FM 157). The proposed project will relocate the westbound exit ramp approximately 450 feet east to allow additional storage of vehicles at the intersection. The entrance to the church property is proposed to be relocated to the west as the current location is within the proposed exit ramp gore.*

*The First United Methodist Church of Bedford currently has two driveways from the westbound frontage road. The first driveway is located approximately 100 feet downstream of Bedford Road and the second is approximately 230 feet downstream from the first driveway. The proposed project will relocate the westbound entrance ramp approximately 900 feet to the east due to horizontal and vertical geometry issues. The driveways to the church property are proposed to remain in their current location.*

SH 121/SH 183 is designated as a controlled access facility. TxDOT's policy is to control access locations along these corridors by purchasing the access rights from the property owners in the vicinity of ramps and cross streets. Where access currently exists in the vicinity of proposed ramps and side streets, these locations will be evaluated to see if they meet TxDOT's current Roadway Design Manual and Access Management Manual for traffic operations and safety concerns. If the locations do not meet the criteria, TxDOT will work with the property owner to modify, relocate, or possibly remove the access. At all other locations where denial of access is indicated, TxDOT will work with the property owners during right-of-way acquisition to determine locations where access can be granted to meet TxDOT's current Roadway Design Manual and Access Management Manual.

Access locations along the proposed frontage road will be handled during the right of way acquisition process with the locations governed by the most current version of TxDOT's Access Management Manual. If the driveway is relocated, the appraiser will take this into consideration when appraising the property. In the event there were possible damages or a need to re-configure the driveway, this would be addressed in the appraisal, most likely as a cost to cure item.

**Comment 17:**

Describes concern of the placement of the proposed westbound exit to Industrial Boulevard (FM 157) and would like it relocated further east as more room is needed to decelerate and turn into the driveway access to the First Baptist Church of Euless south parking lot.

**Response 17:**

The proposed westbound exit ramp gore to Industrial Boulevard (FM 157) is located a distance of approximately 1,000 feet east of FM 157 and approximately 2,400 feet downstream from the westbound entrance ramp gore from Euless Main Street. The exit ramp gore is proposed to be relocated to the east end of the First Baptist Church of Euless property boundary and south parking lot. Level of service (LOS) analysis was performed for ramp weaving sections along the general purpose lanes through use of Highway Capacity Software. The LOS for the weave section for the entrance from Euless Main Street to the exit to FM 157 is expected to operate at LOS E for projected year 2030 traffic volumes. Relocating the exit ramp further east is not recommended as the weaving conditions would be expected to further deteriorate. Access locations along the proposed frontage road will be handled during the right of way acquisition process with the locations governed by the most current version of TxDOT's Access Management Manual. During the right-of-way acquisition process, TxDOT will work with the church staff to finalize the location where access may be permitted.

**Comment 18:**

Describes appreciation for the additional lanes proposed, especially northbound and southbound turn lanes, along Forest Ridge.

**Response 18:**

Comment noted.

**Comment 19:**

Describes appreciation for allowance of voicing concerns through the public hearing forum and requests the proposed sound barrier near Plainview Drive be extended across the portion of Cimarron Trail that is proposed to be closed from the SH 121/SH 183 westbound frontage road. He describes the reason the proposed sound barrier is needed most in this location is that Cimarron Trail is nearly the same elevation as the proposed main lanes while the largest portion

of the Plainview neighborhood has a natural sound barrier as the proposed main lanes are below grade. Another commenter along the north side of Plainview Drive request the noise wall be built so they do not see the proposed frontage road from their residence and save as many trees as possible. An additional commenter states there is an urgent need for access to the westbound frontage road at Cavender Drive.

**Response 19:**

*The layouts used at the hearing depict a break in the proposed noise barrier at the location the access from Cimarron Trail is proposed to be removed from the westbound frontage road. A noise barrier workshop will be conducted prior to construction to allow the adjacent residences to vote for or against the implementation of these noise barriers for their community. Discussions and final decisions regarding extending the noise barrier across the closure would be developed through this forum.*

*As construction begins on SH 121/SH 183, TxDOT and NTE Mobility Partners will preserve as many of the trees currently located along the south side of Plainview Drive as possible.*

*On the displays presented at the May 25, 2006 public meeting, Cavender Drive was proposed to be extended north over SH 121/SH 183 to the westbound frontage road making Cavender Drive a through street. After the public meeting, TxDOT received a signed petition from over 200 residents in this neighborhood stating they did not want a vehicular bridge over the freeway at Cavender Drive for various reasons. After reviewing the comments received from these residents, TxDOT decided to not connect Cavender Drive north of SH 121/SH 183.*

**Comment 20:**

Requests their home be acquired for the project as the frontage road will be relocated or constructed on new location near their properties increasing traffic and noise and also creating a safety hazard for their family. One commenter states with the proposed frontage road practically in their front yards, they can not sell their homes. The commenter has tried twice since 2005 without success. Two different buyers failed to follow through with the agreements to purchase.

**Response 20:**

*No property is proposed to be acquired from these homeowners that are not adjacent the existing freeway near the area of Plainview Drive and Cimarron Trail. TxDOT can only acquire the necessary right of way needed for the construction of our facilities. A noise barrier was determined to be feasible and reasonable near these homes and is proposed to be incorporated. The location of the proposed noise wall as shown on the public hearing layout is between the homes and frontage road. A noise barrier workshop will be conducted prior to construction to allow the adjacent residences to vote for or against the implementation of these noise barriers for their community.*

*Concerning the commenter's inability to sell their home, property values along the SH 121/SH 183 corridor are mostly impacted by national and local market conditions that are beyond the control of TxDOT. The uncertainty of project implementation in conjunction with the lengthy public involvement process for this project may have contributed to a perceived loss in value and impacts on sales of local real estate in the area.*

**Comment 21:**

Describes with the loss of homes adjacent the freeway, previously located between their property and the roadways, the noise levels are awful. Commenter's ask for an explanation why previous project information described green space would be provided near Plainview Drive with

no noise abatement barrier and now a noise abatement barrier is proposed next to the curb with no green space provided.

**Response 21:**

*The noise analysis had not been completed before previous meetings were held and it had not been determined if a noise barrier would be incorporated near this location or if plantings or green space would be provided. The noise analysis has been completed and a noise barrier is proposed to be incorporated near this location. The exact location of the barrier, next to the frontage road or proposed right of way, has not been determined at this time. A noise barrier workshop will be conducted prior to construction to allow the adjacent residences to vote for or against the implementation of these noise barriers for their community. Discussions and final decisions regarding the location of the noise barrier and the allowance of aesthetic treatments between the proposed noise barrier and Plainview Drive would be developed through this forum.*

**Comment 22:**

Requests information regarding the priority listing of right of way offers, timing of when he can begin looking for a new residence, and if 30% VA disability qualifies for early relocation considerations. Asked if the 128 residences described to be displaced due to the project was the total number or number remaining.

**Response 22:**

*The priority for offers to be made to property owners will be determined by NTE Mobility Partners once a right of way acquisition schedule is prepared. At this time the earliest any right of way acquisition is expected to occur along the SH 121/SH 183 corridor will be in 2010. The commenter will be eligible for relocation expenses on the day the written offer to purchase is made by a right of way agent. A 30% VA disability would qualify to have the residence purchased as a medical hardship. However, a medical hardship and the associated environmental documentation would not be expected to be approved prior to TxDOT receiving environmental clearance for SH 121/SH 183 corridor. TxDOT anticipates the SH 121/SH 183 corridor to be environmentally cleared in the fall 2009 which will allow right of way acquisition to begin in 2010. The number of 128 single family residences described to be displaced due to the project is the total number.*

**Comment 23:**

The proposed closure and cul-de-sac of Plainview Drive at Hurstview drive and the closure of Cimarron Trail at the westbound frontage road will close easy access, especially for emergency vehicles, to their home.

**Response 23:**

*Plainview Drive is proposed to be closed off as a cul-de-sac near Hurstview Drive and remain as a local access for homeowners north of Plainview Drive due to the close proximity of the new westbound frontage road provided for through travel. Plainview Drive is approximately 35 feet north of the proposed frontage road, a distance that would not allow for proper storage of vehicles stopped at the frontage road intersection with Hurstview Drive. Cimarron Trail was also requested to be closed by local homeowners in earlier project development meetings as large trucks used this route through the neighborhood to gain access to the westbound frontage road. The additional distance required for access to the property, due to the street closures, is approximately 2000 feet as travel would be required to a parallel street to gain access to Hurstview Drive or the proposed frontage road.*

**Comment 24:**

Agrees additional lanes are needed for the roadway but believes the opening of the proposed noise barrier at Hurstview Drive and elevated lanes will allow a lot of noise at night at their home.

**Response 24:**

*The opening of the noise barrier is required to allow access for Hurstview Drive to the proposed westbound frontage road. An additional natural noise barrier will be created for noise created by travel on the managed and general purpose lanes as a retaining wall is proposed to be constructed next to these lanes that will travel under the bridge proposed for Hurstview Drive.*

**Comment 25:**

Request signs alerting truckers that engine braking is no longer allowed on SH 121/SH 183 just east of Precinct Line Road. The homeowner located along the south side of SH 121/SH 183 is being awoken by trucks using their engines for braking.

**Response 25:**

*Measures to enforce the noise large trucks make when they brake or decelerate their vehicles through engine maneuvers near this location are the responsibility of the City of Hurst through a local ordinance. You are encouraged to contact your city council member and their staff to make them aware of your concern.*

**Comment 26:**

Requests information on the type of lighting to be used on the project and ask if it will seem as daylight 24 hours a day. Commenter's along Fieldstone Drive, Storm Drive and Storm Court E. expressed concern about the proposed roadway lighting for the facility.

**Response 26:**

*The illumination proposed for the project in the vicinity of your residence at 604 Plainview Drive will be on the general purpose lanes, managed lanes, and ramps and will most likely be standard Texas Department of Transportation, (TxDOT) roadway illumination. This type of illumination is similar to a street light placed on a power pole in residential areas or on traffic signal poles at street intersections. At this time, there does not appear to be any high mast illumination for this portion of SH 121/SH 183. High mast illumination is typically used in freeway interchanges where broad areas need to be lighted. This type of illumination is used in the Northeast Mall interchange area.*

*With the proposed general purpose lanes and ramps lower than the proposed westbound frontage road and Plainview Drive, it is not anticipated you will have daylight 24 hours a day from the proposed illumination. There will be some light from the proposed roadway illumination visible along the proposed westbound frontage road.*

*The illumination proposed for the project in the vicinity of Storm Court E., will be on the general purpose lanes, managed lanes, and ramps and will most likely be standard Texas Department of Transportation, (TxDOT) roadway illumination. With proposed noise barriers, it is not anticipated you will have significant light from the proposed illumination. There will be some light from the proposed roadway illumination visible along the proposed general purpose and managed lanes.*

**Comment 27:**

Requests the distance from the south curb of Plainview Drive to the north curb of the proposed frontage road in front of 604 Plainview Drive.

**Response 27:**

*In front of the residence at 604 Plainview Drive, the proposed separation distance between the south curb line of Plainview Drive to the north curb line for the proposed west bound frontage road is approximately 25 feet.*

**Comment 28:**

Desires information of who to contact to change the law on how much easement there has to be from a home to the proposed right of way of a freeway since they were previously told there is not a minimal distance required.

**Response 28:**

*The legislative branch of state government is responsible for drafting the laws that govern right of way acquisition/compensation TxDOT uses. You can contact your local elected state representative and senator with your concerns and comments.*

**Comment 29:**

Requests information regarding air quality and how the proposed noise barrier north of Plainview Drive will impact the air quality in the neighborhood. Another commenter located along Stratford Drive in Bedford states black grime and soot from the existing traffic is already deposited on the window sills with some entering the house and believes with the new plan more soot, grime and trash will be generated and closer to the house. Additional commenter's located on Fieldstone Drive and Storm Drive E. request a noise barrier to act as a barrier to all the dust, falling and shooting debris from the construction activities. Believes the noise barrier will shield the residents from the extremely bright lights utilized during construction. A commenter located at 157 Oakhurst Drive expressed a concern of carbon monoxide and stated TxDOT can not fix this problem.

**Response 29:**

*The primary air quality pollutants from motor vehicles are volatile organic compounds, carbon monoxide, and nitrogen oxides. Volatile organic compounds and nitrogen oxides can form ozone under the right conditions in a series of photochemical reactions. Because these reactions take place over a period of several hours, maximum concentrations of ozone are often found far downwind of the precursor sources. Thus, ozone is a regional problem and not a localized condition. It is noted that while carbon monoxide (CO) and mobile source air toxics (MSAT) emissions are also concerns for the region's air quality, CO and MSATs can be attributed to a specific project or affected network (or affected area - travel shed), respectively.*

*Carbon monoxide concentrations for the proposed action were modeled using TxDOT Air Quality Guidelines approved by the Federal Highway Administration (CALINE3/MOBILE6.2 software). In accordance with the guidelines, the model factored in adverse meteorological conditions and sensitive receptors at the ROW line. Based on the air quality analysis performed for the estimated year of 2030, the proposed project is not expected to exceed national standards for local concentrations of carbon monoxide.*

*In addition to the criteria, air pollutants for which there are National Ambient Air Quality Standards (NAAQS), EPA also regulates air toxics. Air toxics are pollutants known or suspected to cause cancer or other serious health or environmental effects. Most air toxics*

originate from human-made sources, including on-road mobile sources (cars, light trucks, motorcycles, and 18-wheelers), non-road mobile sources (e.g., bulldozers, locomotives, aircraft, boats, etc.) area sources (e.g., dry cleaners, gas stations), and stationary/point sources (e.g., electric utilities, petrochemical refining, and other industry).

MSAT are a subset of the 188 air toxics defined by the Clean Air Act. MSATs are compounds emitted from highway vehicles and non-road equipment. Some toxic compounds are present in fuel and are emitted to the air when the fuel evaporates or passes through the engine unburned. Other toxics are emitted from the incomplete combustion of fuels or as secondary combustion products. Metal air toxics also result from engine wear or from impurities in oil or gasoline.

The approach used in the analysis of MSATs within the SH 121/SH 183 study area considers the on-road sources for the six priority MSATs (i.e., acetaldehyde, acrolein, benzene, 1,3 butadiene, diesel particulate matter [DPM], and formaldehyde). This analysis is based on existing or base year (2007) and future volumes of traffic (2015 and 2030) that have been projected by the NCTCOG travel model. An affected transportation network was derived from the 2030 No-Build Scenario compared to the 2030 Build Scenario to determine which roadway links in the model achieve a  $\pm 5\%$  volume change. The affected transportation network was then compared to the 2007 and 2015 models in order to extrapolate the baseline and interim year model. Speeds were modeled as average speeds and weighted by both the type of roadway and by the amount of total VMT that occur at that speed.

This MSAT analysis uses MOBILE6.2 inputs that are appropriate to the Dallas-Fort Worth Urban Area. These inputs are consistent with those used for other modeling activities in the area (e.g., SIP inventories, conformity analyses). Modeling parameters and more detailed information can be found in the Mobile Source Air Toxic Analysis - SH 183/SH 121 (Airport Freeway) Technical Report, which is on file with TxDOT Fort Worth District and the Environmental Affairs Division Office in Austin.

Results of the MSAT analysis indicated substantial decreases in mobile source air toxics (MSAT) emissions will be realized from a current base year (2007) through the estimated time of completion for the planned project and its design year some 23 years in the future. Accounting for anticipated increases in vehicle miles traveled (VMT) and varying degrees of efficiency of vehicle operation, total MSAT emissions were predicted to decline approximately 60 percent from 2007 to 2030. While benzene emissions were predicted to decline more than 47 percent, emissions of DPM were predicted to decline even more (i.e., 88% in the Build scenario). It is noted that DPM emissions may contribute to grime, soot, and dust.

Noise barriers serve to reduce decibels received by the human ear. Noise barriers are not intended to have effects on air quality nor provided protection from falling or shooting debris from construction. However, noise barriers may provide some relief from lighting used for construction activities occurring at night.

A schedule for roadway maintenance including litter removal is included in the NTE concession CDA contract and will be the responsibility of NTE Mobility Partners.

Subsequent to the completion of this quantitative MSAT analysis, the Dallas-Fort Worth MPO completed work on an amendment to the Mobility 2030 MTP. This amendment revised various projects in the Dallas-Fort Worth planning area thereby resulting in corresponding revisions to the transportation model network. The Dallas-Fort Worth MPO conducted an analysis of the vehicle miles of travel (VMT) associated with the Mobility 2030 MTP and the Mobility 2030 -

Amendment 2009 transportation model networks. This analysis compared the VMT for approximately 90 percent of the affected transportation network links used to conduct the MSAT analysis and determined that the total VMT on these links decreased by approximately 0.89 percent. Based upon this comparison the MSAT emissions and downward trend discussed above are not expected to change substantially as a result of the amendments and are therefore considered consistent with the Mobility 2030 - Amendment 2009.

<i>VMT Comparison (Representing approximately 90% of Affected Network Links)</i>	
<i>Network</i>	<i>VMT</i>
<i>Mobility 2030</i>	<i>13,474,770</i>
<i>Mobility 2030 - Amendment 2009</i>	<i>13,355,343</i>
<i>Difference</i>	<i>-119,427</i>
<i>Percent Change</i>	<i>0.89 %</i>

**Comment 30:**

Commenter’s request the proposed noise barrier east of Norwood Drive and south of SH 121/SH 183 be extended eastward to a location near the intersection of Oakhurst Drive and the SH 121/SH 183 frontage road. Another commenter states four home owners along Sunnyvale Terrance jointly own the property behind their homes adjacent to freeway and would not object if the noise barrier is built on State right of way.

**Response 30:**

*The adjacent homeowners have indicated they own the property and are willing to have a noise barrier be extended to the end of the residential neighborhood near Valley View Branch; the noise model supports this scenario. The proposed noise barrier would generally be 12 feet in height and located along the existing right of way. Property ownership will be verified during the right of way acquisition process.*

**Comment 31:**

Requests the criteria, including type of equipment and location of reading, used for determining the 71 dB(A) level for noise receptor R11A. What is the proposed noise barrier height compared to the managed toll lanes at this location. How will residents know the actual wall does meet the 5 dB(A) attenuation as designed and will the residents be a part of that test.

**Response 31:**

*The noise analysis for SH 121/SH 183 (Airport Freeway) was accomplished in accordance with the Texas Department of Transportation’s (Federal Highway Administration approved) Guidelines for Analysis and Abatement of Highway Traffic Noise. The Federal Highway Administration (FHWA) traffic noise modeling software (TNM Version 2.5) was used to calculate the existing and predicted future traffic noise levels at your location and the other receiver locations along the project that represent the land use activity areas adjacent to the proposed project that might be impacted by traffic noise and potentially benefit from feasible and reasonable noise abatement. The FHWA noise modeling software primarily considers the number, type and speed of vehicles; highway alignment and grade; cuts, fills and natural berms; surrounding terrain features; and the locations of activity areas likely to be impacted by the associated traffic noise. Actually field measurements were not taken because they are generally only warranted if there is a question of whether or not there is a noise impact. Because it is evident that the entire corridor has a noise impact, field measurements were not necessary. Noise barriers heights are determined for proposed traffic volumes generally 20*

years in the future. There are no requirements for TxDOT to conduct noise measurements in the future (design year for the project) to substantiate that a 5dBA reduction was achieved; hence, TNM is the accepted method for this determination.

Based on the noise analysis, the proposed project would result in a traffic noise impact at your location, and therefore noise abatement measures were considered. The Texas Department of Transportation criteria for noise abatement state that before any abatement measure can be proposed for incorporation into the project, it must be both feasible and reasonable. In order to be “feasible”, the abatement measure must be able to reduce the noise level at an impacted receiver by at least five dBA. To be “reasonable”, it must not exceed the cost-effectiveness criterion of \$25,000 for each receiver that would benefit by a reduction of at least five dBA.

As described in Section VI-E of the Environmental Assessment, receiver R11A, which represents your location and other nearby residences south of Somerset Circle, was found to be noise impacted and a noise wall was found to be reasonable and feasible. The proposed noise wall at your location ranges from 16 to 17 feet in height and would reduce the noise level by at least five dBA. At your location, the proposed eastbound managed lanes are at grade with the general purpose mainlanes, however, the westbound managed lanes are elevated. Based on the design schematic, the westbound managed lanes are elevated approximately 44 feet above the general purpose mainlanes in your area. The westbound mainlanes would be approximately 66 feet higher than your location and located approximately 400 feet away from your location.

As previously mentioned, the design goal is to reduce design year noise levels by at least 5 dBA. Although the purpose of a noise wall is to reduce noise levels for residential receivers adjacent to the roadway, no wall of any design can eliminate all traffic noise.

**Comment 32:**

Requests information of when and how the impacted residents will be notified of meetings to discuss the proposed noise abatement wall and expected attenuation.

**Response 32:**

Prior to construction, a noise barrier workshop will be conducted to allow the adjacent residences to vote for or against the implementation of these noise barriers for their community. Discussions and final decisions regarding the location of the noise barrier and the allowance of aesthetic treatments between the proposed noise barrier and Somerset Circle would be developed through this forum. The residents in the affected neighborhoods are notified through the mail of the date, time and location of the meeting.

**Comment 33:**

Presently we have access to the eastbound frontage road through Somerset Circle. Suggest closing this access to help with noise abatement would be a better alternative than leaving the existing street access with a break in the proposed noise barrier.

**Response 33:**

A break would be provided in the noise wall proposed to be implemented to allow access to the neighborhood through Somerset Circle.

**Comment 34:**

Homeowners in the neighborhood north of SH 183 between Sulphur Branch and Bedford Road requests sound barriers and landscaping behind houses. Another commenter in the same

neighborhood at 2061 Shady Brook Drive in Bedford requests TxDOT purchase the two homes at the entrance to the Shady Brook Addition due to increased noise and no noise barrier or environmental barrier proposed. The commenter goes on to state their residence is in a low lying area and has been flooded several times and more asphalt will only compound the problem. Further states the lot purchased could be cleared and water directed into the creek behind the property.

**Response 34:**

*The commenter's residences are located in a neighborhood that is not adjacent to SH 121/SH 183 and is approximately 250' away from the westbound frontage road. Between the residential area and the westbound frontage road is Sulphur Branch and church property. It is not feasible to place a noise barrier between the proposed right of way and frontage road near this residential area as the barrier would have a detrimental affect by restricting views and access to the church property adjacent to the frontage road. Additional noise modeling was performed to determine if a noise barrier located between the westbound general purpose lanes and exit ramp to Brown Trail would be reasonable to implement. The length of the proposed barrier was approximately 700 feet extending from general purpose lane station 4165+00 to station 4172+00 and the height varied from 10 feet to 18 feet. This modeled noise barrier is not feasible to implement as a 5 dBA reduction in noise levels was not attainable at the residences.*

*TxDOT cannot provide landscaping behind the commenter's residence since this property is owned by the church and not the State of Texas. However, TxDOT will include landscaping for the area between the frontage roads and the right of way along SH 121/SH 183.*

*Per State Law, TxDOT can only acquire the necessary right of way needed for the construction of the SH 121/SH 183 facility. The homes located at the entrance to the Shady Brook Addition are not needed for the expansion of SH 121/SH 183.*

*Concerning flooding along Sulphur Branch into the residence, drainage structures indicated on the public hearing displays were preliminarily sized to pass the recommended design frequency for this facility based on TxDOT's Hydraulic Design Manual and Federal Emergency Management Agency (FEMA) policies and procedures. TxDOT does not control development in the watershed upstream or downstream of our facilities. Development is controlled by the local Cities. The types of development permitted in the watershed directly correlate to the amount of storm water runoff generated and entering Sulphur Branch.*

*Increases in culvert dimensions above existing are anticipated in many cases for the project. Preliminary sizing will ensure that no water surface elevations upstream from the culverts exceed the published FEMA 100 year water surface profile. Since there will be additional runoff generated within the right of way due to the addition of the managed lanes, TxDOT will attenuate these flows within the right of way. Design practices will be implemented to minimize downstream effects when possible based on TxDOT and FEMA policies and procedures. Final sizing of culverts will be performed during detailed preparation of the plans, specifications and estimate.*

*NTE Mobility Partners and TxDOT will meet and discuss specific drainage design issues with the Cities of Bedford and Euless once detailed plans development begins.*

**Comment 35:**

Request speed limits be enforced.

**Response 35:**

*Measures to enforce speed limits along the roadway are the responsibility of the local entities or the Texas Department of Public Safety.*

**Comment 36:**

One commenter expresses two concerns about the quality of life once the project is completed at their residence located at 716 Queens Way in Bedford. One concern is the traffic noise will be considerable higher with the proposed entrance and exit ramps between Bedford Road and Brown Trail, and the addition of six toll lanes, three which are elevated. The commenter states since the noise barrier is open at Kentwood Circle, the proposed noise barrier will not adequately reduce the noise level. The commenter's second quality of life concern is with the removal of beautiful trees from the back of the lot replaced by a noise barrier and the view from the backyard will not be of beautiful trees, but ugly elevated toll lanes. Additional homeowner's along Stratford Drive expressed similar concerns with views from the backyard of their residence. Additional commenter's in the same neighborhood do not believe the proposed noise barrier will be sufficient to abate the freeway noise from the elevated lanes.

**Response 36:**

*Based on the projected traffic volumes, a noise barrier was determined to be reasonable and feasible for this location. The opening of the noise barrier is required to allow access for Kentwood Circle Drive. TxDOT understands the commenter's concern regarding the loss of trees due to the expansion of SH 121/SH 183 and is committed to preserving as many of these trees as possible in the area where additional right of way will be acquired north of the proposed frontage road.*

*Based on the noise analysis, the proposed project would result in a traffic noise impact at your location, and therefore noise abatement measures were considered. The Texas Department of Transportation criteria for noise abatement state that before any abatement measure can be proposed for incorporation into the project, it must be both feasible and reasonable. In order to be "feasible", the abatement measure must be able to reduce the noise level at an impacted receiver by at least five dBA. To be "reasonable", it must not exceed the cost-effectiveness criterion of \$25,000 for each receiver that would benefit by a reduction of at least five dBA.*

*As described in Section VI-E of the Environmental Assessment, receiver R21-E and R21-F, which represents your location and other nearby residences along Stratford Drive, was found to be noise impacted and a noise wall was found to be reasonable and feasible. The proposed noise wall stretching from Kentwood Circle east to Stonegate Drive ranges from 14 to 19 feet in height. Specifically, in between receivers R21-E and R21-F, the noise wall ranges from 17 to 19 feet in height. In between receivers R21-E and R21-F, the proposed westbound frontage road lanes are at grade with the westbound general purpose lanes, the eastbound managed lanes, and the eastbound general purpose lanes. The westbound managed lanes are elevated and the eastbound frontage road lanes are depressed slightly. Based on the design schematic, the westbound managed lanes are elevated approximately 53 feet above the general purpose lanes in this area. The westbound managed lanes would be approximately 55 feet higher than your location and are located approximately 180 feet away from your location. The eastbound frontage roads are depressed approximately 5 feet beneath the eastbound general purpose lanes.*

*As previously mentioned, the design goal is to reduce design year noise levels by at least 5 dBA. Although the purpose of a noise wall is to reduce noise levels for residential receivers adjacent to the roadway, no wall of any design can eliminate all traffic noise.*

**Comment 37:**

The commenter's are concerned the value of the property will greatly decrease once the project is completed. One commenter who owns the residence located at 716 Queens Way states many hours and significant funds have been spent updating the house and these efforts are reflected in the latest appraisal. The commenter's state with the reduction in size of the lot, removal of trees and the close proximity of traffic to the residence, the value of the property will be reduced. Several residents who live in the same neighborhood along the south side of Stratford Drive in Bedford request the State purchase their entire property to remedy the reduction in the quality of life, financial burdens, and noise issues associated with the expansion of SH 121/SH 183. Another commenter states the sound barriers as described in the hearing are destructive of property values and quality of life for impacted neighborhoods. Further states it is heartless to place the noise barrier in the middle of people's property, destroying the value of the property without sufficient compensation. An additional homeowner along the south side of Stratford Drive describes the ability to store a second home in the back yard, a motor home, will be lost as the concrete pad and gate will be removed. Commenter's whose residences are located along Fieldstone Drive, Storm Drive and Storm Court E. state the project will lower the value of their home.

**Response 37:**

*Property owners are compensated for right of way acquired based on the Uniform Relocation Assistance and Real Property Acquisition Act of 1970. Property is appraised at fair market value as determined by an independent appraiser and the property owner is offered this compensation. Compensation could include not only the fair market value for the land acquired but any improvements within the taking and damages, if any, to the remainder. Per State Law, TxDOT can only acquire the necessary right of way needed for the construction of the SH 121/SH 183 facility.*

*Property values along the SH 121/SH 183 corridor are mostly impacted by national and local market conditions that are beyond the control of TxDOT. The uncertainty of project implementation in conjunction with the lengthy public involvement process for this project may have contributed to a perceived loss in value.*

**Comment 38:**

The commenter is not happy with the addition of toll lanes and is upset the plans for SH 121/SH 183 have changed over the past 20 years. States if the original plans for this project had been carried out at the beginning, congestion would be reduced and the construction costs considerably cheaper. The commenter states other projects in the region came along and took precedence over SH 121/SH 183 such as improvements to IH 30 in Arlington related to the construction of Rangers Ballpark and Cowboys Stadium in Arlington along with improvements to SH 114 and IH 35W due to the construction of Texas Motor Speedway. Commenter does not believe that everyday public congestion should continue so less frequent events can be more fun for the few that get to enjoy.

**Response 38:**

*Schematic development and public involvement for the reconstruction of SH 121/SH 183 has been ongoing since 1993 with the first public meeting held in August 1993. In July 1994, TxDOT suspended design work due to the uncertainty about advance planning provisions in the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA). Design work resumed in January 2000, and a second public meeting was held in November 2001. The preferred alternative developed after the November 2001, public meeting was revised to include five*

*general purpose lanes in each direction and a proposed reversible High Occupancy Lane (HOV) facility.*

*Schematic development continued along the SH 121/SH 183 corridor as a reversible HOV facility after the November 2001 meeting. However, work was slowed substantially after TxDOT received an unsolicited proposal to develop the IH 820 and SH 121/SH 183 corridors as a Comprehensive Development Agreement (CDA).*

*Due to funding shortfalls which created the inability of TxDOT to fund multiple large freeway projects in a reasonable time frame; the Texas Transportation Commission worked with the Texas Legislature and Texas voters to adopt funding strategies (law) to help expedite much needed transportation projects. One of the funding strategies is the ability to enter into a public private partnership to finance, design, build, and maintain these transportation facilities through a Comprehensive Development Agreement (CDA). This was the strategy TxDOT selected to pursue for the proposed improvements to SH 121/SH 183.*

*Schematic development of the bidirectional managed lane facility began in August, 2005. The proposed facility includes three general purpose lanes in each direction and three managed toll lanes in each direction. The District recognized each City's concern regarding access to and from the managed and general purpose lanes. To develop a schematic to best address each cities access concerns and requests while balancing the regional needs for improved mobility and safety, TxDOT met collectively and individually with the local elected officials, city staffs, The North Central Texas Council of Governments (NCTCOG) and interested stakeholders several times over the past three years. The schematic presented at the May 2006 public meeting and the August 2009 public hearing was a result of the public involvement process.*

*During the course of the project planning, the design changed due to revised TxDOT design and safety standards, the increase in predicted traffic along SH 121/SH 183 (thereby increasing the number of lanes), and inclusion of HOV/managed lanes and access points. Additionally, environmental clearance for the roadway must be received before the project can begin final design and construction. This process required several years of study to address all environmental effects associated with the roadway project and was modified per the changes in design. Finally, monetary shortfalls for TxDOT from the federal highway funds affected the planning process and TxDOT's ability to construct the roadway.*

*The Dallas-Fort Worth region has more transportation needs than funds. The Regional Transportation Council (RTC) and TxDOT policies require tolling to be considered for all new capacity improvements. House Bill 3588 allows TxDOT to utilize different methods to fund roadways, including CDAs. Because of budget shortfalls in transportation to fund large highway projects such as SH 121/SH 183, TxDOT has chosen to use a CDA to design, build, operate, and maintain SH 121/SH 183. Without this public-private partnership for SH 121/SH 183, the proposed project could be substantially delayed or canceled from lack of funds.*

*Several of the projects referenced were developed, environmentally cleared, and constructed under different Federal transportation legislation at a time when there was sufficient Federal and State transportation funds generated from the gasoline tax to construct facilities. Gas taxes alone cannot fund all the transportation needs for the state. The Dallas-Fort Worth region has more transportation needs than funds; therefore, innovative funding through a CDA which combines federal, state, and local funding with toll funds is being pursued for projects such as SH 121/SH 183. By using this alternative funding, much-needed facilities can be implemented faster than if relying on traditional funding sources. Without tolling, this roadway expansion*

would be substantially delayed or not constructed. As a part of the adopted RTC managed lane policy, tolls will remain on the managed lanes after the CDA duration to continue to manage congestion along the corridor(s). An additional benefit of these tolls is to provide additional funds that could be used on future transportation projects.

**Comment 39:**

Expresses concerns with the contract to construct and manage the North Tarrant Express and would like to know what will happen to the money that was set aside for the project.

**Response 39:**

*The public hearing to disclose the North Tarrant Express project financial information was held on April 14, 2009. In the presentation, the project costs and funding were presented for the traditional design build approach and the CDA approach to deliver the NTE concession segment. At this time, TxDOT estimates a total cost of \$2 billion to design, finance, purchase right of way & relocate utilities, and construction for these 13 miles of roadway along IH820 and SH183. In order for TxDOT to deliver the concession segment through the traditional approach, approximately \$600 million in available gas tax funds, and an approximate amount of an additional \$700 million in gas tax funds along with \$700 million in new debt would be required. Neither the state nor the region has the additional funds to advance this project with the limited gas-tax dollars. To view the presentation from the NTE public hearing, please use the following web link: <ftp://ftp.dot.state.tx.us/pub/txdot-info/ftw/nte/presentation.pdf>. For the latest information on the North Tarrant Express, you may access TxDOT's project site at [http://www.txdot.gov/project\\_information/projects/fort\\_worth/north\\_tarrant\\_express/default.htm](http://www.txdot.gov/project_information/projects/fort_worth/north_tarrant_express/default.htm).*

*The approach to delivering the NTE Phase 1 includes a public-private partnership allowing TxDOT to combine design, construction, maintenance, operation, and financing of a project into one contract.*

*Using available gas tax funds of approximately \$570 million, the total amount of debt raised by NTE Mobility Partners to acquire right of way, relocate utilities, design, construct, operate, and maintain the project is approximately \$1.6 billion. Debt will be repaid by NTE Mobility Partners from Toll Revenues over a 40 year term from the completion of construction.*

**Comment 40:**

The commenter's describe their home is located behind a lawyer's office and parking lot on the north side of the service road between Bedford Road and Brown Trail. They request a sound buffer or wall barrier at this location as the elevated lanes will be noisy.

**Response 40:**

*A noise barrier, located between the westbound frontage road and proposed right of way, is proposed to be implemented near the east end of their property and extend eastward to Kentwood Circle. This noise barrier is not proposed to be extended to the west near their property as it would have a detrimental affect by restricting views and access to a commercial lot adjacent the frontage road. Additional noise modeling was performed to determine if a noise barrier located between the westbound frontage road and general purpose lanes would be feasible to implement. The length of the proposed barrier was approximately 750 feet extending from near Brown Trail to Kentwood Circle and the height varied from 10 feet to 20 feet. This modeled noise barrier is not feasible to implement as a 5 dBA reduction in noise levels was not attainable at the residence.*

**Comment 41:**

Expressed concern of the changes to the service road on the north side of SH 183 between Bedford Road and Brown Trail and ask how the project will affect their backyard and storage shed.

**Response 41:**

*From aerial surveys utilized for advanced project development efforts it appears the new frontage road will be relocated approximately 35 feet north of the existing frontage road at this location. The proposed right of way is located approximately 4 feet from the southeast corner of this property. No direct impact as a result of right of way taking is expected to their backyard and storage shed.*

**Comment 42:**

The commenter expressed concern they had not received any notification from TxDOT regarding the acquisition of their property at 270 Somerset Circle in Bedford. At the public hearing, the commenter states TxDOT officials indicated the property was identified on the public hearing displays as purchased or acquired for the expansion of SH 121/SH 183. The commenter requests to be told if the property is to be acquired and when. Additional commenter's that reside on Fieldstone Drive and Storm Drive describe they did not know about the hearing.

**Response 42:**

*A certified letter dated April 10, 2007 was sent to the property owner of 270 Somerset Circle on May 4, 2007 advising them of the voluntary early acquisition of the property by TxDOT. The certified letter was signed for by an individual in the household. Based on the displays presented at the public hearing, the property located at 270 Somerset Circle is considered a complete acquisition and displacement. Notification of the hearing was provided through mail to adjacent homeowners with advertisement provided through local newspapers and media consisting of radio and television.*

**Comment 43:**

The commenter's residence is located at 116 East Fuller Drive in Euless and is indicated on the public hearing displays as # 231. The commenter expressed concern why TxDOT needed to acquire their residence and states the proposed frontage road would be no closer than the existing frontage road. Can the proposed right of way line be moved back to where the existing right of way is located?

**Response 43:**

*After further examination of the SH 121/SH 183 preliminary schematic, we have concluded that the proposed right of way shown to bisect the residential structure is not necessary for the construction of the proposed improvements to SH 183 or Fuller Drive cul-de-sac. The proposed right of way can be revised to provide a 20 feet wide buffer from the proposed frontage road, more closely matching the existing right of way, which will result in acquisition of the property's south corner and displacement of a portable storage building. Additionally, the proposed noise wall will be extended westward to offer noise abatement to the remaining residential structure.*

**Comment 44:**

The commenter's residences are located along Fieldstone Drive, Storm Drive and Storm Court East in Bedford. They expressed they are concerned the impact the noise from SH 121/SH 183 will have on their families quality of life. The commenter's request a 14 foot to 20 foot noise barrier be placed between the frontage road and their residence. One commenter requested a

14 foot noise barrier be placed between Bedford Road and Central Drive along SH 121/SH 183 on the south side of either the freeway lanes or on the south side of the access road. Commenter's in this neighborhood also request the sound barrier be built before construction begins.

**Response 44:**

*TxDOT has proposed to purchase the remainder of the commercial property from the Baymont Inn and Suites as the most effective method of attenuating noise for the Storm Ct. neighborhood. Additional noise modeling efforts were performed for the neighborhood directly adjacent to the right of way. It was determined via the TNM model that a 10 ft noise barrier located adjacent to the residential properties abutting the newly proposed right of way line is warranted pending the noise workshop.*

*The sequence of work for SH 121/SH 183 has not been developed at this time. Timing of construction for the proposed noise barrier can be further discussed at the noise barrier workshop to be conducted prior to the beginning of construction.*

**Comment 45:**

A commenter requests their residence at 1417 Storm Court East be purchased due to the impacts from noise and safety concerns with the proposed frontage road directly behind the residence.

**Response 45:**

*Per State Law, TxDOT can only acquire the necessary right of way needed for the construction of the SH 121/SH 183 facility. Based on the displays presented at the public hearing, the right of way impacts appear to be in the northwest corner of the property which includes a portion of the existing fence and a small portion of the backyard. No displacement of the home is expected due to this project.*

**Comment 46:**

Expressed concern the proximity of the proposed frontage road to the residence poses a safety concern to their family and pets. Several residents along Fieldstone Drive, Storm Drive and Storm Court E. expressed the desire for a noise barrier for protection from pedestrians walking along the frontage road, shield residents from car wrecks behind homes, and from criminal activity against the residents.

**Response 46:**

*The proposed frontage road will have a 5 inch barrier curb and will be designed as a low speed facility with a design speed of 40 miles per hour. For a low speed facility, TxDOT's design criteria require protection for objects being struck by vehicles that are within the clear zone. The clear zone for a low speed facility is defined as 1 foot wide minimum, 3 feet wide desirable measured from the curb. The criteria TxDOT uses for the design of facilities is based on safety to both the driver and adjacent property owners. Based on the displays presented at the public hearing, the proposed frontage road varies in distance approximately 38 feet to 48 feet from the residence.*

*Noise barriers serve to reduce decibels received by the human ear. Noise barriers are not intended to provide protection from or to reduce criminal activity in the area. Control of criminal activity in the area is the responsibility of local law enforcement. Additionally, neighborhood crime watch groups can have a significant impact in deterring criminal activity in the neighborhood.*

**Comment 47:**

Expressed the First United Methodist Church of Euless is significantly impacted by the proposed expansion and is concerned the proposed plan does not show a noise abatement barrier given the sanctuary is less than 100 feet from the proposed frontage road and 200 feet from the elevated managed lanes. The church also requests a meeting to further discuss this issue.

**Response 47:**

*Noise for 2030 traffic was modeled at representative locations using the FHWA Noise Model. Because churches generally only have indoor activities, the Noise Abatement Criteria (NAC) for Category E (interior) was used. The noise model indicates that while there is a noise increase anticipated, it will not exceed the level established by the NAC; therefore, noise abatement was not considered. TxDOT will schedule a meeting with the church staff to further discuss this issue.*

**Comment 48:**

Expressed several questions concerning, the elevation of the managed lanes in relation to the noise wall and ground level of their homes, on sound impact and monitoring stations, soil impacts and monitoring schedules, and on a temporary screening wall during the construction time frame.

**Response 48:**

*As described in Section VI-E of the Environmental Assessment, receiver R1B, which represents your location, was found to be noise impacted and a noise wall was found to be reasonable and feasible. The approximate elevation of your area is 590 feet and the base elevation of the proposed noise barrier near your location is approximately 593 feet. The proposed noise wall at your location is approximately 11 feet in height and would reduce the noise level by at least five dBA. Based on the design schematic, the managed lanes are at approximately an elevation of 610 feet in your area.*

*Prior to beginning detailed design for the pavement, bridge and retaining wall structures geotechnical sampling of soils along the project corridor will be conducted. Once all geotechnical sampling is completed, TxDOT does not monitor any additional geotechnical impacts or seismic activity. Monitoring of seismic activity is the responsibility of the United States Department of Interior, United States Geological Survey (USGS). To view the soil survey maps along the SH 121/SH 183 corridor, please use the following weblink from the United States Department of Agriculture, Natural Resource Conservation Service (NRCS): <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>*

*The sequence of work for SH 121/SH 183 has not been developed at this time. Timing of construction for the proposed noise barrier can be further discussed at the noise barrier workshop to be conducted prior to the beginning of construction.*

**Comment 49:**

Requests aesthetics on noise barrier walls be considered to improve their appearance over what currently exists. Commenter's residing along Fieldstone Drive, Storm Drive and Storm Court E. requested trees and landscaping between the frontage road and the proposed noise barrier. Another commenter requests TxDOT consider applying artwork, i.e. a simple flowing mural, to the noise barrier and be prepared to refresh the artwork to remove or cover graffiti.

**Response 49:**

*Aesthetic and landscape plans will be provided and approved for items and areas within the corridor right of way prior to construction. Consideration will be given to using anti graffiti stains, or paints if warranted. Maintenance of aesthetic aspects of the noise barriers will be the responsibility of NTE Mobility Partners.*

**Comment 50:**

One commenter who lives along Simpson Drive requested noise abatement along entire route. At both ground level and along elevated areas. Another commenter, who stated their residence was a quarter mile from SH 183 at Eules Westpark Way, experiences noise now and when the highway is expanded the noise level is expected to increase. States no noise barriers are proposed between Eules Westpark Way and Industrial Boulevard and requests TxDOT re-consider placement of a noise barrier in this area.

**Response 50:**

*According to the Federal Highway Administration approved traffic noise analysis performed for the proposed project, noise abatement measures to reduce the noise levels are proposed for adjacent properties near Harrison Lane, Simpson and Norwood Drive and a partial section near Sunnyvale Terrace. A proposed noise wall, approximately 9 to 12 feet in height along the right of way line west and east of Norwood Drive, would provide at least a 5 dBA reduction for adjacent residences. TxDOT has performed additional noise analysis for the eastern part of the neighborhood that is located behind a narrow strip of land zoned commercial. Based on the analysis, an additional noise wall placed at the edge of the general purpose lanes through this area would provide at least a 5 dBA reduction for the residences in the eastern portion of the neighborhood. Note that in this area, the managed lanes and the eastbound general purpose lanes are elevated and at the same general elevation. The proposed noise wall located along the eastbound general purpose lanes is most appropriate for this area since a noise wall cannot be placed adjacent to the commercial property.*

*With regard to the elevated managed lanes, concrete traffic barriers, 32 to 36 inches in height, would be constructed to separate the managed and general purpose lanes throughout the project length. While traffic safety is the primary function of the concrete traffic barriers, they have a beneficial side effect of acting as an additional noise wall between the managed lanes and residential receivers. This beneficial effect is even more pronounced when the managed lanes are elevated with respect to the residential receivers.*

**Comment 51:**

Right-of-way acquisition impacts from the proposed project are anticipated to slightly impact the Airport Freeway Church of Christ. Please give us details if the proposed right of way line along the southeast corner of the property impacts new trees planted, a new sprinkler system installed, and the church's LED sign.

**Response 51:**

*As a part of the right of way process, the needed land and any improvements within the proposed area will be appraised and an offer will be made. Property owners are compensated for right of way acquired based on the Uniform Relocation Assistance and Real Property Acquisition Act of 1970. Property is appraised at fair market value as determined by an independent appraiser and the property owner is offered this compensation. Compensation could include not only the fair market value for the land acquired but any improvements within the taking and damages, if any, to the remainder.*

*Based on the public hearing display, the existing LED sign does not appear to within the proposed right of way taking. If the trees or sprinkler system in question are within the proposed right of way, the appraiser will take this into consideration when appraising the property. In the event that there may be possible damages to the existing sprinkler system, these damages would be evaluated and addressed in the appraisal, most likely in the cost to cure section.*

**Comment 52:**

Requests information on when the project will take place and any other information related to the project. Additionally the commenter indicates his residence is to be removed and wants information on the right of way acquisition process and relocation information. The comment was submitted in Spanish and translated to English.

**Response 52:**

*Relocation Assistance and State Purchase of Right of Way pamphlets printed in Spanish will be provided. Additional information for SH 121/SH 183 is available by using the following link: [http://www.txdot.gov/project\\_information/projects/fort\\_worth/sh\\_121\\_183/default.htm](http://www.txdot.gov/project_information/projects/fort_worth/sh_121_183/default.htm) Additional information on the North Tarrant Express is available by using the following link: [http://www.txdot.gov/project\\_information/projects/fort\\_worth/north\\_tarrant\\_express/default.htm](http://www.txdot.gov/project_information/projects/fort_worth/north_tarrant_express/default.htm)*

**Comment 53:**

States the City of Bedford will experience huge economic loss during the construction of the project given the central business district is located along the SH 121/SH 183 corridor.

**Response 53:**

*Comment noted. The detailed traffic control plan/sequence of work for the reconstruction of SH 121/SH 183 has not been developed at this time. Construction activities most likely will occur during the evening hours and other non-peak periods and during daytime non-peak periods to minimize the impact to local residents and businesses, provide a safe and efficient facility during construction for the traveling public, and expedite the reconstruction of SH 121/SH 183. Access to and from business located along the SH 121/SH 183 corridor will be maintained during construction. However, driveways may be combined together, temporarily relocated, or closed for construction activities. Signage in accordance with the Texas Manual of Uniform Traffic Control Devices (TMUTCD) to indicate relocated or combined driveways can be provided. Temporary closures most likely will occur during the evening hours and other non-peak periods and during daytime non-peak periods to minimize the impact to the local businesses and residents to provide a safe and efficient facility during construction for the traveling public. TxDOT and NTE Mobility Partners will work with local city staffs to develop traffic control plans/sequences of work to minimize construction impacts to the communities and traveling public.*

**Comment 54:**

Expresses concern on drainage issues near Bell High School, along Sulphur Branch and Tributary SB1 in Bedford. States these drainage issues have been a problem for the City for many years and they have plans to solve the problem. Further states the proposed changes in the highway plans are affecting drainage patterns and will increase flooding downstream and the City has no funds to re-design or enlarge their project. The commenter requests if TxDOT's proposed plan negatively affects drainage in these areas, the City expects TxDOT to help fund the expansion of the cities project or find alternative to ease runoff in the area. States the city's Public Works Department is ready to work with TxDOT.

Additional commenter's request the Hurricane Creek and Cyclone Branch drainage systems crossing SH 183 in the City of Euless not be increased in size to convey any additional flow over and above what exists today. Requests if TxDOT insists on increasing the flows entering the City of Euless, TxDOT should obtain the appropriate Conditional Letters of map Revision (CLOMR) and Letter of Map Revision (LOMR) from the Federal Emergency Management Agency (FEMA) and insure this project is fully compliant with all provisions of Executive Order 11988.

**Response 54:**

*Drainage structures indicated on the public hearing displays were preliminarily sized to pass the recommended design frequency for this facility based on TxDOT's **Hydraulic Design Manual** and Federal Emergency Management Agency (FEMA) policies and procedures. TxDOT does not control development in the watershed upstream or downstream of our facilities. Development is controlled by the local Cities. The types of development permitted in the watershed directly correlate to the amount of storm water runoff generated and entering these creeks. Attenuation of storm water runoff from the entire watershed cannot be accomplished solely at the highway culverts. Attenuation of storm water runoff is most effective when implemented upstream of the drainage structures crossing SH 121/SH 183. Highway culverts are, by their nature, not intended to serve as flow control structures. Their function is to carry storm water across the transportation facility in a manner that provides reasonable protection against overtopping the facility. Designing culverts to act as "control valves" would either risk violation of FEMA ordinances regarding increases in upstream water surfaces, or reduce the level of protection afforded to the traveling public.*

*It is not TxDOT's responsibility to file a CLOMR or LOMR on a FEMA stream due to increased storm water runoff from private development occurring in the watershed above SH 121/SH 183 which results in exceeding the published FEMA 100 year water surface profile. The responsible party for filing a CLOMR or LOMR would be the private developer or the FEMA floodplain administrator. According to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) (August 1995 and August 2000, Tarrant County maps 48439C0304 J, 48439C0308 H, 48439C0309 J, and 48439C0330 J), the proposed project would cross the Regulated Floodway Zones of Mesquite Branch (referred to as Lorean Branch on the FEMA map), Valley View Branch, Sulphur Branch, Unnamed Tributary to Sulphur Branch, Hurricane Creek, Unnamed Tributary to Hurricane Creek, and Bear Creek. The proposed project would not increase the base flood elevation to a level that would violate the applicable floodplain regulations or ordinances; therefore, no coordination with either the Federal Emergency Management Agency or the local floodplain administrator is required.*

*If the City desires to limit the rate of storm water released at the outfall of the culverts to what currently exists, storm water detention must occur upstream of the culvert in the watershed and be regulated by the Cities. If the City of Bedford or the City of Euless has a storm water detention ordinance in effect, TxDOT would be willing to investigate detention designs that would limit the rate of runoff to what currently exists. Any type of detention facility, if constructed, will require additional right of way or a drainage easement and be funded by the City.*

*Increases in culvert dimensions above existing are anticipated in many cases for the project. Preliminary sizing will ensure that no water surface elevations upstream from the culverts exceed the published FEMA 100 year water surface profile. Since there will be additional runoff generated within the right of way due to the addition of the managed lanes, TxDOT will attenuate these flows within the right of way. Design practices will be implemented to minimize downstream effects when possible based on TxDOT and FEMA policies and procedures. Final*

sizing of culverts will be performed during detailed preparation of the plans, specifications and estimate.

NTE Mobility Partners and TxDOT will meet and discuss specific drainage design issues with the Cities of Bedford and Euless once detailed plans development begins.

**Comment 55:**

States the TxDOT plan only indicates two lanes for southbound Bedford Road at the intersection of the westbound frontage road. Currently southbound Bedford Road has three lanes, a right turn lane for those desiring to travel to westbound SH 183, a thru lane for those wanting to continue south on Bedford Road and a left turn for those wanting to travel east on SH 183. Further states there is a reason for this lane configuration, as it is a very busy intersection. Has concerns the TxDOT configuration will leave traffic in this area congested at all hours especially for traffic going south on Bedford Road and west on SH 183.

**Response 55:**

*The proposed design includes additional capacity at the intersections along the westbound frontage roads as two thru lanes, a shared thru-right lane, a left turn lane and a shared left-u turn lane are included. Along southbound Bedford Road, the outside southbound lane at the intersection is proposed to be a shared thru right-turn with a thru lane provided. Level of service (LOS) analysis was performed for proposed diamond interchange configurations along the corridor through PASSER V software. The overall interchange for Bedford Road is expected to operate at LOS B for year 2010 and LOS C for year 2030. The LOS for the southbound shared thru right-turn lane is expected to be LOS C in year 2010 and LOS D in year 2030. The LOS for the southbound thru movement is expected to be LOS B in year 2010 and LOS C in year 2030. An additional southbound lane to provide a right-turn only lane is not recommended to be provided due to right of way impacts. The addition of a lane would require longer and wider deceleration lanes be provided extending to the north requiring additional right of way from the First United Methodist Church of Bedford.*

**Comment 56:**

Requests a point of contact be provided for the cities along the corridor to have interaction with TxDOT and NTE Mobility Partners (Cintra) when questions arise during construction.

**Response 56:**

*Agree. The point of contact is Mohammad Al Hweil, P.E., TxDOT project manager for the concession portion Segments 1 & 2 on the North Tarrant Express. You can contact Mr. Al Hweil at [MHweil@dot.state.tx.us](mailto:MHweil@dot.state.tx.us)*

**Comment 57:**

States the proposed right of way acquisition from properties along SH 183 will have a great impact upon many of the properties west of Main Street and east of Westpark Way.

**Response 57:**

*Comment noted. A compressed urban design section has been utilized to incorporate the existing right of way into the proposed project as effectively as possible.*

**Comment 58:**

States capacity improvements from the intersection of IH 35W at Loop 820 east to DFW Airport must be made without any further delay. Request the segment along SH 183 from just east of SH 121 to SH 161 be moved forward as quickly as possible.

**Response 58:**

*The segment along SH 183 from SH 121 to SH 161 is a part of the NTE Segments 2-4 CDA which is currently under development. The master development and financial plans are anticipated to be completed in late 2010. As projects are identified as financially feasible, further development of these corridors will proceed and public involvement is expected to occur for right of way acquisition, design and construction activities.*

**Comment 59:**

State they are the owners of property affected by the project in the Euless area and identified the properties on the displays as numbers 495, 496, and 497. They state it appears they will be losing a portion of their parking lot and would like to discuss the project further since the only notification was sent to number 495.

**Response 59:**

*Comment noted. TxDOT or NTE Mobility Partners will meet with the property owners to discuss the project during the right of way acquisition process.*

**Comment 60:**

The commenter asks when headed eastbound along SH 183 just past Euless North Main Street, where do you turn so you can go west on SH 10.

**Response 60:**

*Currently there is no direct access from eastbound SH 183 east of North Euless Main Street to westbound SH 10. Access to westbound SH 10 from eastbound SH 183 in the future will be the same as today through travel southbound along North Euless Main.*

**Comment 61:**

State they are the owners of Northstar Airport Freeway Partners, LP located at 8721 Airport Freeway and identified the property location as number 9 on the public hearing displays. They believed the plans reflected a portion of the property which includes most of the greenspace would be required for the project. Requested specifics on how much acreage would be required, the proximity of the freeway to the parking lot, impacts to the number of parking spaces, and the replacement of greenspace.

**Response 61:**

*Based on the public hearing displays, there are no proposed right of way impacts to the subject property. The proposed improvements along SH 121/SH 183 can be accomplished within the existing TxDOT right of way adjacent to this property. A legend is provided on the left side of the display to identify the line symbols used on the display. The thin dashed red line indicates existing TxDOT right of way. The displays presented are preliminary and subject to revision.*

**Comment 62:**

Several commenters's employed by Grubbs Nissan in Bedford request TxDOT keep the access road exit to Grubbs Nissan as it currently exists. Customer's access to their employer is vital to keep the company successful.

**Response 62:**

*Grubbs Nissan is located along the eastbound frontage road between Norwood Drive and Brown Trail. Currently, access to Grubbs Nissan from eastbound SH 121/SH 183 is from the Norwood Drive/Brown Trail exit ramp west of Norwood Drive. Access from westbound SH 121/SH 183 is from the Norwood Drive exit through travel along Norwood Drive and the*

eastbound frontage road. Based on the displays presented at the Public Hearing, access from eastbound SH 121/SH 183 will be the same as today. Access from westbound SH 121/SH 183 is proposed from the Brown Trail/Norwood Drive exit located east of Brown Trail through travel along the westbound frontage road, Norwood Drive, and along the eastbound frontage road. The existing westbound SH 121/SH 183 Norwood Drive exit is proposed to be removed to limit future right of way impacts to Grubbs Nissan and L.D. Bell High School.

**Comment 63:**

Expressed the elevated proposal for the project would have been a better idea.

**Response 63:**

*Elevating the managed toll lanes throughout the project was an alternative TxDOT considered during project development. This alternative was dismissed due to excessive visual impacts and prohibitive construction costs.*

**Comment 64:**

States when the six lanes of westbound traffic on the expanded highway are added with traffic from IH 820 south, massive traffic tie-ups will occur when vehicles merge along the planned four lanes of IH 820 near North East Mall. Requests TxDOT participate in the planning for the expansion along IH 820 from IH 35W to SH 183.

**Response 64:**

*Comment noted. TxDOT received a Finding of No Significant Impact (FONSI) on proposed expansion of IH 820 from IH 35W to SH 121/SH 183/SH 26 (North East Mall Interchange) on December 5, 2008. IH 820 from just east of IH 35W to SH 121/SH 183/SH 26 is a part of Segment 1 of the NTE concession CDA. Additional information for IH 820 and the North Tarrant Express is available by using the following link: [http://www.txdot.gov/project\\_information/projects/fort\\_worth/north\\_tarrant\\_express/default.htm](http://www.txdot.gov/project_information/projects/fort_worth/north_tarrant_express/default.htm) As the IH 820 portion of the NTE Concession CDA project is developed public meetings will be expected to be held to discuss design and construction activities.*

*As part of the CDA, NTE Mobility Partners will have a public information coordinator and public involvement office to facilitate the exchange of information between developer and the public and provide a centralized location for residents and other customer groups to obtain information on the facility. There will meetings to keep the public aware of facility construction and facility operations and maintenance.*

**Comment 65:**

Commenter doubts the project will be completed in five years.

**Response 65:**

*Comment noted. Liquidated damages for late service commencement along the NTE concession segment are \$5,600 per day. The service commencement for the NTE Concession CDA along IH 820 from just east of IH 35W to the NE Mall Interchange and along SH 121/SH 183 from the NE Mall Interchange to just east of the SH 121 split is estimated to be the summer 2015.*

**Comment 66:**

Requests letter stating due to the expansion of SH 121/SH 183, TxDOT is planning to completely acquire the Baymont Inn & Suites in Bedford. The commenter was told by TxDOT officials at the hearing to write an e-mail requesting this letter.

**Response 66:**

*Based on the displays presented at the public hearing, the proposed right of way line bisects the Baymont Inn & Suites. Due to the right of way impacts, this business is considered displaced. Displacement information is provided in Table VI-8 in the Environmental Assessment for SH 121/SH 183 on page 64. As development of the project advances the property owner will be contacted by NTE Mobility Partners during the ROW acquisition process.*

**Comment 67:**

States TxDOT is taking her house at 100 Ridgecrest Drive and a portion of their property owned at 101 Windward Way in Euless. Requests TxDOT completely purchase the property at 101 Windward Way due to the burden of continued tax payments on the property, maintenance, devaluation and the unmarketability of the property due to the small remainder. Additionally states since the owners are having to sell and not by the commenter's choice, the commenter should receive a portion of the earnings.

**Response 67:**

*Per State Law, TxDOT can only acquire the necessary right of way needed for the construction of the SH 121/SH 183 facility. Based on the displays presented at the hearing, the proposed right of way line bisects the residence located at 100 Ridgecrest Drive and will be considered displaced. For the lot located at 101 Windward Way, TxDOT only needs a portion of the property for the project.*

*Property owners are compensated for right of way acquired based on the Uniform Relocation Assistance and Real Property Acquisition Act of 1970. Property is appraised at fair market value as determined by an independent appraiser and the property owner is offered this compensation. Compensation could include not only the fair market value for the land acquired but any improvements within the taking and damages, if any, to the remainder. If the remainder property is determined by the appraiser to be uneconomic then the state can purchase the entire tract.*

**Comment 68:**

States with the expansion of SH 121/SH 183, Northeast Plaza Ltd. retail center will lose highway access. Upon the completion of construction, the loss of access will devastate the value, accessibility and marketability of this center. The access location for Northeast Plaza Ltd. is through an adjacent property listed as number 282 on the public hearing displays. States at the hearing, neither economic compensation nor consideration was mentioned or initiated for Northeast Plaza or the loss it will incur due to the highway expansion. Is hopeful TxDOT will recognize the impact the highway expansion will have on the center and looks forward to hearing from TxDOT on plans to assist with the economic impact the highway expansion will have on Northeast Plaza. An additional commenter who owns property at 211 N. Main Street in Euless currently has a lease with Starbucks for at least 10 years. States based on the terms of the lease, Starbucks has two drive through lanes and if the proposed project is built as presented, Starbucks will lose one drive through lane and a significant amount of green space. Additionally, vehicular noise from the highway will increase significantly. Further states because of the potential adverse impacts on Starbucks business, they are concerned Starbucks may cancel their lease. If the lease is canceled, the commenter states they will lose a substantial amount of money and asks TxDOT to compensate them for all lost income.

**Response 68:**

*The layouts used at the hearing depict a commercial driveway permitted (CDP) at the property listed as 282, but the nomenclature CDP was obscured by the property number of 282 on the layout.*

*Property owners are compensated for right of way acquired based on the Uniform Relocation Assistance and Real Property Acquisition Act of 1970. Property is appraised at fair market value as determined by an independent appraiser and the property owner is offered this compensation. Compensation could include not only the fair market value for the land acquired but any improvements within the taking and damages, if any, to the remainder. At no time does TxDOT enter into negotiations between the landlord and tenant nor do we have control of a tenant who might cancel the lease prior to acquisition of the property.*

**Comment 69:**

States there is no eastbound entrance into the managed HOV lanes for southeast Bedford and south Euless except via Highway 10 which can not be accessed via the frontage road.

**Response 69:**

*Access locations to and from the managed lanes were placed where traffic demand warranted and where operational and geometric design constraints were compatible with local general purpose lane access locations. TxDOT conducted a public meeting and several meetings with each of the City staffs and local elected officials along the corridor to develop the access locations to and from the general purpose and managed lanes along SH 121/SH 183. The displays presented at the hearing were the product of these meetings. Residents located in southeast Bedford will have access to the eastbound managed lanes through travel along Brown Trail, the proposed frontage roads and managed lane ramps. Residents located in south Euless will have access to the eastbound managed lanes through travel along South Euless Main to SH 10.*

**Comment 70:**

Stated Table VI-8 Summary of Study Area Displaced Businesses in the SH 121/SH 183 Environmental Assessment (EA) listed the location of C&C Carpet, Bedford Gold and Silver, Self Storage USA and Western American National Bank in Euless. These businesses are located in Bedford.

**Response 70:**

*Comments noted and Table VI-8 in the EA will be revised to indicate the businesses are located in Bedford.*

**Comment 71:**

Request the proposed cul-de-sac at the end of Weyland Drive be replaced as a dead end street at TxDOT right of way. Further states the proposed noise barrier be extended across the dead end section of the street.

**Response 71:**

*As stated in our December 14, 2006 correspondence with Mayor Trevino, TxDOT is not opposed to removal of the proposed cul-de-sac and simply dead ending Weyland Drive past Wondol Court. However, removing the proposed cul-de-sac and dead ending Weyland Drive is not a desirable configuration for a local street open at only one end based on the American Association of State Highway and Transportation Officials (AASHTO) "A Policy on Geometric Design of Highways and Streets 2001 Edition". The recommendation provides for when a local*

*street is open at one end only, the local street should have a special turning area at the closed end with a radius appropriate to the vehicle types expected. The minimum outside radii of 30 feet in residential areas are commonly used. The vehicle types expected in this area could be small panel delivery trucks, passenger cars and emergency response vehicles. TxDOT would like to work with you and your staff to see if reducing the radius of the proposed cul-de-sac from 40 feet to 30 feet could be considered. If the City still desires the removal of the proposed cul-de-sac, please have your fire and emergency personnel provide TxDOT with your recommendation.*

*Based on the displays presented at the public hearing, a noise barrier is proposed between the eastbound frontage road and the adjacent residential neighborhood from just west of Weyland Drive to just east of Wreyhill Drive.*

**Comment 72:**

Commenter's requested to make an oral statement at the hearing and stated they had no questions or their questions had been previously answered.

**Response 72:**

*Comments noted.*

**Comment 73:**

Commenter describes a cul-de-sac will be provided at the end of their street along Plainview and understands curb access will be allowed from the cul-de-sac to Hurstview Drive for emergency access vehicles. Further states the crosswalk to Shady Oaks Elementary is along Plainview and across Hurstview Drive from his residence. Asks if small children will be able to cross Hurstview Drive and still be safe.

**Response 73:**

*The routes or methods children use to travel to school in this neighborhood are not expected to be affected by this project. Travel along Plainview Drive and across Hurstview Drive to the crosswalk structure that will be replaced will continue to function as it exists today with an additional roadway crossing at the westbound frontage road. Crossing guards would be expected to be available to assist children crossing the westbound and eastbound frontage road during school hours.*

**Comment 74:**

Homeowner expressed concerns about increases in traffic at the corner of Stratford Drive and Stonegate Drive.

**Response 74:**

*Future increases in traffic along these residential city streets are not expected to be attributable to the proposed project. Proposed local access to these streets will remain as it exists and the project will serve the same functional travel needs.*

**Comment 75:**

A homeowner along Plainview Drive has noticed actual bats flying around at night and wonders about the impact the proposed project will have on bats.

**Response 75:**

*There are no bat species listed as threatened/endangered in Dallas or Tarrant Counties; therefore, there are no regulatory requirements under state or federal law applicable in Dallas or*

Tarrant Counties. TxDOT is nevertheless concerned about ensuring the safety and livelihood of all wildlife species regulated or unregulated. While the presence of some bats within the proposed project area is possible, little is known about the type and characteristics of such species. However, as the preferred habitat for many bat species are rock crevices, caves, under bridges, etc., areas exist outside of the Airport Freeway 10.8-mile highly urbanized project; therefore, no suitable roosting habitat is being impacted. These bats would likely flee the project area to avoid construction noise and equipment. TxDOT advises construction contractors to avoid direct harm to any individual bats encountered during construction. Once construction ends, they would likely return to this area to forage. Existing vegetation (especially native trees) would be avoided and preserved where practicable. For additional information about bats you may contact: Bat Conservation International at (512) 327-9724, or visit their website ([www.batcon.org](http://www.batcon.org)).

**Comment 76:**

A homeowner along Storm Drive describes that tall grass and overgrown weeds exist on properties TxDOT purchased and removed homes several years ago for the project and this displays a total lack of respect for the existing neighbors.

**Response 76:**

*In the past TxDOT had a contract with a private mowing contractor to come in and mow the acquired parcels on a scheduled basis. Due to funding issues, the TxDOT North Tarrant County Area office is responsible for keeping the acquired parcels mowed. A list of the acquired parcels has been provided to them and is updated as TxDOT acquires new parcels. Any complaints concerning mowing, trash and debris removal, fencing, should be directed to this office for disposition. The TxDOT North Tarrant County Area office can be contacted at (817) 399-4300.*

**Comment 77:**

The commenter expressed concern an existing driveway along the westbound frontage road serving a Quicktrip gas station located at the intersection of SH 121/SH 183 and Precinct Line Road was indicated to be removed based on the displays presented at the public hearing. States if the driveway is removed, 100 % of the customer traffic would be forced to use one point of ingress, potentially creating dangerous traffic congestion on Precinct Line Road and on their lot, and jeopardizing the economic health of the store.

**Response 77:**

*The displays presented at the public hearing should have indicated a commercial driveway permitted to allow access to the QuickTrip gas station from the proposed west bound frontage road. The existing driveway will be "grandfathered" as accepted access and incorporated into the final design.*

**Comment 78:**

The commenter states they are the owners of lot numbers 22 and 23 designated on TxDOT's public hearing displays and these lots adjoin to the east with the existing QuickTrip, lot number 21, to form on a combined basis approximately 9 acres of commercial retail frontage property. States as these properties exist today, there are five driveways from the existing frontage road serving these three lots and has been the case since 1967. Based on the displays presented at the public hearing, the five existing driveways have been condensed into one single mid block CDP, a solution which seems to be wholly inadequate as well as dangerous and it appears the driveway for the existing QuickTrip has been removed. Lots 22 and 23 are currently in the midst of a retail re-development and multiple purchasers are under contract pending the completion of the site's demolition. The commenter indicates they have discussed this issue with Mike

Morgan, Director of Community Development and Planning for the City of Hurst and he agrees one single driveway can not possibly provide sufficient access to six commercial retail sites. Further states the location of the theoretical gore for the west bound exit ramp for Precinct Line Road from the west bound general purpose lanes is located exactly where the CDP is located. The opinion of the commenter and their design consultants is that the theoretical gore needs to be moved further east. This would make common sense vis a vis access to a significant retail center at one of Hurst's main intersections and alleviate the danger and potential liability for TxDOT which the current plan inadvertently created.

**Response 78:**

*The site referenced is the vacant Sonterra Apartment Complex in the City of Hurst. Currently the site is served by four driveways and one joint use driveway with QuickTrip as described above in Response 77. The two eastern most driveways are located within the theoretical gore of the existing exit ramp from west bound SH 121/SH 183 general purpose lanes to Precinct Line Road (FM 3029). The existing frontage road is not continuous with low traffic volumes. The proposed frontage road is expected to have significantly higher volumes as it will extend eastward to Norwood Drive. The weaving movements across the theoretical gore for the proposed condition is not desirable and TxDOT proposes to purchase the access rights near the proposed theoretical ramp gore for traffic operations and safety concerns. The access location indicated on the displays presented at the public hearing was to indicate TxDOT's intent to allow access to this site from the westbound frontage road.*

*SH 121/SH 183 is designated as a controlled access facility. Access along the facility is determined by TxDOT and not the City of Hurst. TxDOT's policy is to control access locations along these corridors by purchasing the access rights from the property owners in the vicinity of ramps and cross streets. Where access currently exists in the vicinity of proposed ramps and side streets, these locations will be evaluated to see if they meet TxDOT's current Roadway Design Manual and Access Management Manual for traffic operations and safety concerns. If the locations do not meet the criteria, TxDOT will work with the property owner to modify, relocate, or possibly remove the access. At all other locations where denial of access is indicated, TxDOT will work with the property owners during right-of-way acquisition to determine locations where access can be granted to meet TxDOT's current Roadway Design Manual and Access Management Manual.*

*Since this site is currently under redevelopment, there will be no "grandfathering" of existing access except for the current driveway serving QuickTrip. All new access locations for this property must be submitted through the Fort Worth Districts Driveway Permit process and approved by the TxDOT Fort Worth District office.*

*Access locations along the proposed frontage road will be handled during the right of way acquisition process with the locations governed by the most current version of TxDOT's Access Management Manual. If the driveway is relocated, the appraiser will take this into consideration when appraising the property. In the event there were possible damages or a need to re-configure the driveway, this would be addressed in the appraisal, most likely as a cost to cure item.*

*The proposed westbound exit ramp gore to Precinct Line Road (FM 3029) is located a distance of approximately 100 feet west of the eastern boundary of the property, 1000 feet east of FM 3029 and approximately 3,400 feet downstream from the westbound entrance ramp gore from Norwood Drive. LOS analysis was performed for ramp weaving sections along the general purpose lanes through use of Highway Capacity Software. The LOS for the weaving section*

*between Norwood Drive and Hurstview Drive is expected to operate at LOS E for projected year 2030 traffic volumes. Relocating the exit ramp further east is not recommended as the weaving conditions would be expected to further deteriorate and the proposed frontage road gore location would not allow for an access point near the eastern boundary of the property.*

**Comment 79:**

The commenter represents McDonald's USA and requests further information from TxDOT concerning the impacts the expansion of SH 121/SH 183 will have on the McDonalds located at 105 W Airport Freeway in Euless.

The commenter requests the following information:

1. Construction plans of this project as they relate to the site
2. Elevation/cross section data of each driveway to and from the site indicating any proposed changes during or as result of the project labeled to show applicable timing
3. Street or right of way plans showing all adjacent streets and rights of way during construction and after completion labeled to show applicable timing
4. Drainage, utility and elevation plans showing any changes to the drainage, utilities and elevations on or affecting the site as a result of the project
5. A detailed description of any changes to, or deletion of, signage resulting from the project
6. A description of all violations or law or nonconforming uses that would result from the project if the existing improvements on the portions of the site that are not acquired are not relocated
7. Separate legal descriptions of all fee, easement or other condemnations with regard to the site, a description of the interest to be paid, and an ALTA Survey confirming the location of these condemnations and any improvements on or in the vicinity of these areas
8. A description of the duration of any easements condemnations
9. A detailed list of all improvements or other property to be acquired
10. A detailed list of all improvements or other property that would need to be relocated or removed as a result of the condemnations, either on the property to be condemned or on the remaining property as a result of the condemnation
11. The target dates for the acquisition of the property, and for the commencement and completion of construction on or near the site.

The commenter further states once the above information is provided and has an opportunity to review, he would like to meet with TxDOT to discuss the impact to the property and business operation. Additionally, the commenter requests we forward our offer of compensation for the condemnation.

**Response 79:**

*Based on the displays presented at the public hearing, the proposed right of way line intersects the northwest corner of the existing building and it would be considered a displaced business. A list of displaced businesses is provided in Table VI-8 in the EA.*

*For items 1, 2 and 4, detailed plans for the reconstruction of SH 121/SH 183 have not been developed and are not available at this time.*

*For items 3, 7 and 8, no right of way plans, legal descriptions or the duration of any easement condemnations have been developed for the SH 121/SH 183 corridor except in residential areas where advance acquisitions have occurred.*

*For item 5, the proposed general purpose and managed lane guide signs are indicated on the preliminary geometric schematic. Copies of the preliminary schematic are available from TxDOT for a nominal charge through a Texas Open Records Request.*

*For item 6, the commenter will need to contact The City of Euless for further clarification and guidance on the enforcement of City ordinances.*

*For items 9 and 10, a detailed list of all improvements or other property that would need to be relocated or removed as a result of the condemnations, either on the property to be condemned or on the remaining property as a result of the condemnation will not be known until the property is appraised at fair market value as determined by an independent appraiser. Property owners are compensated for right of way acquired based on the Uniform Relocation Assistance and Real Property Acquisition Act of 1970. Compensation could include not only the fair market value for the land acquired but any improvements within the taking and damages, if any, to the remainder.*

*For item 11, funding sources for right of way activities, utility adjustments and construction activities as well as sequencing of work for the reconstruction of SH 183 from just east of SH 121 to SH 161 has not been determined at this time. As development of the financial plan being prepared through the NTE Segments 2-4 CDA continues, more detailed schedules for future phasing for the project will be determined. The property owner will be contacted in the future once the project is identified as financially feasible prior to the beginning of right of way acquisition activities.*

**Comment 80:**

The commenter expressed concern the project will impact a portion of their backyard. Pets are in the backyard and the fence must be in place at all times to ensure their safety and well being.

**Response 80:**

*It is expected a new wall or fence would be placed within the existing fence allowing a fence for pets to be in place at all times. Property owners are compensated for right of way acquired based on the Uniform Relocation Assistance and Real Property Acquisition Act of 1970. Property is appraised at fair market value as determined by an independent appraiser and the property owner is offered this compensation. Compensation could include not only the fair market value for the land acquired but any improvements within the taking and damages, if any, to the remainder. Per State Law, TxDOT can only acquire the necessary right of way needed for the construction of the SH 121/SH 183 facility.*