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PROCEDINGS

Tuesday, August 25th, 2009, 7:06 p.m.

MR. BARTH: Good evening. It is now 7 o'clock.

I would like to convene the public hearing for the planned improvements to State Highways 121 and 183 from Interstate Highway 820 to State Highway 161.

How's the volume?

Good evening and welcome to this public hearing.

My name is Brian Barth. I'm the Deputy District Engineer for the Fort Worth District of the Texas Department of Transportation, better know as TxDOT. On behalf of the department, I would like to express our thanks to everyone who is attending this public hearing. Today, we are in the final stages of the public involvement, our public hearing. We are making both audio and video recordings of this hearing so that your statements can be accurately transcribed and understood.

I would like to give you some background information concerning the proposed project and the proposed implementation of the project due to funding constraints. We began looking into reconstructing State Highway 121 and State Highway 183 back in 1993. We first brought a plan to the public at a public meeting in August of 1993, to reconstruct the facility with express lanes. However, during development of this plan, it was determined that the projected traffic volumes for the then design year (which is typically 20 years

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in the future) could not be accommodated within the lane configuration that had been presented. So TxDOT in conjunction with the Texas Transportation Institute and the Metropolitan Planning Organization began studying the facility to accommodate high occupancy vehicle lanes or HOV lanes. This study, along with a Value Engineering study coordinated with the local governments in 2001, was well underway when inflation of construction costs began to rise beyond the historical averages; thereby restricting TxDOT's ability to advance many of the needed improvements to highways in the state. Due to funding shortfalls which created the inability for TxDOT to fund multiple large freeway projects in a reasonable time frame, the Texas Transportation Commission worked with the Texas Legislature and Texas voters to adopt funding strategies to help expedite much needed transportation projects. Some of these funding strategies are: Creation of regional mobility authorities to fund projects, ability to sell bonds, and the ability to enter into private/public partnerships to design, build, and maintain these transportation facilities.

These public/private partnerships allow TxDOT to enter into an agreement with a private company called a Comprehensive Development Agreement or CDA. Due to the funding shortfalls, TxDOT has pursued the CDA process to help deliver and maintain the proposed highway improvements sooner than funding the traditional way of pay as you go.
The managed lane toll concept has been incorporated into the State Highway 121 and State Highway 183 project. Managed toll lanes are dedicated lanes that users would pay a fee to use. A managed toll facility is one that increases freeway efficiency by packaging various operational and design actions. Lane management operations may be adjusted at any time to better match regional goals.

This State Highway 121 and State Highway 183 segment is part of what we call the North Tarrant Express or NTE that is being developed as a CDA. Other portions of the NTE are on I 35W and IH 820. The NTE is a 36 mile project with a total project cost approaching $4 billion.

TxDOT executed two CDAs for the NTE with the NTE Mobility Partners on June 23, 2009. The two CDAs are:

- A Concession CDA -- includes a design, construction, financing, maintenance, and operation of Interstate 820 and State Highways 121 and 183 from Interstate 35W to the split where State Highway 121 heads north to Grapevine. This CDA is for a period of 52 years.

- The segments 2 to 4 CDA -- includes the preparation of a master development and financial plans for State Highway 183 from State Highway 121 to State Highway 161, Interstate 35W from Interstate 30 to State Highway 170 and Interstate 820 east from the Northeast Mall interchange to Randol Mill Road.
A public hearing for the NTE Concession CDA was held on April 14, 2009, to disclose the project financial information and provide an opportunity for public comment on this financial information.

It is TxDOT's belief that through the CDA process projects like State Highway 121 and State Highway 183 and others are able to move forward to construction with implementation coming far sooner than waiting to accumulate enough funding to implement these large corridor projects in a piece meal fashion over many years of construction time.

Typical traditional time frames associated with implementation of a project such as this would be completion of the public environmental process (this is where we are today on State Highway 121 and State Highway 183). Then approximately two to four years of right of way acquisitions, utility relocations, and detailed plan development for the limits of the proposed project. After these items are accomplished then the proposed facility could begin construction, most likely in phases due to funding constraints.

Through the CDA process, the activities associated with implementation are concurrent so that the right of way acquisition, utility adjustments, design, construction are continually ongoing, thereby delivering the project sooner than the traditional methods. It is anticipated that through the CDA Concession project which is as stated previously runs
from the Interstate 35W to the split where State Highway 121 heads north to Grapevine, right of way, utility adjustments, and construction may begin as soon as 2010.

I will now call on Ms. Judy Anderson, our District Programs Administration Engineer, to further outline the purpose and procedures for this hearing and to provide further introduction. Judy.

MS. ANDERSON: Good evening. First, I want to emphasize the difference between a public meeting and a public hearing for transportation projects. Meetings are informal in nature and there's a gathering of information or an exchange of information with questions being asked -- being raised and answered in dialogue during the course of the meetings. Hearings, on the other hand, are formal and are to present information to you the attendee about recommended plan derived from input from previous public involvement activities and design considerations.

More specific information about hearings, your rights, and your ability to make statements will be given later as we proceed in this hearing. The state and federal governments have various laws, regulations, and guidelines that outline the processes whereby public awareness of system planning and project planning can be assured. The opportunity for public involvement in these developmental phases can be realized in conjunction with technical, social, economic, and
environmental conditions.

As a part of our public involvement process in developing highway projects, we hold public meetings and hearings as a matter of public information for those who are going to be affected by a project and for those who have a need to be aware of our project design. In addition, hearings are held to receive formal statements from the public regarding facets of the project that may be of concern to any individual or group. All of the oral statements, written statements, and exhibits received will be given careful consideration in the final stage of the development of this project.

When the TxDOT submits a plan for any project that involves significant right of way acquisition, additional mobility, or other potential significant impacts, regulations require the department to certify that it has held a public hearing or has afforded an opportunity for such a hearing, that it has considered the economic and social effects of such a project, its impact on the environment, and its consistency with the goals and objectives of planning promulgated by the communities involved.

In accordance with these processes, a notice of public hearing was published on Sunday, July 26th, August 2nd, August 9th, and August 16th, 2009, in the Fort Worth Star Telegram and Dallas Morning News. A Spanish version of the notice was published in La Semana on Friday, July 24th and 31st
and August 7th and August 14th; in *La Estrella* and *Al Dia*July 25th, August 1st, August 8th, and August 15th, 2009. In addition, adjoining property owners and public officials were mailed individual notices.

Adjoining property owners are identified by using county tax rolls and previous public meeting sign-in sheets. Therefore, if the tax rolls are updated after the Department receives the list or you did not attend previous meetings held, you may not be included on the list. Hopefully, everyone interested was made aware through their neighbors and other media notices.

I would like to clarify some information that appeared in the legal notice in the newspaper and also on the notice sent to adjoining property owners. The notice indicated the following -- following concerning relocations: 27 businesses, one church and school, 132 residences and 2 professional buildings. The correct information based on the data known to date is: 29 businesses which includes business and commercial properties, no school or -- no church or school relocation, 128 residents, and 104 multi-family residences. To clarify further, there will be a need for right of way acquisition from a church and a school administrative complex; however, they will not be displaced. In addition, there will be need for right of way acquisition from Dallas Fort Worth International Airport, again with no displacements required.

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As for the agenda today, I will outline the procedures for this hearing and provide the introduction to the project. The project design engineer will then discuss the recommended project and bring out various aspects of the proposed plan. Following that, a representative from our District Right of Way office will discuss with you the right of way acquisition and relocation assistance procedures.

We will then take about a 20 minute recess to allow everyone time to look at the display in more detail. Several individuals involved in the project will be on hand at the display to assist you with orientation or questions that you may have.

After the recess, the floor will be open for statements so that we may have the benefit of your concerns about the project. This time will be strictly for statements only, with your stated concerns being responded to only in the written summary and analysis of this hearing.

In response to the statements, we may alter the plan if a feasible and prudent adjustment is possible. If altered, we will meet with the affected property owners to discuss the alterations. Bear in mind that statements should be made to tell us what you like about the project as well as what you don't like. There have been cases where the project was revised in response to negative comments only to learn that we changed something that others wanted but had not voiced.
their opinion. Help us to make as balanced of a design as we can that will accommodate the needs of everyone by telling us about your needs, both the pro and con.

Written statements will be received through Friday, September 4th, 2009, and may be submitted to the address located on the back of the written statement form. This form is located at the registration table. If you didn't receive one when you came in, please feel free to get one during the recess or after the hearing.

If you desire to speak today, please fill out a form at the registration desk before the recess is over. However, if you don't, the floor will be open for other statements before adjournment.

In order to move the hearing along, we ask that all statements be limited to a maximum of three minutes. If your oral statement will exceed three minutes, please furnish us a written statement. You may include any information you feel is necessary to explain your concerns such as graphs, charts, tables, drawings, or photographs. Please submit all information in hard copy.

TxDOT has two concurrent processes underway, the CDA process and the process of addressing all environmental impacts associated with the recommended plan. Regardless of how we ultimately implement the project, all environmental impacts associated with the proposed project must be addressed.
per state and federal laws. Today, we are presenting our findings thus far for the recommended plan of the engineering and environmental studies for the proposed reconstruction and expansion of State Highway 121 and State Highway 183 between Interstate 820 and State Highway 161.

Highway planning and construction requires close cooperation among all levels of government. The proposed project is being developed by the Texas Department of Transportation in cooperation with the cities of Fort Worth, North Richland Hills, Hurst, Euless, Bedford, Tarrant County, Dallas-Fort Worth International Airport, the Metropolitan Planning Organization, the Federal Highway Administration, and the Federal Aviation Administration.

The existing facility was constructed in stages in anticipation of DFW Airport between 1966 and 1974, with the interchange at State Highway 360 constructed in 1989. The corridor, which remains much the same today, consists of a six-lane freeway with access entrances and exits and intermittent frontage roads. The existing right of way is typically 350 feet wide.

After nearly 40 years of service, local growth of surrounding communities has generated transportation demand that exceeds the existing facility's capacity. The freeway has become obsolete and in need of updating and expansion to accommodate current standards and travel demand. Studies began
in 1993, to develop feasible and reasonable plan for roadway improvements in the corridor. There have been three previous public meetings. The first was conducted in August 1993, the second in November 2001, and the third in May 2006. Yes, there are large time gaps in which it appears nothing has happened. However, due to the traffic demand and funding issues previously referred to, during this time the proposed plan has been significantly altered since its first inception and TxDOT has been seeking ways to implement the project in a more timely fashion than the traditional methods allow.

The 2007 average daily traffic counts were:

From Bedford-Euless Road to State Highway 121 split - 188,000 vehicles per day, from State Highway 121 split to State Highway 360 - 143,000 vehicles per day, and from State Highway 360 to State Highway 161 - 200,000 vehicles per day. The traffic volumes for 2030 are projected to be: From Bedford-Euless Road to State Highway 121 - approximately 378,100 vehicles per day and from State Highway 121 to State Highway 161 - approximately 421,700 vehicles per day, an increase of over 50 percent. This increase is based on the development in the area as well as expected population growth for the Dallas/Fort Worth region, which is currently around 6.6 million and is expected to exceed 9 million in 2030.

This is a regional corridor that impacts not only those adjacent to the facility but those that use the
facility to travel to other areas in the region. The need to provide congestion relief by expanding the capacity of the facility and to also provide safety to others -- excuse me -- to users by upgrading the facility are the primary goals of this proposed project while minimizing the negative social, economic, and environmental effects. An environmental document has been prepared in accordance with the National Environmental Policy Act, or NEPA. The document covers the social, economic, and environmental effects of the proposed improvements. The document includes information covering impacts associated with tolls, air quality, noise, water quality, vegetation, archaeology, historical properties, along with other aspects of the property -- project.

Toll rates for the managed lanes will be based on the regional toll policy developed by the Regional Transportation Council, a group of transportation professionals from the area including local governments. As described previously, managed toll lanes allow for flexibility in pricing to accommodate the traffic demands on the facility. In addition, per federal requirements these facilities have been identified in the Metropolitan Transportation Plan which was presented to the public in public meetings held in October and November of 2006. In addition, there was a 60 day review period for the Metropolitan Transportation Plan and a 30 day comment period that culminated in the Regional Transportation

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Council's adoption in January 2007, with the Federal Highway Administration approval received in June 2007. In addition, the Federal Highway Administration is currently reviewing a 2009 amendment to the Metropolitan Transportation Plan that includes this facility and others with toll elements. It is expected this 2009 amendment will be approved on or before the end of August 2009.

Section 4(f) of the U.S. Department of Transportation Act of 1966 requires that property -- the proposed use of any land from a significant publicly owned park or recreation area, wildlife refuge, or historic site that is listed in or is eligible for listing in the National Register of Historic Places be given special consideration. Final action requiring the acquisition of such land must document that there are no feasible and prudent alternatives to its use and a full evaluation of measures to minimize harm to that resource must be made and documented. This project will require right of way from one 4(f) property. It's the L.D. Bell High School property. Approximately 0.68 acre of property is needed from the practice fields and parking area along this corridor. This area will not require the acquisition or displacement of any facilities.

Vegetative impacts associated with this project would be minimal but would occur due to the proposed right of way for the new facility. However, care would be taken to
avoid trees that are outside the areas of conflict with the roadway construction and operation. Air quality may improve due to the reduction in congestion along the corridor. However, because nine counties within the DFW region are classified as non-attainment for ozone, it is doubtful that this project in itself would significantly change the overall status of the air quality in the DFW region.

A noise analysis for the proposed improvements has been conducted. For this project, the model utilizes 2030 traffic data for determining the noise impacts. The model indicates that there will be impacts associated with the expansion of the facility and indicates locations where the noise levels are projected to exceed the Noise Abatement Criteria set by the Federal Highway Administration. At this time, we anticipate utilizing noise barriers. Generally, noise barriers are proposed at all residential areas along the corridor where they do not already have some type of barrier. They will generally follow the alignment of the roadway and be located to the outside of the frontage road except in one location. The following are the locations proposed:

I'll start and go down the south side of the facility first. Please note, there will be side street -- side road breaks for access as shown on the displays but I will not point them out at this time.

- the area west of Weyland Drive to east of
Wreyhill Drive
- from Hurstview to Canvender Street. Due to driveways, this barrier is proposed to be placed between the main lanes and the frontage road
- the area west of Harrison Lane to approximately half way between Norwood Drive and Valley View Branch
- west of Regents Parks Court to east of Somerset Circle
- west of Sheppard Drive to east of Ridgecrest Drive
- from Dickey Drive to east of FAA Boulevard

Now, along the north side starting on the west end:
- from Mesquite Branch to east of Juliet Place
- from west of Kentwood Drive to Stonegate Drive
- from west of Short Street to Carter Street

The final location of noise abatement will be determined during noise workshops that will be conducted during the detailed plans phase of the project. The abutting property owners will be given the opportunity to participate in these workshops. Noise barriers would be implemented during project construction after all grading operations in the area of the barrier is completed.

Based on the studies thus far, the environmental
document indicates that the preferred alternative would result in a finding of no significant impacts. Both the Federal Highway Administration and the Federal Aviation Administration may provide comments on the environmental document. Revisions may be made to the environmental document from the current draft and what becomes the final to address the needs of the federal agencies in addition to possible revisions as a result of public comments. It is anticipated that the Federal Highway Administration will concur with the findings and issue a finding of no significant impact. It is also anticipated that the Federal Aviation Administration will adopt the environmental document and issue their own finding of no significant impact.

Now, I would like to introduce our consultant project engineer, Mr. Joe Atwood, with Lockwood, Andrews, and Newman, who will give you a brief overview of the preferred project improvements.

MR. ATWOOD: The presentation tonight will cover the proposed improvements to State Highway 121 and State Highway 183 from Interstate Highway 820 to State Highway 161. Improvements planned within the corridor include continuous managed toll lanes designed to enhance mobility throughout the area.

The existing facility is a six-lane freeway with discontinued frontage roads serving commercial and residential
properties along the roadway.

The proposed facility is six general purpose lanes with six managed toll lanes, typically in the center, and two-lane continuous frontage roads. There is a traffic barrier separation with full width shoulders provided between the managed toll lanes and the general purpose lanes.

We will now describe access within the facility as we go through a 3D visualization of the project.

The 3D visualization does not include noise barriers, any aesthetic treatment, and does not reflect actual or proposed traffic conditions.

I would like to orient you before we begin. On the upper portion of the screen is an inset consisting of a map with a red dot. The red dot moves with respect to the animation to indicate the viewer's location within the corridor. We will always be moving eastward and looking eastward. As the animation moves through the project, I will highlight some of the project's geometric design.

I'll begin at the west project limit. We're viewing the proposed improvements from a bird's eye perspective while looking east. We begin with managed toll lanes elevated above the general purpose lanes.

Here we see the first ramps. I will explain an access feature unique to the new facility. The managed toll ramps and the general purpose ramps share the same frontage
road intersection with two lanes. There is a guide sign to assist the traveler with the decision to use the managed toll lane or the general purpose lane.

The managed toll lane ramps connect Bedford-Euless Road to the east.

There is a full diamond interchange connecting Precinct Line Road to points east and west on general purpose lanes.

At this point, the managed toll lanes have descended to join the general purpose lanes to travel beneath Hurstview Drive.

There are two general purpose ramps that connect Norwood Drive to the west.

The westbound managed toll lanes elevate at Norwood.

The westbound managed toll lanes are completely elevated above Brown Trail. The westbound general purpose lanes and eastbound managed lanes are tucked beneath the elevated lanes. There are two ramps accessing the general purpose lanes east of Brown Trail.

There are two ramps accessing the managed toll lanes to destinations east of Brown Trail.

There are four general purpose ramps serving Bedford Road to the east and west. The managed toll lane ramps from Brown Trail are elevated and merging with the managed toll
lanes.

There are four general purpose ramps to serve Central Drive to the east and the west. You can see -- you can also see a general purpose exit ramp to Westpark Way and Murphy Drive.

This interchange is where State Highway 121 goes north to Grapevine. State Highway 183 continues east to Euless.

The State Highway 183 managed toll lanes continue east to Euless. There are managed toll connections to State Highway 121 general purpose lanes. There is a westbound general purpose exit ramp to Central Drive.

There is also an eastbound general purpose entrance ramp from Central Drive. There are two general purpose ramps connecting Westpark Way to the east. Westpark Way ties to Murphy Drive.

Here we see two managed toll lane ramps that conduct -- connect Industrial Boulevard to the west.

Industrial Boulevard, designated as FM 157, has four general purpose ramps to access destinations to the east and west.

At Ector Drive, the managed toll lanes are at the same level as the general purpose lanes. In the background, you can see that all the managed toll lanes become elevated prior to the State Highway 360 interchange.
Euless Main Street has four general purpose ramps to access destinations to the east and west.

There is also a westbound exit ramp from the managed toll lanes to Euless Main Street.

State Highway 10 will have managed toll lane ramps accessing destinations to the east.

The frontage roads will continue from Euless Main Street to Bear Creek Parkway and American Boulevard.

Bear Creek Parkway and American Boulevard will be lowered to the same level as the surrounding properties.

The general purpose lanes will go under Bear Creek Parkway and American Boulevards. The managed toll lanes will remain elevated prior to the State Highway 360 interchange.

The existing State Highway 360 interchange will continue to operate in its current configuration. The managed toll lanes divide to be located north and south of the general purpose lanes.

You can see the eastbound managed toll lane exit ramp to Amon Carter Boulevard. Here you can see one of four managed toll ramps that connect to DFW Airport by way of International Parkway.

Amon Carter Boulevard will have four general purpose ramps connecting to east and west.

A fourth general purpose main lane along State Highway 183 will be provided in each direction.
Here you can see a managed toll lane entrance ramp from DFW Airport's International Parkway providing access to the west.

The existing State Highway 183 at International Parkway interchange will continue to operate in its current configuration with the addition of managed toll ramps serving DFW International Airport.

Full access will be available to DFW International Airport from Tarrant County and Dallas County destinations through both the managed toll lanes and the general purpose lanes.

County Line Road will have two general purpose ramps connecting to the west.

There are now direct connecting ramps to serve State Highway 161 toll road. State Highway 183 general purpose lanes continue to Dallas County with connections to State Highway 161. The managed toll lanes offer connections to State Highway 161 northbound or continued travel on State Highway 183.

This concludes the 3D visualization presentation of the proposed improvements.

MS. ANDERSON: Thank you, Joe.

At this time, we have our district Right of Way Administrator, Scott Hall, who will explain the right of way and relocation assistance processes.
MR. HALL: Good evening. My name is Scott Hall and I am the Right of Way Administrator for the Fort Worth District. As it has been described, this project will require the purchase of additional right of way. One of the fundamental rights of our Constitution is to guarantee the right of private ownership of property. This right is documented in the First Amendment to the Constitution.

Many years ago, it became apparent that supporting infrastructure would be necessary if our country were to grow and prosper. The land requirements of this infrastructure are what prompted the passage of the eminent domain laws as documented in the Fifth Amendment to the Constitution. These laws provide authority for government entities to acquire property for needed public works projects provided the owner is properly compensated for the rights he or she is losing.

The eminent domain laws apply only to projects with a demonstrated public need. The Texas Department of Transportation demonstrates the need for projects by identifying operational deficiencies through long range planning tools and building compelling community support through public hearings and coordination with local governments. This meeting tonight is a part of that process.

To enhance and further ensure compliance with the Constitution, Congress passed the Uniform Relocation
Assistance and Real Property Acquisition Act of 1970. This law establishes guidelines for the acquisition of property and relocation of displaced individuals and businesses in accordance with the guarantees of our Constitution. The first aspect of this law deals with the acquisition of property. Our procedures are structured to comply with all the requirements of this law.

The sequence of the acquisition process is as follows: A property owner must be notified in writing of the need for his or her property. This is usually accomplished by one of our staff members who have met with the owner to discuss the need and a letter is sent as a follow up to the meeting. An independent appraiser is then hired to do a detailed appraisal of the property needed. These are independent business people who provide appraisal services to anyone in the community who has a need. The appraiser must have experience in appraising property similar to the subject property. Education, certifications, and work experience are reviewed prior to making the work assignment. The property owner will be given the opportunity to accompany the appraiser when the property is inspected. This is the option of the property owner but is strongly encouraged because no one knows the property better than you. When the appraisal is complete, it will be reviewed by a second equally qualified appraiser who will certify that the standards of the uniform appraisal
practice were used in determining the value.

A right of way agent will then make an offer to the property owner based on the value determined in the appraisal report. We make no attempt to acquire the property for less than the appraised value. The agent will explain the impacts the right of way taking will have on the remaining property and try to answer any questions that the owner may have at that time.

The owner is given a minimum of 30 days to consider the offer. This can be extended if needed and if our project schedule allows it. If the offer is acceptable to the owner, a closing at the title company is arranged. If the property owner considers the offer unacceptable, the landowner will be presented the options available to him under the laws of eminent domain.

The second part of this law deals with assistance available to occupants of displaced properties. The basic procedure are as follows -- procedures are as follows: At the time the offer of purchase or shortly thereafter, a relocation assistance agent will meet with the property owner or occupant to explain the benefit of the program. This agent will work with the displacee until the move is complete. Business displacees are entitled to reimbursement of the cost to move personal property and inventories. Some business reestablishment expenses are eligible for reimbursement under

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Tonight we have brought two brochures that provide additional information concerning the purchase of right of way and the relocation assistance. In the months ahead, if you will review these brochures, you will have a better understanding of the process.

We anticipate there to be about 324 parcels that need to be acquired. We expect 128 residents, 104 multi-family units, and 29 businesses will be displaced. The information being presented tonight represents the right of way requirements as near as they can be determined at this time. It is possible minor changes will have to be made as our planning work is finalized.

The Texas Department of Transportation has a policy that individuals impacted by the transportation expansion shall not be denied benefits, excluded from participation, or otherwise be subjected to discrimination based on the grounds of race, color, sex, age, handicaps, or national origin.

In the months ahead, if you have questions or hear rumors about what is happening with this project, please call our office and we will get your questions answered. And thank you for your time.

MS. ANDERSON: Thank you, Scott.

At this time, I would like to acknowledge the
elected officials of the City and County or others that are with us this evening. Would you please stand when I call your name. We have Jim Wilson with the City of Benbrook; Gary Fickes, Tarrant County Commissioner; Tom Lombard, North Richland Hills City Council; Roger Fisher, City of Bedford; Roy Savage, City of Bedford; Chris Brown, City of Bedford; Oscar Trevino, City of North Richland Hills; Jim Story, City of Bedford; Ray Champney, City of Bedford; Todd Smith, State Representative; Susan Young from the State Representative Kelly Hancock's office.

That's all I have that were signed in. Is there anybody else that would like to be recognized that didn't get their name put on this list? Okay. Thank you.

All information developed concerning this project including the environmental documentation is available upon request for public inspection and copying at the TxDOT District Office located at Interstate Highway 20 and McCart Avenue in south Fort Worth and also at the local city offices in Fort Worth, North Richland Hills, Hurst, Euless, and Bedford. We've also brought a copy of the environmental document with us tonight for your viewing during the recess and after the hearing.

As a reminder, if you did not sign in when you came in, please do. This is for our records in determining attendance at this hearing. Also, please register at the

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registration table during the recess if you desire to make a statement. When we reconvene, you will be given the opportunity to give us your statement.

Before we recess, I would like to introduce some personnel from our staff and the consultant staff that will be available at the displays and in selected areas to assist you with the orientation and the drawings -- on the drawings and to answer questions that you may have regarding the project.

From the folks that are going to be at the displays -- the design displays, we have Mr. Joe Atwood. He is up here. You know what he looks like. We have Michael McDonald. Michael, can you wave your hand? Where did you go? Way in the back. We have John Tillinghast, TxDOT project manager, way in the back also.

MR. ATWOOD: Nancy Mitchell.

MS. ANDERSON: Nancy Mitchell. She's...oh, over here on the side?

MR. ATWOOD: She's on the right side.

Milton Richter...

MS. ANDERSON: Milton Richter, back in the back.

MR. ATWOOD: Tom Turk.

MS. ANDERSON: And Tom Turk, also back in the back. We'll try to distribute them a little bit more evenly so y'all can get your questions answered.

From the right of way section, they will be
located in my far left, back over here in the corner. We have Scott Hall, he was up here on the stage. Jenny Houdman-- and no, excuse me. Jenny is not here. Jeremy Tyson is waving. Janis Aslin.

For environmental, they will be located on the far back wall back here. We have Sonja Whitehead, April English, and Tricia Mosier.

Now we will recess for about 20 minutes. By my watch, it is 7:47.

(Recess taken)

MR. BARTH: At this time, we will reconvene our public hearing. I will call upon the following individuals first who have previously indicated a desire to make a statement. Please come forward to the floor microphone and give us your name and then your statement. Please limit your statement to a maximum of three minutes.

First up, we have Ralph Willingham. Ralph Willingham?

PUBLIC COMMENTS.

UNIDENTIFIED SPEAKER: No questions. Go to the next person.

MR. BARTH: Okay. Thank you.

Raul Pequeno?

MR. PEQUENO: Yes, sir, my name is Raul Pequeno.
My address is 452 Plainview Drive and -- well, basically I
don't have a comment but I have a question. The 128
residences, was that the total number or is that the remaining
to be contacted?

MR. BARTH: Okay. We are not -- we are not
going to respond to questions or comments tonight. We will
respond to these questions in the written summary analysis.

MR. PEQUENO: Oh, well that's what I had,
questions. Thank you.

MR. BARTH: Okay. Thank you.

Alice and Gary Bright.

MS. BRIGHT: I'm Alice Bright. I live at 524
Plainview Drive. This is my husband, Gary. We bought this
house a year and a half ago knowing that construction is going
to be going on. Because I -- we agree, the highway needs to be
enlarged. But whenever I noticed the map showing that the
cul-de-sac is going to be right by the house, there's no easy
access to our home. There is no easy access for emergency
vehicles. We are not, like I said, young chickens but we want
to be able where if our house catches on fire, which it is over
40 years old, a fire truck can get to it as quickly as
possible, an emergency vehicle of any kind can get to it. When
we get up in the mornings, one goes to work one direction one
goes to work the other direction. Where we are at right now is
a perfect location. But if you go and close that off, then we
cannot get out by a decent length of time.

We -- I mean, the noise is bad enough now. In fact, our son came in from the Navy. He could not sleep because of the noise in the front bedroom. So the noise barrier will be great on part of it but when you are right there at a street, Hurstview, the noise barriers are not going to help because you are still going to hear it.

MR. BRIGHT: Yeah, that was my (unintelligible) the noise coming in between, you know, between the barriers of the street.

MR. BARTH: Okay. Thank you for your comments. Rochelle Ross.

MS. ROSS: My questions have been answered. Thank you.


MR. FISHER: Hi. My name is Roger Fisher. 2600 Woodson Circle in Bedford. Good evening. My name is Roger Fisher and I have the privilege of representing the citizens of Bedford as a member of the Bedford City Council. I would like to thank you for this opportunity to speak at this public forum.

For years, Bedford and its surrounding cities have prepared themselves for the expansion of 183. This has been a project that has been on again -- on and off again.
several times. It seems now as evidence by the public hearing that in the near future there will be a new highway. This is an endeavor that is both welcomed and dreaded but needed by all. For too long we have been straddled by traffic that does not seem to have a cause. A simple turn in the road may leave you sitting for 45 minutes or more. We long for the days in which we can get this road moving again. Although we welcome this new highway, there are some concerns that I would be derelict in my duties if I did not bring up in a public forum. As you know, Bedford central business district runs up and down the current highway. Restaurants, gas stations, and shops primarily south of the freeway will bear a huge economic cost during construction. This in turn will cause a huge economic loss for the Bedford citizens as a whole. I bring this up not as to bring pity but to more or less make sure that you realize we are definitely paying our dues for this road.

I also bring this up because we lose revenue because of the construction -- as we lose revenue because of the construction, it seems as though we may be responsible for 50 percent of the relocation costs of local utilities. This is where Bedford and our sister cities have slight problem. We simply do not have the money to either A. front the cost of utility relocation or B. pay half the utility relocation cost. It would seem to me that a road that would cost an estimated $2 billion, that we cannot find a way pay $8 million more to cover

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this utility relocation. I am not saying this as a way to save
the city some money, I'm mentioning this only because the City
of Bedford simply does not have it. As I mentioned earlier, we
have been preparing for the construction of this road for some
time. Utility relocation has never been a part of those plans
nor has the estimated $8 million price tag.

Another area of concern for Bedford citizens is
the drainage -- is drainage, especially west near Bell High
School and the Sulfur Branch project. This has been a long
time problem for Bedford and we have a plan to fix it.
However, changes in the highway plans are affecting drainage
patterns and we fear that your changes will increase flooding
downstream of the project. Once again, we do not have
additional funds to redesign this plan or enlarge it. If the
construction of the new highway negatively affects drainage in
this area, the citizens of Bedford expect TxDOT to help fund
the expansion of the project or find another way to ease runoff
in this area. I urge strong cooperation with our engineers and
the construction team when it comes to Sulfur Branch. Our
public works department is ready to work for you in this area.

For the record, your proposed plan only
indicates two lanes southbound at Bedford Road. Currently,
this intersection has three lanes, a turn lane for those
wishing to travel east on 183, a center lane for those wishing
to continue south on Bedford Road, and a turn lane for those
wanting to travel west of 183. There is a reason for this
tree lane configuration. It is a very busy intersection. I
fear that your proposed plan will leave traffic in the area
congested at all hours, especially for traffic going south on
Bedford Road and west on 183.

Finally, Bedford and its surrounding cities need
a go-to person. I realize that the construction of this
highway is a new public/private partnership. This new
relationship can lend itself to a lot of, "go ask your father,
go ask your mother" scenarios. Do we interact with TxDOT or
Centra? As elected officials, myself and my colleagues will be
asked many questions and we will take the blame for many things
during construction. I do not mind this. However, when it
comes to getting an answer, I do not think that it is
unreasonable to have someone to call.

I would like to close by reiterating that we are
truly excited about this highway. With its completion, I can
see great rebirth to the mid-cities and Bedford in particular.
I do not want to sound like an alarmist or someone causing
trouble. I wish construction could start tomorrow. The city
of Bedford is prepared to meet the challenges of this new
highway and I want to reassure our citizens of that. We look
forward to working with TxDOT and Centra on the project and we
hope that we can come to an agreement on the issues raised this
evening. Should you have any questions or would like to speak
with me, I will leave my business cards and my remarks for the
record. Thank you.

MR. BARTH: Thank you, Councilman.

Robin Willmer.

MR. WILLMER: Hi. My name is Robin Willmer. I
live at 308 Plainview Drive in Hurst. I bought the house in
2007. My real estate agent checked with the City of Hurst who
said there would be no impact on my side of the road for that
-- for the new extension. I also, on seeing a lot of the
houses across this side of the road being demolished, I've been
alarmed. I did some research on the Internet, contacted John
Tillinghast of TxDOT who told me that there is going to be a
new extension roadway. There would be a frontage road between
Brown Trail and Hurstview, further, and the land in between
would be a parkland, woodland trail thing. So it would be
environmentally friendly. He has told me this twice, now. I
have since spoken to him this evening. He denies ever saying
it. All I have to say -- all I have to say is why would
someone say this? I have no reason to lie.

I like the neighborhood. I like the area. This
highway is going to have a huge impact on the young families in
the area. My son -- my own included. My son is 16 years old
himself. He is not going to be happy living against a 16 foot
wall, which is the proposed height for the wall outside my
house. This is the wall which, incidentally, is going to be

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ten feet away from the other side -- from the curb side of my house. Thank you.

MR. BARTH: Thank you.

Jim Wilson did -- did you want to speak?

MR. WILSON: My name is Jim Wilson. I live at 7205 Royal Oak in Benbrook. I'm a member of the City Council of Benbrook. As a citizen in the DFW area, obviously I use, like everyone else, this highway on a regular basis and I recognize the inadequacy of it in its current state. However, highways of a normal size separate communities. This one can do far worse. Federal guidelines within the next several years will require more complete streets program or access to all users, motor vehicles, non-motorized, pedestrians, the physically impaired. Quote, "this project is being built for cars" is what was explained to me this evening before the meeting started. I disagree. The highway section pavement is being built for motorized traffic but the cross streets should be engineered for all users. That would be motor vehicles, non-motorized vehicles, and pedestrians. The crossing should include 88 sidewalks. They should have wide outside right-hand lanes for pedestrians and bicycles. In no way am I asking that they be bike lanes or bike routes but provide the access. Our surface and city or urban roads are for all use by all users not just motorized. These cross streets are included in that. If this project does not account for all users, it will further
a Berlin Wall, if you will, approach for non-motorized
commuters regarding crossing from one side to another of this
project. I ask all users be considered and accommodated in
cross roads in this project. Building this any other way will
not allow future retro fit.

Another consideration, the TRE provides
alternative transportation options on a great deal of the south
side of this project. If this project fails to accommodate
pedestrians or bicyclists, it would greatly reduce the options
of citizens north of the project regarding commuting to and via
the Trinity Rail Express. I'm not suggesting the inclusion of
bike lanes, bike routes, or any other facilities. Just that we
provide access with sidewalks and wider outside lanes for
cyclists that are now recommended on a nationwide basis.
Again, I ask a careful review of this project's crossings to
accommodate all users of the project and to prevent
disconnecting of those communities, businesses, and commuters
between the north and south side of this project. Thank you.

MR. BARTH: Thank you, Councilman.
Let's see. Phillip Podhrasky, is that close?
MR. PODHRASKY: Close enough. My name is
Phillip Podhrasky. We live at 628 Plainview Court. We are in
the cul-de-sac at the -- at the end of -- pretty much the
beginning of the project. We have many concerns as far as this
project goes. There's sounds walls, there's going to be a
cul-de-sac down at the end of our street, and there's going
further down the street from us there's a crosswalk to go
across the highway to the high -- to the Shady Oaks -- Shady
Oaks Elementary School. Now, with being cul-de-sacs at the end
of it, I understand there is still going to be curb access for
-- for emergency vehicles to cross those curbs to get to access
those streets in case of fires or whatnots. But will those
same things be taken in effect with children? Will small
children be able to cross Hurstview and still be safe? There's
-- there's many -- there's many concepts to this that are
confusing to everybody because it's not quite clear what's
going to happen. We would just like to get an answer and to
know when will we get a final answer on the -- the different
aspects this. So that's pretty much all I have.

MR. BARTH: Okay. Thank you.

Jamie Janke.

MR. JANKE: Hi. My name is Jamie Janke. I live
at 912 Stratford Drive in Bedford. I travel Highway 183 every
day to and from Dallas to Bedford each direction and have been
for almost 20 years now, where I've lived in Bedford at this
location. The highway is inevitable. We knew that when we
moved into our house. I don't have a with problem with that.
It's -- it's well overdue. What I do have a problem with is
over the last 15 years or 16 years since we have been told
different things. We were told that -- we were told and the
homes along Stratford Drive were told that they were going to
take all our homes, the whole house and build from there. What
in essence now, what has happened, they are now going to take	
two-thirds of our backyard. Some of the homes are losing
storage buildings, half of a swimming pool, I will be ending up
with the right of way within 15 foot of my bedroom window. I
don't have a problem with doing the highway. Please, just take
the house. You basically -- my resale value has gone out the
window.

My quality of life is been shattered. I will
stare at this huge retaining wall that might be what, 19 feet
tall? And the elevated lanes are going to be what, 25 or 30
feet tall? There will be no wind coming into my backyard. All
I will get is the noise from the elevated lanes dropping down
into my backyard, as little as it will be. As well as all the
dirt from the road falling down into my yard, which I get now
but at least the wind blows it away. I don't feel like living
in a cave. You can go ahead and take all the houses. There's
about ten of us right there. You can take the whole bunch of
houses, put up a retaining wall, and make a nice greenbelt area
there with trees and sidewalks so that at least the home owners
on the other side and people in the neighborhood will be able
to walk back and forth towards L.D. Bell High School and the
church that's on the corner there. And let -- give a chance
for the noise to damper before it gets to their homes.
Otherwise, I will be living with that noise for the rest of my life and I don't think that's right.

Now, all the westbound lanes which run on the north side are elevated but yet all the homes on the south side of 183 are gone. And yet those lanes are going to be low. It doesn't make sense to me that you are going to have all the homes gone and low lanes but you are going the let us keep our houses and put the elevated lanes right in front of us. What are we going to do? We are already living with a 71 decile noise level. Period. And the main highways are already elevated. I can see them over my fence, the cars going by. So we are going to 71 decibels, the retaining walls are going to be up 19-20 feet. How high are the retaining walls going to be? It doesn't make sense to me.

I would like or you to at least look at, reevaluate it, and take our homes on Stratford. Make that greenbelt for the rest of the city where it could be a nice sidewalk and it will look nice. And I don't have a problem with that. So I would like you to reconsider looking through that area because that's all we've been told for the last -- up until the last meeting a year or two ago. You were going to take the entire properties and now you are not and it doesn't make sense. Thank you.

MR. BARTH: Thank you for your comments.

Let's see. Berrien Barks. Berrien Barks?
MR. BARKS: I'm Berrien Barks. I'm here this evening representing the Regional Transportation Council and North Central Council of Governments, together serving as the Metropolitan Planning Organization for the Dallas/Fort Worth areas. The North Texas Express is needed to accommodate the increasing transportation demands in our region. In addition, the development of this project will reduce congestion, enhance safety, and improve air quality. The recommended improvements are consistent with Mobility 2030 2009 amendment, the region's Metropolitan Transportation Plan. The additional general purpose and managed lanes in this corridor will work in conjunction with other rules of transportation plan for northern Tarrant County including the commuter rail line being planned from downtown Fort Worth to Dallas Fort Worth International Airport and beyond.

Because of the critical nature of this project, the North Central Texas Council of Governments is willing to provide any assistance in the planning, design, funding, and implementation of the project. Thank you.

MR. BARTH: Thank you.

Tony White.

MS. WHITE: My name is Tony White. I live at 916 Stratford. It's at the corner of Stonegate and Stratford. According to the plans I've seen and people I've talked to, we'll lose approximately two-thirds of our backyard also. In
that area they are taking, I have a separate garage that's a
garage and a half. I also have a large $3,000 concrete pad for
my motor home. I have a fence that's going to go. That's the
gate I get my motor home into. So therefore, not only am I
losing value to my home, I lose the ability to store my second
home. I will be forced to sell it. I have -- I cannot put it
on the street, my driveway is not big enough, and I'm very
concerned about the noise. If I read the plans right, again I
am going to have this noise barrier probably about 2 feet from
the edge of my patio. That's just way too much noise and dirt.
I will no longer have a backyard.

I'm deeply concerned about the traffic that will
increase on the corner of Stonegate going onto what I am
assuming will be Airport Expressway, still. We have high
traffic now. It will be even higher. I feel that I have lost
value in both of my homes. Thank you.

MR. BARTH: Thank you for your comments.

Gerald Hartsel. Gerald Hartsel? Let's see.

George (sic) Torres or Jorge Torres?

MR. TORRES: Thank you. My name is Jorge
Torres. I live in 270 Somerset Circle in Bedford. My family
and I have been stressed out to the maximum because we didn't
know if our property was going to be impacted by this project.
And today, partially I had an answer by the gentleman over
there with the Right of Way Section. But apparently the Right
of Way Section is getting the information to contact the owners from the appraisal district and that information is never out there. I mean, they never update that information. So I guess my petition is somehow drop a note in the mail to the owners that are going to be impacted, you know, the 128 residences that -- some of us don't know what is going to happen. So tonight, you know, I got some information but I would appreciate if, you know, the Right of Way Section will drop a note in the mail to the owners. Thank you.

MR. BARTH: Thank you.

Tammy Johnson.

MS. JOHNSON: My name is Tammy Johnson and I live on 908 Stratford Drive in Bedford. And the current plans show as stated twice before that the retainer wall is going to go through the middle of wall -- middle of my pool. Nearly taking two-thirds of my backyard. So the wall will go straight through the middle of my backyard through my pool.

And I understand that the plans are to currently only buy half of my backyard and not the whole house. I don't want to move but if you are going to take half of my yard and pool, please take my whole house. Knowing how loud and dirty it is today, I cannot imagine what our quality of life will be like with a retainer wall 10 to 15 feet from my back door. No air flow, the sounds, the emission pollution, general dust and dirt, not to mention I don't think I would be ever able to sell
my house again in the future. Please take my whole house if
you are going to take anything. That's all we ask.

MR. BARTH: Thank you.

Mike Curtis. Mike Curtis? Bruce Hansberry?

Russell Floyd.

MR. FLOYD: My name is Russell Floyd. I live at
228 Plainview Drive in Hurst. I've just got a couple of
concerns. One, we have noticed actual bats flying around at
night. And I'm an environmental wacko kind of guy. I do
wonder about the impact on bats because they do keep away the
mosquitos.

Also, next point. In all this planning for
TxDOT, did y'all ever come to the conclusion of light rail mass
transit instead of actually proposing 12 lanes each way that --
or six lanes each way that will have an impact on the quality
of life in the people of Bedford, Hurst, North Richland Hills,
all the way over to Euless?

MR. BARTH: Thank you.

Rajkamal Rao.

MR. RAO: Hello. My name is Rajkamal Rao.

Thank you for taking my comments. I live in 1732 Timber Glen
Drive in Bedford. I'm here as the treasurer of the Villas of
Forest Ridge Home Owners Association. We -- I represent 52
homes and we border Cantebreria Lane and Forest Ridge Drive and
Oak Lane. We actually sit right behind State Representative
1 Barks' office. Our concern is while, you know, while the end
2 -- the end stage of the highway would certainly be a welcome
3 change and needed development, our concern is what happens to
4 quality of life to our community during the construction. I
5 believe that while plans are not -- have not been finalized by
6 TxDOT as to where construction trailers might be parked during
7 construction -- and construction trucks might come and go,
8 cement mixers and all that. Our community is -- has a lot of
9 young families. We have a lot of young children. And if this
10 construction takes five years, what is going to happen to our
11 quality of life? So whatever it is that you do, I request you
12 to consider, you know, suitable means to make sure that, you
13 know, families and kids in our neighborhood are not impacted by
14 construction activity. Thank you.
15
16 MR. BARTH: Thank you.
17
18 That is everybody that's signed up to speak. Is
19 there anyone else who would like to make a statement? Anyone
20 else?
21
22 Each statement made at this hearing and each
23 written statement received on or before Friday, September 4,
24 2009, will be carefully analyzed in writing in the Summary and
25 Analysis. Where appropriate, changes will be incorporated in
26 the project design and the analysis will be attached to the
27 environmental document. In addition, property owners that are
28 in an area that may have a change made will be contacted and
coordinated with concerning any proposed changes.

    After review of the transcript of these
proceedings and addressing all concerns and concepts contained
in the statements, environmental approval is anticipated. Once
approval is received, the acquisition of right of way, utility
relocation, and design may begin. Construction can begin when
right of way has been obtained, and utilities are relocated,
and on the section that is not in the CDA when the funding is
available.

    On behalf of TxDOT, again let me thank you for
coming and participating in the public hearing. It is now
about ten till 9:00 and the public hearing for State Highway
121 and State Highway 183 from Interstate 820 to State Highway
161 is officially adjourned. If you want to stay and look at
the displays, we will have people around to answer your
questions but this hearing is officially adjourned. Thank you.

    (Proceedings concluded at 8:49 p.m.)
REPORTER'S CERTIFICATE

THE STATE OF TEXAS  
COUNTY OF TARRANT  

This is to certify that I, Natasha Benchimol, a certified shorthand reporter in and for the State of Texas, reported in shorthand the proceedings had at the time and place set forth in the caption hereof, and that the above and foregoing 48 pages contain a full, true, and correct transcript of the said proceedings to the best of my ability.

Certified to on this 28th day of August, 2009.

[Signature]

Natasha Benchimol, Texas CSR 8514
Expiration Date: 12/31/2011
Tarrant County, Texas
Fort Worth, Texas

Natasha Benchimol, CSR
Dolores Stewart & Associates, Inc.