

Leroy Alloway

From: Richard Alles [Alles-R-New@sbcglobal.net]
Sent: Wednesday, January 20, 2010 3:16 PM
To: Interchange
Subject: Comments on US 281 / Loop 1604 interchange
Attachments: R. Alles re 1604 x 281 Interchange CE.pdf

Please accept the attached comments.

Yours truly,
Richard Alles
233 MEADOWBROOK DR
SAN ANTONIO TX 78232-2116
(210) 494-2088

US 281/ Loop 1604 Interchange
Alamo Regional Mobility Authority
1222 North Main Suite 1000
San Antonio, TX 78212

Via US Postal Service and email to Interchange@AlamoRMA.org

Wednesday, January 20, 2010

Dear Sirs or Madams,

I am writing to comment on the US 281 x Loop 1604 Interchange. I am opposed to approval of a Categorical Exclusion for this project because:

- It will be built over an exceptionally vulnerable area of the recharge zone.
- It will increase the capacity of the existing intersection.
- The June, 2009 (revised December, 2009) Categorical Exclusion incorrectly states the impacts of the project.

HIGH VULNERABILITY OF RECHARGE ZONE IN PROJECT AREA

My drinking water comes from a well located about 3 miles south of this intersection. This intersection is entirely located on the recharge zone of the karst aquifer from which the well draws.

A vulnerability map of the Edwards Aquifer Recharge Zone is included with this letter. According to this map, which was created by experts in Edwards recharge zone geology, this interchange will be constructed over a "highly vulnerable" area.

Consequently, it would be irresponsible and reckless to approve a Categorical Exclusion for this project.

INCREASE IN CAPACITY CREATED BY PROJECT

Page 41 of the CE states: "The proposed action would not add capacity to the existing facility". In fact, the interchange will create a significant increase in traffic through this intersection.

Currently, many drivers circumvent this intersection by taking alternate routes. For example, the use of Hollywood Park streets to avoid this intersection is well-documented.^{1&2}

Historically, TxDOT has miscalculated usage of new facilities. One source states: "As for the miscalculation, TxDOT's planners admit they underestimated traffic growth in that area by about 15 years. When 1604 was upgraded in the mid '80s, there were a lot of people who, because of existing congestion, used alternate routes. This created an unknown and

¹ *Several issues in play in Hollywood Park council election*, San Antonio Express-News, 4/23/2009

² Minutes of Hollywood Park, TX City Council meetings incl. Jan. 17, 2006

unusually large 'latent demand'. So, when the bigger 1604 opened, a lot more cars appeared than anyone had planned for."³

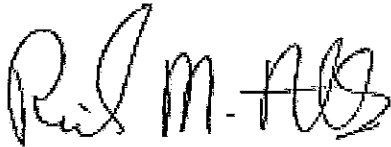
MISSTATEMENT OF PROJECT IMPACTS

Table 5, Sensitive Receptors, states that St. Thomas Episcopal School is not located within 100m of the right-of-way. In fact, the entrance to the school and several classrooms are within 100m. In addition, a courtyard used by pre-school and elementary students is 234 feet from the right-of-way.

Furthermore, neither Table 9 nor Figure 8 list St. Thomas Episcopal Church as a noise receiver, even though the sanctuary entrance is only 90 feet from the right-of-way. I have included a dimensioned aerial photograph of St. Thomas Episcopal Church and School for reference.

Given the vulnerability of the aquifer in the project area, the increase in capacity created by the interchange, and the misstatements of project impacts, a full Environmental Impact Statement should be required for this interchange.

Sincerely,



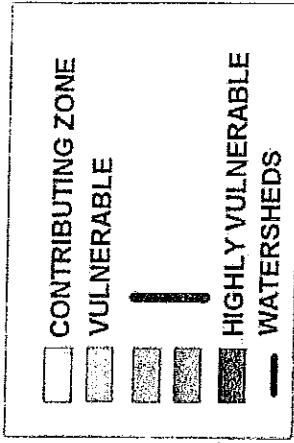
Richard M. Alles

Attachments: Vulnerability Map of Recharge Zone in Bexar County; Dimensioned aerial photograph of St. Thomas Episcopal Church and School.

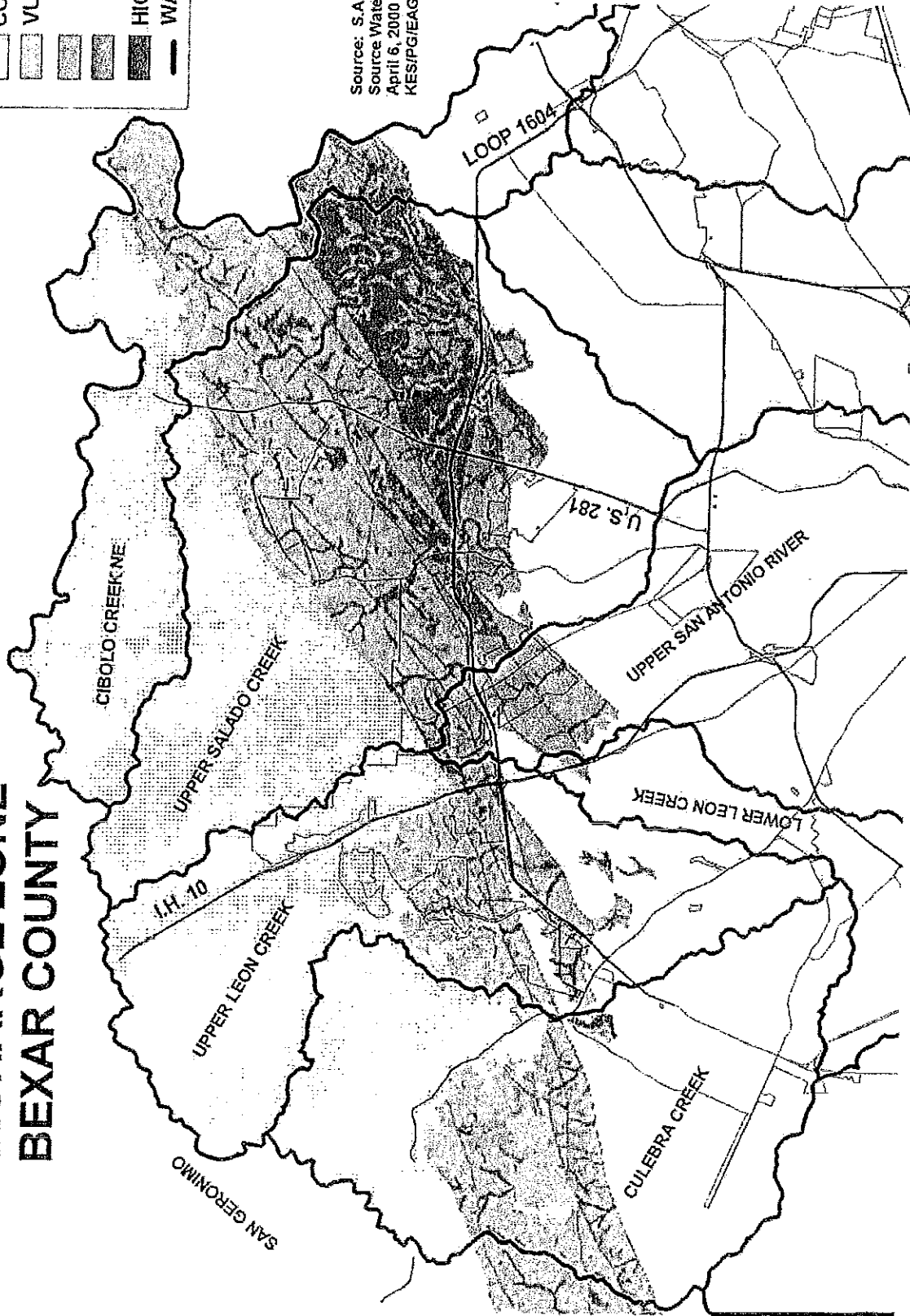
³ <http://www.texashighwayman.com/faq.shtml>

VULNERABILITY MAP RECHARGE ZONE BEXAR COUNTY

LEGEND



Source: S.A.W.S
 Source Water & Watershed Protection
 April 6, 2000
 KES/PG/EAG



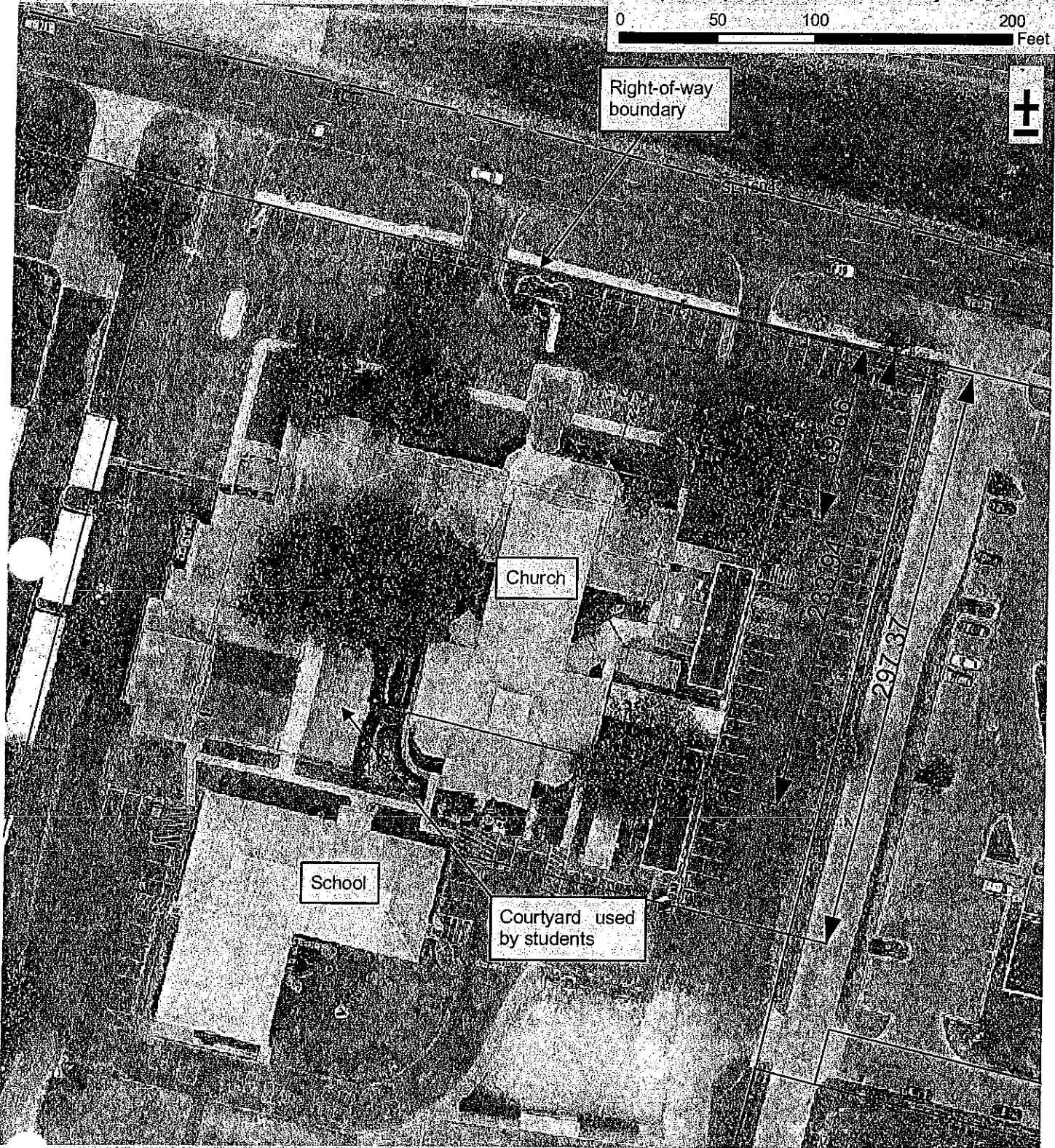
St. Thomas Episcopal Church and School

1416 North Loop 1604 East
San Antonio, Texas 78232

Prepared by Richard Alles on January 10, 2010

0 50 100 200 Feet

Right-of-way boundary



- Notes:
- 1) The entrance to the church sanctuary is 90 ft. from the right-of-way
 - 2) A courtyard used frequently by pre-school and elementary students is 234 ft. from the right-of-way.
 - 3) The main entrance to the school is 297 ft. from the right-of-way.

Leroy Alloway

From: Mel Borel [mborel@sbcglobal.net]
nt: Thursday, January 21, 2010 1:44 PM
; Interchange
Subject: 281/1604 Interchange Project

It is beyond understanding how the RMA can claim that the proposed 281/1604 interchange project can be build without ANY concern for the environmental impact, including but not limited to air quality, water quality, noise, financial impact to both residence and businesses in the area, inconvenience to residence in the area, etc. and using a categorical exclusion (CE) for the justification to avoid further environmental considerations. The only conclusion that one can arrive at is that the RMA, in its arrogance will continue to ignore the will of the citizens of San Antonio to promote the RMA agenda to toll EVERY road improvement in Bexar County.

It is inexcusable for the RMA to rush through a massive project with the significant impacts on neighborhoods, travel patterns, etc., without such impacts being addressed, ignored, or otherwise dismissed. The RMA has advised the City of Hollywood Park that the city's concerns cannot be addressed due to time constraints. This is totally unacceptable given the significant impacts to their neighborhoods.

It is for the reasons cited and the inadequate level of the environmental study that I am opposed to the construction of the proposed interchange without further consideration of the impacts caused by the proposed construction. Furthermore, I cannot understand that the RMA can legally claim that the proposed 281/1604 interchange project does NOT have any negative or adverse impacts.

Please acknowledge receipt of my e-mail objecting to the 281/1604 project.

Mel Borel
703 Turtle Hill
San Antonio, TX 78260

Phone: 210-403-3969

Leroy Alloway

From: Garry Cardwell [garry8790@yahoo.com]
Sent: Wednesday, January 20, 2010 8:18 AM
Subject: 281/1604 interchange

Gentlemen,

I ask that you move swiftly and decisively to improve ALL aspects of the interchange, not just the south side. Tax dollars are available for this. We do not want the north side to become part of any Toll Road plan that might evolve. Keep our roads free and use the tax dollars collected to improve them.

Thanks and Best Regards,

John G Cardwell
18927 De Enclave
San Antonio 78258

Leroy Alloway

From: Jackie DeHon [jackiedehon@gmail.com]
Sent: Thursday, January 21, 2010 7:41 AM
Subject: Interchange
Attachments: TxDot's corruption and need for changes
Ed TxDOT Fable against toll roads 10-10-08.odt

Sunset Committee and Interchange-
RMA1/21/10

of Alamo

TxDot is corrupt. The entire management group should be fired for being traitors to the people they were hired to serve. They've sold out!

It is clear that TxDot (and the San Antonio Transit Authority (MTA?)) plan to sell Texans' rights to "free" (paid for with our tax money), safe, and efficient highways to a corporation. No matter what we say at the few public meetings they've been forced (by public opinion/by law) to have, they stand firmly behind their treachery.

They hide environmental reports and available-money to build, renovate, and repair Texas roads. They use road tax money for things other than roads.

They have betrayed Texans in so many ways that they've thrown away any credibility they might ever have had.

Officers and management have apparently received payoffs or they would not fight citizens so hard to curtail their masters' bidding. We must fire them and get honest people whose first loyalty is to taxpayers--the people who pay their salaries.

Several specific examples come to mind:

They want to GIVE roads we paid to build to a foreign corporation. In addition they want to give money from a fund (of taxpayer's money) to this corporation to help them further rob the people.

I understand they plan to GUARANTEE a certain number of tolls to these thieves—several times the actual number of cars that drive on 281, 1604, and other roads they plan to toll. If that number of cars does NOT drive on these roads, TxDot will make up the "guaranteed number of tolls" with—you guessed it—more of our tax dollars.

They spend road tax for things other than roads, perhaps so they'll have less money to build and maintain public roads?

They plan multi-laned roads at higher speeds for tolls and congested access roads at low speeds for "free" lanes.

They're trying to pass a bill that would outlaw lawsuits—which, though expensive, are the only way we have been able to get public officials' attention and protect ourselves.

If we need tolls roads, TxDot's NEW MANAGEMENT must run them and toll money must go to build and maintain our roads. The Pennsylvania Turnpike charges people a manageable amount to use it. The state, not a foreign or domestic corporation, runs the turnpike. The highways belong to the people of Pennsylvania. Perhaps TxDot's new management should study budgets and methods of successful state-run toll roads such as this. When I was a child, the Texas Highway Department built a causeway from Port Isabel to South Padre Island. We paid \$1 a car to use it until it was paid for. Then it was free. They can study their own historic records to learn about this case.

It was recently reported in the newspaper that the governor wants to charge \$1 a mile for Texans to use our own roads. My husband drives 60 miles a day to get to work and back. If he has to pay \$60 each day to go to work, he'll have to quit his job.

his is NOT a game. This is our lives TxDot is playing with.

I've driven on 281 and 1604 to see how the traffic is. I believe that the placement of several overpasses could manage the traffic better. TxDot does nothing—they want drivers frustrated enough to be willing to pay exorbitant tolls for decent roads and better-managed traffic. Look at Texas incomes. The majority cannot afford to pay tolls. TxDot refuses to consider the people. They hide highway funds and plead "poverty". They submit plans to build roads (with or without tolls) that charge twice what the roads will cost to build. They hide their plans and don't have meetings to inform the public until contracts are already signed and "it's too late". They break laws daily. We deserve honesty and safe, well managed roads.

If TxDot's treachery is allowed to continue and they are allowed to sell (give) our roads to the highest bidder, there will be no end to it. We will never own our own roads again. To GIVE a corporation highways and tax monies we have contributed for our highways is HIGHWAY ROBBERY.

I'm attaching a fable I published in area newspapers which illustrates the futility of what will be left for the people if you allow TxDot to continue to pillage and rob our highway funds and steal our highways. I trust you will read it and think on it.

With airports installing naked-x-ray equipment, I have decided to DRIVE on all trips in the future. If you allow TxDot to continue to steal from us, that option will be closed to many of us.

We are our ONLY hope. You must protect the citizens of Texas from the corrupt highway department. HELP US!

Sincerely,

Jackie De Hon, Ph.D.

Attachment: Fable re. stolen highways



ALAMO RMA

Alamo Regional Mobility Authority

"Moving people faster"

US 281 / Loop 1604 Interchange
Public Meeting Comment Form
January 11, 2010 Meeting

Name: Dawn Green

Address: 11415 Snell Meadow

City, State Zip San Antonio, TX 78247

Email: dawnagreen@msn.com

Comment:

I have lived in this area for 5 years and traffic is getting exponentially worse each year. I experience traffic congestion in this area at all times during the week, even weekends. I will travel 5 miles out of the way to avoid the area. This takes time and money to do. I am in favor of this project and hope construction will begin soon.

Please include your name and mailing address with all written comments. Comment forms and/or letters should be mailed to US / Loop 1604 Interchange c/o Alamo RMA, 1222 N. Main Ste 1000, San Antonio, TX 78212. All written comments received or postmarked by 5pm on Thursday, January 21, 2010, will be included in the official record of the public meeting.

Comments can be:

Emailed to Interchange@AlamoRMA.org

Faxed to 210-495-5403 attention US 281 / Loop 1604 Interchange Project

If you would like to mail your form, please add postage to this self-addressed form.

Leroy Alloway

From: Green, Dawn [DGreen@pbsj.com]
Content: Wednesday, January 13, 2010 11:12 AM
Interchange
Subject: US281/Loop 1604 Interchange
Attachments: comment form.PDF

Attached is my comment form from the Public Hearing Monday evening.

Thanks,

Dawn Green, P.E.

Associate Vice President, District Director

PBS&J

10100 Reunion Place, Suite 850

San Antonio, Texas 78216

Phone: 210.828.9494 ext. 2002

Fax: 210.828.7282

Cell: 210.414.2911

dgreen@pbsj.com

www.pbsj.com

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Leroy Alloway

From: Terri Hall [terri@texasturf.org]
Sent: Tuesday, January 19, 2010 9:09 PM
Subject: Interchange
Attachments: TURF comments
Interchange comments.doc; ATT24505.htm

Comments on 281/1604 interchange project

Submitted by: Texans Uniting for Reform and Freedom

Compiled by: Terri Hall, Founder/Director

Address: 18866 Stone Oak Pkwy., Ste 103-37, San Antonio, TX 78258, (210) 275-0640

TURF is a non-partisan, grassroots group of 100,000 Texans with concerns over toll road and transportation policies.

We find many of the assumptions in the categorical exclusion document submitted by the Alamo Regional Mobility for the 281/1604 interchange project to be fundamentally flawed and/or woefully inadequate.

Our greatest objections are: the cost, the fact that it doesn't include northbound ramps, and the fact that it prejudices the outcome of the improvements currently being studied in an Environmental Impact Statement for both 281 and 1604. The 410/281 interchange that opened not even two years ago, included ALL 8 ramps (northbound and southbound connectors) for \$155 million (see attached article from June 2008). Now the 281/1604 interchange project being built by the tolling authority, the RMA, (not TxDOT), wants to blow \$140 million on just 4 ramps, only the southbound connectors. Considering project bids have been coming in UNDER cost due to the economic downturn and road builders being hungry for work, this betrayal of the RMA's fiduciary duty to the public is that much more irresponsible.

The RMA plans to toll the northbound ramps that will charge motorists nearly 60 cents per vehicle and over a \$1.00 per truck for the "privilege" of using a public roadway for which we already pay taxes. The RMA initially promised to build the whole interchange non-toll, but cut the project in half. The RMA says it's because they plan to toll the northbound ramps in order to connect to their future toll road on 281 and since it relates to the 281 toll project, the Federal Highway Administration insisted the northbound ramps be a part of the new environmental study required for the 281 & 1604 toll roads. Presumably, if the RMA would drop the toll roads, the northbound ramps could also be built.

Second, the RMA is padding the project to the tune of \$84 million (that's the cost of the extra "enhancements" on the project that have NOTHING to do with the interchange), in order to obligate the extra money that should be going to build the northbound ramps, which have a published cost of \$59 million.

Compare cost:

\$59 million (published cost for 4 northbound ramps for 281/1604 interchange)

\$140 million (published cost for 4 southbound ramps for 281/1604 interchange)

\$155 million (actual cost for ALL 8 ramps of 410/281 interchange that opened June of 2008)

There's something very wrong with this picture. Based on this data, the entire interchange can be built with \$120 million. The RMA and FHWA have a fiduciary duty to stretch taxpayers dollars and to use them efficiently by solving the worst congestion problems first.

Then, the plan pads the project with re-surfacing all of 1604 from Bitters to Redland and 281 from Bitters to 1604 (this isn't even needed compared to the poor condition of 281 north of 1604 and could be funded out of maintenance dollars, not the scarce funds for new construction), as well as lighting, sidewalks, and two pedestrian bridges. The MPO's MTP states one of its goals is to "cost effective expansion." This project is anything BUT consistent with the MPO's MTP.

The interchange project will inevitably prejudice if not pre-determine the alternatives analysis for the contemplated improvements to both 281 and 1604. How these ramps will interact with proposed future expansion of 1604 and 281 will be largely locked-in once these ramps and the added capacity are completed for this interchange project.

Net gain or net loss?

We have a highway department to build non-toll projects. The RMA has no business doing this interchange. In fact, the taxpayers are paying the RMA \$20 million to "supervise" the work that's largely being done by TxDOT anyway.

While the taxpayers want and deserve this long overdue interchange, the RMA acknowledges that the ramps would only shave 5 minutes from the current conditions. Compare that to the exponential time savings of overpasses on 281 north, and it's a no-brainer where this money ought to be spent and where the congestion problem really lies.

RMA claims on p. 1 -

This project does NOT add capacity.

Adding auxiliary lanes for several miles on 281 south and 1604 west constitutes a sneaky way of adding capacity without calling it such. On page 35, it clearly states 10 acres of land will be paved by this project, **"Proposed improvements would add approximately 10.0 acres of impervious cover over the San Antonio segment of the Edwards Aquifer recharge zone."**

When the public has been repeatedly told NO NEW CAPACITY can be added to 281 north of 1604 until a full EIS is complete, it smacks of unequal application of the law to allow added capacity to 281 and 1604 in this project using a categorical exclusion without the same being true for 281 north of 1604.

On page 56, the RMA acknowledges that the 10 acres of new impervious cover will increase stormwater run-off, which will allow potentially toxic or harmful substances from the roadway to enter into San Antonio's water supply.

RMA claims on p. 40 -

"The proposed improvements to this interchange would not fragment neighborhoods within the project area, and travel patterns and accessibility are not anticipated to be adversely impacted by the proposed project. Consequently, the proposed interchange improvements would enhance accessibility to residences and businesses within the project area and enable residents to travel between neighborhoods more efficiently and safely."

When 3 ramp closures and two ramp relocations included in this project will require local traffic to now sit at traffic lights that they do NOT have to sit through today and/or require motorists to drive 1,700 to 2,500 feet out of their way to access neighborhoods, businesses, or the highway, it will significantly and adversely impact existing travel patterns. There is a Costco, a Walmart, an HEB and other major shopping centers all through this area whose customers will now be significantly inconvenienced in order to access these stores. These changes are NOT enhancements, but hinderances, and area residents attested to such on the record at the public hearing January 11, 2010.

Also, despite months of meetings with the RMA (note: the RMA has FAILED to formally "coordinate" with the City of Hollywood Park), the City of Hollywood Park and its residents have NOT had their request for access to the southbound 281 direct connector from Stone Oak Pkwy./Voight accommodated. This is especially significant considering their current access ramp (Henderson Pass) to 281 southbound will be closed and force them to sit through the Donella light and delay access to 281 southbound for another 1,700 feet!

The primary excuse given for why the City cannot be accommodated is "they're out of time," despite the fact this problem was brought-up at the October Open House, three months ago and would have been addressed far sooner had the RMA properly coordinated with the City of Hollywood PRIOR to formulating its plans. The RMA has no right to box-in and close-off access to a neighborhood of 3,000 residents permanently simply because of an arbitrary "shovel ready" deadline as well as its own failure to coordinate and seek community involvement early in the process (nearly a year has passed).

RMA claims on p. 45 & p. 49 -

No adverse noise or air quality impacts or that these impacts are not feasible to mitigate.

The RMA failed to identify two major medical centers, a high school, and many ancillary medical facilities like radiology clinics, outpatient surgery centers, etc., just north of 1604 west and a daycare center off Sonterra Blvd. These are three areas very vulnerable to noise and air quality impacts. When the fundamental premise for a categorical exclusion

is NO IMPACT, the noise and air quality impact from adding 70 foot high, lighted interchange ramps with no natural or artificial sounds barriers (except five, targeted 8-12 ft. tall sound walls) is obvious, and it has not been properly studied, addressed, or mitigated.

The RMA argues air quality will be enhanced due to traffic moving at higher speeds (not idling in congestion), however, that would trigger a noise impact from more cars traveling at higher speeds thereby increasing the noise levels.

The RMA claims on p. 45 -

"The proposed action would not add capacity to the existing facility; thus, current and future emissions should continue to follow existing trends – unaffected by this project."

As shown above, the RMA is adding capacity and must study air quality impacts of this project, especially considering this project is adjacent to several residential neighborhoods, a daycare, two major medical centers, and a high school. This claim also fails to recognize the cumulative impacts when combined with added capacity projects on both 281 and 1604 currently undergoing an EIS.

INDIRECT IMPACTS

In this section, the RMA acknowledges the primary indirect effects are to land use, which creates induced development.

"Increased development can alter the landscape, increase impervious cover, modify species composition of any remaining habitats, and introduce fertilizers and anthropogenic chemicals into the biotic system." (p. 56)

Given the fact that added capacity projects on both 281 and 1604 are being planned and studied by the same agency, the RMA, it defies logic NOT to study or even acknowledge the possible cumulative impacts of all THREE projects before it can honestly claim NO IMPACT, as is the threshold in order to use a CE for this project.

"The proposed project is expected to reduce traffic congestion. The proposed improvements would improve the reliability of travel times through the project limits by allowing traffic utilizing the direct connectors to bypass congestion at the existing signalized intersection. The addition of turnarounds would improve accessibility to some businesses." (p. 58)

Given the fact that the time savings projected by the RMA is a mere 5 minutes for those utilizing the new direct connectors, it's disingenuous to claim this project will bring congestion relief. Genuine time savings would be achieved by alleviating the congestion on US 281 north of 1604. This interchange project fails to address ANY relief for the northbound traffic, particularly by failing to build the northern direct connect ramps. It's the traffic congestion due to the stop lights in the middle of a high capacity highway on 281 north of 1604 that causes traffic to back-up (on 281) for miles south of 1604.

While turnarounds may enhance accessibility to “some” businesses, the ramp closures causing thousands of customers to have to sit at two traffic lights instead of one and travel a greater distance than they do today in order to access local businesses, creates adverse impacts to other businesses. Even though some traffic will bypass the traffic lights by taking the new ramps, those that have to sit at the traffic lights for local access will not experience any significant decrease in time delay. In fact, it’s going to get worse.

So it is patently incorrect for the RMA to claim no adverse impacts to existing travel patterns and to claim access to businesses will be improved by this project (that is only true in a very limited number of locations).

Under the analysis and evaluation of potentially significant indirect impacts (Steps 6 & 7), the CE only addressed land development (quite inadequately, relying on a single interview with a City of San Antonio Planner), not the adverse impacts to travel patterns and access as it identified in Step 5 (p. 60): “Access-alteration effects – those that result from traffic pattern or access changes attributable to the design of the project influencing the location of residential and commercial growth.”

Of the indirect impacts on land development it did “study,” the source could not say with any certainty or reliability what the severity of potential impacts could be: “Dr. Richard Martinez (San Antonio Planning and Development Services) indicated that localized land development, including its timing and intensity, could be affected by the project. While extremely knowledgeable in his field, it is also acknowledged there is some uncertainty regarding the location, timing, and amount of development.”

Again, this underscores the flaws of the RMA’s claim of no impact.

CUMULATIVE IMPACTS

The RMA states on p. 70:

“The proposed project is not anticipated to have substantial direct or indirect effects to surface water, vegetation, EJ socioeconomic, geological, migratory bird, air quality, historic (structural or archeological), or listed species (excepting the two endangered karst species which may be affected, however are not likely to be adversely affected). As a result, these resources will not be addressed further in this cumulative effects analysis.”

Earlier in the CE, the RMA acknowledges impact to stormwater on p. 56 (which seems to relate to surface water); therefore, it should have been advanced for further study under cumulative impacts. The RMA’s flawed analysis of air quality (examined above) merits further study, and certainly combined with 281 & 1604 added capacity projects, there most certainly are valid cumulative air quality impacts that need study. There are also more socioeconomic impacts to the project than those studied in the CE, which were limited to specific federal guidelines pertaining to environmental justice. For

example, cutting off access to businesses and neighborhoods, causing customers to go elsewhere and causing more congestion in neighborhoods has impacts on property values, quality of life, desirability of a neighborhood, etc.

On p. 77, it is incorrect to state there is no planned added capacity to US 281 in the MPO's 2030 MTP when it's been in their plans since at least 2000. If this error exists in the evaluation of future anticipated impervious cover/pavement over the aquifer, other projects may also have been overlooked that may add to both cumulative impacts and adverse impacts.

PUBLIC INVOLVEMENT

The RMA used an Open House format to conduct its first public meeting, which is NOT an open public forum where every member of the public hears the same thing at the same time, and has the opportunity to hear the public's response to identical information and feedback. The format ultimately effects the basic knowledge upon which public comments and feedback are given. So the level of support for a project is fundamentally affected by the quality of information each member of the public receives. So the format for obtaining the initial round of public feedback in the crucial planning stages of the project (ie- ramp closures and access changes to neighborhoods) is flawed when obtained this way. The RMA also failed to delineate how many comments were in support versus opposed to the project. This information (Open House report with exact public feedback) should be included in the CE, not merely at the RMA offices which is inaccessible to those most impacted by the project (RMA offices are downtown, nowhere near the project area).

CONCLUSION

Throughout the CE, the RMA claims no impact as well as in its conclusion on p. 91: "The engineering, social, economic, and environmental investigations conducted for this document indicate that the proposed project would not have any significant effects on the natural or man-made environment. Investigations indicate that this project is the type of improvement that qualifies as a CE and that significant environmental impacts are not expected to occur."

When the CE specifies several impacts, including long-term health risks (p. 42 - air quality), increased stormwater run-off into the aquifer (p. 56), and potential impacts to endangered species (p. 39), it has no basis upon which to claim no impact. The RMA merely dismisses the impacts as "insignificant and discountable," not necessary to study, or "not feasible" to mitigate. As noted above, there are other cost, noise, air quality, access, and travel pattern impacts that it plainly failed to acknowledge and must properly study and address.

It is unprecedented to have a project of this size and scope use a categorical exclusion, or environmental exemption, intended for minor fixes, much less to use a CE when the project is over the environmentally sensitive area of the Edwards Aquifer.

The reason for trying to use this exemption is twofold, neither of which is acceptable:

- 1) The RMA had to find a project to keep its doors open when the clearance for the 281 toll project was pulled. This project is an RMA bailout, plain and simple. This project is busywork for them.
- 2) The RMA had to find something with environmental clearance that was “shovel ready” in order to use-up the stimulus money on anything BUT 281 north (The RMA previously promised on talk radio that it would build 281 toll-free if a pot of money became available. The stimulus money became available and it still refused to drop the 281 mega, toll project.).

In the rush to meet stimulus deadlines and prop-up a second tier wasteful bureaucracy, the RMA is clearly cutting corners and jeopardizing the health, safety, and quality of life of the community. **If they must seek an extension to get the time needed to properly address the impacts of this project and get the project shovel ready, so be it.**

But it's inexcusable to rush through a massive project with significant adverse impacts on neighborhoods, travel patterns, etc. without such impacts being addressed (not cast aside or dismissed). The RMA has already told the City of Hollywood Park its concerns cannot be addressed due to time constraints. This, too, is totally unacceptable given the permanence and significance of the impacts to their neighborhood.

Given these impacts and the obvious inadequate level of study, how can the RMA legally claim the 281/1604 interchange project does NOT have any negative or adverse impacts? It can't.

Link to article here:

http://www.mysanantonio.com/news/MYSA061008_1A_Lastramps_389a3a1_html13511.html.

U.S. 281/Loop 410 interchange ramps are complete

San Antonio Express-News, Web Posted: 06/10/2008

One of the most widely ridiculed features of San Antonio's highway network — the lack of an interchange at Loop 410 and U.S. 281 — slipped into history Monday with the opening of the last two ramps.

Crews opened the ramps from both directions of U.S. 281 to eastbound Loop 410 before rush hour, Texas Department of Transportation spokeswoman Anikka Ayala-Rogers said.

“Oh, really?” said Ken Kephart, an automobile diagnostician who uses Loop 410 and U.S. 281 half a dozen times a week to get to jobs. “Well, when I came to San Antonio 25 years ago, I didn't see how they got along without access.”

Work began three years ago on the **\$155 million interchange**, and the first of the **eight ramps** started opening in June 2007. Bonds squeezed the work from about 10 years to a record 3 1/2.

Motorists such as Kephart found the shorter schedule hard to believe, especially after upgrading the interchange at Interstate 10 and Loop 410 dragged on for a decade, with the last ramps opening there just seven months ago.

“I thought it was optimistic,” he said. “With the magnitude and the height of it, I was very impressed.”

Drivers did without the interchange, putting up with access roads, city streets and signal lights ever since the U.S. 281 freeway connection to downtown opened in 1978.

A 14-year fight that involved two referendums, several lawsuits, a three-year halt in construction and a new federal law to let the freeway plow through Olmos Park Basin and clip Brackenridge Park had allowed buildings to sprout and push the interchange cost too high.

Next up for the interchange project will be widening the six-lane Loop 410 to 10 lanes between McCullough Avenue and Broadway by July. U.S. 281 is scheduled to expand to eight lanes between Quarry Market and Nakoma Street later this year. And touch-ups should wrap up by early next year.

The project, part of a larger effort to widen Loop 410 to 10 lanes from Austin Highway to Bandera Road and to eight lanes between Bandera and Culebra roads by 2010, is 91 percent complete, Rogers said. Contractors are ahead of schedule and on budget.

“This is a great thing,” said Veronica Wiggins, who lives, works and attends church along Loop 410's arc across the North Side. “We suffered through it, but it's going well and I think it will be wonderful.”

Leroy Alloway

From: shirlene harris [shirleneharris@yahoo.com]
Content: Thursday, January 21, 2010 1:07 PM
Interchange
Subject: public comments

how can txdot claim that there are no funds for 281/1604 then proceed to work again on I-10 when there is no need for the work?!?!?!?!?

shirlene harris
13333 syracuse
san antonio, tx 78249

"Be kinder than necessary, for everyone you meet is fighting some kind of battle."

Leroy Alloway

From: Linda Lancaster [llanky44@att.net]
Date: Tuesday, January 19, 2010 10:38 PM
Subject: Interchange
letters@express-news.net
Toll Madness 281 and 1604

Question: If massive toll road projects use money from the Texas gas tax fund, why do the tolls only go to help pay back the toll companies???? Shouldn't half go back into the gas tax fund, instead of 100% going to a profit-driven business or agency?

An example from North Texas is the North Tarrant Express, which will receive \$600 million from our often-raided gas tax transportation fund. Yet, when drivers pay a toll on this road, it only goes to pay back the toll company and NOT the state gas fund.

Gov. Perry and others who are feverishly pushing these tollroads should have their names flashed on the digital highway signs on every roadway. That way, we know who to blame 10 years from now when every road is excessively tolled and our once-great road system belongs to Cintra, the RMA, or the NTTA! The middle and working class and the poor will not be able to afford to drive to work or travel. What a shameful and unfair way to build roads using double-taxation!

Linda Lancaster
600 Whistler Dr.
Arlington, TX
817-543-2958



January 21, 2010

US 281 / Loop 1604 Interchange Project
Alamo Regional Mobility Authority
1222 N. Main Avenue, Ste 1000
San Antonio, Texas 78212
Via Email (Interchange@AlamoRMA.org) &
Via Fax (210-495-5403)

Re: Comments on US 281 / Loop 1604 Interchange Construction and Draft December 2009 "Categorical Exclusion for Proposed US 281 North at Loop 1604 Interchange Improvements"

Dear ARMA, FHWA, and TxDOT:

On behalf of Aquifer Guardians in Urban Areas ("AGUA") and Save Our Springs Alliance ("SOSA"), please accept the following comments regarding the US 281 / Loop 1604 interchange improvements and draft Categorical Exclusion ("CE"). AGUA and SOSA are non-profit environmental advocacy groups dedicated to the protection of the Edwards Aquifer, its hill country watersheds and its ecosystems.

As we explained in our initial comments dated September 4, 2009 (which included 3 attachments), AGUA and SOSA strongly disagree with the issuance of a CE from the National Environmental Policy Act ("NEPA") for what is being called the US 281 / Loop 1604 interchange project. Review of the draft CE, the schematics, and other relevant documents only confirm our view that proceeding under a CE is inappropriate and would violate NEPA in several regards and likely the Endangered Species Act ("ESA") as well. It is especially reckless to proceed under a CE given the size and scope of the improvements, and the interchange's location over endangered species habitat and over the sole source Edwards Aquifer. The bare fact that these improvements will add 10 acres of impervious cover to the recharge zone should indicate that a Categorical Exclusion from NEPA is not warranted.

In addition to our previous comments and the comments at hand, we submit for inclusion in the record the attached letter from Mesa Engineering's Bruce Melton, P.E. (Attachment 1). Mr. Melton, a professional engineer with broad range of expertise in environmental and transportation issues, has reviewed the project schematics, the operational analysis prepared by Rodriguez transportation, the applicable regulatory criteria, and the draft CE, and has come to the conclusion that a CE is inappropriate on the basis of several facts and considerations that are detailed in his letter. We herein

incorporate by reference all of Mr. Melton's comments, as well as the comments that are being submitted separately by Texans Uniting for Reform and Freedom.

We also submit for inclusion in the record, and herein incorporate by reference, the attached comments of George Rice, a groundwater hydrogeologist with significant experience and knowledge regarding this area of the Edwards Aquifer. (Attachment 2). Mr. Rice's comments further highlight deficiencies in the CE's information and analysis.

To add to the comments mentioned above and previously submitted, please consider the following:

Constructing the Proposed Interchange Improvements at this Time and under a CE Will Prejudice Ongoing EIS Processes for US 281 and Loop 1604 and Is Yet Another Attempt to Piecemeal US 281 / Loop 1604 Environmental Review

As has been mentioned in other comments, building the proposed interchange improvements will prejudice the consideration and development of alternatives in the US 281 and Loop 1604 EIS processes. The project proponents appear to be aware of this fact judging from documents obtained through open records requests. Even the Operational Analysis prepared by Rodriguez Transportation establishes prejudice in its conclusion that: "There will need to be added improvements on EB and WB Loop 1604 to accommodate the additional volumes from the direct connection ramp." (This statement also underscores how the interchange improvements will add capacity, which is contrary to what the CE concludes).

But it should also be noted that the proposed interchange improvements are, in fact, *part of the larger Loop 1604 project* and were covered under the Loop 1604 EA that has now been superseded by an EIS process. This fact is established by documents obtained through open records requests. But is also readily apparent in how the project limits of the Loop 1604 EIS encompass the several miles of Loop 1604 where the "interchange" improvements will be constructed. Under the current circumstances, the improvements proposed in the CE are directly subject to the Loop 1604 EIS and advancing the improvements at this time presents a clear segmentation violation. In other words, the agencies are proposing to construct over \$100 million of improvements on Loop 1604 that are subject to an EIS process that has barely begun. It is hard to imagine a more flagrant violation of NEPA.

Because the impending deadlines attached to ARRA funding (i.e. the federal money being sought for the proposed 281/1604 improvements) cannot be met with the Loop 1604 EIS being so far from completion, it is our belief that the agencies are attempting to evade the requirements of NEPA and the current EIS process by proceeding under a quick-and-dirty CE. This attempted short-cut is of special concern to SOSA and AGUA because it will short-change the evaluation of impacts to the Edwards Aquifer and sensitive karst invertebrate habitat that the Loop 1604 EIS is supposed to evaluate. The CE approach also short-changes the consideration of alternatives and mitigation and has the effect of avoiding public input.

Because of the piecemeal approach to environmental review that this CE represents (and that has consistently dogged US 281 / Loop 1604), the impacts to resources such as the Edwards Aquifer are once again downplayed, ignored, and unmitigated. We have long argued for a comprehensive EIS for US 281 / Loop 1604 (including the interchange) to avoid this very effect, among other reasons. We continue to urge this approach and question whether separating the NEPA processes into two, parallel and simultaneous efforts for a project with integrated funding and design needs, and in a common location over the Edwards Aquifer recharge is legal, logical, or fiscally prudent.

In any case, the project proponents should realize that neither a CE nor an EA is appropriate given the impacts of the interchange improvements and the larger US 281 / Loop 1604 project that these improvements are a part of. Under the current scheme of two EISs for US 281 and Loop 1604 (which we do not endorse), the only path forward is for the interchange improvements to be cleared as part of the Loop 1604 EIS.

It is Arbitrary and Capricious to Claim that the Interchange Improvements Will Not Add Capacity and Will Have No Significant Impacts on Travel Patterns

The statement that no capacity would be added to either US 281 or Loop 1604 by the proposed improvements is arbitrary and capricious. The simple facts that the interchange improvements will add 10 acres of impervious cover, cost over \$100 million, and take 2 ½ years to construct should indicate that we are not talking about a safety, operational, or even rehabilitation project, but rather a significant capacity expansion project that cannot proceed under a CE.

The improvements contemplated in the draft CE and shown in available schematics amount to much more than an improvement to the interchange at US 281 / Loop 1604. The proposed improvements would add several new lane-miles of pavement and build *entirely new travel structures* in the form of 4 direct connectors that will soar several stories in the air. It is hard to see how the new direct connectors (which are essentially elevated through-travel lanes that are even more expensive than adding a “main” lane on the ground) fit in with the usual types of projects done under a CE. But when one considers the many miles of “auxiliary” lanes, and “merge” and “diverge” lanes that will be built on US 281 and especially on Loop 1604, it becomes even less defensible to say that no capacity is being added.

Likewise, it is implausible and illogical to claim that the proposed interchange improvements will have no significant impacts on travel patterns, which is a clear indication that a CE is not appropriate (see 23 CFR § 771.117). Of course, the analysis in the CE of this issue appears to extend no further than the following sentence on pg. 40:

“The proposed improvements to this interchange would not fragment neighborhoods within the project area, and travel patterns and accessibility are not anticipated to be adversely impacted by the proposed project.”

Other comments have detailed how this conclusion flies in the face of the objections of Hollywood Park residents, whose travel patterns and access would be significantly and negatively impacted by the proposed interchange improvements. But it should also be noted that significant impacts on travel patterns are not limited to adverse effects. The Operational Analysis prepared by Rodriguez Transportation, for example, concludes that: “With the addition of the direct connection ramps the average vehicle’s delay will be reduced by nearly a minute and a half per vehicle at the three diamond interchange at US 281 and Loop 1604.” This will clearly constitute and cause significant impacts to travel patterns and is yet another indication of why a CE is inappropriate.

Significant Impacts to Endangered Species and Critical Habitat from the Proposed Improvements Further Make a CE Inappropriate and Would Violate the ESA

While asking the reader to accept that the impacts to endangered karst invertebrates will be “insignificant and discountable,” the CE does not even include the Biological Assessment upon which this conclusion is based. As NEPA sets the bar very high in terms of the quality of information and level of public involvement that is required, omitting the BA unacceptably deprives the public of essential, site-specific information bearing on project impacts and prevents meaningful input. *(On this point, we hereby request that FHWA and ARMA extend and hold open the comment period on this CE until such time as the BA has been released and there has been an opportunity for meaningful public input.)*

In any case, even from the general details that are disclosed by the CE on endangered species habitat, it is clear that a proceeding under a Categorical Exclusion from NEPA is unwarranted and reckless. The CE notes that there are some 32 karst features that will be directly impacted by the improvements. (The CE notes on pgs. 39 and 72 that the 32 features are only the ones that were evaluated for excavation, suggesting that there are many more features than 32). Given that there is no description of the exact impacts and locations of the features, nor is there any specific mitigation proposed, one can only assume that these features are likely to be paved over or become conduits of stormwater and stormwater contaminants. This is obviously a significant impact to endangered species habitat as well as to the quantity and quality of the water in the Edwards Aquifer. And given the certainty that many more karst features that do not have a surface expression are likely to be encountered during construction, it is impossible to conclude anything other than significant effects will occur.

One of the most egregious flaws of the CE is the failure to describe in any detail what construction of the interchange improvements will entail, such as the amount of earth that will be dug, blasted, graded, or otherwise disturbed in this highly fractious karst topography. (Such figures—e.g. the amount of cut and fill—would of course be additional evidence for why a CE is inappropriate). The absence of such construction details and basic site-specific details is tremendously concerning and reflective of an incautious approach toward building on the Edwards Aquifer recharge zone and in karst zones known to contain endangered species. It should go without saying at this point that building in this area may cause significant and severe impacts to the aquifer and

endangered species by destroying endangered species habitat, causing direct take of karst invertebrates, and negatively impacting the water quantity and quality of San Antonio's sole source drinking water supply.

It is especially important to note that Critical Habitat Unit 19, which the CE describes as being some 1200 feet or .25 miles from the proposed improvements, is currently set to be revised pursuant to a 2009 settlement agreement between AGUA et al. and U.S. Fish & Wildlife. When this critical habitat unit was originally proposed in 2002, CHU 19 consisted of 146 acres directly adjacent to the Loop 1604 ROW and most likely extending into the ROW. See proposed rule at 67 Fed. Reg. 55064 et seq. In the final 2003 rule, CHU 19 inexplicably shrank to about 12 acres and overall the critical habitat for karst invertebrates went from over 9,500 acres to approximately 1000 acres. See final rule at 68 Fed. Reg. 17156 et seq.

CHU 19 is meant to protect Genesis cave, the deepest explored cave in Bexar County (extending below the water table, and mapped to a depth of 256 ft) and one of two caves known to contain *Rhadine Infernalis*. 68 Fed. Reg. at 17179. It is an especially important karst feature with an especially large subsurface extent. To conclude that building on this location will not cause significant impacts defies logic and science and is entirely arbitrary and capricious in terms of both NEPA and ESA.

In conclusion, proceeding with the proposed construction under the CE will not only violate NEPA, it will violate the Endangered Species Act by (1) destroying endangered species habitat and otherwise causing take of endangered karst invertebrates, as well as jeopardizing the recovery of such species, (2) impermissibly prejudicing the designation of critical habitat by destroying and altering this habitat, and (3) otherwise avoiding and failing to use the best scientific data relevant to such determinations.

Other Significant Impacts and Factors (Many of Which Are Apparent on the Face of the Record) Make a CE Inappropriate in This Case

As was more fully explained above, the effect of piecemealing the environmental review of US 281 / Loop 1604 is to downplay, ignore, and not mitigate for significant impacts to resources such as the Edwards Aquifer and karst invertebrate habitat. Because the interchange has been artificially separated from the larger set of improvements that it belongs to, the CE's analysis for each resource is fundamentally flawed and impacts are underestimated across the board.

But even if there were no other improvements being considered for US 281 / Loop 1604 right now and no ongoing EIS processes—that is, even if it were somehow proper to consider the improvements proposed in the CE in isolation—the CE would still be a flawed analysis and approach for the following specific reasons:

- On its face, the scope, magnitude, and costs of these improvements establish significance. Basic project facts supporting the action's significance include adding 10 acres of impervious cover to the recharge zone; construction in and

adjacent to endangered species habitat (including construction directly impacting the highly-significant Genesis cave); the crossing of 13 waterways (including a tributary of the 303(d) impaired Salado Creek); the construction period of over 2 years; the over \$100 million price tag; and the changes to travel patterns, traffic, and community cohesion.

- Significance is established in the CE's disclosure (in the Indirect Impacts section, pg. 54) that the project's study area overlies 1,061 acres of Karst Zone 1 (known to contain endangered species, as well as 10,071 acres of Karst Zone 2 (high probability of containing endangered species). The study area also overlies 12,403 acres of recharge zone land and 7,429 acres of transition zone. The figures disclosed in the cumulative effects similarly establish significance by highlighting the large amount of highly-sensitive land and resources that stand to be impacted.
- In several places, the CE discusses the City of San Antonio Aquifer Protection ordinance and other requirements governing water quality. First, it is arbitrary and capricious to find that this ordinance and associated requirements will mitigate the secondary impacts of the proposed interchange improvements, especially given the extensive practice of grandfathering. Second, the CE misses the obvious point that the proposed improvements are in conflict with the City's protective policy towards the Aquifer that can be seen in these ordinances. If the improvements were subject to the City's ordinance, they would violate the ordinance in light of the high levels of impervious cover and paving over of and impacts to recharge features.
- The air quality analysis is fatally flawed by the incorrect assumption that the improvements will not increase capacity. The analysis of air quality effects also downplays the extremely toxic nature and severe impacts associated with roadside health effects. The CE generally ignores the growing body of literature on toxic roadside health effects.
- The CE spends little time discussing construction phase impacts when it known from ARMA's FAQs on their website that that construction will take approximately 2 ½ years. The construction impacts alone will be significant and the actual delay and other negative impacts must be analyzed, quantified, and publicly disclosed.
- The air quality and noise analyses are flawed in that they overlook several points of impact (see comments from Bruce Melton P.E. and comments from TURF). It is arbitrary and capricious to conclude that the direct connectors and associated improvements will not significantly impact air quality or noise.
- The CE's conclusion that the proposed improvements will not cause significant impacts with respect to development is based on insufficient data and the conclusory statements of one individual. The CE's admission that the timing and intensity of development will be impacted (pg. 63) is evidence that the proposed

improvements will induce growth and not, as the CE seems to suggest, a reason to discount the secondary impacts of the proposed improvements. Impacts to “growth rate” constitute indirect impacts (see 40 C.F.R. 1508.8) and here the impacts are likely to be significant given the substantial development and traffic that the improvements will induce.

- Similar to its treatment of indirect effects, the CE’s assessment of cumulative effects is conclusory and arbitrarily underestimates the severity of impacts. Nonetheless, the CE’s disclosure that the proposed improvements are part of adding 32,412 acres of development to the resource study area is obviously a significant cumulative effect.
- The CE states that “[i]t is impossible to discuss water quality in the region without addressing mitigation” (pg. 89) yet proposes no project-specific mitigation. The CE attempts to put forth standard TCEQ requirements as mitigation, without specifically analyzing the effectiveness of BMPs and disclosing their known shortcomings. Perfunctory descriptions or mere listings of mitigation measures without supporting analytical data cannot support a conclusion that there will be no significant impacts. It is not an acceptable approach to mitigation to simply say that “[i]t is important that all stakeholders fully comply with all applicable regulations and that BMPs are constructed and maintained effectively” (pg. 90).

Again, we urge ARMA and FHWA to change course and recognize that the proposed improvements cannot be cleared and constructed under a Categorical Exclusion from NEPA. This course of action is environmentally reckless and will only aggravate the rather substantial public and scientific controversy that already exists with respect to US 281/ Loop 1604. Instead, the agencies should prepare a single comprehensive Environmental Impact Statement that includes the entire US 281 and Loop 1604 system and interchange proposed for improvements.

Sincerely,

/s/ Andrew Hawkins
Save Our Springs Alliance

/s/ Enrique Valdivia
Aquifer Guardians in Urban Areas

Comments on the *Categorical Exclusion for proposed
US 281 North at Loop 1604 Interchange Improvements*
(June 2009, revised December 2009)

George Rice
January 21, 2010

Comment 1: Impervious cover limits incorrect

The City of San Antonio's impervious cover limits are discussed in several sections of the document¹. The document indicates that the maximum amount of impervious cover allowed is 65%. This is incorrect. Up to 80% impervious cover is allowed within 2500 feet of a highway intersection node, such as the intersection of US 281 North and Loop 1604 (City of San Antonio Ordinance #81491, Sec 34-930 (f)).

Comment 2: No analysis of pollutant loading

This project would be built over the recharge and transition zones of the Edwards Aquifer. The area is underlain by karstic bedrock, with numerous subterranean voids including solution cavities, closed depressions, caves, and sinkholes². Thus, it is vulnerable to any polluted runoff generated directly by the project, or generated by the indirect effects of the project. However, the document does not identify the types of pollutants that would be generated. Nor does it provide estimates of the quantities of pollutants that would be generated. Therefore, it is not possible to evaluate the effects that the project may have on endangered species that may inhabit the area, or on the quality of water in the Edwards Aquifer.

Comment 3: No analysis of effectiveness of BMPs

The project would rely on best management practices (BMPs) to protect water quality during and after construction³. However, the document does not provide any information concerning the ability of BMPs to remove pollutants in runoff generated by the project. Thus, it is not possible to evaluate the effectiveness of the BMPs and the degree to which they may protect the water in the Edwards Aquifer.

¹ FHA & ARMA 2009, e.g., pages 65 and 85.

² FHA & ARMA 2009, page 11.

³ FHA & ARMA 2009, page 72.

MESA ENGINEERING
ENVIRONMENTALLY CONSCIOUS CIVIL ENGINEERING
8103 Kirkham Drive
Austin, Texas 78736
(512) 799-7998
Fax: (512) 288-1454

January 10, 2010

Re: Comments on US 281 & Loop 1604 Interchange Construction and Draft CE

Dear FHWA, TxDOT, and Alamo RMA:

I am a professional engineer with over twenty-five years of experience and a wide variety of expertise in civil engineering and environmental issues. My background includes working in construction management, environmental projects coordination, biologic consultation and restoration, land development consulting, stormwater treatment, and transportation planning.

I have reviewed the draft 2009 "Categorical Exclusion for Proposed US 281 North at Loop 1604 Interchange Improvements" and schematics posted on the Alamo RMA website, as well as the 2009 Operational Analysis prepared by Rodriguez Transportation. I am also aware that Environmental Impact Statements are currently being prepared for both US 281 and Loop 1604. In light of this information, I have the following comments and concerns:

Scope and Magnitude

The Alamo RMA is proposing to proceed with construction of four direct connectors and several miles of additional lanes to serve the US 281 and Loop 1604 interchange. The improvements that will be constructed under the proposed CE extend for approximately six miles along Loop 1604 and three miles along US 281. Four new access ramps are proposed, several lengths of new lanes will be added, and ancillary transportation facilities will be constructed. Some \$167 million is estimated for these improvements, which are predicted to result in a significant expansion in capacity at the interchange (see more below). The CE states that 10 acres of new impervious cover will be constructed. Further, the CE describes over 10 lane miles of new pavement to be constructed.

In my professional opinion, the scale, cost, capacity expansion, and construction activity associated with these improvements are all indicative of a major transportation project with significant impacts. The \$167 million price tag alone declares that these improvements are anything but appropriate for a Categorical Exclusion.

I have reviewed the categories and examples of actions for which a CE is appropriate, which are listed in FHWA regulation 23 C.F.R. 771.117. None of the 32 categories listed as appropriate for a CE would suggest that this interchange construction project could be covered under a CE. I would also not characterize these improvements as merely a safety project or an operational improvement. The interchange construction may impact safety or operation but I would predominantly characterize it as a major construction project with significant capacity expansion.

There is also a segmentation problem in that the work proposed under this CE is an integral part of the larger Loop 1604 project originally proposed under the 2007 EA, which is now subject to

and superseded by the EIS process. It is very unlikely that the majority of the improvements at the US 281 and Loop 1604 interchange (four direct connectors and four new access ramps) will be significantly altered in any new construction in the next thirty years.

The specific improvements proposed under the CE, moreover, would represent the final configuration of the four direct connectors and operational access ramps corridor in this area. To build a project of this scale, and not intend that it would represent the majority of the final configuration for a project of this magnitude would be economically infeasible. Economically, the proposed cost of these improvements of \$167 million dictates that no additional major changes to the proposed improvements, using traditional engineering economics, be undertaken for 30 years.

Significant Impact on Travel Patterns

The proposed improvements have significant impacts on numerous aspects of the nine miles of transportation system improvements proposed. Four new access ramps will be constructed. This will affect access entitlement rights for 1,000 to 2,000 linear feet of private property at each ramp location. Three existing access ramps are proposed to be closed. These actions, the creation or closing of seven access ramps, will have a large impact on "existing travel patterns" causing the shifting of tens of thousands of vehicle trips per day (quite possibly 100's of thousands by 2035).

The operational analysis discloses that the proposed improvements increase capacity by approximately 190%. (This increase in capacity is based on the existing traffic from the Operational Analysis of approximately 1,000 vehicle per hour per movement, and the capacity of a two-lane freeway, Level of Service C, from the Highway Capacity Manual 2000, page 13-13, of 2,930 vehicles per hour.) The resulting increase in capacity for the improvements almost triples the existing traffic volume based on existing 2006 at-grade movements.

Prejudicing Alternatives

Construction of the four direct connectors and associated improvements would unfairly prejudice consideration of alternatives in the not yet completed EIS processes for US 281 and Loop 1604. Without the benefit of an EIS analysis of the environmental constraints and operational function, the proposed construction will lock in key elements of the US 281 / Loop 1604 system and narrow the range of alternatives to be considered in the future.

For example, karst invertebrate Critical Habitat Unit 19 is very close to the improvements proposed under the CE, within the boundary of immediate impact, approximately adjacent to the merge lanes for the northbound US 281 to west bound Loop 1604 direct connection, about 1 mile west of the centerline of US 281. If the EIS analysis for Loop 1604 determines that a different alignment should be considered based on endangered species issues, having the interchange already constructed will limit such alternatives.

Other alternatives that come out of the EIS processes may also be operationally superior for the US 281 / Loop 1604 system when compared to the improvements proposed under the CE. The analysis of other alternatives and comparison to the proposed improvements cannot or will not be done without the completion of an EIS.

Noise Impacts

Noise impacts proposed in the CE report for receptors R1 and R2 (Harvest Fellowship Church) appear conservative. Similar receptors (R3, 4, 5 and 6) have projected 2035 noise levels (considering 490,000 vehicles per day projected traffic volume) that are four to eight decibels higher.

The reporting of noise impacts in the CE is misleading. Table 9: Traffic Noise Levels, page 45, lists six noise analysis receiver locations and five identified points of impact. The Mobile Source Air Toxics Emissions map (Figure 7 in the CE Report) shows six additional churches with schools and one elementary school that are not identified in the Noise Analysis.

Insignificant noise data is included in the CE to evaluate the impacts of the proposed CE improvements. The report does not show existing or proposed noise levels at any point other than the six noise receptors at five receiver locations. There are at least four other critical points within the boundaries of the project and adjacent to the R.O.W. that are not listed in the CE anywhere. One is the Christian Heritage Junior/Senior High School at 281 and Oak Creek Circle, the second is a single family residential neighborhood adjacent to the elevated connectors on Silverwood Drive and Donella drive on US 281, the third is the Peter Loring Mortuary at Gold Mine and Loop 1604, the fourth is the Sunset Funeral Home that is immediately adjacent to the "listed" Harvest Fellowship Church and school.

The critical land use elements with the highest impacts that are not appropriately identified in the report consists of the group of three churches with schools located at the southwest corner of the interchange. The Harvest Fellowship Church and playground is the sole use of the three listed in Table 9. All are directly adjacent to the R.O.W. and within 1,200 feet of the centerpoint of the intersection of US 281 and Loop 1604. *All three of these churches would be within the shadow of the overhead direct connectors.*

By not identifying the additional six critical noise elements listed in the CE on the MSAT map, and by omitting from the CE altogether at least four critical noise elements, the overall understanding of the noise analysis is compromised.

Beyond the identification of critical points of impact, noise abatement criteria considered in this CE uses \$25,000 for the cost-feasible level of mitigation for a single point of impact. Mitigation of impacts studied under the CE are considered to be non-feasible under the \$25,000 criterion for five of the seven points of analysis. An example would be the group of three churches at the southwest corner of the interchange.

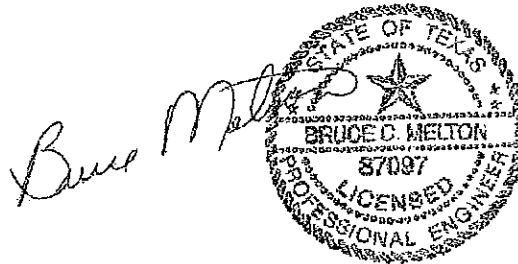
In addition to the lack of details provided in the CE document, the \$25,000 mitigation criterion is significantly dated. McNerney and Landsberg, in a 1999 TxDOT/Center for Transportation Research publication in 1999 (1) say that the cost criterion is economically appropriate in 1999. Damnjanovic et. al., in a TxDOT/ Texas Transportation Institute publication in 2009 say that highway construction costs have doubled since 1997. These analyses highlight an under representation of the cost effectiveness criterion used in this analysis. An appropriate evaluation criterion should be much closer to \$50,000 than \$25,000.

Mobile Air Toxics

Mobile Air Toxic Emissions have also been shown to recently be much worse than previously understood. The CE report says that traditional engineering analysis shows that pollutant concentrations from transportation begin to diminish about 100 meters from the roadway and are indistinguishable from background conditions 500 meters beyond the edge of the roadway. New research from the University of Southern California (3) has shown that, in the early morning hours, pollutant levels can exceed even those found during peak travel times because of light winds that do not disperse the pollutants. The new discoveries also find that in these early morning hours (between 4 am and 7 am) high levels of pollutants can extend five times further than previously understood, to 2,500 meters from the roadway. The study says that these calm weather conditions are very common throughout the country. Clearly, a study of the breadth of an EIS is required to evaluate these new pollutant findings on the impacts of this.

Sincerely,

Bruce Melton



References:

- (1) McNerney and Landsberg, The Validation of Cost-effectiveness Criterion for Evaluating Noise Abatement Measures, Center for Transportation Research, Texas Department of Transportation, April 1999.pdf
- (2) Damnjanovic, et. al., Evaluation of Ways and Procedures to Reduce Construction Cost and Increase Competition, Texas Transportation Institute, Texas Department of Transportation, January 2009.
- (3) Hu, Shishan, S. A. Fruin, K. Kozawa, S. Mara, S. Paulson and A. M. Winer, 2009. "A Wide Area of Air Pollutant Impacts Downwind of a Freeway during Pre-Sunrise Hours." Atmospheric Environment, Submitted for Publication.

Leroy Alloway

From: Andrew Hawkins [andrew@sosalliance.org]
Content: Thursday, January 21, 2010 1:07 PM
Interchange
Subject: Public Comment - US 281 / Loop 1604 Interchange Project
Attachments: SOSA & AGUA comments on 281&1604 Interchange CE.pdf; Attachment 1, comments from Bruce Melton PE.pdf; Attachment 2, comments from hydrogeologist George Rice.pdf

Dear ARMA, FHWA, and TxDOT:

Please accept the attached comments (which are accompanied by 2 attachments) on the US 281 / Loop 1604 Interchange Project and draft CE.

These comments are on behalf of SOS Alliance and AGUA, and are also being submitted via fax today.

Thank you,

Andrew Hawkins
Staff Attorney
SOS Alliance
(512) 477-2320, ext. 17



ALAMO RMA

Alamo Regional Mobility Authority

"Moving people faster"

US 281 / Loop 1604 Interchange

Public Meeting Comment Form

January 11, 2010 Meeting

Name: ~~ROBERT~~ & BARBARA MESHANKO

Address: 31543 TRES LOMAS City, State Zip BULVERDE, TX 78163

Email: MESHANKO@SATX.REGIONAL.COM

Comment:

ATTACHED

Please include your name and mailing address with all written comments. Comment forms and/or letters should be mailed to US / Loop1604 Interchange c/o Alamo RMA, 1222 N. Main Ste 1000, San Antonio, TX 78212. **All written comments received or postmarked by 5pm on Thursday, January 21, 2010, will be included in the official record of the public meeting.**

Comments can be:

Emailed to Interchange@AlamoRMA.org

Faxed to 210-495-5403 attention US 281 / Loop 1604 Interchange Project

If you would like to mail your form, please add postage to this self-addressed form.

RUINED RETIREMENT: At age 73, I feel so depressed and disappointed that the life savings my wife and I brought to Texas six years ago will not be sufficient to provide for our future retirement needs. We invested over \$900,000 in new, single-family homes; all along Route 281; all North of the proposed 281/1604 Interchange. Six years ago, we never imagined that the traffic congestion on Rt. 281 would remain *unresolved* and *would even worsen* with each passing month, or that real estate values would collapse due to wasted fuel, and wasted time caused by backed up traffic on Rt. 281.

Of the five rental homes intended to fund our retirement, **two are currently empty**, and a third will be vacant at the end of January, 2010. Tenants know how horrible congestion is on Rt. 281, so they move away, or do not even consider moving to or buying properties faced with this astonishing, day after day traffic problem.

We tried to escape this same problem with Rt. 281 traffic congestion by listing for sale *our own personal residence* off of Rt. 281 in Bulverde. Our realtor is a highly professional and competent *Dave Ramsey Endorsed Local Provider*. We carefully followed every aspect of his marketing plan, all to no avail. After nine and one half months, we have not been presented with a single offer to buy. We and our realtor are convinced that traffic congestion on 281 is keeping away buyers and tenants from the retirement homes we purchased here with mistaken expectations.

WE BLUNDERED into this problem because, as new residents, we had no idea that Governor Perry, TXDOT, and the Regional Mobility Authority were all engaged in a game of “chicken,” intended to force property owners to use unpopular and costly Toll Roads on Rt. 281. That solution, Toll Roads, would also have dealt a devastating blow to the value of our personal residence, and our five rental homes.

THE CRIME in all of this is that traffic congestion on Rt. 281 would immediately disappear if already funded overpasses were placed at the first three traffic signals on Rt. 281, North of Loop 1604. It is not ‘rocket science’ to understand that congestion and traffic back up on Rt. 281 is caused by traffic signals. The solution is simple, but one must “follow the money” to understand the sadistic forces attempting to manipulate our citizens, like sheep, and empty their billfolds with Toll Road schemes.

EVEN NOW, with billions of ‘shovel ready’ stimulus dollars available to help our citizens and help our economy, the Regional Mobility Authority is still playing games, and proposing only a *half measure* to correct the glaring

functional defects of the 281/1604 Interchange. Ramps are being proposed by the Alamo RMA only for segments of the road that are **North** of Loop 1604. The Alamo RMA is not proposing *a total fix* for this profoundly disruptive interchange. The RMA's actions will enshrine congestion because they propose NO RAMPS for this Interchange Project that are to the South of Loop 1604. This RMA solution is clearly a half measure, and spends tax money to construct *side walks* which in no way address the core congestion problem. The Alamo RMA appears to be directing *malicious and vindictive retribution* against citizens along Rt. 281 due to resistance against 281 Toll Road schemes.

THE SAN ANTONIO ECONOMY is an incidental casualty of the RMA's unwillingness to *really* fix the congestion at Rt. 281 and Loop 1604. With each passing month, more consumers, shoppers and even medical patients North of 1604 are announcing that they are, instead, driving to New Braunsfels or to Boerne for their needs, rather than suffer the inconvenience, wasted fuel and wasted time caused by traffic congestion on Rt. 281 into San Antonio.

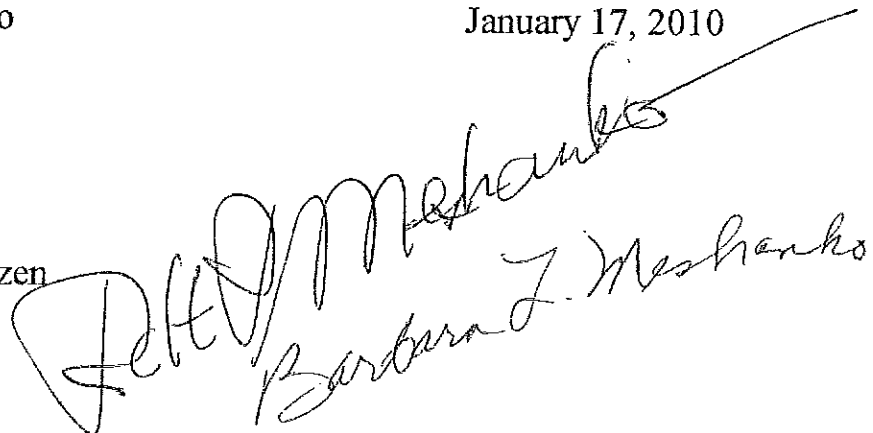
THE PAST SIX YEARS have brought forth painful lessons about what happens when government and citizens are *at cross purposes*. Citizens here ask only for efficient design of our highway traffic flow and infrastructure, while Special Interests are offering enormous up-front cash incentives so that our elected and unelected officials will turn over to independent, private management the long-term, profitable revenue producing toll roads.

Citizens have been penalized and held hostage while behind the scenes forces have been working hard to circumvent the will of the people, and change our way of life. Watch the Special Interests pushing toll roads, and follow their money. Money-motivated lobbyists and financial types will cause to Texas citizens as much harm as the Wall Street investment bankers who were allowed to drive our entire economy over a cliff.

Robert* & Barbara Meshanko
31543 Tres Lomas
Bulverde, TX 78163
meshanko@satx.rr.com
210 771-4786

January 17, 2010

*MBA; Exploited Senior Citizen



Handwritten signatures of Robert and Barbara Z. Meshanko. The signature for Robert is written in a cursive style, and the signature for Barbara Z. Meshanko is written in a similar cursive style below it.

Leroy Alloway

From: Dave Ramos [daveramos@dtsi.com]
Content: Wednesday, January 20, 2010 8:49 AM
Interchange
Subject: Comments on 281/1604 Interchange Project

To Whom it May Concern:

I object to the 281/1604 interchange given your present plans.

- The cost is outrageous (and it doesn't include northbound ramps)
- If all 8 ramps of the 410/281 interchange only cost \$155 million, how can just 4 ramps cost \$140 billion dollars
- The fact that the RMA would get \$20 million "to supervise the project" is outrageous. This amounts to a "bailout" for the RMA
- I suspect the northbound ramps are NOT included because TXDOT plans to toll these ramps – I am opposed to this concept of tolling.

For these reasons, I oppose this project in its present format and demand that you drop these plans immediately !!

David Ramos
2107 Chittim Pass
San Antonio, Texas 78232
(714) 496-5711

Leroy Alloway

From: GWS [gwsss@sbcglobal.net]
Content: Tuesday, January 19, 2010 10:38 AM
Interchange
Subject: 281/1604 interchange

THIS PROJECT SHOULD BE LOW PRIORITY COMPARED TO HWY
281 NORTH OF 1604.

OVERPASSES ARE NEEDED THERE !

THIS 140 MILLION IS BEING MISUSED!

GARY SCOTT
12911 BLANCHE COKER
SAN ANTONIO TX
78216
210 490 6177

Leroy Alloway

From: JAS [jjsss@sbcglobal.net]
Date: Tuesday, January 19, 2010 3:38 PM
Subject: Interchange
281/1604 interchange

The 281/1604 interchange is not a priority. The overpasses on Hwy 281 North should be priority #1.

Judy Scott
12911 Blanche Coker
San Antonio, Tx 78216-2316
jjsss@sbcglobal.net

Leroy Alloway

From: Shaw, Carol L Ms CIV USA MEDCOM AMEDDCS [Carol.Shaw@AMEDD.ARMY.MIL]
Sent: Thursday, January 21, 2010 8:36 AM
To: Interchange
Subject: 281/1604 Interchange Project

Importance: High

Pls. submit these comments as an official part of the record regarding the 281/1604 interchange project and confirm this have been done:

This stimulus money should be used to build overpasses and widen 281 to 1604 (toll-free), since this agency stated that 218 to 1604 would not be tolled if money became available, which it is. Regarding the 281/1604 Interchange Project, nothing is acceptable except interchanges for both Northward and Southward bound (no future tolls for North). Resurfacing of Bitters to Redland and 281 from Bitters to 1604 can be done out of maintenance dollars, not this stimulus money, and those projects aren't needed nearly as much as the deplorable conditions on 281 to 1604. Shame on you. This stimulus money is OUR (taxpayers' money) and should be used appropriately.

Ms. Carol Shaw
3335 Highline Trail
SA, TX 78261

Leroy Alloway

From: Donald [dav@gvtc.com]
Sent: Tuesday, January 19, 2010 11:55 PM
: Interchange
Subject: 281 1604

To Whom IT May Concern,

How much longer will you people keep making a blunder of this intersection., We DO NOT WANT A TOLL ROAD. You will be stealing a FREEWAY that supposed to be turned into a wider freeway long ago. TxDOT misused the funds. I hope that you will unable to sleep at night as you are wrong for what you are doing. The PEOPLE DO NOT WANT a TOLL ROAD.

DO YOU UNDERSTAND. I live out here in north Bexar County and will move out of the area to give San Antonio LESS business. Why will you not put this to a PUBLIC vote and let the people speak?

What are you all afraid of?

Who is putting money into your pockets? You are being paid off by someone. This whole thing stinks of fraud. You can widen Huebner but not find the funds for HWY 281 and 1604. Get real we are not that stupid.

Citizen Who Lives in Bexar County.
Donald Vormelker