

North Texas Tollway Authority  
Public Hearing

Proposed Trinity Parkway  
From IH 35E / SH 183 to US 175 / SH 310

Dallas Convention Center Annex  
650 South Griffin Street  
Dallas, Texas

March 29, 2005

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**Agenda**

- Welcome and Introduction
- History and Status of the Project
- Project Design
- Environmental Impacts
- Right-of-Way Acquisition and Relocation
- -- Recess --
- Public Comments



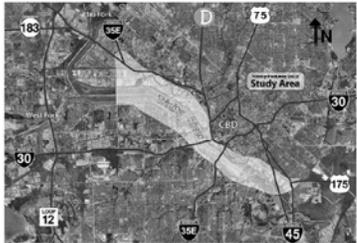
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**Purpose of Tonight's Hearing**

- Inform Community of the Status of the Planning Efforts and Present Evaluations Based on Studies Performed to Date
- Describe the Alternatives Under Consideration
- Provide the Community an Opportunity to Present Information and their Views while there is Flexibility to Respond to Comments and Before Location and Design Decisions are Finalized
- Develop a Record of Public Views and Participation to Accompany Recommendations for Subsequent Decisions

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**Trinity Parkway Corridor**



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**Purchase of DEIS**

- Hard Copy: \$80 plus Shipping and Handling
- CD with Document in Adobe Acrobat Format: \$5 plus Shipping and Handling
- To Purchase Contact:  
John Hoffman  
Hallif Associates  
Phone: (214) 346-6394
- Copies are Available for Purchase Tonight



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**Submission of Comments**

- Verbal Comments Tonight during Public Comment Period
- Submit Comment Cards or Letters to:
  - Check-In Desk (Tonight), or
  - Christopher Anderson, Planning Director  
North Texas Tollway Authority  
5993 West Plano Parkway, Suite 100  
PO Box 266729  
Plano, Texas 75026

Comments Must be Postmarked by  
April 08, 2005

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## History and Status of the Project

**History and Status**

## Project History

**History and Status**

## Project History (Cont'd)

**History and Status**

## Public Outreach & Agency Coord.

**History and Status**

## Public Outreach & Agency Coord.

**Community Advisory Work Group**

- 92 Representatives and Alternates
- Co-chaired by former Dallas Councilperson Barbara Mallory Caraway and former Dallas County Judge Lee Jackson
- 12 Meetings averaging 44 attendees

**Other Public Outreach and Agency Coordination**

- Public Scoping Meeting at Study Start – July 8, 1999
- 150+ Public Outreach Meetings and Presentations to General Interest Groups to Date (On-going)
- 55+ Monthly Trinity Interagency Executive Team Meetings to Date (On-going)
- 4 Southern Sector Elected Officials Briefings

**History and Status**

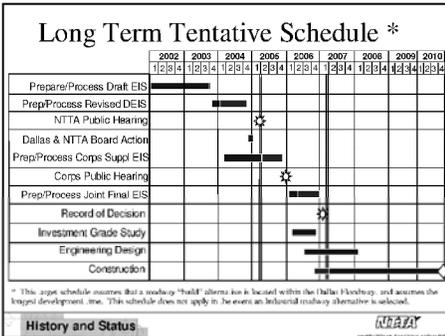
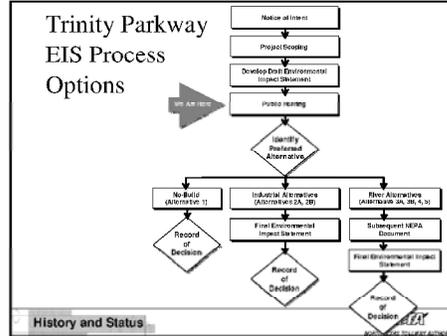
## Environmental Streamlining

**History and Status**

### Possible Cost Sharing

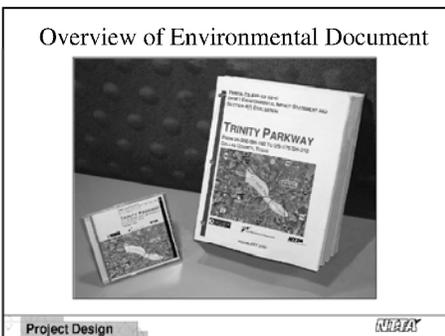
- City of Dallas - \$84 million
- NTTA - \$150+ million
- State and Federal - \$434 million to \$1.1 billion
- Timing - 2007 thru 2010

History and Status



## Project Design

Project Design



### Purpose and Need

The Goals of the Trinity Parkway are to:

- Improve mobility, reduce congestion, and accommodate future traffic demands
- Minimize the physical, biological, economic, and social effects on the environment
- Provide compatibility with local development plans
- Act on voter support of \$84 million funding for the Trinity Parkway project
- Provide enhancements of modal interrelationships

Project Design

Need for Improvements...

Project Design

TxDOT MTIS Plan of Action

Project Design

TxDOT MTIS Plan of Action

Project Design

NCTCOG Regional Plan

Project Design

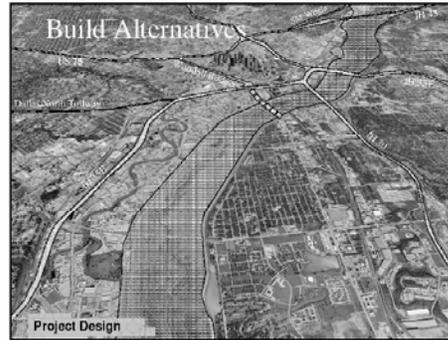
NCTCOG Regional Plan

Project Design

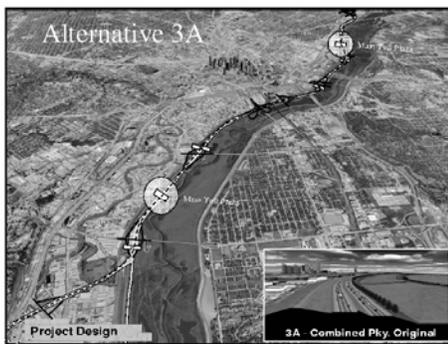
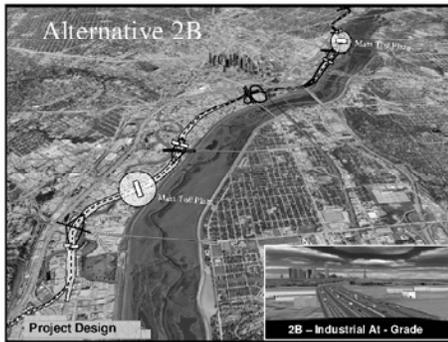
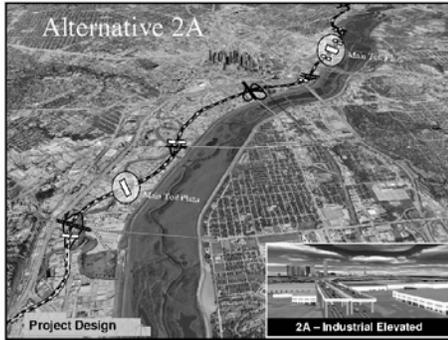
NCTCOG Regional Plan

Project Design

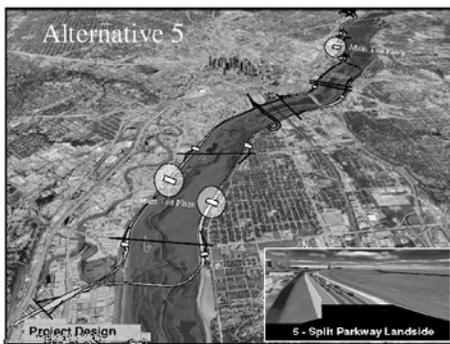
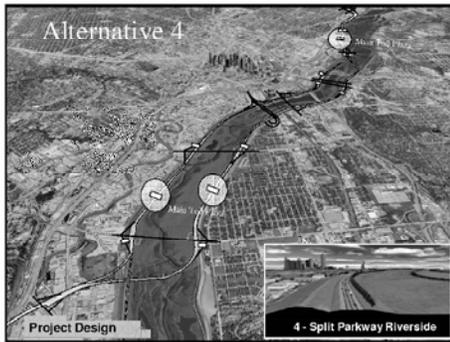
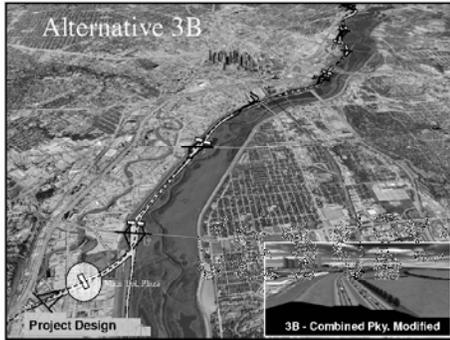
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### Comparison Table

	1 (No- Build)	2A Industrial Elevated	2B Industrial At-Grade	3A Combined Original	3B Combined Modified	4 Split Riverside	5 Split Landside
Length (Miles)	---	8.83	8.83	8.67	8.67	8.84	8.90
Estimated Right- of-Way (Acres)	---	252.1	342.3	393.1	393.5	495.2	393.6
Estimated Right- of-Way Cost	---	\$224 M	\$182 M	\$12 M	\$51 M	\$50 M	\$55 M
Estimated Construction Cost	---	\$1,699 M	\$770 M	\$626 M	\$630 M	\$676 M	\$861 M
Estimated Total Cost	---	\$1,723 M	\$952 M	\$668 M	\$691 M	\$726 M	\$919 M

Note: All costs shown in 2003 dollars, rounded to millions (M).  
Project costs are expected to increase in future years due to inflation.

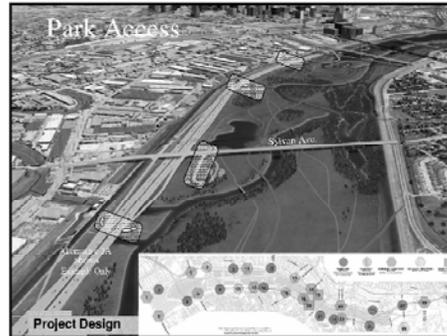
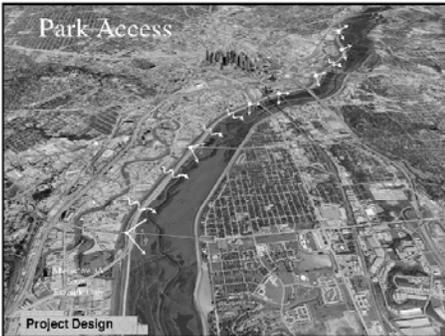
Table 3-7. DDB - Total Length, Right-of-Way, and Estimated Costs

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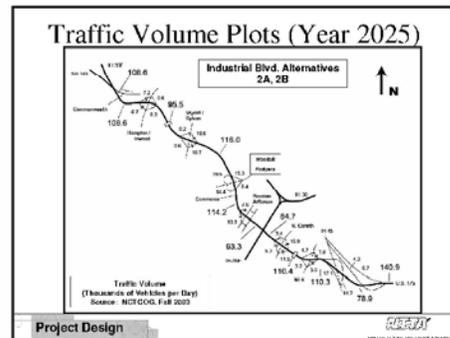
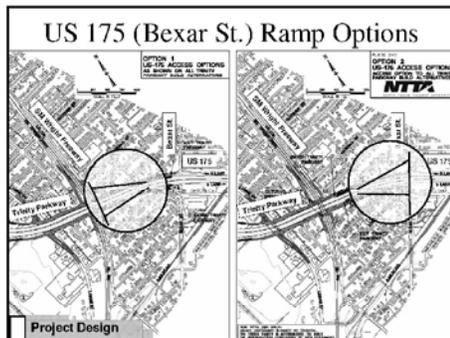
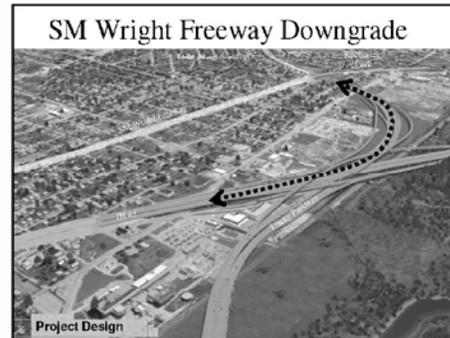
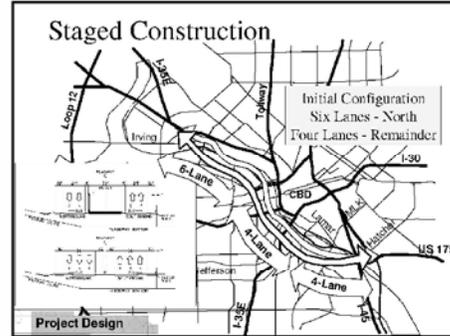
### Possible Cost Sharing

- City of Dallas - \$84 million
- NTTA - \$150+ million
- State and Federal - \$434 million to \$1.1 billion

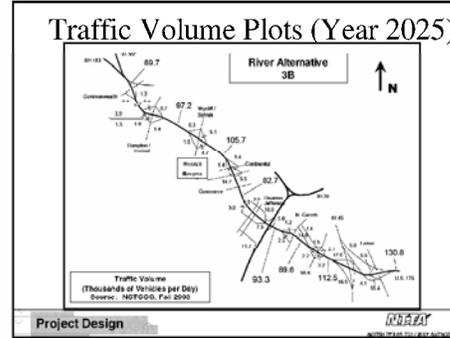
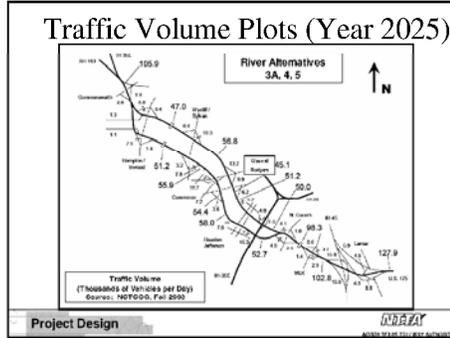
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**Environmental  
Impacts**

Environmental

**National Environmental Policy Act (NEPA)**

- In Order to Meet NEPA Process Goals and Comply with Laws, Regulations and Policies, Projects Need to be Carried Out in Such a Way That They:
  - Avoid Adverse (Negative) Impacts
  - Where Adverse Impacts Cannot be Avoided, Impacts Would be **Minimized**
  - Unavoidable Adverse Impacts Should be **Mitigated**
  - Environmental **Enhancements** Should be Developed as Appropriate
  - Mitigation and Enhancement Measures are Eligible for Federal Funding

**“Avoid, Minimize, Mitigate, Enhance”**

Environmental

**Trinity Parkway NEPA Process**

- Type of Document: Environmental Impact Statement (EIS) and Section 4(f) Evaluation
- Section 4(f) USDOT Special Evaluation of Significant Public Parks, Wildlife Refuges, and Significant Historic Sites
- Draft EIS Discusses the Social, Economic and Environmental Effects of
  - No Build, and
  - Six Build Alternatives

Environmental

**Parkway Alternatives**

2A - Industrial Elevated

2B - Industrial At-Grade

3A - Combined Pkwy. Original

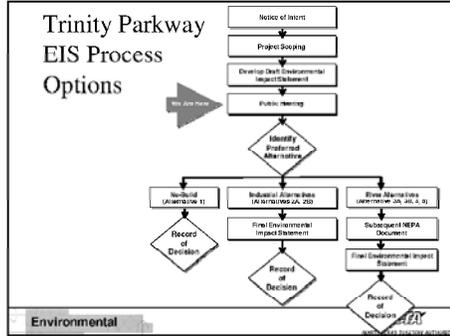
3B - Combined Pkwy. Modified

4 - Split Parkway Riverside

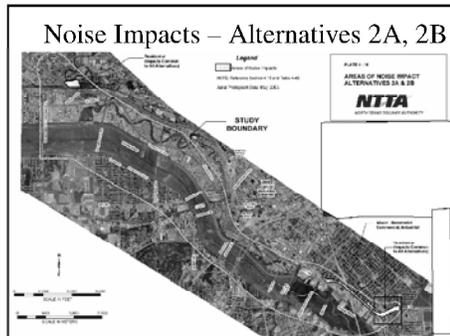
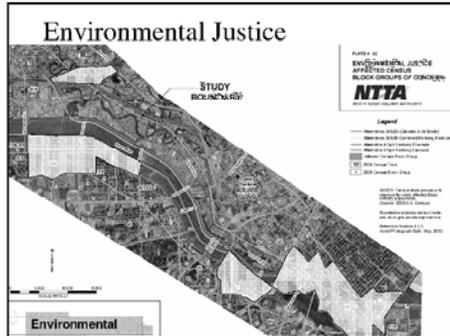
5 - Split Parkway Landside

Environmental

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- ### Resources and Issues
- Environmental Justice
  - Joint Development
  - Land Use
  - Economic Impacts
  - Access
  - Parkland
  - Historic Resources
  - Archeological Resources
  - Air Quality
  - Noise
  - Wetland and Waters of the U.S.
  - Pedestrians and Bicycles
  - Visual Impacts
  - Floodplain Impacts
  - Water Quality, BMP's, Permit – Issues
  - Utilities
  - Water Body Modifications
  - Wildlife/Vegetation Effects
  - Threatened or Endangered Species
  - Hazardous Materials
  - Construction Impacts
  - Secondary/Cumulative Impacts
  - Social Impacts (Relocations / Displacements)
- Environmental**

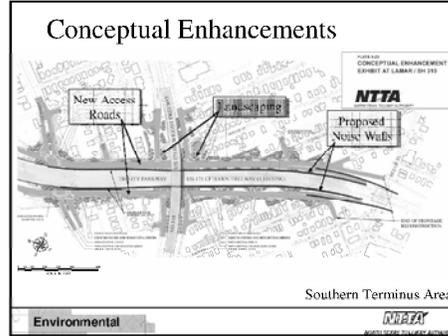


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### Summary of Noise Impacts

Affected Properties	1 (No-Build)	2A Industrial Elevated	2B Industrial At-Grade	3A Combined Original	3B Combined Modified	4 Split Riverside	5 Split Landside
Single Family	---	208	201	127	127	164	224
Multi-Family	---	0	0	0	0	0	0
School	---	0	0	0	0	0	0
Park	---	1	1	1	1	2	2
Community Center	---	0	0	0	0	0	0
Church	---	0	0	0	0	0	0
<b>TOTAL</b>	---	<b>209</b>	<b>202</b>	<b>128</b>	<b>128</b>	<b>166</b>	<b>226</b>

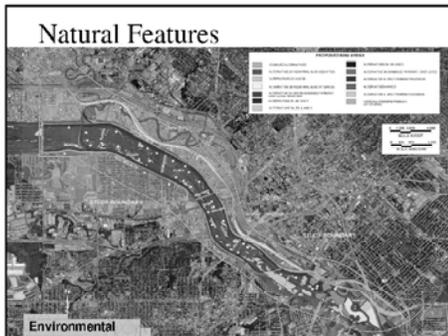
Environmental



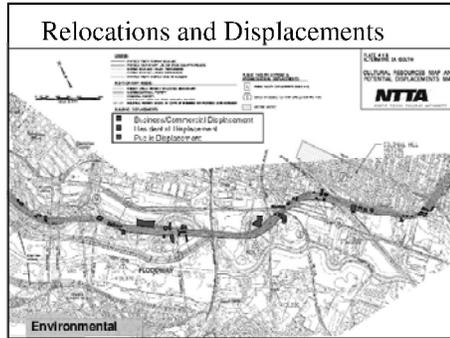
### Wetlands and Waters of the U.S.

Affected Waters	1 (No-Build)	2A Industrial Elevated	2B Industrial At-Grade	3A Combined Original	3B Combined Modified	4 Split Riverside	5 Split Landside
<b>Emergent Wetlands</b>							
Fill	---	---	<1	18	18	20	<1
Excavated	---	---	---	115	115	112	---
<b>River Channel</b>							
Fill	---	---	<1	4	4	4	---
Excavated	---	---	---	---	---	---	---
<b>Drainage Stumps</b>							
Fill	---	---	<1	---	---	4	5
Excavated	---	---	---	14	14	13	---
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>&lt;3</b>	<b>151</b>	<b>151</b>	<b>153</b>	<b>&lt;6</b>

Environmental



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### Right-of-Way Acquisition

Right of Way Acquisition	1 (No-Build)	2A Industrial Elevated	2B Industrial At-Grade	3A Combined Original	3B Combined Modified	4 Split Riverside	5 Split Landside
Privately Owned	---	120.8	212.9	103.1	112.5	107.0	122.0
Public Land	---	131.3	129.4	200.0	280.2	388.2	271.6
<b>TOTAL (Acres)</b>	---	<b>252.1</b>	<b>342.3</b>	<b>303.1</b>	<b>393.5</b>	<b>495.2</b>	<b>393.6</b>

Environmental

### Property Displacements

Displacements	1 (No-Build)	2A Industrial Elevated	2B Industrial At-Grade	3A Combined Original	3B Combined Modified	4 Split Riverside	5 Split Landside
Commercial Buildings	---	281	231	23	31	26	35
Residential Buildings	---	13	9	8	8	13	21
Public Facilities	---	3	4	---	---	---	4
<b>TOTAL</b>	---	<b>297</b>	<b>247</b>	<b>31</b>	<b>39</b>	<b>39</b>	<b>60</b>

Environmental

- ### Possible Permits/Approvals Needed
- TPDES General Permit for Construction (TCEQ)
  - Rivers and Harbors Act, § 10 (USACE)
  - Rivers and Harbors Act, § 9 (USCG) + Bridge Permits (23 CFR § 650.805)
  - Clean Water Act, § 404 (USACE)
  - Section 401 Water Quality Certification
  - National Flood Insurance Program (NFMA)
  - Trinity River Corridor CDC Process (NCTCOG)
  - NHPA § 106 (FHWA, SHPO and ACHP)
  - Interstate Access Agreement (FHWA, TxDOT and NTTA)
  - Toll Agreement (FHWA, TxDOT and NTTA)
  - EIS, § 4(f), and ROD approval (FHWA)
- Environmental

- ### Mitigation & Monitoring may include...
- Noise Walls
  - Restoration of Waters of the U.S.
  - Implementation of Landscaping and Revegetation
  - Mitigation Agreements with Texas Historic Commission
  - Sidewalks and Trails; Neighborhood Access
  - Coordination with DART to Improve Transit Access
- If a Build Alternative is Recommended: Mitigation will be Documented in the Final EIS
- Environmental

### Right-of-Way Acquisition and Relocation

Right-of-Way

### Property Displacements

Displacements	1 (No-Build)	2A Industrial Elevated	2B Industrial At-Grade	3A Combined Original	3B Combined Modified	4 Split Reverse	5 Split Landside
Commercial Buildings	---	281	234	23	31	26	35
Residential Buildings	---	13	9	8	8	13	24
Public Facilities	---	3	4	---	---	---	4
<b>TOTAL</b>	---	<b>297</b>	<b>247</b>	<b>31</b>	<b>39</b>	<b>39</b>	<b>63</b>

 Right-of-Way



### Right-of-Way Acquisition Process

- The Acquiring Entity will...
  - Obtain Environmental Clearance
  - Develop Interlocal Agreements
  - Develop a Right of Way Map
  - Purchase Right-of-Way



 Right-of-Way

### Right-of-Way Acquisition Process

- Acquiring Entity Will Order:
  - Property Title Information
  - Five Year Sales Data
  - Preliminary Title Commitment
- ...then the Acquiring Entity Makes Pre-Appraisal Contacts with Property Owners



 Right-of-Way

### Right-of-Way Acquisition Process

- Assignment of Independent Appraisers:
  - Appraisers Contact Owners
  - Appraisers Submit Appraisals
  - Acquiring Entity Reviews Appraisals for Approval



 Right-of-Way

### Right-of-Way Acquisition Process

- Acquisition Agent Presents Offer to Property Owner, Including:
  - Appraised Value of Property
  - Compensable Damages to Remaining Real Property
  - Relocation Assistance



 Right-of-Way

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**Right-of-Way Acquisition Process**

- Property Owner May then:
  - Donate Land
  - Accept Offer
  - Submit Counter Offer
  - Reject Offer



Right-of-Way 

**Right-of-Way Acquisition Process**

- If Owner Accepts:
  - Owner Signs Deed and Memorandum of Agreement
  - The City Issues a Check to Owner and Title Company
  - Owner Closes at Title Company and is Compensated for New Right-of-Way



Right-of-Way 

**Right-of-Way Acquisition Process**

- If Owner Counter-Offers:
  - Owner May Submit Counter-Offer if Owner Believes it does not Represent Fair Market Value
  - The Counter-Offer is Reviewed and Either Accepted or Rejected by the Acquiring Entity
  - If Rejected, Owner May Accept Original Offer or Eminent Domain Proceedings May Begin



Right-of-Way 

**Right-of-Way Acquisition Process**

- Eminent Domain:
  - Court Appoints Three Commissioners to Hear Owner and Acquiring Entity
  - Commissioners Decide Award
  - The Award is Deposited in Registry of Court and Entity Takes Possession
  - Either Owner or Acquiring Entity Shall Have the Right to Appeal the Commissioner's Award



Right-of-Way 

**Right-of-Way Acquisition Process**

- Relocation Assistance
  - Available to those who Qualify as a Result of the Acquisition of Right-of-Way
  - The Benefits are Applicable to All Individuals, Families, Businesses, Farmers, Ranchers and Non-Profit Organizations without Regard to Race, Color, Religion, Sex, or National Origin



Right-of-Way 

**Right-of-Way Acquisition Process**

- Relocation Assistance (cont.)
  - If The Owner Must Move, Do Not Do So Until Negotiations have Begun Unless You First Secure a Written Notice of "Intent to Acquire" from the Acquiring Entity
  - Appeal Procedures are Available for Displacees Who Do Not Agree with any Amounts Offered for Relocation Reimbursement



Right-of-Way 

# Announcements



Recess



# Public Comment Process

- An Elected Official or Representative from Each Local Government will be Allowed to Provide a Statement
- Speakers will be Called Based on Returned Speaker Forms
- Following Registered Speakers, Unregistered Speakers will be Allowed an Opportunity to Comment

Recess



# Recess



Recess



# Public Comments



Public Comments



# Submission of Comments

- Submit Comment Card or Letter to:
  - Check-In Desk (Tonight), or
  - Christopher Anderson, Planning Director  
North Texas Tollway Authority  
5900 West Plano Parkway, Suite 100  
P.O. Box 260729  
Plano, Texas 75026

Comments Must be Postmarked by  
April 08, 2005

Public Comments



# Elected Officials Comments

Please Step to the Microphone and State Your Name and Position



Public Comments



**Public Comments**

Please Step to the Microphone and  
State Your Name and Address  
Please Limit Comments to 3 Minutes



Public Comments 

**Submission of Comments**

- Submit Comment Card or Letter to:
  - Check-In Desk (Tonight), or
  - Christopher Anderson, Planning Director  
North Texas Tollway Authority  
5900 West Plano Parkway, Suite 100  
P.O. Box 260729  
Plano, Texas 75026

Comments Must be Postmarked by  
April 08, 2005

Public Comments 

**Thank You for Your  
Attendance & Comments!**

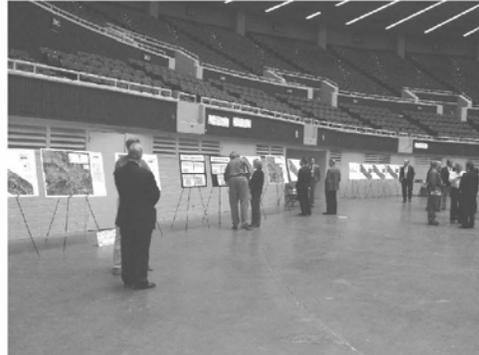
Conclusion 



Photographs from Public Hearing  
Held March 29, 2005 in the Dallas Convention Center Arena



Photograph 1. Registration table during open house in arena.



Photograph 2. Project exhibits were displayed along walls of arena.



Photograph 3. Design schematic displayed on tables along walls of arena.



Photograph 4. Additional project exhibits displayed in arena.



Photograph 5. Typical exhibit available during open house.



Photograph 6. Public hearing presentation in Convention Center Arena.

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**APPENDIX G-4**

**PUBLIC HEARING TRANSCRIPT AND VERBAL STATEMENTS RECEIVED**

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#### APPENDIX G-4. Public Hearing Transcript and Verbal Statements Received

This section contains the verbatim record of the public hearing held on March 29, 2005. The purpose of the public hearing was to review information about the DEIS and to receive public comments. Verbal statements made during the course of the formal hearing begin on page 71 of this appendix. A transcript of verbal statements made directly to a court reporter, but which were not part of the formal hearing, are added to the end of the hearing transcript. All verbal statements are in the order they were presented, either as part of the formal public hearing or given to a court reporter outside of the hearing. The table below gives the page number in this appendix where the verbal statements may be found, and indicates the organization the speaker indicated he/she was representing.

**Table G-5. Index of Verbal Statements**

Statement #	Name (Last, First) - City	App. G-4 Page #	Organization	Refer to Comment & Response #
1	Allen, Charles – Dallas	84	Trinity River Expeditions and Save Open Space of Dallas County	1-5, 2-1, 2-3, 2-4, 6-9, 8-1, 9-1, 12-4, 12-9, 15-1, 17-1
18	Dalbey, Tim – Dallas	85		2-1, 2-6, 2-4, 3-4, 3-20, 8-9
20	Davis, Carolyn – Dallas	91	Alliance of the South Dallas Fair Park Area	6-4
24	Flood, Jim – Dallas	80		2-1, 6-9, 15-1
31	Goldberg, Robert – Dallas	73		2-3, 2-17
33	Gray, David – Dallas	93		1-5, 1-6, 2-1, 6-9, 15-1
39	Johnson, Charles – Dallas	108		2-2, 2-3, 2-21
44	Kutner, Mike – Dallas	106	Friends of the Old Trinity Trail	3-7
51	Meckfessel, Robert - Dallas	83	Trinity Commons Foundation	2-2, 2-3, 2-18
54	Morgan, Rich – Dallas	105		2-2, 2-3, 8-4, 16-2
---	Neal, Jeffrey – Arlington	80	Note: Read letters into record.	See Written Statements 38 and 55 (Appendix G-5)
57	Norris, Gina – Dallas	87	Crow Holdings	1-7, 2-2, 2-3, 9-3
58	Oakley, Ed – Dallas	71	City of Dallas Mayor and Dallas City Council ( <b>Agency</b> )	2-2, 2-3, 6-7, 10-4
59	Oznick, Lauren – Dallas	104		2-1, 2-3, 2-8, 6-8
63	Paris, James – Dallas	76		3-8
66	Petrasek, Al – Plano	96		2-2, 2-3, 2-19, 6-7
71	Ragsdale, Diane	98		2-3, 2-17, 3-9, 10-2
72	Read, Campbell – Dallas	77	Texas Committee on Natural Resources	1-6, 2-1, 2-14, 4-5, 5-12, 6-9, 12-4
77	Rutherford, Warren – Dallas	107	Methodist Health System	2-2, 2-3, 2-7, 3-10
78	Schumacher, Richard – Dallas	76		2-2, 2-3, 2-16, 5-11, 8-15
83	Walz, Karen	74	Trinity Trust	1-7, 2-2, 2-3, 2-18
85	Wells, Joe – Grand Prairie	89	Dallas Sierra Club	1-9, 2-1, 2-14, 4-5, 6-9, 9-4, 9-11, 11-1, 12-4, 17-6, 17-8
90	Wright, S.M. – Dallas	103	People's Baptist Church	2-3, 2-11

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TRINITY PARKWAY  
DRAFT ENVIRONMENTAL IMPACT STATEMENT  
PUBLIC HEARING  
MARCH 29, 2005  
DALLAS CONVENTION CENTER ARENA  
650 SOUTH GRIFFIN STREET  
DALLAS, TEXAS

1 P R O C E E D I N G S

2 MR. ANDERSON: Ladies and gentlemen, it is  
3 now 6 p.m. If you'll please be seated, we'll begin the  
4 public hearing in just a moment.

5 THE INTERPRETER: Good evening, I'd like to  
6 make an announcement in Spanish.

7 I was just making an announcement that we  
8 are here from the school district and we're here to  
9 interpret the meeting to Spanish, and I was asking if  
10 anybody needed translation. Thank you.

11 MR. ANDERSON: Good evening. It is now 6  
12 p.m., so if you'll please be seated, we'll begin this  
13 hearing.

14 My name is Christopher Anderson, and I'm the  
15 planning director for the North Texas Tollway Authority  
16 or NTTA. I'm here this evening representing our acting  
17 Executive Director, Mr. Allen Rutter. We want to  
18 welcome each of you in attendance tonight. We  
19 appreciate your interest in this roadway matter, and  
20 later in the hearing, we will invite your participation.

21 This hearing is being conducted in  
22 cooperation with the Texas Department of Transportation  
23 or TxDOT. TxDOT holds the responsibility for ensuring  
24 that for roadway projects throughout the state, all of  
25 the environmental documentation and public involvement

1 activities are complete and in order. This hearing is  
2 being conducted in accordance with Texas Department of  
3 Transportation guidelines.

4 Before proceeding further, I would like to  
5 acknowledge staff members from those agencies who have  
6 participated in the development of this project and who  
7 are present tonight. From the Federal Highway  
8 Administration, we Sal Deocampo and Anita Wilson.

9 From the Texas Department of Transportation,  
10 Dallas district, we have Stan Hall. From the North  
11 Central Texas Council of Governments, we have Jeff Hall.  
12 From the City of Dallas, we have Rebecca Dugger and Greg  
13 Ajemian. And from the U.S. Army Corps of Engineers, we  
14 have Jean Rice.

15 We would also like to thank those of you in  
16 the general audience who attended this afternoon's open  
17 house.

18 As you arrived, you were given the  
19 opportunity to register your attendance for this  
20 hearing. A yellow speaker request form was offered to  
21 you to indicate whether you would like to make a  
22 statement later in the hearing. In the event you did  
23 not register or obtain a yellow speaker request form,  
24 please complete this form during the recess and place it  
25 in the labeled boxes located on the registration tables.

1 If you prefer to provide written comment only, you may  
2 deposit the green comment form in the boxes also located  
3 on the registration table.

4           You may also mail your comments to NTTA.  
5 The green comment form has been pre-addressed for your  
6 convenience and the postmark deadline is April 8, 2005.  
7 I would like to draw your attention to the supplemental  
8 materials, the blue sheets, you were provided attached  
9 to the public hearing program. In particular, please  
10 note in this material an explanation of acronyms which  
11 presenters may use inadvertently during the course of  
12 their presentations.

13           Secondly, as we proceed to the hearing's  
14 various topics, you will note that a reference to the  
15 agenda topic being presented at that time will appear in  
16 the lower left-hand corner of each slide.

17           At this time, I would like to explain how  
18 this hearing will be conducted. Many of you may have  
19 attended previous public hearings conducted by the Texas  
20 Department of Transportation. This hearing will be  
21 conducted in a similar fashion. For the benefit of  
22 those of you who have never attended a public hearing, I  
23 would like to explain the hearing process.

24           My introductory comments will comprise the  
25 following:

1           The hearing guidelines; the hearing's  
2     purpose; the project's location and history;  
3     governmental relationships in the decision making  
4     process; and then developmental time lines.

5           Following my comments, two gentleman with  
6     Halff Associates will speak. Halff Associates is the  
7     engineering firm tasked with developing the  
8     environmental document and schematics.

9           The first to speak will be Mr. Martin  
10    Molloy. Mr. Molloy will comment on the No-Build Option  
11    and present the location and design features of the six  
12    Build Alternatives under consideration.

13          Afterward, Mr. David Morgan will highlight  
14    those environmental issues for which the public has  
15    expressed concern during the course of our public  
16    meetings. He will also touch on some of the beneficial  
17    and adverse impacts associated with the alternatives of  
18    the proposed Trinity Parkway. These impacts are more  
19    fully discussed in the Draft Environmental Impact  
20    Statement.

21          As a point of clarification, you may hear  
22    tonight's presenters refer to the "alternatives," the  
23    "alignments" or the "routes." So there's no confusion  
24    on your part, we use these terms interchangeably.

25          Following Mr. Morgan's comments, Ms. Sherri

1 Turner, NTTA's assistant legal counsel, will explain  
2 right-of-way acquisition procedures and the relocation  
3 assistance program for displaced persons and businesses.

4 Following Ms. Turner's comments, we will  
5 recess the hearing, and at that time, you will have an  
6 opportunity to view the exhibits on display. During the  
7 recess, you are encouraged to ask questions of the staff  
8 representatives and we will attempt to answer those  
9 questions.

10 Following the recess, we will reconvene the  
11 hearing. At that time we will ask those persons who  
12 indicated on the speaker request form that they would  
13 like to make a statement to come forward to the floor  
14 microphone. Speakers will be called forward to make  
15 comment using these forms.

16 Those elected officials in attendance  
17 tonight will be given the opportunity to speak first.  
18 Elected officials, please register your intention to  
19 speak by completing the speaker request form.

20 Following comments by our elected officials,  
21 comments from the general public will be taken. As we  
22 anticipate a large number of speakers from the general  
23 public, please limit your statement to three minutes.  
24 We ask you to be respectful of those waiting to speak  
25 and to honor this time limit.

1           You will note on the floor plan in your  
2 program that a second court reporter is stationed  
3 outside the arena to my left. If you choose to make  
4 your statements in a less public setting, or if you  
5 choose not to wait to be called to come forward, this  
6 stenographer will be able to take your oral statement  
7 beginning with the recess.

8           When providing your oral comments, please  
9 state your name and address for the record and then make  
10 comments concerning the project. Following the  
11 registered speakers, anyone else that did not register  
12 will be given an opportunity to comment.

13           Let me begin by explaining the purpose of  
14 the public hearing. A public hearing has four essential  
15 purposes.

16           1. To inform the community of the status of  
17 the project's planning efforts and present the  
18 recommendations or evaluations based on studies  
19 performed to date.

20           2. To describe the alternatives so that  
21 those attending can determine the project's potential to  
22 affect their lives and property.

23           3. To provide the community an opportunity  
24 to present information and their views at a stage in the  
25 planning process when the flexibility to respond to

1 comments still exists and before location and design  
2 decisions are finalized.

3 4. To develop a record of public views and  
4 participation to accompany recommendations for  
5 subsequent decisions.

6 This hearing is being held in compliance  
7 with both federal and state laws. The NTTA and the  
8 Texas Department of Transportation are required to  
9 certify to the Secretary of Transportation that a public  
10 hearing was held concerning the proposed Trinity  
11 Parkway.

12 For the official project record, transcripts  
13 of this hearing will be made. For this reason, we ask  
14 that all verbal comments be made from either the floor  
15 microphone or to the court reporter located as shown in  
16 your program.

17 Following this hearing, and assuming a Build  
18 Alternative is recommended, the North Texas Tollway  
19 Authority will proceed with the preparation of  
20 subsequent environmental documentation. Your statements  
21 and comments will be addressed in this document and will  
22 be given full consideration in the preparation of the  
23 final design.

24 As previously stated, this public hearing  
25 has been convened to discuss the alternatives considered

1 and the environmental effects of the proposed Trinity  
2 Parkway. The project is located in central Dallas  
3 County and extends from the intersection of IH-35E and  
4 State Highway 183 on the north to the intersection of  
5 US-175 and State Highway 310 on the south. It is  
6 located entirely within the City of Dallas and is  
7 approximately nine miles in length.

8 A Draft Environmental Impact Statement has  
9 been prepared, which analyzed the social, economic, and  
10 environmental effects of the alternatives. The Draft  
11 Environmental Impact Statement, or DEIS, for the  
12 proposed Trinity Parkway was made available to the  
13 general public on February 11, 2005.

14 The DEIS is available for inspection here at  
15 the hearing, to my right, and at various locations and  
16 civic centers listed in your program as well as in the  
17 February 2005 Project Newsletter. Alternatively, it may  
18 be downloaded from the NTTA website at [www.ntta.org](http://www.ntta.org) or  
19 viewed at the North Texas Tollway Authority's office  
20 located at 5900 West Plano Parkway, Suite 100 in Plano,  
21 75026.

22 Copies of the Draft Environmental Impact  
23 Statement are available for purchase at a price of \$80  
24 for a hard copy and five dollars for a compact disc. If  
25 requested by mail, additional charges will be added for

1 postage. Sale of the document will take place this  
2 evening at the DEIS exhibit table.

3 All written comments and/or questions  
4 presented tonight, and all verbal comments made to the  
5 court reporter, will be included verbatim and addressed  
6 in the project's final environmental impact statement.

7 Written comments received on or postmarked  
8 by April 8, 2005 will be included verbatim and addressed  
9 in the final Environmental Impact Statement. This  
10 document will then be made available for your review at  
11 the NTTA office and at announced locations.

12 Project history: In the forty years that  
13 this project has been considered, it has undergone  
14 continuous changes in location and scope. The following  
15 broadly sketch these changes in roughly ten-year  
16 increments.

17 In 1965, a transportation study was prepared  
18 by local governmental agencies and the State Department  
19 of Highways and Public Transportation, predecessor of  
20 TxDOT. This plan called for a new river freeway, which  
21 would extend from Woodall Rogers westward along the east  
22 levee of the Dallas Floodway.

23 In 1973, the Texas Turnpike Authority,  
24 predecessor of NTTA, completed the first detailed study  
25 for the facility generally following the Trinity River

1 flood plains between Dallas and Fort Worth, having a  
2 length of 27.5 miles.

3 In 1980, the Dallas County Commissioners  
4 Court published the Dallas County open space plan. One  
5 of the major public works projects described is the  
6 proposed Trinity Valley Parkway. This proposed facility  
7 generally followed the Trinity River floodplain from  
8 IH-45 in Dallas to the western limits of Dallas County.

9 In 1988, the Texas Turnpike Authority  
10 completed an exploratory investigation of a possible  
11 route for the Trinity Turnpike, connecting the Central  
12 Business Districts of Dallas and Fort Worth.

13 In 1996, the Texas Department of  
14 Transportation initiated the Trinity Parkway Corridor  
15 major transportation investment study. This study  
16 developed a seven-element, multi-modal plan of action to  
17 address the congestion experienced and projected for the  
18 Stemmons corridor. The Trinity Parkway reliever route  
19 was a key element of this plan.

20 The 1997 and '98, due to substantial  
21 regional shortfalls and delays in funding of needed  
22 highway projects, the Dallas City Council and the Dallas  
23 County Commissioners Court requested that the North  
24 Texas Tollway Authority, and I quote. "Take such  
25 actions and conduct such studies as may be necessary to

1 determine the viability of jointly developing and  
2 financing all or some portion of the Trinity Parkway  
3 with a combination of turnpike revenue bonds, city  
4 bonds, and federal and/or state transportation funds."  
5 End quote.

6 At the request of local governments, the  
7 North Texas Tollway Authority studied the feasibility of  
8 building the Trinity Parkway as a tolled facility.  
9 Preliminary findings were positive, so that in the fall  
10 of 1999, the formal environmental study, of which this  
11 hearing is a part, we began with a series of public  
12 meetings.

13 At this time, I would like to discuss the  
14 governmental relationships and the decision making  
15 process.

16 Project development, highway planning and  
17 construction requires close cooperation on all levels of  
18 government, as well as public involvement. For the  
19 Trinity Parkway, governmental participation was  
20 facilitated through the Trinity Interagency Executive  
21 Team composed of the Federal Highway Administration,  
22 EPA, the U.S. Army Corps, the Texas Commission on  
23 Environmental Quality, TxDOT, the North Central Texas  
24 Council of Governments, Dallas County, and the City of  
25 Dallas.

1           During the course of the project's  
2 environmental study, the NTTA has worked to involve the  
3 various communities in the study area and to keep them  
4 informed of the project's status. These efforts have  
5 ranged from forming the Community Advisory Work Group to  
6 over 200 meetings and briefings to the recent release of  
7 the project newsletter and web based information.

8           Requests made by various neighborhoods to  
9 the City of Dallas, TxDOT, the Federal Highway  
10 Administration, and other agencies are reflected in the  
11 alignments and design features shown here tonight.

12           To produce an Environmental Impact Statement  
13 takes, on average, sixty months, with a good portion of  
14 this time spent in review by federal and state agencies.  
15 Given the regional significance of the Trinity Parkway,  
16 it was submitted for environmental streamlining in hopes  
17 of saving some time in the federal review process.

18           The intent of environmental streamlining is  
19 for the federal government to select a number of  
20 regionally significant projects from across the country  
21 and then ask that federal agencies, such as EPA and U.S.  
22 Fish and Wildlife Services, expedite their reviews while  
23 honoring applicable laws relating to safety, public  
24 health, and environmental protection.

25           In August 2004, the Trinity Parkway was

1 selected for environmental streamlining as per  
2 Presidential Executive Order 13274.

3 This slide depicts the current state of  
4 funding for the Trinity Parkway. In its 1998 bond  
5 program, the City of Dallas committed \$84 million toward  
6 the planning, design and right-of-way needed for the  
7 Parkway. In 2000, the North Texas Tollway Authority  
8 estimated through a preliminary traffic and revenue  
9 study that it could raise \$150 million in bonds for the  
10 project.

11 Based on current project cost estimates, and  
12 depending on the alternative recommended, this means  
13 that the state and federal share would range between  
14 \$434 million and \$1.1 billion. Funding would be needed  
15 roughly between 2007 and 2010.

16 To summarize the governmental relationships,  
17 the proposed Trinity Parkway is being developed  
18 cooperatively by the City of Dallas, Dallas County,  
19 regional authorities such as the North Central Texas  
20 Council of Governments, the Federal Highway  
21 Administration, TxDOT, NTTA and in conjunction with  
22 continuous public participation.

23 As you review the Draft Environmental Impact  
24 Statement, you will note that it does not recommend or  
25 identify a preferred alternative. The decision not to

1 recommend an alternative or alignment is intentional, as  
2 these recommendations are waiting for public comment.

3           The DEIS's primary function is to provide  
4 the affected communities and their elected officials the  
5 information needed to make an informed choice between  
6 the No-Build and Build Alternatives evaluated. It  
7 compiles beneficial and adverse impacts associated with  
8 each alternative under study.

9           Within the Trinity Parkway study area are  
10 various community resources ranging from natural  
11 resources, such as wetlands, wildlife, and natural  
12 vegetation to manmade features, such as parks, historic  
13 district residences, and businesses.

14           Each alternative may affect or impact these  
15 resources differently with noise; changes in traffic  
16 patterns and access; and changes to view sheds, just to  
17 name a few. Based on the studies conducted to date, the  
18 DEIS summarizes possible quantitative or qualitative  
19 impacts. The DEIS also lists potential mitigation  
20 measures that may be taken to avoid or minimize any  
21 adverse impacts.

22           The DEIS did not presume to quantify or  
23 qualify the community's value systems as they relate to  
24 various resources. We are looking to the communities to  
25 balance these various impacts against how each resource

1 is valued. These impacts may be social, environmental,  
2 and/or economic.

3 Based upon the DEIS's findings, and after  
4 due consideration, we're asking the general public and  
5 the area's elected officials to identify that route  
6 which best meets the community needs.

7 After a review of the DEIS and of comments  
8 received, NTTA anticipates the Dallas City Council will  
9 formally articulate by resolution or order which  
10 alternative, either the No-Build or one of the Build  
11 Alternatives, best meets the needs of the City.

12 Assuming a Build Alternative is recommended  
13 by Council, and depending on when Dallas City Council  
14 formalizes its recommendation by resolution, the NTTA  
15 Board of Directors will follow with a formal alternative  
16 recommendation possibly by the second quarter of this  
17 year.

18 As shown in the current slide, there are  
19 three general choices regarding the alignment  
20 recommendation:

21 If the Dallas City Council recommends the  
22 No-Build option, studies would cease.

23 If the recommendation is for an Industrial  
24 route, we anticipate that work on a final Environmental  
25 Impact Statement will be initiated.

1           If the Council recommends a river route, we  
2 anticipate that supplemental documentation will be  
3 required to address related hydraulic issues before a  
4 Final Environmental Impact Statement may be composed.

5           Following this public hearing event,  
6 documentation of the hearing will be forwarded to the  
7 Austin office of TxDOT for approval. Assuming a Build  
8 alternative is recommended, additional studies of that  
9 route will be done to more clearly define, quantify, or  
10 qualify its impacts. Final environment clearance is  
11 anticipated by first quarter of 2007 with the issuance  
12 of the Record of Decision.

13           We will then be in a position to proceed  
14 with detailed construction plans and right-of-way  
15 acquisition sometime between 2007 and 2008. Once the  
16 construction plans have been approved and the  
17 right-of-way and utilities have been cleared, we would  
18 then expect to be ready for construction in late 2007.  
19 Our target opening year is 2011.

20           Before the technical presentation begins, I  
21 would like to make clear that this is a Draft EIS. By  
22 that I mean that exact, quantified effects will not or  
23 cannot be known until detailed design of the formally  
24 adopted alignment is completed. The purpose of the DEIS  
25 is to provide local governments and the community with

1 the possible effects associated with each alternative  
2 considered as well as the mitigation strategies  
3 available.

4 At this time, I would like to introduce  
5 Mr. Martin Molloy to further discuss the alternatives  
6 considered and their geometric design futures.

7 MR. MOLLOY: Thank you, Chris. Consistent  
8 with -- I want to discuss the engineering design for the  
9 proposed Trinity Parkway.

10 Consistent with NEPA, an environmental  
11 document, and that's it in the picture, has been  
12 prepared and that's called Draft Environmental Impact  
13 Statement or EIS. The Draft EIS has been reviewed by  
14 the Federal Highway Administration and TxDOT. It has  
15 received their concurrence that the project can proceed  
16 to this public hearing. The document covers the  
17 anticipated social, economic, and environmental effects  
18 of the Trinity Parkway alternatives.

19 I will briefly review the findings of the  
20 Draft EIS in regard to the purpose of the project and  
21 the road alternatives under consideration. This  
22 information is primarily covered in Chapters 1 and 2 of  
23 the Draft EIS. David Morgan will follow me in  
24 discussing the environmental aspects of the project,  
25 which is primarily covered in Chapters 3, 4 and 5. If

1 you'd like to get further information on these topics,  
2 please refer to the Draft EIS. Chris has previously  
3 reviewed the location of the documents and how to obtain  
4 a copy.

5           The primary purpose of the Trinity Parkway  
6 Project is to provide a safe and efficient  
7 transportation solution to reduce traffic congestion and  
8 improve safety in the general area of the Dallas Central  
9 Business District. The project particularly focuses on  
10 congestion in the I-30 Canyon, the I-30/35 Mixmaster,  
11 and lower Stemmons Freeway.

12           The slide shows the goals for this project.  
13 They include improving mobility and minimizing  
14 environmental effects. Due to strong interest from City  
15 of Dallas citizens and enhancement of the Trinity  
16 Corridor, there is also a specific goal regarding  
17 compatibility with the local plans, as well as a goal to  
18 act on voter support of the \$84 million in funding for  
19 the Trinity Parkway in the May 1998 city bond election.

20           The severity of congestion in the Trinity  
21 Parkway corridor is evidenced by the designation of the  
22 Mixmaster as one of the top ten most notorious traffic  
23 bottlenecks in the nation by the American Automobile  
24 Association. With continued growth in population and  
25 employment, it is inevitable that there will be

1 additional traffic demand on the already overburdened  
2 existing facilities and hence the need for this project.

3 The Trinity Parkway is part of a plan of  
4 action for the Dallas CBD area developed by TxDOT in  
5 1998 in a planning study called the Trinity Parkway  
6 Corridor Major Transportation Investment Study. This  
7 pie chart shows the recommended plan of action from the  
8 TxDOT study with slices generally sized in proportion to  
9 the amount of transportation improvement provided.

10 Notably, the large slice at the upper right  
11 titled "New Reliever Route" represents Trinity Parkway.  
12 The large slice at the upper left titled  
13 "Canyon/Mixmaster" improvements represents direct  
14 improvements to the existing freeways, a project  
15 currently being processed by TxDOT under the name  
16 "Project Pegasus."

17 The remaining slices represent other ongoing  
18 projects, such as bicycle and pedestrian improvements,  
19 enhancements to DART rail transit and the extension of  
20 Woodall Rodgers Freeway across the Dallas Floodway to  
21 Beckley Avenue.

22 The Trinity Parkway EIS focuses only on the  
23 reliever route. Other parts of the TxDOT plan of action  
24 are being processed separately by the involved agencies.

25 The North Central Texas Council of

1 Governments, known as COG, is the metropolitan planning  
2 organization for the Dallas-Fort Worth region. COG,  
3 along with the Regional Transportation Council, which is  
4 a group of civic leaders, have identified the Trinity  
5 Parkway as a needed corridor and have included the  
6 facility in the Metropolitan Transportation Plan for the  
7 Dallas/Fort Worth region. The facility is also included  
8 in the air quality conformity analysis for the region.

9 To illustrate this point, this is the first  
10 of three maps provided to us by COG. It shows the  
11 congestion levels in the Dallas-Fort Worth area in 1999,  
12 with the red indicating severe congestion and the pink  
13 indicate moderate congestion. We've also showed the  
14 Trinity Parkway Corridor in blue in the center of the  
15 map.

16 The next slide shows COG's assumption -- its  
17 projection of the growth of congested areas by year 2025  
18 if we assume that no additional projects other than  
19 currently-committed and funded transportation projects  
20 are completed. This is clearly not the desired level of  
21 congestion in our region.

22 The final slide shows COG's projection of  
23 the year 2025 congestion assuming the full Regional  
24 Mobility Plan is implemented. There's two points to  
25 make, one, that the Regional Plan totals \$45 billion and

1 is multi-modal, that is, it includes road, transit,  
2 bicycle, etcetera. This plan also includes Trinity  
3 Parkway as one of the list of projects. Even with this  
4 level of investment, however, the Region does not  
5 completely remove congested areas.

6           The No-Build Alternative: I'm going to  
7 start the discussion of alternatives, which is basically  
8 Chapter 2 of the Draft EIS. Seven alternatives are  
9 under consideration, the No-Build along with six Build  
10 Alternatives.

11           The No-Build is identified as Alternative 1  
12 in the Draft EIS. This assumes the Trinity Parkway is  
13 not built. However, Alternative 1 includes  
14 transportation systems management and travel demand  
15 management in the corridor, as well as the other  
16 regionally planned projects, such as Project Pegasus,  
17 the Woodall Rodgers Extension, and the improvements to  
18 DART.

19           The Build Alternatives, as shown in the  
20 graphic, they are all approximately nine miles long, and  
21 are identified as Alternatives 2A, 2B, 3A, 3B, 4 and 5  
22 in the Draft EIS. They all connect for the interchange  
23 of Stemmons Freeway to John Carpenter Freeway in the  
24 north, to the interchange of 175 and State Highway 310  
25 in the south.

1           Two of the alternatives are located along  
2 Industrial Boulevard, shown in red, and four are located  
3 along the Trinity River Floodway shown in green. The  
4 alternatives have been determined to be reasonable for  
5 meeting the purpose and need of the Trinity Parkway.

6           This is a computer-generated photograph of  
7 the Trinity Parkway Corridor with the northern terminus  
8 at bottom left and the southern terminus at top right.  
9 I'll be using this photograph repeatedly tonight to  
10 describe the Build Alternatives.

11           First, before we get started, I want to give  
12 you some landmarks. In the foreground you can see the  
13 Stemmons Industrial District and West Dallas. Toward  
14 the center of the slide is the Central Business,  
15 Methodist Hospital, Oak Cliff on the west side, and in  
16 the distance, the Ideal Neighborhood and Cadillac  
17 Heights.

18           The next slide shows the freeways in our  
19 area shown in yellow. The notable ones for the Parkway  
20 Project are Interstates 30 and 35E as well as the  
21 Woodall Rodgers Freeway and Interstate 45 and SM Wright  
22 Freeway up at the top of the picture in the distance.

23           We have highlighted, also, the Trinity  
24 Floodway down the center of the photograph in green. We  
25 are showing the proposed future condition of the

1 floodway with the City of Dallas Urban Vision plan in  
2 place. This plan includes two proposed lakes near  
3 downtown and conversion of the straight channel of the  
4 river to a more meandering shown in the foreground of  
5 the picture. The lakes and other Urban Vision features  
6 are not part of the Trinity Parkway Project, but are  
7 being closely coordinated with this project as it is  
8 developed.

9 Finally, this image shows the cross-streets,  
10 and I'll refer to these names as we go through the  
11 alternatives. You can see Hampton and Sylvan Avenue in  
12 the foreground, the downtown which is Continental,  
13 Commerce, Houston and Jefferson toward the center there,  
14 and in the distance, Corinth Street and Martin Luther  
15 King, Jr. Boulevard.

16 The Build Alternatives: I will provide  
17 individual descriptions of each of the Build  
18 Alternatives, but first some comments applicable to all  
19 of them. All of them, all of the Build Alternatives,  
20 will be designated as controlled access toll roads.  
21 Controlled access means a driver can only get on and off  
22 the roadway via a ramp.

23 All would have grade separations at  
24 crossings of existing highways and local arterial  
25 streets. All would have a posted speed of 55 miles an

1 hour.

2 The Draft EIS is configuring each of the  
3 facilities as six lanes ultimately for the entire length  
4 of the corridor, and this is sized for the year 2025  
5 traffic.

6 The facilities toll collection comprise  
7 main-lane toll plazas and ramp toll plazas for all the  
8 Build Alternatives. Tolling and tolling locations will  
9 be subject to future traffic studies, but the best  
10 estimate at current rates is that a trip over the entire  
11 length of Trinity Parkway would cost in the range of  
12 \$1.00 to \$1.50. The rates will be established  
13 consistent with the rates over the rest of the NTTA toll  
14 system.

15 One final comment before I start discussion  
16 of alternatives, I'm going to use the photograph to  
17 describe the Build Alternatives and I will generally  
18 highlight differences between them. However, there are  
19 many additional plans and graphics around the room  
20 tonight, and I encourage you to look at these to get  
21 more detail, particularly if you have specific locations  
22 that you are interested in. Additionally, all the plans  
23 are available in the Draft EIS document.

24 This is Alternative 2A. It's highlighted in  
25 orange in the photograph. The alternative follows

1 Irving Boulevard north, then Industrial Boulevard down  
2 to the center of the corridor and Lamar Boulevard to the  
3 south.

4 As shown in the inset, Alternative 2A is  
5 built on a bridge structure elevated above the existing  
6 streets. It is therefore commonly referred to as  
7 "Industrial Boulevard Elevated."

8 The proposed roadway in Alternative 2A is  
9 physically wider than the existing streets underneath,  
10 and the road centerline moves on and off the existing  
11 road centerline due to geometric constraints.  
12 Therefore, right-of-way acquisition is extensive on this  
13 alternative.

14 Proposed interchanges are highlighted in the  
15 photograph. Generally, the Industrial Boulevard  
16 Alternatives have similar interchange locations to the  
17 various river alternatives, except they do not provide  
18 connections to Commonwealth Drive, which is here in the  
19 foreground, and Commerce Street near downtown, and they  
20 only provide partial connections to Houston-Jefferson  
21 Streets.

22 Toll plazas are now shown. The facilities  
23 for toll collection have a similar basic layout for most  
24 alternatives, with two main-lane toll plazas shown in  
25 yellow in the picture, one near Hampton and one near

1 Corinth Street, and smaller plazas shown in white at  
2 selected ramps.

3 Finally, this is a closer view of the  
4 southern half of Alternative 2A, looking from downtown  
5 to the south. You can see that the alignment follows  
6 Industrial Boulevard past Corinth Street and the DART  
7 Rail Bridge. The route then crosses over private  
8 property to align with Lamar Street, which follows to  
9 the southern terminus of US 175.

10 I will take this opportunity to point out  
11 that all of the Parkway Build Alternatives include  
12 connections to Interstate 45. There are ramp pairs  
13 serving to the south, to the west, and vice versa. And  
14 there are ramp pairs serving from the east to the north  
15 and vice versa. And this final pair from east to north  
16 can be made without any toll collection on the route.

17 Alternative 2B is, again, shown in orange.  
18 It follows the same general route as Alternative 2A.  
19 The principle difference is that the roadway is proposed  
20 to be constructed at grade on a wider right-of-way with  
21 service roads added to replace the function of the  
22 existing streets.

23 You can see that here in the foreground  
24 where the service roads fan out to replace the function  
25 of the existing arterial street. Alternative 2B is

1 commonly referred to as "Industrial Boulevard At-Grade."

2 The photograph highlights the interchanges  
3 in Alternative 2B. These are basically identical to the  
4 Industrial Boulevard Elevated Alternative except that  
5 there is no ramp access whatsoever to Houston-Jefferson  
6 Street.

7 The photograph highlights the toll plazas.  
8 These are basically identical to the Industrial  
9 Boulevard Elevated Alternative.

10 Finally, this is the southern half of  
11 Alternative 2B. It's basically the same route as  
12 Alternative 2A, except the road is built on a wider  
13 right-of-way with service roads along Industrial  
14 Boulevard down to Corinth Street. It then crosses to  
15 Lamar Street and is built as an elevated structure on  
16 that last leg down to the southern terminus.

17 Alternative 3A: This is the first of the  
18 River Alternatives. It follows the eastern levee of the  
19 Dallas Floodway in the northern and middle part of the  
20 corridor with the north and southbound lanes combined on  
21 one embankment. The alternative is commonly referred to  
22 as "Combined Parkway Original." The term "Original" is  
23 used to differentiate it from 3B, which was added later  
24 in the course of development of the alternatives.

25 As shown in the inset, Alternative 3A is

1 typically built on an earth embankment set on the river  
2 side of the Dallas Floodway Levee. The road is set  
3 above the 100-year in the Floodway to provide  
4 appropriate flood protection. However, the roadway is  
5 depressed below existing cross-streets, such as Hampton  
6 and Sylvan, using a floodway to protect the depressed  
7 segments.

8 The photograph highlights the interchanges  
9 on Alternative 3A. Note that compared to the Industrial  
10 Alternatives, there are additional interchanges on the  
11 south side of Commonwealth Street, at Commerce Street,  
12 and at the Houston-Jefferson couplet. The Alternative  
13 3A loop ramps at Woodall Rodgers Freeway have caused  
14 some concerns at the City of Dallas because of visual  
15 intrusion issues relative to the proposed signature  
16 bridge and lake in this area.

17 The toll plazas proposed for this  
18 alternative are now highlighted. These are similar to  
19 the Industrial Alternatives, again, the yellow  
20 rectangles represent main-lane toll plazas, which extend  
21 all the way across the main lanes, and the white  
22 rectangles represent plazas on individual ramps.

23 The slide shows the southern half of  
24 Alternative 3A. Whereas Alternatives 2A and 2B  
25 generally follow Lamar Street in this segment,

1 Alternatives 3A, 3B, 4 and 5 all follow the Dallas  
2 Floodway Extension levee proposed by the City and the  
3 Corps of Engineers.

4 This graphic now shows the Floodway  
5 Extension levee, which is shown in green. The levee  
6 extends off of the south end of the existing Dallas  
7 Floodway levees shown in gray, and continues south to  
8 Rochester Park. The roadway proposed follows the river  
9 side of this levee to Martin Luther King Boulevard and  
10 then crosses to the land side of the levee and continues  
11 in this position to the southern terminus.

12 Alternative 3B: Alternative 3B follows the  
13 same general alignment as Alternative 3A. It is  
14 similarly built on an earth embankment. The alternative  
15 is commonly referred to as "Combined Parkway Modified"  
16 because it represents a modification of Alternative 3A,  
17 primarily involving adjustment of the ramping scheme.

18 Whereas, Alternative 3A, the last  
19 alternative that was introduced at the scoping of  
20 Trinity Parkway in 1999, Alternative 3B was added in the  
21 fall of 2003 at the request of the City of Dallas. The  
22 alternative is associated with the Balanced Vision Plan  
23 for the Trinity River Corridor published by the City of  
24 Dallas in December 2003.

25 The photograph highlights the interchange as

1 Alternative 3B. Note that compared to the other River  
2 Alternatives, there are no connections from the south of  
3 the Woodall Rogers Freeway and no connections at  
4 Commerce Street. The alternative relies instead on an  
5 enhanced connection to Industrial Boulevard in the  
6 Corinth Street area to distribute traffic arriving from  
7 or departing to the south. It thereby reduces the  
8 traffic on the Trinity Parkway on the segment near the  
9 proposed downtown lakes.

10 The toll plazas proposed for Alternative 3B  
11 are highlighted. Alternative 3B differs from the other  
12 Build Alternatives in that it only has one main-lane  
13 plaza located here at the north end, rather than two  
14 main-lane plazas north and south as shown in the other  
15 alternatives. Additionally, the north plaza is  
16 relocated further north over Irving Boulevard. Whereas  
17 the north main plazas for the other alternatives are  
18 located south of Hampton Road.

19 This slide then shows the southern half of  
20 Alternative 3B. It is generally identical to  
21 Alternative 3A. The only exception is the use of the  
22 braided ramp, which allows a higher capacity connection  
23 to Industrial Boulevard.

24 Alternative 4: For Alternative 4, the  
25 roadway splits into a couplet in the area of the Dallas

1 Floodway. The southbound lanes follow the west levee  
2 and the northbound lanes follow the eastern levee. The  
3 roads combine back together downstream of Interstate 35E  
4 and follow an identical route to Alternatives 3A and 3B  
5 to the southern terminus. Alternative 4 is commonly  
6 referred to as "Split Parkway Riverside."

7 As shown in the inset, Alternative 4 is  
8 typically built on an earth embankment set on the river  
9 side of the Dallas Floodway Levee. The inset shows only  
10 the northbound lanes on the east levee, but the  
11 configuration of southbound lanes on the west levee  
12 would be similar. Similar to Alternatives 3A and 3B,  
13 the road is set above the 100-year flood to provide  
14 appropriate flood protection and depressed below  
15 existing cross-streets using flood walls.

16 The photograph highlights the interchanges  
17 in Alternative 4. The layout of interchanges basically  
18 provides similar access points to Alternative 3A, except  
19 the ramps are split apart, generally with one pair on  
20 the east levee and one pair on the west levee as shown.  
21 The toll plazas for this alternative are highlighted.  
22 These are similar to Alternative 3A.

23 Finally, the slide shows the southern half  
24 of Alternative 4. The road is generally identical to 3A  
25 downstream of the convergence of the split roadways at

1 Corinth Street.

2 Alternative 5: Alternative 5 has a split  
3 configuration similar to 4, except that the roadway sits  
4 on the land side of the Floodway levees rather than on  
5 the river side. The Alternative is commonly referred to  
6 as "Split Parkway Landside."

7 As shown in the inset, Alternative 5 is  
8 typically built on an earth embankment with retaining  
9 walls added to prevent the embankment from spilling over  
10 into the adjacent sumps. The road is depressed below  
11 existing cross-streets, which in most cases requires the  
12 existing streets to be re-built or raised for some  
13 distance back from the levees to create enough  
14 clearance. Additionally, Alternative 5 conflicts with  
15 existing flood control pump stations on the land side of  
16 the levees requiring rebuilding of the affected pump  
17 stations.

18 The photograph highlights the Alternative 5  
19 interchanges, and these are basically very similar to  
20 Alternative 4 and provides the same access points. The  
21 toll plazas for the alternative are also similar to  
22 Alternative 4. And, finally, the southern half of the  
23 project really is very similar to Alternative 4 once the  
24 roads come back to together.

25 This is a comparison table of the

1 alternatives listing lengths, right-of-way acquisition  
2 cost, and so forth. As shown in the table, the lengths  
3 of all the Build Alternatives, for all practical  
4 purposes, are the same with just a little less than nine  
5 miles and that's the top line there.

6 But the next line down is the area of  
7 right-of-way. Alternative 4 has the highest estimated  
8 right-of-way. And it should be noted that the  
9 right-of-way areas calculated for the River Side  
10 Alternatives are assumed to include all land from the  
11 existing top of the levee to the proposed toe of levee.

12 And this is more than is strictly needed for  
13 the footprint of the road and includes substantial areas  
14 of grassed levee slopes. Therefore the right-of-way  
15 areas for the River Alternatives are somewhat inflated.  
16 The effect is most pronounced for Alternative 4, which  
17 counts slopes for both the east and the west levees.

18 Going down to the bottom line costs,  
19 Alternative 3A is the least cost Build Alternative,  
20 followed closely by Alternatives 3B and then 4. All of  
21 these are river routes.

22 Alternatives 2A and 2B, both are on  
23 Industrial Boulevard, are the highest overall cost  
24 alternatives. They have substantially higher  
25 right-of-way acquisition costs compared to the river

1 alternatives.

2           The last thing, this is a repeat of Chris's  
3 possible cost-sharing slide. As shown, the City of  
4 Dallas contributes 84 million to the project from the  
5 bond election. NTTA has estimated bonds from tolls  
6 could contribute at least 150 million, and that's  
7 subject to a final investment study on this project.  
8 The remaining funding would come from TxDOT and Federal  
9 Highway sources. The last contribution is shown as a  
10 range of 434 million representing the least cost  
11 Alternative 3A to 1.1 billion, representing the highest  
12 cost alternative, which is 2A.

13           Park access: Each of the River Alternatives  
14 has a potential effect on access to the parks and the  
15 recreational facilities proposed by the City of Dallas  
16 in the Dallas Floodway. The photograph of Alternative  
17 3A on the screen illustrates this effect. The presence  
18 of the road along the eastern levee could potentially  
19 block access points to the Floodway from the major  
20 crossing streets, which are shown in green, and from the  
21 neighborhoods, which are shown in red arrows.

22           To avoid blocking the park access, the  
23 schematic designs for Alternatives 3A, 3B, 4, and 5  
24 include ramps down from the major street crossings to  
25 the Floodway where needed to provide vehicular access.

1 The photo shows a typical ramp, highlighted in green, at  
2 Sylvan Avenue. Additionally, the designs call for  
3 underpasses of the Parkway at various locations to  
4 support pedestrian and bicycle access from  
5 neighborhoods. These are shown in the photograph in  
6 red, and are typically spaced about a half-mile apart.

7 The access points are specifically located  
8 for each of the alternatives on the schematic plan. The  
9 graphic at the bottom right of the slide shows the  
10 programmed locations for the entire corridor.

11 Generally, the combined Parkway Alternatives 3A and 3B  
12 account for access only along the east levee. The split  
13 Parkway Alternatives 4 and 5 account for access along  
14 both levees.

15 Access to Interstate 35: There's been a lot  
16 of interest in access to 35, South RL Thornton, which is  
17 shown on the right side of the diagram into Oak Cliff.  
18 The Build Alternatives provide different levels of  
19 access to this interstate. The Industrial Boulevard  
20 Alternatives 2A and 2B provide no access to Interstate  
21 35 due to geometric constraints in the Mixmaster area.

22 The combined Parkways, 3B and 3A, and this  
23 slide represents them, provide access to Interstate 35  
24 as shown in the photo. Generally, the eastbound to  
25 southbound movements use the Houston Street bridge to

1 cross the Floodway, and then there are two options  
2 provided in the Draft EIS for accomplishing the  
3 connection to 35 south, one with the emphasis on making  
4 the movement without the lights and traffic signals, and  
5 the other with intersections with a possible local  
6 street on the south levee.

7           These options are illustrated in Plate 2-10A  
8 in the document. The northbound to westbound movement  
9 uses either a U-turn or a loop ramp to provide the  
10 connection onto the westbound Parkway on the north side  
11 of the Floodway. These options are illustrated in Page  
12 2-10C in the document.

13           The access to 35E from the split Parkway,  
14 Alternatives 4 and 5, are shown on this photograph. The  
15 north to westbound movement is the same as shown for  
16 Combined Parkways. The east to southbound movement  
17 occurs on the south levee, with one option involving  
18 at-grade intersections with Houston and Jefferson, and  
19 another option providing a bypass ramp under these  
20 streets on the back side of the levee. These two  
21 options are shown in Plate 2-10B. We're basically  
22 asking for citizen input on these various options in the  
23 document.

24           Staged construction: As stated previously,  
25 all of the Build Alternatives are ultimately configured

1 as for six-lane facilities for the entire length of the  
2 corridor. However, they are proposed to be  
3 stage-constructed initially, with six lanes north of the  
4 Woodall Rodgers and four lanes to the south.

5 As shown in the inset, the four-lane  
6 sections will be built by leaving out the middle lanes  
7 in the initial construction and keeping a larger  
8 vegetated median. There would be sufficient width of  
9 the median to allow for future expansion from four to  
10 six lanes as traffic warrants.

11 The SM Wright Freeway downgrade: SM Wright  
12 Freeway is about a one-mile segment of expressway  
13 located near the southern terminus of Trinity Parkway  
14 and shown highlighted in the green on the right side of  
15 the slide there. Currently, all traffic arriving on US  
16 175 travels this segment through a residential  
17 neighborhood to reach Interstate 45.

18 If Trinity Parkway is built, it would  
19 facilitate a bypass of SM Wright, bypassing traffic  
20 directly to the west on Interstate 45. As shown  
21 previously, this segment, this connection would have no  
22 toll plazas and would be free to motorists.

23 The potential effect on the neighborhood is  
24 shown in this close-up photograph. By bypassing through  
25 traffic to the west along the proposed parkway, along

1 that dashed yellow arrow, it is expected that the  
2 segment of SM Wright, which is shown in orange, could be  
3 substantially reduced in traffic. There is a high  
4 interest among the citizens, local citizens, and elected  
5 officials in taking this opportunity to convert SM  
6 Wright back to an arterial street section with at-grade  
7 crossings and slower speeds. The Trinity Parkway would  
8 create the opportunity that this type of change could  
9 occur.

10 US-175 ramp options: The Draft EIS includes  
11 two options for ramps in the area, Bexar Street and SM  
12 Wright Freeway at the southern terminus. These options  
13 were added based on meetings with citizens in the  
14 affected area.

15 Basically, Option 1, on the left, focuses  
16 ramps towards the SM Wright connection. Option 2, on  
17 the right, focuses ramps and traffic flow toward the  
18 Bexar Street connection. Both of these options are  
19 technically feasible and we're looking for citizen input  
20 from the public on this selection.

21 Finally, traffic volume plots: The Draft  
22 EIS includes traffic volume plots for the various Build  
23 Alternatives. The example on the screen shows the  
24 estimated traffic for the Industrial Alternatives. In  
25 general, the road produces in the range of 100,000 to

1 115,000 vehicles per day on the main lanes in the year  
2 2025. This volume is similar to the southern segments  
3 of Dallas North Tollway.

4 This slide then shows the projected traffic  
5 for the River Alternatives, and these are in the range  
6 of 100,000 to 115,000 main-lane volumes on the Parkway.

7 And, finally, this slide shows the volumes  
8 for River Alternative 3B. That varies a little bit in  
9 the center segment because of the difference in ramping  
10 and toll plaza layouts.

11 The points I want to make on all this is  
12 that these are 2025 volumes, and they're subject to the  
13 effective tolls and that's gone into the assumptions.  
14 They also assumed that all other major improvements in  
15 the corridor, Project Pegasus, Woodall Rodgers  
16 Extension, DART, etcetera, are also in place. And this  
17 is still the volume that arrives on the Trinity Parkway.

18 That concludes my remarks on design of the  
19 project. As I stated earlier, there are many additional  
20 plans and graphics of the alternatives around the room,  
21 and I encourage you to take a look at these to get more  
22 detail, particularly the specific locations that you are  
23 interested in. I will now introduce David Morgan.  
24 David will discuss the environmental effects of the  
25 project.

1           MR. MORGAN: Thank you, Martin. As Chris  
2 has mentioned, we are currently in the planning phase of  
3 the project that may receive federal funding. The  
4 Trinity Parkway project process has been prepared under  
5 the Federal National Environmental Policy Act, or NEPA.  
6 The Federal Highway Administration, or FHWA, is the lead  
7 federal agency in this process in cooperation with the  
8 Texas Department of Transportation and the North Texas  
9 Tollway Authority. The US Environmental Protection  
10 Agency is a cooperating agency in this study.

11           The NEPA regulations prescribe methods for  
12 mitigating impacts. Design refinements may include  
13 avoidance; minimize the impacts by limiting the scope of  
14 the action; enhancements which are rehabilitating or  
15 restoring the affected environment; and compensating for  
16 the impact by replacing or providing substitute  
17 resources or enhancements.

18           Mitigation and enhancements can be eligible  
19 for federal funding if the impact for which the  
20 mitigation was prescribed actually resulted from the  
21 project.

22           The Trinity Parkway is a complex project  
23 with several alternatives located on new alignments.  
24 Therefore, the NEPA process -- the NEPA document is  
25 being processed as an Environmental Impact Statement, or

1 EIS. We are in the preliminary stage of the EIS  
2 evaluation. The current document we are presenting  
3 tonight is considered a Draft EIS.

4 The DEIS also contains preliminary Section  
5 4(f) evaluation. Section 4(f) regulations were  
6 established by the US Department of Transportation to  
7 provide protection to significant public park and  
8 recreation lands, wildlife and water fowl refuges, and  
9 significant historic sites.

10 The Section 4(f) regulations stipulate that  
11 the Secretary of Transportation will not approve any  
12 program or project which requires the use of any  
13 significant publicly owned parkland, recreation area, or  
14 wildlife refuge area, or any land from a historic site  
15 of national, state, or local significance unless:

- 16 1. There is no feasible or prudent  
17 alternative to be used; and
- 18 2. All possible planning to minimize harm  
19 resulting from such use is included.

20 Overall, the DEIS discusses the social,  
21 economic, and environment effects of the proposed  
22 alternatives. As Martin mentioned, a No-Build  
23 Alternative and six Build Alternatives are being  
24 evaluated. All alternatives have been evaluated  
25 equally, and there is no recommended alternative

1 identified at this time.

2 Martin previously described the six Build  
3 Alternatives, and I'd just like to show this slide to  
4 refresh you on the differences of the different  
5 alternatives to help you evaluate the potential impacts  
6 as I go through the discussion of each of the resources.

7 The simplified flow chart that Chris also  
8 described is shown on this slide and is on display in  
9 the arena along with a representative list of  
10 environmental regulations pertaining to NEPA.

11 The orange arrow points to the public  
12 hearing, which is where we are in the EIS process. As  
13 Chris described, if one of the Industrial Boulevard  
14 Alternatives is identified as the preferred alternative,  
15 then the EIS will move toward a final EIS. If one of  
16 the River Alternatives is identified as the preferred  
17 alternative, then supplemental NEPA documentation would  
18 be required in cooperation with the Corps of Engineers  
19 prior to final EIS preparation.

20 The EIS process concludes with the  
21 completion of the environmental review and the impact  
22 documentation process, followed by a signed Record of  
23 Decision by FHWA. This would permit the proposed action  
24 to proceed to the final design and construction phases.

25 Martin just presented a summary of Chapters

1 1 and 2, which were the purpose and need and the  
2 description of alternatives. Chapter 3 describes the  
3 affected environment or the baseline existing conditions  
4 of the study area. There are ten exhibit boards located  
5 around the arena that depict many of the existing  
6 environmental conditions of the study area.

7 This slide shows the various resources and  
8 issues that have been evaluated for each alternative.  
9 They are discussed in Chapter 4, Environmental  
10 Consequences. The resources or issues that are  
11 highlighted on this slide are the topics that have  
12 received the most interest to date.

13 There's a summary table in the blue handout  
14 you received tonight in the registration. The summary  
15 table presents the results of all of the analyses for  
16 all of the resources and issues. It presents a good  
17 overview of all the potential effects for each  
18 alternative.

19 Now I would like to give you a brief  
20 overview of the relevant topics. If you want more  
21 information on any of the resources or issues, or are  
22 interested in one of the other topics not covered  
23 tonight, we have staff around the exhibits that can help  
24 answer questions. I suggest you obtain a copy of the  
25 DEIS, or review it at one of the locations listed in

1 your handout materials.

2 Environmental Justice addresses  
3 disproportionately high and adverse of human health or  
4 environmental effects on minority and low-income  
5 populations. The Socio-economic Analysis was based on  
6 the 2000 U.S. census. This slide shows representative  
7 minority census block group areas that are located  
8 within the project area.

9 The yellow lines shows the project limits  
10 and is depicted on the 2003 aerial photograph. Based on  
11 the results of the analysis, the primary impacts to  
12 these areas would include acquisition of property;  
13 residential and business relocation; increase in  
14 traffic; proximity effects, such as noise and visual  
15 intrusion; and construction impacts.

16 The Trinity Parkway project has been  
17 presented at minority community meetings to solicit  
18 community involvement. The Trinity Parkway Community  
19 Advisory Work Group has met twelve times and has several  
20 representatives from minority communities. We have  
21 conducted presentations in West Dallas held at the Kings  
22 Bridge Community Center and several meetings in South  
23 Dallas with the Ideal Neighborhood, New Hope Baptist  
24 Church, and T.R. Hoover Community Center.

25 Based on the South Dallas meetings, we've

1 developed an alternative to the original ramp  
2 configuration at Bexar Street. The alternative Bexar  
3 Street ramping configuration that Martin just presented  
4 is an example of the project reevaluation based on  
5 community involvement.

6 Meetings and discussions with the  
7 potentially effected neighborhoods have occurred and  
8 will continue if a Build Alternative is recommended.  
9 With the proposed mitigation, it is anticipated that the  
10 impacts will be adequately mitigated, and therefore  
11 would not be high or adverse.

12 The proposed action is similarly consistent  
13 with Title VI of the Civil Rights Act, and there is no  
14 discriminatory intent or effect. The proposed action  
15 offers the possibility of long-term benefits to those  
16 areas and their residents.

17 This slide identifies historic resources  
18 within the study area. A historic -- a significant  
19 historic site is defined as a site or structure, which  
20 is fifty years or older, which is listed or eligible for  
21 listing on the National Register of Historic Places as  
22 determined by the Texas Historical Commission.

23 The Houston Street Viaduct was constructed  
24 in 1912 and crosses the Dallas Floodway, and the  
25 Colonial Hill Historic District located east of Lamar

1 Street are both listed on the National Register of  
2 Historic Places and are highlighted in yellow.

3 There are six other bridges that cross the  
4 Dallas Floodway that have been evaluated by the Texas  
5 Historical Commission and determined to be eligible for  
6 the National Register of Historic Places. The eligible  
7 sites are highlighted in green. The six eligible  
8 bridges are:

9 The UP, Union Pacific Railroad Bridge; the  
10 Corinth Street Viaduct; the AT&SF Railroad Bridge; MKT  
11 Railroad Bridge; Continental Avenue Viaduct; and the  
12 Commerce Street Viaduct.

13 Five eligible historic properties generally  
14 located along Lamar Street and Industrial Boulevard  
15 could potentially be displaced by one or more of the  
16 Build Alternatives. As shown on the board in back of  
17 the arena, the Industrial Boulevard Alternatives could  
18 impact the Colonial Hill Historic District and the  
19 Industrial At-Grade Alternative impacts for historic  
20 buildings.

21 The River Alternatives, Alternatives 3A, 3B,  
22 4, and 5 have a greater impact on the historic bridges  
23 mainly related to ramp connections from the proposed  
24 Trinity Parkway.

25 A Section 4(f) evaluation will be completed

1 for each of the alternatives to document if there is no  
2 feasible prudent alternative to the use of the historic  
3 structure. The 4(f) evaluation will present all  
4 possible planning to minimize harm resulting from such  
5 use.

6 Project noise impacts will be evaluated in  
7 accordance with TxDOT and FHWA guidelines and  
8 regulations. The noise modeling was accomplished by  
9 using the FHWA Traffic Noise Model and was based on  
10 existing and predicted 2025 traffic volumes. The FHWA  
11 has established noise abatement criteria for various  
12 lane use activity areas.

13 The noise criteria is used as one of two  
14 ways to determine when a traffic noise impact would  
15 occur. The Absolute Criteria is if the exterior noise  
16 level approaches, equals, or exceeds 67 decibels in  
17 residential areas and 72 decibels in commercial areas.  
18 The Relative Criterion is if the noise increases by more  
19 than ten decibels.

20 When a noise impact is predicted to occur,  
21 mitigation must be considered. The most common form of  
22 noise mitigation is a construction of noise walls. All  
23 of the Build Alternatives merge together at both the  
24 north and south termini of the study area. The majority  
25 of the noise impacts occur in these areas and are common

1 to all Build Alternatives.

2           These common noise impacts include 125  
3 residences and one park, Sleepy Hollow Park, which is  
4 located at the northern terminus east of SH 183 and  
5 I35E.

6           This slide shows the Industrial Boulevard  
7 Build Alternatives. The noise impacted areas are shown  
8 in yellow. In addition to the common noise impact  
9 areas, noise impacts occur along Lamar Boulevard in the  
10 vicinity of Colonial Hill Historic District.

11           This slide shows the Split Parkway Landside  
12 Alternative. In addition to the common area impacts  
13 just described, noise impacts occur along Canada Drive  
14 in West Dallas with most localized impacts occurring  
15 near proposed ramp connections with other crossing  
16 streets.

17           Noise walls were evaluated for this  
18 alternative, which showed most of the noise coming from  
19 the crossing streets. And because the tollway is  
20 elevated already, noise walls were not that effective  
21 and did not produce the required five decibel reduction.

22           This slide shows the total noise impacts for  
23 each of the Build Alternatives. The Combined  
24 Alternatives 3A and 3B had the fewest impacted receivers  
25 with 128 each. The Split Parkway Landside Alternative

1 has the most impacted noise receivers with 226. As  
2 stated previously, 126 of these impacts are in the areas  
3 common to all the Build Alternatives.

4 Noise levels may be mitigated by the  
5 construction of noise walls. A noise barrier analysis  
6 was performed for the impacted areas for each  
7 alternative. Based on the analysis, noise walls were  
8 determined to be both feasible and reasonable only at  
9 the residential neighborhoods located at the common area  
10 at the south terminus of the project.

11 In this area from Lamar Street to the south  
12 project termini, all project alternatives are the same  
13 and, consequently, the proposed noise walls are  
14 reasonable and feasible for all alternatives.

15 A series of exhibits are located in the  
16 arena that show the areas of noise impacts and the  
17 location of the proposed noise walls. This conceptual  
18 enhancement exhibit also shows some of the potential  
19 improvements related to Environmental Justice. The  
20 potential mitigations include:

21 Improved local street circulation;  
22 landscaping; noise walls; context sensitive design; and  
23 improvement for mass transit.

24 This slide shows the location of wetlands  
25 and Waters of the U.S. within the project area. The

1 U.S. Army Corps of Engineers regulates potential impacts  
2 to Waters of the U.S. through their Section 404  
3 permitting program. Areas regulated under the Section  
4 404 program are collectively referred to as Waters of  
5 the United States or Waters of the U.S. Included are  
6 any part of the surface water tributary system down to  
7 the smallest of streams, any lake, pond or water body  
8 that's connected to those streams and wetland.

9 Wetlands are special aquatic sites and are  
10 found in many different forms such as bottom land,  
11 hardwood forests, wet meadows, and bogs. Emergent  
12 wetlands are shallow waters that contain rooted aquatic  
13 plants that are the most common type of the wetland  
14 within the study area.

15 The proposed Trinity Parkway would cross  
16 water bodies within the study area using bridges and  
17 concrete box culverts. The use of bridges would likely  
18 minimize impacts to wetlands and aquatic areas, although  
19 bridge construction may require placement of fill  
20 material, such as dirt, concrete, and bridge piers  
21 within jurisdictional waters.

22 The River Alternatives and associated  
23 excavation areas, which could be used for roadway  
24 embankment, would require the placement of fill material  
25 in or the excavation of jurisdictional waters.

1           The interior River Alternatives would result  
2 in the largest average loss of Waters of the U.S. with  
3 151 acres for the Combined Alternatives and 153 acres  
4 for the Split Parkway Riverside Alternative. Excavation  
5 of emergent wetlands represents the largest type of  
6 impact. These excavated areas could be designed to  
7 provide some wetland mitigation features. The Split  
8 Landside Alternative could have the greatest impact on  
9 the interior drainage sumps.

10           This slide shows the right-of-way footprint  
11 for each Build alternative on the Natural Features,  
12 which includes jurisdictional waters and woodlands.

13           Mitigation for jurisdictional water impacts  
14 would occur through the Section 404 permitting program  
15 that would be coordinated by the U.S. Army Corps of  
16 Engineers. The Corps is responsible for confirming all  
17 jurisdictional water determinations as well as  
18 establishing the appropriate permitting and mitigation  
19 requirements.

20           Mitigation could include the preservation or  
21 enhancement of existing jurisdictional areas or the  
22 creation of new wetlands and associated vegetation  
23 plantings.

24           This same slide shows the regulatory  
25 floodplains established by the Federal Emergency

1 Management Agency, or FEMA, from the Flood Insurance  
2 Rate Maps. The 500-year floodplain occurs behind the  
3 Trinity Floodway levees, and this 500-year floodplain  
4 area is shown in the light blue shade. The 100-year  
5 floodplain is shown in the dark blue shading.

6 The potential floodplain impacts for each  
7 Build Alternative were identified, evaluated, and  
8 calculated based on the preliminary plans for the  
9 roadways and their corresponding rights-of-way.

10 The River Alternatives 3A, 3B, 4, and 5  
11 would result in the greatest amount of encroachment on  
12 the 100-year base floodplain elevation, ranging from a  
13 low of 324 acres for the Split Parkway Landside, which  
14 is Alternative 5, to a high of 442 acres for the Split  
15 Parkway Riverside Alternative 4.

16 The mitigation for floodplain impacts will  
17 be developed through permitting reviews by the Corps,  
18 FEMA, and the City of Dallas.

19 Based on preliminary hydraulic analysis  
20 conducted during the Major Transportation Investment  
21 Study and this DEIS, encroachments on the floodplain do  
22 not increase the base flood elevation to a level that  
23 would violate applicable FEMA floodplain regulations.

24 If a River Alternative is identified as the  
25 preferred alternative, a detailed hydraulic study would

1 be conducted. The study would determine if the 100-year  
2 base flood elevation would increase due to the  
3 construction of the Parkway within the impacted  
4 floodplains. The detailed hydraulic analysis would  
5 demonstrate that adequate measures have been taken to  
6 ensure that any floodplain encroachments would not  
7 increase the risk of flooding to adjacent properties and  
8 would comply with all federal, state, and local  
9 floodplain regulations.

10 This slide shows the location of high-risk  
11 hazardous material sites. The green dots on the slide  
12 show the location of hazardous material sites. There  
13 are several clusters of these hazardous sites located  
14 primarily along Lamar and Industrial Boulevard in the  
15 southern portion of the study area.

16 There are 33 hazardous or regulated material  
17 sites identified within 500 feet of the Build  
18 Alternatives right-of-way. Each of the six Build  
19 Alternatives would impact hazardous material sites  
20 ranging from a low of 15 sites for the combined  
21 alternatives to a high of 28 sites for the Industrial  
22 Boulevard At-Grade.

23 Some of the hazardous material sites may be  
24 avoided through final design. If required, the clean-up  
25 or remediation of these waste sites could have a

1 beneficial effect on the area.

2 This slide also shows the existing and  
3 proposed parks within the project area. Existing parks  
4 are shaded in dark green and proposed parks are shaded  
5 in light green.

6 The Trinity River Greenbelt Park, which is  
7 located within the Dallas Floodway, is the only park  
8 directly impacted by acquisition of land for  
9 right-of-way. The impact for parkland ranges from a low  
10 of zero acres for the Industrial Boulevard Alternatives  
11 to a high of 205 acres for the Split Riverside  
12 Alternative.

13 The mitigation for parkland would occur in  
14 the final design of the project. The mitigation could  
15 be in the form of park access alternatives. Examples of  
16 park access types are displayed in the back of the arena  
17 on various boards. Other mitigation features could be  
18 the development of hike and bike trails, tree plantings,  
19 and context sensitive design.

20 Each of the Build Alternatives would result  
21 in varying degrees of residential, commercial, and  
22 community facilities displacements. This slide shows a  
23 portion of the proposed right-of-way acquisition along  
24 the southern terminus, which is common to all the Build  
25 Alternatives. Impacted properties that would require

1 relocation are highlighted with different colors  
2 representing commercial properties in brown, residential  
3 properties in blue, and public facilities represented in  
4 purple. No schools, places of worship, or cemeteries  
5 would be displaced by any of the project alternatives.  
6 Exhibits are located in the arena that depict the  
7 required displacements for each of the Build  
8 Alternatives.

9           For residential displacements, seven are  
10 common to all the Build Alternatives. These are located  
11 near the southern terminus along Colonial Avenue and  
12 Starks Street between Lamar Street and US-175 in the  
13 southern terminus.

14           Each of the Build Alternatives will require  
15 new right-of-way to construct the facility. This slide  
16 summarizes the right-of-way acreage required for each  
17 Build Alternative and how much land is publicly owned  
18 and how much is privately owned.

19           The publicly owned land generally  
20 corresponds to city street right-of-way and city  
21 parkland. The Industrial Boulevard At-Grade Alternative  
22 requires the greatest amount of private land at 212  
23 acres, and the Combined Original 3A requires the least  
24 at 103 acres. The Split Riverside Alternative requires  
25 the most public owned land at 388 acres with the

1 Industrial Elevated requiring the least with 131 acres.

2 The total of the right-of-way requirements  
3 range from a low of 252 acres for the Industrial  
4 Elevated to a high of 495 acres for the Split Riverside  
5 Alternative.

6 This slide summarizes the number of building  
7 displacements. The Industrial Elevated and the  
8 Industrial At-Grade has the largest number of total  
9 displacements with 297 and 247 respectively.  
10 Residential displacements range from a high of 24 for  
11 the Split Landside to a low of eight for the Combined  
12 Alternatives.

13 Public facility displacements include a fire  
14 station, sump pump stations, and DISD maintenance  
15 facilities. There are four public facilities  
16 displacements for the Industrial At-Grade and Split  
17 Landside Alternatives and three for the Industrial  
18 Elevated. The Interior River Alternatives have no  
19 public facility impacts.

20 The Industrial Elevated Alternative has the  
21 greatest number of relocations with 297, and the  
22 Combined Original Alternative has the least with 31  
23 displacements. Ms. Sherri Turner will provide more  
24 details on the number and types of displacements for  
25 each alternative in her upcoming presentation.

1                   This slide shows the possible permits and  
2 agreements that would be required in order to construct  
3 one of the Build Alternatives and the issuing agency.  
4 If one of the Industrial Boulevard Alternatives, or  
5 Split Landside Alternatives is selected, then there may  
6 be less permitting requirements related to  
7 jurisdictional waters and floodplain impacts.

8                   The development of mitigation plans and  
9 monitoring program will be developed and refined during  
10 the final design if a Build Alternative is recommended.  
11 Some of the mitigation features that are shown on this  
12 slide and include:

13                   Noise walls; wetland restoration or  
14 creation; vegetation plantings for habitat loss or  
15 landscape enhancements; Section 4(f) historic structures  
16 mitigation; pedestrian improvements, including trails  
17 and sidewalks; and potential transit improvements  
18 through coordination with DART to enhance transit  
19 throughout the study area.

20                   In summary, this presentation was an  
21 overview of the project alternatives and descriptions of  
22 some of the findings to date. Each Build Alternative  
23 has different effects on social, economic, and  
24 environmental.

25                   Based on our findings, the Trinity Parkway

1 Build Alternatives would not result in unavoidable  
2 adverse impacts that cannot be mitigated and therefore  
3 reduced to a minimum.

4 If you would like to have more information  
5 on these, or other topics or review the analysis of  
6 findings, please refer to the DEIS.

7 I will now turn the presentation over to Ms.  
8 Sherri Turner of NTTA's legal department to discuss the  
9 right-of-way acquisition and relocation process.

10 MS. TURNER: Thank you, David. Good  
11 evening, ladies and gentlemen. I would like to take a  
12 few minutes to present some information about the  
13 right-of-way acquisition phase of the project.

14 Alternative 2A will displace 281 commercial  
15 buildings and 13 single-family residences.

16 Alternative 2B will displace 234 commercial  
17 buildings and 9 single-family residences.

18 Alternative 3A will displace 23 commercial  
19 buildings and eight single-family residences.

20 Alternative 3B will displace 31 commercial  
21 buildings and eight single-family residences.

22 Alternative 4 will displace 26 commercial  
23 buildings and 13 single-family residences.

24 Alternative 5 would displace 35 commercial  
25 buildings and 24 single-family residences.

1           No churches or cemeteries will be displaced.

2           The following will describe the right-of-way  
3 procedures:

4           Two booklets are available for you at the  
5 right-of-way table at the back of this room. One is  
6 titled "The Purchase of Right-of-way" and the other one  
7 is titled "Relocation Assistant."

8           If there is a possibility that a portion of  
9 your property may be acquired and you did not pick up a  
10 booklet, you may obtain copies at the right-of-way table  
11 during the break.

12           These booklets contain a significant amount  
13 of information. Rather than try to cover all of this  
14 material in detail this evening, I will acquaint you  
15 with the most -- the answers to the most commonly asked  
16 questions.

17           Before the right-of-way acquisition process  
18 may begin, the acquiring entity must obtain  
19 environmental clearance, interlocal agreements, and  
20 approved right-of-way map and funding. With the route  
21 approved, maps and legal descriptions will be prepared  
22 to show the amount of land to be acquired from each  
23 affected property owner.

24           All of the land is to be used for public  
25 purposes and will be acquired in the name of the

1 acquiring entity. Standard procedures for many projects  
2 is that the local governments will be responsible for  
3 real property and utility relocation.

4 Cost associated with the purchase of real  
5 property will be the responsibility of the acquiring  
6 entity. All acquisitions must be conducted pursuant to  
7 the Uniform Relocation Assistance and Real Property  
8 Acquisition Policies Act of 1970 as amended.

9 The acquiring entity will order property  
10 title information, five-year sales data, and preliminary  
11 title commitments. The acquiring entity then makes  
12 pre-appraisal contacts with each property owner.

13 In order for the acquiring entity to  
14 establish land values, the acquiring entity may employ  
15 independent real estate appraisers to determine their  
16 opinions of the fair market value for the part of each  
17 owner's property to be acquired and possible damages to  
18 the remainder.

19 The procedure is explained on Pages 3 and 4  
20 of the "Purchase of Right-of-way" booklet. The  
21 appraisers will contact each owner before proceeding  
22 with appraising their properties. Each of you, as  
23 owners, will be given an opportunity to accompany the  
24 real estate appraiser on the inspection of your  
25 property.

1           Once the property is appraised and submitted  
2 to the acquiring entity for review and approval, a  
3 written offer will be made to you, the property owner.  
4 The acquiring entity's acquisition agent presents the  
5 offer to the property owner. This offer will be based  
6 on the amount of the approved appraised value, plus any  
7 compensable damages to the remaining real property.

8           The acquiring entity will also provide  
9 relocation assistance to those who are eligible. The  
10 decision of whether the offer is accepted or not, of  
11 course, remains with the property owner.

12           An owner may wish to donate land for the  
13 project for various reasons. In these cases, the  
14 appraisal process will not be necessary, provided the  
15 property owner signs a waiver to waive their right to  
16 receive fair market value in an appraisal of the  
17 property. This does not include donations at less than  
18 fair market value or partial donations, which must be  
19 appraised.

20           If the property owner chooses to receive  
21 compensation for the needed right-of-way, then the  
22 following are options available to the property owner.  
23 The owner may accept the offer, submit a counter offer,  
24 or reject the offer. Also, as an option, the booklet  
25 further describes a procedure by which right-of-way is

1       acquired when the property owner does not agree with the  
2       acquiring entity's determination of fair market value.

3                 This procedure is known as eminent domain  
4       and is described on Page 7 of "The Purchase of  
5       Right-of-way" brochure. When the owner accepts the  
6       approved value, a deed and a memorandum of agreement are  
7       prepared for the owner's signature. The acquiring  
8       entity will issue a check made out to the owner and the  
9       title company. The owner closes at the title company  
10      and is then compensated for the newly acquired  
11      right-of-way.

12                The owner may submit a counter offer if the  
13      owner believes that the offer does not represent fair  
14      market value. The acquiring entity reviews the counter  
15      offer and either accepts or rejects it. If rejected,  
16      the owner may still accept the original offer or eminent  
17      domain proceedings may begin.

18                In eminent domain, the court appoints three  
19      independent commissioners who themselves own land within  
20      the county to hear the owner and the acquiring entity.  
21      Based on the evidence presented, the commissioners will  
22      decide their award to the owner.

23                The acquiring entity deposits the award,  
24      which the owner may withdraw, in the registry of the  
25      court, and at that point will take possession of the

1 needed right-of-way. If desired, either the owner or  
2 the acquiring entity shall have the right to appeal the  
3 commissioner's award.

4 Displaced businesses will be eligible for  
5 business relocation benefits as outlined in the  
6 relocation assistance brochure. These benefits may  
7 include personal property, moving costs, some business  
8 re-establishment cost, or a fixed payment.

9 Displaced residences will be eligible for  
10 moving expenses and may be eligible for replacement  
11 housing payment, which is also explained in the  
12 relocation assistance brochure. Please note that an  
13 individual or a family who is displaced will not be  
14 required to move from their residence until at least one  
15 comparable replacement dwelling has been made available.

16 These services will be personally explained  
17 by a relocation counselor if it is determined that your  
18 residence or business will have to relocate due to the  
19 acquisition of your property.

20 Monetary payment for incidental expenses,  
21 which are the owner's out-of-pocket expenses to convey  
22 good title to the acquiring entity, may be eligible for  
23 reimbursement and are applicable whether or not a  
24 displacement occurs.

25 These benefits are applicable to all

1 individuals, families, businesses, farmers, ranchers,  
2 and nonprofit organizations, without regard to race,  
3 color, religion, sex, or national origin. This  
4 information is contained in the relocation assistance  
5 booklet.

6 If you believe a move may be necessary by  
7 the proposed project, the acquiring entity will caution  
8 you not to move before negotiations have begun unless  
9 you first secure a written notice of intent to acquire  
10 from the acquiring entity.

11 This must be done so as to avoid the  
12 possibility of your loss of personal property relocation  
13 benefits to which you may otherwise be eligible for  
14 reimbursement by the acquiring entity.

15 Should a property owner that becomes  
16 displaced be dissatisfied with any of the amounts  
17 offered for relocation reimbursement, appeal processes  
18 are available.

19 This concludes my presentation. Thank you  
20 for your attention. Now you will hear from Chris again.

21 MR. ANDERSON: Thank you, Sherri. Before we  
22 recess, I would like to recognize Council member Ed  
23 Oakley who's in attendance this evening. I would also  
24 like to recognize Barbara Maley with the Federal Highway  
25 Administration. And I misspoke earlier when I

1 identified Jeff Hall as with North Central Texas Council  
2 of Governments. His correct name is Jeff Neal.

3 Have I overlooked any other elected  
4 officials who are in attendance this evening?

5 Before we take a brief recess, I would like  
6 to remind you that we will not attempt to answer your  
7 question while you have the floor during the public  
8 comment period. This procedure is necessary so that  
9 this hearing does not become a platform for public  
10 debate and so that everyone will be given an opportunity  
11 to speak.

12 We will be happy to answer your questions  
13 during the recess or after the hearing. Allow me to  
14 reiterate that all written comments and questions  
15 submitted tonight, and all verbal comments made to the  
16 court reporters, will be addressed in and made part of  
17 the final environmental impact statement. This document  
18 will then be made available for your review at the NTTA  
19 office and other announced locations.

20 At this time, I would like to ask the  
21 members of the study team to stand and proceed to their  
22 stations. They are available to answer your questions  
23 and discuss your concerns regarding the project, and in  
24 particular, for the exhibits where they are stationed.

25 If you are an elected official or concerned

1 citizen who desires to make a statement, but who has not  
2 completed a yellow speaker request form, please do so  
3 and return it to the registration tables.

4 For your convenience, a stenographer is  
5 located to my left and outside in the concourse. This  
6 court reporter is now available to take anyone's  
7 statement if you so choose. Please note that the  
8 three-minute limit also applies to persons making  
9 statements to this court reporter.

10 At this time, we will take a twenty-minute  
11 recess and reconvene promptly at 7:45. Thank you.

12 (Recess taken until 7:45 p.m.)

13 MR. ANDERSON: Ladies and gentlemen, if you  
14 will please be seated, we will reconvene the hearing.

15 Ladies and gentlemen, we have made our  
16 presentation on the latest available information, and  
17 now it is time for us to listen to your questions and  
18 comments. Please be aware that we will not attempt to  
19 answer your question while you have the floor.

20 Before we begin the comment period, I would  
21 like to recognize several other agency officials who are  
22 in attendance this evening. Mr. Bill Hale, Dallas  
23 district engineer from TxDOT, with Brian Barth, also  
24 with the Dallas district of the Texas Department of  
25 Transportation; and from the Environmental Protection

1 Agency, we have Mike Jansky and Bonnie Braganza. I'd  
2 like to thank you for attending this evening.

3 Some of you may not wish to make your  
4 statement from the floor microphone. Again, one of the  
5 court reporters is available to take your comments and  
6 this stenographer is located as shown in your program.  
7 Your written statements will also be accepted tonight  
8 and for ten calendar days following this hearing.

9 For those of you who wish to submit a  
10 written comment tonight, a box has been placed on the  
11 registration tables. Questions and comments may be  
12 mailed to delivered to the NTTA office located at 5900  
13 West Plano Parkway, Suite 100, Plano, Texas, 75026.

14 All of your statements, comments, and  
15 questions will be given full consideration before final  
16 design features are determined. Furthermore, all  
17 information developed in regard to the proposed design  
18 is available for public inspection and copying. To be  
19 included in the final document and be made part of the  
20 official project record, any written statements, and/or  
21 exhibits, must be received at the NTTA's Plano office by  
22 or postmarked on April 8, 2005.

23 Please note you will not receive a direct  
24 written response to either your written or oral comments  
25 and question.

1           We have a number of persons who would like  
2 to make official comments this evening. For the  
3 official transcript, please state your name and address  
4 whenever you take the floor before proceeding with your  
5 statements.

6           As I stated at the beginning of the hearing,  
7 we will hear from our elected officials in attendance  
8 tonight first. If you are an elected official and have  
9 not registered your intention to speak by completing the  
10 yellow speaker form, please raise your hand and a form  
11 will be brought to you for you to complete and then  
12 delivered to me.

13           If you have exhibits, reports, petitions,  
14 etcetera, that you wish entered into the record as part  
15 of your remarks, please give these to me or to Ms. Karen  
16 Madison-Ponds, and, Karen, if you would stand. If you  
17 would give these to Ms. Karen Madison-Ponds, she will  
18 pass them to me and I will attach them to your speaker  
19 request form. These attachments may be sent in later,  
20 but must be delivered or postmarked by April 8th.

21           We will begin with the Honorable Ed Oakley  
22 with the Dallas City Council. Is Council member Oakley  
23 present? All right. We'll come back to him.

24           The first speaker, then, will be Mr. Bob  
25 Darrouzet who will be followed by John Clark. Bob

1 Darrouzet. John Clark.

2 As I stated, our first speaker will be  
3 Council member Ed Oakley with the Dallas City Council.

4 COUNCILMAN OAKLEY: Actually, I am just here  
5 to address the crowd, so I'm going to turn around. On  
6 behalf of the Mayor and the Dallas City Council, who  
7 cannot be here, my name is Ed Oakley. I currently serve  
8 as the chair of the Dallas City Council Trinity River  
9 Committee.

10 I also am speaking as a resident of the City  
11 of Dallas, and I would like to echo the Mayor's  
12 comments. The economic and developmental funding is an  
13 exciting part of the Trinity River Corridor Project.  
14 But it won't happen if we don't make some transportation  
15 progress. When it's time a new business to form or for  
16 existing businesses to grow or relocate, the  
17 transportation situation figures into the decisions of  
18 where we set up shop.

19 Interest has already been generated along  
20 the Corridor for the development of this roadway, and it  
21 is definitely a catalyst. The decision on which  
22 alignment will be carried forward in this EIS must be  
23 made now. We have a deadline of March of '07 to  
24 complete the EIS. If we miss this deadline, the EIS has  
25 to be redone, delaying not only this project, but future

1 transportation projects like Pegasus and our Trinity  
2 Lakes, the Southern Gateway, and many other projects.  
3 It's time to move forward with this crucial project and  
4 I offer my support for the Combined and Modified 3B as  
5 it develops for the corridor.

6 This -- we have a Council Committee that is  
7 appointed by the Mayor made up of half of the Dallas  
8 City Council members. We meet twice a month. This same  
9 proposal, this same information, will be presented to  
10 the Council Committee on April 6th, I believe, and this  
11 moves on to the Council on April 13th so we definitely  
12 need your input.

13 This has had hundreds of meetings, thousands  
14 and thousands of hours. We are here to listen to what  
15 you have to say and your concerns. If you want to raise  
16 concerns further -- that's the reason I was late. I had  
17 some folks that were raising concerns. Come to the  
18 Council Trinity Committee. With that, I will close.  
19 Thank you.

20 MR. ANDERSON: Thank you, Council member.  
21 Is Mr. Bob Darrouzet -- he left.

22 Mr. John Clark. Mr. Robert, and I'm going  
23 to spell the last name, G-O-L-B-E-P-C. Following  
24 Mr. Goldberg -- I'm sorry. I couldn't read your  
25 writing. Following Mr. Goldberg will be Nora Czigan.

1                   SPEAKER: I'm Robert Goldberg, 4305 South  
2 Lamar. I'm a landowner on Lamar street. We are  
3 definitely against 2A and 2B, and we could live with the  
4 other four appraisals.

5                   First of all, 2A and 2B would be much more  
6 costly than the other four Alternatives. Going down  
7 Lamar Street and Industrial would displace a lot of  
8 homes, churches, and businesses, whereby the route along  
9 the levee and the Union Pacific Railroad would cause a  
10 lot less problems as far as property.

11                  Along the levees there are fewer landowners  
12 than along Lamar and Industrial. There are a lot of  
13 individual businesses along Lamar and Industrial, and  
14 there are fewer owners along the levee, and they would  
15 not be as expensive to purchase by the City.

16                  The other thing is if the highway came down  
17 Lamar Street, there would be a noise factor to all the  
18 homes that are on Lamar. And, also, especially if it  
19 was elevated on Lamar Street, the highway would look  
20 down on these homes, and it wouldn't be -- it would be a  
21 real big problem for all the homeowners.

22                  So I cannot see where the staff or the  
23 Council would vote for 2A or 2B for all these reasons.  
24 Thank you.

25                  MR. ANDERSON: Thank you. The next speaker

1 will be Nora, and I'm going to spell your last name,  
2 C-Z-I-G-A-N. Is she present?

3 All right. The next speaker will be Karen  
4 Walz followed by Warren Rutherford.

5 SPEAKER: Good evening. My name is Karen  
6 Walz, and I'm here this evening on behalf of the Trinity  
7 Trust. The Trinity Trust is a nonprofit organization  
8 with the mission of raising private funds and public  
9 support to revitalize the Trinity River Corridor. It  
10 was created in 2004 to raise approximately \$50 million  
11 in private funding to support enhanced project  
12 components identified in the balance vision plan.

13 During the Trinity River Urban Design and  
14 Transportation Study that resulted in the Balanced  
15 Vision plan, many prior studies were reviewed, and a  
16 team of local and national experts conducted an  
17 intensive effort to create a plan that meets the area's  
18 transportation needs, as well as other community  
19 objectives.

20 That review made it clear that additional  
21 transportation capacity is needed in this area and that  
22 it cannot be provided without some kind of additional  
23 roadway in the Trinity Corridor. We believe that the  
24 DEIS Alternative 3B provides that needed capacity in a  
25 way that also supports the important objectives of

1 economic and environmental restoration, community and  
2 economic development, recreation and open space  
3 provision, and flood control.

4 The Trinity Parkway is one necessary  
5 component in the revitalization of the Trinity Corridor  
6 Area of Dallas. Located and designed appropriately, it  
7 should support the community's other objectives, as well  
8 as transportation.

9 We believe the concepts presented in the  
10 Balanced Vision Plan, which are represented in this DEIS  
11 by Alternative 3B achieves all those objectives. It's  
12 our support for this vision that makes the Trinity Trust  
13 willing to take on the challenge of raising private  
14 funding for enhancements that complement public  
15 improvements.

16 The revitalized Trinity River Corridor will  
17 change the way we live in Dallas. It is essential that  
18 we move forward with this vision. To do this we  
19 encourage the selection of Alternative 3B as the  
20 preferred alternative for the Parkway.

21 MR. ANDERSON: Thank you. The next speaker  
22 will be Mr. Warren Rutherford, who will be followed by  
23 Richard Schumacher. Mr. Rutherford.

24 Is Mr. Richard Schumacher in attendance?  
25 Thank you. Please state your name and address before

1 you make your comments.

2 SPEAKER: Richard Schumacher, 6026 Yellow  
3 Rock Trail, Dallas. First two questions for the record:  
4 How long would it take to prepare the NEPA document?  
5 And does your analysis include the effects of more  
6 expensive vehicle fuel for 2025?

7 Industrial Boulevard Alternative 2B is the  
8 alternative which is most compatible with the  
9 development of the Trinity River Park and does the most  
10 to enhance the quality of life in and around Central  
11 Dallas. The commercial displacement for this  
12 alternative is of benefit because they would remove  
13 sources of air pollution downtown, and as pointed out,  
14 cleans up a number of hazardous material sites.

15 Alternatives 3, 4 and 5 all send a clear  
16 message that we are not serious about developing the  
17 Trinity River Park because those alternatives would  
18 diminish the value of this project. This project is  
19 worth building, and we want to have the enjoyable park,  
20 and we must choose to Build Alternative 2B.

21 MR. ANDERSON: Thank you. Mr. James Paris.  
22 Is he in attendance? Following Mr. Paris will be  
23 Mr. Campbell Read.

24 SPEAKER: My name is James Paris and I am  
25 the owner of a piece of property at 100 Parkhouse. And

1 I see on the back schedule there No. 3B is scheduled to  
2 be eliminated. And I wanted to request that since the  
3 City made the request to do away with the looped  
4 on-ramps at Continental that the building owners make a  
5 request that if you can make the City happy, try to make  
6 me happy, and do 3B in a way that does not take my  
7 property.

8 And I kind of worked through who to talk to  
9 on that. So I'm generally asking, how does that happen  
10 and what recourse do we have, or is there a possibility  
11 to look at that intersection in the planning stages and  
12 try to keep my property? And if the state needs to take  
13 my property, I would rather they not take all of it  
14 since they only need about 40 feet.

15 We have 40 parking spaces in the Design  
16 District. As we all know, the Design District parking  
17 is very -- at a premium. So if they need to take the  
18 building, I'd like to keep the rest of the property as a  
19 parking lot.

20 MR. ANDERSON: Thank you. Next speaker will  
21 be Mr. Campbell Read. Please state your name and  
22 address. Following Mr. Read will be Mr. Jim Flood.

23 SPEAKER: My name is Campbell Read, 5839  
24 Monticello, Dallas. I represent the Texas Committee on  
25 Natural Resources, which is a statewide environmental

1 organization, T-Com for short.

2 T-Com opposes the construction of a  
3 high-speed toll road within or partially within the  
4 floodway. With the exception of the No-Build option,  
5 the Alternatives listed in the DEIS produce urban  
6 sprawl, favor pollution of the air and water near  
7 downtown Dallas and the floodway, increase the risk of  
8 flooding, reduce the natural areas of open space and  
9 oxygen producing trees.

10 Comment period: The DEIS is an extremely  
11 lengthy document and a few members of interested  
12 citizenry have easy access. The comment period is  
13 therefore inadequate and should be extended.

14 Hydraulics: There is no analysis, or  
15 detailed analysis, of the effect on flooding of this  
16 construction of any of the alternative options. It is  
17 insufficient for NTTA and its consultants one and only  
18 roadway option to be chosen as the locally preferred  
19 plan.

20 Neither the Dallas City Council, nor its  
21 staff, nor interested citizen groups can adequately make  
22 a fully informed choice without this crucial data being  
23 presented for every option. The facts, including cost  
24 index, should be evaluated for every option before a  
25 local preferred plan is chosen.

1 Lower scale improvements not considered:  
2 NTTA consultants requiring the construction of six to  
3 eight lanes of toll road in or by the Dallas Floodway.  
4 NTTA should examine the transportation improvements for  
5 the lesser scale that can encourage development by  
6 preserving neighborhood improvement or green space,  
7 alternatives such as widening and beautifying Industrial  
8 Boulevard, for example, four lanes or median cross-over  
9 strips and evaluating costs for such an alternative the  
10 DEIS has been restricted. NTTA has consistently refused  
11 to consider this option.

12 Failure to evaluate all costs: The DEIS  
13 failed to evaluate all the economic costs for the  
14 various toll alternatives. The related projects such as  
15 ramp access points park and conveyance. How much do  
16 they cost? How much will bridges cost? Raise the same  
17 question regarding levee embankment construction, storm  
18 water pollution prevention, toll plazas, and  
19 interchanges.

20 NEPA requirements not met: Both NEPA and  
21 Federal Highway Administration regulations require NTTA  
22 and its consultants to evaluate all connected project  
23 components in a single EIS. This DEIS is part of the  
24 overall failure of governmental entities, including the  
25 City of Dallas, as well as NTTA and TxDOT, do just that.

1 The most failure Dallas extension downstream from the  
2 Floodway in 1998. Part of an effort to fragment connect  
3 a project clearly is a single project.

4 MR. ANDERSON: Excuse me, Mr. Read, your  
5 three minutes are up. Could you wrap your statements  
6 up, please.

7 SPEAKER: I apologize. Thank you. I have  
8 more comments and I'll submit them.

9 MR. ANDERSON: Thank you. Mr. Jim Flood,  
10 who will be followed by Jeffrey Neal.

11 SPEAKER: Are these comments being taped?

12 MR. ANDERSON: Yes, sir.

13 SPEAKER: My name is Jim Flood, F-L-O-O-D,  
14 221 Acres Drive, Dallas. I would like to ask,  
15 particularly for us folks who work full-time and have  
16 full schedules, voluntary, and this document is quite  
17 lengthy, and it's a bit cumbersome using a CD-ROM, even  
18 with high-speed desktop computer, so I would like to ask  
19 for the comment period to be extended, please.

20 Also the only sensible alternative for the  
21 sake of recreation is the No-Build Alternative. Thank  
22 you.

23 MR. ANDERSON: Thank you. Mr. Jeffrey Neal,  
24 who will be followed by Robert Meckfessel.

25 SPEAKER: My name is Jeffrey Neal, 616 Six

1     Flags Drive, Arlington, Texas. I'm a senior  
2     transportation planner with the North Central Texas  
3     Council of Governments. I'm here tonight to submit two  
4     letters into the public record for the Trinity River  
5     Project. The first is written by Mr. Michael Morris,  
6     Director of Transportation for NCTCOG, and it reads as  
7     follows:

8             I would like to offer my congratulations to  
9     the North Texas Tollway Authority on achieving this  
10    milestone in the development of the Trinity Parkway  
11    Project. It is due to the continued cooperation of all  
12    of the agencies and local governments that this project  
13    is growing closer to implementation.

14            The agreed-upon configuration currently  
15    being proposed and documented in the Draft Environmental  
16    Impact Statement, Alternative 3B, which is staged  
17    six-lane Combined Parkway Modified Alternative from  
18    SH-183, IH-35E to US-175/SH-310 is the result of an  
19    extensive public involvement and agency coordination  
20    effort.

21            I strongly encourage you to continue with  
22    these efforts in the subsequent final EIS process as  
23    well as the detailed design and engineering phases.  
24    North Central Texas Council of Governments' staff will  
25    continue to provide any information or services

1 necessary to expedite the Trinity Parkway as a toll  
2 facility. Sincerely, Michael Morris.

3 The second letter I'd like to read briefly  
4 is sent by Commissioner Jack Hatchell, who is the  
5 Chairman of the Regional Transportation Council. It  
6 reads as follows.

7 The North Central Texas Council of  
8 Governments has reviewed the Draft Environmental Impact  
9 Statement titled Trinity Parkway from IH-35E/SH-183 to  
10 US-175/SH-310, Dallas County, Texas for the proposed  
11 Trinity Parkway Project.

12 The recommended alternative description, a  
13 staged six-lane limited access tollway, is consistent  
14 with the design concept and scope assumed in the current  
15 conforming Metropolitan Transportation Plan, Mobility  
16 2025, The Metropolitan Transportation Plan, 2004 Update.  
17 The same design concept and scope is also contained in  
18 the soon-to-be-adopted Metropolitan Transportation Plan  
19 titled Mobility 2025, the Metropolitan Transportation  
20 Plan, Amended April 2005.

21 Congratulations on achieving this milestone  
22 in the development of the Trinity Parkway. This concept  
23 has been shown to have substantial mobility benefits for  
24 not just the City of Dallas and the Dallas Central  
25 Business District, but for the entire Dallas-Fort Worth

1 region as many other corridor improvements are  
2 contingent on the construction of the Trinity Parkway.  
3 The Regional Transportation Council supports the  
4 continued development and expedited implementation of  
5 this project.

6 Please call Michael Morris at area code  
7 (817) 695-9240 or Dan Lamers, area code (817) 695-9263  
8 if we can be of continued assistance in moving this  
9 project forward. Sincerely, Jack Hatchell, Collin  
10 County Commissioner. Thank you very much.

11 MR. ANDERSON: Mr. Robert Meckfessel will be  
12 followed by Mr. Charles Allen.

13 SPEAKER: Thank you. My name is Robert  
14 Meckfessel. I reside at 3007 Maple Avenue, Dallas,  
15 Texas. I am pleased to be here tonight as president of  
16 the Trinity Commons Foundation, a community based  
17 nonprofit organization dedicated to maintaining progress  
18 of and quality of an overall Trinity River Project.

19 Trinity Commons Foundation supports Option  
20 3B, the combined Parkway modified as an integral  
21 component of the Balanced Vision Plan. The Balanced  
22 Vision Plan enjoys broad support both within the city  
23 and within the community at large, and we applaud it for  
24 that reason.

25 Our support also includes support for the

1 division for four lanes from downtown to Highway 175 for  
2 the future increase to six lanes should the traffic  
3 justify it. Thank you.

4 MR. ANDERSON: Thank you. Mr. Charles Allen  
5 will be the next speaker, who will be followed by Tim  
6 Dalbey.

7 SPEAKER: Charles Allen, 615 South Montclair  
8 in Dallas. I'm the owner of Trinity River Expeditions,  
9 and I'm also the secretary of Save Open Space of Dallas  
10 County. And we'd like to say that we are opposed to  
11 this project. This will be followed by a letter to that  
12 effect from SOS. It threatens flooding in the Central  
13 Business District and Central Dallas by taking flood  
14 protection benefits of the Dallas Floodway for granted.

15 This will have a negative impact to the  
16 recreation potential of the Trinity River Greenbelt and  
17 will have negative impact on the air and water quality.  
18 The DEIS is remarkably lacking in detail concerning the  
19 effect on the environment. The impacts to that  
20 environment are not described adequately and require  
21 mitigation measures that are not listed at all.

22 The hydraulic information necessary to make  
23 an informed selection of an alternative is not presently  
24 in this document. We need this information at this  
25 point in the process. Later there will not be an

1 opportunity for public input or participation. And the  
2 necessary hydraulic and other information now will be  
3 provided for a single alternative, if at all.

4 This document does not indicate a preferred  
5 alternative, which indicates to me that this DEIS is  
6 being published too early in the process.

7 This document is extremely lengthy, and at  
8 over 800 pages, it takes time for the public to study it  
9 adequately, even considering the lack of important  
10 details.

11 I ask for an extension of the comment period  
12 in order to properly study and prepare intelligent  
13 comments on the proposal at hand. If I have to express  
14 a preference for an alternative, a No-Build Alternative  
15 would be the one that I would express preference for.

16 The Pegasus Project should be able to handle  
17 all the transportation improvements, and if directed to  
18 do that, they can undertake that and do it successfully.  
19 Failing the No-Build Alternative, Alternative 2A or 2B  
20 would be preferable to any of the other alternatives.

21 Thank you.

22 MR. ANDERSON: Thank you. Mr. Tim Dalbey  
23 will be the next speaker, who will be followed by Ms.  
24 Gina Norris.

25 SPEAKER: My name is Tim Dalbey, 2719 Santa

1 Cruz Drive, Dallas, Texas. I'm opposed to the project,  
2 the alignments. This really isn't an EIS. This is more  
3 like a planning document, but you can say so.

4 I got a problem with MIS money and MIP money  
5 and vested interest in this project is sort of a  
6 conflict of interest for them to be doing this project  
7 and writing this planning report.

8 There's no mitigation because you have no  
9 plan, no locally preferred alternative, even though the  
10 City paid for 3B. Some people are of the opinion that  
11 they don't want 2A or 2B because they don't want it to  
12 go down Lamar. All of these plans go down Lamar.

13 There's no mitigation because you have no  
14 impact. It's hard to read. It's hard to judge. It's  
15 hard to speak to any alternative or talk to six  
16 alternatives.

17 You've left out the matter of final  
18 published record. You've left out all the floor plans  
19 for all your maps for the DEIS. I would think you'd put  
20 those in there because you're going to build the sumps  
21 and the levees that they're going to build.

22 The walls you build -- one reason they're  
23 building a big 15 billion big dig in Boston was because  
24 it bifurcated the city and completely destroyed all of  
25 the public and economic benefits and so they decided to

1 put it in the ground to the tune of \$15 billion.

2 This one proposes to do the same thing that  
3 Boston had. So I think there's some alternatives you  
4 could do. You could put DART rail to hook it up to the  
5 TRE down from 310 all the way and hook up to the TRE.  
6 You could also probably try to think about putting the  
7 2A, 2B alignments sub-grade instead of building them  
8 at-grade. It's going to be quite a visual, bad visual  
9 seen there. So you could look at possibly going to  
10 sub-surface on Lamar like they did for Central  
11 Expressway. I'll just stop there. Most of my comments  
12 end right here.

13 MR. ANDERSON: Thank you. Next speaker will  
14 be Ms. Gina Norris, who will be followed by Joe Wells.

15 SPEAKER: Hello. My name is Gina Norris.  
16 I'm at 3641 Mockingbird Lane, and I'm here to represent  
17 the Trammel Crow family. I'm the managing director for  
18 their businesses that they call Crow Holdings. Trammel  
19 Crow and his family have been stakeholders in Dallas and  
20 as a whole in the lower Stemmons area for over fifty  
21 years.

22 Starting back in the late 1950s, Mr. Crow  
23 built some of the businesses that have helped Dallas  
24 grow, businesses such as the Dallas Market Center, the  
25 Anatole and buildings in the Design District. And he

1 really dreamed big. Mr. Crow was a big dreamer, and he  
2 never dreamed that we would have the thorny traffic  
3 stalls that we have on lower Stemmons today.

4 The traffic issue on lower Stemmons has  
5 become a real hindrance. It's become a problem for air  
6 quality for a several-county area. It's become a  
7 problem with respect to growing businesses in the heart  
8 of Dallas.

9 And we have studied the issue pretty  
10 closely. We've looked closely at the reconstruction of  
11 I-35 and this Trinity Parkway Project. We support the  
12 Option 3B. We think that the Option 3B, the Combined  
13 Parkway on the downtown side, six lanes from 183 to  
14 downtown, and then four lanes below that, is very  
15 important. We think it's an essential reliever route  
16 right now to be built so that we can get started on the  
17 lower Stemmons project.

18 We also think that the Trinity Parkway  
19 followed by the I-35 construction is absolutely vital to  
20 promoting continued growth in Dallas neighborhoods and  
21 businesses. We believe it's critical that the Trinity  
22 Parkway get started now. Thank you.

23 MR. ANDERSON: Thank you. The next speaker  
24 will be Joe Wells, who will be followed by Carolyn  
25 Davis.

1                   SPEAKER: I'm Joe Wells. I represent the  
2 Dallas Sierra Club. My address is 4243 Hill Top Lane,  
3 Grand Prairie, Texas. The Sierra Club has already  
4 submitted a written request for an extended comment  
5 period and we reiterate that request.

6                   Dallas Sierra Club is opposed to  
7 construction of high-speed, limited access toll roads  
8 within the Dallas Trinity River Floodway. The Trinity  
9 River Parkway Alternatives as proposed in the EIS are  
10 sprawling increasing, air and water polluting, flood  
11 increasing, forest, park, and neighborhood restoring,  
12 taxpayer, money wasting, 1950s approaching addressing  
13 21st century transportation and development challenges.

14                   The only alternative described in the  
15 Trinity Parkway DEIS that could be supported by the  
16 Dallas Sierra Club is the No-Build Alternative. I would  
17 note that however that citizens for the last ten years  
18 have suggested smaller scope improvements to existing  
19 transportation corridors, particularly Industrial and  
20 Lamar, which we think would simulate the kind of top  
21 quality new urban and mixed use development that would  
22 be high quality development for Dallas and which would  
23 actually reduce the need for broader use of 80 or  
24 100,000 vehicle a day trips in automobiles. We think  
25 that's the direction that Dallas wants to take, not a

1 1950s freeway and certainly not one in a floodway.

2 The preservation of open space improving air  
3 quality and water quality establishing a high quality  
4 recreational greenway along the Trinity River have all  
5 been secondary to creating this 100,000 capacity vehicle  
6 freeway within a floodway.

7 The project places six to eight lines of  
8 toll road in adjacent neighborhoods and taking the  
9 businesses' right-of-way in West Dallas along Industrial  
10 as a means to support for the floodway location. In  
11 other words, the alternatives that are studied in the  
12 EIS are not practical alternatives, and that's known.

13 The entire EIS is promoting the idea of  
14 high-volume toll roads within the floodway. Dallas  
15 needs new approaches to reduce single-occupancy vehicle  
16 trips.

17 Some specific concerns with respect to the  
18 DEIS: All connected components of Trinity Parkway  
19 should be fully evaluated with respect to cost and  
20 environmental impacts. We would like to know that the  
21 Floodway Alternatives, specifically the hydraulic  
22 impacts, are going to be deferred supplemental EIS and  
23 consider the full cost of a project without identifying  
24 them.

25 And we would note that the Federal Highway

1 regulations and NEPA require that one EIS consider all  
2 the impacts for the alternatives. Air quality impacts  
3 are not adequately analyzed specific exhibitions.

4           Nine point pollution: You say you used best  
5 practices, but the best practice does not put the  
6 freeway in the floodway.

7           Air toxics and environmental justice: This  
8 highway is going to expose neighborhoods to more  
9 dissecting of neighborhoods to a higher level of air  
10 toxics than we currently have and generates which is  
11 based on research defined in this state. We've  
12 submitted some written comments as well and continue to  
13 ask for an extension of the comment period.

14           MR. ANDERSON: Thank you. The next speaker  
15 will be Carolyn Davis, who will be followed by David  
16 Gray.

17           SPEAKER: My name is Carolyn Davis. I live  
18 at 2611 Burger Avenue in the South Dallas Fair Park  
19 area. I'm co-chair of the Alliance of the South Dallas  
20 Fair Park area, and I have several concerns.

21           First of all, our first concern is the  
22 Riverside, which is the south alignment, and I'll come  
23 back to that.

24           The community needs to be more involved in  
25 the impact of the neighborhood, especially SM Wright

1 Freeway, that's one. I think the community needs a more  
2 visualized impact of how this could look, this No. 2.

3 No. 3, we talked about job creation down at  
4 TR Hoover. We never did get an update on any type of  
5 job creation that this highway, roadway, or tollway  
6 could impact the neighborhood.

7 We started talking about the six lanes to  
8 four lanes. The neighborhood needs a better  
9 understanding of the impact of the six lane, four lanes  
10 in the South Dallas Fair Park neighborhood.

11 We talked about the tollway. We would like  
12 to see the tollway as it crosses over Lamar, either  
13 accessibility to the on and off ramp of the roadway.  
14 That's another concern we have.

15 We have a -- we would like a high level of  
16 urban design to go into the road south of Martin Luther  
17 King. That's another concern that we have. We would  
18 like an urban design planner to ensure that economic  
19 impact would benefit the tollway to South Lamar  
20 corridor.

21 The other concerns that we have, and the  
22 next one is definitely we need another meeting set up.  
23 We would like to have another meeting set up to talk  
24 about the 3B. Of course I understand the 3B has less  
25 displacement as 2A and 2B, especially in the residential

1 area.

2 We also need some more information on  
3 displacement on the Lamar Corridor. The other thing is  
4 the EIS impact. We need to have some more information  
5 on the EIS impact on SM Wright plus the Lamar area. And  
6 we would like to have another meeting in the South  
7 Dallas Fair Park area. I'm going to CC Senator Royce  
8 West; Congresswoman Eddie Bernice Johnson; State  
9 Representative Terry Hobbs; and we will also CC Council  
10 member Leo Chambers. Thank you so much.

11 MR. ANDERSON: Thank you. The next speaker  
12 will be Mr. David Gray, who will be followed by Al  
13 Petrasek.

14 SPEAKER: I'm David Gray, 9432 Viewside  
15 Drive, and I've not had a chance to examine the four  
16 inches of material of the Draft EIS. We're working  
17 full-time, and in addition to that, I've just recently  
18 started a remodeling project so I'd like to respectfully  
19 request an extension of the comment period.

20 What we have here is a story of a river and  
21 a freeway. The river is a natural -- the only natural  
22 feature in Dallas. It provides open space, the  
23 potential for trails and recreation, soccer fields,  
24 hiking and biking. These are the kinds of things that  
25 the citizens of Dallas envision for the use of their

1 river.

2           The river obviously has no commercial  
3 constituency and is defenseless in the face of  
4 overbearing development. The citizens of Dallas have  
5 expressed the desire to embrace their river, to bring it  
6 to life, to try and restore some of the original beauty  
7 and to use it as a recreational and an open space asset.

8           This is what Fort Worth has done. Their  
9 Trinity Park is a delightful place to experience the  
10 open outside, as well as a place for people to gather,  
11 and they have also developed a number of cultural and  
12 horticultural amenities along that river parkway.  
13 They've embraced their river.

14           This park -- this toll road, this freeway  
15 through our river is a disgrace to our river. This is  
16 the wrong type of solution to a transportation problem  
17 in this century. We should be investing in livable  
18 communities and attracting local new development within  
19 the City of Dallas. We should be investing in mass  
20 transit and parks and making the city an attractive  
21 place to live, inviting people to live here in the city  
22 and not drive by at high speeds going somewhere else.

23           This is the wrong kind of solution because,  
24 as this document shows, it's going to reduce the average  
25 speed from 35 miles an hour to 33 miles an hour. Oh,

1 boy, that's really going to help me out. And many of us  
2 have traveled along these side streets, Industrial in  
3 particular, during rush hour and had no trouble getting  
4 through to our destination.

5 The tollway in a floodway is not a good  
6 idea. A toll road along Lamar/Industrial is not a good  
7 idea. Nobody wants a toll road next to them. Nobody,  
8 including commuters, joggers, picnickers, hikers,  
9 bikers.

10 What we need is a win-win situation, a  
11 low-speed parkway, which is not available in this DEIS.  
12 I can't believe that people are still saying that we  
13 have to build the Trinity Parkway in order for us to  
14 build the Pegasus Project. The Central Expressway  
15 project was completed without a reliever, and currently  
16 the high-five is being completed without any kind of  
17 reliever.

18 MR. ANDERSON: Excuse me, Mr. Gray, your  
19 time has expired. Would you conclude your remarks.

20 SPEAKER: A high-speed toll road is  
21 unnecessary, too expensive, too destructive, and  
22 unfriendly to a vibrant downtown and will further divide  
23 our city.

24 MR. ANDERSON: Thank you. The next speaker  
25 will be Mr. Al Petrasek, who will be followed by Ms.

1 Diane Ragsdale.

2           SPEAKER: Good evening. My name is Al  
3 Petrasek and I live at 6308 Courtland Drive in Plano,  
4 and this evening I'm here to support alignment  
5 Alternative 3B. I have been working on the Trinity  
6 River Corridor since about 1970 along with hundreds of  
7 citizen volunteers that have participated in numerous  
8 meetings and have collectively invested tens of  
9 thousands of personal hours in the Trinity.

10           The Trinity was placed on a program in 1989  
11 and the citizens of that program. After that program  
12 for the Trinity was developed, the program consisted of  
13 flood protection, transportation, recreation, economic  
14 development, and environmental stewardship.

15           The project that we're discussing tonight is  
16 in fact the linchpin in the Trinity, and without this  
17 transportation component, the overall program in the  
18 City will suffer. Because of the leadership of Mayor  
19 Laura Miller a good project has been turned into a great  
20 program.

21           We now have the opportunity to move forward  
22 with the most important public works program in the  
23 history of Dallas. This program will shape our city for  
24 the rest of the 21st century and beyond and it is  
25 critical that we get it right.

1           As noted, this project has been the subject  
2 of the most expensive public participation program in  
3 our history, and that is very appropriate, considering  
4 the impact of the Trinity on the city. Much discussion  
5 has revolved around the alignment of the Parkway, and  
6 each one of the alternatives has its pros and cons, but  
7 it is critical that we realize the selected alignment  
8 must support the needs of transportation, flood  
9 protection, economic growth, environmental stewardship  
10 and recreation.

11           We're not just building a roadway. This is  
12 truly a multi-use corridor, and that consideration be  
13 given to the long-range impacts of the selected  
14 alignment. Of the alignments alternatives evaluated,  
15 the Alignment Alternative 3B, the Combined Parkway  
16 Alignment, is the best for Dallas and the region.

17           This alternative provides improved regional  
18 transportation and will help solve problems. This  
19 alternative enhances development on both sides of the  
20 Trinity. This alternative provides construction of  
21 wetlands in the floodway, which are key environmental  
22 assets.

23           This alternative creates opportunities for  
24 recreational facilities, strengthens the levee system of  
25 Dallas, improving flood protection for the city. This

1 is the right alignment for transportation. This is the  
2 right alignment for economic development. This is the  
3 right alignment for recreation. This is the right  
4 alignment for the environment. This is the right  
5 alignment for flood protection. This is the right  
6 alignment for Dallas. Special thanks to Mayor Laura  
7 Miller. But there's much more to be done. Selecting  
8 Alternative 3B is the next step to building Dallas in  
9 the 21st century. Thank you.

10 MR. ANDERSON: Thank you. The next speaker  
11 will be Ms. Diane Ragsdale.

12 SPEAKER: Good evening, my friends. First  
13 of all, I want to make two comments related to the  
14 alternatives.

15 First and foremost, in my opinion, the best  
16 option is the Riverside option. The Industrial option  
17 that goes down Lamar divides the community and also it  
18 is elevated. And so strongly we oppose the Industrial  
19 option and we support the Riverside option. That's No.  
20 1.

21 No. 2, with respect to the ending option,  
22 opposition is that any option to the Parkway should be  
23 at grade, the entire option. The entire ending option  
24 should be at grade for the Parkway. That's extremely  
25 important to us as well.

1           With respect to the urban design, we would  
2 want the highest level of urban design and needs to be  
3 used to help mitigate some of the adverse effects, such  
4 as the noise and intrusion.

5           The SM Wright Freeway should be at grade as  
6 far as with respect to the construction of the Parkway,  
7 we're looking at temporary and permanent jobs, not only  
8 temporary jobs, but permanent jobs, and I think we  
9 talked about this previously. Other places have done it  
10 to in essence leave the jobs there on the permanent  
11 level. We want easy access to enter and to exit the  
12 Parkway as well.

13           Just to reinforce the Industrial option is  
14 extreme no. The best option is the Riverside, the  
15 entire ending option should be at grade, and the highest  
16 level of urban design should be used to mitigate the  
17 adverse impacts. Thank you so very much.

18           MR. ANDERSON: Thank you. At this time  
19 we've come to the end of our registered speakers. Is  
20 there anyone else that would like to come forward to  
21 make a statement?

22           For those speakers whose time expired, we  
23 would have -- we would be happy to take your statement  
24 and enter it into the record, or you may mail your  
25 statements to us.



1 STATE OF TEXAS. )

2 COUNTY OF DALLAS )

3 I, Leslie McDonald Wilkins, Registered Professional  
4 Reporter No. 029319, certify that the foregoing  
5 proceedings were reported stenographically by me at the  
6 time and place indicated.

7 GIVEN UNDER MY HAND on this the 30th day of March,  
8 2005.

9

10

11

12

13

14 LESLIE McDONALD WILKINS, Registered

Professional Reporter No. 029319

Dickman Davenport, Inc.

15 3838 Oak Lawn Avenue

1010 Two Turtle Creek Village

16 Dallas, Texas 75219

(214) 855-5100 (800) 445-9548

17 e-mail: info@dickmandavenport.com

www.dickmandavenport.com

18 My commission expires: 12/31/05

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TRINITY PARKWAY  
DRAFT ENVIRONMENTAL IMPACT STATEMENT  
PUBLIC HEARING  
MARCH 29, 2005  
DALLAS CONVENTION CENTER ARENA  
650 SOUTH GRIFFIN STREET  
DALLAS, TEXAS

1 P R O C E E D I N G S

2 THURSDAY, MARCH 29, 2005

3 (6:53 p.m.)

4 MR. WRIGHT: 3119 Pine Street, P-i-n-e,  
5 Street, Dallas, Texas 75215. My name is S.M. Wright,  
6 Junior. I'm the pastor of People's Baptist Church,  
7 and I've just -- my comment is, I just want to make  
8 sure on the 175 -- State Highway 175 and 310 and that  
9 Trinity Parkway, I just want to make sure that the  
10 Trinity Parkway is at grade, no elevation, and have  
11 great access roads going into the Trinity Parkway and  
12 to 175 and 310 and S.M. Wright Freeway.

13 I want to make sure that the plan is not  
14 elevated. It's not dividing the community. Just make  
15 sure that it's at grade, beautiful, and have beautiful  
16 access roads on the south riverside alignment, and I'm  
17 really pushing for south side, riverside alignment for  
18 the program.

19 And pretty much that's my statement.  
20 Because of the fact we wanted to make sure in that  
21 south riverside alignment we can have more economic  
22 development, more economic growth, and more economic  
23 activity in that -- in that corridor area. So I just  
24 want to make sure it's accessible, so if there are  
25 economic development there, there's easy access roads

1 they can get to -- to and from with ease.

2 (7:02 p.m.)

3 MS. OZNICK: Lauren, L-a-u-r-e-n, Oznick,  
4 O-z-n-i-c-k. I live at 923 Evergreen Hills Road,  
5 Dallas, Texas 75208. I prefer the No-Build option.  
6 Of course, if there is a preferred Build option, it  
7 would -- it would be the alternative for the split  
8 parkway riverside. Build options 2(A), 2(B), and  
9 number 5 are completely not an option for me, in my  
10 opinion.

11 My family has owned land on Industrial  
12 Boulevard for over 60 years. It would put my family's  
13 business in jeopardy and render it possibly useless or  
14 possibly my land would become city property. None of  
15 those possibilities are an option, in my opinion.

16 I have been coming to the meetings since  
17 the first set of them at the Bronco Bowl over eight  
18 years ago. I really have not been listened to up  
19 until this point. I hope making my opinions known on  
20 court record will have some impact. Also making my  
21 opinions known to the NTTA directly I hope will have  
22 some impact and influence.

23 I hope the outcome supported by NTTA  
24 reflects my comments and the time investigated over  
25 the eight years.

1 (7:27 p.m.)

2 MR. MORGAN: I am Rich Morgan. I live at  
3 7105 Dye, D-y-e, Drive in Dallas, Texas. And in the  
4 spirit of disclosure, I am a member of the Regional  
5 Transportation Council of the North Texas Council of  
6 Governments. I'm also a member of the Trinity Commons  
7 Foundation, a member of AIA Dallas, and was an  
8 appointed leader to the Urban Design Study Team  
9 looking at the Trinity River project.

10 I mention that because I am not  
11 representing any of those entities with these comments  
12 necessarily. I'm representing only my own personal  
13 feelings on the subject:

14 The DEIS is a very thorough and objective  
15 evaluation of the facts and the data; however, in  
16 addition, I urge consideration of another  
17 environmental factor, one that is very intuitive.  
18 It's related to the citizens' ability to relate to the  
19 riverene environment.

20 The criteria used by the Urban Design  
21 Study in developing or in -- in suggesting and  
22 recommending the alignment known as 3(B) used a  
23 criteria of passengers and drivers in vehicles on the  
24 Parkway being able to see and experience forest, the  
25 wetlands, the lakes, the parks, et cetera.

1                   The point being, that by experiencing  
2 these on a daily basis, citizens become a part of  
3 and -- and caring for those facilities and that  
4 environment. As a result, in the long term, the  
5 environmental effects will be enhanced by that citizen  
6 care and concern for the river and the wildlife  
7 habitat, et cetera.

8                   So while that is difficult to quantify  
9 objectively, intuitively I think we all know that that  
10 exists. Thank you.

11                   (7:30 p.m.)

12                   MR. KUTNER: Mike Kutner, K-u-t-n-e-r,  
13 3352 Miro, M-i-r-o, Place, Dallas, 75204. I'm  
14 president of the Friends of the Old Trinity Trail, and  
15 I have some comments regarding the draft DEIS  
16 statement or study.

17                   One, regarding the Stemmons Corridor  
18 area, we request easy access from outside the levees  
19 for pedestrians and trail (Old Trinity Trail) users.

20                   Number two, we would like to see  
21 pedestrian access decks like Michael Morris talked  
22 about (see Old Trinity Trail master plan, page 41)  
23 when he presented the Trinity Parkway to the City  
24 Council in 2004.

25                   Number three, we would like to see

1 levee-top trails remain after the Tollway is built.

2                   Number four, the Old Trinity Trail master  
3 plan is included with this public comment form in  
4 digital and print form.

5                   That's it.

6                   (7:32 p.m.)

7                   MR. RUTHERFORD: My name is Warren  
8 Rutherford, 8611 Breakers Point, Dallas, Texas 75243.  
9 I've been associated with the Trinity River Parkway  
10 project since its early beginning as a member of the  
11 Community Advisory Work Group in representing  
12 Methodist Health System.

13                   I support the 3B alignment for the  
14 Trinity Parkway with some conditions. My concerns are  
15 two. Number one, that we be assured that the 6/4  
16 alignment will accommodate the anticipated interim  
17 added volume that can be expected to be generated  
18 during the period that Pegasus is being constructed.

19                   And, secondly, that whatever the traffic  
20 volume -- whenever the traffic volume reaches a  
21 definite predetermined level, that NTTA will initiate  
22 expansion activity which will add the two additional  
23 lanes included in the initial design of the roadway.

24                   We should not have to wait until 2025 or  
25 any other date. The decision to expand the roadway

1 should be made decisively whenever traffic volume  
2 justifies its expansion.

3           And finally, my comment would relate to  
4 the significance in the critical importance of a  
5 direct connection between the Tollroad and I-35. In  
6 order to continue development within the Southern  
7 Sector, this connection is critically necessary. We  
8 appreciate the efforts being made to provide a nonstop  
9 connection. We think it can still be improved, and  
10 wen encourage continued work in this regard.

11           Thank you.

12           (7:50 p.m.)

13           MR. JOHNSON: My name is Charles Johnson.  
14 My address is 3055 South Marsalis. And my comment is,  
15 is that I think I've worked on this project since --  
16 or at least 10 years in one facet or another as a  
17 concerned individual -- a concerned neighborhood  
18 individual.

19           And our goal, which is -- the  
20 neighborhood I normally deal with is throughout the  
21 community and along Corinth. The DART Station is  
22 probably -- on Corinth Street is the most used DART  
23 Station in the DART System, and one of the things we  
24 want, just like everyone else, is to have a split  
25 parkway.

1                   One is, the split parkways provides  
2 additional protection quickly, as opposed to having it  
3 built on the Downtown side, and then having to go  
4 back -- and go back to another bond and have the  
5 protection provided on the Corinth side of -- side of  
6 Oak Cliff.

7                   We think, also, for businesses it is  
8 better that we have the split parkway, also. It  
9 provides an opportunity for, again, flood protection  
10 and access in and out of the parkway because along the  
11 Corinth Street bridge -- excuse me, along the DART  
12 Station, there's an exit called H Street Park or Moore  
13 Park which has possibly the best access to the park  
14 system, which will be the lakes and everything else,  
15 and we feel like businesses will flock if we had split  
16 parkway.

17                   That's basically it. And we do want the  
18 project.

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25

1 STATE OF TEXAS )

2

3 COUNTY OF DALLAS )

4

5 I, Kathy E. Weldon, Certified Shorthand  
6 Reporter, in and for the State of Texas, certify that  
7 the foregoing proceedings were reported  
8 stenographically by me at the time and place  
9 indicated.

10 Given under my hand on this the \_\_\_\_ day of  
11 March, 2005.

12

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14

15

16

---

Kathy E. Weldon, Certified  
17 Shorthand Reporter No. 6166  
Dickman Davenport, Inc.  
18 Firm Registration #312  
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19 3838 Oak Lawn Avenue  
Dallas, Texas 75219  
20 214.855.5100 800.445.9548  
e-mail: kw@dickmandavenport.com  
21 My commission expires 12-31-06

**APPENDIX G-5**  
**WRITTEN STATEMENTS RECEIVED**

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## APPENDIX G-5. Written Statements Received

This section contains copies of written statements received from the general public at the time of the public hearing on March 29, 2005, or within the 10-day comment period following it. It also contains the written statements from government resource agencies with whom the DEIS was coordinated. The statements, and the index to them in the table below, are arranged in alphabetical order by the last name of the person signing the statement. If a commenter was speaking on behalf of an organization, the organization represented is indicated. The table also gives the page number in this appendix where each written statement may be found.

**Table G-6. Index of Written Statements**

Statement #	Name (Last, First) - City	App. G-5 Page #	Organization	Refer to Comment & Response #
2	Allen, Charles – Dallas	4		6-9
3	Allen, Charles – Dallas	5	Trinity River Expeditions	1-1, 1-2, 1-5, 2-1, 2-4, 2-5, 3-2, 3-13, 4-1, 6-1, 6-2, 6-3, 8-1, 8-8, 8-9, 11-2, 12-4, 12-6, 12-10, 12-13, 12-19, 12-20, 13-1, 13-2, 14-2, 15-5, 16-1, 17-3, 17-4, 17-7, 18-1, 18-2, 18-3, 19-1, 19-3, 19-4, 19-5, 19-8, 19-10, 19-11, 20-1, 20-4, 20-5, 20-6, 21-8
4	Arbetter, Gail	12		6-9
5	Aten, Stan	13		1-1, 1-3, 2-1, 9-1, 12-9
6	Baker, Holly – Dallas	15		1-1, 2-1, 2-14, 12-9, 13-3, 15-1
7	Blackburn, James – Houston	16	League of Women Voters of Dallas and Texas Committee on Natural Resources	9-10, 9-11, 9-12, 12-4, 12-6, 12-7, 12-8, 12-12, 12-14, 12-16
8	Blanks, Leron – Dallas	39	Blanks Printing & Imaging, Inc.	2-3, 2-19
9	Braganza, Bonnie – Dallas	41	Environmental Protection Agency, Region 6 ( <b>Agency</b> )	2-3, 8-3, 9-5, 9-6, 9-7, 9-8, 12-26, 18-10, 18-11, 18-12, 18-13
10	Brewer, Bryon – Arlington	47		2-3, 15-1
11	Briner, Charles – Dallas	48		14-2, 14-3
12	Briner, Charles – Dallas	49		14-1, 14-2, 14-4, 14-5
13	Butler, Larry – Temple	50	Natural Resource Conservation Service ( <b>Agency</b> )	20-3
14	Campbell, Christopher – Dallas	51		1-7, 2-2, 2-3, 2-10, 2-20, 6-5
15	Carr, Kevin & Barbara – Cedar Hill	52		8-10
16	Clark, John – Irving	53		2-21, 3-1, 3-3, 15-2
17	Czigan, Nora – Dallas	56		1-3, 2-1
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21	Davis, Carolyn – Dallas	58	Connectional Alliance Neighbors Together	2-3, 3-5, 6-4, 10-1, 11-1
22	Erickson, Evelyn – Austin	60		2-1, 2-15
23	Flood, James – Dallas	62		6-9
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26	Francis, Denise – Austin	64	Office of the Governor, State of Texas <b>(Agency)</b>	
27	Fritz, Edward – Dallas	65	Texas Committee on Natural Resources	2-3, 15-1
28	Garrett, Candice – Austin	67	Texas Commission on Environmental Quality <b>(Agency)</b>	9-9
29	Goddard, Jim – Dallas	68		1-6, 2-1, 2-3, 2-9
30	Goddard, Shannon – Dallas	69		2-3, 2-20, 3-6, 6-5
32	Goldberg, Bob – Dallas	70	Gold Metal Recyclers, Ltd.	2-3, 2-17
34	Gray, David – Dallas	71		6-9, 6-10
35	Greenwood, Mike – Dallas	72	Atmos Energy	20-2
36	Halstead, Donna – Dallas	73	Dallas Citizens Council	1-7, 2-2, 2-3, 2-18
37	Hardin, Karen – Austin	75	Texas Parks and Wildlife Department <b>(Agency)</b>	2-3, 2-12, 19-12, 19-13, 19-14, 19-15, 19-16
38	Hatchell, Jack – Arlington	83	Regional Transportation Council, NCTCOG <b>(Agency)</b>	1-7, 2-2
See # 8	Heyerdahl, Douglas – Dallas	39	Blanks Printing & Imaging, Inc.	Co-signer of Statement 8
40	Johnson, Lucille – Arlington	84	North Central Texas Council of Governments (NCTCOG) <b>(Agency)</b>	
41	Jordan, Jill – Dallas	85	City of Dallas <b>(Agency)</b>	6-9
42	Koesling, Michael – Dallas	86	Woodbine Development Corp.	2-2, 2-3, 3-1, 3-6, 3-10, 3-19, 6-7
43	Kriehn, Thomas – Dallas	89		1-4, 1-8, 2-1
45	Kutner, Mike – Dallas	92	Friends of the Old Trinity Trail	3-7
46	Lakhani, Mehmood – Dallas	93	Kwick Stop Center	2-2, 2-3, 2-20
47	Letteer, Jeri – Dallas	94		2-3, 2-17
48	Lunceford, Michael – Dallas	95	Mary Kay, Inc.	1-7, 2-2, 2-3, 2-18, 10-4
49	Mason, Richard – Dallas	97		2-2, 2-3, 3-3
50	McGowan, David – Dallas	98		2-3, 2-17
52	Mills, Larry – Dallas	99		8-1
53	Mocek, Michael – Fort Worth	100	U.S. Army Corps of Engineers, Fort Worth District <b>(Agency)</b>	8-2
55	Morris, Michael – Arlington	101	Regional Transportation Council (NCTCOG) <b>(Agency)</b>	1-7, 2-2, 2-3, 6-6
56	Muncy, Jay – Dallas	102		2-1, 2-3, 2-8
60	Oznick, Lauren – Dallas	103		2-1, 2-3, 2-8, 6-8
61	Pace, Carolina – Dallas	104		3-1, 12-6
62	Pace, John – Dallas	105		3-1
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65	Patton, R.S. – Dallas	107		2-3
67	Powell, Elmer – Dallas	108		2-3, 2-17
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69	Powell, Elmer – Dallas	110		12-9
70	Rachofsky, Morton – Dallas	111		2-3, 2-19
73	Read, Campbell – Dallas	112	Texas Committee on Natural Resources	1-6, 2-1, 2-14, 4-5, 5-12, 6-9, 9-4, 12-4, 15-1
74	Reeves, Robert – Dallas	114	Gold Metal Recyclers, Ltd.	2-3, 2-11
75	Reiser, Jim – Irving	117		1-7, 2-2

Statement #	Name (Last, First) - City	App. G-5 Page #	Organization	Refer to Comment & Response #
76	Rice, Gene – Fort Worth	118	U.S. Army Corps of Engineers, Fort Worth District <b>(Agency)</b>	2-13, 3-11, 3-12, 3-14, 3-15, 3-18, 4-1, 4-2, 4-3, 5-1, 5-2, 5-3, 5-4, 5-5, 5-6, 5-7, 5-8, 5-9, 5-10, 7-1, 7-2, 7-3, 7-4, 7-6, 7-7, 7-8, 7-9, 7-10, 8-5, 8-6, 8-7, 8-11, 8-12, 8-13, 8-14, 12-1, 12-2, 12-3, 12-5, 12-11, 12-17, 12-21, 12-22, 12-23, 12-24, 12-25, 13-4, 14-6, 14-7, 15-3, 17-5, 18-4, 18-5, 18-6, 18-7, 18-8, 18-9, 18-14, 18-15, 18-16, 18-17, 18-18, 18-19, 18-20, 18-21, 19-2, 19-6, 19-7, 19-9, 21-1, 21-2, 21-3, 21-4, 21-5, 21-6, 21-7
79	Shafer, George – Irving	139	Industrial Properties Corp.	1-7, 2-2, 2-3, 2-18, 10-4
80	Spear, Robert – Somers, NY	141	Pepsico	10-3
81	Taylor, Willie – Washington, DC	142	U.S. Dept. of the Interior, Office of the Secretary <b>(Agency)</b>	1-8, 2-3, 2-12, 2-16, 4-4, 6-6, 7-5, 12-9, 15-6, 17-1, 17-2, 17-8
82	Vinson, Jonathan – Dallas	147	Cargill, Inc.	10-3
84	Webb, H.E. – Dallas	150		2-2
86	Wells, Joe – Grand Prairie	151	Dallas Sierra Club	1-9, 2-1, 2-14, 4-5, 5-12, 6-9, 8-16, 9-4, 9-11, 11-1, 11-2, 11-3, 12-4, 15-1, 15-4, 17-6, 17-8
87	Wells, Joe – Grand Prairie	158	Dallas Sierra Club	6-3, 6-9
88	Wolf, J. Mark – Dallas	159	Save Open Space	1-5, 2-1, 2-3, 2-21, 3-16, 9-2, 12-9, 12-18, 15-4
89	Wood, Marcus – Dallas	161	Mixmaster Business Association	2-2, 2-3, 3-1, 3-17
91	Zindani, Karim – Dallas	162		2-2, 2-3, 2-20



### Trinity River Expeditions

615 South Montclair Dallas, Texas 75208 214-941-1757



April 7, 2005

Mr. Christopher Anderson  
North Texas Tollway Authority  
P.O. Box 260729  
Plano, Texas 75026



Mr. Anderson:

These comments are in response to the publication of the Draft Environmental Impact Statement and 4(f) Evaluation of the Trinity Parkway from I-35 / 183 to US-175 / SH-310 in Dallas County, Texas. Please understand that the intensity of these comments and questions are in proportion to the scale of this proposed project and the multitude of associated impacts. At stake is the flood protection of central Dallas, the largest open space in our city, irreplaceable environmental and cultural resources, existing and future recreation opportunities along the Trinity River and, of course, over \$1 billion in public funds. All of these are compelling reasons to question and critically comment on the material presented in this DEIS. Please accept this letter in the spirit with which it is submitted.

The scoping process was inadequate and did not serve to identify important issues that should have been addressed in the DEIS, particularly with respect to grasslands, specific adverse impacts to wetlands and details of required mitigation. What real issues of importance were identified during the scoping process and how were they addressed in the DEIS? What emphasis was placed on the real environmental issues and alternatives, and where is this located in this document? How did the NTTA encourage and facilitate public involvement in the decisions which affect the human environment? Why does this document not stress issues of controversy raised by the public?

The impacts on the environment are largely missing from this document. There has been more than sufficient time and resources devoted to this process for the environmental effects to be identified in adequate detail, yet these details which would allow comparison with other economic and technical analyses are not provided. There are no hydrologic or hydraulic analyses for any of the alternatives, so how can we evaluate and comment on the impacts to the Dallas Floodway, which protects the central business district from flooding? Publishing an analysis of a single alternative in a Supplemental EIS removes the opportunity to evaluate the other alternatives, and there are most certainly major differences in the hydraulic scenarios between the Floodway and Irving Blvd. highway alignments. Why has access to this information been denied at this crucial part of the process? Why is there no full and fair discussion of these and other significant environmental effects? Is it not possible that a catastrophic flood would overwhelm the flood damage reduction benefits of the Dallas Floodway and associated drainage projects? This would certainly have a negative impact on safety and security for those in the affected area. This DEIS should contain the information necessary to make an important contribution to the decision making process, but it does not. How can this document be so lengthy (over 800 pages) yet so inadequate that it precludes meaningful analysis? Why does this document fall so short of satisfying the requirements for a Final EIS? Please comment on the absence of important hydrologic and hydraulic detail from this document.

What other environmental assessments or environmental impact statements are being or will be prepared that are related to but are not part of the scope of the impact statement under consideration? Why wouldn't other proposals concerning the Dallas Floodway, especially proposals which would affect the Floodway's hydraulic functioning, be included in this EIS? Are there no reasonable alternatives other than the NTTA proposal, and if there are, what are they?

This document represents that there is no preferred alternative, yet Dallas City Council member Veletta Lill said in a briefing to the City Council Trinity River Committee on Monday April 4th that "we all know that Alternative 3B really is the preferred alternative." It would appear that the preparers of the document are asserting that there is

no preferred alternative in order to avoid describing the actual impacts of and required mitigation for that alternative. This is unacceptable because this information is extremely important for evaluating and comparing the impacts and costs of the various alternatives, including the real preferred alternative and especially the no-build alternative. How can we review the relative merits of the proposed action when it is unclear in this document which of the alternatives is actually proposed or preferred? How can the impacts of the proposal and alternatives be compared and evaluated when the actual impacts are not described, and the specific mitigation measures are not defined? The timing of the publication of the DEIS appears to be an attempt to avoid describing important impacts by purporting there is no preferred alternative. Please comment on the assertion put forward by the preparers of this document and NTTA that there is no preferred alternative, and explain the reasons for this pretense. The Dallas City Council is scheduled to vote on a Locally Preferred Plan/Alternative on April 13th; should not the publication of this document have been after that vote? Has not the DEIS been published too early? Is this an attempt to ensure that a build alternative is selected by not providing important information which should be available for comparison to the no-build alternative?

David Morgan, an employee of Halff and Associates and a preparer of this document, said in a briefing to the Dallas City Council Trinity River Committee on Monday April 4th that a complete wetlands delineation had been prepared for the entire project. Why are the existing extensive wetlands to be disturbed by this project inadequately described? Why are the effects of this project on wetlands and the significance of those effects not discussed adequately? Listing the standards or regulatory requirements for mitigation or listing possible mitigation measures that may or may not be proposed is not the same as describing actual mitigation measures. Why are most of the actual mitigation measures not described, or otherwise missing, from this document? Wetland mitigation banking is mentioned as a concept; why are possible locations of these areas not given? On page 4-118 it is stated, "The wetland areas proposed to be taken by this project are not likely candidates for scientific study." What is the basis for this statement? These diverse wetlands and wetland types support a variety of wetland vegetation and provide a range of wildlife habitats that are utilized by a wide variety of wildlife from the smallest invertebrates to the largest mammals. They are also situated in a central location of the Dallas-Fort Worth metropolitan area, with short travel times to all area colleges and universities, not to mention primary and secondary schools, which could combine wetlands educational programs with important data collection to further our understanding of wetlands in general, and local wetlands in particular. On page 4-118 it is stated, "...floodplain values related to wetlands...would have a minor temporary adverse impact (due) to the taking of wetlands, but would have a long-term beneficial impact due to the establishment of new wetlands in excess of current conditions." This statement ignores the difficulties involved with the attempt to create new and/or artificial wetlands. Wetland experts and authorities, including the Corps of Engineers, acknowledge that when creating or recreating wetlands it is usually impossible to replace the functions, habitat and all other values inherent in naturally occurring wetlands. Issue must be taken with the attitude that minor temporary adverse impacts would result from the destruction of many of the wetlands in the study area, if for no other reason than the loss of habitat and forage areas for migratory birds. As is stated in this report, all regional ecological niches are already at carrying capacity, leaving no extra habitat for displaced wildlife to occupy. What will happen to wildlife, avian and otherwise, displaced by the destruction of wetlands and other habitat associated with this proposed project? Where will the egrets and herons from the nearby long established rookery forage for the food necessary to successfully raise their young, as they have been doing for many decades in the wetlands of the Dallas Floodway, when these wetlands are destroyed by this project and before any wetland replacement is accomplished? Where and when will the proposed new wetlands be established, and how will this relate to the construction schedule? With regard to the establishment of new wetlands in excess of current conditions, without a mitigation plan, however initial or preliminary, how can the size of new wetlands be quantified or their qualities evaluated? Does a preliminary wetlands mitigation plan exist, and if so, why were the relevant details, or at least some of those details, not included in this report?

On page 7-14 it is stated, "Areas of known habitat would be denoted on the construction plans, and *may* be replaced if impacted." Why is the word *may* used? Does this mean it may or may not be replaced, and what

determines whether or not there will be replacement? How can build alternatives within the Dallas Floodway comply with Executive Orders which mandate the avoidance of construction projects within floodplains? On page 4-117 preliminary designs and hydraulic modeling data are mentioned, why is the hydraulic data not incorporated into this report? On page 4-120 it is stated, "... this facility would not be over-topped by the 100-year flood..." yet within the last 15 years a high water event determined to be a 35-year flood came within two feet of over-topping the Dallas Floodway levee system. How can this assertion of the NTTA be reconciled with recent documented high water events? How can it be determined whether unavoidable impacts to floodplains will be adequately mitigated when specific mitigation measures are not described in this document? On page 7-17 it is stated, "Little or no change to historic drainage patterns is expected within or down gradient from the study area." What about up gradient from the study area? Please quantify the expression *little change*. It is also stated, "Final designs *may* adhere to FHWA drainage criteria for both minor and major hydraulic structures, as well as following all FEMA requirements." Does the use of the word *may* imply that it may not adhere to FHWA drainage criteria, and in what ways might it not meet these criteria? On page 7-21 it is stated, "Once a preferred alternative is identified, a plan for compensatory replacement of the properties and their functions and values would be developed and presented in the FEIS." An initial compensatory plan belongs in this document. Why is it missing? On page 7-21 it is stated, "The assessments would be carried out to the degree necessary to identify the levels of contamination and, if necessary, to evaluate the options to remediate, along with associated costs." Have any assessments, however preliminary, been carried out, are there any rough estimates of remediation costs, and why is this information missing from this document? On page 7-22 it is stated, "The demolition and removal of all structures..." What structures are being referred to and what is their location? On page 7-28 it is stated, "The NTTA would develop a construction oversight and environmental monitoring program specific to the Trinity Parkway project, which is similar to the environmental oversight program implemented for the President George Bush Turnpike (Segment IV)." Please describe the referenced program for PGBT Seg. IV. Why didn't the PGBT program protect or even acknowledge the state champion little walnut tree, which was destroyed during construction? Why did the agencies authorized with review of the environmental aspects of PGBT Seg. IV find such fault with the mitigation plans for that NTTA project? Was not the construction schedule and expense of Seg. IV negatively affected by the inadequate mitigation plans of NTTA? What were the costs in time and money that resulted from the preparation and implementation of such inadequate mitigation schemes? Please discuss these issues of prior performance by the NTTA and describe how an "environmental oversight program" that did not perform effectively on PGBT Seg. IV will now do other than pay lip service to a laudable ideal while masking their own incompetence or culpability. On page 7-29 a statement says, "...trees associated within the Dallas Floodway..." What does this statement mean or refer to when it says *associated within the Dallas Floodway*? Trees associated with what? Please explain. On page 7-29 it is stated, "Depending on which alternative is identified...a tree...plan would be developed..." What depends on the selection of alternatives? The development of a tree plan at all? Please explain. On page 7-30 there is a reference to a "City of Dallas Vegetation Ordinance." What Dallas City Code is being referred to, and what are the particulars of that code? On page 7-31 a "hydraulic analysis" is referred to. Has this analysis or have any hydraulic analyses of this proposed project been done? Are any hydraulic analyses available for inclusion with the DEIS, and why have they not been included?

Where in this document are there descriptions of the energy and natural resource requirements and conservation potential of the alternatives and mitigation measures? Is this and other pertinent information in this document incomplete, unavailable or is it being withheld? Have the scientific or other sources of information relied upon for conclusions in this document been specifically referenced? Why are lists of wildlife based on reference material which is over 30 years old? Can the public be assured of the professional and scientific integrity of the discussions and analyses published in this document, and what is the basis of this assurance? Has Table 3-16 on page 3-78 been accurately referenced; is this the true source of this information? Have any of the preparers actually physically surveyed the study area to verify the presence or absence of wildlife species? Have any of those who prepared this document ever prepared an EIS in the past? Would it not seem prudent to contract the preparation of this document with a company with prior experience in EIS preparation? There would

seem to be a conflict of interest by contracting the preparation of this document with Halff and Associates. This company contracts on a regular basis to expedite transportation projects, including the Trinity Parkway Major Investment Study and the City of Dallas Trinity River Master Implementation Plan, and would be expected to bid on contracts related to construction of this project. What proof exists that Halff will not financially benefit from the implementation of this project? Please address these concerns.

On pages 4-80 and 4-81 it is stated, "No prehistoric archaeological sites have been recorded within the floodway... This is an area that in the past was designated as having a high potential for containing prehistoric cultural resources; however, in recent years it has been concluded that the designation was too broadly defined. The THC has provided the opinion that the area within the floodway levees has little potential for containing preserved prehistoric archaeological deposits (Skinner, 2004)." Is this opinion based solely on the basis of statements made by Dr. Skinner? Is NTTA aware of the intervention of the THC on a recent archaeological assessment conducted by Dr. Skinner for the City of Dallas in the Great Trinity Forest, where Dr. Skinner conducted an inadequate assessment of a prehistoric site which served to downplay the significance of the site? Prehistoric shell lens sites along the Trinity River in Dallas have been treated as though they did not contain significant cultural resources, yet Native American skeletal remains have been found associated with these sites within the last five years. Although terrace sites might contain evidence of longer term human occupation, seasonal or transient occupation sites would be expected to be more numerous, and can yield important cultural resources, such as burial sites. Since the Trinity River floodplain has been occupied by humans for over 11,000 years, it is to be expected that prehistoric cultural resources will likely be encountered in any excavation of the historic floodplain, certainly in any sizable excavation such as the digging of borrow pits within the Dallas Floodway to obtain spoil material to be used in toll road construction. With respect to the comments of this paragraph, please comment on the assertion in this DEIS that there is little potential for encountering prehistoric archaeological deposits within the levees of the Dallas Floodway. Additionally, this DEIS has inadequately documented the remains of historic bridges which crossed the Trinity River within the study area. Why are visible bridge remains, not to mention less obvious remains, not accounted for in this report?

This toll road, if built, will not provide improved transportation for those who can not afford to use it, including myself. The public was informed at the Public Meeting on March 29th that the toll for a one way trip on the toll road would be \$1.00 to \$1.50, \$2.00 to \$3.00 for a round trip, which is prohibitively expensive when added to the recent outrageous increases in fuel cost. Personal transportation is necessary for employment, so less affluent drivers will be financially constrained to using existing freeways along with NAFTA and other through truck traffic. Will this not serve to further stratify the deepening class divisions of Dallas society, with a toll road constructed at great public expense primarily for use by the affluent elites, while the majority of study area residents will bear the brunt of construction impacts yet will not make use of the toll road because it does not go where they need to travel and can not afford to use it anyway? It is not equitable for public funds to be used for a massive transportation project that does not provide equal transportation improvements for all taxpayers.

This toll road is not justified on the basis of traffic patterns and transportation requirements. DART and TxDOT studied traffic patterns on Highway 175 and concluded that there was insufficient traffic to justify building any HOV lanes. Dallas City Council member Sandy Greyson said at a briefing to the City Council Trinity River Committee on Monday April 4th that the project manager for Project Pegasus had told her twice that this proposed toll road was not necessary for the successful implementation of Project Pegasus. I was personally informed at a Project Pegasus work group meeting that Pegasus could handle all the required transportation improvements without construction of this proposed toll road. This proposed toll road appears to be a massive highway project that would financially benefit those involved in its development and construction, and this document is being used as a tool by those who would benefit to justify their actions and this project. Why has the name of the roadway been selected as the "Trinity Parkway"? Does not this and other actions serve to prejudice the selection of alternatives, and justify decisions which have already been made? Why were the locations of foreseeable borrow pits necessary for road construction not included in this DEIS? Are the locations of these

borrow pits known, and if so, where are they located?

The design of the alternatives along Irving and Industrial Blvd. occupies a wider right of way than necessary, especially near the planned toll plazas. Could not the design of these alternatives incorporate features used in the reconstruction of Central Expressway in Dallas and proposed for the reconstruction of Highway 183, such as elevated or depressed traffic lanes and cantilevered construction in order to reduce right of way requirements and project expense? Are there no innovative design features which would reduce the right of way requirements for toll plazas? Can toll booths be used at entrance and exit ramps to eliminate the necessity for toll plazas?

Despite the statements on page 4-103, "...greatest impact to wildlife would result from destruction of forest and wetland habitat" and "... riverine wetlands provide the most valuable habitat for wildlife in the study area" the sheer size of the floodway grasslands makes this area of great importance to local wildlife. Grasslands, in particular prairies, are even more threatened as a vegetational type and as wildlife habitat than are bottomland hardwood forests. The Dallas Floodway contains an incomparable amount of open grassland in a heavily urbanized area, and supports avian species such as meadowlarks, which are dependent on grassland areas and are becoming uncommon due to the loss of this very type of habitat. Other wildlife also depends on the grasslands, such as the influx of raptors during the winter months which forage for native rodents in the grasslands; nocturnal mammals such as raccoons, possums, skunks, coyotes, foxes and bobcats, among other species, whose populations would decline proportionately with the loss of grassland vegetation; crepuscular mammals such as cottontail rabbits which are important in their own right and as prey for raptors and other predators; and invertebrates such as the insect pollinators which are dependent on the significant flowering plant and wildflower components of the floodway grasslands. These and many other forms of wildlife need the grasslands to complete their life cycles. The plant species composition of the floodway grasslands is well over 50% native grasses and herbaceous plants, which seasonally produce spectacular native wildflower meadows. The statement on page 4-103, "The evaluation of project-related impacts on wildlife is largely focused on the amount of woodlands, especially riparian, as well as the amount of aquatic habitat impacted" dismisses the immense value of over 2000 acres of floodway grasslands, allowing the NTTA to ignore the overwhelming majority of existing wildlife habitat in the project area. Please respond to the concerns about our floodway grasslands raised in this paragraph. Has anyone from NTTA or representing NTTA actually surveyed the grasslands of the Dallas Floodway to evaluate their function, values, species composition or any other parameters? If field surveys or evaluations of the floodway grasslands have been done, when were they done, by whom, and what were the results? Is there even an estimate of the acreage of grasslands that would be destroyed by the build alternatives within the levees, and what is that estimate, or is this a continuance of the attempt to downplay the significance of the valuable grasslands in question? There are a multitude of negative impacts to wildlife that have not been listed or described, above and beyond the disturbance of vegetated habitat, such as the effects of toll road lighting during the hours of darkness, the effects of noise and vibration from the proposed toll road, the effects of waters polluted from highway storm water runoff, and a host of other negative impacts. Why have these negative impacts not even been mentioned, much less described or quantified? Wildlife constitutes one of the existing major attractions of the Trinity River floodplain and the Dallas Floodway, and will become even more valuable in the future as Dallas realizes the social, cultural, psychological, health, ecological and economic benefits of healthy and viable wildlife populations and the habitats upon which they depend in the core of our city.

On pages 4-105 and 4-106 the effects of this project on microclimate are cursorily discussed. The use of albedo values to determine whether local ambient temperatures would be affected by toll road construction does not fully explain the interaction of solar energy with different materials, surfaces and vegetation. Certainly lighter colored surfaces will reflect more sunlight than darker surfaces, but to maintain that reflectivity is the only pertinent factor is misleading. Sunlight striking dark colored vegetation will have a much different effect on local temperatures than sunlight striking light colored paved surfaces. The vegetation will use the sunlight to produce oxygen and remove carbon dioxide from the atmosphere while shading the ground surface, thus moderating

local ground and air temperatures; paved surfaces act as heat sinks by absorbing solar energy, increasing local ground temperatures, and radiating heat energy back out at night, raising local air temperatures. The very real urban heat island effect has already raised ambient local temperatures in the study area, producing negative impacts on air quality by facilitating low altitude ozone formation; the replacement of existing extensive vegetated surfaces with huge expanses of concrete, especially by the build alternatives within the floodway, will exacerbate the existing local urban heat island effect. Has the NTTA taken any comparative measurements of ground and air temperatures at representative sites in the study area such as roads, highways, forested areas, grasslands in the floodway, waterways or wetlands? How can the NTTA honestly maintain that there would be no significant or measurable impacts to microclimates and the existing urban heat island effect without accurately determining the existing conditions and developing an accurate method to estimate foreseeable and expected impacts of toll road construction?

Were any base line noise level studies conducted, especially within the levee system of the Dallas Floodway (which is considered part of the Trinity River Greenbelt) away from road and highway crossings or near the river, and if not, why? This area is planned to be further developed for recreation and environmental restoration purposes; increased highway traffic noise will have serious negative impacts on the quality of existing and future recreation and environmental restoration efforts.

The repeated references to "best management practices" as a means to avoid erosion and protect water quality is in reality misleading. I have never seen a construction project where BMPs have been effectively implemented or maintained; silt fences are consistently broken and not repaired, allowing soil eroded from the site to be washed into the nearest waterway by storm water runoff. Other BMPs are similarly ineffective due to poor implementation and lack of maintenance. This is quite troubling with respect to the build alternatives within the levee system, in an area that is not only a river floodplain but is also a designated floodway. How will the so-called BMPs be monitored to ensure proper installation and prompt repair? What recourse for remediation exists when the inevitable problems arise from improper installation and maintenance of BMPs? On page 4-112 it is stated, "By using...appropriate application of pesticides and fertilizers...potential impacts to water quality would be minimized." What are appropriate uses and types of pesticides and fertilizers in the context of this proposed toll road? Were water quality surveys performed for any of the extensive wetlands within the study area, especially wetlands within the Dallas Floodway? How can existing water quality conditions be characterized if these extensive, highly regulated and valuable water features are not evaluated?

In Appendix D - Cost Estimates, the cost estimates for environmental mitigation, including noise, hazardous materials, wetlands, and all other environmental mitigation, are shown as exactly \$5,000,000 for all six build alternatives. How can these estimates for all six alternatives, which vary widely in terms of their locations and impacts to the environment, be exactly the same? No other cost categories among the various alternatives were shown to be identical round figures. How were these identical estimates of costs determined? How could wetland mitigation costs, for example, be exactly the same for alternatives which impact less than 10 acres of wetlands and alternatives which impact over 150 acres of wetlands?

On page 3-129 it is stated, "The vegetation, level topography, and existing development within the study area limit long-range distant views, except at road crossings over the open landscape of the Trinity River floodplain. Virtually the only topographical relief within the study area is that associated with the flood control levees, which parallel the Trinity River within the Dallas Floodway." These statements ignore the obvious, which is that the view from the levees encompasses the grasslands, native wildflower meadows, wetlands, the riparian tree line along the river, former river channels, and, among other things, the Dallas skyline. The levee tops offer the best viewing position for wildlife, especially bird watching, and offer views of a natural setting that extend for literally miles into the distance. Is there another park, open space or greenbelt location in Dallas where a person can view literally hundreds of acres of open grasslands, wetlands and native wildflower meadows from a single spot? The many miles of levee tops along the Dallas Floodway offer a plethora of such views; this wonderful

aspect of the floodway should not be dismissed or downplayed. The view of the levee system, which is indeed virtually the only topographic relief in the area, is quite beautiful in spring when wildflowers cover the levee slopes. These native wildflowers are so thick and colorful that many wonder if the flowers have been artificially seeded; they are, however, completely native and self seeding, and thrive on these well drained slopes. In light of the preceding comments, how would the NTTA characterize the view shed associated with the levee system of the Dallas Floodway, as well as the visual impacts of the build alternatives within the levee system?

How were the members of the Community Advisory Work Group chosen? The explanation given in this report is ambiguous, basically saying some people were chosen to represent different groups and interests. Who made the selection of which groups or interests to be represented? What criteria were used to make the selection of representatives, groups, and/or interests? Why was I not invited to participate in this work group, since I am a small business owner who conducts business within the study area, I operate the only business in the city based on commercial recreational use of the Trinity River within the study area, I am a student of and advocate for the natural and historic features of the Trinity River and Dallas Floodway, I have pursued recreational interests within the Dallas Floodway since childhood, I provided a list of mammals of the Dallas Floodway to a preparer of the DEIS, and I know the topography and features of the Dallas Floodway like the back of my hand?

Why were copies of this document provided free of charge to local Chambers of Commerce but other interested persons and organizations had to pay \$80, plus shipping charges, to obtain a copy? What was the basis for the decision to provide free copies of this document to some but to charge others? Who received free copies of the DEIS? How many people or groups received free copies of the DEIS, and how many had to pay? It is unfair to make access to this document easy and inexpensive for some and prohibitively expensive for others, especially interested and knowledgeable individuals or groups that are expected to oppose this project. The CD-ROM version of the DEIS is awkward to use, and is not suitable for detailed study within the time constraints of the comment period.

The only supportable alternative proposed in this DEIS is the no build alternative.

I appreciate the opportunity to comment on this proposed project, and again mention that the intensity of these comments and questions has been compelled by the scale of this project and the anticipated impacts. Thank you for your careful consideration of the comments and questions contained within this letter.

Sincerely,

Charles Allen  
Trinity River Expeditions

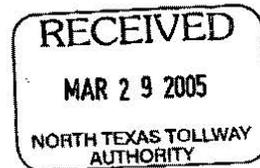
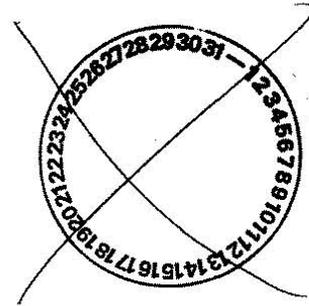
NTTA  
P.O. Box 260729  
Plano, TX 75026  
Attn: Mr. Christopher Anderson.

March 14, 2005

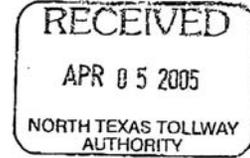
Please extend the comment period beyond the Friday, April 8, 2005, for the Draft Environmental Impact Statement of the Trinity Parkway.

The document is over 800 pages in length. The present deadline does not allow sufficient time to study the document's contents properly and prepare an adequate response.

Respectfully submitted,  
*Gail Arbetter*  
Gail Arbetter



3 April 2005



Dear Christopher,

PUBLIC COMMENTS  
RE: TRINITY TOLLWAY

I think the Trinity Tollway is the wrong solution to fix the mismarket.

Here are my reasons:

#1 - this proposed highway (tollway) will be subject to flooding during heavy rainfalls.

#2 The traffic volume for the proposed route is not adequate to fund the highway.

#3 Proposed and future rail corridors will move more people and save energy vs this highway.

#4 This roadway will increase air pollution in a region that can not meet current air quality standards.

#5 With the increased cost  
of #3 gasoline \$2.15 perhaps  
or more in a  
few years, I think highway  
traffic will be declining  
by the time this roadway  
is completed.

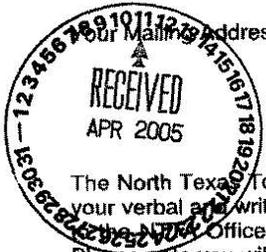
Sincerely,

Stan Ater

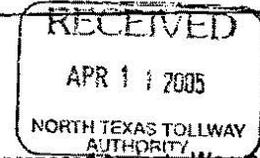
TRINITY PARKWAY  
DRAFT ENVIRONMENTAL IMPACT STATEMENT  
PUBLIC HEARING COMMENT FORM  
MARCH 29, 2005 AT THE DALLAS CONVENTION CENTER

**IMPORTANT**  
If you would like to receive newsletters and announcements as this study progresses, please make sure that you have completed an address information sheet. Visit the sign-in desk if you have any questions.

Your Name: Holly Baker (Please print clearly)



Address: 10655 Royal Springs Dr.  
Dallas, TX 75229



Post Mark - 4/17/05

The North Texas Tollway Authority (NTTA) is seeking your comments on the proposed project. We welcome your verbal and written comments. To be included in the project record, written comments must be submitted to the NTTA Office on or postmarked by April 8, 2005. All comments received will be given consideration. Please note you will not receive a direct written response to your comments or questions. Thank you for your comments (To mail this form, fold in thirds and affix appropriate postage).

**General Comments, Concerns or Suggestions** (i.e., alternatives, environmental concerns, and/or significant issues)

I strongly endorse NO BUILD. First the benefit to cost ratio has not been supported (for traffic reduction) in mix master. Too much area will be disturbed to facilitate the Parkway construction, especially when considering any linkage via cloverleafs. Forget seeing pretty bridge. It is insane to consider building a road <sup>of this magnitude</sup> in a known floodway. The ~~sumps~~ <sup>parkway</sup> access would require piers & adequate storm water regulation/control would further increase costs. Maintenance costs would be astronomical during heavy rains. The parkway would severely limit access to any parks below (not to mention intrusion of noise and air pollution). Who likes noise and smell at a park? Finally more about environmental impact - to destroy wetlands and decrease flood water conveyance is highly counter productive and costly in the long run. The Trinity is a powerful river and even <sup>existing</sup> levees have been breached in periods of extreme rainfall. Why make it worse in our zeal to build more obstructions? ~~As for parks~~

~~If the water is in another park, why build this one? All but parks need to be built. It is possible and better to build a park. But that this can be done and still be happy to spend more money on parks.~~



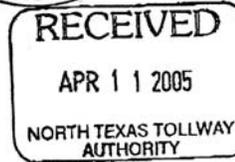
**BLACKBURN CARTER**  
A Professional Corporation  
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Mary W. Carter  
Francis E. Clin



90 Wesslayan, Suite 400  
Houston, Texas 77027  
Telephone (713) 524-1012  
Telefax (713) 524-5165

April 8, 2005



Fed Ex 4/8/05

*Via Federal Express*  
Mr. Christopher Anderson  
North Texas Tollway Authority  
5900 W. Plano Pkwy, Ste. 100  
Plano, Texas 75093

Re: Comments on Draft Environmental Impact Statement on Trinity Parkway

Dear Mr. Anderson:

The following are comments submitted in response to the Draft Environmental Impact Statement issued with regard to the Trinity Parkway from IH-35E/SH-183 to US-175/SH-310 in Dallas County, Texas. These comments are submitted on behalf of the League of Women Voters of Dallas and the Texas Committee on Natural Resources (TCNR).

**I. FLOODING AND DRAINAGE**

The DEIS is simply indefensible with regard to its analysis of the impacts of the proposed Trinity Parkway on flooding issues. Attachment A is a report by Larry Dunbar, P.E. discussing the deficiencies of the DEIS with respect to flooding and drainage. Insufficient information exists for an informed opinion to be formed regarding whether one alternative or another performs better from a flooding perspective.

One of the key purposes of the DEIS is to provide information to assist the decision-maker and the public in making preferences among alternatives required to be analyzed under the National Environmental Policy Act. The analysis – or lack thereof – in the Trinity Parkway DEIS makes a mockery of that requirement. Unless and until such an analysis is completed of the comparative impacts of the alternatives on flooding, the DEIS must be considered to have failed to correctly inform decision-makers and the public about the comparative impacts of the alternatives.

It is my legal opinion that the requirements for a Draft EIS contained in the regulations of the Council on Environmental Quality (CEQ) at 40 CFR 1500 et seq have been violated. It is also my legal opinion that a Supplemental DEIS must be prepared in order for this document to meet the requirements of NEPA and the CEQ rules.

**II. AIR POLLUTION ANALYSIS**

A. THE DEIS DOES NOT INCLUDE AN ANALYSIS OF PARTICULATE MATTER AIR POLLUTION

The DEIS does nothing to address the issue of particulate matter air pollution. There are national ambient air quality standards (NAAQS) for both PM 10 and PM2.5. Particulate matter air pollution is one of the most important pollutants from a health effects standpoint. As we learn more about air pollution, we are becoming increasingly concerned about small particles

Mr. Christopher Anderson  
April 8, 2005  
Page 2

that can go deep into the lungs. These fine particles are the subject of a recently enacted NAAQS by the U.S. Environmental Protection Agency. The standard includes an annual average of 15 micrograms per cubic meter and a 24-hour average of 50 micrograms per cubic meter for PM<sub>2.5</sub>.

The DEIS contains no analysis of the impact of the increased traffic created by the construction of the Trinity Parkway on either PM<sub>10</sub> or PM<sub>2.5</sub>. TxDOT apparently does not analyze PM<sub>10</sub> or PM 2.5 at all simply because the area is not in violation of the NAAQS for PM<sub>10</sub> or PM 2.5, apparently confusing conformity analysis requirements with environmental impact statement requirements. According to case law, an EIS is supposed to investigate the environmental impacts of the proposed action regardless of whether or not the area is currently in violation of the standard. For example, if the area adjacent to the proposed Trinity Parkway were close to the PM<sub>10</sub> or PM 2.5 standard, but was not currently exceeding it, the EIS should analyze what the impact of the proposed action on the ambient levels would be. It is important to inform the public as to the potential for exceeding a national standard, as well as whether air pollution will worsen. It is inexcusable to fail to report this issue.

The commenters are attaching several documents to these comments. First, we are attaching excerpts from Air Quality Criteria for Particulate Matter from the U.S. Environmental Protection Agency. This document discusses the health evidence arising from studies of particulate matter and concludes that both PM<sub>10</sub> and PM<sub>2.5</sub> represent significant health threats. The commenters are attaching Chapter 1, Volume I: Explanation and Chapter 6, Volume II: Epidemiology of Human Health Effects from Ambient Particulate Matter from this document as Attachment A.

Second, we are attaching a copy of the report prepared by Sonoma Technology Inc., entitled Assessment of the Health Benefits of Improving Air Quality in Houston, Texas, (Sonoma Report) prepared for the City of Houston. This study examined both the concentration of PM in the City of Houston and assessed the health impacts associated with PM<sub>2.5</sub> within the City of Houston. This document concludes that substantial health effects are associated with PM<sub>2.5</sub>, estimating that upwards of \$2.9 billion per year in health costs can be attributed to health effects of PM<sub>2.5</sub> exposure. These health effects include both mortality and morbidity effects. These address the health impacts of PM. The Sonoma Report is included with these comments as Attachment B.

We also are attaching the expert report of Dr. Matt Fraser of Rice University. Dr. Fraser is a Ph.D. in Atmospheric Chemistry and teaches in the Civil and Environmental Engineering Department at Rice. In this attached report, Dr. Fraser includes the results of PM<sub>2.5</sub> analysis he conducted for the proposed SH 121 project in Fort Worth where he showed a "significant" increase in PM<sub>2.5</sub> levels. Dr. Fraser found that the 1-hour average for fine particle concentrations would increase significantly with the proposed project.

The modeling calculations show an increase above regional background levels of fine particles in communities in the vicinity of the roadway of up to 15.2µm-3 based on 1-hour average concentrations.

Mr. Christopher Anderson  
April 8, 2005  
Page 3

Dr. Fraser notes that,

Time series analysis of health and pollution levels have shown that these spikes in fine particle concentration have been associated with increases in the morbidity and mortality associated with exposure to fine particles.

Dr. Fraser also calculated the expected increases in long-term average fine particle concentrations. He notes that the effects from long-term exposure to fine particle matter are also serious "...because atmospheric fine particles penetrate deep into the human respiratory system where they can accumulate over long periods of time." Dr. Fraser's analysis of the Fort Worth project clearly illustrates that PM2.5 can be meaningfully analyzed. Dr. Fraser's Report and the CD containing input data, output data and accompanying explanation on the Fine Particle Dispersion Modeling are included with these comments as Attachment C.

Asking that an analysis of particulate matter be conducted is not an unimportant request. The health effects data regarding particulate matter is overwhelming and significant. Dr. Fraser alludes to the health effects in his report, but there is much more as is shown in the attached EPA report on particle air pollution. It is too important to be ignored and the effects from the proposed project are potentially significant.

B. THE DEIS DOES NOT ANALYZE HEALTH EFFECTS ASSOCIATED WITH THE EXPOSURE FROM HIGHWAYS

In an environmental impact statement of a highway, the Agency should consider, evaluate, and report information from the epidemiological literature that associates proximity to highways to negative health effects. There is an abundance of such literature, enough to convince the harshest critic that there is a statistical association between proximity to highways and negative health effects.

Attachment D is an expert report prepared by Dr. Michael T. Kleinman of the Department of Community and Environmental Medicine at the University of California at Irvine. Dr. Kleinman has included an extensive bibliography of studies describing associations between highways and health effects. Among Dr. Kleinman's conclusions are the following. With regard to lung disease:

These studies substantiate the important deleterious cardiopulmonary health effects associated with motor vehicle pollution near heavily trafficked roads. Reinforcing these findings is a recently published study in the Journal of the American Medical Association...that lends an immense degree of credence to these associations. During the 1996 Summer Olympic Games changes in traffic flow patterns dramatically improved air quality in Atlanta...These data provide support for the causal relationship between motor vehicle exhaust and lung disease since reducing air pollution via reductions in motor vehicle traffic improved health.

\* \* \*

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Dr. Kleinman also notes in his report that heart disease is documented to be associated with pollution from roadway traffic:

This finding suggests that pollutants more closely associated with traffic, which include ultrafine particles and associated air toxics, could be causal components in the cardiovascular mortality associations.

Dr. Kleinman concludes by stating that it is his expert opinion that there are causal relationships between exposure to urban highways and respiratory illnesses, such as asthma, and heart disease.

This is important. This is what is supposed to be discussed and revealed in an environmental impact statement or evaluated for significance in a DEIS. This is where one identifies "significance". If, however, TXDOT does not evaluate the issue, there will be no finding of significance. Dr. Kleinman's report includes an extensive bibliography of studies and sources.

In addition to Dr. Kleinman's report, we have included a Summary of Health Studies Reporting on Health Effects Associated with Living Near Heavy Traffic Areas. These 18 health studies that have been reported in the peer reviewed literature. These studies support the correlation of negative health effects with urban roadways and highways. We have attached copies of the articles, as well. The summary and related articles are included with this comment as Attachment E.

#### C. THE DEIS DOES NOT DISCUSS HEALTH EFFECTS OF DIESEL CARCINOGENS

The United States Environmental Protection Agency has released "Health Assessment Document for Diesel Exhaust", a study where it identified diesel emissions as carcinogens. There is no mention of this information in the DEIS. This information is directly relevant to the health effects associated with pollution from the use of an urban highway and should be included in any discussion of effects from the proposed project. A copy of that report is included as Attachment F in these comments.

There should be a detailed discussion of diesel pollution from the proposed design of the Trinity Parkway. What is the mix of trucks and other diesel-powered vehicles on the roadway? What are the effects of the design of the highway on diesel emissions? What mitigation is being proposed to address diesel emissions? There was no such discussion in the DEIS.

#### D. CONCLUSION REGARDING THE ANALYSIS OF AIR POLLUTION IN THE DEIS

The DEIS does not adequately address certain air pollution issues from this proposed construction of the Trinity Parkway. An environmental document is supposed to inform the decision-maker and the public about any important issues so that they can be considered in the decision-making process. There may be ways to address these problems if they are brought to the attention of those in charge. However, if the document is silent, then the decision-maker would be justified in thinking that no major problems arise from the proposed project.

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There are major air pollution problems with the proposed Trinity Parkway construction – problems that have not been addressed correctly or fairly. The health effects literature must be presented. It should be addressed through quantitative analysis whenever possible. We have included Dr. Matt Fraser's analysis to assist the agency in this regard. Regardless, the health effects association is clear and must be addressed. The documentation of this association is overwhelming. There are actions that can be taken to minimize these impacts. There are things that can be done to help those who will be exposed to these pollutants. But we cannot do anything if we are ignorant. This is the reason that an EIS is called a *full* disclosure document.

The National Environmental Policy Act (NEPA) was intended to aid decision-makers and the public in addressing these important issues. The DEIS fails miserably at this laudable goal. Instead, these documents deny the decision-maker and the public the truth about this project. That is wrong. That is illegal under NEPA.

We wish to stress in these comments that the DEIS does not fairly consider the environmental impacts of a highway on air pollution levels and public health. We believe that the many reports, studies, and other documents that we have attached to these comments clearly and convincingly establish that these impacts are real and that they are significant. Had the DEIS considered this important issue correctly, their impacts would have been thoroughly disclosed. Because it did not, the DEIS does not meet the requirements of a DEIS as set out in the rules of the Federal Highway Administration and NEPA.

The bottom line is that this document fails to analyze particulate matter impacts or diesel exhaust impacts and health concerns related to these impacts.

In addition to the comments, we have included Attachments B - G containing the following material:

- B. Excerpts from US EPA Air Quality Criteria for Particulate Matter (Third External Review Draft, April 2002): Volume II: Epidemiology of Human Health Effects from Ambient Particulate Matter.
- C. Sonoma Technology, Inc., Assessment of the Health Benefits of Improving Air Quality in Houston, Texas.
- D. Expert Opinion of Dr. Matt Fraser, Assistant Professor from Rice University, Department of Civil and Environmental Engineering, California Institute of Technology on Analysis of Impacts on Surrounding Environment and Health Impacts and attached CD on the analysis of the proposed SH 121 project in Fort Worth, Texas.
- E. Expert Report of Dr. Michael Kleinman, Ph.D. Environmental Health Science, New York University, Professor, Department of Community and Environmental Medicine, College of Medicine, University of California at Irvine.
- F. Summaries of Health Studies Reporting on Health Effects Associated with Living Near Heavy Traffic Areas (Copies of each published study are included).
  - 1. Bert Brunekreef, et. al., Air Pollution from Truck Traffic and Lung Function in Children Living near Motorways, Epidemiology Resources, Inc., Vol. 8, Number 3 (1997).

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2. David L. Buckeridge, et. al., Effect of Motor Vehicle Emissions on Respiratory Health in an Urban Area, Environmental Health Perspectives, Vol. 110, No. 3 (March 2002).
3. Kristina Mukala, et. al., Seasonal Exposure to NO<sup>2</sup> and Respiratory Symptoms in Preschool Children, Journal of Exposure Analysis and Environmental Epidemiology, Vol. 6, No.2 (1996).
4. Peter A. Steerenberg, et. al., Traffic Related Air Pollution Affects Peak Expiratory Flow, Exhaled Nitric Oxide, and Inflammatory Nasal Markers, Archives of Environmental Health, Vol. 56 (No.2) (March/April 2001).
5. Patricia van Vliet, et al., Motor Vehicle Exhaust and Chronic Respiratory Symptoms in Children Living near Freeways, Environmental Research, 74, 122-132 (1997).
6. Matthias Wjst et. al., Road traffic and adverse effects on respiratory health in children, BMJ, Vol. 307(4 September 1993).
7. Jan Dejmek, et. al., Fetal Growth and Maternal Exposure to Particulate Matter during Pregnancy, Environmental Health Perspectives, Vol. 107, Number 6 (June 1999).
8. Jan Dejmek et. al., The Impact of Polycyclic Aromatic Hydrocarbons and Fine Particles on Pregnancy Outcome, Environmental Health Perspectives, Volume 108, No. 12 (December 2000).
9. Beate Ritz, et. al., Ambient Air Pollution and Risk of Birth Defects in Southern California, American Journal of Epidemiology, 155:17-25 (2002).
10. John Edwards et al., Hospital Admissions for Asthma in Preschool Children: Relationship to Major Roads in Birmingham, United Kingdom, Archives of Environmental Health, Vol. 49 (No. 4.) (July August 1994).
11. Yueliang Leon Guo, et. al., Climate, Traffic-Related Air Pollutants and Asthma Prevalence in Middle-School Children in Taiwan, Environmental Health Perspectives Vol. 107, Number 12 (December 1999).
12. M. Studnicka, et. al., Traffic-related NO<sup>2</sup> and the prevalence of asthma and respiratory symptoms in seven year olds, European Respiratory Journal, 10:2275-2278 (1997).
13. Catherine Wyler, et. al., Exposure to Motor Vehicle Traffic and Allergic Sensitization, Lippincott Williams & Wilkins, Inc., Vol. 11, No. 4 (July 2000).
14. A la Tertre, et. al., Short-term effects of particulate air pollution on cardiovascular diseases in eight European cities, Journal of Epidemiol Community Health 2002, 56: 773-779 (2002).
15. Gerard Hoek, et. al., Association between mortality and indicators of traffic-related air pollution in the Netherlands: a cohort study, The Lancet, <http://image.thelancet.com/extra/01art7366web.pdf>, (September 24, 2002).

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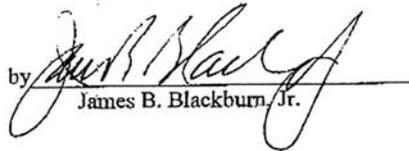
16. E.G. Knox and E. A. Gilman, Hazard proximities of childhood cancers in Great Britain from 1953-80, Journal of Epidemiology and Community Health, 51:151-159 (1997).
17. Robert Pearson, et. al, Distance-Weighted Traffic Density in Proximity to a Home Is a Risk Factor for Leukemia and Other Childhood Cancers. Journal of Air and Waste Management Association, Vol. 50: 175-180 (February 2000).
18. Ole Raaschou-Nielsen, et. al., Air Pollution from Traffic at the Residence of Children with Cancer, American Journal of Epidemiology, Vol. 153, No.5 (2001).

G. US EPA, Health Assessment Document for Diesel Engine Exhaust.

In conclusion, the League of Women Voters of Dallas and TCONR respectfully request that the Draft EIS for the Trinity Parkway be revised and/or supplemented to address the issues outlined herein. Thank you very much for your consideration of these comments. Should you have any questions, please contact me at (713) 524-1012.

Sincerely,

BLACKBURN CARTER, P.C.

by   
James B. Blackburn, Jr.

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Mr. James B. Blackburn, Jr.  
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April 6, 2005

Re: Comments on Trinity Parkway DEIS

Dear Mr. Blackburn:

As requested, I have reviewed the Trinity Parkway DEIS as to the potential impacts within the Dallas Floodway due to the construction of the proposed roadway inside the floodway. The following are my comments:

1. The DEIS states that the potential floodplain impacts were evaluated by using hydraulic model studies on the Trinity River using the HEC-RAS program (p. 4-114). However, there were no specific model results presented or discussed to determine what modeling was done and what assumptions were made. Instead, conclusory statements were made that there would be no significant impacts as a result of any of the build alternatives, without providing or referencing the basis for such statements.

2. On page 4-115 of the DEIS, it states:

'Based on preliminary hydraulic analyses conducted during the TPC MTIS/DEIS, encroachments on the floodplains would not increase the base flood elevation to a level that would violate applicable FEMA floodplain regulations.'

However, the DEIS does not indicate whether there would be any increase in the base flood elevation or for any other flood event as a result of the build alternatives located within the Dallas Floodway. This is important because placing fill within the Dallas Floodway impacts not only the floodplain but the floodway of the Trinity River. This has major implications throughout the river, especially within areas of the river that are protected by federal levees (e.g. the Dallas Floodway and the Dallas Floodway Extension). Federal regulations prohibit adversely impacting the flood protection afforded by these federal flood control projects, up to and including the design flood, which is generally the Standard Project Flood (SPF).

3. There is no discussion in this DEIS about potential impacts to the SPF in the Trinity River as a result of the build alternatives that would be located with the Dallas Floodway. It is unclear whether any hydraulic studies were done in conjunction with this DEIS for the Trinity Parkway that included an analysis of the SPF and impacts to it as a result of the proposed alternatives.

Appropriate mitigation would have to be incorporated into any project proposal if it would adversely impact the SPF along the Trinity River within the Dallas Floodway or the DFE.

4. Constructing a roadway within the Dallas Floodway exposes it to potential damage when it is flooded. Even though the proposed roadway would be elevated above the 100-year flood level, it would still be affected by higher floods, including the SPF. Previous studies discussing this proposal have indicated the need to provide erosion protection along the edges of the roadway due to the high velocities that would occur along the surface of the road. The DEIS does not discuss this issue nor provide for the necessary mitigation.

5. Previous hydraulic modeling of the Trinity River has been performed by the Corps of Engineers in its evaluation of the potential environmental impacts of the DFE project and other proposed projects within the area (see the DFE FEIS/SFEIS and the PFEIS). Even TxDOT has performed some hydraulic modeling as part of its MTIS work for the Trinity Parkway Corridor studies (see the TPC MTIS). However, all of these studies assumed there would be some amount of excavation within the Trinity River to create "lakes", similar to proposals made by the City of Dallas, and all of these studies showed some adverse impacts on flood levels along the federal levees as a result of the various Trinity Parkway alternatives evaluated.

There is no explanation given in this DEIS as to why similar hydraulic studies were not included in this DEIS as they had been in all of the other reports, so as to allow for the opportunity to review and evaluate the results of the various alternatives and their respective impacts on the floodplain of the Trinity River, especially along the federal levees. Without such information being included in the DEIS, it is impossible for the public or decision-makers to compare and evaluate the various alternatives for the Trinity Parkway and their potential impacts on the environment, which is the purpose of an EIS.

6. A second NOI was published in conjunction with the preparation of this DEIS for the Trinity Parkway, in order to include an analysis of potential lakes that would be located between the existing Dallas Floodway levees as part of the scope of the Trinity Parkway EIS. However, there is no discussion or analyses provided in this DEIS regarding these potential lakes. What happened to them? Presumably, these are the lakes that would be needed to mitigate the adverse impacts on the flood levels along the Trinity River as a result of constructing the parkway inside the levees of the Dallas Floodway that had been previously incorporated into other hydraulic model studies.

7. The DEIS states that bridges associated with the roadway alternatives that cross the Trinity River would be designed to avoid the base floodplain (p. 4-116). However, such bridges would also need to be elevated above the SPF, otherwise they would adversely impact this flood level in an area protected by federal levees, contrary to federal regulations. Again, no analysis is presented that shows that this has been analyzed to demonstrate that there would be no impact, and the necessary mitigation that would have to be included with the various alternatives so as to avoid such impacts.

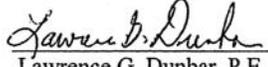
8. It is unclear given the above discussion whether the cost estimates for the various alternatives included in the DEIS contain the costs for providing the appropriate and necessary mitigation to

prevent any adverse impacts on flood levels along the Trinity River for those build alternatives that are to be located within the Dallas Floodway. Since the DEIS states that the analyses contained within the DEIS will be used to select a preferred alternative, based in part upon project costs, having incomplete and inaccurate project costs for certain alternatives produces a biased comparison of alternatives.

9. The USACE proposal for raising the Dallas Floodway levees indicates that the fill material will be obtained from shallow excavation near the toe of the existing levees. However, the proposed Trinity Parkway alternatives inside the Dallas Floodway are located on top of and adjacent to the toe of the existing levees. It is unclear what impact this will have on the USACE's proposal for raising its levees, such as on flood levels and necessary mitigation, as well as on the stability and maintenance of the levees themselves. Building a major highway inside a floodway and upon a federal flood control levee poses serious safety issues that seemingly have not been addressed or discussed in this DEIS.

If you would like to discuss this matter further, feel free to call me.

Very Truly Yours,

  
Lawrence G. Dunbar, P.E.

4-6-03



SUMMARIES OF HEALTH STUDIES REPORTING  
ON HEALTH EFFECTS ASSOCIATED WITH  
LIVING NEAR HEAVY TRAFFIC AREAS

I. **Exposure leads to increase in respiratory symptoms**

1. Bert Brunekreef, et. al., *Air Pollution from Truck Traffic and Lung Function in Children Living near Motorways*, *Epidemiology Resources, Inc.*, Vol. 8, Number 3 (1997).

The contribution of motorized traffic to air pollution is widely recognized, but relatively few studies have looked at the respiratory health status of subjects living near busy roads. We studied children in six areas located near major motorways in the Netherlands. We measured lung function in the children, and we assessed their exposure to traffic-related air pollution using separate traffic counts for automobiles and trucks. We also measured air pollution in the children's schools. Lung function was associated with truck traffic density but had a lesser association with automobile traffic density. The association was stronger in children living closest (<300m) to the motorways. Lung function was also associated with the concentration of black smoke, measured inside the schools, as a proxy for diesel exhaust particles. The associations were stronger in girls than in boys. The results indicate that exposure to traffic-related air pollution in particular diesel exhaust particles, may lead to reduced lung function in children living near major motorways.

2. David L. Buckeridge, et. al., *Effect of Motor Vehicle Emissions on Respiratory Health in an Urban Area*, *Environmental Health Perspectives*, Vol. 110, No. 3 (March 2002).

Motor vehicles emit PM 2.5 and as a result, PM 2.5 concentrations tend to be elevated near busy streets. The studies of the relationship between motor vehicle emissions and respiratory health are generally limited by difficulties in exposure assessment. The study authors developed a refined exposure model and implemented it using a geographic information system to estimate the average daily census enumeration area (EA) exposure to PM (2.5). Southeast Toronto, the study area, includes 334 EAs and covers 16 km<sup>2</sup> of urban area. The authors used hospital admissions diagnostic

codes from 1990 to 1992 to measure respiratory and genitourinary conditions. They then assessed the effect of EA exposure on hospital admissions using a Poisson mixed-effects model and examines the spatial distributions of variables. Exposure to PM (2.5) from motor vehicle emissions has a significant effect on admission rates for a subset of respiratory diagnoses (asthma, bronchitis, chronic obstructive pulmonary disease, pneumonia, upper respiratory tract infection), with a relative risk of 1.24 95% CI, 1.05-1.45) for a log (10) increase in exposure.

3. *Kristiina Mukala, et al., Seasonal Exposure to NO<sup>2</sup> and Respiratory Symptoms in Preschool Children, Journal of Exposure Analysis and Environmental Epidemiology, Vol. 6, No.2 (1996).*

One hundred seventy-two preschool children, aged three to six years, who attended municipal day-care centers in suburban areas of Helsinki, were followed up for seven weeks during the winter season and for eight weeks during the spring season in 1991 as part of a study to determine respiratory symptoms in children associated with NO<sup>2</sup>. For each child, the weekly average NO<sup>2</sup> exposure was estimated using passive samplers attached to the outer garments of the children during their everyday activities. The median of personally measured seasonal NO<sup>2</sup> exposures was 21  $\mu\text{g}/\text{m}^3$  (range 11-45.8  $\mu\text{g}/\text{m}^3$ ). The seasonal median NO<sup>2</sup> exposure was significantly larger ( $p < .001$ ) in the central area (27.4  $\mu\text{g}/\text{m}^3$ ) than in the suburban area (18.2  $\mu\text{g}/\text{m}^3$ ), reflecting a difference in exposure caused by automobile traffic. There also were significantly ( $p > .001$ ) more days with stuffed nose (26% vs. 20%) and cough (18% vs 15%) in the central area than in the suburban area. The study found that there was a significant difference between the central and the suburban areas of Helsinki with regard to both the seasonal NO<sub>2</sub> exposure and the prevalence of cough and nasal symptoms among children aged three to six years.

4. *Peter A. Steerenberg, et. al., Traffic Related Air Pollution Affects Peak Expiratory Flow, Exhaled Nitric Oxide, and Inflammatory Nasal Markers, Archives of Environmental Health, Vol. 56 (No.2) (March/April 2001).*

The authors used a longitudinal observational design, with repeated measures, to study the association between traffic-related air pollutants (i.e. nitric oxide, nitrogen

dioxide, carbon monoxide, and Black Smoke) and respiratory symptoms. The study included eighty-two elementary school students in either Utrecht, Germany (i.e., urban children) or Bilthoven, Germany (i.e. suburban children). These two geographic areas differed with respect to levels of Black Smoke (means=53 microg/m<sup>3</sup> and 18 microg/m<sup>3</sup>, respectively.) Levels of nitric oxide, nitrogen dioxide, carbon monoxide, and Black Smoke were consistently higher in Utrecht than in Bilthoven (mean daily ratios were 8, 1.5, 1.8, and 2.7 respectively). The authors compared mean levels of short term effects of the aforementioned air pollutants on suburban and urban children. Differences in urban and suburban children's respiratory conditions were noted. Urban children had higher mean levels (p=.05) of interleukin-8 (32%), urea (39%), uric acid (26%), albumin (15%), and nitric oxide metabolites (21%) in nasal lavage than did suburban children. Peak expiratory flow, exhaled nitric oxide levels and nasal markers were associated with levels of PM 10, Black Smoke, nitrogen dioxide, and nitric oxide. With respect to per unit increases in air pollution, urban children had more increased peak expiratory flow, higher levels of exhaled nitric oxide, and more increased release of uric acid, urea, and nitric oxide metabolites than suburban children. Urban children had increased levels of inflammatory nasal markers, and their responses were more pronounced than were the suburban children's response to the same increments of air pollution.

5. *Patricia van Vliet, et al., Motor Vehicle Exhaust and Chronic Respiratory Symptoms in Children Living near Freeways, Environmental Research, 74, 122-132 (1997).*

The authors conducted a cross-sectional study to examine whether motor vehicle exhaust from freeways has an effect on respiratory health of children. Participants included children attending schools situated less than 1000 meters from major freeways in the Province of South Holland. The selected freeways carry between 80,000 and 150,000 vehicles per day. Separate counts for truck traffic indicated a range from 8,000 to 17,500 trucks per day. Out of a total of 13 schools, 1,498 children were asked to participate. From these children, 1,068 usable questionnaires were obtained. Chronic respiratory symptoms reported in the questionnaire were analyzed with logistic regression. Distance from the freeway and (truck) traffic intensity were used as exposure variables. Cough, wheeze, runny nose, and doctor diagnosed asthma were significantly

more often reported for children living within 100m from the freeway. The study showed that children living near major freeways in The Netherlands had more respiratory symptoms with increasing density of truck traffic. Truck traffic intensity and the concentration of black smoke measured in schools were found to be significantly associated with chronic respiratory symptoms. These relationships were more pronounced in girls than in boys.

6. *Matthias Wjst et. al., Road traffic and adverse effects on respiratory health in children, BMJ, Vol. 307(4 September 1993).*

This study examines whether road traffic in a heavily populated city, has a direct effect on pulmonary function and respiratory symptoms in children. The study concentrated on areas where density of road traffic ranged from 7,000 to 125,000 cars per 24 hours. Of all 7,445 fourth grade children (aged 9-11) in Munich, Germany, 6,537 were examined. Of the children with German nationality and the same residence during the past five years and known exposure data, 4,678 questionnaires and 4,320 pulmonary function tests could be analyzed. Questionnaires collected information on pulmonary function variables of pulmonary function by forced expiration and respiratory symptoms. Additional information came from national census data on car traffic in school districts. Multiple regression analysis of peak expiratory flow showed a significant decrease of .71% (95% CI 1.08% to 0.33%) per increase of 25,000 cars daily passing through the school district on the main road. Maximum expiratory flow when 25% vital capacity has been expired was decreased by 0.68% (1.11% to 0.25%). The adjusted odds ratio for the cumulative prevalence of recurrent wheezing with the same exposure was 1.08 (1.01 to 1.16). Cumulative prevalence of recurrent dyspnea was increased, with an odds ratio of 1.10 (1.00 to 1.20). Lifetime prevalence of asthma (odds ratio 1.04 ; 0.89 to 1.21) and recurrent bronchitis (1.05; 0.98 to 1.12) were not significantly increased. The study concluded that high rates of road traffic are associated with reduced pulmonary function and increased respiratory symptoms in 10 year old children.

II. Exposure leads to an increase in birth defects and adverse pregnancy outcomes.

1. Jan Dejmek, et. al., Fetal Growth and Maternal Exposure to Particulate Matter during Pregnancy, *Environmental Health Perspectives*, Vol. 107, Number 6 (June 1999).

Prior studies reported an association between ambient air concentrations of total suspended particles and SO<sub>2</sub> during pregnancy and adverse pregnancy outcomes. The authors examined the possible impact of PM<sub>10</sub> and PM 2.5 on intrauterine growth retardation (IUGR) risk in a highly polluted area of Northern Bohemia (Teplice District). The study group includes all live full-term births of European origin over a 2-year period in the Teplice District. Information on reproductive history, health, and lifestyle was obtained from maternal questionnaires. The mean concentrations of pollutants for each month of gestation were calculated using continuous monitoring data. Three intervals (low, medium, and high) were constructed for each pollutant (tertiles). Odds ratios (ORs) for IUGR for PM 10 and PM 2.5 levels were generated using logistic regression for each month of gestation after adjustment for potential confounding factors. Adjusted ORs for IUGR related to ambient PM<sub>10</sub> levels in the first gestational month increased along the concentration intervals: medium 1.62 (95% CI, 1.07-2.46), high 2.64 (CI), 1.48-4.71). ORs for PM 2.5 were 1.26 (CI), 0.81-1.95) and 2.11 (CI), 1.20-3.70), respectively. No other associations of IUGR risk with particulate matter were found. The authors found that the influence of particles or other associated air pollutants does have an effect on fetal growth in early gestation.

2. Jan Dejmek et. al., The Impact of Polycyclic Aromatic Hydrocarbons and Fine Particles on Pregnancy Outcome, *Environmental Health Perspectives*, Volume 108, No. 12 (December 2000)

Studies relating maternal exposure to fine airborne pollution and increased risk of adverse pregnancy outcomes is steadily growing larger acceptance in the scientific community. This study follows up on a 1999 study that tracked the relationship between intrauterine growth retardation (IUGR) and exposure to PM 10 and particulate matter [less than and equal to] 2.5 micrograms per m<sup>3</sup> (PM(2.5)) in early pregnancy in the highly polluted district of Northern Bohemia in the Czech Republic (Teplice). From this

observation rose the question about the possible role of the carcinogenic fraction of polycyclic aromatic hydrocarbons (c-PAHs), which are usually bound to fine particles. For this study, the impact of the c-PAHs and fine particles on IUGR was analyzed in Teplice and Prachatice. Teplice has approximately 120,000 inhabitants and 1,100 births per year, lies in the brown-coal basin of northern Bohemia, and is heavily industrialized including chemical industry, surface mining and large coal power plants. Prachatice, a region with similarly high c-PAH but low particle levels, has approximately 50,000 inhabitants and about 450 births per year and is primarily agricultural. The study included all European-origin, single live births occurring between April 1994 and March 1998 in Teplice (n=3,378) and Prachatice (n=1,505). Detailed personal data were obtained via questionnaires and medical records. Mean PM (10), PM (2.5), and c-PAHs levels during the nine gestational months (GM) were estimated for each mother. Adjusted odd ratios (AORs) of IUGR for three levels of c-PAHs (low, medium, and high) and for continuous data were estimated after adjustment for a range of covariates using logistic regression models. In the present 4-year sample from Teplice, previously published results about increasing IUGR risk after exposure to particles in the first GM were fully confirmed, but no such effects were found in Prachatice. The AOR of IUGR for fetuses from Teplice exposed to medium levels of c-PAHs in the first GM was 1.60 (CI, 1.06-2.15) and to high levels 2.15 (CI, 1.27-3.63). An exposure-response relationship was established by analyzing the continuous data. For each 10ng increase of c-PAHs in the first GM, the AOR was 1.22 (CI, 1.07-1.39). About the same relationship was observed in Prachatice in spite of the low particle levels. The results prove that exposure to c-PAHs in early gestation may influence fetal growth. The particulate matter-IUGR association observed earlier may be at least partly explained by the presence of c-PAHs on particle surfaces.

3. Beate Ritz, et. al., *Ambient Air Pollution and Risk of Birth Defects in Southern California*, *American Journal of Epidemiology*, 155:17-25 (2002).

The authors evaluated the effect of air pollution on the occurrence of birth defects ascertained by the California Birth Defects Monitoring Program in neonates and fetuses delivered in southern California in 1987-1993. By using measurements from ambient

monitoring stations of carbon monoxide (CO), nitrogen dioxide, ozone, and particulate matter <10 micrograms per m<sup>3</sup> (PM 10) in aerodynamic diameter, the study calculated average monthly exposure estimates for each pregnancy. (The PM-10 particles with a diameter of 10 micrometers or less (0.0004 inches or one-seventh the width of a human hair). Data on birth defects were collected by the California Birth Defects Monitoring Program (CBDMP) for four counties and represented births in July 1990-July 1993 for Los Angeles, 1989 for Riverside, 1998-1989 for San Bernadino, and 1987-1989 for Orange Counties. Study participants included all liveborn infants and fetal deaths diagnosed between 20 weeks of gestation and 1 year after birth with isolated, multiple, syndromic, or chromosomal cardiac or orofacial cleft defects who lived within ten miles of an air monitoring station. Air monitor data was collected by the South Coast Air Quality Management District from 30 air monitoring stations between 1987 and 1993 to estimate exposure during pregnancy, in general relying on the station nearest to the residential zip code reported on birth or fetal death certificates. Conventional, polytomous, and hierarchical logistic regression was used to estimate odds ratios for subgroups of cardiac and orofacial defects. Results suggested that certain fetal heart phenotypes may be susceptible to the adverse effects of two ambient pollutants, carbon monoxide and ozone.

### III. Exposure leads to increase incidences of Asthma in Children

1. *John Edwards et al., Hospital Admissions for Asthma in Preschool Children: Relationship to Major Roads in Birmingham, United Kingdom, Archives of Environmental Health, Vol. 49 (No. 4.) (July August 1994).*

This study examined the relationship between residence near major roads, traffic flow, and risk of hospital admission for asthma in children younger than five years of age living in Birmingham, United Kingdom. The study compared area residence and traffic flow patterns for children admitted to the hospital for asthma, children admitted for non-respiratory reasons, and a random sample of children from the community. The study found that children admitted with an asthma diagnosis were between 13 percent and 74 percent more likely than children in the general community to live in areas with heavy traffic flow along the nearest adjacent segment of main road than children admitted to the

hospital for other emergency conditions. High traffic flow was defined as greater than 24,000 vehicles in a 24 hour period. The Children admitted for non-respiratory reasons were more likely to be admitted than children in the community sample if they lived within 200 m of a main road irrespective of traffic flow. The study suggested that living near busy roads may have an adverse effect on the health of young children.

2. *Yueliang Leon Guo, et. al., Climate, Traffic-Related Air Pollutants and Asthma Prevalence in Middle-School Children in Taiwan, Environmental Health Perspectives Vol. 107, Number 12 (December 1999).*

This study compared the prevalence of asthma with climate and air pollutant data to determine the relationship between asthma prevalence and these factors. The authors conducted a nationwide survey of respiratory illness and symptoms in middle-school students living in Taiwan. Lifetime prevalence of physician-diagnosed asthma and of typical symptoms of asthma were compared to air monitoring station data for temperature, relative humidity, sulfur dioxide, nitrogen oxides, ozone, CO, and PM10. A total of 331,686 nonsmoking children attended schools located within 2km of 55 stations. Asthma prevalence rates adjusted for age, history of atopic eczema, and parental education were associated with non-summer (June-August) temperature, winter (January-March) humidity, and traffic-related air pollution, especially carbon monoxide and nitrogen oxides, for both boys and girls. Non-summer temperature, winter humidity, and traffic-related air pollution, especially carbon monoxide and nitrogen oxides, were positively associated with the prevalence of asthma in middle-school students in Taiwan.

3. *M. Studnicka, et. al., Traffic-related NO<sup>2</sup> and the prevalence of asthma and respiratory symptoms in seven year olds, European Respiratory Journal, 10:2275-2278 (1997).*

The study examined 843 7-year old children living in eight non-urban communities for a period of two years. Industrial sources of air pollution were at least 20 km away from the studies communities, and therefore NO<sup>2</sup> was considered to primarily be derived from traffic-related air pollution. NO<sup>2</sup> was recorded at central monitors, and the three year mean exposure was calculated. Asthma and respiratory symptoms were assessed according to the International Study in Asthma and Allergy in Childhood. The study

found that the prevalence of respiratory symptoms increased in communities with high NO<sup>2</sup>. Prevalence of asthma at some time ("ever asthma") was associated with long term NO<sup>2</sup>. In parallel with increasing levels of NO<sup>2</sup> (community specific three year mean 6.0-17.0 parts per billion (ppb)), asthma prevalence was 2.5, 1.4, 1.6, 2.3, 3.4, 3.6, 7.6 and 8.5%, respectively (p=0.002 for trend). The prevalence odds ratios (PORs) for "ever asthma", following adjustment for gender, age, parental education, passive smoke exposure, type of indoor heating asthma and parental asthma, were 1.28 (95% CI 0.28-7.98), 2.14 (95% CI 0.40-11.3) and 5.81 (95% CI 1.27-26.5), when each of two communities with low, regular and high NO<sup>2</sup>, respectively, were compared with the two communities with very low NO<sup>2</sup>. For symptoms "wheeze" (adjusted PORs for increased NO<sup>2</sup>:1.47, 1.23 and 2.27) and "cough apart from colds" (adjusted PORs for increased NO<sup>2</sup>:1.49, 1.93, and 2.07), a similar trend was seen. In this study, a significant relationship was observed between traffic-related nitrogen dioxide and the prevalence of asthma and symptoms.

#### IV. Exposure leads to increase sensitization for allergens.

1. Catherine Wyler, et. al., Exposure to Motor Vehicle Traffic and Allergic Sensitization, Lippincott Williams & Wilkins, Inc., Vol. 11, No. 4 (July 2000).

The authors examined the association between the presence of an allergic sensitization and seasonal allergic diseases or symptoms and exposure to road traffic in Basel, Switzerland. Traffic counts at the domiciles of subjects ranged from 24 to 32,504 cars per 24 hours, with a median volume of 1,624. The study matched the data of the traffic inventory of Basel with those of the 820 participants of the SAPALDIA study (Swiss Study on Air Pollution and Lung Diseases in Adults), ages 18-60 years, who had completed a detailed respiratory health questionnaire and had undergone allergy testing (skin prick tests and serologic examinations). Observations included a positive association with the sensitization to pollen that was most pronounced among persons with a duration of residence of at least ten years. The odds ratios (adjusted for educational level, smoking behavior, number of siblings, age, sex and family history of atopy) for cars, contrasting four exposure categories with the lowest quartile as referent category,

were 1.99 [95% CI (CI)= .91-4.38], 2.47 (95% CI=1.06-5.73), and 2.83 (95% CI=1.26-6.31). These results suggest that living on busy roads is associated with a higher risk for a sensitization to pollen and could possibly be interpreted as an indication for interactions between pollen and air pollutants.

## V. Exposure leads to increase in susceptibility to cardiovascular disease

1. *A la Tertre, et. al., Short-term effects of particulate air pollution on cardiovascular diseases in eight European cities. Journal of Epidemiol Community Health 2002, 56: 773-779 (2002).*

As part of the APHEA (Air Pollution and Health: a European Approach) project this study examined the association between airborne particles and hospital admissions from cardiac causes (ICD9 390-429) in eight European cities (Barcelona, Birmingham, London, Milan, the Netherlands, Paris, Rome, and Stockholm). All admissions were studied, as well as admissions stratified by age. The association for ischaemic heart disease and stroke was also studied stratified by age. Autoregressive Poisson models were used that controlled for long term trend, season, and influenza epidemics, and meteorology to assess the short-term effects of particles in each city. The study also examined confounding by other pollutants. City specific results were pooled in a second stage regression to obtain more stable estimates and examine the sources of heterogeneity. The study found that the pooled percentage increases associated with a 10 µg/m<sup>3</sup> increase in PM<sub>10</sub> and black smoke were respectively 0.5% (95% CI: 0.2 to 0.8) and 1.1% (95% CI: 0.4 to 1.8) for cardiac admissions of all ages, 0.7% (95% CI: 0.4 to 1.0) and 1.3 (95% CI: 0.4 to 2.2) for cardiac admissions over 65 years, and 0.8% (95% CI: 0.3 to 1.2) and 1.1% (95% CI: 0.7 to 1.5) for ischaemic heart disease over 65 years, and 0.8% (95% CI: 0.3 to 1.2) and 1.1% (95% CI: 0.7 to 1.5) for ischaemic heart disease over 65 years. The effect of PM<sub>10</sub> was little changed by control for ozone or SO<sub>2</sub>, but was substantially reduced (CO) or eliminated (NO<sub>2</sub>) by control for other traffic related pollutants. The effect of black smoke remained practically unchanged controlling for CO and only somewhat reduced controlling for NO<sub>2</sub>. The effects of particulate air pollution on cardiac admissions suggest the primary effects is likely to be mainly attributable to diesel

exhaust. Results for ischaemic heart disease below 65 years and for stroke over 65 years were inconclusive.

2. Gerard Hoek, et. al., Association between mortality and indicators of traffic-related air pollution in the Netherlands: a cohort study, *The Lancet*, <http://image.thelancet.com/extra/01art7366web.pdf>, (September 24, 2002).

Long term exposure to particulate matter air pollution has been associated with increased cardiopulmonary mortality in the United States. The authors aimed to assess the relation between traffic-related air pollution and mortality in participants of the Netherlands Cohort study on Diet and Cancer (NLCS), an ongoing study. The study participants included a random sample of 5000 people ranging in ages from 55-69 (from 1986 to 1994) from the full cohort of the NLCS study. Long-term exposure to traffic related air pollutants (black smoke and nitrogen dioxide) was estimated for the participants' 1986 home address. Exposure was characterized with the measured regional and urban background concentration and an indicator variable for living near major roads. The association between exposure to air pollution and (cause specific) mortality was assessed with Cox's proportional hazards models with adjustment for potential confounders. Four hundred and eighty-nine of 4,492 people with data died during the follow-up period. Cardiopulmonary mortality was associated with living near a major road (relative risk 1.95, 95% CI (1.09-3.52) and, less consistently, with the estimated ambient background concentration (1.34, 0.68-2.64). The relative risk for living near a major road was 1.41 (0.94-2.12 for total deaths. Non-cardiopulmonary, non-lung cancer deaths were unrelated to air pollution (1.03, .54-1.96 for living near a major road). Long term exposure to traffic-related air pollution may shorten life expectancy.

## VI. Exposure leads to increased risk for cancer.

1. E.G. Knox and E. A. Gilman, Hazard proximities of childhood cancers in Great Britain from 1953-80, *Journal of Epidemiology and Community Health*, 51:151-159 (1997).

This study examined the relationships between the birth and death addresses of children dying from leukemia and cancer in Great Britain, and the proximity of these addresses to potential environmental hazards. The home address postcodes and their map coordinates

were identified at birth and at death in children who died from leukemia or cancer. Potentially hazardous industrial addresses and postal codes were collected from business and other directories, and map coordinates obtained from the Central Postcode Directory or else located directly on Ordnance Survey (OS) maps. Railway lines and motorways were digitized from OS maps. The number of deaths (and births) at successive radial distances from these hazards were counted and compared with expected numbers. The latter were based on a count of all PCs at similar distances. Relative case density ratios at successive distances from the hazards were obtained from observed and expected numbers, aggregated over similar sites. This was repeated for different hazard types and results were tested for evidence of centrifugal case density gradients. All of the 22,458 children dying from leukemia or cancer were aged 0-15 years and lived in England, Wales, and Scotland, between 1953 and 1980. The relative excesses of leukemias and solid cancers were found near (1) oil refineries, (2) major car factories, (3) major users of petroleum products, (4) users of kilns and furnaces including steelworks, and (5) airfields, railways, and motorways, and harbours. The findings for leukemias and solid cancers was indistinguishable. The hazard proximities of birth addresses were stronger than for death addresses. For children who had moved between birth and death, the proximity effect was limited to the birth addresses. The study found that childhood cancers are geographically associated with two main types of industrial atmospheric effluent namely: (1) petroleum derived volatiles and (2) kiln and furnace smoke and gases, and effluents from internal combustion engines.

2. Robert Pearson, et. al, *Distance-Weighted Traffic Density in Proximity to a Home Is a Risk Factor for Leukemia and Other Childhood Cancers*, *Journal of Air and Waste Management Association*, Vol. 50: 175-180 (February 2000).

Occupational exposure to elevated concentrations of benzene is a known cause of leukemia in adults. Concentrations of benzene from motor vehicle exhaust could be elevated among highly trafficked streets. Several studies have reported significant associations between proximity to highly trafficked streets and the occurrence of childhood cancers and childhood leukemia. These associations may be due to chronic exposure to benzene or other carcinogenic compounds components of vehicle exhaust from these nearby streets or to some other factor (e.g. noise, increased light exposure, or some unaccounted-for socioeconomic variable). The authors used data for homes studied in an earlier childhood cancer study

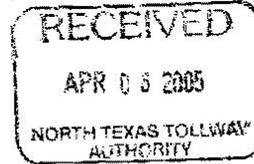
conducted in Denver, CO, in 1980. No air pollution measurements were made in the original study. We identified the highest trafficked street near each study home and obtained the traffic density from 1979 and 1990. Traffic density was weighted for the distance from the street to the home using three different widths of Gaussian curves to approximate the decay of the emissions into the surrounding neighborhoods. The associations between the 750-ft wide distance-weighted traffic density metrics and all childhood cancers and childhood leukemia are strongest in the highest traffic density category ( $\geq 20,000$  vehicles per day [VPD]). The odds ratio is 5.90 (95% CI [CI] 1.69-20.56) for all cancers and 8.28 (95% CI 2.09-32.80) for leukemia. The results suggest an association between proximal high traffic streets with traffic counts  $\geq 20,000$  VPD and childhood cancer, including leukemia.

3. *Ole Raaschou-Nielsen, et. al., Air Pollution from Traffic at the Residence of Children with Cancer, American Journal of Epidemiology, Vol. 153, No.5 (2001).*

The study tested the hypotheses that increases in exposure to traffic-related air pollution lead to an increased risk of developing cancer during childhood. Study participants were made up of 1,989 children enrolled in the Danish Cancer Registry with a diagnosis of leukemia, tumor of the central nervous system, or malignant lymphoma during 1968-1991 and 5,506 control children selected at random from the entire childhood population. The residential histories of the children were traced from nine months before birth until the time of diagnosis of the cases and a similar period for the controls. For each of the 18,440 identified addresses, information on traffic and the configuration of streets and building were collected. Average concentrations of benzene and nitrogen dioxide (indicators of traffic-related air pollution) were calculated for the relevant period, and exposures to air pollution during pregnancy and during childhood were calculated separately. The risks of leukemia, central nervous system tumors, and all selected cancers combined were not linked to exposure to benzene or nitrogen dioxide during either period. The risk of lymphomas increased by 25% (p for trend=0.06) and 51% (p for trend=0.05) for a doubling of the concentration of benzene and nitrogen dioxide, respectively, during the pregnancy. The association was restricted to Hodgkin's disease.

April 4, 2005

Mr. Christopher Anderson  
Planning Director  
North Texas Tollway Authority  
P.O. Box 260729  
Plano, TX 75026



RE:

Trinity Parkway  
Draft Environmental Impact Statement  
Public Hearing Comment Form  
March 29, 2005 at the Dallas Convention Center



Your Name(s): Leron Blanks, President and Owner  
Douglas Heyerdahl, Chief Financial Officer

Your Mailing Address: Blanks Printing & Imaging, Inc.  
2343 N. Beckley  
Dallas, TX 75208

**General Comments, Concerns or Suggestions:**



Blanks Printing & Imaging, Inc. ("Blanks") is a printing company located at the Southwest corner of Beckley and West Commerce Street. The property is leased from Blanks Investments, which is also owned by Leron Blanks, a long-term Oak Cliff and Dallas resident.

Based on the maps and drawing presented as part of the Draft Environmental Impact Statement, Trinity Parkway Alternatives 4 and 5, as designed, would require 35% of the Blanks property, thereby requiring a relocation of the company. For some reason, Alternatives 4 & 5 require significantly more land area at the West Commerce Street / Beckley intersection than Alternatives 3A and 3B.

Relocation of Blanks Printing & Imaging, located in this special use facility since 1974, would be very cost prohibitive due to:

- Elaborate and deep building foundations designed to support printing presses over 80 feet long and weighing over 40 tons each
- 88,000 square feet: 100% air conditioned, 100% sprinklered
- Redundant electrical power sources, including both 480 and 220 power
- Significant investment in printing presses, pre-press, bindery and fulfillment equipment
- High end finish-out interiors to meet the expectations of our clientele
- An established location and market presence, good for both customers and employees, many of them Dallas residents
- In addition, Blanks Printing & Imaging is considered an anchor tenant of the Fort Worth Avenue Corridor redevelopment initiative with the City of Dallas.

**Therefore, we are strenuously AGAINST Trinity Parkway Alternatives 4 and 5.** We favor Alternative 3B.

Please contact us at 214-741-3905, if we can provide any further information.

Yours truly,



Leron Blanks,  
President & Owner



Douglas Heyerdahl  
Chief Financial Officer  
cfo@blanks.com





United States Environmental Protection Agency

Region 6

1445 Ross Avenue, Suite 1200  
Dallas, Texas 75202-2733



**FAX FORM**

Number of Pages, including cover sheet: 6



To: Christopher Anderson	From: Bonnie Braganza
Phone: 214-461-2000	Phone: (214) 665-7340
Fax: 214-528-4826	Fax: (214) 665-7446

RE: EPA comments on the DEIS for the Trinity Parkway

A signed copy is in the mail to you.

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS, TX 75202-2733

Mr. Salvador Deocampo  
District Engineer, Texas Division  
Federal Highway Administration  
Federal Office Building  
300 East 8<sup>th</sup> Street, Room 826  
Austin, Texas 78701

Dear Mr. Deocampo:

In accordance with our responsibilities under Section 309 of the Clean Air Act, the National Environmental Policy Act (NEPA), and the Council on Environmental Quality Regulations (CEQ) for Implementing NEPA, the U.S. Environmental Protection Agency (EPA) Region 6 office in Dallas, Texas, has completed its review of the Draft Environmental Impact Statement (DEIS) for the Trinity Parkway Project. This action is for the construction on either existing and/or new location of the Trinity Parkway as a limited-access toll facility from Interstate Highway (IH) 35E/SH-183 to US175/SH-310 in Dallas, Dallas County, Texas.

The DEIS provides the public and Federal, state, and local agencies with the assurance that the project sponsors have evaluated, addressed, and documented project-related social, economic, and environmental concerns. The Federal Highway Administration (FHWA), North Texas Tollway Authority (NTTA), Texas Department of Transportation (TXDOT), and the City of Dallas are the Sponsors of the Trinity Parkway project. Trinity Parkway project has been selected as one of new nationwide priority projects subject to Executive Order (EO) 13274 signed by President Bush on September 18, 2002. The EO was issued to enhance environmental stewardship while streamlining the decision making process for major transportation projects.

The DEIS evaluates and identifies the potential environmental impacts associated with the Build Alternatives, including the No-Action. Provided unavoidable impacts are minimized and mitigated with appropriate compensatory mitigation, the DEIS demonstrates the final selected alternative action should have minimal significant adverse impact. Final selection will be based on practicability and viability which includes not only environmental but also economic costs and social impact. EPA agrees that only practicable alternatives can be implemented to meet the stated project purpose and need.

EPA agreed to be a cooperating agency in the development of the DEIS. A cooperating agency is an organization, other than the lead agency, which has jurisdiction by law or with

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special expertise with respect to environmental impacts due to a major Federal action that would affect the quality of the human environment. The EPA has special expertise in the areas of NEPA, Clean Air Act conformity, and Section 404 of the Clean Water Act for the disposal of dredged or fill material. EPA's participation as a cooperating agency provided our agency the coordination opportunities and capacity to comment early in the developmental stages of the DEIS and thus contributed to the development of environmentally acceptable alternatives and a full disclosure EIS.

EPA rates the DEIS as "LO," i.e., EPA has "Lack of Objection to the implementation of the Trinity Parkway project." EPA has some comments to offer on wetland and air quality impacts and asks that these comments be addressed and responded to in the Final EIS. Our detailed comments are enclosed to complement and to more fully ensure compliance with the requirements of NEPA and the Council on Environmental Quality (CEQ) regulations.

Our classification will be published in the Federal Register according to our responsibility under Section 309 of the Clean Air Act to inform the public of our views on proposed Federal actions. If you have any questions, please contact Mike Jansky of my staff at (214) 665-7451 or by e-mail at [jansky.michael@epa.gov](mailto:jansky.michael@epa.gov) for assistance.

EPA appreciates the opportunity to review the DEIS. Please send our office five copies of the FEIS when it is sent to the Office of Federal Activities, EPA (Mail Code 2252A), Ariel Rios Federal Building, 1200 Pennsylvania Ave, N.W., Washington, D.C. 20004.

Sincerely yours,



Bonnie Braganza, Acting Chief  
Office of Planning and  
Coordination (6EN-XP)

Enclosure

### Air Quality

We are particularly pleased to see a robust description of the modeling process used to determine air quality impacts. Also included was a section on urban air toxics. As this is an area of increasing public concern, we are glad that FHWA is beginning to incorporate this discussion into the NEPA documents, however, we offer for your consideration the following comments for considerations:

1. The project is included in the current conformity Metropolitan Transportation Plan and corresponding Transportation Improvement Program for the Dallas Fort Worth (DFW) nonattainment area; therefore, this project meets the requirement that federally-funded transportation projects conform to the applicable State Implementation Plan (SIP). However, the North Central Texas Council of Governments (NCTCOG) is currently performing a new conformity analysis, to be complete by June 15, 2005. If this draft EIS is finalized after this date, it is recommended the references be updated to reflect project inclusion in the latest plan.
2. Figure 3-5, page 3-123: EPA suggests clarifying that the graph represents 1-hour ozone trends in the DFW area. For Section 4.20.3, EPA suggests the following sentence be deleted from the second paragraph in this section: "Because the variables affecting construction emissions (e.g., type of construction vehicles, timing and phasing of construction activities, haul routes, etc.) cannot be determined until the project is ready for construction, no estimate of construction emissions can be undertaken." This sentence is incorrect and, in fact, other Federal agencies are routinely required to make such estimates of construction emissions during the environmental documentation/general conformity process.
3. Section 7.8.2, page 7-23. For the reason listed above, EPA suggests deleting the 3<sup>rd</sup> sentence from this section beginning with "Because the variable affecting construction emissions,...."
4. Page 4-191. EPA suggests deleting the second paragraph on this page in its entirety, beginning with "As previously discussed in this DEIS....beneficial impact on air quality." While congestion reduction is typically assumed to be beneficial to air quality, this is not always the case and project-level impacts on ozone formation are difficult to model. VOC reductions are certainly seen with an increase in speed, but this could be offset by a resultant increase in NOx emissions. For this reason, and because ozone is a regional problem, the SIP sets area-wide emissions budgets (not project-level budgets) so that the impact of the entire transportation system is considered.

**DETAILED COMMENTS  
ON THE  
TRINITY PARKWAY FROM INTERSTATE HIGHWAY 35E/STATE HIGHWAY 183  
TO US 175/STATE HIGHWAY 310, DALLAS COUNTY, TEXAS  
DRAFT ENVIRONMENTAL IMPACT STATEMENT**

**BACKGROUND:**

At the request of the City of Dallas, the North Texas Tollway Authority (NTTA) and the Federal Highway Administration agreed to assess the viability of the Trinity Parkway as a toll supported project. In consultation with the general public, elected officials and Federal, state and regional agencies, the study team has evaluated the No Build alternative and developed and evaluated six build alternatives; the alternatives benefits and adverse impacts are depicted and discussed in the Draft Environmental Impact Statement (DEIS). The project involves construction of a limited access, multilane highway about nine miles long from I-35E about four miles northwest of downtown and tying into US 175 south of downtown. The highway is designed to relieve congestion in the downtown "canyon" and "mixmaster" areas. The document presents the No-Build and six basic alternatives:

- 1) Alternative 1 is the no-action alternative.
- 2) Alternatives 2A and 2B would follow the route of the existing Industrial and Irving Boulevard outside (landside) of the main levees.
- 3) Alternatives 3A and 3B (Combined - riverside) would follow a route along the inside (riverside) of the levee on one side.
- 4) Alternative 4 (Split - riverside) would follow a route along the inside (riverside) of both levees, one direction on each side of the river..
- 5) Alternative 5 (Split - landside) would follow a route along the outside (landside) of both levees, one direction on each side of the river.

Final selection will be made by the Dallas City Council at end of the Draft EIS and Public Hearing process. The following comments are being offered for consideration in the finalization of the NEPA process.

**COMMENTS:**

**Wetlands**

1. During a site visit to check the wetland delineation (jurisdictional determination), February 23 & 24, 2005, with the U.S. Army Corps of Engineers and the applicant, numerous ducks (shoveler, mallard, gadwall, greenwing-teal), shorebirds (yellowlegs), and great egrets were observed on many shallow water-wetland complexes that were scattered along the Dallas Floodway. Several red-tailed hawks and American kestrels were also seen. This is evidence of significant wildlife use of the Floodway.

During the site visit, it appeared that there was a significant acreage of wetlands that was not listed on the draft wetland delineation. We understand that the delineation is being revised and the acreage of wetlands may increase. Thus the impact acreage given on Table 4-35 (p. 4-98) may change. The majority (80%) of the wetlands that may be impacted on Table 4-35 are ranked as "medium" quality, the rest are "low" quality. The medium quality wetlands are listed as having functions such as wildlife habitat, water quality enhancement, flood water storage, etc. We agree that most of these wetlands do perform significant functions.

From the perspective of wetland impacts, EPA would recommend either Alternative 2A, 2B, or 5 be selected if they are otherwise practicable alternatives. If not practicable, other alternatives, like 3B, may be chosen with significant unavoidable wetland impacts provided compensatory mitigation is provided. It is likely that such mitigation could be done "onsite", that is somewhere within the Dallas Floodway since there are large areas within the Floodway where wetlands could be created. The elevations of the existing wetlands are known from the wetland delineation and could be used to plan created wetlands. If the correct elevations are chosen, there is a good chance for success.

2. We recommend creating an irregular bottom contour so there will be a good interspersion of plants and open shallow water. Wetlands plants from impacted areas can be used as seed source or transplant stock. Desirable wetland plants found in the project area include crow-foot sedge (*Carex crux-corvi*) and other carex sedges, flatsedge (*Cyperus* species), smartweed (*Polygonum* species), spikerush (*Eleocharis* species), switchgrass (*Panicum virgatum*), and water primrose (*Ludwigia peploides*).

3. To avoid unnecessary wetland impacts during construction, staging areas and borrow areas should avoid wetlands where practicable. Heavy equipment should avoid all wetlands not permitted for impact. These recommendations should be added to the list of best management practices on page 7-16.

4. This project may require authorization from the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act. The "Section 404(b)(1) Guidelines" [40 CFR 230], under which the EPA comments on proposed Section 404 permits, requires that the least environmentally damaging practicable alternative be selected. Our recommendations are consistent with these regulations. When we receive the public notice for the Section 404 permit application for this project, we may make additional comments at that time.

5. From a cost perspective, the riverside build alternatives are depicted as being the least costly. The EIS should clarify whether these costs included any related costs for future floodplain management and mitigation that would be required for hydraulic impact to the floodway as a result of the tollway construction.

**TRINITY PARKWAY  
DRAFT ENVIRONMENTAL IMPACT STATEMENT  
PUBLIC HEARING COMMENT FORM  
MARCH 29, 2005 AT THE DALLAS CONVENTION CENTER**

**IMPORTANT**  
If you would like to receive newsletters and announcements as this study progresses, please make sure that you have completed an address information sheet. Visit the sign-in desk if you have any questions.

Your Name: Byron E. Brewer (Please print clearly)

Your Mailing Address: 1018 Byron Ln.  
 Arlington TX 76012

The North Texas Tollway Authority (NTTA) is seeking your comments on the proposed project. We welcome your verbal and written comments. To be included in the project record, written comments must be submitted to the NTTA Office on or postmarked by April 8, 2005. All comments received will be given consideration. Please note you will not receive a direct written response to your comments or questions. Thank you for your comments (To mail this form, fold in thirds and affix appropriate postage).

**General Comments, Concerns or Suggestions** (i.e., alternatives, environmental concerns, and/or significant issues)

My over-riding concern is that the road stay outside the levees, away from the river. Alt 2A or 2B achieve this goal. If the City of Dallas is serious about remaking the central city area, and Trinity River + woods into a world class asset, there is no choice but to keep the roads + river separated.

The City of Boston has spent \$14 Billion on its Big Dig to revive its central city. Dallas should be willing to look down the road and see that its Trinity Project will be compromised and incomplete unless the road and river are kept apart. If roads are built inside the levees, it will be our grandchildren who will have to move them out, after the error of that road placement has been made obvious to all. Do it right this time, keep the roads out of the levees. Roadbuilders all over the country should have learned by now that the way to stay out of trouble, and out of court is to avoid their natural impulse to "head for the green space" as path of least resistance. It is the path of greatest trouble, and a briar patch for them.

Oventor Park in Memphis, and Brackenridge Park in San Antonio are the obvious examples. Thank you for your attention.

**TRINITY PARKWAY  
DRAFT ENVIRONMENTAL IMPACT STATEMENT  
PUBLIC HEARING COMMENT FORM  
MARCH 29, 2005 AT THE DALLAS CONVENTION CENTER**

**IMPORTANT**  
If you would like to receive newsletters and announcements as this study progresses, please make sure that you have completed an address information sheet. Visit the sign-in desk if you have any questions.

Your Name: CHARLES BRINER (Please print clearly)

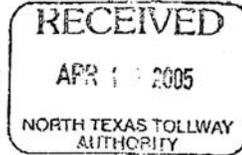
Your Mailing Address: 8924 CAPRI DR.

DALLAS, TEX 75238

The North Texas Tollway Authority (NTTA) is seeking your comments on the proposed project. We welcome your verbal and written comments. To be included in the project record, written comments must be submitted to the NTTA Office on or postmarked by April 8, 2005. All comments received will be given consideration. Please note you will not receive a direct written response to your comments or questions. Thank you for your comments (To mail this form, fold in thirds and affix appropriate postage).

General Comments, Concerns or Suggestions (i.e., alternatives, environmental concerns, and/or significant issues)
<p>One of the most significant <sup>amenities</sup> <del>attributes</del> Dallas has is the natural open space of the Trinity Park and the remainder of the open space that is not so natural within the whole length of the levees and proposed levees. One of the major positive attributes of this area is the very low noise level within the levees away from existing bridges. Given access, citizens could go to this area and get away from the city noises and pressures.</p> <p>The DEIS does not contain any information on the base line noise in these areas. There should be some recording of the noise levels in the remoter areas of the park, not just near the bridges. A major decrease in the value of the park would occur if the existing noise levels are greatly increased due to the imposition of a high speed roadway inside the levees. The statement in the chart on page 4-134 of the DEIS that the Trinity Park will have no noise impact is not true. Only if the present noise level is only increased by 10 db can that "no significant impact" statement be made.</p>

TRINITY PARKWAY  
DRAFT ENVIRONMENTAL IMPACT STATEMENT  
COMMENTS FOR THE PUBLIC RECORD



*Post W/Hand  
4/8/05*

The most important reasonably foreseeable use of most of the land in the project area is for various types of parks and open space. That is the idea that was sold to the public with all the beautiful pictures used in promoting the bond issue election and continues to be used to interest the public in the project. There are frequent references that the river would be to Dallas what Central Park is to New York. There is no high speed road impacting Central Park.

What is the value of a park to nearby urban residents? Besides recreation, a major use will be to get away from being in the city, to have some peace and quiet, to observe nature. Much of the floodway and the forest now offer extraordinary quiet, thanks to the noise barrier effects of the levee and the noise absorbing effects of the trees. It is one of the most peaceful places in the city if one is not near the existing bridges.

Because the existing quietness in the floodway and forest is a principal value the land should be listed in category A ("land where quiet is of extraordinary value") as shown in Table 4-43 (FHWA Noise Abatement Criteria) of the DEIS. Where the existing noise level is 42dBA (page 3-128) it should be preserved for the benefit of future park users. Certainly the noise should in no case be increased relatively by more than 10dBA throughout the whole park land and not more than 56dBA on an absolute criterion basis, except where it is already higher than that.

In Table 4-45 of the DEIS the claim is made that there is no predicted noise impact in almost all of the parks listed and in other parks in the study area. That does not appear accurate. If one were to measure the noise level near the river channel and 2000 feet downstream or upstream from any existing bridge, certainly the noise level is much lower now than it would be if an inside-the-levee, significantly higher speed road were built within 500 or 1000 feet of that same spot. To provide some knowledge of what the noise impacts of a potential inside-the-levee road would be, a comprehensive baseline noise study should be made. This should include complete cross-sectional noise readings every few thousand feet along the whole corridor. This would allow determination of where along the road noise barriers would be needed and how ~~low~~ high they would need to be to provide mitigation.

In the letter from the US EPA in Appendix A1, page 7 it states that "the DEIS should fully assess the noise related impacts of the proposed action and the alternatives and its compatibility with future land uses along the transportation corridor." We do not believe that has been done.

Charles D. Briner *Charles D. Briner*  
8924 Capri Dr.  
Dallas, Texas 75238

April 6, 2005



United States Department of Agriculture



Natural Resources Conservation Service  
101 South Main Street  
Temple, TX 76701-7802

cc: Dallas District  
RECEIVED  
MAR 14 2005  
ADOT-ENV  
D.W.  
3/14/05

March 8, 2005

PROJECT  
MAR 15 2005  
MANAGEMENT

Ms. Dianna F. Noble, P.E.  
Texas Department of Transportation  
Environmental Affairs Division  
125 E. 11th Street  
Austin, Texas 78701

Dear Ms. Noble:

Subject: Trinity Parkway IH-35E/SH-183 to US-175/SH-310  
NRCS Reference Document No. 3020, Dallas County, Texas

We have reviewed the information provided in the Draft Environmental Impact Statement for the proposed Trinity Parkway in Dallas County, Texas. Our agency is primarily concerned with actions that may impact Important Farmland. The soils in the project area are not classified as Important Farmland because the area is considered as previously converted to urban land or on floodplains. The Farmland Protection Policy Act (FPPA) in CFR 658.2 (a) excludes from the definition of "Farmland" areas that contain over 30 structures per 40 acres. We concur with the statements on page 3-88 of the Draft Environmental Impact Statement concerning Prime and Unique Farmland.

Thank you for the opportunity to review this Draft EIS and resource materials you submitted to evaluate this project. If you have any questions, please call James Greenwade at (254)-742-9960.

Sincerely,

LARRY D. BUTLER, Ph.D.  
State Conservationist

cc: Mike Ristinger, MLRA Leader Region 9/State Soil Scientist, NRCS, Temple, Texas  
Andree Duvarney, National Environmental Coordinator, Ecological Sciences Division,  
NRCS, 14<sup>th</sup> and Independence Avenue SW, Washington, DC

The Natural Resources Conservation Service provides leadership in a partnership effort to help people conserve, maintain, and improve our natural resources and environment.

An Equal Opportunity Provider and Employer







3-29-05

My name is John Chade I was appointed by Mayor Ron Kirk to Chair the Economic Development Committee of the Trinity River Citizens Committee. This Committee has continued to meet over the last several years. Previously, I had been President of the Oak Cliff Chamber of Commerce.

Economic development follows highway access. Until Burnside Park had access, there had been no development in the Area. My concern for access is two fold ① A road on top of the levee on the Oak Cliffside would be of some help, but there is nothing in place to fund it. The same is true for Industrial Blvd. ② the failure of any of these plans to provide a direct connection from the tollway to I-35 going South & North makes no sense at all. Look at the original DART studies that show the traffic flow during peak times from S to N and N to S. Direct access is necessary for ~~even~~ traffic flow, and accessibility, and economic development.

Other observations are.

On the combined plan, reducing the lanes from 3 to 2 will be a major mistake from economic (cost) standpoint and will create a major traffic jam when the tollway is used as a turn-pass while

2/3

Pegasus (Canyon) is under construction.

Questions how people will cross over the river from Oak Cliff side to get to lake and how downstream people will cross 30 lanes of traffic to use the ascenders -

Finally, when you had a split parkway both levels are reinforced, people using tollway provide a form of security for park users and the NTHA would be responsible for the maintenance.

3/3

5:43

**TRINITY PARKWAY  
DRAFT ENVIRONMENTAL IMPACT STATEMENT  
PUBLIC HEARING COMMENT FORM  
MARCH 29, 2005 AT THE DALLAS CONVENTION CENTER**

**IMPORTANT**  
If you would like to receive newsletters and announcements as this study progresses, please make sure that you have completed an address information sheet. Visit the sign-in desk if you have any questions.

Your Name: NORA CZIGAN (Please print clearly)

Your Mailing Address: 6212 Hollis Ave  
Dallas, TX 75227

The North Texas Tollway Authority (NTTA) is seeking your comments on the proposed project. We welcome your verbal and written comments. To be included in the project record, written comments must be submitted to the NTTA Office on or postmarked by April 8, 2005. All comments received will be given consideration. Please note you will not receive a direct written response to your comments or questions. Thank you for your comments (To mail this form, fold in thirds and affix appropriate postage).

General Comments, Concerns or Suggestions (i.e., alternatives, environmental concerns, and/or significant issues)
Dallas Officials say that they are
"forward thinking" but this project does
anything but that. We are headed
towards a burst in the cheap oil
bubble and tough economic times.
We should be concentrating our
efforts to expand mass transit &
preserve our natural environment -
not building bigger & better highways.
The future depends on it.



Councilman Leo Chaney  
Dallas City Council  
City of Dallas  
1500 Marilla  
Dallas, Texas 75202



Dear Councilman Chaney:

I wish to advise you of my recommendations for Dallas City Council's upcoming decision on the Trinity Parkway. As Co-Chairperson of the Connectional Alliance Neighbors Together, I am concerned about the impact of the project on the South Dallas/Fair Park community.

The Trinity Parkway is a transportation project of regional importance that will address congestion near downtown Dallas. All routes being considered by Dallas City Council will begin at the US-175/SH-310 interchange and extend to the IH-35E/SH-183 interchange. Regardless of the route of the road in the central part of the corridor, the South Dallas/Fair Park community will bear a disproportionate share of the adverse impacts of the project. Some of the potential impacts of the Trinity Parkway on this community include noise impacts, visual intrusion and the relocation of residents and businesses. These adverse effects will occur in a community already burdened with a disproportionate share of road facilities that have generated negative economic and environmental impacts.

On April 13, I urge you to support the Riverside - South Alignment Ending Option. This ending option doesn't divide the community in the way that the Industrial - South Alignment Ending Option, which is elevated, does. In addition, please support the 3B alignment option for the central part of the corridor.

Because of the impacts of the Trinity Parkway on the South Dallas/Fair Park area, I further encourage you to support the following:

- 1) Construct the Trinity Parkway as an at-grade roadway from south of Martin Luther King to US-175.
- 2) Depress the Trinity Parkway lanes as they cross Lamar Street in order to reduce visibility of the road from the adjacent neighborhood and reduce noise impacts.
- 3) Request that a mitigation and enhancement plan be conducted to make certain that the highest level of urban design, and not NTTA's minimum standards for enhancements, go into the design and construction of the road south of Martin Luther King. The study must be conducted with extensive public involvement from the South Dallas/Fair Park community.



- 4) Conduct upgrades and enhancements to nearby transportation corridors at the same time of the Trinity Parkway construction in order to reduce the impact of another new roadway.
- 5) Conduct further study to ensure better road access for the community than that proposed by NTTA.
- 6) To ensure the community benefits from the project, take steps to facilitate that South Dallas/Fair Park residents receive the training to be included in the road's construction, and provided a fair share of the construction jobs generated by the project. Request that NTTA survey transportation providers nationwide for model employment and training agreements, and share those agreements with you.
- 7) Evaluate the impact of 6 lanes north of Continental and 4 lanes south to US-175 on future congestion and economic development opportunities for South Dallas communities.
- 8) Request that the NTTA immediately begin a series of public meetings in the South Dallas/Fair Park community in order to provide information to residents and solicit more input on the project. Residents must receive notice of these meetings, which should be held in various locations in the community.

Thank you for your help. I will also make this request for other elected officials who represent the South Dallas/Fair Park community to support these concerns.

Respectfully yours,



Carolyn Davis

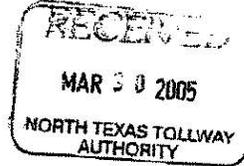
cc: Congresswoman Eddie Bernice Johnson  
US Senate John Cornyn  
State Senator Royce West  
State Representative Terri Hodge  
County Commissioner John Wiley Price  
Christopher Anderson, North Texas Tollway Authority



TTA,  
P.O. Box 260729  
PLANO, TX, 75026

MAR. 26, 2005

ATTN: MR. CHRISTOPHER  
ANDERSON



DEAR MR. ANDERSON:

RE: TRINITY PARKWAY PROJECT, SPONSORED  
BY NTTA (NORTH TX. TOLLWAY AUTHORITY) TR. DOT,  
(TEXAS DEPT. OF TRANSPORTATION), AND FHWA (FEDERAL  
HIGHWAY ADMINISTRATION),

DEAR SIR: IT SEEMS TO ME THAT THE CITY  
OF DALLAS' PROJECT IS BEING IGNORED BY THE  
NTTA, TX. DOT AND FHWA.

I HAVE BEEN FOLLOWING THE PROPOSED PRO-  
JECT BY THE CITY OF DALLAS FOR YEARS SINCE  
I OWN PROPERTY ON S. LAMAR IN DALLAS WHERE  
MY MOTHER & FATHER HAD A MOM & POP GROCERY -  
HARDWARE STORE.

THE CITY OF DALLAS PROPOSAL RESPECTS THE  
WETLANDS, THE WATER QUALITY, NOISE QUALITY,  
AND THE SINGLE FAMILY RESIDENCES, AND BUSI-  
NESSES, PLUS THE FLOOD PLAINS FLOOD CONTROL,  
AND THE PLANNED RECREATIONAL FEATURES  
WHICH WOULD IMPROVE THE LIVING STANDARDS  
OF THE FAMILIES WHO HAVE LIVED IN THE  
AREA ALL THEIR LIVES (AND SMALL BUSINESSES.)

THIS TRINITY PARKWAY WOULD UPSET OR  
DESTROY THE WILDLIFE, WATER FOWL REFUGES,  
AND EVEN SOME HISTORIC SITES AND JEOPARDIZE

3-26-03

PAGE 2.

THE CAREFUL LONG TERM PLANING THAT DEIS,  
(DRAFT ENVIRONMENTAL IMPACT STATEMENT)  
SO THOUGHTFULLY PREPARED OVER THE LAST  
10 YEARS BY THE CITY OF DALLAS.

THEREFORE, IN LIGHT OF THE ABOVE, I  
STRONGLY OPPOSE THE NTTA PROPOSED TRINITY  
PARKWAY.

SINCERELY,

EVELYN ERICKSON

*Evelyn Erickson*

2002 ARTHUR LN.  
AUSTIN, TX, 78704

25 March 2005

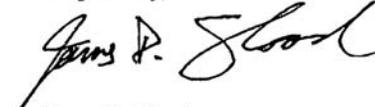
NTTA  
P.O. Box 260729  
Plano, TX 75026  
Attn: Mr. Christopher Anderson.

Dear Mr Anderson,

Regarding the Draft Environmental Impact Statement of the Trinity Parkway, please extend the comment period beyond the Friday, April 8, 2005 deadline.

This document is over 800 pages in length. The present deadline does not allow sufficient time to study the document's contents properly and prepare an adequate response.

Respectfully,

  
James D. Flood



**TRINITY PARKWAY  
DRAFT ENVIRONMENTAL IMPACT STATEMENT  
PUBLIC HEARING COMMENT FORM  
MARCH 29, 2005 AT THE DALLAS CONVENTION CENTER**

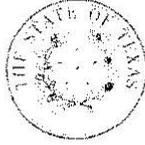
**IMPORTANT**  
If you would like to receive newsletters and announcements as this study progresses, please make sure that you have completed an address information sheet. Visit the sign-in desk if you have any questions.

Your Name: Jim Flood (Please print clearly)

Your Mailing Address: 221 S. Acad Dr  
DALLAS TX 75217-7803

The North Texas Tollway Authority (NTTA) is seeking your comments on the proposed project. We welcome your verbal and written comments. To be included in the project record, written comments must be submitted to the NTTA Office on or postmarked by April 8, 2005. All comments received will be given consideration. Please note you will not receive a direct written response to your comments or questions. Thank you for your comments (To mail this form, fold in thirds and affix appropriate postage).

General Comments, Concerns or Suggestions (i.e., alternatives, environmental concerns, and/or significant issues)
1. Please extend comment period
2. Due to the extreme negative impacts to recreation in the Floodway the No Build is the preferred alternative



OFFICE OF THE GOVERNOR

Tuesday, May 17, 2005

RICK PERRY  
GOVERNOR

Dianna F. Noble, P.E. - Dir of Environmental Affs.  
Texas Department of Transportation  
125 E. 11th Street  
Austin, TX 78701

RE: TX-R-20050211-0003-50

EIS - Trinity Pkwy: IH35E/SH183 to US 175/SH310 (Dallas County)

Dear Ms. Noble:

Your application for assistance referenced above has been reviewed. The comments received are summarized below.

The subject Environmental Impact Statement was submitted to the following for the completion of the State of Texas intergovernmental review process under federal Executive Order 12372 and the Texas Administrative Code: Texas Historical Commission, Texas Parks and Wildlife Department, Texas Commission on Environmental Quality, Texas Department of Agriculture, Texas Department of Housing and Community Affairs, and the North Central Texas Council of Governments.

A "no comment," was received from the Texas Historical Commission. To date, no other comments have been received. No other substantive comments were received.

We appreciate the opportunity to review your proposal. Please let me know if we can be of further assistance.

Sincerely,

Denise S. Francis, State Single Point of Contact  
DSF/dsi

cc: Texas Department of Transportation

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MAY 19 2005  
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5-19-05

PROJECT  
MAY 19 2005  
MANAGEMENT



**TEXAS COMMITTEE ON NATURAL RESOURCES**

4144 COCHRAN CHAPEL ROAD

DALLAS, TEXAS 75209

(214) 352-8370

March 30, 2005

NTTA  
P.O. Box 260729  
Plano, TX 75026

Attn: Mr. Christopher Anderson

Dear Mr. Anderson:

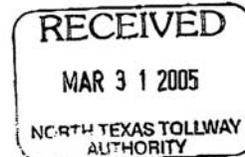
Since I was unable to attend the March 29 Public Hearing on the Draft Environmental Impact Statement concerning the Alternatives for the proposed tollway along the Trinity River, I have enclosed comments re these Alternatives.

Please see that these comments are entered in the Public Hearing record.

Thank you,

*Edward C. Fritz*  
Edward C. Fritz

ECF:edf  
Cc: Janice Bezanson



**TEXAS COMMITTEE ON NATURAL RESOURCES**

4144 COCHRAN CHAPEL ROAD

DALLAS, TEXAS 75209

(214) 352-8370

Do Not Allow a Road To Be Built  
Between the Levees of the Trinity River  
By Edward C. Fritz  
March 29, 2005

In the entire world, there is no road between the levees alongside a river or stream. The reason is that such a road would reduce any walking and natural life of the river area by humans and animals, and would reduce the available plants and trees. A toll road between levees would cause noise, air pollution and other problems over a wide stretch of the river.

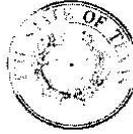
In Boston, Massachusetts, city officials created a tunnel under the river for automobiles, leaving the river and its sides free from cars, but even that action has problems.

In Dallas, the Trinity River between the levees can be enjoyable for human and animal presence if a road is placed outside the existing levees, as a road already exists, and could be made wider on Industrial Boulevard outside the proposed levees. The dollar amount for such a road could be increased by another vote. Under either condition, another vote may be necessary.

Those who want to build a road between the levees now want to build it much higher, so it will not be flooded. This would make it even more harmful to walkers and animals, as well as more costly. A road outside the levees would not need to be built up like that.

If a new road is needed, it should be outside the levees. That would leave the area inside the levees good for walking and for animals, plants, and trees. Dallas citizens and citizens outside Dallas, could finally enjoy walking and meeting near the river at all seasons that are not too rainy. The Trinity in Dallas is great. It should be saved for the citizens and for the animals and plants that have lived there. A road should not be built inside the Trinity levees.

Kathleen Hartnett White, *Chairman*  
R. B. "Ralph" Marquez, *Commissioner*  
Larry R. Soward, *Commissioner*  
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

May 26, 2005

*cc: Dallas District*

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JUN 03 2005  
INDUT-ENV

PROJECT  
JUN 07 2005  
MANAGEMENT

*DW → ERK  
6/2005*

Ms. Dianna F. Noble, P.E.  
Director, Environmental Affairs Division  
Texas Department of Transportation  
125 East 11<sup>th</sup> Street  
Austin, Texas 78701-2483

Re: Trinity Parkway Draft Environmental Statement

*Dianna*  
Dear Ms. Noble:

The staff of the Air Quality Planning and Implementation Division has reviewed the air quality sections of the Draft Environmental Impact Statement And Section 4(f) Evaluation for Trinity Parkway From IH-35E/SH-183 TO US-175/SH-310, Dallas County, Texas (FHWA-TX-EIS-02-02-D). The air quality analysis was detailed and complete and was found to be sufficient.

Thank you for the opportunity to comment and if you have any questions, please contact Mr. Ken Gathright of my staff at 512-239-6458 or kgathrig@tceq.state.tx.us.

Sincerely,

A handwritten signature in cursive script that reads "Candice".

Candice Garrett, Director  
Air Quality Planning & Implementation Division

**TRINITY PARKWAY  
DRAFT ENVIRONMENTAL IMPACT STATEMENT  
PUBLIC HEARING COMMENT FORM  
MARCH 29, 2005 AT THE DALLAS CONVENTION CENTER**

Your Name: JIM SCOTT GOANZA (Please print clearly)

Your Mailing Address: 1452 CEDAR HILL  
DALLAS TX 75208

**IMPORTANT**  
If you would like to receive newsletters and announcements as this study progresses, please make sure that you have completed an address information sheet. Visit the sign-in desk if you have any questions.

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The North Texas Tollway Authority (NTTA) is seeking your comments on the proposed project. Welcome your verbal and written comments. To be included in the project record, written comments must be submitted to the NTTA Office on or postmarked by April 8, 2005. All comments received will be given consideration. Please note you will not receive a direct written response to your comments or questions. Thank you for your comments (To mail this form, fold in thirds and affix appropriate postage).

General Comments, Concerns or Suggestions (i.e., alternatives, environmental concerns, and/or significant issues)
PREFERENCE #1: NO-BUILD LAYING MORE ASPHALT DOES NOTHING TO ADDRESS THE CHALLENGE OF IMPROVING THE QUALITY OF LIFE OF DALLAS RESIDENTS. IT ALSO FLIES IN THE FACE OF THE REALITIES OF FUTURE AVAILABILITY/PRICE OF PETROLEUM PRODUCTS. GET ON WITH THE JOB OF DEVELOPING SOLUTIONS TO MOVE PEOPLE & PRODUCTS MORE EFFICIENTLY USING THE EXISTING ROADWAYS
PREFERENCE #2: IF THE PARKWAY IS BUILT, KEEP ANY ROADWAYS ON THE DOWNTOWN SIDE OF THE RIVER. NOT ONLY DOES THE OAK CLIFF SIDE HAVE LARGE NUMBERS OF RESIDENTS WHO WILL BE NEGATIVELY IMPACTED BY THE PROXIMITY OF THE PARKWAY, BUT IT ALSO HAS THE GREATEST POTENTIAL FOR NEW RESIDENTIAL/MIXED USE DEVELOPMENT. ANY PARKWAY ON THE OAK CLIFF SIDE WOULD DISCOURAGE SUCH DEVELOPMENT. ALTERNATIVES 3A & B MOST CLOSELY REPRESENT THIS VIEW.

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NORTH TEXAS TOLLWAY AUTHORITY

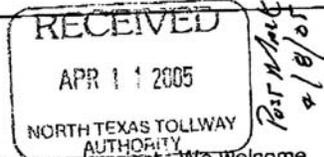
Post Marked 4/8/05

**TRINITY PARKWAY  
DRAFT ENVIRONMENTAL IMPACT STATEMENT  
PUBLIC HEARING COMMENT FORM  
MARCH 29, 2005 AT THE DALLAS CONVENTION CENTER**

**IMPORTANT**  
If you would like to receive newsletters and announcements as this study progresses, please make sure that you have completed an address information sheet. Visit the sign-in desk if you have any questions.



Name: Shannon Goddard (Please print clearly)  
Your Mailing Address: 1452 Cedar Hill Ave.  
Dallas, TX 75208



The North Texas Tollway Authority (NTTA) is seeking your comments on the proposed project. We welcome your verbal and written comments. To be included in the project record, written comments must be submitted to the NTTA Office on or postmarked by April 8, 2005. All comments received will be given consideration. Please note you will not receive a direct written response to your comments or questions. Thank you for your comments (To mail this form, fold in thirds and affix appropriate postage).

General Comments, Concerns or Suggestions (i.e., alternatives, environmental concerns, and/or significant issues)
Thanks to the NTTA and other contributors for the informative open house hearing handouts, CD, etc. that educate the citizens of Dallas about the Trinity Parkway project.
After reviewing the proposed routes I would like to express my support for alternatives 3A or 3B. These two routes both can accomplish the NTTA's goal while having less negative impact on the environment & less threatening to businesses & existing close-in neighborhoods. Routes 3A or 3B might even enhance the environmental, residential, & commercial areas in proximity to the Parkway. I note, as well, their lesser price tag.
My one concern about the project is whether or not NTTA is working with TXDOT to achieve maximum synergy between the Trinity Parkway project & TXDOT's Interstate 30 mixmaster improvements. Thanks for your time & effort.

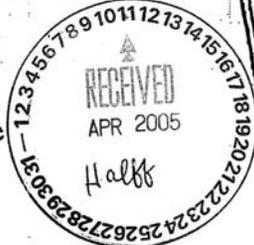
Redo  
NTA

# Gold Metal Recyclers, Ltd.

4305 S. Lamar • Dallas, Texas 75215  
(214) 421-0247 • Fax (214) 421-0248



Rebecca Dugger, Director  
Trinity River Project Office  
1500 Marilla, Room 6BS  
Dallas, Texas 75201

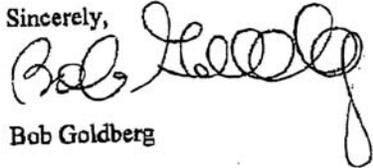


On April 13, 2005, the City Council will vote on the locally preferred alignment option for the Trinity Parkway. Council will also choose the southern ending option for the proposed roadway. On the Industrial Alternative - South Alignment ending option, the freeway will go down Lamar Street and Industrial Boulevard. On the River Alternative - South Alignment ending option, the road will go along the levee.

There are obvious reasons why the Industrial Alternative - South Alignment ending option should be not be chosen. This option will have a negative impact on the adjoining neighborhoods and businesses. Homes, churches and businesses will be displaced. Also being next to the highway, there will be a noise factor and visual problems for the homes.

The highway going along the levee will not have as great an impact on businesses or homes along Lamar and Industrial. Also, purchasing businesses along Lamar and Industrial will be much more expensive than purchasing property for the highway along the levee.

I hope the above facts will help you decide not to choose the Industrial Alternative - South ending option, and to select the River Alternative - South Alignment ending option for the Trinity Parkway.

Sincerely,  
  
Bob Goldberg

David B. Gray  
9432 Viewside Dr.  
Dallas, Texas 75231

April 6, 2005

NTTA  
P.O. Box 260729  
Plano, TX 75026  
Attn: Mr. Christopher Anderson.

Please extend the comment period for the Draft Environmental Impact Statement of the Trinity Parkway beyond the Friday, April 8, 2005, deadline. The time allotted for the public review was less than usual to begin with.

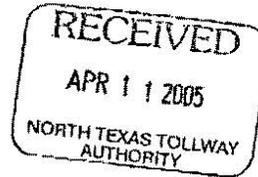
The document is over 800 pages in length, and I am unable to complete a full reading of this document before the deadline. I need to study the document's contents properly in order to prepare an adequate response.

The EIS public review is an important and legally required step in assessing the impacts of a large public project. A thorough review by all interested parties is an integral part of this process.

Respectfully submitted,

*David Gray 05 Apr 6*

David Gray



*Pos Mark - 4/7/05*

**TRINITY PARKWAY  
DRAFT ENVIRONMENTAL IMPACT STATEMENT  
PUBLIC HEARING COMMENT FORM  
MARCH 29, 2005 AT THE DALLAS CONVENTION CENTER**

**IMPORTANT**  
If you would like to receive newsletters and announcements as this study progresses, please make sure that you have completed an address information sheet. Visit the sign-in desk if you have any questions.

Your Name: Mike Greenwood (Please print clearly)

Your Mailing Address: 300 so. Saint Paul St  
Rm - 8-126  
Dallas, TX 75201

The North Texas Tollway Authority (NTTA) is seeking your comments on the proposed project. We welcome your verbal and written comments. To be included in the project record, written comments must be submitted to the NTTA Office on or postmarked by April 8, 2005. All comments received will be given consideration. Please note you will not receive a direct written response to your comments or questions. Thank you for your comments (To mail this form, fold in thirds and affix appropriate postage).

General Comments, Concerns or Suggestions (i.e., alternatives, environmental concerns, and/or significant issues)
As a representative of Atmos Energy, the natural gas provider for the Dallas Area, My concern is the cost to relocate gas facilities to adequately serve our customers. It appears that in all variations there could be substantial costs to re-establish and maintain reliable and safe natural gas service.
The Gas Company (Atmos Energy) and customers should not bear the expense to accommodate this (these) proposal(s).
I would hope consideration has been given to adequate funding to relocate utilities impacted by this project



# Dallas Citizens Council

901 Main Street  
Suite 6212  
Dallas, Texas 75202  
Phone 214-653-1031  
Fax 214-748-7338

March 29, 2005

#### Officers

Elaine B. Agather  
Chairman

Ronald J. Gafford  
Secretary/Treasurer

Michael M. Boone  
Immediate Past Chairman

Donna D. Halstead  
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John Field Scovell  
John L. Ware  
T. Michael Wilson

Christopher Anderson  
Director of Planning  
North Texas Tollway Authority  
P. O. Box 260729  
Plano, Texas 75026

Dear Mr. Anderson:

I support the 3b alignment for the Trinity Parkway. In other words, I support a parkway alignment that has all lanes on the downtown side or the river with six lanes from State Highway 183 to Continental and four lanes from Continental to State Highway 175. I also support widening the four lane section to six lanes in 2025 if the traffic demand justifies it.

The need for this reliever route is apparent. Anyone who regularly drives on Stemmons knows that rush hour is several hours long. Rush hour is defined as an average speed of 20 miles per hour or less. In the foreseeable future, rush hour will be eight hours long.

The Trinity River Project has three main components: flood protection, recreation, and traffic improvements. The Balanced Vision Plan outlines steps to be taken to make these three components compatible. The 3b alignment is consistent with this Plan and is necessary if we are going to implement the Plan.

The Dallas Citizens Council has been a partner in the development of this project since its approval by the voters in 1998. The very life of our downtown depends upon the projects included in the Balance Vision Plan. The floodway protection and reliever route are critical to our tax base and the economic health of downtown. Our citizens have committed significant local funds to this project because they clearly understand the importance of this project to the whole community. The development of the reliever route is a critical element of this project and we urge you to approve the alignment supported by the majority of the citizens of Dallas, the 3B alignment. By doing so, you will have earned the gratitude of generations of Dallasites yet unborn.

Sincerely,



Donna Halstead  
President  
Dallas Citizens Council



April 27, 2005

Mr. Christopher Anderson  
North Texas Tollway Authority  
P.O. Box 260729  
Plano, TX 75026

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  - ROBERT L. COOK  
EXECUTIVE DIRECTOR

RE: Proposed Trinity Parkway: From IH-35/SH-183 to US-175/SH-310  
(Dallas County, FHWA-TX-EIS-02-02-D, CSJ 0918-45-121)

Dear Mr. Anderson:

Thank you for providing the Quarterly Status Report (January 2005 through March 2005) and Draft Environmental Impact Statement (DEIS) for the proposed project referenced above. The Texas Parks and Wildlife Department (TPWD) has been given the opportunity to review and comment on the impact of the proposed project on fish and wildlife resources.

TPWD provided comments on the DEIS in a letter dated March 18, 2005, addressed to Denise S. Francis, State Single Point of Contact, Governor's Office of Budget, Planning, and Policy. Please refer to the attached copy of our response letter to obtain TPWD comments regarding this project. If you have any questions, please contact me at (903) 675-4447.

Sincerely,

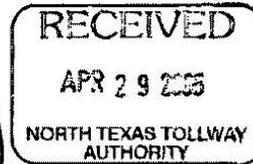
Karen B. Hardin  
Wildlife Habitat Assessment Program  
Wildlife Division

kbh:10976 (10950)

Attachment



Take a kid  
hunting or fishing  
\* \* \*  
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or historic site



4200 SMITH SCHOOL ROAD  
AUSTIN, TEXAS 78744-3201  
512-389-4000  
www.tpwd.state.tx.us

To manage and conserve the natural and cultural resources of Texas and to provide hunting, fishing and outdoor recreation opportunities for the use and enjoyment of present and future generations.



March 18, 2005

Ms. Denise S Francis  
 State Single Point of Contact  
 Governor's Office of Budget, Planning & Policy  
 P.O. Box 12428  
 Austin, TX 78711

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 JOSEPH B. C. FITZSIMONS  
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 ROBERT L. COOK  
 EXECUTIVE DIRECTOR

RE: Proposed Trinity Parkway: From IH-35/SH-183 to US-175/SH-310  
 (Dallas County, FHWA-TX-EIS-02-02-D, CSJ 0918-45-121)

Dear Ms. Francis:

Thank you for providing the Draft Environmental Impact Statement (DEIS) for the proposed urban toll road project located southwest of the Dallas Central Business District in the City of Dallas. Land use/land cover within the study area of the project is dominated by the Trinity River/Dallas Floodway, though also includes residential neighborhoods and commercial/industrial areas.

The North Texas Tollway Authority (NTTA) proposes to design, construct, operate, and maintain a limited-access toll facility for a distance of approximately 9 miles as needed to provide a relief route around the existing freeway loop encircling downtown Dallas. The project would consist of 4-6 mixed-flow main lanes, local street interchanges, and freeway-to-freeway interchanges at the north terminus, south terminus, Woodall Rodgers Freeway, and IH-45. Additional interchange connections are included, but vary among the build alternatives considered in the DEIS. No final recommendation for a preferred alternative was presented in the DEIS, and NTTA is awaiting public and agency comment prior to recommending a preferred alternative in the Final Environmental Impact Statement (FEIS).

The City of Dallas promotes multi-objective management of the Dallas Floodway and Trinity River corridor with goals and objectives relating to flood control, transportation, recreation, economic development, and environmental restoration. Numerous planning efforts by local, state, and federal agencies have resulted in plans for multi-use facilities within the Trinity Corridor/Dallas Floodway including park and recreational facilities, lakes, a chain of wetlands, the Trinity Parkway (proposed action), floodway and levee extensions, and additional parkland to preserve existing forest and create an urban park of over 6,000 interconnected acres. Many of these features are proposed within the study area of the proposed project. If a preferred alternative for the Trinity Parkway is



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4200 SMITH SCHOOL ROAD  
 AUSTIN, TEXAS 78744-3201  
 512 369-8800

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Denise Francis  
Page 2  
March 18, 2005

identified within the Dallas Floodway, additional National Environmental Policy Act (NEPA) documentation would be developed to address flood control and recreational improvements that would be integrated into the project as a result of interagency coordination with the City of Dallas and the USACE.

Six build alternatives and a no-build alternative were considered for the project,

- Alternative 1 No-build
- Alternative 2A – Irving/Industrial Boulevard Elevated: Involves construction of an elevated facility above existing city streets and will follow Irving/Industrial Boulevard for 5.6 miles, a new alignment for 1.2 miles, and Lamar Street for the remainder of the project. This facility would be located in a commercial area northeast of the Trinity River and floodway.
- Alternative 2B – Irving/Industrial Boulevard At-Grade: Involves construction of an at-grade facility following the same route as Alternative 2A, though the existing Irving/Industrial Boulevard and Lamar Street would be replaced as access/frontage roads to the toll facility.
- Alternative 3A – Combined Parkway/Riverside Original: Involves construction of an at-grade facility placed within the floodway between the east levee and the Trinity River for 5.6 miles. The remainder of the roadway will be located on the landside of the levee and will typically be elevated over a commercial area while making connections at the north and south termini.
- Alternative 3B – Combined Parkway/Riverside Modified: Involves construction of an at-grade facility similar to Alternative 3A, though includes deletion and modification of some ramps. This alternative has reduced ramp intrusion in the floodway area.
- Alternative 4 – Split Parkway/Riverside: Involves construction of an at-grade facility with northbound mainlanes placed within the floodway between the east levee and the Trinity River and the southbound mainlanes placed within the floodway between the west levee and the Trinity River for 4.2 miles of the proposed roadway within the floodway. The remainder of the roadway has a combined configuration (no split) and will exhibit elevated and at-grade portions while making connections at the north and south termini.
- Alternative 5 – Split Parkway/Landside: Involves construction of an at-grade facility similar to Alternative 4, though the mainlanes will be placed directly landside (outside) of the levees, rather than within the floodway.

The build alternatives would require acquisition of new right-of-way (ROW). Alternative 2A, 2B, 3A, 3B, 4 and 5 will require approximately 252.1, 342.3,

Denise Francis  
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March 18, 2005

393.1, 393.5, 495.2, and 393.6 acres, respectively. Alternatives 3A, 3B, 4, and 5 will require ROW acquisition at 171, 152, 205, and 14 acres, respectively, from within the Trinity River Greenbelt Park. Other parks and recreational areas in the vicinity of the Alternatives may experience proximity effects, visual intrusion, and noise impacts, though no ROW will be acquired within these existing or future parks (Sleepy Hollow Park, Oak Cliff Founders Park, Moore Park, and Great Trinity Forest Park).

As described in the DEIS, the upland grassland community in the study area comprises the majority of the land within the Dallas Floodway and consists of Johnson grass, Bermuda grass, vinemesquite, brown-eyed susan, goldenrod, and ragweed. This flood control parkland area is mowed semi-annually by the City of Dallas as part of the floodway maintenance plan. Within the Dallas Floodway are also scattered wetland depressions, trees along the river channel, and trees scattered within the floodway. Riparian bottomland forests exist within the area adjacent to the Trinity River just downstream of the Dallas Floodway. The riparian bottomland forest consists of mixed secondary/mature growth vegetation composed predominantly of secondary growth tree species, such as hackberry, American elm, and cedar elm, ranging from 6-8 inches dbh. Mature pecan, red oak, mulberry, and bur oak are scattered throughout the forested area. Along the river are several cottonwood and black willow ranging from 24-36 inches dbh. Understory vegetation include ragweed, Virginia wildrye, poison ivy, swamp privet, and box elder saplings. The remaining vegetation within the study area consists of landscaping associated with commercial, industrial, and residential areas.

Impacts to wetlands and Waters of the U.S. are greatest (155, 155, and 153 acres) for Alternatives 3A, 3B, and 4, whereas impacts are much less (0, <3, and <6 acres) for Alternatives 2A, 2B, and 5. All build alternatives would impact 7 acres of woodlands considered as high-quality wildlife habitat. The impacts will be associated with the U.S. Army Corps of Engineers (USACE) Dallas Floodway Extension (DFE) Lamar Levee construction. Alternatives 3A, 3B, and 4 would impact 121, 121, and 220 acres of the maintained grassland habitat within the Dallas Floodway.

The DEIS describes numerous mitigation measures as commitments made by the NTTA and the City of Dallas and states that the Federal Highway Administration (FHWA)/Texas Department of Transportation (TxDOT)/NTTA and the City of Dallas have the responsibility to ensure the mitigation and enhancement measures committed to in the environmental document are completed satisfactorily. Those

Denise Francis  
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March 18, 2005

mitigation measures committed to in the DEIS that apply to fish and wildlife resources include:

- a construction oversight and environmental monitoring program to ensure environmental commitments are met and measures are properly implemented during construction,
- a visual impact mitigation plan created to avoid and minimize loss of shrubs, trees, and other vegetation and includes plans for retaining walls where cut or fill slopes would result in excessive vegetative disturbance and plans for tree enhancement that indicate where to plant trees, the replacement ratio, tree size, type, and planting technique,
- minimizing temporary impacts to vegetation by marking the location and boundaries of construction and identifying areas to be avoided during pre-construction meetings,
- a re-vegetation plan specifying the areas to be re-vegetated and the species to be planted. Consultation with wildlife and land management agencies will specify the use of species native to the project area for habitat quality enhancement. The plan would also have a specific provision that stands of riparian hardwoods affected by the project would be replaced by replanting similar species along the Trinity River and that all riparian habitat lost to construction would be replaced within the general study area in accordance with the City of Dallas Vegetation Ordinance,
- a plan to avoid and minimize effects to threatened and endangered species and impacts to other wildlife. An interior least tern survey in collaboration with the U.S. Fish and Wildlife Service (USFWS) prior to construction will be conducted to determine presence in the project area and would also serve to determine the presence of other species that may require special treatment. The locations of nest areas and roost sites would be flagged for avoidance,
- a wetland mitigation plan developed in accordance with the USACE and USFWS will quantify the project impacts and mitigation requirements, will designate the location of replacement wetlands, and will determine the methods to restore impacted wetlands, and
- a Storm Water Pollution Prevention Plan (SW3P) will be prepared to minimize impacts to water quality.

The DEIS mentions mitigation recommendations that may be considered for the project. Recommendations mentioned to improve aesthetics that may benefit fish and wildlife habitat include using native landscaping along the ROW and relocating or incorporating existing trees into the highway design instead of tree removal. Recommendations mentioned to minimize impacts to wildlife and vegetation resources include fencing the construction zone to limit impacts

Denise Francis  
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outside of the project area, fencing trees and shrubs during construction, trimming trees rather than removing them, replacing trees that are removed, and using temporary and permanent erosion control that includes re-vegetation with native grasses and shrubs.

Although the DEIS states that for this project TxDOT will consider mitigation for bottomland hardwoods and riparian losses, the DEIS describes the hackberry-elm series that exists in the project area as being secure, globally and in the state, and therefore, recommends that non-regulatory mitigation should not be required. The DEIS does offer mitigation measures to be considered for impacts to wildlife because of potential habitat fragmentation and reduction in wildlife habitat connectivity as a result of the project. These measures include acquisition of replacement habitat of comparable biological values; protective measures for existing or acquired lands such as fencing, barriers, and signs; creation of replacement habitat by conversion of less sensitive upland habitat into wetlands by excavation and planting; contribution to a mitigation bank; minimizing the crossing of flowing streams and utilizing bridge spans to the greatest extent to minimize impacts on riparian and aquatic communities; using bridge spans to act as wildlife corridors, allowing unrestricted movement of wildlife; fencing dangerous wildlife crossings to divert wildlife through wooded areas along the ROW to culverts or bridge spans where crossings can be more safely made; limiting the use of herbicides and other chemicals for ROW maintenance; and scheduling mowing for ROW maintenance to facilitate the natural reseeding of indigenous spring and autumnal herbaceous communities.

Texas Parks and Wildlife Department (TPWD) offers the following comments concerning this project. In accordance with Provision (4)(A)(ii) of the TxDOT-TPWD Memorandum of Understanding (MOU) and the Memorandum of Agreement (MOA), the bottomland hardwood habitat is considered a "special habitat feature" and the riparian vegetation constitutes "unusual vegetation". Non-regulatory mitigation for loss of any of the bottomland hardwood and riparian habitat impacted by the project should occur at a one-to-one ratio. Although the hackberry-elm series is designated as being secure, globally and in the state, according to *Plant Communities of Texas* (Series Level), the upland woodland and riparian habitats within this urban setting are valuable resources for wildlife providing a natural refuge in an area that has been dramatically altered by development. Loss of wooded habitat will potentially impact wildlife at a local level. The re-vegetation plan committed to in the DEIS mentions the special provisions to plant similar species of the impacted riparian habitat within the study area along the Trinity River. Upland woodlands, riparian habitats, and bottomland hardwood areas need to be included in the calculation of the area of

Denise Francis  
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wildlife habitat affected, and TPWD would like to be involved in the development of the re-vegetation plan. Planting a variety of mast-producing tree and shrub species beneficial to wildlife is encouraged. To enhance native grasses available to wildlife in the project area, TPWD recommends that Bermuda grass and other non-native species be avoided to the extent possible in reseeding efforts within the ROW, though TPWD understands that slopes may require certain grasses to control erosion. The mitigation measures mentioned in the DEIS Section 7.3 **Measures to Minimize Impacts to Wildlife and Vegetative Resources** should be followed to the extent feasible to address habitat fragmentation and reduction in wildlife habitat connectivity. Additionally, the DEIS mentions potential mitigation that may be eligible for funding through the U.S. Department of Transportation (USDOT) Transportation Enhancement Program. TPWD strongly encourages use of such funding to implement practices that may benefit wildlife such as wildlife underpasses, landscaping with native vegetation, and acquisition of scenic easements.

Of the Alternatives presented, Alternatives 3A, 3B, and 4 are proposed within the Dallas Floodway, riverside of the levees and will affect 345, 333, and 442 acres of the 100-yr base floodplain. Alternatives 2A, 2B, and 5 are proposed outside the Dallas Floodway, landside of the levees and will affect 39, 56, and 324 acres of the 100-yr base floodplain. Floodplains and the riparian vegetation and wetlands they support act as natural buffers to floods and aid in water quality maintenance and groundwater recharge. These benefits can be lost through clearing of vegetation, filling, and excavation activities associated with development. These areas also provide foraging and nesting habitat to fish and wildlife. TPWD feels as if reducing the vegetated area within the floodway by increasing impervious surfaces may have a negative effect on water quality maintenance within the floodway. Additionally, the No-Build Alternative and the Alternatives proposed outside the floodway would avoid large impacts to existing wetlands and would reduce the amount of wetland mitigation required. The existing wetland and vegetative cover within the floodway would experience little alteration with Alternatives No-Build, 2A, 2B, and 5. With Alternatives available that would reduce impacts to the floodplain and associated ecological functions this Department cannot support alternatives that may adversely impact or reduce the 100-year floodplain. TPWD requests that the proposed development of a wetland mitigation plan be coordinated with TPWD staff, in addition to USACE and USFWS staff.

TPWD is appreciative of the extensive planning and collaboration with local, state, and federal agencies to design a facility that can be incorporated into a

Denise Francis  
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March 18, 2005

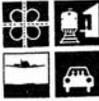
multi-use environment. TPWD looks forward to the results of a re-vegetation plan that will offset the loss of wildlife habitat in an urban setting. This effort is commendable and hopefully other TxDOT districts will follow this example. Thank you for the opportunity to review and comment on the DEIS and the FEIS, once complete. If you have any questions, please contact me at (903) 675-4447.

Sincerely,



Karen B. Hardin  
Wildlife Habitat Assessment Program  
Wildlife Division

kbh/10950



## Regional Transportation Council

The Transportation Policy Body for the North Central Texas Council of Governments  
(Metropolitan Planning Organization for the Dallas-Fort Worth Region)



March 28, 2005

Mr. Allan Rutter  
Acting Executive Director  
North Texas Tollway Authority  
5900 West Plano Pkwy., Suite 100  
Plano, TX 75093

Dear Mr. Rutter:

The North Central Texas Council of Governments has reviewed the Draft Environmental Impact Statement titled Trinity Parkway: From IH-35E/SH-183 to US-175/SH-310, Dallas County, Texas for the proposed Trinity Parkway Project. The recommended alternative description, a staged six-lane limited access tollway, is consistent with the design concept and scope assumed in the current conforming Metropolitan Transportation Plan, Mobility 2025: The Metropolitan Transportation Plan, 2004 Update. The same design concept and scope is also contained in the soon-to-be-adopted Metropolitan Transportation Plan, Mobility 2025: The Metropolitan Transportation Plan, Amended April 2005.

Congratulations on achieving this milestone in the development of the Trinity Parkway. This concept has been shown to have substantial mobility benefits for not just the City of Dallas and the Dallas Central Business District, but for the entire Dallas-Fort Worth region as many other corridor improvements are contingent on the construction of the Trinity Parkway. The Regional Transportation Council supports the continued development and expedited implementation of this project.

Please call Michael Morris at (817) 695-9240 or Dan Lamers at (817) 695-9263 if we can be of continued assistance in moving this project forward.

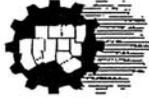
Sincerely,

  
Jack Hatchell, P.E.  
Chair, Regional Transportation Council  
Commissioner, Collin County

DL:cmg

cc: Dave Blair, NTTA  
Chris Anderson, NTTA  
Michael Morris, P.E., NCTCOG  
Jeff Neal, NCTCOG  
Mike Burbank, NCTCOG  
2004-2005 UPWP Element 5.01 Project File

P. O. Box 5888 • Arlington, Texas 76005-5888 • (817) 695-9240 • FAX (817) 640-3028 ☎  
<http://www.nctcog.dst.tx.us/trans>



North Central Texas Council Of Governments

ae

WAIVER OF REVIEW UNDER TEXAS REVIEW AND COMMENT SYSTEM (TRACS)-- EXECUTIVE ORDER 12372

Applicant Organization: Texas Department of Transportation

Project Title: EIS - Trinity Pkwy: IH35E/SH183 to US 175/SH310 (Dallas County)

State Application Identification (SAI#): TX-R-20050211-0003-50

Date Received: February 17, 2004

The North Central Texas Council of Governments has received the subject grant application. Under the provision of the TRACS rules we are waiving review for the following reason(s):

- Options for waiving review: continuation of funding, amendment, good track record (checked), no significant impacts, research purposes, no conflict of interest, three-tier process, not on Governor's list.

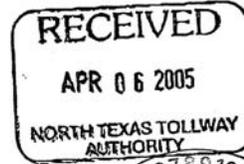
Waiver of review does not indicate approval or disapproval of the application.

Other

Signature of Lucille Johnson, Assistant to the Executive Director

Date: 3/30/05

616 Six Flags Drive, Centerpoint Two P. O. Box 5888, Arlington, Texas 76005-5888 (817) 640-3300 FAX: 817-640-7806 recycled paper www.nctcog.org



April 6, 2005

Christopher Anderson, Planning Director  
 North Texas Tollway Authority  
 5950 W. Plano Parkway, Ste. 100  
 Plano, TX 75093

Subject: Agency Request for Comment Period Extension

Dear Mr. Anderson,

The City of Dallas City Council is preparing to make its recommendation for a Locally Preferred Alignment (LPA) for the Trinity Parkway, as a result of the release of the Draft Environmental Impact Statement (EIS) for this road. The Council requested that they be briefed by the North Texas Tollway Authority on the document and make their decision on the roadway after the Public Hearing was held on March 29, 2005. A briefing was held on April 4, 2005 to the Council Trinity River Committee, and another briefing was held on April 6, 2005 to the full City Council. The next Council Action date is April 13, 2005. It is at that time that Council will make their decision on the LPA.

We understand that the formal Public Comment Period ends on April 8, 2005. Therefore, we respectfully request an extension to the comment period so that Council may receive all pertinent information for making their decision on April 13, 2005.

Sincerely,

Jill A. Jordan, P.E.  
 Assistant City Manager

**WOODBINE**  
DEVELOPMENT CORPORATION

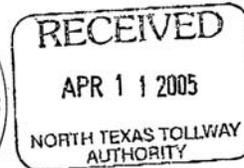
1445 ROSS AVE., SUITE 5000, DALLAS, TX 75202-2785  
PHONE (214) 855-6000 FAX (214) 855-6029

MICHAEL K. KOESLING  
SENIOR VICE PRESIDENT

April 4, 2005

Via Fax No. 214.461.2052 and Mail

Mr. Chris Anderson, P.E.  
North Texas Tollway Authority  
Box 260729  
Plano, TX 75026



*Post Mark - 4/11/05*

Re: Trinity Parkway DEIS  
Written Comments

Dear Mr. Anderson:

I would like to thank you and acknowledge the excellent job you and Halff Associates have done in coordinating the Trinity Parkway Project and the preparation of its Draft Environmental Impact Statement and Section 4(f) Evaluation (DEIS). This effort has been lengthy and complex but also very informative.

As you may know I have participated as a member of the Community Advisory Work Group since its inception many years ago. I have found the process to be inclusive and straight forward while affording opportunities for review and critique. The Trinity Project is vitally important to the Dallas Community. We offer our support and endorse Alternative 3B Combined Parkway-Riverside (Modified) and submit the following comments with respect thereto:

1. The proposed Reunion Boulevard Portal is highly significant to downtown and the Dallas Community. This portal will serve as downtown Dallas' primary access-way to the planned Trinity Lake and Park as well as serving as the major access-way for Dallas Community at large. It will be utilized by countless city visitors, convention center attendees and will become a major destination once completed. Its proper design and development, which I recognize is not part of this study, is however of paramount importance.
2. The full diamond interchange planned at Houston Street/Jefferson Boulevard is a critical element of this plan and is vital in assuring downtown and Oak Cliff the ability to access and exit the parkway. This interchange must be built concurrent with the Trinity Parkway as it is the primary point of access to and from the parkway for the downtown community and a significant part of Oak Cliff. Any change in the timing of this interchange construction which might cause its opening not to occur concurrent with the opening of the Trinity Parkway would be highly detrimental to the project and totally unsatisfactory to the community at large.

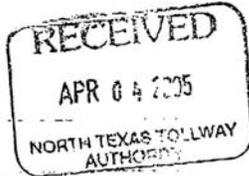
2142731307@ntta.com

Mr. Anderson  
April 4, 2005  
Page 2

3. The DEIS states that the proposed number of initially constructed lanes (Alternative 3B) will reduce as the Trinity Parkway parallels downtown from six lanes to four lanes at the request of the City of Dallas as a result of a study published in the report, *A Balanced Vision Plan for the Trinity River Corridor* (City of Dallas, 2003). Right-of-way however, will be acquired to permit the full six-lane section at a later time. In my review it appears that the cost estimate for adding the two deferred lanes at a later time compared to the cost estimate for constructing the two lanes with the initial construction show that the deferred construction is at least twice the initial cost. The cost savings in doing all six lanes with the initial construction (on new alignment, without traffic) certainly justifies and warrants its inclusion, notwithstanding the delays, congestion and construction impact parkway patrons would otherwise experience.
4. Many of the elements shown on the exhibits for Alternative 3B are indicated as "Proposed Improvements – Others" which I understand are not included in NTTA's costs for the project. It is important to note, however, that these improvements by "Others," primarily the Woodall Rogers/Industrial Blvd. improvements, are significant and close coordination with the City of Dallas and TxDOT to ensure that these improvements also are provided on a timely basis so that they are available once the Trinity Parkway Project is ready to open is critical.

From conversations with members of Half Associates I recognize that the Trinity Parkway cannot interchange with the planned extension of Woodall Rogers to provide movements in all four directions without seriously impacting and compromising the signature bridge. The DEIS indicates that direct connections of the Trinity Parkway at Woodall Rogers will be provided for southbound traffic going eastbound and westbound traffic going northbound. The exhibits do show a full directional interchange at Industrial Blvd. with the planned extension of Woodall Rogers. As mentioned above this full directional interchange at Industrial Blvd. is shown as work by "Others." The impact of Project Pegasus on the downtown area will be significant. Its construction and the fact that a number of existing on ramps and exit ramps along Stemmons will be eliminated in the process coupled with the expressed intention that the Trinity Parkway provide limited access through the downtown area underscores and highlights the importance of making sure the Industrial Blvd./Woodall Rogers full directional interchange is in place at the time the Trinity Parkway Project opens.





THOMAS E. KRUEHN  
9025 LARCHWOOD DR.  
DALLAS TX 75238-3633



NTTA

P.O. BOX 260729  
PLANO TX 75026

ATTN: MR. CHRIS TOMPKINS ANDERSON

MAR. 30, 2005

DEAR SIR:

I TRIED TO ATTEND THE HEARING LAST NIGHT CONCERNING THE TRINITY RIVER PARKWAY. THERE WAS NOTHING AT 650 S. GRIFFIN ST. THAT LOOKED LIKE A PUBLIC GATHERING. IN RETROSPECT, I SHOULD HAVE CHECKED AT 650 S. ALVARO ST. IN ANY CASE, I GAVE UP AND CAUGHT THE NEXT TRAIN HOME.

I WANT TO REASSERT MY OPPOSITION TO THE PARKWAY, BLACKMAIL AND SEMANTIC SUEGHT OF HAND WILL NEVER JUSTIFY THE COMBINATION OF A LUCRATIVE BUT LOCALLY UNWANTED LAND USE PLUS A DESIRED LAND USE. OTHER CASH COWS ARE AVAILABLE FOR ANY DESIRED LAND USE.

THE NEED IS FOR A CASH COW TO FINANCE THE TRINITY RIVER PARK. THERE ARE ALREADY PLANS FOR HOV LANES ALONG I4-LB3, I4-35E, I4-70, I4-45, AND US-175. THE HOV LANES CAN BE CONVERTED INTO HOV/HOT LANES WITH OVERHEAD TOLLAGE DETECTORS.

CARPOOLS, VANPOOLS, AND BUSPOOLS CAN BE FORMED NOT ONLY BY COMPUTER MATCHING BUT ALSO BY HITCHHIKING. A TRANSIT CENTER'S KISS-AND-RIDE AREA CAN BE DIVIDED WITH SIGN POSTS INTO CARPOOL ZONES. EACH SIGN POST SHALL REPRESENT A GENERAL PART OF TOWN WHERE CARPOOLS MAY CONVERGE. HITCHHIKERS, REGULAR CARPOOL PASSENGERS, AND CARPOOL DRIVERS WILL CLUSTER AROUND THEIR RESPECTIVE SIGN POSTS.

THE CARPOOLS, VANPOOLS, AND BUSPOOLS ARE USUALLY MATCHED BY FIVE-DIGIT ZIP CODES. SO HITCHHIKERS AT THE SIGN POSTS WILL HOLD UP THEIR ZIP CODE PLACARDS, AND CARPOOL DRIVERS WILL SHOW THEIR ZIP CODE PLACARDS IN THEIR WINDSHIELDS, THUS THE HITCHHIKERS WILL FIND THEIR RIDES, AND THE CARPOOL DRIVERS WILL FIND THEIR PASSENGERS.

THE TOLLAGE DETECTORS AND SURVEILLANCE CAMERAS CANNOT DISTINGUISH BETWEEN SOVS, CARPOOLS, AND VANPOOLS. THE EASIEST SOLUTION TO THAT PROBLEM IS TO CHARGE TOLLS INDISCRIMINATELY. SO A CARPOOL/VANPOOL DRIVER WILL HAVE PLENTY OF INCENTIVE TO MAXIMIZE HIS RIDERSHIP AND REDUCE EACH PASSENGER'S SHARE OF THE TOLL. THE CHEAPER THE TOLL PER PASSENGER, THE MORE WORTHWILE THE COMMUTING, ALONG THE HOV/HOT LANES.

PART IS HAVING DIFFICULTY WITH NEIGHBORHOOD  
OPPOSITION TO COMMUTER RAIL SERVICE ALONG THE  
COTTONBELT TRACKS. SO I PREFER BUS RAPID TRANSIT  
(BRT) ALONG I4-635 AND SR-190/SR-161. BUT BRT  
REQUIRES STOPS AT 1-3 MILE INTERVALS. HOV/HOT  
LANES ALONG WON'T ALLOW BRT. THE STOPPED BRT  
BUSES COULD BE TOO EASILY REAR-ENDED BY TRAILING  
CARPOOLS, VANPOOLS, AND BUSPOOLS.

I DON'T LIKE FREEWAY SHOULDER STOPS SUCH AS  
ALONG THE LOS ANGELES FREEWAYS. BRT SERVICE MUST  
NOT ONLY DELEGATE THE DRIVING TO SOMEBODY ELSE,  
BUT THE BUSDRIVERS MUST BE ABLE TO CRUISE ALONG  
AT SPEEDS APPROACHING 55 MPH. THE BUSDRIVERS  
CANNOT DO SO WHILE THEY ARE CREEPING ALONG THE  
SHOULDERS UNDER LEVEL F TRAFFIC CONDITIONS.

LOS ANGELES' SOLUTION TO THE SHOULDER STOP  
PROBLEM - CONTINUOUS RESERVED BUS LANES OUTSIDE  
THE FREEWAY SHOULDERS - IS INAPPLICABLE HERE IN  
DALLAS. IN LOS ANGELES, ALL REAL ESTATE DEVELOPMENT  
IS CONCENTRATED ALONG THE ARTERIAL STREETS. THERE  
ARE NO FREEWAY SERVICE ROADS IN LOS ANGELES.  
THEREFORE, THERE IS NO REAL ESTATE DEVELOPMENT  
ALONG THE FREEWAY SERVICE ROADS.

IN DALLAS, REAL ESTATE DEVELOPMENT IS ALLOWED  
ALONG THE FREEWAY SERVICE ROADS. SO A BUSDRIVER  
CANNOT CRUISE AT SPEEDS APPROACHING 55 MPH  
ALONG THE SERVICE ROADS.

I PREFER THE BRT IMPLEMENTATION IN BOGOTA,  
COLOMBIA. INSTEAD OF THE MERE TWO HOV LANES  
ALONG A FREEWAY MEDIAN, THERE ARE FOUR BUSWAY  
LANES. THE INSIDE TWO LANES ARE RESERVED FOR  
STOP-AND-GO LOCAL BUSES, WITH STOPS AT 1-3 MILE  
INTERVALS. THE OUTSIDE TWO LANES ARE RESERVED FOR  
NON-STOP EXPRESS BUSES. THE FOUR BUSWAY LANES  
ARE ENFORCED WITH CONCRETE RAILS. SO FREEWAY  
RUSHHOUR SOV TRAFFIC OUTSIDE THE CONCRETE RAILS  
CREEPS ALONG, UNDER LEVEL F TRAFFIC CONDITIONS.

I GUESS THAT IN BOGOTA, THE TRANSIT POLICE  
CANNOT DISTINGUISH BETWEEN SOVS, CARPOOLS, AND  
VANPOOLS. SO THE CARPOOLS AND VANPOOLS ARE BANNED  
FROM THE EXPRESS BUS LANES. TOLLTAG DETECTORS AND  
SURVEILLANCE CAMERAS OVER THE PERMANENT EXPRESS  
BUS LANES COULD SOLVE BOGOTA'S HOV LANE ENFORCEMENT  
PROBLEM.

ALL DART MUST DO TO IMPLEMENT BOGOTA'S BRT SYSTEM IS TO MOVE THE CONCRETE RAILS OVER ONE LANE ON EACH SIDE OF THE MEDIAN; BUILD BUS BOARDING PLATFORMS ALONG THE MEDIAN; AND BUILD PEDESTRIAN ACCESS RAMP'S INTO THE PLATFORMS VIA EITHER PEDESTRIAN OVER/UNDERPASSES, OR ARTERIAL STREET OVER/UNDERPASSES.

PLUS OF COURSE, DART MUST PURCHASE A WHOLE FLIRT OR CURTIBA-STYLE BUSES; DRIVER'S SEAT ON THE LEFT SIDE; PASSENGER ACCESS DOORS ALSO ON THE LEFT SIDE.

BOGOTA-STYLE MID-FREEWAY BUSWAYS ALONG SH-183, IH-35E, IH-70, IH-45, AND US-175 WON'T CONFLICT WITH DART RAIL'S ORANGE LINE. THOSE FREEWAY BUSWAYS WILL TEND TO DIVERGE WIDELY FROM THE ORANGE LINE'S TRACKS. A BUSWAY STATION MAY BE MORE WORTH WALKING DISTANCE THAN AN ORANGE LINE STATION.

HITCHHIKERS' INCENTIVE FOR RIDING ABOARD CARPOOLS, VANPOOLS, OR BUSPOOLS INSTEAD OF ABOARD DART'S TRAINS AND BUSES SHALL BE THAT THE 24-HOUR TRAINS <sup>AND BUSES</sup> ARE RUNNING AT STANDING-ROOM ONLY CAPACITY. DART DOESN'T NEED TO PURCHASE AND MAINTAIN FLEETS OF RAILCARS AND BUSES LARGE ENOUGH TO CARRY PEAK-HOUR CROWDS. DART ONLY NEEDS TO PURCHASE ENOUGH RAILCARS AND BUSES TO SUPPORT TRANSIT-ORIENTED LAND DEVELOPMENT. DART DOESN'T NEED TO EXTEND THE TRANSIT ROUTES IN PURSUIT OF DIMINISHING RETURNS.

PLUS OF COURSE, A HITCHHIKER'S SHARE OF THE HOT/HOT LANE TOLLS MAY BE CHEAPER THAN DART'S TRANSIT FARES. THE HITCHHIKER'S SHARE OF THE MOTOR FUEL COST MAY ALSO BE CHEAPER THAN DART'S TRANSIT FARES.

DALLAS' FREEWAY SERVICE ROADS ARE NOTORIOUS FOR SPARSE AUTOMOBILE-ORIENTED LAND DEVELOPMENT. THE BOGOTA-STYLE MID-FREEWAY BUSWAY STATIONS OUGHT TO SPUR INTENSIVE TRANSIT-ORIENTED LAND DEVELOPMENT. SO A HITCHHIKER OUGHT TO STEP OFF HIS BICYCLE EACH MORNING OUTSIDE A BUSWAY STATION, GRAB A SACK LUNCH TO GO AT A FAST FOOD RESTAURANT, ~~AND~~ HITCH A RIDE ABOARD SOME CARPOOL OR VANPOOL.

YOURS SINCERELY,  
Thomas E. Knicker

**TRINITY PARKWAY  
DRAFT ENVIRONMENTAL IMPACT STATEMENT  
PUBLIC HEARING COMMENT FORM  
MARCH 29, 2005 AT THE DALLAS CONVENTION CENTER**

**IMPORTANT**  
If you would like to receive newsletters and announcements as this study progresses, please make sure that you have completed an address information sheet. Visit the sign-in desk if you have any questions.

Your Name: MIKE KUTNER (Please print clearly)  
PRESIDENT, FRIENDS OF OLD TRINITY TRAIL  
Your Mailing Address:

3352 MIRO PLACE  
DALLAS, TX 75204

The North Texas Tollway Authority (NTTA) is seeking your comments on the proposed project. We welcome your verbal and written comments. To be included in the project record, written comments must be submitted to the NTTA Office on or postmarked by April 8, 2005. All comments received will be given consideration. Please note you will not receive a direct written response to your comments or questions. Thank you for your comments (To mail this form, fold in thirds and affix appropriate postage).

General Comments, Concerns or Suggestions (i.e., alternatives, environmental concerns, and/or significant issues)
① stemmons CORRIDOR AREA 8 we Request EASY ACCESS from outside the levees for pedestrians and TRAIL (OLD TRINITY TRAIL) users.
② would like to see pedestrian "Access Decks" like Michael moans TALKED ABOUT (SEE OLD TRINITY TRAIL MASTER plan PAGE 41) when he presented the Trinity Parkway to the city council in 2004.
③ would like to see levee top trails remain After Road is built
④ the OLD TRINITY TRAIL MASTER plan is included with this public comment Form

**TRINITY PARKWAY  
DRAFT ENVIRONMENTAL IMPACT STATEMENT  
PUBLIC HEARING COMMENT FORM  
MARCH 29, 2005 AT THE DALLAS CONVENTION CENTER**

**IMPORTANT**  
If you would like to receive newsletters and announcements as this study progresses, please make sure that you have completed an address information sheet. Visit the sign-in desk if you have any questions.

Your Name: MEHMOOD LAKHANI. (Please print clearly)

Your Mailing Address: 339 S. Industrial Blvd.  
Dallas Tx 75207

RECEIVED  
APR 11 2005  
NORTH TEXAS TOLLWAY AUTHORITY  
135 March 21/105

The North Texas Tollway Authority (NTTA) is seeking your comments on the proposed project. We welcome your verbal and written comments. To be included in the project record, written comments must be submitted to the NTTA Office on or postmarked by April 8, 2005. All comments received will be given consideration. Please note you will not receive a direct written response to your comments or questions. Thank you for your comments (To mail this form, fold in thirds and affix appropriate postage).

General Comments, Concerns or Suggestions (i.e., alternatives, environmental concerns, and/or significant issues)
We attendent the meeting on March-29-2005 and after listening and discussing the different plans with the officials, following are our suggestions and concerns.
1. The only plan we think good for city is 3A or 3B.
2. This plan is cheapest.
3. Cost half than some other plans.
4. Displace least Residential & Commercial properties.
5. Looks great along the Trinity River.
6. Other plans especially on Industrial Blvd will look ugly and "sore in the eye" afterward as I can recall subway system going over streets in New York & Chicago. and cost more to build and maintain.
7. We strongly reject any plan over Industrial Blvd or any other road.
THANKS.
Sincerely, Mehmood Lakhani % Quick Stop Centers 339 S. Industrial Blvd. Tel # 214-749-2839

RECEIVED  
APR 2005  
12345678910111213141516171819202122232425262728293031





Michael L. Lunceford  
Senior Vice President, Government Relations

March 28, 2005

MARY KAY®

Christopher Anderson  
Director of Planning  
NTTA  
P. O. Box 260729  
Plano, TX 75026

Dear Christopher,

I support the 3b alignment for the Trinity Parkway. In other words, I support a parkway alignment that has all lanes on the downtown side or the river with six lanes from State Highway 183 to Continental and four lanes from Continental to State Highway 175. I also support widening the four lane section to six lanes in 2025 if the traffic demand justifies it.

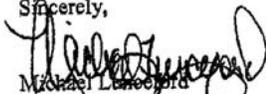
The need for this reliever route is apparent. Anyone who regularly drives on Stemmons knows that rush hour is several hours long. Rush hour is defined as an average speed of 20 miles per hour or less. In the foreseeable future, rush hour will be eight hours long.

The Trinity River Project has three main components: flood protection, recreation, and traffic improvements. The Balanced Vision Plan outlines steps to be taken to make these three components compatible. The 3b alignment is consistent with this Plan and is necessary if we are going to implement the Plan.

Every city needs a focal point. The Trinity River is that focal point for Dallas, something long overdue for our city. With the Trinity project comes a marvelous opportunity for economic development, particularly on the Oak Cliff side of the river. Oak Cliff will then have the opportunity to blossom to its full potential. And, of course, there is the ever pressing need to ensure flood control, so vital to the Stemmons Corridor area and downtown. It is my understanding that the Stemmons Corridor represents nearly \$9 billion in real estate value on the tax rolls. It must be protected, as must downtown.

In 1998 the voters approved \$246 million in bonds for the Trinity River Corridor with \$84 million assigned for the design, construction and right of way needs for the Parkway. They have been patient while plans, studies, and environmental impact statements were being formulated. But it is now time to act if we are going to turn the vision they approved into reality. Please vote to approve Trinity Parkway alignment 3b. Generations will be grateful.

Sincerely,



Michael L. Lunceford  
Senior Vice President, Government Relations

Mary Kay Inc.  
P.O. Box 799045  
Dallas, TX 75379-9045  
972-687-5734  
Fax 972-687-1613









DEPARTMENT OF THE ARMY  
FORT WORTH DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 17300  
FORT WORTH, TEXAS 76102-0300

REPLY TO  
ATTENTION OF:

Programs and Project  
Management Division

Mr. Christopher Anderson  
Planning Director  
North Texas Tollway Authority  
5900 West Plano Parkway, Suite 100  
P.O. Box 260729  
Plano, Texas 75026

Dear Mr. Anderson:

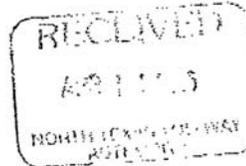
Thank you for the opportunity to review and comment on the Trinity Parkway Draft Environmental Impact Statement and Section 4(f) Evaluation (DEIS), dated February 2005.

The U.S. Army Corps of Engineers (USACE), Fort Worth District, has serious concerns regarding the adequacy of the DEIS to meet the requirements of both the National Environmental Policy Act and the USACE's Trinity River and Tributaries Environmental Impact Statement Record of Decision, dated April 29, 1988. We would like to meet with you as soon as possible to discuss our concerns and reach a satisfactory resolution to these concerns.

Thank you again for the opportunity to comment on the Trinity Parkway DEIS. If you have any questions concerning our request, please contact me at (817) 886-1515.

Sincerely,

Michael J. Moeck, P.E.  
Deputy District Engineer



*Post Moeck - 4/13/05*



## Regional Transportation Council

The Transportation Policy Body for the North Central Texas Council of Governments  
(Metropolitan Planning Organization for the Dallas-Fort Worth Region)



March 28, 2005

Mr. Allan Rutter  
Acting Executive Director  
North Texas Tollway Authority  
5900 West Plano Pkwy., Suite 100  
Plano, TX 75093-4694

Dear Mr. Rutter:

I would like to offer my congratulations to the North Texas Tollway Authority on achieving this milestone in the development of the Trinity Parkway Project. It is due to the continued cooperation of all of the agencies and local governments that this critical project is growing closer to implementation. The agreed-upon configuration currently being proposed and documented in the Draft Environmental Impact Statement (EIS), Alternative 3B (staged six-lane "Combined Parkway – Modified" Alternative from S.H. 183/I.H. 35E to U.S. Highway 175/S.H. 310), is the result of an extensive public involvement and agency coordination effort. I strongly encourage you to continue with these efforts in the subsequent final EIS process, as well as the detailed design and engineering phases. North Central Texas Council of Governments' staff will continue to provide any information or services necessary to expedite the Trinity Parkway as a toll facility.

Sincerely,

Michael Morris, P.E.  
Director of Transportation

DL:cmg

cc: Dave Blair, NTTA  
Chris Anderson, NTTA  
Jeff Neal, NCTCOG  
Mike Burbank, NCTCOG  
2004-2005 UPWP Element 5.01 Project File

P. O. Box 5888 • Arlington, Texas 76005-5888 • (817) 695-9240 • FAX (817) 640-3028 ☎  
<http://www.nctcog.dst.tx.us/trans>

**TRINITY PARKWAY  
DRAFT ENVIRONMENTAL IMPACT STATEMENT  
PUBLIC HEARING COMMENT FORM  
MARCH 29, 2005 AT THE DALLAS CONVENTION CENTER**

**IMPORTANT**  
If you would like to receive newsletters and announcements as this study progresses, please make sure that you have completed an address information sheet. Visit the sign-in desk if you have any questions.

Your Name: JAY Muncy (Please print clearly)  
Your Mailing Address: 923 Evergreen Aille  
Dallas TX 75208

The North Texas Tollway Authority (NTTA) is seeking your comments on the proposed project. We welcome your verbal and written comments. To be included in the project record, written comments must be submitted to the NTTA Office on or postmarked by April 8, 2005. All comments received will be given consideration. Please note you will not receive a direct written response to your comments or questions. Thank you for your comments (To mail this form, fold in thirds and affix appropriate postage).

**General Comments, Concerns or Suggestions** (i.e., alternatives, environmental concerns, and/or significant issues)

I prefer the no build option  
there is income producing property  
on industrial Blvd I don't want  
affected. The next choice  
is #4.

I really really really  
don't want family property  
which is income producing  
changed.

Thank you for your  
consideration

**TRINITY PARKWAY  
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**IMPORTANT**  
If you would like to receive newsletters and announcements as this study progresses, please make sure that you have completed an address information sheet. Visit the sign-in desk if you have any questions.

Your Name: LAUREN DZnick (Please print clearly)

Your Mailing Address: 923 Evergreen Hills Rd.  
DALLAS, TX 75208

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General Comments, Concerns or Suggestions (i.e., alternatives, environmental concerns, and/or significant issues)
<p>I prefer the "no build" option, of course. If there is a preferred build option it would <del>Alternative #4 "Split Parkway Riverside"</del> <sup>Five</sup> Build options <u>2A, 2B and #5</u> are completely <u>not</u> an option in my opinion. My family has owned <u>LAND</u> on <u>Industrial Blvd.</u> for over sixty years. It would put my family's business in jeopardy and render it possibly useless, or possibly my land would become city property. None of these possibilities are an option in my opinion. I have been coming to these meetings since the first set of them @ the Bronco Bowl over eight years ago. I really have not been listened to up until this point. I hope making my opinions known on court record will have some impact. Also, making my opinions known to the NTTA directly, I hope will have some impact and influence. I hope the outcome supported by NTTA <del>impact</del> <sup>reflect</sup> my comments and time invested over the past eight years.</p>

5:43

TRINITY PARKWAY  
DRAFT ENVIRONMENTAL IMPACT STATEMENT  
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MARCH 29, 2005 AT THE DALLAS CONVENTION CENTER

**IMPORTANT**  
If you would like to receive newsletters and announcements as this study progresses, please make sure that you have completed an address information sheet. Visit the sign-in desk if you have any questions.

Your Name: CAROLINE J. POSE (Please print clearly)  
Your Mailing Address: 4524 LORRAINE AVE  
DALLAS TX 75205

The North Texas Tollway Authority (NTTA) is seeking your comments on the proposed project. We welcome your verbal and written comments. To be included in the project record, written comments must be submitted to the NTTA Office on or postmarked by April 8, 2005. All comments received will be given consideration. Please note you will not receive a direct written response to your comments or questions. Thank you for your comments (To mail this form, fold in thirds and affix appropriate postage).

General Comments, Concerns or Suggestions (i.e., alternatives, environmental concerns, and/or significant issues)

AS A DOWNTOWN PROPERTY OWNER I URGE 2 THINGS  
#1) ADEQUATE FLOOD PROTECTION FOR THE REAL ESTATE & BUSINESSES IN THE WESTERN PART OF DOWNTOWN DALLAS  
#2) ROAD ACCESS! - ANY PARKWAY CONSIDERED NEEDS TO BE AT LEAST 8 LANES WITH SIMPLE WAYS TO REACH DOWNTOWN - NO U-TURNS, REDUCED LANES OR 'HAMPERED' EXITS OR ENTRANCES. 4 LANES EACH DIRECTION WITH ENTRANCE & EXIT LANES HEADED DOWNTOWN WITHOUT NEED TO WIND, TURN, OR 'FIND' DOWNTOWN DO NOT STRANGLE WITH INADEQUATE LANES OR ACCESS POINTS -









5:43

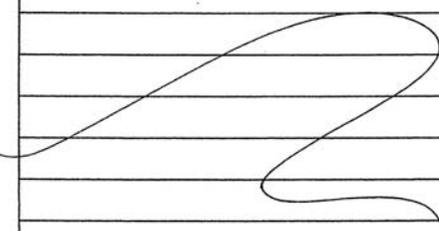
**TRINITY PARKWAY  
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**IMPORTANT**  
If you would like to receive newsletters and announcements as this study progresses, please make sure that you have completed an address information sheet. Visit the sign-in desk if you have any questions.

Your Name: ELMER POWELL (Please print clearly)

Your Mailing Address: 804 WEST COLORADO BLVD.  
DALLAS, TEXAS 75208

The North Texas Tollway Authority (NTTA) is seeking your comments on the proposed project. We welcome your verbal and written comments. To be included in the project record, written comments must be submitted to the NTTA Office on or postmarked by April 8, 2005. All comments received will be given consideration. Please note you will not receive a direct written response to your comments or questions. Thank you for your comments (To mail this form, fold in thirds and affix appropriate postage).

General Comments, Concerns or Suggestions (i.e., alternatives, environmental concerns, and/or significant issues)
I AM OPPOSED TO ANY ALTERNATIVE THAT GOES THROUGH MY BUILDING AT 3130 COMMONWEALTH
2A 2B 3A 3B AND
4 + 5


S:43

**TRINITY PARKWAY  
DRAFT ENVIRONMENTAL IMPACT STATEMENT  
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Your Name: ELMER POWELL (Please print clearly)

Your Mailing Address: 804 WEST COLORADO BLVD.  
DALLAS, TEXAS 75208

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General Comments, Concerns or Suggestions (i.e., alternatives, environmental concerns, and/or significant issues)
ANY ROAD CONSTRUCTION INSIDE THE TRINITY RIVER FLOOD PLANE WILL "REDUCE" THE FLOW OF WATER AND HAS A POTENTIAL TO CREATE A FLOOD IN HEAVY RAIN PERIODS.
THE RIVER BED "SHOULD BE" DUG OUT 10' TO 20' THROUGHOUT THE ENTIRE TRINITY RIVER FLOOD PLANE IF "ANY" BAD BEDS ARE BUILT INSIDE THE LEVEES.



**Campbell B. Read**  
**Wildlife Task Force Chair, Texas Committee on Natural Resources**  
5839 Monticello  
Dallas, TX 75206  
(214) 827-6217  
[cread@smu.edu](mailto:cread@smu.edu)



March 29, 2005

NTTA  
P.O.Box 260729  
~~29, 2005~~  
Plano, TX 75026  
Attention Christopher Anderson

### TRINITY PARKWAY DEIS: COMMENTS

Texas Committee on Natural Resources (TCNR) opposes the construction of a high-speed tollroad within or partially within the floodplain in the Dallas Floodway. With the exception of the No-Build option, the alternatives listed in the DEIS induce urban sprawl, favor pollution of the air and water near downtown Dallas and in the proposed park in the floodway, increase the risk of flooding, reduce natural areas, open space, and oxygen-producing trees, and waste taxpayers' money.

#### Comment Period.

The DEIS is a very lengthy document, and few members of the interested citizenry have easy access to a hard copy. The comment period, ending April 8, 2005, is therefore inadequate and should be extended by 60 days.

#### Hydraulics

There is <sup>detailed</sup> no analysis of the effect on flooding risks of construction of any of the alternative roadway options. It is insufficient for NTTA and its consultants to promise to rectify this shortcoming for the one and only roadway option chosen as the Locally Preferred Plan (LPP). Neither the Dallas City Council nor its staff nor interested citizen groups can adequately make a fully-informed choice without this crucial data being presented for every option. Effects on flooding risks, including costs and impacts, should be evaluated for every option before a LPP is selected.

#### Second-Class Status of Natural Greenspace

Throughout the development of the DEIS, preservation of natural areas and the promotion of a natural greenway along the Trinity River Corridor have been relegated to a secondary status by public officials. Since taxpayers' money will be expended on the LPP, air and water quality improvements as well as preservation of natural areas are public interest goals which should be as high a priority as transportation.

#### Lower-Scale Improvements Not Considered

NTTA consultants have stuck rigidly to requiring the construction of 6 to 8 lanes of tollroad in or by the Dallas Floodway. NTTA should examine transportation improvements on a lesser scale that can encourage development while preserving neighborhood integrity and greenspace, such as widening and beautifying Industrial Blvd with four lanes and a median

with crossover strips, and evaluating costs of such an alternative with costs of those to which the DEIS is restricted. NTTA has consistently refused to consider this option. I wonder whether the option which elevates Industrial Blvd was picked in order to be so costly as to be rejected, while consultants claim that they consider it to be the sole Industrial Blvd-oriented alternative.

**Failure to Evaluate All Costs**

The DEIS fails to evaluate all the economic costs for the various tollroad alternatives. Why are only one or two portal ramp access points to the Floodway park and conveyance lakes proposed? How much do they cost? How much will the related Calatrava Bridges cost? I raise the same question regarding levee embankment construction, storm water pollution prevention, toll plazas, and thoroughfare interchanges. Taxpayers should see what all the costs are for the Trinity parkway project, but also for the related projects mentioned.

**Air Quality**

The DEIS needs to state what amount of air pollution adding to the air quality non-attainment in our region will be generated by traffic on the tollroad, but it does not. Vague assurances from the consultants that increases here will be offset by decreases there are insufficient. The benefits arising from an expanded regional mass transit operation a la DART include improved air quality, but are not considered in the DEIS; they should be promoted.

**NEPA Requirements Not Met**

Both NEPA and Federal Highway Administration regulations require NTTA and its consultants to evaluate all connected project components in a single Environmental Impact Statement. This DEIS is part of the overall failure of governmental entities (including the City of Dallas as well as NTTA and TxDOT) to do just that. The most glaring example of this failure was the approval of the Dallas Floodway Extension (DFE), downstream from the Dallas Floodway, in 1998, part of a planned effort to fragment connected project components of what is clearly a single project. The DFE process excluded examination of transportation alternatives in the Dallas Floodway, confining itself in that context to a limited review of conveyance lakes. One can imagine government officials in a meeting: "Hey, guys, we got away with segmenting the project geographically; let's see if we can get away with fragmenting it environmentally". This has led to the DEIS under review here, one that also fails to examine more sustainable and ecologically beneficial alternatives than the 6-to-8-lane, 80,000-vehicles-per-day Trinity Parkway.



Campbell B. Read



**ROBERT REEVES**  
& Associates, Inc.  
PLANNING AND ZONING CONSULTANTS

April 5, 2005

Christopher Anderson  
NTTA  
P.O. Box 260729  
Plano, Texas 75026

RE: Preferred Trinity Tollway – Alternative Ending Options

Dear Mr. Anderson:

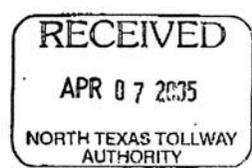
On behalf of my client, Gold Metal Recyclers located at 4305 S. Lamar, we are asking for your support of the Riverside – South Alignment for the Trinity Tollway – Alternative Ending Option. This preferred option will go along the levee and not have as great an impact on adjacent properties as the Industrial – South Alignment.

We strongly oppose the Industrial – South Alignment, which will have a major impact on adjoining neighborhoods and businesses. Homes, churches and businesses will be displaced. An elevated highway next to single-family homes will cause noise issues and will be a major visual intrusion into the neighborhood.

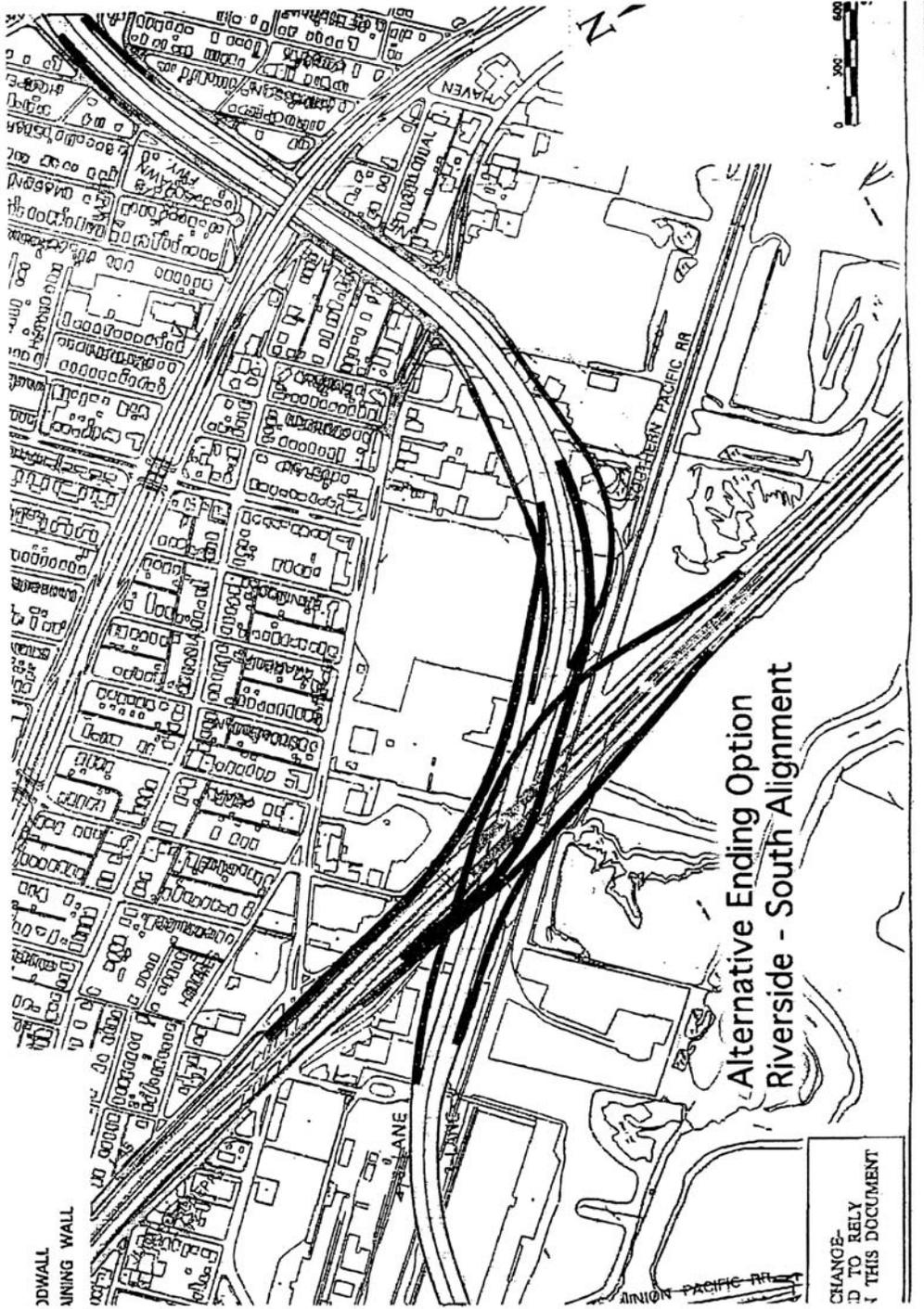
Please support the Riverside – South Alignment.

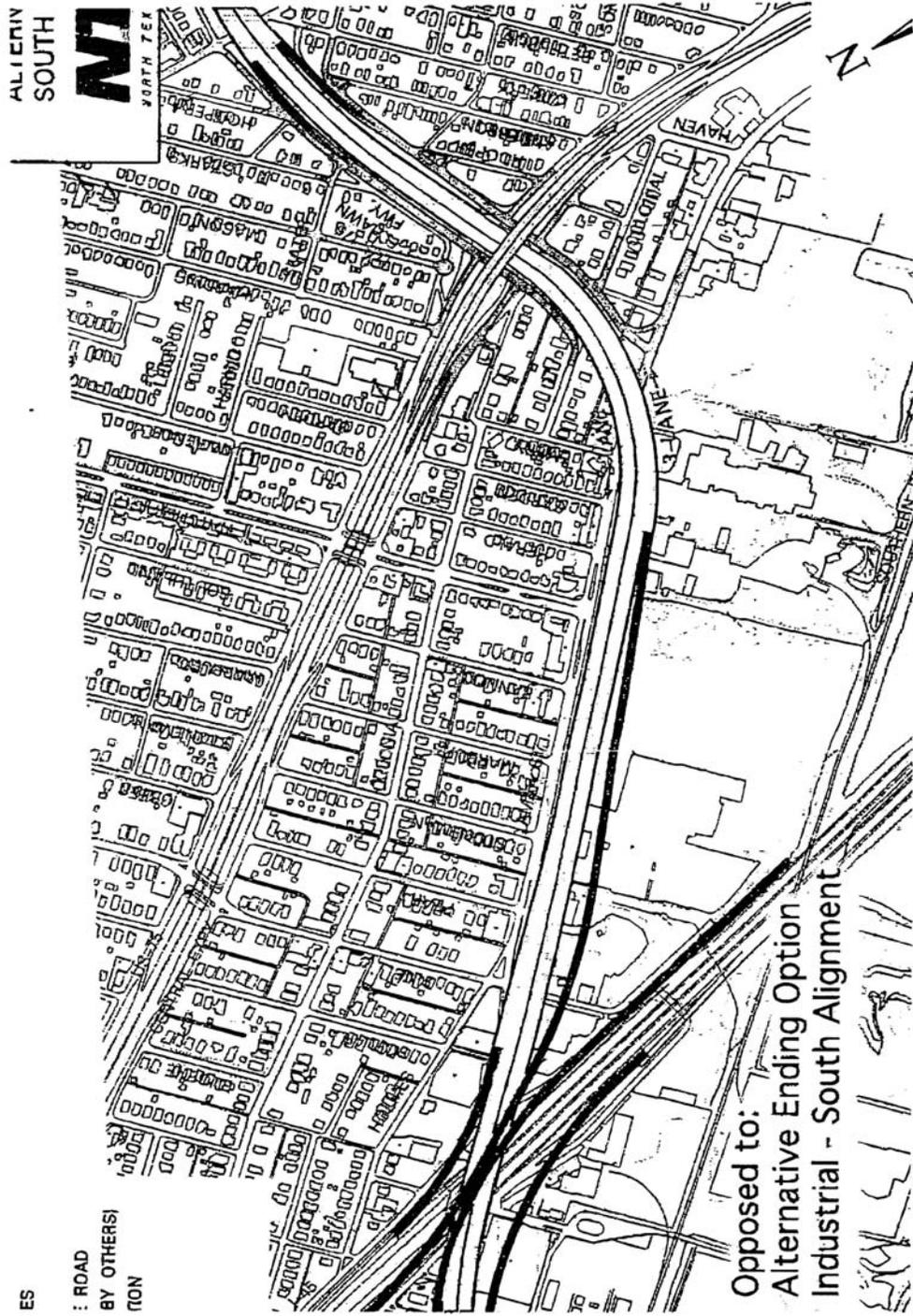
Sincerely:

Robert Reeves



Founders Square • 900 Jackson Street • Suite 160 • Dallas, TX 75202 • (214) 749-0530 • Fax (214) 749-5605  
rob.reeves@shcglobal.net







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Date: April 11, 2005  
(including cover)

Pages:21

**TO:**  
**Name:** Mr. Chis Anderson  
**Office:** NTTA, Planning Director  
**Telephone:** (212) 461-2021  
**FAX Number:** (212) 528-4826

**FROM:**  
**Name:** Gene T. Rice, Jr.  
**Office:** U.S. Army Corps of Engineers, ATTN: CESWF-PM-C  
P.O. Box 17300, Ft. Worth, TX 76102-0300  
**Telephone:** (817) 886-1374  
**FAX Number:** (817) 886-6443



**REMARKS:**  
Chris,

I have attached the draft comments on the Trinity Parkway DEIS.

Call me if you have any questions.

Thank you

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8 April 2005

**U.S. Army Corps of Engineers  
Fort Worth District**

**Comments on  
Trinity Parkway - Draft Environmental Impact Statement**

1. General Comment: Multiple references and statements are made that the on-going Dallas Floodway Extension Project is a potential joint development project. The Dallas Floodway Project (DFE) is not and has never been considered for joint development with any other project. Remove all references to DFE as a potential joint development project.
2. General Comment: The Corridor Development Certificate (CDC) process is not a Federal permitting process, the Fort Worth District, US Army Corps of Engineers, acts only as the technical reviewer for these certificates.
3. General Comment: The Fort Worth District Record of Decision requirements for actions within the Dallas Floodway were not discussed in this document. The Record of Decision is attached for your use. This criteria for activities within the floodway needs to be included in this document in various locations.
4. General Comment: The Right-of-Way costs for Alternatives 3A, 3B, 4, and 5 are overstated. The lands associated with the existing Dallas Floodway and Dallas Floodway Extension will not be purchased for the parkway, instead the construction of the project will be treated like any other action crossing the project lands, it will be subject to the requirement that if future operations by the United States require it removal, relocation, or other alteration, the action will take place without expense to the United States.
5. General Comment: As the DFE Lamar Levee is not a joint project; all impacts of Lamar Levee should not be counted toward impacts of the parkway. And impacts of the parkway construction between the DART Bridge and SH-175 need to be quantified.
6. General Comment: If a floodwall / levee constructed is within the Dallas Floodway or Dallas Floodway Extension projects, it must be designed to meet either the FEMA certification criteria for 100-year flood protection (levee or floodwall). If the parkway is placed on fill within the Dallas Floodway or Dallas Floodway Extension projects the fill must be at least 1 foot above the future 100-year flood elevation (based on the Corridor Development Certificate hydraulic model) 100-year flood.
7. Page 1-46 & 1-47: the proposed City lakes do not "mitigate the effects of the parkway embankments on floodway conveyance and . . . offset the effect of embankments on valley storage." The excavation for the parkway embankments performs this function. The lakes are a proposed feature by the City of Dallas.

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8. Page 3-11, last paragraph: "The USACE anticipates completion of the Dallas Floodway EIS in the winter of 2005." It should read The USACE anticipates completion of the Draft Dallas Floodway EIS in the winter of 2005."
9. Page 3-75, last paragraph: It is stated . . . "The majority of the lands within the Dallas Floodway are composed of this habitat type, consisting of upland grasses, scattered wetland depressions, with trees common along portions of the river channel and scattered throughout the floodway." A better distinction would be to identify there are areas that are subject to intensive mowing on a frequent schedule, for example the levees and the 50 foot toe on either side, and the native grasslands that lie within the floodplain that are subject to periodic mowing, but generally of less frequent nature. Those less disturbed grasslands have significantly more value to wildlife resources that utilize the river, wetlands and the riparian corridor composed of trees that line the banks of the existing channel and additional scatter riparian trees within the floodway.
10. Page 3-112, first paragraph: It is stated . . . "Several USACE projects, undertaken from 1939 to the present, have reinforced the levees and improved the floodway". The US Army Corps of Engineers did not undertake a project to modify the existing floodway until 1953.
11. Page 3-116, first paragraph: The Dallas Floodway Extension actually has two modifications to the 1965 authorization. The modification not listed is a flood control credit for advanced construction costs for compatible portions of previously constructed non-Federal levees (Rochester Park and Central Wastewater Treatment Plant), was authorized in accordance with Section 351 of the Water Resources Development Act of 1996 (P.L.104-303) . . . [Section 351, WRDA 1996 (Project Modification - Added two Non-Federal Levees and provided Construction Credit) - Rochester Park Levee and Central Waste Water Treatment Plant (CWWTP) Levee.]
12. Page 3-116, first paragraph: "Plate 3-5 shows the major features of the DFE Recommended Plan." Actually, the plan / project is authorized and under construction.
13. Page 3-117, first paragraph: The document states: "Excavated material from the wetlands may be utilized for construction of the levees, potentially for the construction of the Trinity Parkway (proposed action), ". This statement should be removed because the excavated material will be used during the construction of the DFE by the Corps to construct the levees and it will not be used for the Trinity Parkway. Additionally, the DFE project will provide ecosystem restoration / mitigation, but not for the Trinity Parkway construction impacts. The DFE project will provide recreation facilities.
14. Page 3-117, second paragraph: The Chain of wetlands, Lamar Levee, and Cadillac Heights levee will not be completed by the end of 2008.
15. Page 3-117, third paragraph: The Court did not order the Corps to prepare a supplement. The Court enjoined construction of the DFE project until a adequate analysis of the cumulative impacts of other projects in the same geographic area was prepared. The Corps chose the option of doing a Supplemental EIS as a means to comply with the Court order.

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16. Page 4-8, fourth paragraph: "... the No-Build alternative would contribute to increased traffic congestion as well as both human and air quality impacts." How does the No-Build alternative contribute to increased traffic congestion as well as both human and air quality impacts? It may not decrease the congestion, but it, in and of itself, cannot contribute to the congestion.
17. Page 4-12, first paragraph: It is stated ... "In addition, the potential for loss of property and life during a 100-year flood event would be virtually eliminated outside the floodway levees." Where will there be improvement in 100-year flood protection due to the Trinity Parkway project?
18. Page 4-13, fourth paragraph: It is stated ... "Wetland mitigation banking may also be considered for compensation to impacted wetland resources." That may be true for the transportation projects, but it is not true for the Corps of Engineers projects. Wetland mitigation will be done on project lands.
19. Page 4-101, last paragraph: It is stated ... "Detailed information concerning the proposed design and construction of Alternatives 3A, 3B, 4, and 5 within and adjacent to the Dallas Floodway is presented in Chapter 2 Alternatives Considered." While many details of the designs are discussed, the detail of the plan to move the lower portion of the East Levee, between Corinth Street and the DART Bridge, further east impacting Sump 7E, is not fully disclosed. It is only shown on Plate 2-9B, in a note on the drawing. This movement of the levee has not been priory coordinated with or approved by the Corps of Engineers. We recommend that you initiate coordination with us on this proposed modification to the levee as lacking full detail of how that modification would be completed while maintaining the currently level of flood damage reduction benefits we find that proposed change currently unacceptable. In addition, modification to the levee to accommodate the alternative tollroad alignments would require the project proponent to identify and provide hydraulic and environmental mitigation for any impacts to those resources.
20. Page 4-104, first paragraph: "The riverside alignments (Alternatives 3A, 3B, and 4) would potentially convert a large amount of emergent wetlands to un-vegetated open water, which would result in some loss of habitat quality. However, these habitat types are relatively abundant throughout the floodway and are relatively easy to re-establish." This statement is technically correct, but wetland impacts should be considered within the eco-region, where there has been an overall loss. Additionally, with the changes to hydraulics and structure within the floodway, re-establishment of these wetlands may be more difficult and costly than implied.
21. Page 4-115, Summary of Hydraulic Design: While is may be true that the parkway alternatives do not violate FEMA floodplain regulations, the controlling criteria is the Corps ROD criteria (see comment # 3). It has not been shown that any of the alternatives considered meet the criteria for the ROD. Until an adequate hydraulic analysis and information is presented to show how each alternative impacts the operation of the floodway and meets the ROD criteria, the analysis of alternatives is incomplete. A table should be developed similar to the following, based on hydraulic analyses. The table should include at minimum water surface elevation and valley storage for each alternative at each site

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identified. In channel and overbank velocities would assist in determination if  
crossive velocities would require additional bank protection.

	Loop 12 (Elm Fork)	Loop 12 (West Fork)	Confluence	Concession Street	Dart Bridge	MLK Blvd	IM 45 Bridge	Loop 12 (Main Stem)
Existing Condition								
Future Without								
Alternative 1								
Alternative 2A								
Alternative 2B								
Alternative 3A								
Alternative 3B								
Alternative 4								
Alternative 5								

22. Page 4-117, second paragraph: It is stated . . . "This project does not constitute a significant risk of increased flooding since the adverse consequences associated with the probability of flooding attributable to this project are negligible. There would be no increase in flood heights at any existing structure." There is not hydraulic modeling information presented to backup this statement. The levees upstream, adjacent to, and downstream arc structures and flood level impacts should be shown in tabular form for all alternatives.

23. Page 4-120, second paragraph: It is stated . . . "It would not noticeably increase the base flood elevation or flood risk to property or to human life. In order to prevent a substantial adverse impact on natural and beneficial floodplain values, appropriate mitigation measures would be incorporated into the project." The impacts to the environment of each alternative has not been quantified, nor has the appropriate mitigation, therefore, a real comparison of the alternatives cannot be made at this time.

24. Page 4-134, Table 4-45, Trinity River Greenbelt Park (Trinity River): It is stated . . . "a project's noise analysis should evaluate noise levels where frequent human activity occurs. Because of infrequent human use, there are no noise impacts to the Trinity Park." Additionally, it is stated . . . "To avoid noise impacts that may result from future development of activities adjacent to the project, local officials responsible for land use control programs should ensure, to the maximum extent possible, that new activities within Trinity Park are planned or constructed with the following predicted noise environment in mind." The noise effect analysis presented gives the impression that should the tollroad come first, the future uses of the floodway should be modified to be compatible with the noise the tollroad would generate. However, an effect assessment should be based upon a

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- comparison to future conditions. As the City of Dallas has spent significant investment of time and funds into designing an expansive and creative use of the floodway for recreation, the noise effect analysis should be discussed in light of the proposed future adjacent land uses. The increase in noise could also have a significant impact to the natural environment, so this increase in noise should be evaluated to determine its impacts on the existing ecosystem. Additionally, this point has been understated to Public and is not evident in the Executive Summary.
25. Page 4-150, Table 4-48, Plate 3-20, Storm Drainage – Storage Sumps: Impacts are shown to Sumps 2E, 4E, 6E, 7E, 1W, 2W, 3W, & 4W. The possible mitigation or recovery to the impacted storage needs to be identified.
  26. Page 4-151, Storm Drainage: It is stated . . . “Alternatives 2A, 2B, and 3B would impact Sump 7E” The possible mitigation or recovery to the impacted storage needs to be identified.
  27. Page 4-157, Section 4.20.8: The table is unclear as to what it is trying to show. Please explain.
  28. Page 4-158, Table 4-50, US Army Corps of Engineers: The Trinity River Corridor CDC Process. This is not a Corps of Engineers process; it is a local government process.
  29. Page 4-158, Table 4-50, US Army Corps of Engineers: The ROD Criteria for the Trinity River should be listed under the Corps of Engineers.
  30. Section 4.24.2, Cumulative Impacts: This section does a good job of listing the projects within the geographic area, but does not attempt to quantify / qualify the impacts (positive or negative) of each listed activity. In order to understand the overall cumulative impacts of the projects, a project by project analysis / listing of the areas impacted and the effects needs to be put together and displayed in this section of the report.
  31. Page 4-183, last paragraph: It is stated . . . “Practical measures to minimize harm to floodplains are incorporated into the preliminary designs of the Trinity Parkway build alternatives, which directly affect the Dallas Floodway.” This is good news, but what area the measures incorporated into the designs?
  32. Page 4-184: A discussion of the ROD criteria should be inserted after the fourth paragraph.
  33. Page 4-195, second paragraph: A reference is made to Section 2.3.11 as the section discussing the donation of property to the City of Dallas by Industrial Properties Corporation. This section is actually “Identification of Preferred Alternative”, please correct this reference.
  34. Page 4-196, third paragraph: It is stated . . . “Other planned transportation system improvements, flood control projects, and development projects (see Tables 4-53 and 4-54) would also be subject to the requirements of the above federal and/or state regulations ensuring their impacts were mitigated to insignificance, thereby reducing the cumulative effect of these projects.” This argument was rejected by the Federal Court in the DFE lawsuit, as being “conclusory . . . and fail to meet NEPA’s requirement that an agency take a “hard look” at the environmental consequences, including cumulative impacts, that a project will have.”
  35. Page 6-4, Table 6-1 Estimate of Probable Cost:

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- a. Costs for Environmental Mitigation (Noise, HazMat, Wetlands) are the same for each alternative (\$5,000,000). These costs should be better defined, based on alignments and impacts to areas and resources and not given a blanket number.
  - b. Right-Of-Way Acquisition / Relocation Assistance: Costs should not include acquisition of property associated with either the Dallas Floodway or Dallas Floodway Extension.
  - c. Possible Contribution from USACE (Levee Improvements): This line should be either removed or have no costs included.
36. Page 7-29, Section g: It is stated . . . "the planting of trees associated within the Dallas Floodway would be determined after considering input from USACE and the desires of the City of Dallas". The statement should read as follows: ". . . after considering requirements from USACE and the desires . . .".
37. Page 7-31, Section 6: It is stated . . . "A wetland mitigation plan would be prepared prior to project construction. This plan would be developed in collaboration with the USACE and the USFWS. Location of replacement wetlands and methods to restore impacted wetlands would be included in the mitigation plan. The wetland mitigation plan would document the impacts of the proposed Trinity Parkway and its mitigation requirements." The impacts and required mitigation of each alternative should be developed now for all alternatives to give the public and agencies the whole picture of the impacts, mitigation required, and location of the mitigation for the project. Without this information, the evaluation of the alternatives is incomplete.
38. Page 7-31, Section 7.d: It is stated . . . "Any construction in the floodplain would be required to preserve existing valley storage and a detailed hydraulic analysis, fill permits and CDC review would take place by FEMA, City of Dallas, NCTCOG, and USACE." This statement should include the ROD as required criteria.
39. Figure 2-9B and 2-10C show a road on top of the West Levee from upstream of Houston Street to IH-35E. This placement of a road on top of the levee has not been coordinated with or approved by the Corps of Engineers and is not acceptable.

**Trinity River and Tributaries Environmental Impact Statement and Record of Decision**  
**(Dated April 29, 1988)**

The USACE prepared the Trinity River and Tributaries Regional Environmental Impact Statement (TREIS) because "...individually or cumulatively, these projects [development projects in the Upper Trinity River watershed] were felt to have the potential to compromise the existing protection afforded to flood plain residents, because of perceived impacts to wetlands and other natural resources, and because of competing public demands for other uses of the river channel and flood plain, the District Engineer determined that it was necessary to develop a regional perspective in order to properly evaluate the impacts of individual permit decisions in accordance with the spirit and intent of National Environmental Policy Act (NEPA) and other applicable laws. In the Record of Decision (ROD) for the EIS the USACE established strict criteria to be met for Standard Individual Permits. These criteria have been extended to Nationwide General Permits through a Regional Condition. In response to the TREIS and ROD, the cities and counties in the Trinity River corridor formed the Trinity River Steering Committee, facilitated by the North Central Texas Council of Governments (NCTCOG). The result was the establishment of the Corridor Development Certificate (CDC) Process.

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RECORD OF DECISION  
REGIONAL ENVIRONMENTAL IMPACT STATEMENT  
TRINITY RIVER AND TRIBUTARIES

I. Introduction

Since its early history, the U.S. Army Corps of Engineers has played an important role in the development of the nation's water resources. Originally, this involved construction of harbor fortifications and coastal defenses. Later duties included the improvement of waterways to provide avenues of commerce and reduce flood hazards. An important part of its mission today is the protection of the nation's waterways through the administration of the Regulatory Program. The Corps is directed by Congress under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) to regulate all work or structures in or affecting the course, condition, or capacity of navigable waters of the United States. Section 9 (33 USC 401) directs the Corps to regulate the construction of any dam or dike across a navigable water of the United States. The intent of these laws is to protect the navigable capacity of waters important to interstate commerce. Additionally, the Corps is directed by Congress under Section 404 of the Clean Water Act (33 USC 1344) to regulate the discharge of dredged and fill material into all waters of the United States, including adjacent wetlands. The intent of this law is to protect the nation's waters from the indiscriminate discharge of material capable of causing pollution, and to restore and maintain their chemical, physical, and biological integrity. Because the District Engineer's decision to issue or deny a permit under these laws is a significant Federal Action, various other statutes, principally Public Law 91-190 (the National Environmental Policy Act, or NEPA) come into play. Among other things, NEPA requires the consideration of the direct, indirect, and cumulative impacts of an action (40 CFR 1508.25(C)). Late in 1984 and early in 1985, it became apparent that numerous unrelated development projects were being proposed along the Trinity River and its tributaries in Dallas, Denton, and Tarrant Counties, Texas. Most involved modification of the river channel and/or flood plain in some form or another, and most required a Corps of Engineers permit as a result. Because, individually or cumulatively, these projects were felt to have the potential to compromise the existing protection afforded to flood plain residents, because of perceived impacts to wetlands and other natural resources, and because of competing public demands for other uses of the river channel and flood plain, the District Engineer determined that it was necessary to develop a regional perspective in order to properly evaluate the impacts of individual permit decisions in accordance with the spirit and intent of NEPA and other applicable laws. The Draft Regional Environmental Impact Statement (EIS), published in May 1986, analyzed a number of scenarios which were specifically designed to identify possible, significant cumulative impacts associated with different permitting strategies for the Trinity River flood plain. In addition to developing a baseline condition, it examined three groups of conditions based on a) maximizing environmental quality, b) ultimate implementation of the Federal Emergency Management Agency's (FEMA) minimum criteria for the flood insurance program, and c) maximizing economic development. The results of the Draft Regional EIS indicated strongly that there are potential cumulative impacts associated with

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individual flood plain development projects which are both measurable and significant. Additionally, the Draft Regional EIS indicated that the permitting approach adopted by the Corps of Engineers had the potential to have significantly different impacts on a number of regional parameters, especially flood hazards. Even though the analyses were not complete, and the public comment on the Draft Regional EIS indicated that there was much work to follow, the implications to the ongoing Regulatory Program could not be overlooked. In response to this, the Corps formulated a set of interim criteria to be in effect until the Record of Decision was rendered. Many of the comments received on the Draft Regional EIS indicated that the slate of alternatives analyzed did not represent a realistic approach to regulatory strategies. In many cases, the predicted results were publicly unacceptable. Two important examples include the overtopping of the Dallas Floodway levees under two of the scenarios, and a substantial downstream shift in the Dissolved Oxygen "sag" resulting in noncompliance with State Water Quality Standards in the reach below the Trinidad gage. After careful analysis of the public and agency input, several new scenarios were formulated for analysis in the Final Regional EIS. In addition to updating the baseline, three scenarios, representing the same three broad categories that had been previously addressed, were developed. Many people suggested that the Maximum Development scenarios analyzed in the Draft Regional EIS were too extreme, either because they conflicted with an ongoing project, or because levees were physically impractical in some portions of the flood plain. In response to this criticism, we agreed to replace them with a "Composite Future" scenario. Each city was tasked to provide the North Central Texas Council of Governments (NCTCOG) a delineation of the "most likely" limits of maximum encroachment within their jurisdiction. NCTCOG compiled each city's individual prediction and presented the resultant set of maps to local staffs and local elected officials before providing them to the Corps for analysis. The Modified Floodway scenario of the Final Regional EIS replaced the floodway-based scenarios of the Draft Regional EIS as a representative compromise between maximum (realistic) development and maximum (realistic) environmental quality. In this scenario, the Corps defined the geographic limits of a drainageway incorporating the FEMA concept with significant technical variations. For the third scenario, the Corps revised and represented a Maximum Environmental Quality scenario, hydraulically identical to the revised baseline because it incorporated no additional flood plain projects except water quality, recreation, and wildlife enhancements. Of the scenarios, or alternatives, examined in the Final Regional EIS, this is the environmentally preferred alternative. The extensive coordination and public involvement characteristic of the Regional EIS process continued during the comment period on the Final Regional EIS, which extended from its release on October 22, 1987, through January 31, 1988. During this period, I held a public meeting at Lamar High School at which eleven people submitted statements. My staff attended in excess of twenty meetings with local government staffs, public agencies, and citizen groups. In addition, sixty-six written comments on the Final Regional EIS were received.

## II. Discussion of Issues and Factors

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Most of the formal public comment and discussion with local governments centered on three general issues: the appropriate level of flood protection (100-year vs. SPF), the level of accuracy of the hydraulic and hydrologic analyses displayed in the Regional EIS, and the issue of equity as it pertains to governmental regulation. "Benefits" and "Costs" of an action, whether it be a proposed project or a proposed regulation, do not always occur to the same group of people, let alone in the same order of magnitude. The definition of the "public interest" which is at the heart of the Regional EIS calls for an assessment of the tradeoffs inherent between public demands for enhanced environmental quality in the river corridor and for its use for needed public facilities, and economic development and the rights of private landowners. A major consensus achieved through the review of the Final Regional EIS is that additional regional increases in flood hazards for either the 100-year or Standard Project Flood are undesirable, and that the thrust of flood plain management, in the short term, should be to stabilize the flood hazard at existing levels through regulation. Future efforts on the part of both the Corps and local organizations may be required to reduce flood hazard over the long term. The Regional EIS is probably the most comprehensive such study done in the United States. It has highlighted the need for planning for the region and cooperation among the governmental entities along the Trinity River corridor to achieve quality development. The document was developed for the sole purpose of establishing a permitting strategy for the Trinity River and its tributaries. It does not contain a technical baseline that will remain current over time and is not to be used as a design document. Design decisions requiring water surface predictions based on critical storm centerings, and which are sensitive to valley storage computations, must be based on detailed site-specific engineering analyses. Other site-specific public or private flood control management decisions should likewise be based on current technical analyses. Further, flood insurance data must be obtained from the FEMA and not from the Regional EIS. Neither the Regional EIS nor this Record of Decision encroaches upon the responsibility of design engineers or the authority of local governments. The Regional EIS, its public review, and this Record of Decision serve only to establish and document the "best overall public interest" as it applies to the Trinity River and its tributaries. It remains the responsibility of design engineers to perform competent work in accordance with professional design practices. Permit applicants which proposed flood plain modifications and/or site-specific flood control structures will need to satisfy review agencies as to the reasonableness of design assumptions. Throughout the development of this Record of Decision, the Corps has worked closely with the NCICOG to insure consistency with their COMMON VISION program. The criteria listed below for the West Fork, Elm Fork, and Main Stem are consistent with the Statement of Principles for Common Permit Criteria submitted by the Steering Committee of local government officials. Because of the massiveness of this undertaking and the importance of its impact on future growth, the comments from the cities and other governmental entities have been carefully considered.

### III. Decision

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Based on my consideration of the data developed and presented in both the Draft and Final Regional EIS's and my careful consideration of all public input, I have determined that, for the purposes of the Regional EIS study area, my Regulatory Program will be henceforth based on the following criteria. The baseline to be used in analyzing permit applications will be the most current hydraulic and hydrologic model of the specific site in question. The burden of proof of compliance with these criteria rests with the permit applicant. Variance from the criteria would be made only if public interest factors not accounted for in the Regional EIS overwhelmingly indicate that the "best overall public interest" is served by allowing such variance.

A. Hydraulic Impacts--Projects within the SPF Flood Plain of the Elm Fork, West Fork, and Main Stem. The following maximum allowable hydraulic impacts will be satisfied, using reasonable judgment based on the degree of accuracy of the evaluation, and using cross sections and land elevations which are representative of the reaches under consideration:

1. No rise in the 100-year or SPF elevation for the proposed condition will be allowed.
2. The maximum allowable loss in storage capacity for 100-year and SPF discharges will be 0% and 5% respectively.
3. Alterations of the flood plain may not create or increase an erosive water velocity on-or off-site.
4. The flood plain may be altered only to the extent permitted by equal conveyance reduction on both sides of the channel.

B. Hydraulic Impacts--Tributary Projects. For tributaries with drainage areas less than 10 square miles, valley storage reductions of up to 15% and 20% for the 100-year and Standard Project Floods, respectively, will be allowed. For tributaries with intermediately-sized drainage areas (10 square miles to 100 square miles), the maximum valley storage reduction allowed will fall between 0% and 15% for the 100-year flood and 5% and 20% for the Standard project Flood. Increases in water surface elevations for the 100-year flood will be limited to approximately zero feet. Increases in water surface elevations for the Standard Project Flood will be limited to those which do not cause significant additional flooding or damage to others. Projects involving tributary streams with drainage areas in excess of 100 square miles will be required to meet the same criteria as main stem projects (see "A" above).

C. Cumulative Impacts. The upstream, adjacent, and downstream effects of the applicant's proposal will be considered. The proposal will be reviewed on the assumption that adjacent projects will be allowed to have an equitable chance to be built, such that the cumulative impacts of both will not exceed the common criteria.

D. Design Level of Flood Protection. The engineering analysis will include the effects of the applicant's proposal on the 100-year and Standard Project Floods and should demonstrate meeting FEMA, Texas Water Commission, and local criteria, as well as Corps, for both flood events.

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1. For levees protecting urban development, the minimum design criterion for the top of levee is the SPF plus 4.0, unless a relief system can be designed which will prevent catastrophic failure of the levee system.
2. For fills, the minimum design criterion is the 100-year elevation, see above, plus one foot.

E. Borrow Areas. The excavation of "borrow" areas to elevations lower than the bottom elevation of the stream is generally hydrologically undesirable. The volume of such excavations, above the elevation to which the area can be kept drained, can be considered in hydrologic storage computations.

F. Preservation of Adjacent Project Storage. The applicant will be required to respect the valley storage provided by adjacent projects by ensuring that their hydraulic connection to the river is maintained. If the project blocks the hydraulic connection of the adjacent project, then the applicant will be required to provide additional valley storage to offset the loss caused by the blockage of the hydraulic connection.

G. Special Aquatic Sites. Value-for-value replacement of special aquatic sites (i.e. wetlands, pool and riffle complexes, mud flats, etc.) impacted by non-water dependent proposals will be required. These criteria will be used by the Corps for the express purpose of evaluating new permit applications received subsequent to the effective date. They will not be used to reevaluate any flood plain project already constructed or permitted. They apply to permit applications from public agencies as well as private sector applications. In addition to the criteria discussed above, the following guidelines will be used by my staff in evaluating permit applications:

A. Runoff. Site drainage systems should minimize potential erosion and sedimentation problems both on site and in receiving water bodies.

B. Habitat Mitigation. A standardized, habitat-based evaluation method should be used to evaluate the impacts of the applicant's proposal to fish and wildlife resources. Guidelines for the quality and quantity of mitigation are as follows:

1. Category 2 resources--habitat of high value which is scarce, or is becoming scarce in the ecoregion--no net loss of habitat value. Category 2 resources in the study area include vegetated shallows, riffle and pool complexes, and riparian forests, as well as wetlands (see above for mitigation of wetlands). A buffer strip of natural vegetation 100' feet wide on each side of the channel for main area projects, and 50' feet for tributaries, should be maintained.
2. Category 3 resources--habitat of medium-to-high value that is relatively abundant in the ecoregion--no net loss of habitat value while minimizing the loss of the habitat type. (This means to reduce the loss of the habitat and compensate the remainder of loss of habitat value by creation or improvement of other Category 2 or 3 resources.) Category 3 resources in the study

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area include deep water, native rangeland, upland forests, and upland shrubland.

3. Category 4 resources--habitat of low-to-medium value-- mitigation should be to minimize the loss of habitat value, which can be accomplished by avoidance or improving other habitat types. Category 4 resources in the study area include cropland and improved pasture.

C. Cultural Resources. Cultural resources, including prehistoric and historic sites, will be identified and evaluated according to National Register of Historic Places Criteria. Identification procedures may involve literature review, pedestrian survey, and excavation to identify buried cultural materials. Sites which are eligible for inclusion in the National Register of Historic Places will be treated by measures which range from avoidance, to preservation in place, to mitigation through excavation.

D. Other Regional Needs and Plans. Consideration will be given when evaluating permit applications of the proposal's impact on regional facilities which have been identified as important through the Regional BIS process. These include, but are not limited to, a linear hike/bike system linking large flood plain parks throughout the Metroplex, the Trinity Tollway, and sites for regional stormwater detention basins. (Specific locations and plans for these facilities will continue to evolve through coordination with NCTCOG and local governments.) Applicants will be urged to design projects which do not preclude future implementation of these regional assets. It is my conclusion that the criteria and guidelines set forth above represent the best available definition of the "overall public interest," taking into account the rights of individual landowners and the direct, indirect, and cumulative impacts of individual actions under by purview. Further, I conclude that these policies represent all the practical means known to me to avoid or minimize environmental harm within that framework. This document will therefore provide the specific framework within which we will operate the Fort Worth District's Regulatory Program within the Regional BIS study area.

/Signed/

JOHN E. SCHAUFELBERGER  
Colonel, Corps of Engineers  
District Engineer  
Date: April 29, 1988

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014/021

**FHWA-TX-EIS-02-02-D**  
**Draft Environmental Impact Statement And Section 4(f) Evaluation**  
**Trinity Parkway From IH-35E/SH-183 To US-175/SH-310, Dallas County, Texas**

- 1) Regulatory is still in the process of verifying the jurisdiction determination for waters of the U.S. and wetlands. Therefore, the information in the DEIS may not be accurate, depending on Regulatory comments.
- 2) The DEIS indicated that 7.0 acres of forested habitat would be impacted by build alternatives within the project area. According to ..... The riverside levee alternatives (especially alternatives 3A and 3B) could impact additional forested and floodplain resources within the Dart RR/AT&SF to MLK reach.
- 3) The DEIS indicates that the Dallas Floodway EIS would be completed in the winter of 2005. This is not likely since we were awaiting the details from the Trinity Parkway study and those details are not in the DEIS.
- 4) The DEIS fails to identify and disclose detailed mitigation plans (i.e., quantities, locations, measures) for impacts to natural resources from the build alternatives. Therefore, it is hard to determine the true effects of each alternative and if mitigation areas will have any adverse impacts to environmental resources.
- 5) No information was provided in the DEIS to discuss the potential impacts/costs/problems to the public that could occur when the 100-year plus 2.0 foot flood event occurs. The DEIS says that a detailed hydraulic study will be conducted upon identification of a preferred alternative.
- 6) Mitigation measures and locations to address long-term impacts to water quality are not disclosed. Will the project have long-term runoff/debris/pollutant abatement measures?
- 7) No functional values/locations for mitigation are included. Levels of impact are disclosed, but levels/significance of mitigation are not disclosed.
- 8) The total costs in the DEIS include mitigation costs, but the amounts are not broken out by resource.
- 9) The DEIS identifies 1,420 acres (67%) of urban landscape communities within the study area (page 3-75, Table 4-37). What does this consist of? Seems high considering the bulk of the study area is within the floodway.
- 10) The DEIS suggests potential use of mitigation banking to address wetland and vegetation impacts, but does not identify where the banks are located.
- 11) The DEIS indicates that new development near the Trinity Parkway would be a likely indirect impact to the study area. What are the quantitative effects on wetlands, forests, grasslands, water quality, ect.? Will zoning change?

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12) Page 4-90 of the DEIS says that the "City of Dallas PARD indicates no negative impacts to any existing parks/recreational areas", but in Table 4-32 negative impacts are listed.

13) Page 4-99 of the DEIS says that "wetland surface storage is likely the primary function lost under alternatives 3A, 3B, and 4". What about the wildlife habitat values that would be lost?

14) The DEIS indicates that seasonal wetlands would be converted to open-water habitat. Would similar or higher quality seasonal wetlands be created elsewhere?

15) The DEIS indicates that it will balance the floodplain cut/fill impacts from alternatives 3A, 3B, and 4 through joint cooperation with other floodplain development projects. However, what happens if other alternatives for the joint projects are selected that don't benefit the needs of the Trinity Parkway project (i.e., a USACE floodwall alternative versus expansion of the existing levee) or these other joint projects are terminated? The Trinity Parkway project should be considered a stand-alone project so that the impacts can still be addressed.

16) The DEIS indicates that cumulative impacts to cultural resources is likely due to new development on private lands. However, we do not have an idea of what those impacts could/would be.

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**In General:**

The purpose of NEPA's procedures is to "insure that environmental information is available to public officials and citizens before decisions are made and before actions are taken." 40 CFR § 1500.1(b) (2002). 40 CFR § 1502.1 states that "[t]he primary purpose of an environmental impact statement is to serve as an action-forcing device to insure that the policies and goals defined in the Act are infused into the ongoing programs and actions of the Federal Government." It does not appear that the EIS meets these goals. There are no detailed discussions of the environmental impacts of the proposed alternatives for the roadway. Therefore the EIS fails to make environmental information available to either public officials or citizens prior to the action being taken or that the EIS insures that the policy and goals of NEPA are met. Rather than discussing the environmental impacts on wetlands, water quality, water resources, vegetation, wildlife, and other environmental concerns the EIS in rather conclusory terms states that the effects will be mitigated through compliance with executive order, statute, or regulations. Such statement do not comply with the environmental analysis required under NEPA.

Kleppe v. Sierra Club, 427 U.S. 390 (1976) is one of the leading case involving cumulative impacts. It is the first time that the U.S. Supreme Court considered whether an EIS could be deficient for failure to take a "hard look" at cumulative impacts. See Terrance L. Thatcher, *Understanding Interdependence in the Natural Environment: some thoughts on Cumulative Impact Assessment under the National Environmental Policy Act*, 20 Env'tl. L. 611. Kleppe stated that "when several proposals for coal-related actions that will have cumulative or synergistic environmental impact upon a region are pending concurrently before an agency, their environmental consequences must be considered together." It appears from reading the EIS that a number of interrelated road and bridge projects are being constructed in the same vicinity as the Trinity Parkway. Further these projects connect to the Trinity Parkway. Under the rationale of Kleppe, these projects in the same geographic region which are pending before USDOT FHA should be considered in a single EIS.

Page 4-11; paragraph 4.2.6: NEPA does not allow deferral of the consideration of potential environmental impacts. They

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should be considered for each alternative prior to the preferred alternative being selected. Under NEPA an agency is required to engage in a "rigorous environmental analysis of three selected finalist [alternatives] before making its ultimate decisions." Surfrider Found. V. Dalton, 989 F.Supp. 1309, 1325 (S.D. Cal. 1998). The EIS does not appear to meet this criteria.

Page 4-17; paragraph 4.2.7: It is not possible to meet the full disclosure requirements of NEPA if the degree of integration and the cumulative impacts of the various alternatives within the Dallas Floodway are not discussed in the EIS.

Page 4-18 fourth paragraph. The environmental consequences for 3A, 3B, 4 and 5 must be disclosed within the EIS along with cumulative impacts. The discussion of their impacts cannot be deferred.

Page 4-19, second paragraph. Deferral of a description of the environmental impacts of the roadway to a subsequent document does not meet NEPA full disclosure requirement.

Page 4-97; Paragraph 4.82 states precautions would be taken to avoid unnecessary impacts to wetlands and aquatic areas without identifying the types of precautions which would be taken.

Page 4-100; Subpart 4.9 describes impacts in general terms and does not identify specific direct or cumulative impacts. The table found at 4-37 only provides a tabulation of acres and not the effects of the direct or cumulative impacts on those acres.

4-162; Subpart 4.24.2 The cumulative effects analysis is very general and does not consider the specific impacts of the alternatives along with other reasonable foreseeable projects. The cumulative impact regulation requires that the incremental impact of the action when added to other past, present and reasonably foreseeable action. 40 C.F.R. 1508.7. The cumulative impacts analysis is primary conclusory remarks. Conclusory remarks do not equip a decision maker to make an informed decision about alternative course of action and do not meet the requirements of NEPA. Defenders of Wildlife v. Babbitt, 130 F. Supp. 2d 121, 138 (D.C. 2001)

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Page 4-182 addressing wetlands. states that other planned transportation system improvements would be subject to executive order and applicable regulations insuring the impacts are mitigated. Such broad sweeping conclusory statements do not provide the type of cumulative impacts analysis required under NEPA. Texas Committee on Natural Resources v. VanWinkle, 197 F.Supp.2d 586 (ND, TX, 2002). The same type of conclusory statements are included for floodplains on page 4-184, water quality on page 4-188, air quality on page 4-191

Page 197, last two paragraphs. These paragraphs are conclusory without data to support the conclusions. There appears to be no cumulative impacts analysis.

Page 198, first paragraph states that impacts to biological resources would be avoided or minimized in compliance with existing federal statues. Leaving the avoidance of impacts to compliance with existing statues does not meet NEPA criteria. See Texas Committed on Natural Resources v. Van Winkle, supra.

Page 198, paragraph 4.24.2.9 states that the magnitude and significance of negative impacts are expected to be limited and controllable. This statement does not identify the impacts, it does not identify the environmental effects of the impacts or identify how the impacts will be limited or controlled. It fails to meet NEPA disclosure criteria.

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**Regulatory Branch Comments**  
**Draft Environmental Impact Statement Trinity Parkway Project**  
**5 April 2005**

1. We have reviewed this project in accordance with Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899. Under Section 404, the U. S. Army Corps of Engineers (USACE) regulates the discharge of dredged and fill material into waters of the United States, including wetlands. Our responsibility under Section 10 is to regulate any work in, or affecting, navigable waters of the United States. Any such discharge or work requires Department of the Army authorization in the form of a permit. For more information on the USACE Regulatory Program, please see our Internet homepage at [www.swf.usace.army.mil](http://www.swf.usace.army.mil) and select "Permits".
2. Based on the information submitted, it appears that a Department of the Army Standard Individual Permit would be required to authorize five of the six build alternatives considered. When more detailed information about the project is available, please provide us with suitable maps of the proposed project area showing the location of proposed discharges, the type and amount of material (temporary or permanent), if any, to be discharged, and plan and cross-section views of the proposed project. Please refer to the enclosed guidance for Department of the Army submittals and the Checklist for Applications for Individual Department of the Army Permits for additional details about the information that should be submitted for this and future projects and consider forwarding your response as soon as possible so that evaluation of your request may continue. Please note that it is unlawful to start work without a Department of the Army permit if one is required. We encourage you to avoid and minimize adverse impacts to streams, wetlands, and other waters of the United States in planning this project.
3. Sections 3.4.6, 4.8, and 7.4 should be re-titled to "Waters of the U. S., including Wetlands." This revision would provide clarification that wetlands are a type of waters of the United States.
4. The first and second paragraphs of Section 3.4.6 should be replaced with the following: "The USACE regulates certain activities in waters of the U. S. For the purposes of Section 404 of the Clean Water Act, waters of the U. S. are defined at 33 CFR 328.3 as:
  - a. all waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
  - b. all interstate waters including interstate wetlands;
  - c. all other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate or foreign commerce including any such waters:
    - 1) which are or could be used by interstate or foreign travelers for recreational or other purposes; or

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- 2) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or
- 3) which are used or could be used for industrial purpose by industries in interstate commerce;
- d. all impoundments of waters otherwise defined as waters of the United States under the definition;
- e. tributaries of waters identified in paragraphs 1-4 above;
- f. the territorial seas;
- g. wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs 1-6 above". Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the Clean Water Act (other than cooling ponds as defined in 40 CFR 123.11(m) which also meet the criteria of this definition) are not waters of the U. S.

5. The USACE project number in the third paragraph on page 3-85 should be changed to 200000308.
6. Plate 3-16 should be re-titled to "Waters of the United States." The legend should be clarified to identify items that are waters of the United States.
7. In section 4.8, you describe the impacts that may result from the construction and operation of the proposed alternatives. Please clarify in the introduction to this section that the applicant is still in the process of finalizing the delineation and determination of waters of the United States and that the information used in the DEIS is provided solely for comparison purposes.
8. Based on the preliminary data provided in section 4.8, it appears that Alternatives 2A, 2B and 5 would result in fewer impacts to waters of the U. S. than Alternatives 3A, 3B, and 4. It would be beneficial to provide additional qualitative details regarding the potential impacts of each alternative aside from total area of impact. It would be helpful to include substantive information on the quality of the aquatic resources and the method of determination of quality to help the reader judge which alternative would have the least adverse overall effect on the aquatic environment.
9. In paragraph 3 of section 4.9.2.1 on page 4-102, you describe the need for a permit under Section 404 of the Clean Water Act. You should also describe in this paragraph that a permit under Section 10 of the Rivers and Harbors Act would most likely be required as well.
10. In the paragraph titled "Section 404 Permit Requirements" of section 4.12.1, please revise sentence one to include the following: "The USACE regulates activities that would result in the discharge of dredged or fill material into waters of the United States under Section 404 of the Clean Water Act." In addition, you should include a section referencing the need for a permit under Section 10 of the Rivers and Harbors Act.

Page 2 of 3

11. In designing crossings of waters of the U. S., we encourage you to consider the following:

a. culverts and bridges should be designed to maintain channel geometry and minimize disturbance to waters of the U. S. and riparian areas to the maximum extent practicable;

b. all crossings, particularly culvert crossings should be designed in ways that avoid the need for channel widening to convey high flows. To achieve conveyance of high flows without altering channel geometry, crossings should be designed to employ the use of such approaches as a single culvert to convey the frequent flows with additional culverts placed at a higher elevation to convey less frequent events;

c. crossings should be designed in order to minimize the need for future maintenance activities, such as regular mowing or sediment removal in waters of the U. S. Such maintenance frequently results in long-term financial commitments and prolonged adverse impacts on the aquatic environment; and

d. stabilization activities along waters of the U.S. should be designed to avoid the use of concrete, gabions, and similar hard structures. In areas requiring stream bank protection, we recommend the use of bioengineering techniques and native vegetation, where practicable.

12. In Section 7.4 on page 7-15, you should note that the mitigation plan for the project should be developed using the Regulatory Guidance Letter 02-2 titled "Guidance on Compensatory Mitigation Projects for Aquatic Resource Impacts Under the Corps Regulatory Program Pursuant to Section 404 of the Clean Water Act and Section 10 of the River and Harbors Act of 1899" dated December 24, 2002 (enclosed). We recommend also that you consider the Fort Worth District Draft USACE Mitigation Guidelines dated December 24, 2003 (enclosed), in developing the mitigation plan.

Page 3 of 3





INDUSTRIAL PROPERTIES  
CORPORATION

March 28, 2005

Mr. Christopher Anderson  
Director of Planning  
North Texas Tollway Authority  
5900 West Plano Parkway, Suite 100  
Plano, Texas 75093

Dear Mr. Anderson:

I support the 3b alignment for the Trinity Parkway. In other words, I support a parkway alignment that has all lanes on the downtown side of the river with six lanes from State Highway 183 to Continental and four lanes from Continental to State Highway 175. I also support widening the four-lane section to six lanes in 2025 if the traffic demand justifies it.

The need for this reliever route is apparent. Anyone who regularly drives on Stemmons knows that rush hour is several hours long. Rush hour is defined as an average speed of 20 miles per hour or less. In the foreseeable future, rush hour will be eight hours long.

The Trinity River Project has three main components: flood protection, recreation, and traffic improvements. The balanced Vision Plan outlines steps to be taken to make these three components compatible. The 3b alignment is consistent with this Plan and is necessary if we are going to implement the Plan.

Industrial Properties Corporation developed Trinity Industrial District, along Stemmons Freeway and we are vitally interested in both the flood protection and the traffic relief for this area.

In 1998 the voters approved \$246 million in bonds for the Trinity River Corridor with \$84 million assigned for the design, construction and right of way needs for the Parkway. They have been patient while plans, studies, and environmental impact statements were being formulated. But it is not time to act if we are going to turn the vision they approved into reality. Please vote to approve Trinity parkway alignment 3b. Generations will be grateful.

Sincerely,

  
George A. Shafer  
Industrial Properties Corporation

400 EAST CARPENTER FREEWAY · IRVING, TEXAS 75062-3955 · 972/650-8400 FAX 972/650-8440  
mgmt@ipctexas.com · www.ipctexas.com

Apr-09-2005 11:32pm From-PEPSICO S AND I

+814 767 1248

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**PEPSICO**



1 Pepsi Way Somers, New York 10589 www.pepsico.com

April 8, 2005

Mr. Christopher Anderson, Planning Director  
North Texas Tollway Authority  
5900 West Plano Parkway, Suite 100  
P.O. Box 260729  
Plano, Texas 75026

Re: Trinity Parkway -  
Draft Environmental Impact Statement

Dear Mr. Anderson:

Our company is a customer of the Cargill, Inc. warehouse and distribution facility located at 3196 Quebec Street in Dallas. We understand that rail access from the south to the Cargill warehouse will likely be interrupted in the next several years due to construction of the Trinity Parkway project. Cargill's ability to receive and distribute goods from this facility is extremely important to our business. Cargill needs to be made whole for this loss of access so that they can continue to serve their customers, including us. The economic impact of this situation upon Cargill would ultimately adversely affect us as a customer. We would strongly advocate a feasible economic solution for Cargill at this location so that they can continue to serve this marketplace at their current price structure.

Thank you for your consideration.

Sincerely,

Robert Spear  
Sr. Industry Manager  
PepsiCo Global Sweeteners



United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, D.C. 20240-0001

OFFICE OF ENVIRONMENTAL POLICY AND COMPLIANCE  
1849 C STREET, NW, Room 2342-MIB  
Washington, DC 20240  
PHONE: 202/208-4169  
FAX: 202/208-6970

To: **Elivia Gonzalez**                      Date: **May 26, 2005**  
**TX-DOT**  
**Ph. 512-416-2610**

FAX: **512-416-2746**                      Pages: **5, including this cover sheet.**

From: ***Ethel Smith***

Subject: ***DOI response on Trinity Parkway, TX [ER 05/167]***

*Attached is the Department's response dated May 26, 2005 on subject project.*

*Thank you for your patience.*