

Appendix E

Transcript

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PUBLIC HEARING  
TEXAS DEPARTMENT OF TRANSPORTATION  
PROPOSED IMPROVEMENTS TO US HIGHWAY 290  
FROM US 183 TO STATE HIGHWAY (SH) 130  
AUGUST 12, 2008

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On the 12th day of August, 2008, the  
following meeting was held before Bubba Needham,  
Director, in Austin, Travis County, Texas.

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A P P E A R A N C E S

Bubba Needham, Texas Department of Transportation  
Robena Jackson, Group Solutions  
Jim Spackman, LJA Engineering & Surveying, Inc.  
Susan Wilder, HNTB  
Bob Harwood, Texas Department of Transportation

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1 MR. NEEDHAM: Good evening. It's past  
2 7:00. It's time for the public hearing for the US 290  
3 improvements project to begin. My name is  
4 Bubba Needham. I'm the director of transportation  
5 planning and development for the Austin District of the  
6 Texas Department of Transportation. I'll be the  
7 official public hearing officer for tonight.

8 Let me first introduce our interpreter,  
9 Martha Cotera.

10 MS. COTERA: (Introduction in Spanish.)

11 MR. NEEDHAM: On behalf of TxDOT, thank  
12 you for being here tonight. We would also like to  
13 thank the Texas Education Agency for allowing us to use  
14 their facilities for tonight's hearing.

15 Tonight TxDOT will conduct a public  
16 hearing in order to give you an opportunity to review  
17 an comment on the proposed improvements to US  
18 Highway 290 between US 183 and State Highway 130.  
19 TxDOT is conducting this hearing in coordination with  
20 the Federal Highway Administration, or FHWA. FHWA  
21 provides federal oversight of the project development  
22 process for roadway projects that have any federal  
23 funds or participation.

24 TxDOT has also partnered with the Central  
25 Texas Regional Mobility Authority, or CTRMA, to develop

1 the proposed project. CTRMA has begun efforts to  
2 design and implement the proposed projects once all the  
3 necessary clearances are obtained.

4 Before we go any further, I would like to  
5 introduce a few people. It's -- last I heard there  
6 were no elected officials here. If we've overlooked  
7 that, please stand up and introduce yourselves.

8 Okay. I'll introduce a few other people.  
9 From the CTRMA we have Mario Espinoza, who is the  
10 director of community development. He may be -- he may  
11 be out front by the CTRMA table. Steve Pustelnyk, who  
12 is the director of communications for CTRMA. He may be  
13 up front also. And Wes Burford, who is the director of  
14 engineering for the CTRMA. Wes is in the back. From  
15 Travis County we have Steve Manilla, the director of  
16 Public Works. And that's all I have notification on  
17 any public officials. If there's anyone else that I've  
18 missed, please stand up and introduce yourselves.

19 Okay. At this time I'll turn the hearing  
20 over to Robena Jackson, from the public involvement  
21 firm of Groups Solutions. She'll be our moderator  
22 tonight.

23 MS. JACKSON: Good evening. I'm  
24 Robena Jackson, and I too would like to welcome you  
25 here tonight. And together with the hearing officer at

1 the appropriate time after the presentations it will be  
2 our pleasure to entertain verbal public comment for  
3 those of you that desire to.

4 Our format tonight will follow the agenda  
5 that you received in your package. If you did not  
6 receive a package, please feel free to pick up one at  
7 the table outside the door. If you'll follow along  
8 with me on the agenda, very shortly we have  
9 three presentations.

10 The first will be a description of the  
11 proposed improvements that will be offered by  
12 Jim Spackman, and he is representing LJA Engineering,  
13 which is the engineering firm contracted to provide  
14 engineering services on this project.

15 We also have a presentation about --  
16 providing you an overview of the environmental  
17 assessment. That will be done by Susan Wilder with  
18 HNTB. And that is the engineering firm that is  
19 providing environmental services on this project.

20 Our final presentation will be done by  
21 Bob Harwood. He's with TxDOT Right-of-Way office, and  
22 he will be addressing the question of right-of-way  
23 acquisition.

24 After his presentation we will be doing a  
25 short break to give those of you that have questions an

1 opportunity to speak with team members here and get  
2 your questions answered. As you may have noticed, we  
3 have a court reporter, and she will be taking a --  
4 preparing a transcript of tonight's comments and  
5 presentation. So if you have not signed in or you did  
6 not sign in on your way in, we ask that you do so so  
7 that we have an accurate record of our attendance and  
8 participation here tonight. If you have questions  
9 after the presentation, again, we are going to be  
10 stopping for a break, and we encourage and invite you  
11 to talk to any of the team members that have plastic  
12 badges on.

13           And, also, after the meeting team members  
14 will be here as long as they need to be to answer your  
15 questions or get a question from you if they cannot  
16 answer it tonight and give you a process for getting  
17 that answered.

18           This public hearing will follow a  
19 formalized process where the comment period is solely  
20 intended for receiving comments. Consequently, we will  
21 not be able to answer questions during that formal  
22 comment period. But, again, I've outlined several ways  
23 that we have identified for getting your questions  
24 answered tonight. The displays that are around the  
25 room will also be up until the hearing is over so that

1 we can use those as a resource.

2           If you desire to present a verbal comment  
3 during the course of this hearing, I invite you to --  
4 or ask that you fill out a registration card at the  
5 table outside. And if you've not already done so, you  
6 can do that at the break. If you would prefer to  
7 provide us with written comment -- and I need to let  
8 you know that written comments receive the same weight  
9 as verbal comments -- please at the back of your  
10 package there is a comment form that you can fill out  
11 for us. Or, if you choose to send a comment after  
12 tonight, you can send it on stationery or using that  
13 comment form to the address that is specified.

14           Comments will be taken through  
15 August 22nd, and those comments will be taken in  
16 consideration for future stages of the project  
17 development and also will be responded to in the public  
18 record. I will -- again, I know that we've shared a  
19 lot of information in terms of format, so before we  
20 actually start the public comment period and go into  
21 the break I will join you again to reiterate the  
22 process.

23           And so at this point in time we would  
24 like to provide you information on the proposed  
25 improvements and we will just proceed from speaker to

1 speaker, beginning with Jim Spackman. I invite you,  
2 again, to -- if you identify questions as a speaker is  
3 talking, if you would jot those down and then we will  
4 take a break and allow you to have an opportunity to  
5 talk with persons to get your questions answered.

6 Jim.

7 MR. SPACKMAN: Good evening. My name is  
8 Jim Spackman, and I work for LJA Engineering &  
9 Surveying, and I'm the roadway designer for the US 290  
10 project. LJA was hired by TxDOT to help develop the  
11 design that is displayed here. Understand that what we  
12 are proposing here today is what will be developed  
13 should the Federal Highway Administration approve the  
14 public involvement process and the environmental  
15 document for this project.

16 What I'm going to do is briefly go over  
17 the proposed design of the roadway. The section we are  
18 looking at this evening goes from US 183 to just past  
19 FM 734, also known as Parmer Lane. It's a distance of  
20 about six miles. Today the existing US 290 has two  
21 lanes in each direction with a grassy median. There  
22 are eight traffic signals across the corridor. There  
23 are signals at Tuscan Way, Springdale Road,  
24 Giles/Johnny Morris, Harris Branch Parkway, FM 3177,  
25 which is also called Decker Lane, and; two, at SH-130

1 and Parmer Lane.

2                   Along the existing US 290 there are  
3 numerous driveways, all of which will remain in place.

4 Three different build alternatives and the no-build  
5 alternative were considered as part of the -- for  
6 improving US 290. The first alternative,

7 Alternative A, would require right-of-way to be taken  
8 mostly from the north side of the existing US 290.

9 Alternative B would require right-of-way from both  
10 sides of 290, generally following the existing center  
11 line. Alternative C would require right-of-way mostly  
12 from the south of US 290. Alternative C was the  
13 alternative that has been selected as the preferred  
14 alternative. Alternative C minimizes the amount of  
15 right-of-way acquisition and Alternative C also has the  
16 least environmental impacts, which are going to be  
17 addressed later tonight.

18                   The Capital Area Metropolitan Planning  
19 Organization, also known as --

20                   UNIDENTIFIED SPEAKER: Excuse me. I have  
21 a question. We were told that whenever they put a toll  
22 road in that there were also supposed to be free lanes  
23 for people that are travelling along that highway, and  
24 I don't see any free lanes. I see frontage roads, but  
25 I don't see free lanes that are accessible to people

1 that are travelling through. Can you point those out  
2 to us, please?

3 MS. JACKSON: If you hold your -- I'm  
4 going to ask that you hold your question and let him  
5 continue his presentation, please, and then we will  
6 stop. I suspect he will answer that. But if you will  
7 let him continue his presentation. And, if not, then  
8 if you will -- we have people on both sides of the  
9 podium that are available to answer just that question.

10 UNIDENTIFIED SPEAKER: Well, we were told  
11 that we weren't -- that there was nobody that was going  
12 to be able to answer any of the questions to the public  
13 hearing and the public would really like some answers  
14 to these questions.

15 MS. JACKSON: Thank you very much. If  
16 you would allow us to continue with the presentation.

17 MR. SPACKMAN: The Capital Area  
18 Metropolitan Planning Organization notice, CAMPO, has a  
19 2030 plan. This plan shows US 290 as a Toll Freeway 6.  
20 What this means is US 290 will be tolled with  
21 three main lanes in each direction. Frontage roads  
22 will also be provided in addition to the main lanes,  
23 with three frontage road lanes in each direction. The  
24 main lanes will have 12-foot inside and outside  
25 shoulders. We will have auxiliary or merge lanes

1 between all entrance and exit ramps. There will be a  
2 center concrete barrier to keep vehicles from straying  
3 across into opposing traffic.

4 In accordance with the CAMPO plan, the  
5 main lanes will be toll. Electronic tolling and open  
6 road tolls will be used, meaning there will be no toll  
7 booths. The proposed project will include toll  
8 structures on the main lanes and some ramps. In  
9 effect, drivers on the main lanes will pay a toll to  
10 use the main lanes. Drivers on the frontage roads will  
11 not be tolled. As can be seen on the schematic, the  
12 non-toll frontage roads provide more capacity than the  
13 existing facility.

14 We also have a diagram that shows the  
15 general locations of the toll facilities. Toll  
16 facilities are referred to as toll gantries, and the  
17 diagram shows where they might be located. This  
18 diagram has been updated since the environmental  
19 document was prepared, and although the analysis of  
20 that document does not change as a result of the change  
21 of the location and toll entries.

22 The exact locations of the toll entries  
23 will be determined at a later date based on detailed  
24 design and the financial studies. The frontage roads  
25 will have curb and gutter. All the lanes will be

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1 12 feet wide except for the outside lanes, which will  
2 be 14 feet, to accommodate the shared use lane. This  
3 is for bicyclists who want to travel along the frontage  
4 road. We will also have sidewalks or some pedestrian  
5 bike facility on both sides of the corridor. The  
6 details of this will be determined as we develop the  
7 detailed design.

8 As mentioned earlier, driveways along  
9 US 290 will continue to have access and will connect to  
10 the proposed frontage roads. We will require around  
11 415 feet of right-of-way. And since TxDOT already owns  
12 approximately 200 feet, another 215 feet will be  
13 needed, for a total of about 80 acres of land. We will  
14 have discussion of right-of-way in just a little while.  
15 There will be turnarounds at all the intersections and  
16 we will have right and left turns at all major  
17 intersections to make turning movements safer and  
18 easier.

19 As I mentioned earlier today, we have  
20 eight traffic signals along the corridor. The proposed  
21 frontage roads will have seven traffic signals at  
22 seven intersections. These intersections are Tuscany  
23 Way, Springdale Road, Arterial A, Giles/Johnny Morris,  
24 Harris Branch Parkway, State Highway 130, and Parmer  
25 Lane. We have added an intersection at the proposed

1 Arterial A and removed the intersection at Decker Lane.  
2 Decker Lane will now "T" into the frontage road.

3 We're also developing a separate project  
4 to realign Decker Lane to tie into US 290 at Harris  
5 Branch Parkway. That project is currently undergoing  
6 environmental review. We don't know at this time if a  
7 traffic signal will be warranted at Arterial A.

8 So now I'm going to describe the proposed  
9 US 290 design. We'll start at US 183 and travel east  
10 toward the City of Manor. From US 183 we will  
11 ultimately have direct connectors or flyovers to and  
12 from US 183 and the US 290 main lanes. This will allow  
13 you to travel from the US 183 main lanes to the US 290  
14 main lanes and from the US 290 main lanes to the US 183  
15 main lanes without stopping.

16 As we continue east, we'll have an exit  
17 ramp to Tuscany Way and Springdale Road. At these two  
18 intersections the main lanes will travel over Tuscany  
19 Way and Springdale Road. There will be no entrance or  
20 exit ramps between Tuscany Way and Springdale. Ramps  
21 between these two intersections were evaluated. It was  
22 determined that we could not install ramps that would  
23 need design criteria due to spacing and weaving  
24 distance requirements.

25 After Springdale we will have exit ramps

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1 at Arterial A followed by an entrance ramp for those  
2 coming from Springdale Road and Tuscan Way. We'll  
3 then reach Arterial A. Here the main lanes will also  
4 travel over Arterial A just like the previous  
5 intersections. After Arterial A we'll have an exit  
6 ramp for those wishing to get to Giles or Johnny Morris  
7 Road. This is followed by the entrance ramp for those  
8 coming from Arterial A.

9 Now, we reach Giles Road and Johnny  
10 Morris Road. Here the main lanes once again travel  
11 over this intersection. After this we have an exit for  
12 Harris Branch Parkway and Decker Lane. I'm trying to  
13 let the graphics catch up. This is followed by an  
14 entrance for those coming from Giles Road/Johnny  
15 Morris. That should be about where we are with the  
16 graphics.

17 Okay. Here we have Harris Branch  
18 Parkway. This is where we would "T" Decker into the  
19 frontage road. After this we'll have an exit for the  
20 State Highway 130 flyover, which is -- there we are.  
21 Ultimately, this flyover will -- however you go, either  
22 north or south on State Highway 130 without having to  
23 stop. Before we get to the State Highway 130  
24 intersection we have an entrance ramp for those coming  
25 from Harris Branch Parkway or Decker Lane.

1                   At State Highway 130 the main lanes will  
2 travel over both the frontage road and main lanes of  
3 State Highway 130. At this point we begin to  
4 transition the roadway back to the existing; however,  
5 we still maintain the main lanes and frontage roads  
6 until past Parmer Lane. We have an exit ramp for  
7 Parmer Lane with a main lane bridge over Parmer Lane.  
8 At this point we bring everything back together to  
9 match the existing roadway.

10                   Now, going the other way, we follow the  
11 same theme. Just before Parmer Lane we have an exit  
12 ramp for those wishing to get to Parmer Lane. This  
13 will create a frontage road and main lane scenario. We  
14 go over Parmer Lane, with the main lanes followed by an  
15 entrance ramp. Ultimately, there will be flyovers to  
16 and from State Highway 130. We then have the State  
17 Highway 130 intersection where US 290 main lanes go  
18 over State Highway 130 and the frontage road lanes.  
19 This is followed by Decker Lane/Harris Branch exit  
20 ramp.

21                   Since we've removed the Decker Lane  
22 intersection, if you are coming from the east, you will  
23 have to travel to Harris Branch and take a turnaround  
24 the get to Decker. In the same vein, if you are coming  
25 north on Decker and want to head west, you have to

1 travel east to State Highway 130 and take the  
2 turnaround. At this point we have the entrance ramps  
3 from the State Highway 130 flyovers.

4 We have also "T'd" in Blue Good Road into  
5 the frontage road. This now puts us back at Harris  
6 Branch Parkway. Once again, we have the main lanes go  
7 over Harris Branch Parkway. After the Harris Branch  
8 intersection, we have the Giles Road/Johnny Morris exit  
9 ramp. This is followed by Harris Branch exit --  
10 entrance ramp. Then comes the Giles Road/Johnny Morris  
11 intersection where the main lanes go over Giles  
12 Road/Johnny Morris.

13 We then have the Arterial A exit ramp  
14 followed by the Giles Road/Johnny Morris entrance ramp.  
15 Then we come to the Arterial A intersection. The main  
16 lanes will go over Arterial A, followed by the  
17 Springdale Road and Tuscan Way exit ramp. After this  
18 is the Arterial A entrance ramp.

19 So you can see we have also "T'd" in the  
20 intersection at Chimney Hill Drive. After this we have  
21 both the Springdale Road and the Tuscan Way  
22 intersection. The main lanes will go from both  
23 Springdale Road and Tuscan Way. We then have exit  
24 ramps for the US 183 flyovers, and past the exit to  
25 those flyovers is the entrance ramp from Springdale

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1 Road and Tuscany Way. And here we also have the "T"  
2 intersection for Cross Park Drive.

3 Now, what we are showing here is the  
4 ultimate design. However, we do anticipate building  
5 this in phases. So, for example, although we would  
6 build both the main lanes and the frontage road, we may  
7 not build all of the flyovers in the first phase or all  
8 the main lanes. How much of the project is constructed  
9 in the first phase will be determined by TxDOT and the  
10 Central Texas Regional Mobility Department.

11 So that concludes my presentation. I'll  
12 turn the meeting back over to Robena. However, if you  
13 have any questions I will be available during the break  
14 to do my best to answer those. Thank you.

15 UNIDENTIFIED SPEAKER: Why are you  
16 unwilling to answer questions now?

17 MS. JACKSON: I would just like to  
18 reiterate the format. This meeting is a public hearing  
19 and the format is there's an opportunity to ask  
20 questions at the break and there's an opportunity  
21 before and after. There was also an open house. And  
22 all the questions will be a part of the public record  
23 and addressed. This meeting is to take public comments  
24 in addition to giving you a chance to answer questions  
25 one on one. So, again --

1 UNIDENTIFIED SPEAKER: You didn't let us  
2 know about any of the other meetings.

3 MS. JACKSON: We -- I'm sorry about that.  
4 I know what was done and we'll continue tonight. And  
5 we are about to pick up the presentation on the  
6 environmental assessment.

7 MS. WILDER: Good evening. As  
8 Ms. Jackson said, my name is Susan Wilder. I'm an  
9 environmental consultant for HNTB corporation. HNTB is  
10 an engineering firm hired by the Austin District of the  
11 Texas Department of Transportation. Over the past  
12 four years we have helped TxDOT and the Federal Highway  
13 Administration study the potential environmental  
14 effects that the US 290 project might have on the human  
15 and natural environment. Many of you may have attended  
16 previous public meetings on this project.

17 The first was held at the Manor Middle  
18 School on December 9th, 2004. The second was held at  
19 the same location on February 7th, 2006. At those  
20 meetings we presented the proposed project to the  
21 residents, businesses, and public agencies to obtain  
22 their input.

23 The preferred alignment for this project  
24 that we are presenting today comes from comments  
25 received at those public meetings, as well as

1 environmental studies. In 1969, the US Congress passed  
2 the National Environmental Policy Act, commonly known  
3 as NEPA. According to this law, any federal agency  
4 that is making decisions or plans that may affect the  
5 environment must prepare an environmental document.

6 This document has to describe and  
7 summarize how the federal agency made those decisions  
8 and plans. NEPA also requires that we address and  
9 document the actual and potential social economic and  
10 environmental impacts of the proposed project or  
11 action. For our project, the Federal Highway  
12 Administration decides that federal funds will be used  
13 to build this project. Since they are making a  
14 decision that might affect the environment, they  
15 require the preparation of an environmental document,  
16 according to the -- to NEPA, so as to make an informed  
17 decision.

18 This environmental assessment that we  
19 have here today is a National Environmental Policy Act  
20 environmental document. It was completed by the  
21 Federal Highway Administration and TxDOT. To give you  
22 some background on this environmental assessment as  
23 presented today, it is an updated version of the  
24 environmental assessment as a proof of further  
25 processing by the Federal Highway Administration in

1 February of 1991. At that time the project limits were  
2 from US 183 to Farm-to-Market, or FM 973. However, due  
3 in part to lack of funding, the project was placed on  
4 hold and the NEPA process was not completed.

5 The project development process was  
6 reinitiated in 2004 with SH-130 rather than FM 973 as  
7 the eastern project limit. In 2006, TxDOT considered  
8 extending the project limits to FM 973. At that time  
9 we held a public meeting. Due to public interest in  
10 evaluating new location alignments east of SH-130 in  
11 the Manor area, TxDOT and federal highways decided to  
12 proceed with the current limits of the proposed  
13 project.

14 The updated environmental assessment was  
15 approved for further processing by the Federal Highway  
16 Administration this July. To prepare this document the  
17 project team analyzed and evaluated the proposed  
18 project's social, economic, and environmental impacts.  
19 We studied and identified the potential impacts of this  
20 project on several environmental conditions; historical  
21 structures and properties, archaeological sites,  
22 socioeconomic conditions which includes land use,  
23 access to the community, and minority and low income  
24 populations, vegetation, floodplains, traffic noise,  
25 prime and unique farmland, threatened and endangered

1 species, migratory bird, surface and groundwater,  
2 hazardous materials, and air quality.

3 To summarize our findings, the preferred  
4 alternative for the project would directly require the  
5 displacement of one residence and ten businesses. The  
6 proposed project would not require the acquisition of  
7 public land designated and used as a park, recreation  
8 area, wildlife refuge, historic or cultural site, or  
9 scientific area. US 290 is an existing roadway that  
10 would continue to operate at its existing location.  
11 Therefore, no neighborhood would be bisected by the  
12 project and the project would not create new  
13 impediments to interaction amongst residents in these  
14 communities.

15 Additionally, traffic diversion would not  
16 be anticipated since the proposed US 290 frontage roads  
17 would provide a direct non-tolled alternative to the  
18 US 290 tolled main lanes. The environmental assessment  
19 also considers impacts to minority and/or low income  
20 households within the immediate vicinity of the  
21 project. The assessment concludes that implementation  
22 of the proposed project would not result in  
23 disproportionately high and adverse environmental  
24 impacts, including socioeconomic impacts to minorities  
25 or low-income populations.

1                   Potential impacts to wetlands and waters  
2 of the US would be permitted by US Army Corps. of  
3 Engineers, nationwide permits, or linear transportation  
4 crossings and structural discharges. Those potentially  
5 impacted waters include Ferguson Ranch; Walnut Creek;  
6 and two tributaries, little and big; three Decker Lake  
7 tributaries, west, middle, and east; and the East  
8 Gillian Creek Tributary.

9                   The proposed project is not located over  
10 a sole source aquifer recharge zone. Within the  
11 project limits there is no potential for habitat --  
12 there is no potential habitat for federal and/or state  
13 listed insect or native species. The preferred  
14 alternative would require the removal of approximately  
15 13 acres of wooded vegetation, approximately 54 acres  
16 of grasslands, and approximately five acres of Rotarian  
17 vegetation.

18                   A noise analysis was performed, and it  
19 was determined that noise impacts would occur from the  
20 proposed project. For the preferred alternative, a  
21 noise barrier is proposed to provide reasonable or  
22 feasible noise abatement for four residences located at  
23 Chimney Hill Boulevard and US 290. The environmental  
24 assessment also studies indirect and cumulative impacts  
25 that would result from the implementation of the

1 proposed improvements. Indirect impacts are caused by  
2 an action and occur later in time or are further  
3 removed in distance, but are still reasonably  
4 foreseeable. Cumulative impacts are the incremental  
5 impacts that the project's direct or indirect impacts  
6 have on a resource in the context of the myriad of  
7 other past, present, and reasonably foreseeable future  
8 impacts on the resource.

9           For the preferred alternative, the  
10 potential for indirect and cumulative impacts exist.  
11 The following impacts could occur during construction  
12 of the proposed improvements or could result following  
13 completion of the project; indirect impacts to water  
14 quality and biological resources, from conversion of  
15 undeveloped land to developed uses and run up on the  
16 roadway. However, these impacts are not anticipated  
17 due to mitigation measures put in place to mitigate  
18 pollutants.

19           Two, indirect impacts to transit from  
20 tolling. If Capital Metro uses the tolled express  
21 routes as planned, the cost of tolls on US 290 for the  
22 express route would be waived under current CTRMA  
23 policy. So no indirect impacts to transit usage are  
24 anticipated.

25           Three, negligible impacts to travel time

1 for tolling. Our studies show there will be no  
2 substantial difference in travel time within the region  
3 under the tolled versus non-tolled build scenarios.

4 Four, the economic impact of tolling  
5 would be higher for low-income residents since the cost  
6 of paying tolls would represent a higher percentage of  
7 their household income than for non-low-income  
8 households.

9 And, No. 5, cumulative impacts to air  
10 quality, which is considered to be a resource in  
11 declining health from increased capacity. The impact  
12 of the project on air quality is not substantial  
13 overall, but increased urbanization of development  
14 would likely have long-term negative air quality  
15 impacts. Some of these are anticipated to be reduced  
16 by vehicle and fuel regulations and fleet turnover.

17 In conclusion, the findings performed to  
18 date for this project indicate that the proposed  
19 improvements to US 290 would not cause significant  
20 social economic and environmental effects. The  
21 environmental studies were reviewed by several resource  
22 agencies, including the Texas Historical Commission and  
23 the Texas Parks & Wildlife Department.

24 After the resource and regulatory  
25 agencies completed their review, the Federal Highway

1 Administration gave us approval for further processing  
2 so that we could hold this public hearing. We are here  
3 tonight to listen to your comments concerning the  
4 findings of the environmental study and the proposed  
5 project. At the conclusion of the public comment  
6 period, we will create a summary of this public hearing  
7 and a summary of your comments. We will review and  
8 consider and respond to all comments we receive.

9           Once this has been completed, the Federal  
10 Highway Administration will determine whether the  
11 proposed project would cause significant impacts. If  
12 they conclude that the project does not cause  
13 significant impacts, they will document their decision  
14 with a statement called a Finding Of No Significant  
15 Impact, or a FONSI. If this happens, right-of-way  
16 acquisition utility relocation may begin.

17           Plans, specifications, and estimates, or  
18 PS&E, would be completed and as funding is secured the  
19 project would be scheduled for construction. If  
20 Federal Highways decides that the project would have  
21 significant impacts, then further environmental  
22 analysis would be undertaken.

23           There are several copies of the  
24 environmental assessment at a table for your viewing  
25 during the break, the tables off to my left.

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1 Additionally, a copy of the EA is available for your  
2 convenience and further review at the TxDOT Austin  
3 District office, the TxDOT North Austin area office,  
4 the downtown CTRMA office, the St. John Branch Library  
5 in Austin, and the Manor Public Library in Manor. The  
6 EA will be available at those locations until the close  
7 of the public comment period on August 22nd of this --  
8 this month. The EA and the public hearing summary  
9 report, including responses to comments, will also be  
10 available on-line at [www.txdot.gov](http://www.txdot.gov), key word search "US  
11 290." If you would like a copy of the environmental  
12 assessment or of the public hearing summary and  
13 response to comments, these can be obtained for the  
14 cost of reproduction at the TxDOT Austin District  
15 office located at 7901 North IH-35 in Austin, Texas.  
16 Addresses and phone numbers are also at the bottom of  
17 the last page in your packet.

18           If you have questions concerning this  
19 information, our team will be available during the  
20 break. The right-of-way acquisition would be conducted  
21 in accordance with the Uniform Relocation Assistance  
22 and Real Property Acquisitions Policy Act of 1970 as  
23 amended. Relocation resources are available to any  
24 potentially affected resident or business owner.  
25 Mr. Bob Harwood, with the Austin District Right-of-Way

1 Office will present a summary of the right-of-way  
2 acquisition and relocation assistance program.

3 MR. HARWOOD: Thank you, Susan.

4 Good evening, ladies and gentlemen. My  
5 name, again, is Bob Harwood. I'm with the Right-of-Way  
6 Office of the Austin District of the Texas Department  
7 of Transportation. Tonight I'm going to give you an  
8 overview of the Texas Department of Transportation's  
9 acquisition process and relocation assistance program.

10 As previously mentioned, right-of-way  
11 would be required for the project and there would be  
12 displaced property owners. The Texas Department of  
13 Transportation, or another duly authorized acquiring  
14 agent acting on its behalf, would be responsible for  
15 the acquisition of necessary right-of-way and for all  
16 relocation services. In any event, the acquisitions  
17 would be made in accordance with Texas Department of  
18 Transportation standard as established by federal and  
19 state statutes and guidelines.

20 Tonight's right-of-way section is going  
21 to include an overview of the following. Federal and  
22 state laws; general process and requirements for  
23 appraisal; relocation assistance, particularly as it  
24 pertains to residential relocation; and business  
25 relocation and services.

1                   The primary federal law sets guidelines  
2 for right-of-way acquisition and relocation assistance  
3 is found in the Uniform Relocation Assistance and Real  
4 Property Acquisition Policies Act. This law sets  
5 standards for appraisals, negotiations, and relocation  
6 which have been incorporated also into the Texas state  
7 law. The state law pertaining to right-of-way  
8 acquisition can be found in the Texas Transportation  
9 Code, at Title 6, Section 201 through 250 of Chapter 21  
10 of the Property Code, and also in administrative rules  
11 set out in Title 43 of the Texas Administrative Code.  
12 For a basic review of your rights and the State's  
13 obligations, I would recommend that you pick up one of  
14 the brochures that's entitled State Purchase of  
15 Right-of-Way. It's available at the front desk and  
16 also at the right-of-way table, which is over here to  
17 my left in a little room over there. The brochure is  
18 also available on-line. The link to that on-line site  
19 is in the right-of-way overview that was given to you  
20 in the hearing program at the front desk when you came  
21 in. So you can find that, if you have any other  
22 problems, you can get back with us.

23                   Once we have environmental clearance and  
24 the project has been funded and fully authorized, TxDOT  
25 or its acquiring agent would commence the acquisition

1 process by engaging an outside fee appraiser to  
2 appraise the property to be acquired. You would  
3 receive notification of the pending appraisal, and the  
4 appraiser would also give you written notification and  
5 request your permission to enter your property for an  
6 appraisal. The appraiser would give the landowner the  
7 opportunity to accompany him or her during the  
8 appraisal. The appraiser would be assigned to  
9 determine the value of the land to be acquired, real  
10 property improvements within the area to be acquired,  
11 and damage, if any, to the remaining property. The  
12 written appraisal will be provided to the landowner at  
13 the time the offer is made.

14           The Texas Department of Transportation is  
15 authorized and, in fact, mandated federal and state  
16 laws that were previously mentioned to assist persons  
17 being displaced from their homes and businesses because  
18 of highway improvements. It is our intent, through the  
19 relocation assistance program, to minimize the  
20 inconvenience and financial hardships to persons who  
21 are being displaced. If you own a business or if you  
22 are a resident, and it is determined that you must  
23 move, we have several services that are available for  
24 you.

25           I'll start with the residential services.

1 We will assist in finding comparable housing and real  
2 estate listings. Relocation housing that is obtained  
3 must be decent, safe, sanitary, suited to the  
4 relocatee's needs and within the individual's financial  
5 means. You will be personally contacted by a  
6 relocation agent explaining your rights and  
7 entitlements at the time of the offer. You will  
8 receive compensation for moving expenses. We pay  
9 either of two ways, reimbursement for actual moving  
10 expenses incurred in moving personal property or  
11 compensation based upon a room count schedule. You may  
12 be entitled to a housing supplement, which is payment  
13 representing the price paid for your home and the price  
14 of a functionally comparable home. Similarly, if you  
15 are a tenant, you may be entitled to a rent supplement.  
16 You will also receive reimbursement for certain closing  
17 costs, such as lender's fees, credit reports, and  
18 prepayment fees for mortgages.

19 As to business services, you may be  
20 entitled to reimbursement or reestablishment and  
21 searching expenses. You may choose a fixed payment  
22 based on the net earnings of your business.

23 The relocation services can become  
24 somewhat technical and depend on specific  
25 circumstances. If you think that you might be -- need

1 to be relocated it would certainly behoove you to pick  
2 up the Relocation Assistance Brochure, which is also  
3 available at the front desk and at the right-of-way  
4 table. It's also available on-line. And, again,  
5 that -- the direct link to that is given in the packet  
6 that you got at the -- when you came in.

7 Also, if you have specific questions, we  
8 would be happy to discuss those with you at the break.  
9 There's a schematic hung on the wall in there. If you  
10 can locate your property, we would be happy to discuss  
11 your specific needs with you at this time. You're also  
12 free to contact us at our offices at any time. We can  
13 discuss your specific circumstances that you may have.

14 That concludes my comment concerning the  
15 right-of-way and relocation assistance program. I  
16 appreciate your attendance and attention. And with  
17 that, I will turn it back over to Ms. Jackson.

18 MS. JACKSON: Again, the purpose of this  
19 public hearing is to provide you, the public, an  
20 opportunity to provide us comment on the proposed  
21 improvements to US 290. In just a minute we are going  
22 to break. If you would like to make formal comments,  
23 verbal comments, during the comment period, please fill  
24 out a comment -- pardon me -- a speaker card at -- that  
25 you can receive at the desk at the front.

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1                   If you would like to provide written  
2 comment, you can do that at any point in time and drop  
3 them in the boxes that are at the back of the room or  
4 send them to us by August 22nd to be included in the  
5 formal comment.

6                   Again, let me reiterate the procedures  
7 that we will be adhering to in this formalized process.  
8 We will be accepting public comments solely and we will  
9 not be answering questions. However, we are about to  
10 break for you to get questions answered. And, also, we  
11 will be here for as long as needed after the meeting to  
12 answer questions if you're not able to get them  
13 answered during the break period. The people that are  
14 available to answer questions -- and if you speak to  
15 someone and they can't answer it, they will get you to  
16 the right one. So do not worry about identifying the  
17 correct person. Just anybody with a plastic name  
18 sleeve will be able to get you to the right person.

19                   Two stations that you might want to -- we  
20 would like you to be aware of before we break that you  
21 may not have seen when you came in, there is a station  
22 outside to our right, folks there with information on  
23 toll tags and also available for you to purchase a toll  
24 tag if you are so interested.

25                   Also TxDOT -- pardon me -- CAMPO is in

1 the process of beginning to update its 2035 plan and is  
2 very interested in your input on transportation needs.  
3 There is a survey that is being distributed. Some of  
4 you have seen it. But if you have not, we would very  
5 much be interested -- it is very, very short -- be  
6 interested in you giving us your input on  
7 transportation needs.

8 And Maria Cotera, if you would raise your  
9 hand at the back of the room, she would be happy to get  
10 you a form.

11 And with that, we are going to take a  
12 ten-minute recess. Please feel free to talk to people  
13 about your questions. If you would like to do a formal  
14 comment, if you will fill out a registration form. I  
15 have that it's about ten minutes to 8:00. We will be  
16 picking up in ten minutes.

17 Thank you very much.

18 (Brief recess)

19 MS. JACKSON: We are now going to begin  
20 the formal public comment section if I could get you to  
21 take your seats. One point that I would like to make  
22 is to remind you that the information that has been  
23 presented tonight has not been formalized. It's all  
24 subject to change based on the written and verbal  
25 comments that we receive.

1 All comment that we receive tonight, as  
2 well as those that we receive prior to August 22nd, the  
3 end of the public comment period, will be included in  
4 the official public hearing record. And at the end of  
5 this ten-day comment period, the project team will  
6 prepare a public hearing meeting summary and the  
7 analysis will be sent along with the final  
8 environmental assessment to the Federal Highway  
9 Administration for further consideration.

10 This hearing is being recorded and a  
11 verbatim transcript will be prepared in accordance --  
12 in compliance with the state and federal laws and is  
13 being conducted in accordance with requirements of the  
14 Federal Highway Administration. The purpose of the  
15 verbatim transcript is to get information, comments,  
16 and statements from the public on the proposed project.  
17 TxDOT will review the public's comments and reply to  
18 those comments in the public hearing report. The  
19 report will be available to the public on-line at  
20 [www.txdot.gov](http://www.txdot.gov) -- [www.txdot.gov](http://www.txdot.gov), keyword search "US 290"  
21 or can be obtained for the cost of reproduction by  
22 contacting the TxDOT office.

23 We ask that speakers -- and I will call  
24 several in a row -- come to the front. And Stacy will  
25 be assisting with the microphone. If you would address

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1 the hearing officer and speak loudly so that we can  
2 capture your comments by -- pardon me -- your comments  
3 can be captured by the court reporter, we would  
4 appreciate it.

5 To ensure that everyone has ample  
6 opportunity or an opportunity to speak during this  
7 comment period, we will limit comments to three minutes  
8 per speaker. No portion of your three minutes may be  
9 given to someone else. Please be sure, again, to face  
10 the court reporter. We will keep time, or track of  
11 your time, on the screen so that you are aware when  
12 your three minutes are approaching or the end of your  
13 three minutes are approaching.

14 If during the presentation you decide you  
15 would like to speak and you have not done so, you still  
16 have an opportunity, if you would just go to the  
17 registration table and fill out a card. And with that,  
18 we will begin with our speakers.

19 Our first speaker is Todd England. And  
20 after Mr. England we have Nancy Eberhard. And after  
21 Ms. Eberhard, we have Dick Kallerman.

22 MR. ENGLAND: Hi. My name is  
23 Todd England. I had a question about the alternative  
24 track and how we decided which direction we're going to  
25 be putting the 290 toll road. Alternative C was the

1 one that was decided, and I would like to know when it  
2 was decided upon. If it was recently, then how  
3 recently was it, because I reviewed the environmental  
4 study, and the pictures aren't accurately reflecting  
5 which businesses are there. You said that  
6 Alternative C, you would only have to acquire  
7 80.7 acres; in Alternative A, you would have to add  
8 1.5 acres to that. Alternative C, there are six less  
9 residences and five to eight fewer businesses would be  
10 affected. When was that decision made? And if you say  
11 within the year, I -- I beg to differ based upon the  
12 pictures that are in that environmental study.

13 That's my only question that I have is  
14 when Alternative C -- I know that studies was started  
15 back in the '90s. And if it was based upon what was  
16 back then there have been so many changes, and I don't  
17 know if it's been accurately changed.

18 MS. JACKSON: And do you have a -- we  
19 heard a question and I'm going to ask you after the  
20 meeting to ask the question. But do you have a comment  
21 that you would like to put on the public record?

22 MR. ENGLAND: That's my comment. I guess  
23 it's my question.

24 MS. JACKSON: You have a question?

25 MR. ENGLAND: Yes.

1 MS. JACKSON: Thank you very much.

2 MR. ENGLAND: Thank you.

3 MS. JACKSON: Nancy Eberhard, please.

4 Ms. Eberhard and Dick Kallerman.

5 Ms. Eberhard?

6 Mr. Kallerman?

7 And after Mr. Kallerman we have  
8 Roger Baker. And after Mr. Baker we have James Shive,  
9 Jr., please.

10 Mr. Kallerman, would you mind facing so  
11 she can hear -- the transcriber can also hear your  
12 comments?

13 MR. KALLERMAN: Okay. I would rather  
14 speak to 200 people than one.

15 Okay. We are planning to have a busier  
16 corridor in 290 East than it is today, but the question  
17 is, what is a means of transportation along that  
18 corridor. And the design of this highway says it's  
19 going to be automobile highway and it's going to be an  
20 automobile highway -- road in the future simply because  
21 of the size of the highway that's being designed.

22 It really is a 20th Century design  
23 highway. It's -- if -- it -- it says that it is  
24 designed for the time that gas was dirt cheap and we  
25 all plan to be in our automobiles running here and

1 there forever. But times have changed really. It's  
2 not the 20th Century anymore by any means. And there  
3 are other means of transportation that's going to be  
4 along that corridor. In fact, there's a plan possibly  
5 to have a computer rail out to Manor and out to Elgin  
6 along 290.

7 And, also, if you'll notice, a lot of  
8 people are taking bikes now and a lot of people are  
9 walking now. So I think this highway is designed for  
10 bicycles in one way, as a 14-foot main lane rather than  
11 a 12-foot main lane. The extra two feet are for  
12 bicycles. If you've ever bicycled along a highway with  
13 60-mile-an-hour traffic -- people are going to do it.  
14 There are some expert bicyclists around who will do  
15 that, but most of us really want something that's much  
16 more civilized to bicycle on.

17 I would suggest this, that this highway  
18 be designed right from the start with a 10-foot  
19 highway -- a 10-foot bicycle path and pedestrian path  
20 on each side of the highway, the north side and the  
21 south side. It would -- it no doubt would be very,  
22 very well used and it may be -- maybe the highway would  
23 have to be cut back a little bit in terms of automobile  
24 facilities. But I think -- and, by the way, this isn't  
25 a very radical suggestion either. The CTRMA has built

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1 183-A up in the west side of the city and they are now  
2 putting in on the north side of the highway a 10-foot,  
3 11-mile long bicycle/pedestrian facility. So that's  
4 exactly what we need here, except I'm suggesting that  
5 it be put on both sides of the highway, because if  
6 you're going to bicycle you're going to be -- it's  
7 going to be very difficult to go from the north side of  
8 the highway to the south side to get on a single-side  
9 bicycle road.

10 So it's not going to cost a lot of money  
11 and -- compared to the automobile facilities, and I  
12 think it would be a grand edition to this kind of a  
13 corridor. Thank you very much.

14 MS. JACKSON: Thank you very much.

15 Mr. Baker?

16 UNIDENTIFIED SPEAKER: Excuse me. We  
17 cannot hear anything. All we -- we don't hear  
18 anything. This -- I don't know who is out here to  
19 listen to all this.

20 UNIDENTIFIED SPEAKER: Yeah, we couldn't  
21 hear what he said.

22 UNIDENTIFIED SPEAKER: And all I'm seeing  
23 is three minutes, 2:59. I mean, this is ridiculous.

24 MS. JACKSON: Thank you very much. What  
25 we will do is -- we want to make sure --

1 UNIDENTIFIED SPEAKER: I mean, this is a  
2 waste of time.

3 MS. JACKSON: We want to make sure that  
4 we capture the comments.

5 UNIDENTIFIED SPEAKER: It just --

6 MS. JACKSON: What we might also be able  
7 to do is --

8 UNIDENTIFIED SPEAKER: No. No, just the  
9 whole thing is just not good arranged here.

10 MS. JACKSON: Thank you.

11 UNIDENTIFIED SPEAKER: Then the people --  
12 this young man and this young man, yes, he -- he wanted  
13 to talk to us, but you did not allow it.

14 MS. JACKSON: Thank you.

15 UNIDENTIFIED SPEAKER: Right? So we  
16 couldn't understand what this young man said. So is  
17 this just for you people or is this for us who are  
18 sitting here?

19 MS. JACKSON: We are wanting to get --

20 UNIDENTIFIED SPEAKER: If you want to  
21 have your own private sitting, then just come -- go to  
22 ^ . But we are all here and we want to hear something.

23 MS. JACKSON: Yes.

24 UNIDENTIFIED SPEAKER: And we don't just  
25 want to hear the -- see this three minutes here.

1 MS. JACKSON: Thank you. I think one of  
2 the ways maybe we'll be able to do both is if we ask --

3 UNIDENTIFIED SPEAKER: We have all --

4 MS. JACKSON: Thank you.

5 UNIDENTIFIED SPEAKER: Not -- no  
6 information, not much information. We want -- we are  
7 trying to understand something what's going on, and  
8 that's why we are here. And we don't --

9 MS. JACKSON: Thank you.

10 UNIDENTIFIED SPEAKER: -- understand. We  
11 don't get anything from it. Don't say thank you.

12 MS. JACKSON: If we can -- and --

13 UNIDENTIFIED SPEAKER: We'll move back  
14 and the court reporter and the audience can hear.

15 MS. JACKSON: That sounds great, because  
16 we would like for them to hear as well.

17 MR. BAKER: I would like to raise some  
18 issues that I think you ought to be raising questions  
19 that you should be asking. I understand this road may  
20 never be built because they don't have the money. If  
21 TxDOT says they don't have the money to build the road,  
22 where is the planning money now coming from? Doesn't  
23 the -- this -- the funding for planning violate the  
24 Eckhart resolution of last October that says that they  
25 can't shift money between roads like 183 and this road?

1 Where can the public go to see the contracts and  
2 agreements that explain the role that JP Morgan is  
3 playing in financing this road? Will JP Morgan risk  
4 any of their own money or is it all somebody's else's  
5 money?

6 If the -- if the environmental studies  
7 aren't complete, why are the guys doing this road going  
8 and asking for TIFIA loans before they do that? I  
9 think the order is wrong.

10 Aren't there high-yield or junk bonds  
11 involved in financing this road? I believe JP Morgan  
12 said there are. Where can the public go to inspect the  
13 traffic models that justify the road? What is the bond  
14 interest rate at which the financing wouldn't work?  
15 What is the exact status of the TIFIA loans? What are  
16 the projected fuel prices at which this road does  
17 not -- is not a viable project? What -- what is the  
18 fuel price at which it's anticipated that this road  
19 would not be an approved investment?

20 If the official bond analysis on US 183  
21 said that \$3 a gallon would be the limit, which it did,  
22 how can this road be viable when gasoline prices are  
23 already way above that? Is the cost of this road --  
24 what -- how much money has been spent on this road so  
25 far and where does it come from? I understand that

1 this is a \$600 million project. Is that so? And why  
2 haven't you revealed that to the public so far? How do  
3 you know that all the TxDOT funds will be available  
4 through CAMPO?

5 And, last, are you aware that the chair  
6 of the federally sanctioned body responsible for  
7 approving this road had to abstain from voting due to  
8 the conflict of interest on this road? I believe  
9 there's a bank involved and some land property along  
10 there and -- and the public deserves to know about  
11 things like that, too.

12 When -- when will the planning on this  
13 project be complete for using the money that you  
14 already have and how much money have you spent and  
15 where is it coming from?

16 MS. JACKSON: Thank you.

17 MR. BAKER: And I believe --

18 MS. JACKSON: James Shive is next, then  
19 Michael Corso.

20 MR. BAKER: I believe we have a right to  
21 speak more than three minutes. There's nothing under  
22 federal law that says only three minutes.

23 MS. JACKSON: Thank you.

24 UNIDENTIFIED SPEAKER: Yea, Roger.

25 MS. JACKSON: James Shive and

1 Michael Corso, please. And then Joyce Thoresen.

2 MR. SHIVE: Yes. My name is James Shive.

4

3 I've lived down in this area probably for the last  
4 20 years. We've all noticed that in 290 and 183 that  
5 there's been -- you know, for us to be able to travel  
6 these roads how we used to is not a reality anymore,  
7 but we do not have to spend all this money to build a  
8 toll facility with this associated infrastructure to  
9 sits up there and make other people rich so we can sit  
10 up there and have better traffic for three days -- I  
11 mean -- excuse me -- for three hours in the morning and  
12 in the evening and during our commute times.

13 We can sit up there and watch when they  
14 build this as a freeway having smaller footprint  
15 right-of-ways because we don't have the associated toll  
16 infrastructure. 290 has always been considered to be  
17 the final of the toll roads in this area because it was  
18 going to connect to 183 and bring traffic off of the  
19 130 area into the Austin area.

20 There is better ways that we can sit up  
21 there and accommodate the needs of this community than  
22 sit up there and saddling down with a transit along a  
23 toll road that requires them to pay anywhere from 15 to  
24 20 cents a mile twice a day, three times a day.

25 What I'm asking is that we sit up there

1 and really consider redesigning this road as a regular  
2 freeway that would not require 14 -- 415 feet of  
3 right-of-way, something that would be more in the order  
4 of 300 feet.

5 Thank you. That's all I have.

6 MS. JACKSON: Thank you.

7 Michael Corso, please. And after him  
8 Joyce Thoresen and Kristina Kubeck.

9 MR. CORSO: Okay. My -- my name biggest  
10 complaint is tolling the existing roads, what used to  
11 be called freeways. I would like to know how much  
12 energy and what studies are being done to keep the  
13 roads free or from being taxed, what other  
14 recommendations TxDOT, CTRMA, or CAMPO can make to  
15 finance roads other than tolls. There must be some  
16 other things we can do. How long will it take for the  
17 toll roads to pay for themselves and could it ever be  
18 like in the old days that once the roads are paid for  
19 that the tolls come off? And that's the spirit of  
20 America.

21 Will there be a cash option or will I  
22 need to get a TxTag. I don't want a TxTag. I want to  
23 be able to have a cash option. If there's not a cash  
24 option, therefore, it takes away my right to drive on  
25 that -- that toll road, and I think that's wrong.

1 I think this should be a question and  
2 answer and not just a little three-minute session for  
3 us to get up here and vent and act like it's really  
4 going to make a difference.

5 UNIDENTIFIED SPEAKER: Hear, hear.

6 MR. CORSO: I see that they talk about  
7 appraising the extra 80 acres that it takes to expand  
8 it. I would like them to please appraise the existing  
9 footprint and refund the tax money to the American --  
10 the Texans who have already paid for these roads. And  
11 will the toll road be sold off to some independent or  
12 possibly foreign -- foreign consortium that's going to  
13 basically just keep taking our money?

14 MS. JACKSON: Joyce Thoresen, then  
15 Kristina Kubeck. And after that Dewy Brooks.

16 MS. THORESEN: My name is Joyce Thoresen. (6)  
17 I'm president of the Walnut Place Neighborhood  
18 Association. Since one of the stated purposes of the  
19 290 improvements is to improve safety within the US 290  
20 corridor, we have some requests. One, we need  
21 dedicated, protected, merge lanes at the westbound  
22 turnaround at Arterial A, the westbound turnaround at  
23 Springdale and the eastbound turnaround at Tuscany Way.

24 The westbound turnaround at Arterial A is  
25 particularly dangerous because of visibility, speed of

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1 traffic coming downhill and type of traffic; in other  
2 words, garbage trucks, tanker trucks, and flea market  
3 traffic. Two, we request curbing protection for the  
4 planned dedicated westbound right turn lane into  
5 Springdale from US 290 frontage road. Three, please  
6 considered adding another left turn lane to the  
7 eastbound frontage road at Tuscan Way intersection.  
8 This intersection will be handling all the traffic into  
9 the Walnut Creek Business Park from 290 East due to the  
10 closure of the Cross Park crossover. This will include  
11 US mail trucks, UPS trucks, trucks from Central Freight  
12 and many other transports. One left turn lane is not  
13 sufficient.

14                   Four, we need "No trucks on Springdale"  
15 warning signs placed on 290 frontage road so that  
16 trucks do not enter Springdale north of 290 before they  
17 are aware of the "No-Through Truck" signs. This is an  
18 existing safety issue and will become more crucial with  
19 the improvements. We still firmly believe that  
20 building a grade separation at Springdale is a  
21 monumental expensive design error. If the safety  
22 upgrades are problematic because of funding, discarding  
23 the \$10 million Spring Dale Road separation should be  
24 considered.

25                   We also need in the Springdale area

1 down-lighting to reduce light pollution in our  
2 neighborhood. The up-lighting plan makes no sense for  
3 this area. Walnut Place requests sound mitigation for  
4 the south end of Quiet Drive in the Walnut Creek area.  
5 Traffic noise carries through the creek now and the  
6 toll lanes will be higher than the current highway and  
7 the sound will encroach into the neighborhood more  
8 readily.

9 Please give frontage road safety more  
10 consideration. We need adequate turnarounds, long  
11 merge lanes, and protection for those entering and  
12 exiting.

13 Thank you.

14 MS. JACKSON: Thank you.

15 Ms. Kubeck, Kristina Kubeck. Dewy Brooks  
16 is next. And after Ms. Brooks Tom Griebel.

17 MS. KUBECK: I'm Kristina Kubeck. I live  
18 in the Walnut Place neighborhood. It is the oldest  
19 neighborhood in this area. Some homes were built in  
20 the 1950s. My family has lived in Walnut Place since  
21 1976. Our neighborhood deserves respect, protection,  
22 and greater consideration regarding the design details  
23 and modifications of this project.

24 We, being the residents of this area,  
25 literally will be living and contending with this

1 roadway on a daily basis. To safely exit and enter the  
2 Walnut Place neighborhood we need dedicated and  
3 protected merge lanes in several places so that we  
4 won't be pulling out into 55-mile-an-hour traffic or  
5 being invisible to someone coming over a hill.

6 Having a grade separation at Springdale  
7 Road is an expensive disaster. There are many critical  
8 safety issues and problematic quality of life issues.  
9 My neighborhood has spoken strongly against this  
10 project.

11 The noise impact assessment has not  
12 addressed the noise that even now currently echoes  
13 through Walnut Creek and is amplified into our  
14 backyards. We hear noise loud and clear from 290. It  
15 needs to be addressed and figured out just how to  
16 create noise abatement in the area of the bridge over  
17 Walnut Creek. We are greatly impacted by the noise.

18 With the designed height of the grade  
19 separation at Springdale Road, lighting would become  
20 intrusive into our homes. There would need to be  
21 down-lighting and careful light placement to reduce  
22 light pollution intruding into the neighborhoods.

23 There are other problematic issues such  
24 as the "No Truck" signage needs to be placed on 290  
25 frontage roads before Springdale so that trucks are

1 warned before they make the mistake of turning north  
2 and then being dangerous or impossible to turn around.  
3 I've actually personally seen trucks try to back their  
4 ass all the way out to 290. It is very dangerous.

5 And for that reason there needs to be  
6 protective curbing for the plan dedicated westbound  
7 right turn lane onto Springdale from 290 frontage road.  
8 Safety upgrades will no doubt be expensive and  
9 problematic. Discarding the \$10 million Springdale  
10 grade separation should be considered and is strongly  
11 recommended.

12 Another disaster waiting to happen is the  
13 constriction of truck traffic into the Walnut Creek  
14 Business Park. Please consider adding another left  
15 turn lane to the eastbound frontage road at the Tuscany  
16 Way intersection. This intersection will be handling  
17 all the traffic into the Walnut Creek Business Park  
18 from 290 east due to the closure of the Cross Park  
19 crossover. This includes the US mail trucks, UPS  
20 trucks, the big brown worm, trucks from the Central  
21 Freight depo, light cartage trucks, and many other  
22 fleets of transporters entering the business park.  
23 Walnut Place residents will be using this left turn  
24 onto Tuscany Way as a route to their homes.

25 MS. JACKSON: Excuse me. Your time has

1 expanded. Could we get you to --

2 MS. KUBECK: I've got one sentence left.

3 MS. JACKSON: Please.

4 MS. KUBECK: Just one turn lane is not

5 sufficient. Please give frontage road safety the

6 consideration and attention that is greatly needed.

7 Your decisions directly affect our lives.

8 Thank you.

9 MS. JACKSON: Thank you.

10 Dewy Brooks, Tom Griebel, and then

11 Bruce Burton, please.

12 MR. BROOKS: Good evening, ladies and

13 gentlemen. My name is Dewy Brooks. I am the president

14 and treasurer of the Chimney Hills North Neighborhood

15 Association. This single-family subdivision has been

16 in existence since 1995. I purchased and moved into

17 this subdivision in 1995 and 1996. The subdivision to

18 our south is the Chimney Hills Austin Townhome Condos

19 that were built in 1973.

20 I am here tonight in reference to a

21 safety issue to our subdivision concerning this Highway

22 290 project. Our subdivision, Chimney Hills North, has

23 a one-way in and one-way out main thoroughfare via

24 Chimney Hills Boulevard, also referred to as Chimney

25 Hills Drive/Highway 290 East, leaving our subdivision

1 turning right or westbound onto Highway 290 East to  
2 head into Austin or beyond or through a crossover on  
3 Highway 290 east to head towards Manor onto Houston and  
4 beyond.

5 This -- but this is a call for safety.  
6 Currently planning will eliminate our crossover and  
7 force residents to go out of their way to return to  
8 their homes after a hard day at work. Included in this  
9 planning is an on/off ramp from the toll road that is,  
10 for all practical purposes, at the front door of our  
11 subdivision.

12 With traffic on the feeder road and the  
13 traffic that exists and enters the feeder road to the  
14 toll way or from the toll way will make for a perfect  
15 storm. Traffic currently backs up from the traffic  
16 signal approximately half a mile to the east of our  
17 main thoroughfare. Traffic will be weaving in and out  
18 in that short span of roadway to enter and to exit from  
19 that toll road. That has a major -- that is a major  
20 incident, has probability that a major incident will  
21 happen as a probability of occurring in relation to the  
22 current configuration. For the safety and the  
23 convenience of the toll way this plan is a major  
24 inconvenient and somewhat insensitive issue for the  
25 residents of Chimney Hills North and Chimney Hills

1 Austin.

2 It in interesting there is a -- that  
3 there is a plan for a crossover turnaround for  
4 Arterial A, a road that does not exist and nothing for  
5 two neighborhood that have been in existence for at  
6 least 35 years and the other for 13 years. There has  
7 to be a better plan. Our neighborhood has become the  
8 centerpiece of traffic from Houston, SH-130, Manor,  
9 where the plan is to have an additional 10,000 homes  
10 built within five to six new subdivisions.

11 What will it take to fix this problem now  
12 and not when the construction starts? Eliminating our  
13 crossover and allowing ingress and egress from the toll  
14 road is not a viable plan. Thank you for allowing me  
15 to time to address this issue. Thank you.

16 MS. JACKSON: Thank you.

17 Tom Griebel. And after Mr. Griebel we  
18 have Bruce Burton, please.

19 MR. GRIEBEL: Well, thank you for your  
20 attention in the record. I'm Tom Griebel, and I've  
21 lived in this community for almost 40 years, and I've  
22 seen 290 grow from a two-lane Road to what it is today.  
23 And when you look at the population growth that they  
24 are expecting here of doubling in the next 20 years  
25 this is a vitally needed facility. It's the main --

1 one of two routes to Houston. It's going to connect to  
2 our relief route around Austin and Georgetown and Round  
3 Rock, 130 and 45 Southeast until it's extended down to  
4 Seguin. It's a vital connection to the system out  
5 there that needs to be built, and I want to go on  
6 record in support of it.

7 It also recognizes that federal funds  
8 that we relied on for the last 50 years, roughly, since  
9 1950s or so when the interstate program began, it's no  
10 longer available to us to fund these roads. And the  
11 state funds are not increasing, state taxes. We put  
12 people in office that we hope that they don't raise our  
13 taxes and they haven't raised the gas taxes since 1991  
14 in this state, and there's not enough money to build  
15 it. And by doing it with tolls either partially or  
16 fully, we always have a choice. And they presented a  
17 program here tonight that I support. We have a choice.

18 I can continue to take the same road I'm  
19 taking today when I drive to Houston or when I drive to  
20 College Station and I go through the signals. And  
21 everyone in this room will be able to continue to do  
22 that.. Or you can take the toll and pay the toll and  
23 help fund the program. There's just not enough money  
24 in the federal or state coffers to build the road.

25 And, finally, we need to invest in

1 ourselves. By building this road it responds to the  
2 growth in this area that we're all anticipating. And  
3 every one of us see more and more traffic every day on  
4 the road, and this facility will help it. And you will  
5 always have a choice, sir, to drive on the frontage  
6 road. You do not have to pay a toll every year of your  
7 life. Thank you very much.

8 UNIDENTIFIED SPEAKER: It will be  
9 frontage roads with a lot of stop lights.

10 MS. JACKSON: Thank you very much.

11 UNIDENTIFIED SPEAKER: It's not the same.

12 MS. JACKSON: Bruce Burton is next and  
13 Margaret Canty and then Mary Anderson.

14 UNIDENTIFIED SPEAKER: Yeah, who's going  
15 to own it? Not the United States.

16 MR. BURTON: Information was brought up  
17 earlier about HNTB was hired by TxDOT and from  
18 information from the San Antonio toll party fighting to  
19 keep the highway committee more free. It says, here  
20 according to the San Antonio toll party, that TxDOT  
21 hired HNTB to do a so-called independent environmental  
22 study even though HNTB has a major conflict of interest  
23 in it. I wonder if this is the same situation in the  
24 Austin area. The tolling authority, ARMA, also hired  
25 HNTB to do preliminary engineering for all toll

1 projects. So HNTB has a vested interest in a  
2 F-O-N-S-I, FONSI, of most significant impact.

3 It is not true what the gentleman said.  
4 There's a lot of misinformation that's been put out.  
5 These frontage roads, which they are trying to call now  
6 converted, they say, taking the roads right now, the  
7 freeways, the lanes that are free will be made free on  
8 frontage roads, but they are at lower speed limits.  
9 They are not continuous all the time. And, also, you  
10 have to go through stop lights, so there's going to be  
11 a lot more pollution. People will have to sit at each  
12 and every stoplight, of course, what they do now, but,  
13 of course, you're going to have a much larger road.  
14 It's going to be twice as big a road, twice as big as  
15 it is now. So you're going to have more pollution.  
16 You're going to have more cars, more pollution.

17 Also, the CDAs are doing -- these are  
18 long-range CDAs that can go anywhere from 49 to  
19 50 years to 99 years. Your children and  
20 great-grandchildren, your great-great-grandchildren  
21 will be paying for this. We're not removing toll  
22 booths. Traditional toll roads, like the DFW Turnpike,  
23 they removed the toll booths. It may have been a year  
24 after the road was paid for. They're not removing the  
25 toll booths. You're going to continue to pay. Okay?

1 So this is something that is for revenue generation.

2 That's why they're doing the toll roads.

3 And they're doing it to fund the rail  
4 systems, the light rail, the high-speed rail. They're  
5 doing it to fund the five transportation corridors that  
6 they plan to build in Texas. You can go to Corridor  
7 Watch, their website, and they want to divide the state  
8 of Texas into five corridors. Okay. So there's not  
9 only one supernatural highway that's going from Mexico  
10 and all the way up to Canada. They want to do five of  
11 these in Texas. That means they're going to take away  
12 millions of acres of productive farmland and ranch  
13 land. What will that do to our food production? What  
14 will it do to our food prices, because everything is  
15 going up. Everything is going up. Gas is going up.  
16 Your food is going up. Your clothes are going up.  
17 Your cost of living, your housing, your taxes.  
18 Everything is going up. This is double tax roads.

19 On the Mucker Acre block by  
20 Sal Costell of the Austin Toll Party, he said Senator  
21 Kirk Watson led an effort to divert \$1 million in tax  
22 dollars to transfer Austin freeways to toll ways.  
23 State tax dollars are being used. Several freeway  
24 tolls have been defeated. This is an effort since  
25 2004. Double tax with Watson and the Austin Chamber of

1 Commerce special interest. Funding money issues were  
2 shelved.

3 Totally Mopac 290 East, 183, 71 East and  
4 West, Texas 45. TxDOT plans to borrow \$65 million for  
5 engineering and right-of-way costs 290 East about a  
6 year away. So we need to stop these toll roads.

7 There's no reason for them. Okay. And there are many  
8 reports saying they're in --

9 MS. JACKSON: Your time is up.

10 MR. BURTON: That TxDOT has trillions or  
11 billions of dollars on their books, so we need to find  
12 out.

13 MS. JACKSON: Thank you very much.

14 Margaret Canty is next, Mary Anderson,  
15 and then Osemene Sam after that.

16 MS. CANTY: Hello. One of the first  
17 things I want to do, because I only have three minutes,  
18 is to tell all of you out there who are in opposition  
19 of tolling about some of the scheduling that's going to  
20 happen when the feds approve this EA, and they will.  
21 It will happen as soon as this summary is approved,  
22 probably in a couple of months. There will be a legal  
23 notice posted in the paper. It's referred to as the  
24 139-L. You need to Google that and research that.  
25 That limits your time to take legal action to 180 days

1 against the project. After that you have no route to  
2 take any action against it.

3 This was already tried by a neighborhood  
4 association around Dallas and it got thrown out by the  
5 judge, so it would probably have to go to the Supreme  
6 Court at this point. So I just want to make sure you  
7 know about that, because they didn't mention it here  
8 tonight, but you should know. 139-L, look it up.

9 The one thing I wanted to point out is  
10 that I believe that this -- this whole toll thing is  
11 done to profit the very few. It's not to help you. So  
12 remember that. And whenever you come up here, you  
13 know, speaking reason, they're not listening to you  
14 because this is a for-profit venture.

15 The purpose and need of this is false  
16 because the congestion talked about in this EA was  
17 produced by adding stoplights and widening the frontage  
18 roads out there. So if we just could have had a simple  
19 thing of adding a couple of lanes to 290 and widening  
20 it from four lanes to eight lines we could have done  
21 this a lot cheaper and it could remain a freeway.

22 UNIDENTIFIED SPEAKER: Common sense,  
23 right.

24 MS. CANTY: Yeah, common sense. It's --  
25 frontage roads are not main lanes. Frontage roads are

*JSpackman  
@/jaengs*

1 not main lanes. They're 45 miles an hour with a bunch  
 2 of lights. That is not a main lane. That  
 3 discriminates against EJ populations and the working  
 4 poor. All of you who live out there and commute in  
 5 every day to go to work are going to be paying \$10 and  
 6 more a day to go to work unless you want to sit on the  
 7 frontage roads. Okay. Frontage roads are not main  
 8 lanes. That's a violation of NEPA. They're not giving  
 9 you the equal thing. You're poor. You're going to  
 10 have to use the frontage road. Okay?

*956  
572  
3750*

11 I think that's about it. I think that we  
 12 should request a hearing in Eastern Travis County where  
 13 all of us live. The people in East Austin  
 14 realistically do not use 290. All of us out in Manor  
 15 and Elgin do. So I move to request that we have a  
 16 hearing out there and I would like to request that the  
 17 Federal Highway Administration reject this -- this EA.  
 18 This is a finding of significant impact against the  
 19 working poor of Eastern Travis County and Western  
 20 Bastrop County.

21 Thank you very much.

22 MS. JACKSON: Marry Anderson. And after  
 23 Ms. Anderson there is Osemene Sam. And after Mr. Sam  
 24 there's Virginia Faubion.

25 MS. ANDERSON: Hi. I'm Mary Anderson.

*12*

1 I'm with Texans Against Tolls, Texas Toll Authority,  
2 Fix290.org, Keep 290 East, 183 South, and 71 East Free.  
3 And I have a mailing list of more than about 7- or  
4 800 people that contact me and are interested in this.  
5 I also have a good number of petitions that I plan to  
6 turn in to TxDOT of people who are opposed to the  
7 tolling on these highways of 290 East.

8 I want to express our disappointment that  
9 TxDOT did not hold public hearings in Manor near where  
10 this toll road will be built. It seems unfair to the  
11 people that live out there to have to drive 20 to  
12 40 miles out of their way to come here tonight to this  
13 location for this hearing when they should have a  
14 hearing in Manor and that Manor area.

15 The roads that are proposed from going  
16 from 183 to 290 will divide up neighborhoods in that  
17 area. They will cause significant noise. They will  
18 have intrusive lighting. They will form huge barriers  
19 in the neighborhoods. These neighborhoods already have  
20 problems. We've had a school that's failed out here.  
21 And this goes against Title 6 of the Civil Rights Act  
22 of 1964. The traffic caused by these problems, with  
23 the frontage roads having to carry most of the traffic,  
24 will cause air quality to be polluted. It will cause a  
25 lot of noise on those frontage roads, danger to people

1 that are on the frontage roads. We don't see really  
2 significant bike lanes that they've put in in their  
3 plans or places for people to walk that will be safe.  
4 This will tear up neighborhoods, divide neighborhoods,  
5 and make the quality of the neighborhood life just  
6 totally unacceptable in these areas.

7 Our position now is that tolling 290 East  
8 is not necessary to solve the traffic problems. We  
9 would like to keep 290 East as it is, just add some  
10 lanes and improve a little bit as the neighborhood  
11 people have asked you to do. By tolling it would cause  
12 more congestion with the traffic converted to frontage  
13 roads having to use traffic lights. Converting these  
14 already paid-for -- this already paid-for highway to a  
15 toll way will pose hardship on much of the low-income  
16 population living in that area.

17 Few people, even the affected  
18 officials -- few people, even the elected officials  
19 voting on this toll conversion, were aware that it is  
20 involved with -- of what is involved with the details  
21 of the CDAs. Those are comprehensive development  
22 agreements that accompany the contract that the CTRMA  
23 will be getting signed for the payment of this roadway.

24 MS. JACKSON: Ms. Anderson, your time is  
25 complete.

Public Hearing

1 MR. ANDERSON: TxDOT is not being  
2 upfront. They are not being transparent with their  
3 information about things that we've asked them about  
4 how this road will be funded. The Sunset Commission  
5 asks that TxDOT be upfront, apparent, kind to the  
6 people that they had to deal with with the public --

7 MS. JACKSON: Ms. Anderson, would you  
8 wrap up your comments, please?

9 MS. ANDERSON: Yes. And we would like  
10 TxDOT to do that at this hearing and whenever possible.  
11 Thank you very much.

12 MS. JACKSON: Thank you.

13 Osemene Sam, please. And the following  
14 speaker we will have Virginia Faubion. And after her,  
15 Falecia Rivers, please.

16 MR. SAM: How are y'all doing? My name  
17 is Osemene Sam. I just have to make some comment about  
18 the toll road. I remember about 20 years ago when I  
19 came to this city to go to the University of Texas. I  
20 love Austin and I still love Austin. I'm against the  
21 toll road and I will tell you why. Before I start, I  
22 want to remind everybody what John Quincy Adams said a  
23 long time ago, one of our founding fathers. He said,  
24 "You will never know how much it has cursed my  
25 generation to preserve freedom, and I hope you will

Public Hearing

1 make good use of it."

2 Ladies and gentlemen, our freedom is at  
3 stake. We need to come together and say no to toll  
4 road. This is our time and this is our moment to tell  
5 politicians at the State Capitol that we cannot take  
6 this from anybody. And, remember, any politician that  
7 supports the toll road should be held accountable for  
8 it. This is nothing but double taxation. Taxation  
9 without representation to me is government that has  
10 become very, very habitual and very tyrannical.

11 I think the best -- one of the best ways  
12 to solve this problem is to boycott the toll road.  
13 Don't take those toll roads because I don't think --  
14 we've already paid for those roads. Why should they  
15 make us pay double? It doesn't make sense to me. So  
16 we need to come together as a community and say no. We  
17 need to rise up. And, remember, it's not just the  
18 money aspect of it. It's our freedom of movement. We  
19 should be able to move around in this city without  
20 paying for it.

21 My freedom is at stake. Your freedom is  
22 at stake. We don't want no bond to pay for this toll  
23 road. Who pays for the bond? Your children, my  
24 children, and our grand-kids would pay for it. So  
25 let's wake up and know what is going to on. Pick up

1 your phone, talk to all these politicians at the State  
2 Capitol and Washington, DC that enough is enough.

3           What about poor people in this city? How  
4 are they going to pay for the toll road? What about  
5 those that don't even know how to -- where to get in  
6 this city. So please, ladies and gentlemen, enough is  
7 enough. We need to come together and vote these people  
8 out in any election. Thank you, and have a nice day.

9           MS. JACKSON: Thank you.

10           And after Ms. Rivers we have  
11 Ritter James.

12           MS. FAUBION: Why are there no meetings  
13 and hearings such as this one scheduled for the Manor  
14 area and, again, for the areas around Highway 71 East  
15 where people are going to have their neighborhood homes  
16 converted to toll roads? What efforts did you make to  
17 inform the people in these areas that the highways were  
18 to be converted to toll roads and what efforts did you  
19 make to put any large ads in public places in the  
20 newspapers and the news media and let the neighborhoods  
21 go to these hearings?

22           Why are you spending over \$70 million,  
23 and I've heard over \$100 million, of our tax dollars to  
24 advertise the new toll roads and TxTags and, yet, you  
25 are not spending any money to get people to go out to

1 the hearings on the toll roads? Exactly what efforts  
2 have you made to let people know about these hearings?  
3 Why do we find the majority of toll roads on the east  
4 side of Austin where the majority of economically  
5 disadvantaged populations exist? What are you plans  
6 for satisfying and complying with Title 6 of the Civil  
7 Rights Act of 1964?

8           Once the toll roads are put into  
9 operation, will there ever been a time when the tolls  
10 will be paid off and become non-toll roads? Will there  
11 ever been a time when these roads will be brought back  
12 to ownership of the city or county and not be toll  
13 roads? If not, why not?

14           What happens to the money that is taken  
15 in as toll revenues? Does it go back into the  
16 community that pay the tolls? Who really gets the toll  
17 revenues and the profits from them? Do the city buses  
18 and school buses also have to pay these tolls? Who  
19 will not be paying these tolls? When people decide  
20 they do not like the toll roads, can they ever be  
21 converted back to non-toll? How much will the tolls  
22 cost per mile? We've heard the toll rates will  
23 fluctuate and change. Do you really think this is fair  
24 to the people who live there? What kind of funds are  
25 you expected to pay if we accidentally get on a toll

1 road and are not prepared to pay the toll? Why have  
2 there been no elections to determine if the people of  
3 Austin want these toll roads? Please explain the  
4 concept of passthrough finance in detail as it would  
5 pertain to the Austin, Travis County, Manor arena. Why  
6 is it that this area is not going to be able to take  
7 advantage of the past due finance that was available  
8 for Travis and Williamson County roads?

9 Is the CTRMA short of funding? Where  
10 does it get its funding? If the toll roads are not  
11 past and there are few -- if there are fewer toll  
12 revenues, how will it be able to stay in existence? If  
13 people do not drive the toll roads, will it be able to  
14 continue to exist? If the toll roads are not popular  
15 and they fail, who pays for them? Why are they in such  
16 an extreme hurry to vote on and make a decision on toll  
17 roads? Why can we not be allowed to wait and see how  
18 the other toll roads are doing first? And why not just  
19 index the tax on gas so that we can use that to pay for  
20 the highways?

21 MS. JACKSON: Thank you.

22 Ms. Rivers. And after Ms. Rivers  
23 there's --

24 (Discussion off the record)

25 MS. RIVERS: Well, I guess my response --

1 or what I have to say is very, very simple. I'm just  
2 now coming in on this, so I don't know all the  
3 different specifications and what this road runs into  
4 and all that. I can, you know, see it in the overview.  
5 But just as a person, single parent travelling this  
6 highway every day to get to work, to get my daughter to  
7 school and back, doctors' appointments, so on and so  
8 forth, it's going to impact me financially, you know.  
9 And I'm not the only person that lives in the community  
10 that I live in that is going to have this situation.  
11 Already we're having to live paycheck to paycheck.

12 I moved out there with the great  
13 opportunity to provide a better quality of life for my  
14 daughter and myself. We live in a really nice  
15 neighborhood where kids can play in the street and  
16 everybody is a family. But now we have another expense  
17 to try to look at. And it just seems like in listening  
18 to that long explanation of the environmental  
19 assessment overview, the one thing that I heard was  
20 that it may impact, you know, low-income or  
21 poverty-type people. But it will. I mean, there's no  
22 "may" to that.

23 So I would just say, it just -- it just  
24 seems like for the people who have proposed this plan,  
25 for the investors, they seem to be the ones who are

1 going to really financially benefit from it.

2           And then, lastly, I would like to say  
3 maybe -- you know, a lot of people are saying, "Oh,  
4 it's not going to make any difference to stand up here  
5 and speak," but I say that -- I guess I'm naive. I  
6 feel like I live in a country where as a single  
7 American citizen I have the right to stand up here and  
8 the freedom to stand up here and to make a statement  
9 that I hope will make a difference.

10           And one thing I want to say is that in  
11 making this statement, in speaking here, one thing that  
12 this whole conglomerate situation will not be able to  
13 say is that they didn't hear from the little single  
14 mother, you know, travelling this highway every day.

15           Thank you.

16           MS. JACKSON: Thank you.

17           Now Ritter James. And following  
18 Mr. James there will be Chuck Garner.

19           MR. JAMES: Well, any other truck drivers  
20 out there? I guess not. Well, I represent two or  
21 three truck drivers -- owners, and we can't afford to  
22 get on it. And I asked Senator Watson one day how he  
23 came up with the pricing. I don't know what he told  
24 me. It was some kind of double-speak or triple-speak,  
25 even politically, lawyerly, something. And I gave it a

1 try. I got the card on my windshield and I got one of  
2 these. But I can't afford it and all the truck drivers  
3 I know can't afford it. You own two or three trucks we  
4 can't get on it. Cut the price or -- I don't know what  
5 you're doing, but the price is just too high. I can't  
6 afford it and all the people I represent can't afford  
7 it.

8 And the people I represent are growing.  
9 And these people all got good reasons for double-tax  
10 and all that. And I like that lady back there. You  
11 get on it every day it's a buck and a half. And don't  
12 pull no trailers or you're in trouble.

13 Thank y'all.

14 MS. JACKSON: Thank you.

15 Chuck Garner.

16 MR. GARNER: Good evening. My name is  
17 Chuck Garner. I live between Manor and Elgin. Toll  
18 roads have a great purpose when they're built like 130  
19 where they provide an alternate route to existing free  
20 roads built in a place where there was not a road  
21 before. Not a problem.

22 The proposed toll road will force my  
23 family to pay a minimum of \$1,000 a year to come and go  
24 from home, work, and school. This by itself is  
25 ridiculous. Can y'all understand how ridiculous that

(17)

1 is that I would have to pay \$1,000 or more if I come in  
2 for other things per year to use a road that has  
3 already been paid for. The Legislature has made clear  
4 that their intent of "you may not toll existing  
5 roadways" means you may not take the lanes that we have  
6 already paid for and move them to the outside calling  
7 them frontage roads and expect anyone to believe that  
8 they will be as good or better than what we have now.

9           You're increasing the ingress/egress.  
10 You're reducing the speed limit. You're moving the  
11 free roads to the outside. That increases the light  
12 signals because you've got another road in between  
13 that. It is not what we have now. It's not what the  
14 Legislature said you could do. You cannot do it, so  
15 don't.

16           Highway 290 is long overdue for upgrades.  
17 Upgrade the existing roads. Leave them free, which  
18 will be cheaper than tolling. This appears to be  
19 nothing more than a revenue generation in a high  
20 traffic area to fund other projects and rail. And this  
21 has already been confirmed. TxDOT says, "Well, yeah, I  
22 guess once it's paid for, we can use it for 130," which  
23 is not raising the revenue you want or the train that  
24 we didn't want.

25           Finally, if you have to toll 290, if you

1 have to convert 290 East, our free road, to a toll  
2 road, after it's paid for remove the damn toll. I hope  
3 TxDOT will actually take these comments to heart. We  
4 don't want the road tolled. Just upgrade it so we can  
5 use it and it will get us in and out of town, because  
6 once it's tolled we'll never get the thing back.

7 Thank you.

8 MS. JACKSON: That concludes the speakers  
9 that have signed up for -- to provide comments during  
10 this open public hearing. And so if there is no other  
11 individuals that -- to sign up, we will adjourn.

12 I would like to thank you for being here  
13 to night. I would also like to say that our team  
14 members will be here to answer questions and to visit  
15 with you after the meeting. So thank you very much.  
16 We look forward to talking with you again.

17 MS. ANDERSON: I think there's someone  
18 that didn't get to speak that signed up to speak. This  
19 lady wanted to speak.

20 MS. JACKSON: If you'll sign up -- if  
21 you'll do a sign-in for me, ma'am, you certainly can.

22 There's one more speaker. We have --  
23 would you pronounce your first name?

24 MS. FAIRCHILD: Fancy.

25 MS. JACKSON: Fancy Fairchild.

1 Ms. Fairchild.

2 MS. FAIRCHILD: Hi. I'm not going to  
3 waste much of your time. I'm an anti-toll road on 290  
4 and also the other freeways that are being taken from  
5 us. Let me just cut to some particulars. These guys  
6 have finagled and been so dishonest in getting us to  
7 this place. Let me give you an example.

8 They had a survey -- the CAMPO board had  
9 a survey. We are going to get equal, people were going  
10 to be able to send in their surveys. Well, I tagged  
11 and tested that survey and found out that people were  
12 not getting counted properly in that survey and that  
13 the survey was skewed because of the different  
14 private -- there were these little groups and clubs  
15 that are supposed to be like Save Traffic, Take on  
16 Traffic. There's one. Well, Take on Traffic is  
17 intertwined with the people that are making money off  
18 the toll roads. But, yet -- so this is kind of an  
19 illegal -- it's a shady -- there's a bunch of shady  
20 things going on on this -- getting us to this point  
21 with the toll roads.

22 We had a study by CTR they called the URS  
23 study. I was following that study, too. People said  
24 they didn't want the toll roads or that they didn't --  
25 weren't willing to pay the price. They kept changing

1 the questions on the survey out there where I live so  
2 that they would get the answers they wanted. Then  
3 later I went to CTR and said, "Hey, let's find out  
4 about that survey. What happened?" "Well, the survey  
5 is so complicated that we can't really let you see it."  
6 And I said, "Well, I have a BA. Can I -- you know, can  
7 I even like look at it?" "Well, we still -- we still  
8 don't have" -- see they do these -- that's bogus, bogus  
9 studies, bogus information-gathering, like in  
10 situations like this where it wasn't publicized  
11 properly. It's just bogus. I just hope they don't  
12 succeed. That's all.

13 Thank you.

14 MS. JACKSON: Thank you.

15 Again, we thank you for being here  
16 tonight. If you would like to continue to visit with  
17 the team members, please do. I -- if you did not get  
18 an information packet with the dates and the addresses  
19 for additional comments, if you would pick one up as  
20 you leave or at the registration desk, we would like  
21 for you to have that.

22 Thank you again.

23 (Proceedings concluded at 9:06 p.m.)  
24  
25

REPORTER'S CERTIFICATE

I, Janalyn Reeves, CSR, certify that the foregoing is a correct transcription of the proceedings in the above public hearing.

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