APPENDIX B

Disposition of Substantive Comments on Supplemental DEIS

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Disposition of Substantive Comments on SDEIS

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1.	**United States Department of the Interior, Bureau of Land Management, letter dated April 30, 2019**	There is no conflict apparent between the BLM's interests and this project. The BLM has no public domain (PD) surface land holdings that will be affected on or near the proposed project site. Likewise, the BLM holds no subsurface mineral rights on or near the proposed project site.	Comment noted.
2.	**National Oceanic Atmospheric Administration (NOAA) Fisheries Service, e-mail dated May 1, 2019**	Previous correspondence from the Habitat Conservation Division (HDC) expressed concerns regarding impacts to submerged aquatic vegetation and wetlands which are addressed in the SDEIS, Appendix F Draft Mitigation Plan. The HCD does not object to the project concept and will be reviewing the project again during the permitting phase. No additional coordination with HCD is required unless changes are made outside of those described in the submitted documents.	Comment noted.
3.	**State Senator Chris Elliott, letter dated May 7, 2019**	The utilization of a Public Private Partnership (P3) to design, build, finance, maintain, and operate this project is clearly the only way forward given the current levels of state and federal funding for such ambitious projects. This bridge and corresponding Bayway are crucial for coastal Alabama, for the State of Alabama, and for the entire I-10 corridor, but the proposed tolling scheme puts entirely too high a burden on local commuters who will bear a disproportionate portion of the total project cost.	ALDOT is sensitive to the burden that frequent users would bear and has considered how to design the program to offset some of that burden for frequent users while also complying with federal laws that limit how residency is considered. In response to comments received from the public, ALDOT has revised the frequent user discount program as part of its toll policy. The policy now includes a monthly unlimited pass at a cost of $90 per month at toll commencement. For people who do not buy the monthly pass, a 15% discount will be applied for more than four trips per month (trips 1 through 4 at full rate and trips 5 and above at discounted rate). Class 1 vehicles with active ALDOT-authorized transponders will be eligible for the frequent user discount program. These revisions to the toll policy will help offset economic impacts for frequent users. Frequent users are most likely to use the monthly

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			unlimited pass and frequent user discount, but eligibility is not limited based on a user's residency. It should be noted that implementing a toll provides a mechanism for non-local users to share in the cost of the project by paying to use the tolled facility.
		We must increase the public subsidy prior to the Request for Proposal (RFP) in order to increase the frequent user discount for the people of this region that stand to be the most affected by this tolling plan. The current plan, which would see a possible maximum charge of $6, is overly burdensome and would lead to an almost $200 month increase in costs for a daily commuter who makes 40 trips a month. That amount would be even higher for the trucking industry, which could see possible costs of $24 or even $36 per use in toll charges.	Releasing the Final RFP after the Combined FEIS/ROD is approved will allow ALDOT to obtain proposals from the teams who are bidding on the project. Once the proposals are received, the amount of the public subsidy will be known, and further opportunities to incorporate additional funds may be available. The state's contribution to this project is expected to be comparable to what is being spent on projects in other parts of Alabama.
		While the proposed changes do include possible measures to manage congestion on other routes like the Causeway and the Africatown Bridge, we all know that an unreasonable costing toll on the new bridge will lead to unprecedented traffic and issues on not only the alternate routes, but also the roads leading to those routes. Traffic in Daphne and Spanish Fort near the current bridge is already problematic on a good day; adding thousands of additional vehicles daily to the Causeway due to issues of toll avoidance could easily create a nightmare traffic scenario on secondary and tertiary routes.	As discussed in Sections 4.6.2 and 4.10 of the SDEIS, traffic studies indicate that the implementation of a toll may result in reduced traffic on I-10 due to toll suppression. Anticipated impacts on communities resulting from toll diversion are discussed in Sections 4.1.5, 4.4.1, and 4.6 of the SDEIS. Impacts include increased traffic along Bay Bridge Road, the Cochrane-Africatown USA Bridge, US-90 between the Cochrane-Africatown USA Bridge and the Bankhead Tunnel, and the US-90/US-98 Causeway. Increased traffic could result in increased congestion along these routes. Mitigation measures to avoid, minimize, or mitigate these impacts are identified Section 5.0 of the ROD.
		Additionally, a buy-down clause must be incorporated into any potential RFP for the tolling of this project. A buy-down clause is crucial and gives the state the ability to bring down future toll costs, as the state is able.	A buy down clause is included in the contract to allow ALDOT to subsidize tolls in the future, should additional funds become available.

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		We must increase the ALDOT investment in this project to make sure that the people of this region are getting their fair share of state transportation dollars. Other projects in different parts of the state have had similarly elevated costs without having to be tolled. ATRIP I project costs will be around $1 billion. The I-59/20 elevated road project in Birmingham is projected to accost in excess of $700 million and will likely be closer to $800 or even $900 million by completion. The Pike Road Exchange in Montgomery had costs of almost $200 million and proposed projects in Huntsville will reach over $100 million. In all of these cases, none of the residents of those areas were asked to have to consider a toll to pay for those projects. Why is Coastal Alabama asked to accept a lower state subsidy for projects that are not even comparable in size or scope of impact?	ALDOT is actively seeking additional funding sources to help deliver this project. The I-59/20 project in Birmingham will cost about $800 million and will serve 160,000 vehicles per day. ALDOT has the capacity to fund the Birmingham project, along with the ATRIP and other projects mentioned in this comment, through ALDOT's traditional funding model. The Mobile River Bridge and Bayway Project exceeds ALDOT's available capacity to fund in a traditional manner. The state's contribution to the Mobile River Bridge and Bayway Project is expected to be at least proportional per vehicle on this project as the I-59/20 project. More information on why the project must be tolled to be viable is included in Section 3.7 of the Supplemental DEIS.
		I share ALDOT's frustration with the lack of the United States Department of Transportation funding for this project. The proposed $150 million INFRA grant is paltry for a project of this magnitude and its importance for not only Coastal Alabama, but for the crucial I-10 corridor. However, it seems that with a lack of meaningful federal infrastructure legislation, this is the reality of our current situation.	ALDOT is actively seeking additional funding sources to help deliver this project. However, because of funding challenges currently being experienced nationwide, the project is only viable if the corridor is tolled. Proposed federal infrastructure legislation under the current administration is heavily dependent upon tolling to deliver infrastructure projects around the United States. Section 3.7 of the SDEIS contains more information on funding of the project and tolling.
		Two things are abundantly clear. This is our only opportunity to finally secure a Record of Decision (ROD) for this long-discussed project and our one chance for a viable P3 project. However, the current level of public subsidy and corresponding tolling scheme are a non-starter for Coastal Alabama commuter who simply cannot afford to disproportionately bear the cost of such a monumental project. In order to be successful, ALDOT should include an	ALDOT's revised frequent user discount program will reduce the cost of tolls for frequent users. Implementing a toll will also provide a mechanism for non-local users to share in the cost of the project by paying to use the tolled facility. ALDOT will continue to pursue all available funding sources to deliver this project.

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		increase public subsidy in the RFP thereby reducing the cost of the tolls for daily commuters.	
4.	**Bernard H. Eichold, III, Md. Dr.P.H., F.A.C.P., letter dated May 10, 2019**	I would like to thank Mr. Vince Calametti, Mr. Michael Lee, Sr., the Mobile Area Chamber of Commerce and ALDOT for moving this project forward. The first public meeting about the new I-10 bridge was held on June 6, 2005. It was stated that a route just east of Michigan Avenue direct to the Eastern Shore (the shortest option) was not possible because of the cost in building a new Bayway.	The Alternatives Screening Evaluation looked at a range of reasonable alternatives which included alternatives similar to what is noted in this comment (Alternatives 7, 8, and 14). These alternatives would begin in proximity to Michigan Avenue or Broad Street, cross McDuffie Island, and connect to the I-10 Bayway to continue to Daphne. Alternative 7 would be approximately 2.4 miles south of the Wallace Tunnel. Alternative 8 would be located approximately 1.6 miles south of the Wallace Tunnel, and Alternative 14 would be located approximately 1.3 miles south of the Wallace Tunnel. None of these alternatives were eliminated solely due to higher costs. Alternatives 7 and 8 were not carried forward for more detailed design because of their potential for impacts to previously undisturbed wetlands, submerged aquatic vegetation, and essential fish habitat; hazardous materials sites, businesses, disposal areas, and the maritime industry; and to underwater archaeological sites. The Alternatives Screening Evaluation notes that while Alternatives 7 and 8 would reduce impacts on downtown Mobile Historic Districts, they would completely bypass Battleship Park to the south. Alternative 7 would require a main span bridge length of approximately 2,350 feet to span the navigation channel and authorized turning basin. This span length contributes to the alternative being estimated to cost approximately twice as much as the four Build Alternatives. With the replacement of the Bayway (rather than widening the

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			existing), this alternative would continue to cost twice as much as the four Build Alternatives. Alternative 14 was eliminated from further consideration for potential impacts to wetlands, essential fish habitat, archaeological sites, businesses, disposal areas, and maritime facilities. Maintaining existing access to USS ALABAMA Battleship Park would also be difficult with this alternative. This and additional information regarding the range of alternatives considered can be found in Section 3.2 and Appendix B of the 2014 DEIS.
		The existing I-10 route was to be widened to include an additional lane in each direction. In good faith, ALDOT then acquired the land for the bridge crossing at the proposed site. At some later date, the FHWA required ALDOT to include a new elevated Bayway connected to the proposed new I-10 bridge. This was a major change in scope of work, more than doubled the original cost, yet the public hearing process was not started over or other location for the bridge considered. Now since the new I-10 Bayway is proposed on the existing I-10 ROW as presented in this EIS, the existing toll free I-10 will be destroyed at a cost of probably $200-300M and toll payers will be footing the bill.	The SDEIS was prepared to address the changes in the project and public hearings were held on May 7 and May 9, 2019 to discuss the findings of the SDEIS, including refinements to the project and increases in the estimated project cost. The Bayway must be replaced at a higher elevation due to its vulnerability to storm surge. This requirement would have to be met for any alternative, regardless of its location. In order to meet this requirement, any alternative connecting to the existing Bayway alignment would be required to replace the Bayway at a higher elevation. Based on the storm surge analyses performed for the project (Appendix G of the Supplemental DEIS), most of the existing Bayway would be catastrophically damaged by a 100-year storm event. ALDOT performed a structural analysis of the existing Bayway and evaluated several options to retrofit/strengthen the existing Bayway. ALDOT also studied the economic of retrofitting the existing Bayway (which is reaching the end of its 75-year

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			design life). The cost of retrofitting the existing Bayway and providing a new widened Bayway (that would also be required to withstand storm surge) was more expensive than replacing the Bayway with a new bridge above the wave impacts and meeting AASHTO requirements. For these reasons, ALDOT determined that the Bayway should be replaced at an elevation above the 100-year storm surge elevation. The cost to replace the Bayway, including demolition of the existing structures, would be a consistent cost for all of the alternatives. Moving the Bayway to the south would also result in impacts to environmental resources that have not been previously disturbed, while replacing the Bayway within its existing footprint limits the impacts to environmental resources in areas that have been previously disturbed. For these reasons, the conclusions reached in the Alternatives Screening Evaluation in the DEIS remain valid. More details on the storm surge analysis prepared for the project can be found in Section 3.4 and Appendix G of the SDEIS.
		If Mobile is to be the only community with a designated interstate toll bridge, can ALDOT now amend the Environmental Impact Study moving the new Bayway several hundred feet to the south, convert the existing I-10 structure to a free local route: "Mobile/Baldwin County Connector" ending on the eastern shore at Highway 98 and at Canal Street on the western shore? If we cannot save the entire existing Bayway could we preserve the westbound lane for future light rail, biking, and recreation (rail could originate near the Bass Pro parking lot and use	The existing Bayway is reaching the end of its life cycle and will have to be replaced, regardless of whether it would be used for vehicular traffic, light rail, or recreational use. Delaying the replacement of the Bayway will result in the cost to construction new bridges over Mobile Bay being higher than what is currently proposed due to inflation. Leaving the existing Bayway in place even for its remaining useful life would require continued maintenance of the structure, above and beyond the current anticipated costs

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		the Bankhead Tunnel with gates to get to Mobile)? I believe the Mobile Area Chamber of Commerce has reviewed the benefits light rail could have on a southern city.	of the project. In addition, it would require an alternate project location that would have increased environmental impacts, as discussed in the Alternatives Screening Evaluation Report contained in Appendix B of the DEIS. This would result in increased impacts due to additional shading (two bayways) and impacts to previously undisturbed areas (new bayway) of wetlands, submerged aquatic vegetation, and essential fish habitat. A study by the South Alabama Regional Planning Commission and ALDOT, sponsored by the City of Mobile, found that light rail would not achieve sufficient ridership to justify the cost compared to building a bridge over the Mobile River. More details on this study are included in Section 3.2.4.2 of the 2014 DEIS. As noted in the first paragraph, the existing Bayway is reaching the end of its life cycle and will have to be replaced, regardless of whether it would be used for vehicular traffic or light rail.
		Alabama now has new dollars since the gasoline tax was increased. Birmingham is spending/spent $5.4 billion on interstate projects within 10 miles of their downtown over the last several years without a toll, why should Mobile be the only Interstate in Alabama with a toll? For the purpose of economic growth and quality of life, I respectfully ask if the citizens would like to keep the existing I-10 as a "toll free" Mobile/Baldwin County Connector, leaving the new I-10 toll bridge for interstate commerce or simply make the new I-10 bridge toll free.	Even with the passage of the Rebuild Alabama Act, which will not be fully implemented until October 2021, there will not be enough money to build the proposed project. Once fully implemented, the increase in state gas tax is expected to generate around $320 million per year, of which one-third is slated for counties and municipalities for local roads. Moreover, there is a multi-billion dollar backlog of existing road and bridge needs statewide that will consume and exceed the new state revenue generated by the Rebuild Alabama Act. Section 3.7 of the SDEIS provides more information on why the project must be tolled. ALDOT has not spent $5.4 billion on interstate projects within 10 miles of downtown Birmingham in the last several years. The Birmingham Northern Beltline project,

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			which has an estimated cost of $5.3 billion when fully implemented, is being constructed in phases as funding becomes available. The only segment of that project that has been funded is a 1.34-mile-long segment that was let in 2013. It is anticipated that the paving portion of that segment will be let within five years. This segment costs approximately $46 million. No other segments of the Birmingham Northern Beltline are currently scheduled for construction due to lack of funds. The I-59/I-20 project in Birmingham will cost about $800 million and will serve 160,000 vehicles per day. ALDOT has the capacity to fund the Birmingham project through ALDOT's traditional funding model. The Mobile River Bridge and Bayway Project exceeds ALDOT's available capacity to fund in a traditional manner. The state's contribution to the Mobile River Bridge and Bayway Project is expected to be at least proportional per vehicle on this project as the I-59/I-20 project. More information on why the project must be tolled to be viable is included in Section 3.7 of the SDEIS. Please see response to the previous comment regarding why the existing Bayway cannot remain as a free Mobile/Baldwin County Connector.
5.	**United States Department of the Interior, Office of Environmental Policy and Compliance, letter dated May 17, 2019**	The draft Section 4(f) evaluation states, "No archeological sites as of yet have qualified as Section 4(f) resources, and none are expected to qualify as Section 4(f) resources." However, the draft Memorandum of Agreement (MOA) states, "…FHWA and ALDOT have also determined that the undertaking may have an adverse effect on archeological sites…" The referenced archeological sites were not identified in the draft Section 4(f) evaluation.	As discussed in Section 5.2 and Section 5.5.3 of the SDEIS, FHWA's determination of adverse effects under Section 106 of the NHPA does not automatically mean that there will be a Section 4(f) "use". Chapter 5 of the SDEIS evaluates each potential Section 4(f) resource and whether there is a "use" under Section 4(f). The proposed project will have adverse effects under Section 106 of the NHPA to several NRHP eligible archaeological sites. These archaeological sites are

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		The draft Section 4(f) evaluation concludes, "With the loss of the Union Hall, none of the other Build Alternatives would result in Section 4(f) impacts." Conversely, the draft MOA identifies a finding of adverse effect for two National Register of Historic Places (NRHP) listed resources within the project's proposed APE. They are the Church Street East Historic District and the Lower Dauphin Street Historic District. The draft Section 4(f) evaluation discusses an ongoing coordination effort with the Alabama Historical Commission (SHPO) in compliance with Section 106 of the National Historic Preservation Act. However, the administrative record provided is incomplete. The draft Section 4(f) evaluation fails to provide the complete administrative history with the SHPO documenting their concurrence with the proponent's findings and the draft MOA. As a result, the Department cannot provide Section 4(f) approval of this project at this time. We would be pleased to reconsider this position upon receipt of the referenced correspondence and the finalized MOA.	considered eligible for listing on the NRHP based on Criterion D, a property has or can yield important information to prehistory or history. However, Section 4(f) applies to archaeological sites that are on or eligible for the NRHP and warrant preservation in place. Section 4(f) does not apply if FHWA determines, after consultation with the SHPO, federally recognized Indian tribes, and the AHCP that the archaeological resource is important chiefly because of what can be learned by data recovery and has minimal value for preservation in place, and the SHPO and ACHP does not object to this determination (See 23 CFR 774.13(b) and FHWA's Section 4(f) Policy Paper, Question 3A). None of the archaeological sites assessed on this project have been determined to warrant preservation in place. Therefore, none of the archaeological sites adversely effected under Section 106 of the NHPA qualify as Section 4(f) resources. Archaeological sites in the context of Section 106 are discussed in Section 4.13.8 of the SDEIS (pages 144-146). Archaeological sites in the context of Section 4(f) are discussed in Section 5.4 of the SDEIS (page 180). The proposed project has an adverse visual effect under Section 106 of the NHPA on two historic districts. However, "constructive use" under Section 4(f) applies when proximity effects of the proposed project substantially impair aesthetic features or attributes of the Section 4(f) property, where such features or attributes are considered important contributing elements to the value of the property (See 23 CFR 774.15(e)(2), 23 CFR 774.15(f)(5), and FHWA's Section4(f) Policy Paper, Question 7B). For a historic property, this occurs when the proposed project either obstructs or eliminates the primary views of a

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			historic site. The proposed project does not obstruct or eliminate the primary views of the historic districts. Or a "constructive use" may occur when the proposed project substantially detracts from the setting of the historic property which derives its value in substantial part due to its setting. Since neither historic district derives its value in substantial part due to its setting, the districts are not substantially impaired and the adverse visual impacts under Section 106 of the NHPA do not rise to the level of "constructive use" under Section 4(f). For more detail, please see Section 4.13.3 (pages 140-141), Section 5.2 (page 178) and Section 5.5.3 (pages 182, 183-186) of the SDEIS. The circumstances here are similar to a hypothetical situation discussed in FHWA's Section 4(f) Policy Paper: > Another example of an adverse effect where there is no Section 4(f) use might be construction of a new highway within the immediate view shed of a historic farmstead that results in an adverse effect finding under Section 106 for the diminishment of the setting. It is unlikely this visual intrusion would reach the threshold of substantial impairment of the attributes which cause the farmstead to be eligible for the NR as it would still retain its historic fabric and use features; however, a constructive use could occur where the proximity of the proposed project substantially impairs esthetic features or attributes of a property protected by Section 4(f), where such features or attributes are considered important contributing elements to the value of the property.

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			Answer to Question 7B: Does Section 4(f) apply when there is an adverse effect determination under the regulations implementing Section 106 of the NHPA? This text is quoted from FHWA's Section 4(f) Policy Paper, which is available at: https://www.environment.fhwa.dot.gov/legislation/section4f/4fpolicy.pdf The Section 106 MOA has been finalized and was signed on July 11, 2019. A copy is included in Appendix D of the FEIS. The MOA addresses potential Section 106 effects on historic resources and identified mitigation measures for those effects.
6.	**USEPA, Region 4, letter dated May 22, 2019**	The purpose of this letter is to provide the EPA' s comments on the proposed project. On November 6, 2014, the EPA provided comments on the Mobile 1-10 River Bridge and Bayway widening Draft Environmental Impact Statement (DEIS), following site visits and meetings associated with the proposed project including a public meeting on September 23, 2014, in Mobile, Alabama. The EPA also provided comments on the Draft Mitigation Plan on wetlands, submerged aquatic vegetation (SA V) and essential fish habitat (EFH) on July 25, 2017, and January 11, 2018. ALDOT responded to the EPA's DEIS comments in Appendix P of the SDEIS and included a revised Draft Mitigation Plan in Appendix F. The EPA's DEIS comments addressed water resources, air quality, cultural resources, noise and community impacts, and pedestrian and bicycle facilities. The EPA appreciates the efforts made by FHWA and ALDOT to respond to our comments and to ensure that additional environmental	

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		and socioeconomic issues associated with the changes to the project were considered as part of the SDEIS. Primary project changes include alignment modifications, replacement of the Bayway bridges, bicycle and pedestrian accommodations, and tolls to help fund the proposed $2.1 billion project. The SDEIS also identifies new environmental commitments and mitigation measures to help offset adverse impacts. Please see the enclosed detailed comments and technical recommendations that should be addressed in the Final Environmental Impact Statement/Record of Decision (see enclosure).	
		Bicycle and Pedestrian Facilities The EPA encouraged the implementation of a "Complete Streets" design to provide the public within the project limit with safe and user-friendly facilities to support transit, bicycle, and pedestrian modes of transportation for accessing places along the corridor. These accommodations could also help reduce mobile source air toxics. To address the need for pedestrian and bicycle facilities, ALDOT committed to new separated bicycle and pedestrian path from downtown Mobile Via the Cochran-Africatown USA Bridge to the USS Alabama Battleship Memorial Park. ALDOT is also creating an overlook on the new Mobile River Bridge. Comment: The EPA appreciates the efforts by ALDOT to coordinate with relevant stakeholders and commit to providing the public with safe bicycle and pedestrian facilities as well as a view of the Mobile River.	Comment noted.
		Tolling	ALDOT is sensitive to the burden that frequent users would bear and has considered how to design the program to

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		ALDOT estimates that the Mobile River Bridge and Bayway Project will cost approximately $2.1 billion. Due to proposed project costs and limited funding availability, the proposed project will require a public-private partnership agreement for 55 years that will result in tolling the proposed corridor. The SDEIS recognizes that tolling has the potential to adversely impact low-income and minority populations. The EPA recognizes that a non-tolled route exists that could be used by communities like Africatown, and other stakeholders. Recommendation: The EPA understands that tolls are necessary to help fund the proposed project, however, the cost may be excessive for specific populations. The SDEIS states that a 15% discount will be provided to frequent users of the tolled facilities. In addition, the EPA recommends considering discounts for low income residents and those on a fixed income such as the elderly to help offset potential impacts to those populations.	offset some of that burden for frequent users while also complying with federal laws that limit how residency is considered. In response to comments received from the public, ALDOT has revised the frequent user discount program as part of its toll policy. The policy now includes a monthly unlimited pass at a cost of $90 per month at toll commencement. For people who do not buy the monthly pass, a 15% discount will be applied for more than four trips per month (trips 1 through 4 at full rate and trips 5 and above at discounted rate). Class 1 vehicles with active ALDOT-authorized transponders will be eligible for the frequent user discount program. These revisions to the toll policy will help offset economic impacts for frequent users. Frequent users are most likely to use the monthly unlimited pass and frequent user discount, but eligibility is not limited based on a user's residency. Discounts specifically designed for low-income and fixed-income residents were considered but were not included in the toll policy because the toll-free route parallels the proposed tolled route and is easily accessible for use by the public, including low-income and fixed-income communities. ALDOT has committed to maintaining a free route that can be used by individuals who cannot afford to or choose not to pay the toll.
		Environmental Justice (EJ) The EPA recognized that a new environmental justice (EJ) analysis was included in the SDEIS. Impacts on minority and low-income populations are discussed in the SDEIS including disproportionate impacts associated with the diversion of traffic onto non-tolled roads located within the vicinity of the Africatown/ Plateau community. The EPA's DEIS comments noted that targeted EJ outreach occurred	Through consultation with the Africatown/ Plateau community, ALDOT has developed environmental commitments that will be implemented to provide benefits to the Africatown/Plateau community and other communities that may be affected by the proposed project. The environmental commitments identified in Section 5.0 of the ROD serve a similar function as a Community

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		over ten years ago and as a result was outdated. We also requested a summary of EJ concerns expressed by the community in relationship to the proposed project. Recommendation: The EPA appreciates the efforts made to more actively engage affected communities in the decision-making process, including the identification of community concerns, opportunities and the development of an EJ mitigation plan. The FEIS/ROD should include a final community mitigation plan or memorandum of agreement that is developed with the communities that will be adversely and disproportionately affected by the proposed project.	Benefits Agreement in that they formalize ALDOT's commitment to provide certain assurances of benefits to the affected communities. To involve the community in the implementation of these commitments, ALDOT will develop an Africatown/Plateau Steering Committee. ALDOT will send invitations to serve on the Steering Committee within 60 days of approval of the Combined FEIS/ROD. ALDOT will hold the first Steering Committee meeting in the Fall of 2019. This will provide continued opportunities for involvement of Africatown/Plateau representatives to promote compatibility with the community's plans for development and growth. This has been added as an environmental commitment in Section 5.0 of the ROD. The framework for the Committee is contained in Appendix C of the FEIS.
		Air Quality For air quality impacts during construction, the EPA previously recommended that the project implement diesel emission reduction activities through various measures such as: reducing idling through operator training and/or contracting policies, using cleaner fuels, retrofitting equipment with emission reduction technologies, repowering older engines with newer cleaner engines, replacing older vehicles. Recommendation: The SDEIS does not indicate that efforts will be made to implement diesel emission reductions. The EPA recommends that every effort should be made to minimize impacts to air quality during construction which is expected to take several years to complete.	Article 107.22 of the State of Alabama Highway Department Standard Specifications requires the contractor to comply with all state, Federal, and local laws and regulations controlling pollution of the environment, including air pollution during construction. Section 4.17.3 of the 2014 DEIS discusses air quality impacts during construction.
		Historic Resources The EPA notes that FHWA and ALDOT continue to consult with the State Historic Preservation Officer (SHPO) and	Appendix D of the FEIS contains the post-SDEIS consultation on historic resources with the SHPO and the

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		Section 106 Consulting Parties regarding historic resource concerns and ALDOT will need to conduct additional archeological surveys on some of the alternatives. Recommendation: The EPA recommends that the FEIS should document the results of the consultation process, any remaining survey results, and the final requirements in the Memorandum of Agreement.	Section 106 Consulting Parties, as well as the signed Section 106 MOA.
		Water Resources and Water Quality The EPA has a critical role in reviewing compensatory mitigation proposals and we requested that ALDOT consult with the EPA following the DEIS. We also requested a quantification of project related impacts. Per EPA's DEIS request, the SDEIS includes quantified wetland impacts. Potential impacts include approximately 6 acres of estuarine emergent wetlands, 1.3 acres of scrub shrub forested wetlands, and 16.1 acres of SAV resulting in impacts to 22.1 acres of essential fish habitat. Mitigation of 1.5:1 for wetlands and 2:1 for SAV is proposed. The proposed mitigation approach includes creating approximately 9 acres of marsh and approximately 32.2 acres of SAV habitat at a location north of the Mobile Bay Causeway. Impacts to scrub shrub and forested wetlands will be mitigated through the purchase of an appropriate number of credits from a U.S. Army Corps of Engineers approved mitigation bank. Recommendations: The EPA appreciates the inclusion of quantified wetland and aquatic impacts, the involvement of EPA in the development of the compensatory revised Draft Mitigation Plan for the project, and the commitment to ensure that monitoring will be part of the final Mitigation Plan. Since SAVs are transient and wetland	Updated SAV and wetland surveys will be required prior to finalizing the Mitigation Plan and obtaining permits for construction. This is documented as an environmental commitment in Section 5.0 of the ROD.

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		impacts are not fully known, the EPA recommends that commitments to conduct more recent SAV and wetland surveys be part included in the FEIS/ROD to ensure the information remains relevant.	
		Dredging The DSEIS estimated that approximately 325,000 cubic yards of material would be dredged, and the dredged material would be beneficially used to create the marsh island mitigation site. Recommendation: The EPA appreciates ALDOT' s commitment to beneficially use dredged material. Environmental commitments to quantify and test the sediments prior to disposal should be included in the FEIS/ROD.	The following environmental commitment has been added for the project: If dredging is used, a Sediment Sampling Plan that includes a benthic characterization study, will be performed prior to obtaining a permit for dredging. Sediments will be quantified and tested prior to disposal of the dredged material. The commitment is included in Section 5.0 of the ROD.
		Noise The SDEIS indicates that 1,185 noise-sensitive receptors are within the vicinity of the build alternatives. The preferred alternative may result in noise impacts to 276 receptors. These sites either approach or exceed the noise abatement criteria. There were no noise minimization strategies proposed during the SDEIS. Recommendation: The EPA recommends that the FEIS/ ROD include any required noise abatement measures for the preferred (selected) alternative that exceed current criteria.	ALDOT's Noise Policy implements the requirements of 23 CFR 772 Procedures for Abatement of Highway Traffic Noise and Construction Noise. Potential noise impacts and the noise abatement analysis that was performed for potentially impacted receptors. Noise abatement measures, including noise minimization strategies, were found to not be reasonable per ALDOT's Noise Policy. Section 4.10 of the SDEIS and Appendix J of the SDEIS contain more detailed information on the noise analysis performed for the project.
7.	**Coastal Alabama Partnership, letter dated May 22 ,2019**	Coastal Alabama Partnership (CAP) is a 501 (c)(3) private sector lead, not-for-profit organization focused on providing a platform for regional leaders to convene, collaborate, build consensus, and advocate for Coastal Alabama's top priorities. CAP supports funding for infrastructure and transportation projects that will facilitate economic competitiveness, environmental	Comment noted.

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		sustainability, and improve the overall quality of life for all citizens and businesses in Coastal Alabama. The I-10 River Bridge and Bayway project is included in CAP's 2019 Regional Legislative Agenda, and is a priority project for the region. Specifically, CAP supports the commitment of the Alabama Department of Transportation (ALDOT) in working with public and private partners to increase capacity on Interstate 10 by building a new six-lane, cable-stayed bridge over the Mobile River and a new eight-lane, seven-mile Bayway spanning Mobile Bay. This bridge and corresponding Bayway are crucial for Coastal Alabama, and the entire I-10 Corridor on the Gulf Coast for the following reasons and considerations: - The Wallace Tunnel currently averages 75,000 vehicles per day, reaching up to 100,000 vehicles during the peak tourism season. Furthermore, Traffic crossing Mobile River and Bay on Interstate 10 has more than doubled since the current facilities were built in 1970, far exceeding the planned capacity. - In a recent TRIP Report for Alabama (2016) --a national transportation research group—identified 50 highway projects needed in order to support Alabama's economic growth. This report listed the Mobile I-10 corridor as the 2nd most critical project to economic growth in Alabama. - Transportation infrastructure is key to the continued success of the Port of Mobile. As volume increases at the Port (20% last year at APM Terminals alone), the more important the ability to	

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		move containers and cargo becomes along the east-west corridor of I-10. - This project will also, increase the capacity of I-10 to meet existing and predicted future traffic volumes, provide vehicles carrying hazardous materials a direct route away from downtown Mobile, and minimize impacts to Mobile's maritime industry. CAP, with its regional partners, supports the completion of the design phase of the Mobile River Bridge and Bayway project and will continue to support ALDOT's effort in seeking grant funding from the Federal Highway Administration. The Coastal Alabama region is experiencing tremendous growth – the Mobile River Bridge and Bayway project is vital and will provide great benefits for citizens, travelers, and businesses, as well as regional and interstate commerce. To advance the delivery of the project ALDOT is utilizing a public-private partnership pairing ALDOT with a private partner to design, build, finance, operate, and maintain the new Mobile River Bridge and Bayway—CAP commends ALDOT for this innovative approach to expedite the completion of this project.	
		Regarding project funding, your Department estimates the Mobile River Bridge and Bayway Project could cost approximately $2 billion. Citing the lack of United States Department of Transportation funding and state funding shortages, ALDOT determined the Mobile River Bridge and Bayway Project is only viable if the corridor is tolled. These projected toll revenues will be used to cover capital costs, operation, and maintenance of the project and will not cover all project costs. ALDOT will still need to invest in the project using traditional funds or available grants.	Comment noted.

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		CAP is not opposed to tolling the Mobile River Bridge and Bayway Project and recognizes that to complete the project, the inevitable solution may involve tolling the corridor. However, it is clear many uncertainties remain as the potential amount of a required toll, the potential the initial toll could increase over time and the potential "cap" on the toll or the rate by which it could increase.	The toll policy for this project has been developed by ALDOT. Through this policy, ALDOT sets the maximum amount that can be charged, establishes the vehicle classifications, and limits the rate at which the toll can increase each year. The Concessionaire will determine the final toll rate in accordance with the toll policy. Factors that may influence toll rates include traffic volumes, existing travel conditions, forecasted travel conditions, and costs for construction, operations, and maintenance. It is anticipated that the tolled lanes will be divided into toll segments so that drivers only pay for the portion of the tolled facility that they use.
		CAP urges ALDOT to work with our Coastal Alabama Elected Officials, Governor Ivey, our State Legislators, Federal Highway officials, Unites States Congress, and the Administration and examine all possible funding solutions prior to the final decisions regarding tolling for the Mobile River Bridge Project.	ALDOT is actively pursuing available funding sources to help advance this project. Once ALDOT receives proposals from the teams who are bidding on the project, the amount of the public subsidy will be known, and further opportunities to incorporate additional funds may be available. Additionally, ALDOT has incorporated a buy-down clause into the contract so that ALDOT can subsidize the tolls should additional funds become available in the future.
		We must also closely examine the potential burden tolling the corridor will have on citizens of Coastal Alabama who will bear a disproportionate portion of the project cost. CAP will not support a tolling rate that will cause economic detriment and hardships for citizens and businesses in our region.	ALDOT is sensitive to the burden that frequent users would bear and has considered how to design the program to offset some of that burden for frequent users while also complying with federal laws that limit how residency is considered. In response to comments received from the public, ALDOT has revised the frequent user discount program as part of its toll policy. The policy now includes a monthly unlimited pass at a cost of $90 per month at toll commencement. For people who do not buy the monthly pass, a 15% discount will be applied for more than four trips per month (trips 1 through 4 at full rate and trips 5 and above at discounted rate). Class 1 vehicles with active

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			ALDOT-authorized transponders will be eligible for the frequent user discount program. These revisions to the toll policy will help offset economic impacts for frequent users. Frequent users are most likely to use the monthly unlimited pass and frequent user discount, but eligibility is not limited based on a user's residency. It should be noted that implementing a toll provides a mechanism for non-local users to share in the cost of the project by paying to use the tolled facility.
		Increased traffic in our local municipalities from toll avoidance issues which increase congestion on alternate routes, must be adequately considered.	The proposed project will result in traffic diverting from the tolled route to the non-tolled route to avoid paying the toll. The potential impacts on communities resulting from toll diversion are discussed in Sections 4.1.5, 4.4.1, and 4.6 of the Supplemental DEIS. To help address concerns about increased congestion due to traffic diversion, ALDOT has committed to mitigation measures, including but not limited to an access management plan, which are contained in in Section 5.0 of the ROD.
		CAP supports ALDOT and its public and private partners to complete the long-discussed and much needed Mobile River Bridge and Bayway project, but believes we must take advantage of this opportunity to ensure the continued success and growth of the Coastal Alabama Region.	Comment noted.
8.	**Alabama Trucking Association, letter dated May 23, 2019**	The Interstate 10 Corridor is a heavily traveled commercial lane for trucking. With an appreciation of the need for the proposed Mobile River Bridge and Bayway, early on the Alabama Trucking Association (ATA) joined the efforts of the Build the 1-10 Bridge Coalition for the purpose of adding capacity to 1-10. Our vision, at the time, was that the 1-10 Mobile bridge would be an alternative route allowing traffic to travel freely through the existing route (Wallace Tunnel), as well.	ALDOT does not control the content of the Build the I-10 Bridge Coalition website but does maintain current project information on the Mobile River Bridge project website at www.mobileriverbridge.com. As noted in Section 3.7 of the SDEIS, modifications to the Wallace Tunnel will be constructed, and the Wallace Tunnel will also be tolled as part of the project. The Bankhead Tunnel will remain toll-free, along with the

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		In fact, the Build the Bridge Coalition website currently states: "the bridge is an addition to existing transportation options; the Wallace Tunnel and Bankhead Tunnel will continue unchanged."	Cochrane-Africatown USA Bridge, and the US-90/US-98 Causeway.
		ATA is opposed to tolling existing highways. Since this project's inception, estimated costs have nearly tripled. Initially, the cost for the project was estimated at $773 million. With the expanded scope of the project, today's estimated cost is $2.1 billion. Based on the magnitude of the project's funding requirements, the study foresees tolling as the only available means to subsidize the project. With the discussions at the federal level concerning highway funding, we are not sure that will remain the case.	ALDOT is actively seeking additional funding sources to help deliver this project. However, because of funding challenges currently being experienced nationwide, the project is only viable if the corridor is tolled. Proposed federal infrastructure legislation under the current administration is heavily dependent upon tolling to deliver infrastructure projects around the United States. Section 3.7 of the SDEIS contains more information on funding of the project and tolling.
		That brings to issue the proposed toll rates. The maximum proposed toll (traveling the entire toll corridor) for a passenger automobile is $6. For people who use the entire tolled route twice per weekday to commute for work, the toll would cost approximately $60 per week (if the toll is set at the upper end of the acceptable range). To help offset the cost of tolls for frequent users, ALDOT will incorporate a frequent user discount program into their toll policy. Currently, ALDOT is evaluating a 15% discount when 20 or more trips are taken in a month.	ALDOT is sensitive to the burden that frequent users would bear and has considered how to design the program to offset some of that burden for frequent users while also complying with federal laws that limit how residency is considered. In response to comments received from the public, ALDOT has revised the frequent user discount program as part of its toll policy. The policy now includes a monthly unlimited pass at a cost of $90 per month at toll commencement. For people who do not buy the monthly pass, a 15% discount will be applied for more than four trips per month (trips 1 through 4 at full rate and trips 5 and above at discounted rate). Class 1 vehicles with active ALDOT-authorized transponders will be eligible for the frequent user discount program. These revisions to the toll policy will help offset economic impacts for frequent users. Frequent users are most likely to use the monthly unlimited pass and frequent user discount, but eligibility is not limited based on a user's residency.

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		The trucking industry would also be affected by the implementation of a toll on 1-10. The study anticipates the cost of truck tolls to be four to six times higher than the cost for a passenger vehicle, depending upon the size of the truck. A related chart shows the proposed toll rates for a tractor-trailer combination at $30; and $36 for a heavier tractor-trailer combination by permit. There are no discounts for trucks. Furthermore, the proposed rates as mentioned are indexed, meaning they increase annually. Regarding truck tolls, we surmise that shippers are not willing to pay the add-on expense. Consequently, trucks that traverse the 1-10 Bridge regularly will be inclined to seek alternate routes, though these routes are not, for the most part, conducive to truck traffic. The alternate route, in our opinion, is the Wallace Tunnel. We understand that the actual toll rates are yet to be set by the concessionaire, but the study raises concerns among the trucking industry as to costs to the highway user. Given the expense to the movement of highway freight as defined by the proposed toll rates, the Alabama Trucking Association is not in the position to support the project as proposed.	Rates for each vehicle classification were evaluated as part of the Draft Traffic and Revenue Study prepared for the project. The proposed vehicle classifications and multipliers for trucks are consistent with the classifications and multipliers currently used on tolled facilities in other parts of the country. For example, the proposed multipliers for truck rates on the Mobile River Bridge and Bayway Project are the same as the Sanibel Island Causeway and Sunshine Skyway in Florida and lower than the Midbay Bridge in Florida and the Houston Ship Channel Bridge in Texas. It is common for trucks to pay higher tolls based on their size and shape due to the fact that trucks cause more wear and tear on roads and bridges. Based upon research conducted by the National Cooperative Highway Research Program, Transportation Policy Research Center, American Transportation Research Institute, and others, the primary factors influencing a truck driver's decision to use a tolled or non-tolled route include: the size of the truck, its origin and destination, scheduling opportunities, travel time reliability, the type of load or freight being moved, and user cost. The proposed Mobile River Bridge and Bayway Project, which includes tolling the Wallace Tunnel, would provide trucks with a more direct, less congested route across Mobile River and Mobile Bay, making it an attractive route to ensure travel time reliability. Additionally, ALDOT has committed to leaving the Bankhead Tunnel, Cochrane-Africatown USA Bridge, and US-90/US-98 Causeway non-tolled for trucks and other users who choose not to pay the toll. Potential economic impacts on trucks and other users are discussed in Section 4.4 of the SDEIS.

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		Congestion is a major concern for trucking. Each year, the American Transportation Research Institute (ATRI) ranks The Top 100 Bottlenecks in America. The Mobile 1-10 corridor did not place in the top 100. It in fact was ranked at 215th of the 300 venues compiled. ATRI ranks the bottlenecks based on truck data as to truck speed and number of trucks impacted. As the major highway user in Alabama, the trucking industry is forced to question the validity of the project based on its projected costs to the highway user. The Alabama Trucking Association remains supportive of an adequately funded highway infrastructure, as evidenced by our backing of the recently passed state fuel tax. We too, support the efforts of the American Trucking Associations and the U.S. Chamber of Commerce in efforts to increase the fuel tax at the federal level. That stated, we look forward to working with Governor Ivey and ALDOT to explore the best feasible scenarios for the funding of the Mobile River Bridge and Bayway.	As described in Section 3.6 of the SDEIS, without the project, congestion on existing routes will continue to grow, resulting in delays on a daily basis. Specifically, the Wallace Tunnel was designed to carry approximately 35,000 vehicles per day. In 2018, it carried around 75,000 vehicles per day. In 2040, it is projected to carry around 95,000 vehicles per day, which means that congestion currently experienced on summer weekends will be experienced on a daily basis on all routes, including I-10, the Bankhead Tunnel, the Cochrane-Africatown USA Bridge, and the US-90/US-98 Causeway. ALDOT looks forward to working with the Alabama Trucking Association and others to identify additional funding sources to help deliver this project.
9.	**Mobile Baykeeper, letter dated May 23, 2019**	Mobile Baykeeper recognizes the value and need for the I-10 Mobile River Bridge and Bayway improvements and commend Alabama Department of Transportation (ALDOT) for its efforts to evaluate the project in full. By thoroughly studying and communicating the project's plan, we can grow responsibly and minimize negative impacts to the very natural resources that support so many economic sectors and our quality of life. The project proposes to construct a new six-lane bridge across the Mobile River to increase capacity and supplement the existing four-lane George Wallace Tunnel and replace and raise the Bayway up to 8 feet higher as a	ALDOT appreciates Mobile Baykeeper taking the time to meet to discuss these comments on May 20, 2019.

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		result of storm surge projections. Mobile Baykeeper applauds ALDOT for evaluating several alternatives including a No Build Alternative and fourteen Build Alternatives to assess effectiveness and impact on the environment. We have several comments after reviewing the SEIS that we believe should be reviewed and considered to ensure the plan is as effective as possible.	
		Public Involvement Per NEPA requirements, environmental information must be made available to the public before decisions are made on a proposed project. Mobile Baykeeper attended both public hearings on May 7 and May 9, 2019 hosted by ALDOT. The public hearings failed to cover the environmental impacts (wetland, SAVs, Essential Fish Habitat, etc.) in the presentation and poster sessions. It is important to provide and include environmental impacts so the community can understand the significant changes from the 2014 EIS and how they will impact their natural resources. ALDOT needs to properly communicate with the community so they may provide feedback, comments, and concerns as intended through the NEPA process. We encourage ALDOT to actively share this information through their website, public meetings, or other media channels to ensure the community is properly informed of these changes for the final SEIS.	The purpose of the 2019 Public Hearings was to gather public input on the SDEIS which, as stated in Section ES-1.0 of the SDEIS, "was prepared primarily to evaluate the effects of tolling and other changes on potential impacts that were not addressed in the DEIS." The presentation was focused primarily on the impacts associated with tolling, as those impacts are the reason that a SDEIS had to be prepared. The DEIS and SDEIS were placed on tables at the Public Hearings for review by the public. The project website contains the DEIS, SDEIS, and other information and studies related to environmental impacts. The media receives regular updates on the project, including approval of environmental documents.
		Stormwater Runoff Stormwater runoff from highways and bridges contain harmful pollutants, including metals (including lead, zinc, and copper), particles, clay and silt, nutrients (nitrogen and phosphorous), oil, grease, chemicals, rubber, bacteria (animal droppings), litter, and other hydrocarbons. Each of these can have a negative impact on water quality and aquatic life. Any increase in impervious surfaces is an	ALDOT has incorporated measures to address stormwater runoff throughout the project limits in accordance with Federal, state, and local regulations. Environmental stewardship measures that go beyond the minimum required to obtain environmental permits include the following: sweeping of Bayway bridges; utilizing open grade friction course pavements on I-10 roadway segments; requiring vegetative filter strips on the shoulders and

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		increase in the amount of rainfall now exposed to these substances, which results in a higher contribution of stormwater pollutants entering waterways. The proposed project will result in approximately 100 acres of new impervious surfaces within the watershed. We strongly recommend ALDOT incorporate stormwater runoff capture and containment methods into Bridge design, construction, and operation to reduce runoff pollution to Mobile River and Mobile Bay.	slopes within the project limits where practicable; and partnering with local organizations in environmental stewardship projects within the geographic limits of ALDOT's Southwest Region to help improve water quality. These measures are discussed in more detail in Section 5.0 of the ROD. Containment of stormwater runoff on the bridges has not been incorporated into the project. The project involves approximately eight miles of bridges. Conveying bridge deck runoff on long bridges (over 400 feet) is not usually considered practicable. Bridge deck conveyance systems, when utilized, are generally an expensive practice. There are also technical design issues that increase design, construction and operations and maintenance costs for the bridge (several of which would pertain to the Mobile River Bridge main span and Bayway bridges). More details on these technical design issues that led ALDOT to the determination that containment for stormwater will not be included on the bridges is discussed in Section 4.8.2 and Appendix H of the SDEIS.
		ALDOT cites a national study, NCHRP 778, as the primary resource for identifying recommendations for stormwater best management practices and treatment options. The study finds "little evidence of water quality or ecosystem degradation resulting from stormwater runoff from bridge decks being release into receiving waters"; however, runoff from highways and bridges are well known to contain heavy metals and other harmful pollutants. We are concerned ALDOT is relying on a national study, instead of a local or regional study, for its analysis of local impacts.	As discussed in Appendix H of the SDEIS, the NCHRP research program is administered through the Transportation Research Board, a division of the National Research Council. The Transportation Research Board is jointly administered by the National Academy of Sciences, the National Academy of Engineering, and the National Academy of Medicine. The National Research Council maintains a full-time research correlation staff of specialists in highway transportation matters. ALDOT believes it is appropriate to use this study which was prepared by independent scientists and evaluated bridge

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		We appreciate ALDOT's commitment and desire to reduce stormwater runoff impacts from the project, however, these measures alone will not offset the impacts and will likely lead to degradation of important and sensitive water resources for the state.	projects in various locations around the United States, including North Carolina, Texas, and others.
		Sweeping on the bridge decks can be effective at removing some of the contaminated sediments, however, it is largely dependent on how frequently sweeping occurs (currently only planned to occur on a monthly basis). Additionally, although stewardship projects have been successful at achieving improvements, many of these are seen off-site and away from where the negative impacts are being inflicted. We appreciate the addition of these low-cost nonstructural BMPs listed but are disappointed in ALDOT's decision not to incorporate containment and treatment of stormwater runoff from the bridges, particularly in areas of high sensitivity and ecological importance. Mobile River and Mobile Bay are sensitive environments that are subject to numerous anthropogenic stressors from industrial pollutants to sedimentation. The bridge decks cross waterways that contain endangered species (Alabama sturgeon, Alabama red-bellied turtle, Bald eagle, Gulf sturgeon, and West Indian Manatee), support high value fisheries, wildlife habitat and are heavily used for recreation. Thus, it is vital that ALDOT place significant emphasis on stormwater pollution reduction and should support contracts that will implement stormwater capture and runoff containment and treatment methods in project design, construction practices, and the final build.	ALDOT currently vacuum sweeps the Bayway bridges and has committed to continuing to sweep the Bayway bridges as well as the new Mobile River Bridge. Research indicates that off-site mitigation has benefits of: resulting in higher pollutant load reductions compared to treatment of the bridge deck runoff, being more economical, and providing safer conditions for workers performing maintenance and for road users. ALDOT has worked with the USEPA, USACE, USFWS, NOAA-NMFS, ADEM, and ADCNR, which have jurisdiction over endangered species, fisheries, habitat, and recreation, to develop a draft mitigation plan that compensates for potential impacts to those resources. The Final Mitigation Plan will be developed in consultation with the above-listed agencies prior to construction. The USFWS has issued an Incidental Take Permit with prescribed reasonable and prudent measures and terms and conditions to protect endangered species, which are included as environmental commitments in Section 5.0 of the ROD. More information on this coordination is contained in Sections 4.7, 4.8, and 4.9 of the SDEIS. Interagency coordination and the Draft Mitigation Plan are included in Appendix F of the SDEIS. Final environmental commitments are included in Section 5.0 of the ROD.
		Runoff containment infrastructure is also extremely important when considering the potential for hazardous material spills. ALDOT cites NCHRP 778 again when	The Concessionaire will be required to prepare a Spill Response Plan that identifies specific measures for mobilizing resources to contain spills that could occur on

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		discussing the estimated spill frequency, saying they are "extremely rare, less than 0.01 percent of all reported spills for the period of 2003 to 2012". This study however is national and does not evaluate the frequency of hazardous material anticipated to travel on the Mobile River Bridge and Bayway and does not look at local data for frequency of spills. Therefore, utilizing the national NCHRP 778 report as the sole source is inappropriate for this major, local project.	the main span of the Mobile River Bridge, Bayway bridges, and other portions of the project. The plan will be reviewed and updated by the Concessionaire at least annually to incorporate advances in technological developments related to spill containment measures, as appropriate. This is listed as an environmental commitment in Section 5.0 of the ROD. Additionally, ALDOT has committed to conducting hazardous material truck study which will provide more specific data on travel patterns and hazardous materials trucks crossing the Mobile River. This commitment is also included in Section 5.0 of the ROD.
		With so many new and innovative strategies available, ALDOT should incorporate more protective measures than what has been committed in the SEIS. For instance, with impacts to wetlands already identified from the replacement of the Bayway, wetland mitigation requirements could be fulfilled by constructing "stormwater wetlands" downgrade from the outlet of a bridge deck runoff collection system. As the NCHRP Report 778 states, "these engineered wetlands with dense vegetation remove pollutants primarily through biological processes, evapotranspiration and infiltration". They also provide other benefits including "high aesthetic value; improved treatment over dry detention and retention; flood attenuation; reduction of peak flows; and limits downstream bank erosion".	ALDOT has worked with the USEPA, USACE, USFWS, NOAA-NMFS, ADEM, and ADCNR, which have jurisdiction over endangered species, fisheries, habitat, and recreation, to develop a draft mitigation plan that compensates for potential impacts to those resources. More information on this coordination is contained in Sections 4.7, 4.8, and 4.9 of the SDEIS. Interagency coordination and the Draft Mitigation Plan are included in Appendix F of the SDEIS. Final environmental commitments are included in Section 5.0 of the ROD.
		Mobile Baykeeper strongly encourages ALDOT to reduce stormwater runoff impacts from the proposed project with containment and treatment onsite, particularly in critical areas where protecting water quality is crucial to support fisheries, endangered species, and recreational activities.	ALDOT has reviewed the three critical areas noted in the letter.

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		Below is a list of potential areas for implementing additional, more protective stormwater runoff BMPs. - Section of the proposed project crossing over D'Olive Creek – this is a critical area as it is listed in ADEM's 2018 303(d) list, is ranked high for wetland restoration, contains critical remaining brackish submerged aquatic vegetation, and has priority intertidal wetlands for storm protection. - Crossing of important freshwater submerged aquatic vegetation. - Mobile River crossing where multiple anthropogenic stressors exist upstream and West Indian Manatee sightings are clustered downstream throughout the year.	- Drainage associated with the Mobile River Bridge Project that discharges into the D'Olive Creek Watershed shall be designed to achieve a sediment reduction of 80 percent, regardless of whether a TMDL has been implemented. This requirement meets or exceeds any TMDL established for 303(d) water bodies in the state of Alabama. This is included as an environmental commitment in Section 5.0 of the ROD. - ALDOT has committed to provide mitigation at a ratio of 2:1 for the loss of SAV in the area noted in Mobile Baykeeper's letter. The Draft Mitigation Plan included in Appendix F of the Supplemental DEIS is based upon this mitigation ratio. - As noted above, ALDOT has incorporated measures to address stormwater runoff throughout the project limits in accordance with Federal, state, and local regulations. ALDOT has also committed to environmental stewardship measures that go beyond the minimum required to obtain environmental permits. Additionally, special provisions for protection of manatees have been developed in consultation with the USFWS, as described in Section 4.9.1 and Appendix I of the SDEIS, and Section 5.0 of the ROD.
		ADEM 303(d) Impaired Waterbodies Joe's Branch and D'Olive Creek are listed in the 2018 303(d) list for siltation due to land development. The proposed project will cross directly over Joes Branch and will be partially in the D'Olive Creek watershed and in close	As noted in Section 5.0 of the ROD, drainage associated with the Mobile River Bridge Project that discharges into the D'Olive Creek Watershed shall be designed to achieve a sediment reduction of 80 percent, regardless of whether a

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		proximity to the creek. The Mobile River is also listed in the final 2018 303(d) list for mercury from atmospheric deposition and although the project does not specifically cross over the section listed, it is still in close proximity to the project. Two of the three of these waterways' impairments are due to runoff and stormwater pollution. In order to not exacerbate the pollution issues in these waterways, runoff capture and containment from the Mobile River Bridge and Bayway is an integral part of project evaluation and final construction. We greatly appreciate ALDOT's commitment to achieving a sediment reduction load of 80% for the D'Olive Creek Watershed. We encourage ALDOT to account for impacts to impaired waters regardless of if a Total Daily Maximum Load (TMDL) has been implemented by Alabama Department of Environmental Management. We are also supportive of ALDOT's willingness to "partner with local organizations on environmental stewardship projects in a similar manner within the Southwest Region to help improve water quality".	TMDL has been implemented. This requirement meets or exceeds any TMDL established for 303(d) water bodies in the state of Alabama.
		Erosion Control We strongly encourage the Construction Best Management Practices Plan (CBMPP) to incorporate phased construction approaches to minimize erosion issues.	A Construction General Permit from ADEM will be required for ground disturbing activities resulting from the project. As part of the obtaining the Construction General Permit, a Construction Best Management Practices Plan (CBMPP) will submitted and approved by ADEM that requires a detailed description of the sequencing/phasing of construction activities and site-specific BMPs utilized in each phase.
		We also request the natural riparian buffer to be at least 50 ft, as opposed to the 25 feet in the SEIS, as EPA suggests	The 25-foot riparian buffer is an ADEM requirement. Due to the developed nature of the project setting, there is

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		that distance "to safeguard these fragile areas [riparian buffers], highways should be sited with sufficient setback distances between the highway right-of-way and any wetlands or riparian areas". Riparian areas are important zones to protect as they provide benefits to our aquatic resources, water quality, structural integrity, economy, and overall community welfare.	limited applicability for this requirement, with the D'Olive Creek Watershed being the only location where a riparian buffer exists. As previously noted, drainage associated with the Mobile River Bridge Project that discharges into the D'Olive Creek Watershed shall be designed to achieve a sediment reduction of 80 percent, regardless of whether a TMDL has been implemented. This requirement meets or exceeds any TMDL established for 303(d) water bodies in the state of Alabama and should provide sufficient protection for this sensitive area. This requirement is listed as an environmental commitment in Section 5.0 of the ROD.
		Environmental Justice and Air Quality It is important that the Corps comply with the Executive Order 12898 requiring federal agencies to ensure minority and low-income populations will not experience disproportionately high and adverse impacts from federal projects. Based on the projections provided, the project would result in "disproportionately high and adverse effects on the Africatown/Plateau community due to traffic diverting to the non-tolled route along Bay Bridge Road and the Cochrane-Africatown USA Bridge". ALDOT needs to find ways buy down the toll including special funding resources and grants to ensure this community is not disproportionately impacted.	ALDOT performed a new Environmental Justice Assessment as part of the SDEIS, which is included in Section 4.6 and Appendix E of the SDEIS. The Africatown/ Plateau community is expected to experience disproportionately high and adverse impacts related to a degraded level of service and community cohesion resulting from traffic diversion to avoid the toll. Due to the proximity of the non-tolled route to the Africatown/Plateau community, residents of the community are expected to continue to use the non-tolled route as their primary route across Mobile River and Mobile Bay. Through consultation with the Africatown/ Plateau community, ALDOT has developed environmental commitments that will be implemented to provide benefits to the Africatown/Plateau community and other communities that may be affected by the proposed project. The environmental commitments identified in Section 5.0 of the ROD serve a similar function as a Community Benefits Agreement in that they formalize ALDOT's

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			commitment to provide certain assurances of benefits to the affected communities. To involve the community in the implementation of these commitments, ALDOT will develop an Africatown/Plateau Steering Committee. ALDOT will send invitations to serve on the Steering Committee within 60 days of approval of the Combined FEIS/ROD. ALDOT will hold the first Steering Committee meeting in the Fall of 2019. This will provide continued opportunities for involvement of Africatown/Plateau representatives to promote compatibility with the community's plans for development and growth. This has been added as an environmental commitment in Section 5.0 of the ROD. The framework for the Committee is contained in Appendix C of the FEIS. ALDOT is actively seeking other funding sources to deliver the project. ALDOT has incorporated a buy down clause into the toll policy for this project, which will allow ALDOT to subsidize tolls if additional funds become available.
		We appreciate ALDOT studying the impacts from the proposed project on local air quality. We suggest ALDOT install air monitors, particularly along the Africatown corridor to monitor air quality and ensure impacts to public health are evaluated as projections of traffic could be incorrect or change and therefore require additional measures to protect the surrounding community.	Air quality monitors fall under the jurisdiction of the ADEM who installs and monitors them. Requests for air quality monitors should be submitted to ADEM's Air Quality Section. As noted in the Combined FEIS/ROD, ALDOT will work with the Africatown/ Plateau Steering Committee to meet with ADEM to facilitate discussions regarding the process for ADEM to install air quality monitors. By letter dated August 7, 2019, ALDOT transmitted a letter to ADEM initiating coordination on this topic. A copy of this letter is contained in Appendix C of the FEIS.
		Dredging Dredging can cause: an increase in suspended sediment concentrations or turbidity, the potential release of contaminated material, an increase in erosion to nearby	The USACE and ADNCR will require any material to be dredged to be evaluated and monitored as part of the permitting process. Permits for dredging, should it be

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		shorelines, and disturbance of habitats, particularly within the vicinity of the dredging activities. During this activity, fine sediments (including clays, silt, and fine-sands) generate turbid conditions. Turbidity plumes and sedimentation are a result of overflow and washing practices. Impacts from dredging activities on water quality needs to be quantitatively evaluated to fully understand options for avoidance, minimization, and mitigation of impacts. Dredged material has the potential to be contaminated with harmful substances such as heavy metals, pesticides, PCBs, oil, etc. particularly when it is near ports and industrial facilities. Many of these contaminants are legacy and therefore can be buried within or locked in seabed sediments. Dredging can suspend these into the water column where they can cause contamination of waters and shellfish/fish species. Many of these metals typically do not manifest until some time has passed and different chemical, hydrographical, and geological processes have had an opportunity to alter these newly disturbed sediments. ALDOT needs to evaluate the long-term impacts and monitor the material to be dredged to manage the potential for contamination.	used, will require an analysis of potential impacts on water quality based on the location and limits of the proposed dredging activities. The permits will also identify specific measures to be implemented to avoid, minimize, and mitigation impacts on water quality. The following environmental commitment has been added for the project: If dredging is used, a Sediment Sampling Plan that includes a benthic characterization study, will be performed prior to obtaining a permit for dredging. Sediments will be quantified and tested prior to disposal of the dredged material. This commitment can be found in Section 5.0 of the ROD.
		Wetlands, SAVs, and Essential Fish Habitats Wetlands are known to provide several important ecological functions such as water purification, shoreline stabilization, flood protection, groundwater recharge, nutrient recycling, particle retention, surface water and subsurface storage, and habitat for fish and wildlife. They add intrinsic value to the community. However, wetland loss “remains a threat to the State’s ecological and socioeconomic prosperity”. There are a number of reasons	ALDOT developed a Draft Mitigation Plan for wetlands, submerged aquatic vegetation, and essential fish habitat in consultation with the agencies with jurisdiction over these resources. These agencies include the USEPA, USACE, USFWS, NOAA-NMFS, ADCNR, and ADEM. The plan includes mitigation measures to alleviate the impacts of the project. More detailed information on this topic can be found in Section 4.7 and Appendix F of the SDEIS.

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		for the significant wetland loss in coastal Alabama and trends indicate future loss from sea level rise. Shading of wetlands can result in a reduction of vegetation productivity and growth. The proposed construction of the new Bayway is anticipated to result in the impact of approximately 3.9 acres of wetlands through shading. Submerged aquatic vegetation (SAV) is an important source of food for several species including manatees and over-wintering waterfowl. It provides habitat for macroinvertebrates and fishes, and helps prevent erosion through sediment stabilization. Over the past few decades, there have been dramatic declines in the SAV population in Mobile Bay. Approximately 16.1 acres of SAV are anticipated to be impacted by the proposed project. We are appreciative of ALDOT for acknowledging that 100 percent of the SAV between the existing Bayway bridge could be impacted either from shading or dredging and therefore has taken a conservative approach to their impact evaluation.	
		ALDOT has indicated pile driving operations may result in impacts to aquatic species and has coordinated with the USFWS in order to minimize potential impacts and the Concessionaire has decided to use a “ramp-up pile driving procedure during the installation of piles in water”. We appreciate ALDOT’s cooperation and coordination with relevant agencies to reduce local impacts to fish habitat and aquatic species. For the impacts that cannot be avoided, compensatory mitigation has been identified for the project.	Comment noted.
		ALDOT is proposing a mitigation ratio of 1.5:1 for wetlands. This is one of the lowest ratios available and essentially	The quality of the potentially impacted wetlands was developed in accordance with USACE policies and

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		considers these wetlands to be unproductive. These wetlands are located in the lower delta where critical species rely on these wetlands and are vital for several important ecological functions (listed earlier). ALDOT should increase their valuation of the impacted wetlands to more than 2:1 and ensure an adequate mitigation. All mitigation should occur within the 12-digit HUC subwatershed and near where the impacts from the project will be endured.	procedures. Additionally, the proposed mitigation ratio was determined in consultation with the USEPA, USACE, USFWS, NOAA-NMFS, ADEM, and ADCNR. The proposed mitigation site, which is located within the subwatershed and in close proximity to the project site, would, however, have ample room for expansion should future environmental restoration projects and funding become available. More detailed information on these topics can be found in Sections 4.7 and 6.6 and Appendix F of the SDEIS.
		In addition to reevaluating the mitigation ratio, we also want to make a few comments on the currently proposed mitigation: "the creation of tidally influenced emergent wetland and SAV habitat in Polecat Bay, approximately 8,600 ft (2,590 m) north of the project. Creation of a 9-acre marsh island and a surrounding 32.2-ac area of SAV habitat would require fill across 43.5 acres of bay bottom with suitable sediments". This proposed project could be a beneficial option, but we encourage ALDOT to work with relevant agencies to ensure successful implementation and to verify that no secondary impacts will occur from this proposed mitigation (such as release of contaminated materials, loss of existing productive habitat, etc.).	The proposed mitigation site was identified through consultation with the USEPA, USACE, USFWS, NOAA-NMFS, ADEM, and ADCNR. A variety of factors influenced selection of this site, including, but not limited to, sufficient water depths; lack of intrusion on recreational boaters, fishermen, and hunters; and ability to support both wetland and SAV growth. The site is in close proximity to the project location and is within the same 12-digit HUC subwatershed. As noted in Section 5.0 of the ROD, continued consultation with the resource and regulatory agencies will occur through the permitting, construction, and post-construction phases.
		ALDOT plans to implement a "5-year monitoring program design [that] includes post-construction observations and measurement of elevation, bathymetry, and shoreline changes, as well as assessment of vegetative cover, species composition, and areal extent of habitat". We are supportive of monitoring plans but request they be at least 10 years to ensure long-term impacts and changes are accounted for and addressed.	The five-year monitoring plan was identified in consultation with the USEPA, USACE, USFWS, NOAA-NMFS, ADEM, and ADCNR.
		Benthic Communities	

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		Benthic communities are known to play a critical role in the health and functioning of estuarine systems. For instance, organic matter not used in the water column settles on the bottom floor where it can be remineralized by benthic organisms to become nutrients that can then be used in the water column. This remineralization contributes the nutrients necessary to increase primary productivity and is an important link in the food web of an estuary. Dredging activities can negatively impact benthic communities either directly or indirectly. The extent of these impacts can vary greatly and depend on many factors including the type of community present, the duration of, and type of dredging. Excavation and smothering by sediment can cause lethal impacts to these communities. The specific benthic communities along the proposed project should be characterized to understand what species will be disturbed from dredging and if damage is irreversible or if the area contains recolonizing benthic species that have a more rapid recovery period. For instance, benthic assemblages that are physically buried from sediment deposited may or may not be able to recolonize depending on the species and frequency of dredging and sediment deposited from the project. To ensure the full extent of impact is evaluated, we encourage ALDOT characterize the different benthic communities throughout the portion of the project's disturbance.	If dredging is used, a Sediment Sampling Plan that includes a benthic characterization study, will be performed prior to obtaining a permit for dredging. This commitment has been added to Section 5.0 of the ROD.
10.	**ADEM, letter dated May 24, 2019**	The ADEM has reviewed the ALDOT's SDEIS for the Mobile River Bridge Project. Based on the information provided, the Department has not identified any concerns with the proposed project as it pertains to the Governmental Hazardous Waste Program. However, it may be appropriate for ALDOT to coordinate with the ADEM Water	ALDOT has coordinated with and will continue to coordinate with the various branches of ADEM with jurisdiction over the resources that may be affected by this project. More information on previous coordination efforts with ADEM can be found in Section 6.6 of the SDEIS.

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		Division or other programs within the Department that have jurisdiction over this type of project. It should be noted that the proposed work area for the Mobile River Bridge Project is located near other sites being managed under the Governmental Hazardous Waste Branch. Additional information regarding these sites can be found in the Department's online files at http://app.adem.alabama.gov/eFile/ using the appropriate 5-digit master ID listed below. - Alabama State Port Authority, Master ID 00680 - Brookley AFB, Master ID 29181 - Continental Motors – Teledyne, Master ID 12050 - Theodore Ammo – AL State Docks, Master ID 19569 - Mobile OMS 28, Master ID 22433 Based on the review of the SDEIS, the Department does not anticipate any impact at these sites from the proposed construction for the Mobile River Bridge at this time. If ALDOT becomes aware of any impact or potential impact to these sites in the future, please notify the Department.	
11.	**Levon Manzie, Mobile City Council District 2, letter dated May 7, 2019**	I am writing in regard to the proposed Mobile River Bridge Project. As you are likely aware, while it will certainly be beneficial to the city and region, there are a number of incredibly historic and vulnerable communities which will be adversely impacted by its construction. At a recent community meeting regarding the project, I introduced the concept of a community benefits agreement, which would compensate these communities including the historic Plateau/Africatown and Down the Bay community. There was a good bit of interest in the idea and I believe it might be the best way to help mitigate the	ALDOT has evaluated the potential impacts of the proposed project on communities in Mobile and Baldwin Counties. Specifically, ALDOT performed an Environmental Justice Assessment that looks at the potential impacts that minority and low-income communities may experience as a result of the proposed project. This assessment discusses potential impacts on both the Africatown/Plateau community and the Down the Bay and Texas Street communities. Neighborhood workshops and local meetings were held in these communities to obtain input from the local residents

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		major inconvenience both communities will have to endure.	and community leaders regarding potential impacts and to identify mitigation measures to provide benefits to the affected communities. The results of this assessment and outreach efforts can be found in Section 4.6 and Appendix E of the SDEIS. ALDOT has identified mitigation measures and environmental commitments that will be implemented to provide benefits to the Africatown/Plateau community and other communities that may be affected by the proposed project. The environmental commitments identified in Section 5.0 of the ROD serve a similar function as a Community Benefits Agreement in that they formalize ALDOT's commitment to provide certain assurances of benefits to affected communities, such as traffic signals, bicycle/pedestrian facilities, long-term haz mat study, water quality, aesthetics, and access management, along with others. These commitments are required to be carried forward through the design, construction, and post-construction phases of the project.
12.	**Africatown Comment Letter dated May 2, 2019: Joe Womack, Reverend Christopher Williams, Reverend Derek Tucker, Teresa Fox-Bettis,**	We, the below signed Africatown residents and regional advocates, are very concerned about how the proposed I-10 Toll Bridge & Tunnel will contribute negatively to traffic patterns through the community. We all appreciated the workshops held in our community on Tuesday, July 19, 2018 and Tuesday, March 19, 2019 to better inform residents about the planning process and seek consultative feedback. We think ongoing dialogue about our concerns is necessary, and we look forward to productive conversations about our concerns.	ALDOT is committed to working with the Africatown/ Plateau community to implement mitigation measures and environmental commitments related to the Africatown/ Plateau community. To involve the community in the implementation of these commitments, ALDOT will develop an Africatown/Plateau Steering Committee. ALDOT will send invitations to serve on the Steering Committee within 60 days of approval of the Combined FEIS/ROD. ALDOT will hold the first Steering Committee meeting in the Fall of 2019. This will provide continued opportunities for involvement of Africatown/ Plateau representatives to promote compatibility with the

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	Anderson Flen, Ramsey Sprague	To reiterate many of the concerns raised at these meetings, historic Africatown already experiences many negative impacts from the current traffic arrangement. These include difficulty leaving the neighborhood during rush hour traffic, traffic lights that are unresponsive, noxious air quality, high levels of heavy truck and hazardous cargo traffic, high speed traffic on Bay Bridge Road/Africatown Boulevard, and too few safe pedestrian crossing locations. Many in the community are rightfully wary of massive government-led infrastructure projects due to the sometimes profoundly negative impacts of poor planning and the lack of consideration for the kinds of adjustments the community is forced to make in response.	community's plans for development and growth. This has been added as an environmental commitment in Section 5.0 of the ROD. The framework for the Committee is contained in Appendix C of the FEIS.
		Based on the plans we have seen, praise is due for the future reintroduction of a four way traffic signal in front of Union Baptist Church at the intersection of Africatown Boulevard and Bay Bridge Cutoff Road, but we would also like to see these traffic lights and the existing set at Magazine Street at the foot of the Cochrane-Africatown USA Bridge to be on timers during periods of high traffic. Although the sensor-driven lights at Magazine Street have improved recently, there were years where they failed consistently, leaving residents and industry commuters with little choice but to run the light, endangering others. The current arrangement also allows traffic through the community to be moving dangerously fast for the kinds of land use along the at-grade interstate bypass corridor, which include historic tourist attractions, churches, and homes.	ALDOT will provide traffic signals at Union Missionary Baptist Church (Bay Bridge Road Cutoff) and Magazine Street/Tin Top Road. The signals will be timed to improve traffic flow along the corridor to minimize impacts to the community. The signals will also be responsive to traffic to facilitate ingress and egress for the residents of the Africatown/Plateau community. ALDOT will work with the Africatown/Plateau Steering Committee to make sure the signals are effective and properly operating and that any concerns or issues associated with the timing and/or sensors are addressed in a timely manner. The language for this environmental commitment has been updated in Section 5.0 of the ROD.
		We are also looking for a much stronger emphasis put on pedestrian safety given the number of people who regularly cross Africatown Boulevard on foot. Responsive crosswalks should be installed not just at the Africatown	ALDOT will install crosswalks at all of the signalized intersections along Africatown Boulevard as part of the Cochrane-Africatown USA Bridge Shared Use Path. These crosswalks will include appropriate striping on the asphalt,

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		Boulevard and Magazine Point intersection, but also at the intersection of Africatown Boulevard and Bay Bridge Cutoff Road, where historic tourist attractions encourage pedestrian traffic but where the sheer danger today is a deterrent to the full enjoyment of the existing attractions. Pedestrian traffic at this location will only increase with the development of a new Africatown Welcome Center, proposed on the site of the former Welcome Center across from the historic Old Plateau Cemetery.	push-button activated signal heads, and pedestrian signage. This has been added as an environmental commitment in Section 5.0 of the ROD.
		We also find it baffling that currently Bay Bridge Road at I-165 has a posted speed limit of 40 miles per hour, but as soon as the interstate bypass transitions into Africatown Boulevard headed eastbound, the posted speed limit goes up to 45 miles per hour despite there often being a greater concentration of pedestrian and residential traffic along the road on Africatown Boulevard. Unfortunately, as any Africatown resident will attest, traffic passing through our community often travels at speeds much higher than the posted 45 miles per hour limit and law enforcement is never seen enforcing traffic law along the road. Instead of an increase for eastbound traffic, as it allows now, we would like to see traffic slowed to 35 miles per hour along Africatown Boulevard. To reiterate, this will help us facilitate the safety of tourists whose pedestrian traffic we hope to increase along that corridor for existing attractions such as the historic Union Baptist Church and our historic Old Plateau Cemetery as well as future heritage tourist attractions.	ALDOT will work with the Africatown/Plateau Steering Committee to evaluate and implement traffic calming measures that would be effective in reducing speeds along Africatown Boulevard without substantially increasing anticipated queue lengths. The language for this environmental commitment has been updated in Section 5.0 of the ROD.
		In order to aid in slowing traffic and to alert drivers headed westbound on the Cochrane-Africatown USA Bridge to the residential nature of the community they are entering at the foot of the bridge, we recommend a caution light at the crest of the bridge warning drivers that a light awaits at the	ALDOT will install a caution signal at the suggested location. ALDOT will work with the Africatown/Plateau Steering Committee to evaluate and implement traffic calming measures that would be effective in reducing speeds along Africatown Boulevard without substantially

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		foot of the bridge and reminding drivers of the Africatown Boulevard's maximum speed limit. Rumble strips at the foot of the bridge coming into the residential neighborhood may also be appropriate.	increasing anticipated queue lengths. The language for this environmental commitment has been updated in Section 5.0 of the ROD.
		ALDOT's overall projected increase in traffic along Africatown Boulevard has raised concerns about air pollution and public health, as well. All emerging air quality science points to alarming increases in stroke risk for all who breathe auto and diesel exhaust even momentarily. To monitor the impacts to public health, appropriate air monitors should be installed somewhere along the Africatown Boulevard corridor, as well.	Air quality analyses for carbon monoxide (CO) were performed at intersections along Bay Bridge Road in accordance with USEPA requirements. The projected emissions resulting from vehicular traffic were well below the USEPA's one-hour and 8-hour criteria for CO, and the proposed project is not expected to exceed the USEPA's National Ambient Air Quality Standards. The Clean Air Act requires the USEPA to set primary standards that are "requisite to protect public health with an adequate margin of safety." These standards include considerations of populations that may have increased risks for health effects, such as children, the elderly, and individuals with pre-existing health conditions or diseases. More information on the air quality analysis is available in Sections 4.6.2 and 4.11 of the SDEIS. Air quality monitors fall under the jurisdiction of the Alabama Department of Environmental Management (ADEM) who installs and monitors them. Requests for air quality monitors should be submitted to ADEM's Air Quality Section. ALDOT will work with the Africatown/ Plateau Steering Committee to meet with ADEM to facilitate discussions regarding the process for ADEM to install air quality monitors. This commitment is included in Section 5.0 of the ROD. By letter dated August 7, 2019, ALDOT transmitted a letter to ADEM initiating coordination on this topic. A copy of this letter is contained in Appendix C of the FEIS.

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		Additionally, we recognize data gaps when it comes to the types of traffic documented along Africatown Boulevard. ALDOT has asserted a belief that overall Hazardous Cargo tonnage moving through Africatown would decrease with the opening of a potential I-10 Toll Bridge and Tunnel. This is a potential traffic pattern that advocates and residents would love to be able to champion, however, we believe that assertions coming from ALDOT like these should be backed up by available data in order to monitor the real effect of the proposed I-10 Toll Bridge and Tunnel. We insist that any traffic studies executed include the collection of data about the types of traffic, specifically documenting the Hazardous Cargo traffic flow through Africatown in order to be able to compare actual numbers before and after potential construction.	Section 4.4.1 of the SDEIS states, "The project would provide trucks with a more direct, less congested route across Mobile River and Mobile Bay. Trucks transporting hazardous materials would no longer be routed to I-65, I-165, and the Cochrane-Africatown USA Bridge to cross the Mobile River but will be able to use a direct, non-congested route." Verbal statements made by ALDOT during previous meetings reflect a belief that by providing an interstate route that accommodates hazardous materials trucks should reduce the amount of haz mat trucks making through trips via Bay Bridge Road and the Cochrane-Africatown USA Bridge. However, it is acknowledged there has not been a study to definitively make this determination. Because trucks transporting hazardous materials are not required to obtain a permit from the state of Alabama, the number of hazardous materials trucks using the current route listed in the 2014 DEIS is based on industry standards. ALDOT commits to conducting a traffic study that documents existing and future hazardous cargo traffic flow along Africatown Boulevard to compare actual numbers before and after construction of the project. As noted in the errata sheet contained in Section 2.0 of the FEIS, this has been added as an environmental commitment in Sections 4.6 and 4.18.2 of the SDEIS.
		Massive government infrastructure projects with touted regional benefits have negatively impacted the Africatown community in the past, sometimes profoundly. For instance, the construction of the Cochrane-Africatown USA Bridge and the related expansion of Bay Bridge Road (now partly Africatown Boulevard) saw the demolition or	The proposed project would not result in the acquisition of right-of-way from the Africatown/Plateau community, nor would the proposed project result in relocations of residences, businesses, or non-profit organizations in the Africatown/Plateau community.

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		removal of many homes and small business storefronts from historic Africatown. Replacement properties for these community-serving businesses along the new corridor were never afforded, and the Africatown community has since gone without community-serving businesses along what is now Africatown Boulevard for several generations. As we understand, the potential I-10 Toll Bridge and Tunnel will assess tolls upon drivers via a Private/Public Partnership between ALDOT and a private-sector vendor. Not only will expansion of existing road capacity allow for an increase in traffic along I-10 proper, which would negatively impact communities along the existing I-10 corridor, the potential toll avoidance traffic along the only toll-free alternate routes will almost certainly negatively impact communities living along those routes like Africatown.	Traffic studies indicate that the implementation of a toll may result in reduced traffic on I-10 due to toll suppression. More detailed information on traffic and anticipated traffic diversion to the toll-free route can be found in Sections 4.6.2 and 4.10 of the SDEIS. The impacts to Africatown/Plateau are primarily increased traffic and congestion. The increased traffic results in access issues to the neighborhood, reduced community cohesion, and noise impacts. Potential impacts on communities resulting from toll diversion are discussed in Sections 4.1.5, 4.4.1 and 4.6 of the SDEIS.
		As most who come to familiarize themselves with Africatown resident needs and priorities quickly recognize, Africatown residents and regional advocates can easily identify more capital improvement projects than there is available money to pay for them. Given the capital improvement needs of Africatown and of similarly-situated communities who are impacted negatively from their proximity to existing and future interstate traffic flows along I-10, we as Africatown residents and regional advocates insist upon the creation of a Community Benefits Agreement between the communities most directly impacted by existing and future I-10 traffic and any potential Private/Public Partnership. The communities involved should include any community affected by toll avoidance traffic as well as those impacted by the potential I-10 Toll Bridge and Tunnel itself, such as	For the Mobile River Bridge and Bayway Project, the revenue from the tolls will be collected by the Concessionaire and used to repay the necessary funds to design, build, finance, operate and maintain the project for a 55-year term. These funds might come in the form of Private Activity Bonds, a Federal TIFIA Loan or private equity from the Concessionaire. Tolling will not create a revenue stream, and additional funds in the form of a public subsidy will be required to pay for the project. More information on how the project will be funded is available in Section 3.7 of the SDEIS. ALDOT has worked with potentially affected communities to identify mitigation measures and environmental commitments that will be implemented to provide benefits to the Africatown/Plateau community and other communities that may be affected by the proposed project.

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		Africatown, Down the Bay, and downtown Mobile, as well as Spanish Fort. The goal of a Community Benefits Agreement of this nature would be to require that a portion of the revenue raised by a potential I-10 Toll Bridge and Tunnel be reinvested into directly affected communities like Africatown to ensure that the burden imposed is appropriately acknowledged and compensated. In Africatown, this reinvestment would be a step in the right direction to address the profoundly negative impacts from past ALDOT infrastructure projects constructed through the neighborhood for regional benefit.	Mitigation measures specific to the Africatown/Plateau community are discussed in Section 4.6 of the SDEIS and Section 5.0 of the ROD. The environmental commitments identified in Section 5.0 of the ROD serve a similar function as a Community Benefits Agreement in that they formalize ALDOT's commitment to provide certain assurances of benefits to affected communities, such as traffic signals, bicycle/ pedestrian facilities, long-term haz mat study, water quality, aesthetics, and access management, along with others. These commitments are required to be carried forward through the design, construction, and post-construction phases of the project.
		To recap, with respect to Africatown Boulevard and any potential I-10 Toll Bridge and Tunnel, we wish to see:	
		- Timed traffic lights at the intersections of Africatown Boulevard and Magazine St/Tin Top Alley and Bay Bridge Cutoff Road.	ALDOT will provide traffic signals at Union Missionary Baptist Church (Bay Bridge Road Cutoff) and Magazine Street/Tin Top Road. The signals will be timed to improve traffic flow along the corridor to minimize impacts to the community. The signals will also be responsive to traffic to facilitate ingress and egress for the residents of the Africatown/Plateau community. ALDOT will work with the Africatown/Plateau Steering Committee to make sure the signals are effective and properly operating and that any concerns or issues associated with the timing and/or sensors are addressed in a timely manner. The language for this environmental commitment has been updated in Section 5.0 of the ROD.
		- Responsive pedestrian crosswalks at the intersections of Africatown Boulevard and Magazine St/Tin Top Alley and Bay Bridge Cutoff Road.	ALDOT will install crosswalks at all of the signalized intersections along Africatown Boulevard as part of the Cochrane-Africatown USA Bridge Shared Use Path. These crosswalks will include appropriate striping on the asphalt, push-button activated signal heads, and pedestrian

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			signage. As noted in the errata sheet contained in Section 2.0 of the FEIS, this has been added as an environmental commitment in Section 5.0 of the ROD.
		- The speed limit on Africatown Boulevard lowered to 35 mph.	ALDOT will conduct a speed study to determine if changing the posted speed limits will have a beneficial effect. ALDOT will work with the Africatown/Plateau Steering Committee to evaluate and implement traffic calming measures that would be effective in reducing speeds along Africatown Boulevard without substantially increasing anticipated queue lengths. As noted in the errata sheet contained in Section 2.0 of the FEIS, this has been added as an environmental commitment in Section 5.0 of the ROD.
		- A speed caution light at the crest of the Cochrane-Africatown USA bridge warning of the traffic light at the bridge's base.	ALDOT will install a caution signal at the suggested location. ALDOT will work with the Africatown/Plateau Steering Committee to evaluate and implement traffic calming measures that would be effective in reducing speeds along Africatown Boulevard without substantially increasing anticipated queue lengths. As noted in the errata sheet contained in Section 2.0 of the FEIS, this has been added as an environmental commitment in Section 5.0 of the ROD.
		- A rumble strip on the bridge's descent to encourage westbound bridge traffic to slow in its approach to historic Africatown.	ALDOT will work with the Africatown/Plateau Steering Committee to evaluate and implement traffic calming measures that would be effective in reducing speeds along Africatown Boulevard without substantially increasing anticipated queue lengths. As noted in the errata sheet contained in Section 2.0 of the FEIS, this has been added as an environmental commitment in Section 5.0 of the ROD.
		- Installation of appropriate air quality monitors along the traffic corridor.	ALDOT will work with the Africatown/ Plateau Steering Committee to meet with ADEM to facilitate discussions regarding the process for ADEM to install air quality monitors. As noted in the errata sheet contained in

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			Section 2.0 of the FEIS, this has been added as an environmental commitment in Section 5.0 of the ROD.
		- A long-term traffic study that documents existing and future Hazardous Cargo traffic flow along Africatown Boulevard.	ALDOT will conduct a traffic study that documents existing and future hazardous cargo traffic flow along Africatown Boulevard to compare actual numbers before and after construction of the project. As noted in the errata sheet contained in Section 2.0 of the FEIS, this has been added as an environmental commitment in Section 5.0 of the ROD.
		- A commitment in the form of a contractual Community Benefits Agreement requiring a portion of toll revenue be reinvested into the communities directly impacted by potential I-10 Toll Bridge and Tunnel traffic flows and toll avoidance routes like Africatown.	The environmental commitments identified in Section 5.0 of the ROD serve a similar function as a Community Benefits Agreement in that they formalize ALDOT's commitment to provide certain assurances of benefits to affected communities, such as traffic signals, bicycle/pedestrian facilities, long-term haz mat study, water quality, aesthetics, and access management, along with others. These commitments are required to be carried forward through the design, construction, and post-construction phases of the project.

HISTORIC RESOURCES/SECTION 106 COMMENTS

	Commenter	Comment	Response
1.	**USS ALABAMA Battleship Memorial Park, comment submitted on May 7, 2019**	The Mobile River Bridge Project, now years into planning, has begun to take on some form and shape. The bridge makes such basic changes to Interstate 10 and Battleship Parkway that it is of vital interest to the Commission. Specifically, we are interested in an early exit onto the Causeway, now called the Veterans Memorial Exit. At Battleship Park, we expect to remain the number one tourist attraction in the state of Alabama. The Causeway, including either end, represents substantial commercial weight. The Mobile River Bridge project and its ramifications for Battleship Park and neighbors will bring a new dimension to the Causeway and the Eastern Shore and is an important and ongoing concern. Our subject is the Veterans Memorial Exit on Mobile River East, which has been in and out of the plan and competed with the $50 million bicycle/pedestrian plan, which has also been in and out of the plan. This exit, leading to the industries on the east side of the river, to Battleship Park and to the Causeway commerce, is an extremely important element. It is a mystery why any planner would consider omitting it and closing off the east end of the Causeway from the freeway. The veterans, with the South Alabama Veterans Council, have submitted many documents and letters and resolutions in favor of the exit. The ALDOT leadership has been to a Battleship Commission meeting to discuss it.	ALDOT and FHWA have met with the USS ALABAMA Battleship Memorial Park Commission on several occasions throughout the development of this project. The most recent presentation to the Commission was made on April 21, 2017, where concerns about access to the Park and potential impacts that could result as part of the proposed project were discussed. ALDOT shared information on their evaluation of several options to provide more direct access to the Park. Concepts providing direct access to the Park via a new ramp or relocation of the Park's entrance could not meet design criteria for safe roadway conditions; therefore, they were not advanced for further consideration. ALDOT has committed to maintaining existing access to the Park in the final condition of the proposed project. Travelers will not be deadended on the Causeway. Travelers will still be able to exit onto and off of I-10 to the Causeway at the same locations as in the current condition. ALDOT has also committed to installing additional supplemental signage to direct travelers to the Park. This and additional information can be found in Section 4.13.5 of the SDEIS, Section 5.0 of the ROD, in the signed Section 106 MOA contained in Appendix D of the FEIS.

	Commenter	Comment	Response
2.	**USS ALABAMA Battleship Memorial Park, letter dated May 22, 2019**	The Commission has voiced its opposition to the proposed construction as designed to a variety of state and federal officials. The route and design differs in 2019, of course; however, our concerns and objections remain constant. The USS ALABAMA Battleship Commission's comments to the Supplemental Draft Environmental Impact Statement are as follows: - If the estimated 2039 traffic flow through the Wallace Tunnel exceeds 100,000 vehicles daily, the environmental impact of air pollution, vehicle fluid, and tire residue will be substantial and adverse to Battleship Memorial Park in general. With base funding of bridge construction now potentially dependent on a tolling solution, more traffic will descend on the Causeway (US Highway 90). The potential environmental impact is unknown for those out-years, but it cannot be deemed benign. - Wild bird populations will be affected. Battleship Memorial Park is Site 29 on the Alabama Coastal Birding Trail. Visitors and birdwatches alike use our Nature Observation Deck overlooking Pinto Pass and the Mobile Bay mudflats. Battleship Memorial Park is home to many bird species, including overwintering waterfowl such as Canadian geese, which hatch their young here. Shorebirds are abundant around the saltwater marsh. Our 4 raised Osprey nest boxes usually have 2 families raising young each spring. The Long-billed Curlew, herons, egrets, ibis, Gull-billed Terns, Least Bittern, Yellow- and Black-	The proposed project may result in more traffic on the Causeway due to traffic diverting to avoid the toll. ALDOT has identified and committed mitigation measures to offset potential impacts related to traffic diversion on the Causeway. Additional information on this topic can be found in Sections 4.4.1, 4.16.1, and 4.18.2 of the SDEIS. Additional information specific to traffic projections and anticipated levels of service can be found in Section 4.1.5 and Table 4 of the SDEIS. Wild birds currently use the areas along the Alabama Coastal Birding Trail, including the Battleship Memorial Park site that is currently located in close proximity to the existing Causeway and I-10 Bayway. Traffic is projected to increase on these routes with or without the proposed project. The proposed project would not prevent visitors and birdwatchers from using the nature observation deck overlooking Pinto Pass and Mobile Bay mudflats, which is located approximately 0.5 mile south of the Causeway. Traffic analyses indicate that traffic on the Causeway will increase with the implementation of the proposed project. However, traffic will also increase without construction of the proposed project as more people divert from I-10 to the Causeway to avoid congestion.

	Commenter	Comment	Response
		crowned Night Herons, Short-billed Dowitches, Black-bellied Plovers, and Black-necked Stilt all make Battleship Memorial Park part of their natural habitat. - Wildlife indigenous to and traversing Battleship Memorial Park (alligators, foxes, armadillo, opossum, and other occasional and stray creatures) will also be exposed to air pollution and runoff residue from increased Causeway traffic.	Traffic models show that the intersections of the Causeway at Addsco Road will operate at a failing level of service with or without the project in the year 2040. The intersection of the Causeway at Bankhead Tunnel will improve with the proposed project, which should reduce the idling air emissions compared to the No Build scenario. The Clean Air Act requires the USEPA to set primary standards that are "requisite to protect public health with an adequate margin of safety." These standards include considerations of populations that may have increased risks for health effects, such as children, the elderly, and individuals with pre-existing health conditions or diseases. An air quality analysis was performed for the project. The traffic analysis found that the worst congestion would occur on Bay Bridge Road. The air quality analysis determined that air quality emissions at this location would be substantially below the National Ambient Air Quality standards; therefore, other intersections are expected to be below those standards as well. The air quality analysis performed indicates that adverse impacts related to air quality are not anticipated. More information related to the air quality analysis is included in Section 4.11 and Appendix K of the SDEIS. Additional runoff would be experienced with increases in traffic in both the No Build and Build scenarios. Measures to be implemented for stormwater management as part of the proposed project are described in Sections 4.8 and 4.14 of the SDEIS.

	Commenter	Comment	Response
3.	**Herndon Inge, III, letter dated May 21, 2019**	LOW BUILD option: - Not previously seriously considered/evaluated - Would relieve "view impact" objections - Would reduce "skyline impact" objections - Would relieve "constructive taking" objections - Would reduce vibrations from piling foundation - Would reduce "economic dead zone" objections - Would reduce "noise impact" objections - To open for the passage for 4 to 6 ships per day, and the balance of the day to close for car/truck and bicycle traffic - Plenty of "low build" designs to consider/evaluate - Would reduce incline, easier for bicycle and pedestrian and cars/truck traffic - Would reduce impact on ALL neighborhoods - Would reduce impact on ALL historic resources - Could place corridor almost anywhere - Would prevent over 5 years of litigation - Would reduce costs - Would reduce impact to Mobile's Gulfquest Maritime Museum and Cruise Terminal - Would be easier to connect to new Mobile Bay crossing	The third component of the project's purpose and need is to minimize impacts on the maritime industry. To construct a bridge with a lower vertical clearance would result in adverse impacts on the maritime industry along the Mobile River. A report evaluating air draft clearance was prepared in 2012 in response to input from stakeholders requesting that the air draft clearance be increased from 190 feet to 215 feet. The evaluation found that increasing the air draft clearance to 215 feet would allow the Port of Mobile to remain competitive in the cruise industry and container cargo shipping with other ports that are unobstructed. Additionally, an air draft clearance of 215 feet would accommodate larger cruise ships with air drafts ranging up to 210 feet. The Air Draft Clearance Analysis report is included in Appendix C of the DEIS. Moveable bridge types, including a bascule bridge and a vertical lift bridge, were evaluated as part of the Alternatives Screening Evaluation and the 2014 DEIS. The longest bascule bridges in the world are approximately 300 feet long. A span length of approximately 1,200 feet is required to span the Mobile River Federal Navigation Channel. A bascule bridge was not found to meet technical/practical and feasible/ reasonable criteria for this project due to the limitations in span length. The Alternatives Screening Evaluation found that a vertical lift bridge would require vertical towers of nearly 500 feet to lift the main bridge span from a low elevation of 140 feet to a high elevation of 215 feet; therefore, it would not appreciably lessen the visual impacts associated with construction of a new

	Commenter	Comment	Response
			bridge across the Mobile River. The vertical lift bridge would also be substantially more expensive to construct, maintain, and operate compared to a cable-stayed bridge. This and additional information on bridge types can be found in Section 3.2.4.5 and Appendix C of the 2014 DEIS.
		MOVE corridor 2 miles South: - Would relieve "view impact" objections - Would reduce "skyline impact" objections - Would relieve "constructive taking" objections - Would reduce "economic dead zone" objections - Would reduce impact on ALL neighborhoods - Would reduce impact on ALL historic resources - Would prevent over 5 years of litigation - Would reduce cost of acquiring rights of way - Would reduce impact to Mobile's Gulfquest Maritime Museum and Cruise Terminal - Would be easier to connect to new Mobile Bay crossing - Would "cluster" local industries - Would save the $50,000 in immature trees offered in Memorandum of Agreement - Exit would leave plenty of room to still enter Mobile's Business District - Would satisfy obligations of Section 106 and Section 4(f) - Would decrease adverse impact on the style, theme, feeling, ambiance, quiet, and peace of historic neighborhoods, historic structures, plazas, parks, waterfront protected areas, then complying with Federal law.	The Alternatives Screening Evaluation looked at a range of reasonable alternatives which included alternatives similar to what is noted in this comment (Alternatives 7, 8, and 14). These alternatives would begin in proximity to Michigan Avenue or Broad Street, cross McDuffie Island, and connect to the I-10 Bayway to continue to Daphne. Alternative 7 would be approximately 2.4 miles south of the Wallace Tunnel. Alternative 8 would be located approximately 1.6 miles south of the Wallace Tunnel, and Alternative 14 would be located approximately 1.3 miles south of the Wallace Tunnel. Alternatives 7 and 8 were not carried forward for more detailed design because of their potential for impacts to previously undisturbed wetlands, submerged aquatic vegetation, and essential fish habitat; hazardous materials sites, businesses, disposal areas, and the maritime industry; and to underwater archaeological sites. The Alternatives Screening Evaluation notes that while Alternatives 7 and 8 would reduce impacts on downtown Mobile Historic Districts, they would completely bypass Battleship Park to the south. Alternative 7 would require a main span bridge length of approximately 2,350 feet to span the navigation channel and authorized turning basin. This span length contributes to the alternative being estimated to cost

	Commenter	Comment	Response
			approximately twice as much as the four Build Alternatives. With the replacement of the Bayway (rather than widening the existing Bayway), this alternative would continue to cost twice as much as the four Build Alternatives. Alternative 14 was eliminated from further consideration for potential impacts to wetlands, essential fish habitat, archaeological sites, businesses, disposal areas, and maritime facilities. Maintaining existing access to USS ALABAMA Battleship Park would also be difficult with this alternative. This and additional information regarding the range of alternatives considered can be found in Section 3.2 and Appendix B of the 2014 DEIS.
4.	**Herndon Inge, III, Verbal Comments at May 9, 2019 Public Hearing**	The practical answer to crossing the bridge has only been considered here, not the cumulative impact on the central business district, historic Mobile, tourist impressions of our beautiful city downtown, Cooper Riverside Park, the waterfront, historic neighborhoods, aesthetics, its residents, its history, and the very reason that we're here. The Alt B corridor will ruin downtown, Mobile's past and future for --- to prevent a few hours of delay and the four to six ships per day that cross under the bridge.	Cumulative impacts of the project were considered and evaluated as part of the NEPA process. These impacts are addressed in Section 4.19.4 of the 2014 DEIS and Section 4.16.2 of the SDEIS. Potential impacts on downtown Mobile and tourism are addressed in Sections 4.3 and 4.4 of the 2014 DEIS. Potential impacts of the proposed project on historic resources are described in Sections 4.15 of the 2014 DEIS and Section 4.13 of the SDEIS. A Viewshed Impact Assessment was performed in consultation with the Section 106 Consulting Parties to evaluate the visual effects of the project on historic resources, including cumulative impacts. The Viewshed Impact Assessment is summarized in Section 4.16 of the 2014 DEIS and is included in Appendix J of the 2014 DEIS.

	Commenter	Comment	Response
			Direct impacts to Cooper Riverside Park and the waterfront are not anticipated. Viewshed renderings from Cooper Riverside Park and the waterfront are contained in Appendix J of the DEIS. The Section 106 MOA was developed in consultation with the Section 106 Consulting Parties to develop appropriate mitigation measures for adverse effects on historic resources.
		I will look out my window and see the 551 feet, two towers, and the 215-foot vertical clearance roadway from my window, and it's ridiculous and insulting for you engineers to say that the visual impact is mitigated by $50,000 of tree cover that will not be mature in our lifetime.	ALDOT has made commitments related to mitigation for viewshed impacts, including lighting, bridge aesthetics, and visual effects. These commitments are documented in Stipulations A, B, and C of the Section 106 MOA.
		And the way y'all have bypassed the impact – FHWA has said there was an impact. You guys said there was not an impact. That guy {FHWA} listens.	Based on consultation among ALDOT, FHWA, and Consulting Parties, the determination of effects was revised from "no adverse effect" to "adverse visual effect" on the Church Street East Historic District and the Lower Dauphin Street Historic District. This change is discussed in Section 4.13.1 of the SDEIS, and the consultation with the Section 106 Consulting Parties related to the determination of effects can be found in Appendix L of the SDEIS.
5.	**Herndon Inge, III, Letter dated April 16, 2019**	Note: Comment letter from Mr. Inge contained the same comments that were received on June 8, 2018 and February 27, 2019.	Responses to these comments are included on Pages L-267, L-268, L-321, and L-322 in Appendix L of the SDEIS.
6.	**City of Mobile, Letter dated May 23, 2019**	I am writing to support the ALDOT's I-10 Mobile River Bridge and Bayway Project. This project is an important transportation infrastructure project that will improve the mobility, safety, security, and efficiency along the I-10 corridor in Mobile and	Comment noted.

	Commenter	Comment	Response
		Baldwin Counties. The South Alabama region has experienced tremendous growth in recent years and a reliable interstate system is vital to maintaining and increasing that growth. The Mobile River Bridge and Bayway Project will provide great benefits for citizens, travelers, and businesses, as well as regional and interstate commerce. As an elected official, I fully support the project and ALDOT's efforts to deliver it.	
7.	**USEPA, Region 4, Letter dated May 22, 2019**	The EPA notes that FHWA and ALDOT continue to consult with the SHPO and Section 106 Consulting Parties regarding historic resource concerns and ALDOT will need to conduct additional archaeological surveys on some of the alternatives. The EPA recommends that the FEIS should document the results of the consultation process, any remaining survey results, and the final requirements in the Memorandum of Agreement.	The results of the consultation process and final requirements for the project, including consultation requirements on the remaining archaeological survey results, are included in the Section 106 MOA. The signed Section 106 MOA is included in Appendix D of the FEIS.
8.	**Carol Adams-Davis, Verbal Comments at May 9, 2019 Public Hearing (also submitted in writing)**	There's another popular route that was not included in the DEIS but publicly supported for years. If you start just east of Michigan Avenue on existing I-10 and go straight across the Bay using the north end of McDuffie Island and by Little Sand Island, you will end up in Daphne where ALDOT can design an appropriate connection to the existing I-10 on the Eastern Shore. This could present an opportunity to mitigate the longstanding problems on the existing Highway 98. This suggested route would avoid the negative impacts on the historic district, parks, residential neighborhoods, schools, and nursing homes.	The Alternatives Screening Evaluation looked at a range of reasonable alternatives which included alternatives similar to what is noted in this comment (Alternatives 7, 8, and 14). These alternatives would begin in proximity to Michigan Avenue or Broad Street, cross McDuffie Island, and connect to the I-10 Bayway to continue to Daphne. Alternative 7 would be approximately 2.4 miles south of the Wallace Tunnel. Alternative 8 would be located approximately 1.6 miles south of the Wallace Tunnel, and Alternative 14 would be located approximately 1.3 miles south of the Wallace Tunnel. Alternatives 7 and 8 were not carried forward for more detailed design because of their potential for impacts to

	Commenter	Comment	Response
		It would alleviate construction problems regarding noise in downtown, high quality issues downtown, air quality issues downtown, vibrations due to historic buildings, settling after completion, closing tourist attractions.	previously undisturbed wetlands, submerged aquatic vegetation, and essential fish habitat; hazardous materials sites, businesses, disposal areas, and the maritime industry; and to underwater archaeological sites. The Alternatives Screening Evaluation notes that while Alternatives 7 and 8 would reduce impacts on downtown Mobile Historic Districts, they would completely bypass Battleship Park to the south. Alternative 7 would require a main span bridge length of approximately 2,350 feet to span the navigation channel and authorized turning basin. This span length contributes to the alternative being estimated to cost approximately twice as much as the four Build Alternatives. With the replacement of the Bayway (rather than widening the existing Bayway), this alternative would continue to cost twice as much as the four Build Alternatives. Alternative 14 was eliminated from further consideration for potential impacts to wetlands, essential fish habitat, archaeological sites, businesses, disposal areas, and maritime facilities. Maintaining existing access to USS ALABAMA Battleship Park would also be difficult with this alternative. This and additional information regarding the range of alternatives considered can be found in Section 3.2 and Appendix B of the 2014 DEIS.
9.	**Katherine Frangos, Friends of the Museum, e-mail**	Please remove my name from all communication involving Friends of the Museum.	As requested, Ms. Frangos was removed from the list of Consulting Parties in the Section 106 MOA, and the address for the Friends of the Museum was updated.

	Commenter	Comment	Response
	dated May 13, 2019		
10.	**Christopher Williams, York Missionary Baptist Church, letter dated May 6, 2019**	Acceptance of invitation to serve as a Section 106 Consulting Party.	Reverend Williams was added to the list of Consulting Parties in the Section 106 MOA.
11.	**Mobile Historic Development Commission, e-mails from John Sledge dated June 5, 2019 and e-mail from Paige Largue dated June 6, 2019**	I do think it would be good to include an AfricaTown representative on the Aesthetic Committee for the proposed I-10 Mobile River Bridge. That community represents an important constituency. I support John's suggestion to include the Africatown community in stakeholder meetings. The Cochrane-Africatown USA Bridge has seen an increase in traffic over the last few years. I think the proposed I-10 bridge could adversely impact their flow of traffic.	ALDOT has committed to developing an Africatown/Plateau Steering Committee after the Combined FEIS/ROD. ALDOT believes that Africatown's interests would be better served by a steering committee that will be comprised of members of the community to focus on impacts and benefits to Africatown/Plateau rather than being part of an overall bridge aesthetics committee. This commitment is included in Section 5.0 of the ROD. The framework for this Committee is included in Appendix C of the FEIS.
12.	**Alabama Historical Commission, e-mail dated June 5, 2019**	We have a concern with the notes from the March 2019 Consulting Parties meeting in Mobile. Page 2 of the meeting notes states: SHPO stated that the Section 106 regulations do not consider disturbance within previously disturbed right-of-way an adverse effect on a historic property. We believe this statement does not accurately reflect our intended meaning. While disturbances within previously disturbed right-of-way is not an adverse effect on archaeological resources, we did not mean to imply or convey that it could not be an adverse effect on historic resources. Visual effects on standing structures was not included in this statement.	Meeting minutes have been revised to reflect this change. The revision is included in the errata sheet contained in Section 2.0 of the FEIS.

PUBLIC COMMENTS

(For the purposes of responding to comments received, written and verbal comments were grouped together based on content, as summarized below).

Comment		Response
Comment Group: Tolls and Tolling		
1.	Approximately 190 people stated that they are not in favor of the project as proposed because the toll is too high, and approximately 36 people specifically stated that there should be a higher discount for locals.	ALDOT is sensitive to the burden that frequent users would bear and has considered how to design the program to offset some of that burden for frequent users while also complying with federal laws that limit how residency is considered. In response to comments received from the public, ALDOT has revised the frequent user discount program as part of its toll policy. The policy now includes a monthly unlimited pass at a cost of $90 per month at toll commencement. For people who do not buy the monthly pass, a 15% discount will be applied for more than four trips per month (trips 1 through 4 at full rate and trips 5 and above at discounted rate). Class 1 vehicles with active ALDOT-authorized transponders will be eligible for the frequent user discount program. These revisions to the toll policy will help offset economic impacts for frequent users. Frequent users are most likely to use the monthly unlimited pass and frequent user discount, but eligibility is not limited based on a user's residency. ALDOT is actively seeking additional funding sources to help deliver this project. A buy down clause is included in the contract to allow ALDOT to subsidize tolls in the future, should additional funds become available.
2.	Approximately 288 people stated that they are not in favor of the project as proposed because they do not want a toll.	ALDOT is actively seeking additional funding sources to help deliver this project. However, because of funding challenges, which are discussed in Section 3.7 of the SDEIS, the project is only viable if the corridor is tolled.
3.	Approximately 31 people stated that locals should be exempt from paying the toll.	While the toll policy for the proposed project does not provide a mechanism for locals to be exempt from paying tolls, the revised frequent user discount program will help reduce the cost of tolls for many locals by providing substantial discounts for frequent users, many of whom live in Mobile and Baldwin Counties. ALDOT has considered how to design the program to comply with federal laws that limit how residency is considered.

Comment		Response
4.	Costs should not be borne by the commuter.	ALDOT is sensitive to the burden that frequent users would bear and has considered how to design the program to offset some of that burden for frequent users while also complying with federal laws that limit how residency is considered. In response to comments received from the public, ALDOT has revised the frequent user discount program as part of its toll policy. The policy now includes a monthly unlimited pass at a cost of $90 per month at toll commencement. For people who do not buy the monthly pass, a 15% discount will be applied for more than four trips per month (trips 1 through 4 at full rate and trips 5 and above at discounted rate). Class 1 vehicles with active ALDOT-authorized transponders will be eligible for the frequent user discount program. These revisions to the toll policy will help offset economic impacts for frequent users. Frequent users are most likely to use the monthly unlimited pass and frequent user discount, but eligibility is not limited based on a user's residency.
5.	Tolling is double-taxing.	A toll is a user fee, not a tax. If a driver does not use the facility, he or she does not pay for it. Drivers only pay a toll when they choose to drive on a toll road because it provides a higher level of convenience, reliability, or safety. Toll customers also pay their share of local, state, and federal taxes through the purchase of fuel. Money generated through gas taxes help fund non-tolled roads that are open to everyone. There may be a double payment, because the toll pays directly for the trip the driver is taking, while the government gets the benefit of the gas tax for use on the roads the driver is not using.
6.	Approximately 13 people stated that Wallace Tunnel should not be tolled because it is an existing facility. Others stated that tolling the Wallace Tunnel is illegal and is not allowed.	Under 23 U.S.C. 129, Congress permits federal participation in certain type of toll-financed construction activities, including reconstruction or replacement of bridges or tunnels on the Interstate Highway System. By letter dated May 11, 2017 to ALDOT, the FHWA confirmed that 23 U.S.C. 129 is applicable to the proposed project. This letter indicates that the new Mobile River Bridge and existing Wallace Tunnel would provide dual facilities and serve together as one to carry traffic on a single route and are proximately located, meeting the requirements for "reconstruction" under 23 U.S.C. 129. Therefore, tolling the Wallace Tunnel is legal and meets

Comment		Response
		federal criteria to toll an existing interstate. Additional information can be found in Section 3.7 and Appendix A of the SDEIS.
7.	Has ALDOT considered dynamic or variable price tolling to adjust the price in real time for traffic volumes and time of day? This could help balance out traffic flows and help prevent the bridge from reaching capacity too quickly after construction.	The toll policy allows for dynamic or variable price tolling as long as the toll rate charged by the Concessionaire does not exceed the maximum toll rate established by ALDOT, which is set at $6 (2020 dollars). With dynamic or variable price tolling, tolls are continually adjusted according to traffic conditions to maintain a free-flowing level of traffic. Under this system, prices increase when the tolled facility becomes relatively full and decrease when the tolled facility becomes less full. The current price is displayed on electronic signs prior to the beginning of the tolled section. This system's flexibility helps to consistently maintain optimal traffic flow through a corridor.
8.	Toll all routes across Mobile Bay – both Causeway and Bayway.	By providing a non-tolled route across both the Mobile River and Mobile Bay, users will have a choice regarding whether to pay the toll. ALDOT is committed to providing a non-tolled route across both the Mobile River and Mobile Bay for users who cannot afford to pay the toll or choose to not pay the toll for other reasons. This commitment will help avoid and/or minimize adverse impacts on minority and low-income communities located in close proximity to the non-tolled route. Low-income and minority communities are offered protection under Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.
9.	There should be a sunset clause on the tolls.	As noted in Section 3.7.3 of the SDEIS, it is anticipated that the tolls will remain in place after the end of the concession period in order to help maintain and operate the infrastructure.
10.	Why is there going to be a toll on this project when the I-59/I-20 project in the Birmingham area is not tolled?	The I-59/I-20 project in Birmingham will cost about $800 million and will serve 160,000 vehicles per day. ALDOT has the capacity to fund the Birmingham project through ALDOT's traditional funding model. The Mobile River Bridge and Bayway Project exceeds ALDOT's available capacity to fund in a traditional manner. The state's contribution to the Mobile River Bridge and Bayway Project is expected to be at least proportional per vehicle on this project as the I-59/20 project.

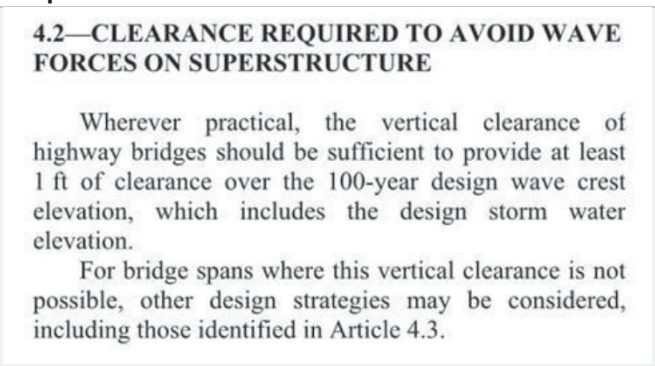
Comment		Response
11.	The toll will result in adverse economic impacts due to reduced traffic and commerce between Mobile and Baldwin Counties.	The economic effects of tolling on businesses along a tolled or non-tolled route vary depending upon a project's location and setting. ALDOT has committed to maintaining a toll-free route to allow users the option to pay the toll or to bypass the toll, and ALDOT has committed to mitigation measures that will help offset impacts associated with the proposed project. These mitigation measures, which are included in Section 5.0 of the ROD, should help offset the potential impacts anticipated to occur due to traffic diversion to the toll-free route. The potential economic impacts resulting from tolling the proposed project are discussed in Section 4.4.1 of the SDEIS.
12.	At a public meeting at the International Trade Center, someone mentioned that 200 paper surveys were sent to residents of Baldwin County about toll rates. 200 people responding to surveys is not sufficient to establish toll rates on this project.	ALDOT has not conducted a public meeting at the International Trade Center for this project. Surveys were not used to establish toll rates. ALDOT has established a toll policy for the project that sets a maximum toll that can be charged and may be adjusted annually with inflation. The maximum toll rate allowable in the toll policy is $6 (in 2020 dollars). The Concessionaire will determine the final toll rate in accordance with the toll policy. Factors that may influence toll rates include traffic volumes, existing travel conditions, forecasted travel conditions, and costs for construction, operations and maintenance. It is anticipated that the tolled lanes will be divided into toll segments so that drivers only pay for the portion of the tolled facility that they use. More information on tolling can be found in Section 4.4.1 of the SDEIS and Section 2.0 of the ROD.
13.	The Supplemental DEIS states that Section 4.3.1 addresses economic impacts to retail and tourism. However, Section 4.3.1 of the Supplemental DEIS is related to hazardous materials. Additionally, the Supplemental DEIS states that the DEIS did not evaluate the impacts of tolling. For these reasons, the economic impacts of the project have not been fully vetted.	The Supplemental DEIS states that Section 4.3.1 of the DEIS (which was signed in 2014) evaluates potential impacts on retail and tourism. Section 4.4.3 of the Supplemental DEIS discusses potential economic impacts on retail and tourism. Copies of both the Supplemental DEIS and the DEIS were available at the Public Hearings for review, comment, and reference. Section 4.3 of the Supplemental DEIS states, "The DEIS did not evaluate the potential impacts of tolling, as tolling was not proposed at the time the DEIS was prepared. As noted in Section 3.7 and shown on Figure 15, Virginia Street to the US-90/US-98 interchange in Daphne on I-10 would be tolled. I-10 Business from Canal Street/Water Street through the Wallace

Comment		Response
		Tunnel to its connection with the Bayway would also be tolled. All of the Build Alternatives would be tolled and would result in similar impacts due to tolling." The Supplemental DEIS was prepared to supplement the DEIS and to document any changes in potential impacts associated with the addition of tolling to fund the project and other refinements that were made following the 2014 DEIS. Section 4.3 of the Supplemental DEIS describes the potential economic impacts associated with tolling.
Comment Group: Funding Sources		
14.	Approximately 56 people commented that federal money should be used to pay for the project.	Due to a nationwide funding shortfall resulting from increases in construction costs and a lack of increase in federal gas taxes, there is not sufficient federal funding to deliver the project through a traditional federal-aid project, where federal funds would be used to pay for 80 percent of the project, and state funds would be used to pay the remaining 20 percent. ALDOT is actively seeking available funds from federal sources to use as part or all of the public subsidy for the project. federal funding sources may include federal-aid, federal loans, or federal grants. More information on how this project will be funded can be found in Section 3.7 of the SDEIS.
15.	This bridge is part of the Federal Interstate system and as such should NOT involve the use of private funds.	Over the last two decades, as revenues have lagged behind investment requirements, Congress and the states have sought ways to expand the capacity of the Federal-aid program to deliver projects. Public-private partnerships (P3s) allow public agencies to leverage private sector resources to build critical projects when the public agencies do not have sufficient funds to do so otherwise. More information on why a P3 was selected to deliver this project is contained in Section 3.7.3 of the SDEIS.
16.	Use GOMESA funds to construct the project.	ALDOT has reviewed the possibility of using Gulf of Mexico Energy Security Act of 2006 (GOMESA) funds for the Mobile River Bridge and Bayway project. GOMESA is a Congressional Act that provides for a distribution of certain off-shore oil and gas leasing revenues to be returned to the Gulf-producing states of Alabama, Louisiana, Mississippi, and Texas.

Comment		Response
		Per the *Federal Register*, GOMESA funds are to be used by the states for the following purposes: • Projects and activities for the purposes of coastal protection, including conservation, coastal restoration, hurricane protection, and infrastructure directly affected by coastal wetland losses. • Mitigation of damage to fish, wildlife, or natural resources. • Implementation of a Federally-approved marine, coastal, or comprehensive conservation management plan. • Mitigation of the impact of Outer Continental Shelf activities through the funding of onshore infrastructure projects. • Planning assistance and administrative costs not to exceed 3 percent of the amounts received. In Alabama, the Legislature appropriates the State of Alabama's share of GOMESA funds to the Alabama Department of Conservation and Natural Resources. This year, 58 applications for GOMESA funds were received. Fifteen projects were approved totaling $28,722,000 which is Alabama's full acquisition for the current fiscal year. Generally, the 15 projects fall into the following categories: land acquisition along coastal areas; forestry management projects along coastal areas; marine debris removal; and several projects for the development of boating access areas. ALDOT has committed extensive time and effort in considering whether GOMESA funds could be used for a bridge infrastructure project such as the Mobile River Bridge and Bayway. There does not appear to be a precedent in any of the Gulf-producing States for using GOMESA funds for any similar project. The term "hurricane protection" does not appear to include roads that provide additional evacuation capacity. Even if it was determined that this project was an eligible use for GOMESA funds, it would take away from the many local uses in Mobile and Baldwin Counties that are steeped in years of precedents. If the total annual amount of GOMESA funds was committed to the Mobile River Bridge and

Comment		Response
		Bayway Project to pay debt service, it would mean no other eligible and needed local projects could be funded. Furthermore, even if the total annual amount of GOMESA funds was committed to the Mobile bridge project, the funds would not be sufficient to eliminate tolls. ALDOT is actively seeking additional funding sources to help deliver this project. A buy down clause is included in the contract to allow ALDOT to subsidize tolls in the future, should additional funds become available.
17.	Approximately 55 people asked why the Rebuild Alabama gas tax revenues cannot be used to fund the project.	Due to a nationwide funding shortage for infrastructure projects, the project is only viable if the corridor is tolled. Even with the passage of the Rebuild Alabama Act, which will not be fully implemented until October 2021, there will not be enough money to build the proposed project. Once fully implemented, the increase in state gas tax is expected to generate around $320 million per year, of which one-third is slated for counties and municipalities for local roads. Moreover, there is a multi-billion dollar backlog of existing road and bridge needs statewide that will consume and exceed the new state revenue generated by the Rebuild Alabama Act. Section 3.7 of the SDEIS provides more information on why the project must be tolled.
18.	Use BP/RESTORE Act funds to pay for the project.	Under the RESTORE Act, Alabama is receiving approximately $370 million to be administered by the Alabama Gulf Coast Recovery Council for projects in Mobile and Baldwin Counties that are focused on ecosystem restoration, economic development, and tourism protection. To date, Alabama has received a total of $97 million in RESTORE Act funds. In addition, Alabama will receive approximately $21 million per year from 2019 through 2031. In 2018, a total of 29 projects were determined to be eligible for funding under the first round of projects to be funded with RESTORE Act funds, and 15 of those projects were selected for funding. Even if the entirety of the remaining estimated $250 million were allocated to the Mobile River Bridge and Bayway Project, the funds would not be sufficient to eliminate tolls. Furthermore, it would mean that no other eligible and needed local projects could be funded with RESTORE Act funds.

Comment		Response
		ALDOT is actively seeking additional funding sources to help deliver this project. A buy down clause is included in the contract to allow ALDOT to subsidize tolls in the future, should additional funds become available.
19.	Approximately 15 people suggested that Alabama adopt a lottery to help pay for the project and other transportation needs in the state.	The Alabama legislature recently evaluated a state lottery bill. As proposed, the bill, if approved, was expected to bring in $167 million a year. A total of 75% of the money was allocated to go to the General Fund and 25% was allocated to go to the Education Trust Fund. The bill was not passed in the 2019 legislative session. Even if the bill were passed and all of the funds were earmarked for the Mobile River Bridge and Bayway Project, it would not generate sufficient revenue to eliminate the toll. ALDOT is actively seeking additional funding sources to help deliver this project. A buy down clause is included in the contract to allow ALDOT to subsidize tolls in the future, should additional funds become available.
Comment Group: Bayway		
20.	If the federal government has mandated raising the height of the lanes on the Bayway, then it should provide funding equivalent to its mandate or allow a scaling down of the project if it cannot match its mandate.	Level I and Level III Storm Analyses were conducted to determine the height and wave impact forces for various storm events. These analyses used existing data for environmental conditions primarily related to wind and storm surge heights, water bottom terrain, water depths, flood prone areas identified by the Federal Emergency Management Agency (FEMA), and the heights and widths of the existing Bayway bridges and ramps. The analysis confirmed that a 100-year storm event would catastrophically damage a major portion of the existing I-10 Bayway structure beyond repair similar to the I-10 bridges in Pensacola after Ivan and the I-10 and US-90 bridges in Louisiana and Mississippi. As a result of Hurricanes Ivan and Katrina, AASHTO issued the “Guide Specifications for Bridges Vulnerable to Coast Storms. ” This document includes the following requirement:

Comment		Response
		 **4.2—CLEARANCE REQUIRED TO AVOID WAVE FORCES ON SUPERSTRUCTURE** Wherever practical, the vertical clearance of highway bridges should be sufficient to provide at least 1 ft of clearance over the 100-year design wave crest elevation, which includes the design storm water elevation. For bridge spans where this vertical clearance is not possible, other design strategies may be considered, including those identified in Article 4.3. Most of the existing Bayway is well below the 100-year wave crest elevation, placing it well within the wave impact. To determine the feasibility of strengthening the existing Bayway structure for wave impact forces, ALDOT performed a structural analysis of the existing Bayway as well as design of several retrofit options. The analysis revealed that even with the retrofit design, the uplift buoyant force from the waves damaged 50% of the bridge beyond repair. ALDOT also studied the economics of retrofitting the existing Bayway (that is reaching the end of its 75-year design life). The cost of retrofitting the existing and providing a new widened Bayway (that also would be required to withstand the wave impact forces) was more expensive than replacing it with a new bridge above the wave impacts and meeting the AASHTO requirements. For these reasons, it was determined that the Bayway should be replaced at an elevation above the 100-year storm surge elevation. More information can be found in Section 3.4. and Appendix G of the SDEIS.
21.	Approximately 15 people suggested moving the proposed bridge a couple of miles to the south to leave the existing Bayway in place. Others suggested leaving the existing Bayway in place as a local connector and did not mention building a new bridge to the south.	The Alternatives Screening Evaluation looked at a range of reasonable alternatives which included alternatives that would be located a couple of miles to the south of Alternative B'. These alternatives were labeled as Alternatives 7, 8, and 14. They would begin in proximity to Michigan Avenue or Broad Street, cross McDuffie Island, and connect to the I-10 Bayway to continue to Daphne. Alternative 7 would be approximately 2.4 miles south of the Wallace Tunnel. Alternative 8 would be located

Comment		Response
		approximately 1.6 miles south of the Wallace Tunnel, and Alternative 14 would be located approximately 1.3 miles south of the Wallace Tunnel. Alternatives 7 and 8 were not carried forward for more detailed design because of their potential for impacts to previously undisturbed wetlands, submerged aquatic vegetation, and essential fish habitat; hazardous materials sites, businesses, disposal areas, and the maritime industry; and to underwater archaeological sites. The Alternatives Screening Evaluation notes that while Alternatives 7 and 8 would reduce impacts on downtown Mobile Historic Districts, they would completely bypass Battleship Park to the south. Alternative 7 would require a main span bridge length of approximately 2,350 feet to span the navigation channel and authorized turning basin. This span length contributes to the alternative being estimated to cost approximately twice as much as the four Build Alternatives. With replacement of the Bayway (rather than widening), this alternative would continue to cost twice as much as the four Build Alternatives. Alternative 14 was eliminated from further consideration for potential impacts to wetlands, essential fish habitat, archaeological sites, businesses, disposal areas, and maritime facilities. Maintaining existing access to USS ALABAMA Battleship Park would also be difficult with this alternative. This and additional information regarding the range of alternatives considered can be found in Section 3.2 and Appendix B of the 2014 DEIS. The existing Bayway is reaching the end of its life cycle and will have to be replaced, regardless of whether it would be used for vehicular traffic, light rail, or recreational use. Delaying the replacement of the Bayway will result in the cost to construction new bridges over Mobile Bay being higher than what is currently proposed due to inflation.

Comment		Response
		Leaving the existing Bayway in place even for its remaining useful life would require continued maintenance of the structure, above and beyond the current anticipated costs of the project. In addition, it would require an alternate project location that would have increased environmental impacts, as discussed in the Alternatives Screening Evaluation Report contained in Appendix B of the DEIS. This would result in increased impacts due to additional shading (two bayways) and impacts to previously undisturbed areas (new bayway) of wetlands, submerged aquatic vegetation, and essential fish habitat. More information on the existing Bayway and why it must be replaced can be found in Section 3.4 of the SDEIS.
22.	Lowering the speed limit on the Bayway and enforcing it will improve safety and is something that can be done to solve the congestion problem without paying much money now.	The speed limit within the project limits is already lower than what is typically posted on interstate routes. Enforcement of the speed limit is not within the control of ALDOT. While reducing speeds on the Bayway and within the Wallace Tunnel may result in safer conditions, it will not add capacity to the I-10 corridor between Mobile and Baldwin Counties and therefore will not meet the purpose and need of the proposed project.
Comment Group: Wallace and Bankhead Tunnels		
23.	Approximately 9 people stated that fixing the west entrance to the Wallace Tunnel would solve the congestion issues because it would reduce crashes.	The proposed project includes improvements to the west entrance to the Wallace Tunnel. The capacity of the Wallace Tunnel is exceeded daily, and improving the west tunnel entrance will not add capacity on I-10 across the Mobile River and therefore would not meet the purpose and need of the project. Additional information on the proposed improvements to the west tunnel entrance can be found in Section 3.4 of the SDEIS. More information on existing and projected traffic in the Wallace Tunnel with and without the proposed project is contained in Chapter 2.0 and Section 3.6 of the SDEIS.
24.	Closing the Bankhead Tunnel will be a major mistake and result in worse congestion on the Cochrane-Africatown USA Bridge and the Causeway.	ALDOT has committed to maintaining a free route across the Mobile River and Mobile Bay. The free route consists of the Bankhead Tunnel, the Cochrane-Africatown USA Bridge, and the Causeway. ALDOT has no plans to remove the Bankhead Tunnel. ALDOT regularly inspects the Bankhead Tunnel and maintains the tunnel to ensure its sustainability. Closure of the

Comment		Response
		Bankhead Tunnel is not in any of ALDOT's short-term or long-term transportation plans.
Comment Group: Other Comments		
25.	Approximately 15 people suggested using a northern route that would involve constructing an interstate connector from the Bayway, across the Cochrane-Africatown USA Bridge, through Africatown, and connect to I-165.	A full range of reasonable alternatives, including 14 different alignments, was evaluated as part of an Alternatives Screening Evaluation. The screening process included northern routes (Alternatives 5, 6, and 11) that would provide an interstate connection from the Bayway to the Cochrane-Africatown USA Bridge and then progress through the Africatown/Plateau community before connecting to I-165 to reach I-65. It was determined that these alternatives would not divert sufficient traffic to meet the project's purpose and need, would result in direct impacts to a historic district listed on the National Register of Historic Places, and would result in major direct physical and indirect impacts to the Africatown/Plateau community, which is a predominantly minority and low-income community. Therefore, the northern routes were not carried forward for further analysis. Appendix B of the 2014 DEIS contains the Alternatives Screening Evaluation Report.
26.	A total of 5 people mentioned that they regularly cross Mobile Bay for medical purposes.	ALDOT has committed to maintain a toll-free route that consists of the Bankhead Tunnel, US-90/US-98 Causeway, and the Cochrane-Africatown USA Bridge. Additionally, ALDOT has committed to a frequent user discount program as part of the toll policy for the project, which will help offset economic impacts for frequent users, including those who use the facility to reach medical facilities on either side of Mobile Bay.
27.	Please add fencing along the portion of the bike/ped path that will be located on the Cochrane-Africatown USA Bridge.	For safety, fencing will be required along the shared use paths on the Cochrane-Africatown USA Bridge.
28.	The project is needed to help Mobile remain competitive in economic development and to improve quality of life. Reliable infrastructure is important to attracting businesses, tourists, and residents to the area.	Comment noted.

Comment Letters

HERNDON INGE III, L.L.C.
ATTORNEY AT LAW

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MOBILE, ALABAMA 36602
e-mail: hinge@herndoninge.com
www.herndoninge.com

MAILING ADDRESS:
P. O. BOX 40188
MOBILE, ALABAMA 36640-0188

TELEPHONE (251) 432-1444

April 16, 2019

Donald C. Powell, P. E.
Operations Engineer
Alabama Department of Transportation
Southwest Region – Mobile Area
1701 I-65 West Service Road North
Mobile, AL 36618

RE: Mobile River Crossing

Sir:

Please consider and file the enclosed in the Environmental Impact Statement of the Mobile River Crossing:

CD- *BRIDGE- pdf Images*- of miscellaneous publications- SCANned by ALDOT
2/27/19 correspondence to Natasha Clay
6/8/18 correspondence to Natasha Clay
5/1/18 correspondence to Vince Calametti
5/3/18 correspondence from Vince Calametti
4/3/19 article: *Turning Back 'The Highwaymen'*
1/18/18 correspondence from Dr. Bernard H. Eichold- Mobile County Health Officer
7/24/14 correspondence from Advisory Council on Historic Preservation
5/8/18 *NOTES for Section 106 Consulting Meeting*
6/21/05 correspondence to R. F. Poiroux
A POLICY on DESIGN of URBAN HIGHWAYS and ARTERIAL STREETS- 1973

Sincerely,

Herndon Inge

Enclosures

Herndon Inge III

From: Herndon Inge III <hinge@herndoninge.com>
Sent: Wednesday, February 27, 2019 12:10 PM
To: 'Clay, Natasha'
Cc: 'Calametti, Vince'; 'Powell, Don'
Subject: Mobile River Crossing- Interstate 10

Ms. Clay,

The Area of Potential Effect includes neighborhoods, buildings and cemeteries on the National Register of Historic Places and the traffic, congestion, chance of damages from increased traffic, noise pollution, air pollution and vibration pollution to historic assets of OUR community would be minimal if the route was moved away from these historic assets.

The bridge spires and road surface and the traffic will adversely impact the historic assets, and the increased of OFF-Interstate 10 traffic will adversely impact the historic assets, and the present route is in violation of almost half a century of highway design guidelines of the Federal Highway Administration and other highway design agencies.

The traffic that leaves Interstate 10 to avoid the toll will exit directly into historic neighborhoods and by historic places, causing actual and threatened damages.

If the highway designers agree that all of this traffic will exit Interstate 10 to avoid the toll, then there is less need for the I-10 bridge, at all.

This bridge routing is fraught with damages that will be long lasting to all residents of OUR community and its historic assets.

STOP THE BRIDGE.

Herndon Inge

Herndon Inge III

From: Herndon Inge III <hinge@herndoninge.com>
Sent: Friday, June 08, 2018 1:00 PM
To: 'Clay, Natasha'; 'Calametti, Vince'; 'Powell, Don'; 'Bartlett, Mark (FHWA)'; 'acoffa@dot.state.al.us'; 'clayn@dot.state.al.us'; 'adamsw@dot.state.al.us'
Subject: Mobile River Crossing- § 106 COMMENT on MOA

My comment to the proposed Memorandum of Agreement:

$50,000 for planting some trees (which will take 30 years to mature), "to soften the visual effects of the bridge", will not affect the View Encroachment of TWO 515 foot towers, and of the ramps and the bridge with a 215 foot vertical clearance (higher than the Golden Gate Bridge), or the adverse impact to the "view shed", or the "highway noise", or the "splash zone", creating a "physical and psychological barrier" and "dead zone", and the "adverse effects" to historic structures and historic districts, the economic Dis-investment of residential and commercial structures, a decade if traffic disruption just outside of but within unmistakable and clear sight of the Central Business District, during construction, or the adverse impact on the "natural beauty" and the "general community", in violation of the:

"The Freeway in the City", 1968, U.S. Department of Transportation

"A Policy on Design of Urban Highways and Arterial Streets", 1973, American Association of State Highways Officials

36 C.F.R. §§800.16(i), 800.5(a)(1)

Section 110(f)

There are "feasible alternatives" that have not been made in "good faith objectivity" in selecting the route, as 42 U.S.C. §4332 and §4(f) and National Environmental Policy Act of 1969 require.

Herndon Inge
§106 Consulting Party

Herndon Inge III

From: Herndon Inge III <hinge@herndoninge.com>
Sent: Tuesday, May 01, 2018 11:18 AM
To: 'Calametti, Vince'
Cc: 'Powell, Don'
Subject: FW: Mobile River Crossing

Mr. Calametti,

As instructed by you yesterday, just now I delivered my original records to Edwin Perry and a female engineer from your office. They agreed to make both a paper and a digital copy of my records, return the originals to me, along with a paper copy, which I will file with your office during the Citizen Input "window" for inclusion in the Environmental Impact Statement on Mobile River Crossing.

Herndon
(251)533-1444

From: Herndon Inge III [mailto:hinge@herndoninge.com]
Sent: Monday, April 30, 2018 2:14 PM
To: 'Calametti, Vince'
Subject: FW: Mobile River Crossing

Mr. Calametti,

Thanks for your call this morning.

As instructed, I will my original records to Edwin Perry, from your office, tomorrow morning. He will have them copied, and return the original records to me. Than when appropriate, your copy of my records will be "filed" with the Environmental Impact Statement, during the Citizen Input "window".

Herndon
(251)533-1444

From: Herndon Inge III [mailto:hinge@herndoninge.com]
Sent: Wednesday, April 18, 2018 9:52 AM
To: 'Calametti, Vince'
Subject: FW: Mobile River Crossing

Mr. Calametti,

Immediately below are my notes of the telephone conversation that we just had:

The ALDOT Regional Director, Vince Calametti, just called me:

- "We may not always agree but we will be professional and civil with each other"
- He will write to me with specific instructions on where to deliver my original printed records, to make a copy, and return the originals to me, and I can submit the copy for inclusion into the EIS
- "The Section 106 meeting is a Federal process but the last time it was handled by Federal representatives "not from around here" and this time handled by local ALDOT employees who will

listen, so long as State ALDOT is not told by Feds that they will handle the meeting. The Section 106 meeting will accept oral comments or objections."

- "Next Summer or next Fall there will be a meeting on the EIS and oral comments may be limited to 3 minutes but can submit written records there also"
- I reminded the Regional Director of the way I was treated both at the last Section 106 meeting and the last public comment meeting
- The Regional Director: "I will consult with my Section 106 employees and with my EIS employees and I will write to you exactly when and how to file your written records to assure inclusion in the EIS"
- As always, he was friendly and professional and straightforward and he promised to respond in writing "for the record"

He told me that he would respond BEFORE the May 8, Section 106 meeting.

Herndon
(251)533-1444

From: Herndon Inge III [mailto:hinge@herndoninge.com]
Sent: Tuesday, April 17, 2018 2:03 PM
To: 'Calametti, Vince'
Cc: 'Powell, Don'
Subject: FW: Mobile River Crossing

Mr. Calametti,

Please reply, in writing, with specific instructions. Some of these records and studies that I need included in the final EIS are my originals and cannot be replaced. Several years ago I asked Mr. Powell to return some of these to me, and he told me they were lost, but I persisted, and after describing them and sending to him my attached 2008 letter to you, then miraculously he found them and returned them to me. I have accumulated other original records that cannot be replaced that must be included in the final Environmental Impact Statement, as they were previously reviewed and held decisive by the Federal courts.

I will deliver them into your hands ONLY unless you give me other instructions, in writing, on the procedure to file my records. Don Powell has kept me informed, as you can read below, that the Citizen Input "window" was not open yet, and the time for my filing of these records was not appropriate, now he informed me to bring to the Section 106 review next month, which was not cooperative or productive or receptive the last time.

I will ONLY deal with you, as you have always been trustworthy and straightforward with me, in the almost 40 years that I have been dealing with the State and Federal highway departments.

Please make the necessary assurances to me, in writing.

Herndon Inge
533-1444

From: Powell, Don [mailto:powelldo@dot.state.al.us]
Sent: Tuesday, April 17, 2018 1:43 PM
To: Herndon Inge III
Cc: Calametti, Vince
Subject: Re: Mobile River Crossing

Mr. Inge

Anything you submit as part of the 106 process and/or the public hearing process will be part of the Admin Record, which is the basis for the legal record for the project and EIS.

You will be allowed to speak at the 106 meeting, but it is important to note, however, that the purpose of the 106 meeting is to discuss potential impacts to cultural resources and the Draft MOA. If you would like to provide comments on other topics, you may provide them after the meeting, and we will include them as public comments.

Don

Sent from my iPhone

On Apr 17, 2018, at 1:23 PM, Herndon Inge III <hinge@herndoninge.com> wrote:

> Mr. Powell,
>
> No, you do not understand my request. I have some letters and records and studies and reports, in paper form, going back decades, that I want to FILE, during the Citizen Comment stage of the EIS review. But the last Section 106, the moderator interrupted my remarks, was rude to me and I was an invited participant at the meeting, and STOPPED my comments and would take NO paper, at all.
>
> Please check with Mr. Calametti on this. I want papers to be included in the EIS records, for later legal reviews by Federal courts.
>
> Herndon Inge
>
> **From:** Powell, Don [mailto:powelldo@dot.state.al.us]
> **Sent:** Tuesday, April 17, 2018 12:59 PM
> **To:** Herndon Inge III
> **Cc:** Calametti, Vince
> **Subject:** Re: Mobile River Crossing
>
> Mr. Inge
>
> Yes, any comments given at the Section 106 Consulting Parties Meeting or provided after as part of the Section 106 process will become part of the administrative record for the EIS.
>
> Don
>
> Sent from my iPhone
>
> On Apr 17, 2018, at 8:46 AM, Herndon Inge III <hinge@herndoninge.com> wrote:
>
> > Mr. Powell,
> >
> > Will they be filed and become part of the Final Environmental Impact Statement? Because the last Section 106 meeting I was told that was neither the time or place to file anything.
> >
> > Please note my attached letter to Vince Calametti in 2008.
> >
> > I need such assurance BEFORE I file my comments. With your assurances, I will do as you instruct, but I expect inclusion in the EIS.

ALABAMA
DEPARTMENT OF TRANSPORTATION

SOUTHWEST REGION
OFFICE OF REGION ENGINEER
1701 I-65 WEST SERVICE ROAD NORTH
MOBILE, ALABAMA 36618-1109
TELEPHONE: (251) 470-8200
FAX: (251) 473-3624

Kay Ivey
GOVERNOR

John R. Cooper
TRANSPORTATION DIRECTOR

May 3, 2018

Mr. Herndon Inge, III
Stop the Bridge Coalition
200 South Cedar Street
Mobile, Alabama 36602

RE: ALDOT Project DPI-0030(005)
I-10 Mobile River Bridge and Bayway Project
Mobile and Baldwin Counties, Alabama

Dear Mr. Inge:

As requested and previously discussed, the Alabama Department of Transportation (ALDOT) has made hard copies and digital copies of the reports, books, and correspondence you provided in person on May 1, 2018. With this letter, ALDOT is returning to you the original documents you provided, along with a full set of duplicates in hard copy format and electronic format.

The formal public review and comment period will open once the Supplemental Draft Environmental Impact Statement (SDEIS) has been signed by the Federal Highway Administration. We currently anticipate approval of the SDEIS in the fall of this year. To ensure that your comments are included in the public comment record and responded to as part of the Environmental Impact Statement, you may submit an electronic copy or a hard copy of the documents, along with a cover letter, to the following:

Mr. Vince Calametti, P.E.
ALDOT Southwest Region Engineer
1701 I-65 West Service Road North
Mobile, Alabama 36618

We appreciate your interest in this project and look forward to receiving any comments you may have for consideration as we further evaluate this project. Should you have any questions or need additional information, please contact me at 251.470.8200 or calamettiv@dot.state.al.us.

Sincerely,

Vincent E. Calametti, P.E.
Southwest Region Engineer

#PRESERVEnola300

THE PRESERVATIONISTS WHO **SAVED** NEW ORLEANS

Turning Back 'The Highwaymen'

Saving the Vieux Carré from the Riverfront Expressway

BY Sandra L. Stokes

INCONCEIVABLE AS IT MAY SEEM TODAY, New Orleans' political and business elite fought long and hard to build an expressway through the French Quarter some 20 years after World War II.

It was a fight fraught with paradox and irony.

Preservationists led the ultimately successful battle to save the cherished historic district, and in doing so, broke new ground. They put New Orleans at the head of a pack of cities creating more sophisticated ways in which transportation issues shape the urban experience. By fending off the highway, they laid the groundwork for the kind of revival that today has made inner-city neighborhoods more vigorous, both culturally and economically, than the suburbs to which an earlier generation had fled.

In hindsight, it's sobering to realize how close New Orleans came to destroying itself.

THE HISTORY

IN 1946, in a quest for ideas to "modernize" New Orleans' transportation grid, The Louisiana Highway Department hired New York's almighty transportation czar, Robert Moses, as a consultant. Moses was already becoming notorious; his enthusiasm for cars and highways was as boundless as his indifference to the virtues of public transit. His New Orleans' blueprint called for a Riverfront Expressway — an elevated six-lane expressway, 40-feet high and 108-feet wide — separating the French Quarter from its frontage on the Mississippi River.

Fast-forward 10 years. By 1956, the federal government had unveiled a program to spend $41 billion to build 41,000 miles of "defense highways" to connect cities with a population of 50,000 or more. By 1969, the price tag had jumped to $104 billion, making it the largest public works project in U.S. history. With the federal government picking up 90 percent of the cost, New Orleans — like every other city — was salivating for its piece of the pie.

Freeways would be the "life blood" of the city, proponents argued. They promised deliverance from increasingly congested downtowns. Civic pride was at stake. Give up the money, and it would just go to Houston, Dallas and Atlanta, cities that were preparing to wrap themselves in ribbons of elevated highway. New Orleans needed to keep up in the name of progress.

THE PROPONENTS

ENTER THE CENTRAL AREA COMMITTEE (CAC). Formed in 1957 under the aegis of the local Chamber of Commerce, the CAC's primary concern was the automobile congestion that seemed to be choking the Central Business District (CBD), weakening the magnetism of the big department stores and irritating commuters. The argument was that expressways would jolt a fading downtown back to its former vitality and stanch the worrisome flow of people moving out to suburbia.

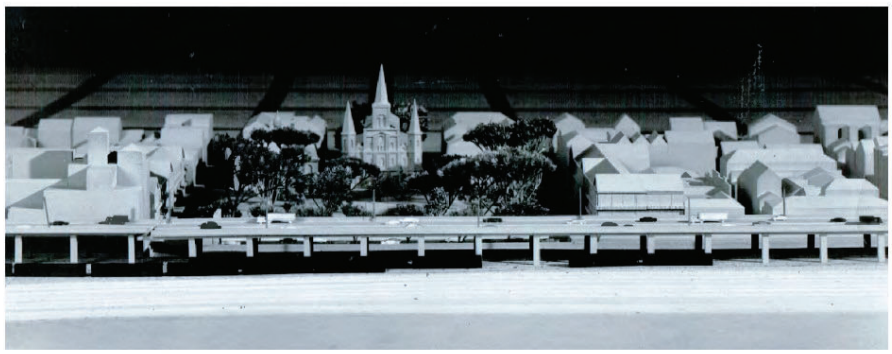
Leaning heavily on Moses' blueprint, the CAC produced a "study," a one-sided thesis titled "A Prospectus for Revitalizing New Orleans Central Business District." It recommended an expressway along the Vieux Carré riverfront fed by six-lane thoroughfares down Elysian Fields Avenue, and a later addition to the plan had it continuing Uptown to a new river bridge at Napoleon Avenue. It included topping Claiborne Avenue with the elevated Interstate that actually got built, bisecting and causing irrevocable harm to Tremé, the city's oldest black neighborhood. The Claiborne Avenue elevated expressway, often misconstrued as the default after the riverfront portion was defeated, was in fact Interstate 10's primary route through New Orleans and was under construction while the riverfront route was still embattled.

Incredibly, the city's business and political elite spent years fighting doggedly for this highway plan. The high-powered proponents included The Times-Picayune, the Chamber of Commerce, WWL-TV, the Bureau of Governmental Research, the New Orleans Levee Board, the City Planning Commission, business titan Richard Freeman, Mayor Victor Schiro and Councilman Moon Landrieu.

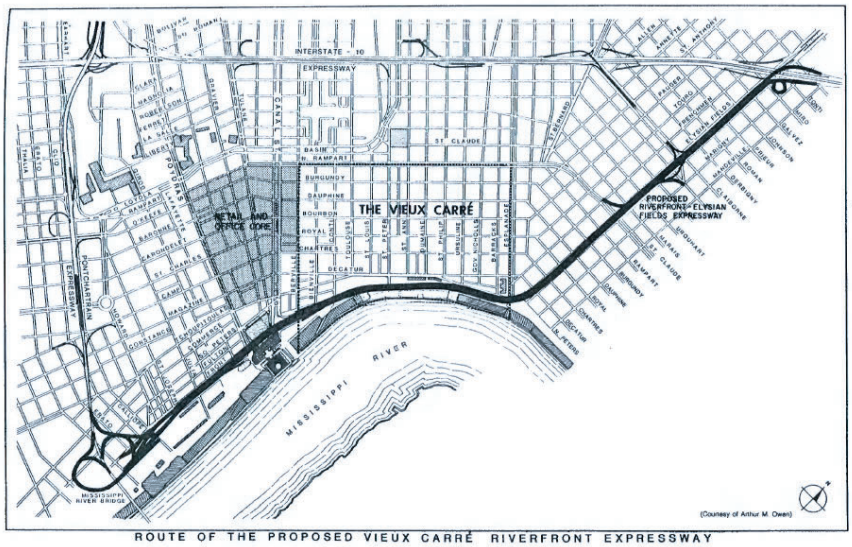
THE OPPONENTS

A "FREEWAY WAR" was heating up across the nation by the 1960s. The first noteworthy opposition had cropped up when historically significant sites became at risk: Independence Hall in Philadelphia and Beacon Hill in Boston, to name just two. In New York City, the visionary urbanist Jane Jacobs had begun her battle, organizing fellow citizens to block Moses' plan to bulldoze the West Village, and later to plow a crosstown Interstate through the East Village, Little Italy and what would become SoHo.

Preservationists also were a significant force in New Orleans. They had saved the Vieux Carré from extinction by pioneering the tout ensemble concept as an alternative to fighting building-by-building for neighbor-



Model of the Riverfront Expressway.



ROUTE OF THE PROPOSED VIEUX CARRÉ RIVERFRONT EXPRESSWAY

ervation. As early as 1961, Louisiana Landmarks Society and Vieux Carré Property Owners and Associates passed resolutions opposing the Moses plan along the French Quarter riverfront. The opponents counted in their ranks leading architects, authors and activists; stalwarts like Martha Robinson, Harnett T. Kane, Sam Wilson, Ray Boudreaux, John W. Lawrence, and support from the weekly Vieux Carré Courier.

But resolutions weren't enough. A legal strategy was needed.

In 1965, on Christmas break from college, two young lawyers, William E. Borah and Richard O. Baumbach, Jr. got wind of the expressway plan and were sufficiently appalled — enough to suspend their respective graduate programs and join the fight. Their efforts caught the eye of Edgar Stern Jr., scion of the Stern/Rosenwald family of Longue Vue fame. As employees of the Stern Family Fund, a progressive national foundation involved in urban issues, Borah and Baumbach were given carte blanche to study cities across the nation threatened by highway interests.

As with the CAC's "Prospectus," most of the studies supporting unfettered freeway expansion were little more than one-sided arguments buttressed by unproven assumptions — above all that highways would revive downtowns rather than hasten flight to the suburbs. But one in particular caught Borah's and Baumbach's attention, a study of highway plans around Washington, D.C., by Boston-based consultant Arthur D. Little. Unlike others, this study actually pushed back against some of the assumptions embraced by the highway interests who had hired the firm in hopes it would merely rubberstamp their plans.

Again with Stern funding, Little was hired to study the New Orleans expressway plan, which was found to be deeply flawed. It had been shaped by only one preconception, the CAC's focus on easing access to the CBD and its underlying assumption that freeways were the solution. Ignoring federal requirements, the CAC study had given no thought to the transportation needs of the city as a whole and had failed to cite other cities' relevant experiences. Additionally, it had failed to include an analysis of public vs. private transportation modes, or combinations thereof, as required by the federal Bureau of Public Roads. Most importantly, Little condemned the CAC study for clinging to the 1946 Moses map and failing to consider alternative routes.

As opposition grew, the proposed highway gyrated through various iterations: elevated, partially elevated, at grade, below-ground, etc. But the elevated stretch directly in front of Jackson Square remained a constant. In 1964, so confident were city officials in ultimately getting their expressway, they funded construction of a $1.3 million tunnel under the Rivergate Exhibition Facility without federal approval or a guarantee of reimbursement. As a matter of aesthetics, they were willing to conceal the freeway at Poydras Street near the World Trade Center — but not in front of St. Louis Cathedral.

TAKING THE FIGHT TO WASHINGTON

WITH THE ARTHUR D. LITTLE STUDY as inspiration, Borah and Baumbach reached what would turn out to be a pivotal realization. There was little chance that the preservationists could prevail at the state or municipal level. To have a real shot at stopping the Riverfront Expressway, they needed to take the fight to the federal level — to Congress and the courts. To guide them into the upper echelons of U.S. transportation policy, Borah and Baumbach convinced the Sterns to engage as their legal counsel Louis F. Oberdorfer, of the powerful Washington firm Wilmer, Cutler and Pickering. The two young lawyers then began working with Oberdorfer's team, preparing arguments demonstrating that the CAC had not complied with rules that needed to be respected if the feds were going to pick up that all-important 90 percent of the bill.

The Federal-Aid Highway Act of 1962 required a "continuing comprehensive planning process" and a long-range transportation plan. The Department of Transportation Act of 1966 required studying alternative routes, stipulated that the secretary should not approve any project that requires the use of land from a historic site unless there is no "feasible" or "prudent" alternative, and included that all possible planning must be done to minimize the harm to the historic site. Furthermore, the National Historic Preservation Act of 1966 required that the newly formed Advisory Council of Historic Preservation be allowed to review and comment on any project using federal funds that impinged on a historic district. Given that these stipulations had not been met, the Oberdorfer team argued that the entire planning process was invalid.

The battle drew national media attention. Articles appeared in major magazines and newspapers across the country (though not the New Orleans dailies), educating America about the matchless value of the French Quarter and how an expressway would irreparably harm it. The Quarter was a national treasure and locals had no right to destroy it, mainstream media reasoned.

The year 1969 brought the chaotic battle to its culmination. With the Nixon administration about to take office, and John A. Volpe, an unknown commodity, set to become Secretary of Transportation, proponents urgently wanted approval before outgoing Federal Highway Administrator Lowell Bridwell left office. In a tense, seven-hour New Orleans City Council meeting, the vote ended 4-3 in favor of the expressway. Eight days later, with only three days left in office, Bridwell approved the all-important federal funding for the project.

Within another 11 days, federal approval was withdrawn. The Advisory Council asserted its right to review and comment on the expressway plan under the National Historic Preservation Act. This gave the opponents what looked like their last shot.

After hearing testimony in Washington and a subsequent on-site visit in New Orleans, the Advisory Council determined that the freeway would have a serious adverse effect on the French Quarter's *tout ensemble*.

With that report, both sides anxiously petitioned for a meeting with Secretary Volpe. The federal Department of Transportation sent James Braman to meet with the New Orleanians and prepare a report.

On June 6, 1969, proponents, positioned in Mayor Schiro's office, and opponents, meeting later at the Presbytere on Jackson Square, presented powerful arguments in support of their diametrically opposite positions. John Vardaman of Wilmer, Cutler and Pickering rehashed the numerous ways in which the CAC and highway interests were out of compliance with federal rules, concluding with, "Mr. Secretary, the expressway opponents may not have the newspaper on their side. They may not have the mayor on their side. But, in my opinion, they do have the law on their side."

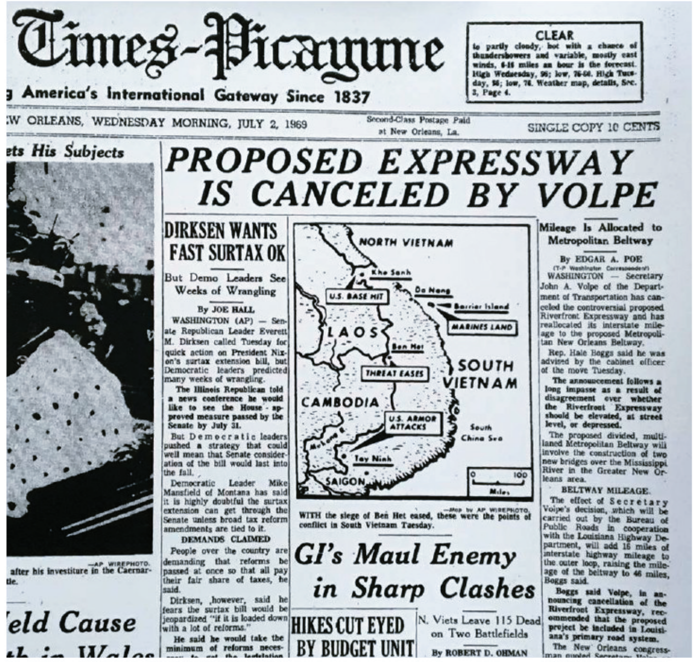
Less than a month later, jubilant preservationists were shouting hallelujah. Volpe cancelled the Vieux Carré expressway on July 1, confirming that "it would have seriously impaired the historic quality of New Orleans' famed French Quarter." Echoing the argument shaped by the Oberdorfer legal team,

Volpe cited the failure to study alternate routes or to factor in mass transportation as evidence of New Orleans' woeful lack of comprehensive transportation planning. In a stunning rebuff to the CAC's misbegotten faith in highways as the solution to congestion, Volpe noted data from other cities demonstrating that the more highways are built, the greater the gridlock.

In turning back "the highwaymen," as Borah called them, New Orleans was ahead of the curve, for a change. The Washington Post declared the "Battle of New Orleans" a turning point in the Freeway War. The expressway was the first segment of the Interstate Highway System cancelled for environmental reasons, Business Week noted.

Recently, in cutting a deal with the Port of New Orleans to relinquish the wharves at Governor Nicholls Street and Esplanade Avenue for public use, former Mayor Mitch Landrieu lauded New Orleans for reassembling over three miles of public land, the nation's largest contiguous riverfront park.

There was every reason to join Landrieu in celebrating that achievement. But let no one forget the debt we owe to the relentlessly wily band of preservationists who kept that riverfront from being paved a half-century ago.



Times-Picayune

...g America's International Gateway Since 1837

CLEAR to partly cloudy, hot with a chance of thundershowers and variable, mostly east winds, 6-16 miles an hour is the forecast. High Wednesday, 96; low, 76-66. High Tuesday, 96; low, 76. Weather map, details, Sec. 3, Page 4.

...W ORLEANS, WEDNESDAY MORNING, JULY 2, 1969 — Second-Class Postage Paid at New Orleans, La. — SINGLE COPY 10 CENTS

...ets His Subjects

PROPOSED EXPRESSWAY IS CANCELED BY VOLPE

DIRKSEN WANTS FAST SURTAX OK

But Demo Leaders See Weeks of Wrangling

By JOE HALL

WASHINGTON (AP) — Senate Republican Leader Everett M. Dirksen called Tuesday for quick action on President Nixon's surtax extension bill, but Democratic leaders predicted many weeks of wrangling.

The Illinois Republican told a news conference he would like to see the House-approved measure passed by the Senate by July 31.

But Democratic leaders pushed a strategy that could well mean that Senate consideration of the bill would last into the fall.

Democratic Leader Mike Mansfield of Montana has said it is highly doubtful the surtax extension can get through the Senate unless broad tax reform amendments are tied to it.

DEMANDS CLAIMED

People over the country are demanding that reforms be passed at once so that all pay their fair share of taxes, he said.

Dirksen, however, said he fears the surtax bill would be jeopardized "if it is loaded down with a lot of reforms."

He said he would take the minimum of reforms neces-...

NORTH VIETNAM · Khe Sanh · Da Nang · U.S. BASE HIT · Barrier Island · MARINES LAND · LAOS · Ben Het · THREAT EASES · SOUTH VIETNAM · CAMBODIA · U.S. ARMOR ATTACKS · South China Sea · Tay Ninh · SAIGON · 0 100 Miles

—Map by AP WIREPHOTO.

WITH the siege of Ben Het eased, these were the points of conflict in South Vietnam Tuesday.

GI's Maul Enemy in Sharp Clashes

N. Viets Leave 115 Dead on Two Battlefields

By ROBERT D. OHMAN

HIKES CUT EYED BY BUDGET UNIT

Mileage Is Allocated to Metropolitan Beltway

By EDGAR A. POE (T-P Washington Correspondent)

WASHINGTON — Secretary John A. Volpe of the Department of Transportation has canceled the controversial proposed Riverfront Expressway and has reallocated its interstate mileage to the proposed Metropolitan New Orleans Beltway.

Rep. Hale Boggs said he was advised by the cabinet officer of the move Tuesday.

The announcement follows a long impasse as a result of disagreement over whether the Riverfront Expressway should be elevated, at street level, or depressed.

The proposed divided, multilaned Metropolitan Beltway will involve the construction of two new bridges over the Mississippi River in the Greater New Orleans area.

BELTWAY MILEAGE.

The effect of Secretary Volpe's decision, which will be carried out by the Bureau of Public Roads in cooperation with the Louisiana Highway Department, will add 16 miles of interstate highway mileage to the outer loop, raising the mileage of the beltway to 46 miles, Boggs said.

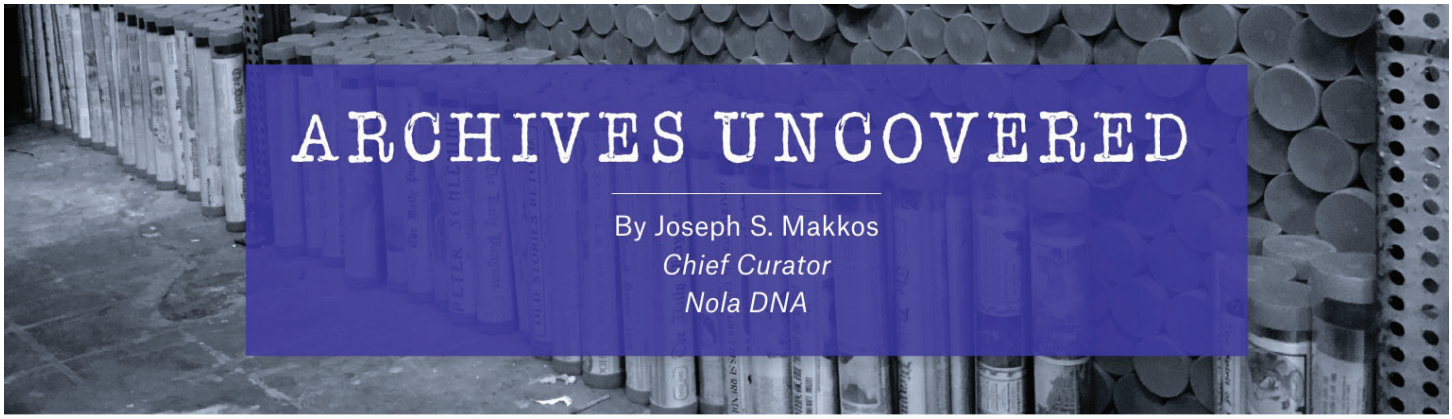
Boggs said Volpe, in announcing cancellation of the Riverfront Expressway, recommended that the proposed project be included in Louisiana's primary road system.

The New Orleans congressman quoted Secretary Volpe...

...after his investiture in the Caernar... —AP WIREPHOTO.

...eld Cause

SANDRA STOKES gratefully acknowledges Jed Horne for his help with this article. Horne has written the preface to a new edition of *Second Battle of New Orleans: A History of the Vieux Carré Riverfront-Expressway Controversy*, Richard Baumbach, Jr. and William Borah's account of the fight against the expressway. The book, long out of print, is being republished in an updated edition by University of Louisiana at Lafayette Press.



ARCHIVES UNCOVERED

By Joseph S. Makkos
Chief Curator
Nola DNA

PART 5: New Roadways in The Roaring Twenties

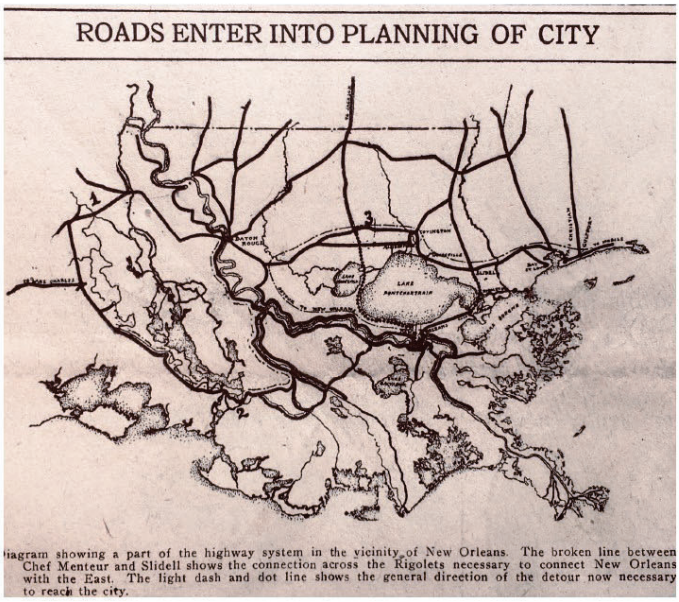
IN THE EARLY 1920S, Louisiana enacted an intentional plan to build and improve interstate highways, joining them to country, town and smaller city roads. The plan also included connections to old pathways leading to ports, ferries and waterways, as well as to established railroad systems. This project was part of a larger federally led effort to build an accessible, nationwide, navigable network of roads — the very beginnings of the Interstate Highway System as we know it today.

It was no easy task, and it became especially difficult to carryout along the Gulf of Mexico and across the complex waterways of Southern Louisiana. By 1921, the greater New Orleans road system distinctly lacked a way to connect the east part of the city, running along Chef Menteur Highway, to Slidell and across to the Rigolets, a path many of us take today to explore the back roads toward Bay St. Louis, Biloxi and other vacation spots. But this matter wasn't about vacation voyages at first, for it was vital that the City of New Orleans no longer be cut off from national routes coming in from the north, east and west — or to put it another way, for motorists, "New Orleans lies in a cul-de-sac requiring detour of two hundred miles."

In a Times-Picayune article from Jan. 2, 1921, titled "City Must Provide for System of Highways", the author, Milton D. Medary, chief consultant of the Association of Commerce, calls for the city to plot out a complex, but immediately necessary, new roadway system. This system would be built in order to support the passage of thousands of new automobiles that required more navigable and improved conditions. It also would be needed by ruggedized trucks transporting goods on a large scale to places where railroads — garnering decades of investment and capital — had already been laid out. Medary's plan called for a re-examining of the immediate needs of Louisianans, citing the age-old roads of the Roman Empire, reminding the reader of the roads' role in the progress of arts and sciences, education and commerce.

His plan was for the railways, waterways and roadways to all function together equally — and his goal was connectivity. He writes, "All power consumed in unnecessary transportation is a charge against all the people." Medary's study was in-depth and his thesis was clear: "the isolated position of New Orleans in relation to the highway approach and the undeveloped condition of the highways themselves have in the past made any serious consideration of these gateways in the city unnecessary; but potentially they have as great importance as the gateways to ancient cities…" The study he created was quickly deemed invaluable, and these measures gained much support and cooperation. Over the next few years, these proposed road improvements came quickly, and within the 1920s, the new system began to take shape.

Just a few short years later, the Times-Picayune added a "Motorlog" section that creatively presented step-by-step plans to navigate these new routes, providing the tools for automobile enthusiasts to explore the entire region. So imagine packing up your vehicle to set out on a road trip to some unseen destination along the Gulf Coast — but what if you could see it through the lens of 1925? Well, before Google Maps, there were AAA TripTiks, which took the place of national road atlases, and before those, motorists used elaborately folded paper maps. But in the 1920s, the Times-Picayune took the work out of plotting the path and published hand-drawn, detailed adventure guides for an eager, new generation of "Motorlog" road-trippers.



ROADS ENTER INTO PLANNING OF CITY

iagram showing a part of the highway system in the vicinity of New Orleans. The broken line between Chef Menteur and Slidell shows the connection across the Rigolets necessary to connect New Orleans with the East. The light dash and dot line shows the general direction of the detour now necessary to reach the city.

What is to be found in these sections is a series of treasured travelogues and illustrated maps that reveal how people of the past were able to newly navigate the terrain, in a time when Americans were breaking free from old ideals and realizing the new possibilities of traversing great distances, one tank at a time.

The Motorlogs reveal the way we once set out — on paved, shell, gravel and dirt roads — across a landscape forgotten in time, to explore an environment so precious to us today.

As part of the New Orleans Tricentennial celebrations, the exhibit **"Road Trips of the Roaring Twenties"** will be shown at the Picayune Social House, 326 Camp St. through July 17, 11 a.m. to 11 p.m. daily.

Nola DNA is an original archive of more than 30,000 New Orleans newspapers from 1888-1929, delivering history on demand through clever curation, graphics and print. Curator Joseph Makkos is using materials from the archive to write this special series for Preservation in Print in celebration of the Tricentennial.

*Read more about the archive in the November 2017 issue at **PRCNO.org**.*

MCHD
mobile county health department
A legacy of excellence since 1816

Bernard H. Eichold II, M.D., Dr.P.H., F.A.C.P.
Health Officer

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Nina Ford Johnson, M.D.
Merceria L. Ludgood, President, County Commission

January 18, 2018

Vince Calametti, P.E., Regional Engineer
Alabama Department of Transportation
Region 9th Division
1701 West I-65 Service Rd, West
Mobile, AL 36618-1109

Subject: Proposed I-10 Bridge

Dear Mr. Calametti:

Happy New Year and thanks for all your hard work. Since I do not believe the public comment period for the Environmental Impact Statement (EIS) has opened and it is now known the Alabama Department of Transportation (ALDOT) must build a new more elevated bayway, could we modify the current plans and build the new I-10 Bridge and Bayway south of the planned route (Attachment 1)? If we follow the more southern route, the existing I-10 could be designated the I-210 for predominately local Mobile traffic with heavier use during high traffic events, maintenance and wrecks. There would be enhanced traffic flow across the Mobile River and Mobile Bay with five lanes of interstate quality road going each direction and save the tax payers $200-300 million which is an estimated cost to demolish the current I-10 Bayway.

I admit I'm not an engineer but the redundancy of five lanes going east and west will make Mobile a safer, healthier community and provide more opportunity for economic growth in both Mobile/Baldwin Counties. The current river front property owned by ALDOT may be more valuable to the maritime industry bringing in more high paying jobs. Trucks leaving the Alabama Port on Virginia Street could take the "Airbus Route" to Brookley and go north on the new Michigan Ave. to I-10 and then turn east to cross the new bridge. Also the slope of the bridge could be less on both sides, since there would be more length to rise and fall. Maybe the Alabama Port Authority will consider trading the ALDOT owned property for an easement across the proposed southern route or purchase it for your original investment cost. The Mobile Chamber of Commerce may be able to provide insight into the future of the coal industry, but I believe current data predicts a steady decline.

Is a 250% increase in crossing capacity better than 150% while saving hundreds of millions of dollars?

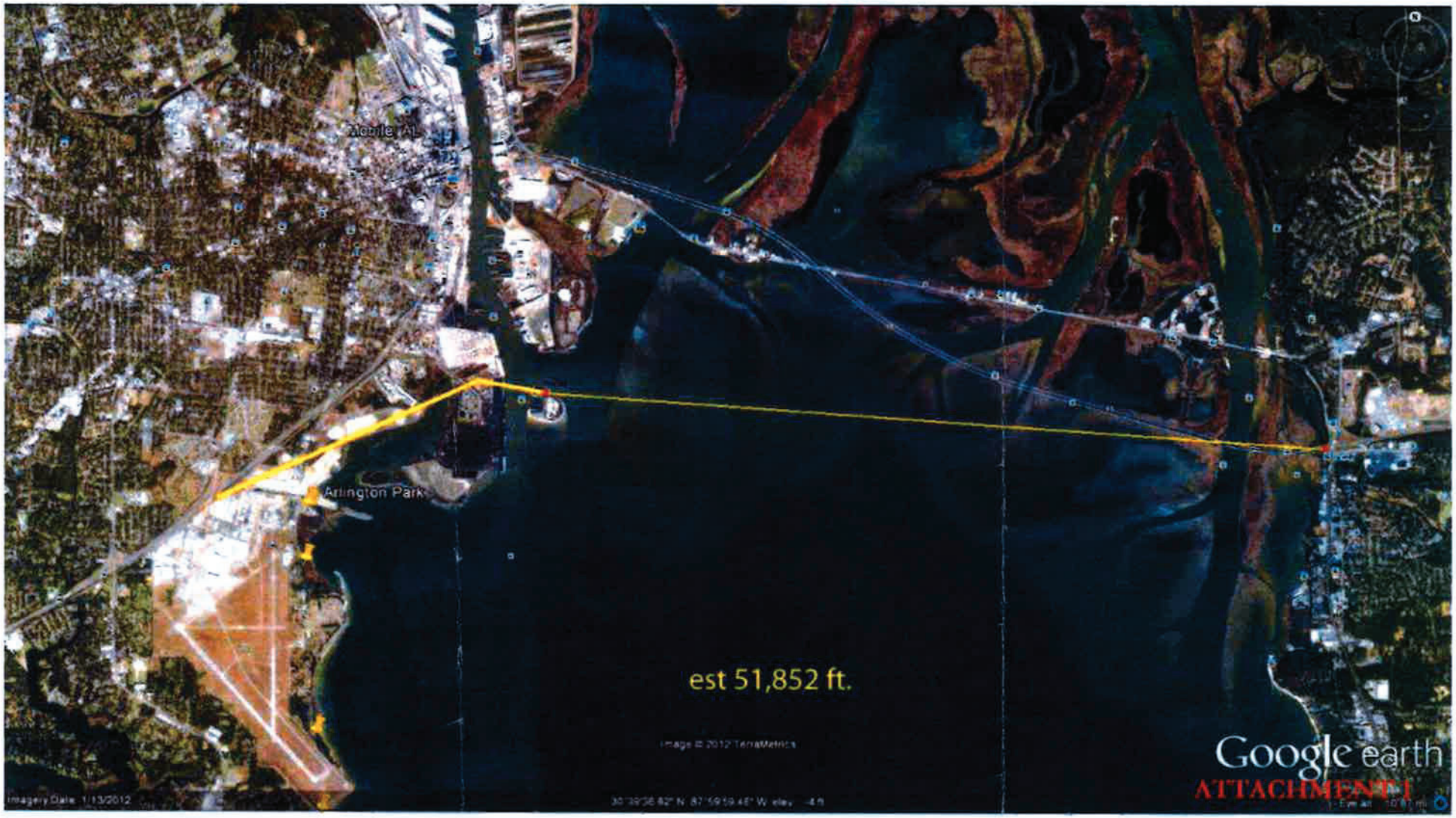
Sincerely,

B E Eichold

Bernard H. Eichold II, M.D., Dr.P.H., F.A.C.P.
Health Officer

BHE:vw

cc: Mr. John R. Cooper, Transportation Director, ALDOT
Mayor Sandy Stimpson, Mobile
Mr. Kevin Harrison, South Alabama Regional Planning Commission


Mobile AL
Arlington Park
est 51,852 ft.
Image © 2012 TerraMetrics
Imagery Date: 1/13/2012
Google earth
ATTACHMENT 1

Preserving America's Heritage

July 24, 2014

Ms. Heather Dunn
Alabama Department of Transportation
Environmental Technical Section
1409 Coliseum Boulevard
Montgomery, Alabama 36110

Ref: *Determination of Effects for ALDOT Project DPI-0030(005)*
I-10 Mobile River Bridge and Bayway Widening EIS
Mobile and Baldwin Counties, Alabama

Dear Ms. Dunn:

This letter is to provide you with the Advisory Council on Historic Preservation's (ACHP's) views regarding the determinations of effects to historic properties for the referenced undertaking. In a letter dated May 28, 2014, the Alabama Department of Transportation (ALDOT) requested comments from the Section 106 consulting parties on its determinations of effects as required in Section 800.5(a) of our regulations, *"Protection of Historic Properties"* (36 CFR Part 800) for the I-10 Mobile River Bridge and Bayway Widening Project. After being granted an extension of the due date for comments, on July 27, 2014, the National Trust for Historic Preservation (NTHP) responded, objecting to ALDOT's determinations that there would be "no adverse effect" to many of the historic properties due to the potential for indirect, adverse, visual, auditory, and vibratory effects on historic properties. Although the ACHP is a formal consulting party for this undertaking, we did not receive a copy of the letter circulated to the consulting parties and the accompanying CD for comment. However, on June 7, 2014, the ACHP requested a copy of the ALDOT's determination of effects, which we received on June 8, 2014.

We have reviewed the determination of effects report and the objections raised by the National Trust for Historic Preservation. The ACHP agrees with the National Trust; with views expressed by the Alabama State Historic Preservation Office (SHPO) in its November 15, 2012 comments; and with the Mobile Historic Development Commission in its letter of July 1, 2014. All agree that there is insufficient information for ALDOT to document that there will be "no adverse effects" to historic properties related to noise, views, and vibrations. To the contrary, we find that there is the potential for visual impacts, noise, and vibrations to adversely affect the characteristics that qualify historic properties for listing in the National Register of Historic Places. A considerable amount of time has passed since the ACHP has been contacted by FHWA or ALDOT about this project. Given the extensive gap in communications, the documentation we were provided should have included information about the proposed undertaking, the preferred alternative, and specific studies that were completed, if any, to evaluate the full range of direct and indirect effects on nearby historic buildings and districts.

In light of the concerns raised by consulting parties, and our inability to fully understand the potential effects, we are requesting additional information to support ALDOT's findings of effect. It is our understanding that the Federal Highway Administration (FHWA) has recently approved a Draft Environmental Impact Statement (DEIS) for the project, and that it will soon be available for review and comment. To the extent that the DEIS contains additional information supporting your findings, we encourage you to share the document with the Section 106 consulting parties, or advise them how it can be accessed. As the overall determination of effect for the undertaking is "adverse," ALDOT should continue consultation in accordance with 36 CFR 800.6, and explore ways to avoid, minimize, and/or mitigate adverse effects to historic properties. We also recommend that FHWA and ALDOT host a meeting in the near future to further discuss and resolve concerns regarding indirect effects.

Thank you for providing us an opportunity to comment on the determinations of effect for the referenced undertaking. Please note that the ACHP will continue to participate in the Section 106 consultation, and should be provided copies of correspondence related to the completion of the Section 106 review.

By copy of this letter, we are sharing these views with the National Trust for Historic Preservation, Federal Highway Administration, Mobile Historic Development Commission, and the Alabama Historic Commission. We request that you forward it to the other Section 106 consulting parties for which we do not have email addresses. If you have any questions, please contact Carol Legard at 202-517-0218 or via e-mail at clegard@achp.gov.

Sincerely,

Charlene Dwin Vaughn

Charlene Dwin Vaughn, AICP
Assistant Director
Office of Federal Agency Programs
Federal Permitting, Licensing, and Assistance Section

NOTES for Section 106 Consulting Meeting

(5/8/18)

- **GO OVER** Concerns at last Section 106 meeting- highlights
- I-210 connector- 1983 (35 years ago)- Federal Highway design publications
- Comments of Advisory Council to I-210 connector- will be included in EIS
- Page 19- "visual" impact- "quite severe for elevated freeways, …massive structures not only block the view but also are difficult to incorporate into the overall urban design concepts of most redevelopment plans"
- Page 36- "Highway noise has perhaps the greatest impact on adjacent development of all operational impacts… Noise levels…generally create an unpleasant environment for living, shopping, working, and other activities both inside and out"
- Page 58- "the elevated sections of the Central Artery are a physical and psychological barrier separating the CBD from the waterfront and dividing Charleston Square to the North"
- Addendum- 1980 Federal DOT study- excerpts- "existing buildings can have double or triple glazed windows installed to reduce noise"- at page 38
- Purpose of Section 106 review-
- To determine how those historic properties might be affected
- Explore measures to avoid or reduce harm ("adverse effect") to historic properties
- to resolve any adverse effects, or failing that, obtain advisory comments
- "adverse effect"- in a manner that would diminish the integrity of the property…to change the character of the property's use or setting…introduction of incompatible visual, atmospheric, or audible elements
- **GO OVER**- 1968 USDOT study
- **GO OVER**- 1973 USDOT study
- **GO OVER** -Section 106 requires the consideration of both direct and indirect adverse impacts, 36 C.F.R. §§ 800.16(i), 800.5(a)(1).
- In the Cape Wind Project, the National Park Service made it clear that determinations ought to be made on a case-by-case basis, and the conclusion "that the visible intrusions are not a direct and adverse effect does not affect

the [Park Service's] ability in other circumstances to find that a visual intrusion can cause a direct and adverse impact on an [National Historic Landmark].

- If a visual intrusion would diminish the "core significance" of an NHL, or would "radically change the feature of the setting that are vital to defining the character of the place," then the Park Service is likely to find that the visual intrusion has "caused a direct and adverse affect" on the Historic Landmark, under Section 110(f).
- In the Cape Wind Project, the National Park Service made it clear that determinations ought to be made on a case-by-case basis, and the conclusion "that the visible intrusions are not a direct and adverse effect does not affect the [Park Service's] ability in other circumstances to find that a visual intrusion can cause a direct and adverse impact on an [National Historic Landmark].
- SOLUTION: Change the planned route, from Alternate B, so Mobile River Crossing is farther from historic structures and historic neighborhoods, that solves most of the objections, like Africatown, Charleston, Savannah bridges
- ALDOT's Viewshed Impact Assessment is subjective, and inaccurate- present configuration- towers 515 ft- severely damage ALL South and East views from RSA Tower- ALL South and East views from First National Bank, Riverview, Holiday Inn, Government Plaza, Van Antwerp bldg., Battle House will be dominated by towers and road surface- higher than Golden Gate Bridge over San Francisco- examples:
  - Church Street East- distinct to average
  - DeTonti district- average
  - Gov't Street Presbyterian- minimal
  - Admiral Semmes hotel- moderate
  - Van Antwerp bldg.- minimal
  - Battle House- minimal
  - Old City Hall-substantial to moderate
  - Christ Church cathedral-minimal
  - Conde Charlotte house- moderate
- $50,000 to Plant oak trees, that take 30 years to mature, "to soften the visual effects of the bridge" does NOT solve the problems
- Is there really "no feasible prudent alternative" like Section 4(f) requires? Has ALDOT really made "good faith objectivity" in selecting a route, like Section 4332 requires, and "in good faith", like NEPA requires?

HERNDON INGE III, L.L.C.
ATTORNEY AT LAW

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June 21, 2005

Mr. R. F. Poiroux
Division Engineer
Alabama Department of Transportation
1701 I-65 West Service Road, North
Mobile, AL 36618-1109

RE: *Public Comment*
Proposed alternate to Wallace Tunnel

Sir:

Mobile citizens fought a similar battle between 1984 and 1988. Enclosed are letters to the editor, newspaper articles, and the appellate opinion in the Federal court. Any ENVIRONMENTAL IMPACT STATEMENT required by §42 U.S.C. §4332 must consider, "with good faith objectivity", the environmental consequences of a proposed Federal action.

In addition, the National Environmental Policy Act of 1969 also requires the examination of routing alternatives "in good faith". Another important issue is the Section 4(f), the Department of Transportation Act, 49 U.S.C. §303 (1982), consideration which forbids the construction of a highway that "uses" a public park or an historic site unless "there is no feasible prudent alternative" and the planned project "includes all possible planning to minimize harm to such park or recreational area...or historic site resulting from such use."

For your information a similar issue was contested in downtown New Orleans when a high speed Federal highway was proposed downtown, and I understand the successful contest of that proposed Federal project was called "the Second Battle of New Orleans: the Bridge that Was Never Built", or a title to that effect.

Please attach this letter, and enclosures to the public record, for review.

Respectfully,

Herndon Inge III

HIII/klm
Enclosures

A POLICY on DESIGN of URBAN HIGHWAYS and ARTERIAL STREETS

1973

Published by the Association
GENERAL OFFICES
341 National Press Building
Washington, D.C. 20004

First Printing, 1973 10M

advance, can be a low cost and highly effective means for insuring plan implementation.

When it is necessary to locate a freeway or other high volume facility adjacent to a residential area, sufficient right-of-way width should be acquired for appropriate landscape development. The landscape design can then include means for alleviating traffic evolved disturbances, thereby maintaining compatibility and enhancing visual quality.

The highway should be located with sensitivity to the adjacent existing land uses, but coordinated adjustment of the nature of the adjacent uses should be considered. Joint development of urban facilities should be considered as a possible means for improving the highway/land use interface.

Particularly in the sparsely developed urban fringe, transportation facilities are major determinants of urban physical pattern. New and improved urban form can and should be created through highway system planning and the location of specific routes.

Preservation

Historical and Architectural

As an educational and cultural need, and as a source of civic pride, areas and structures of high historical or architectural value should be preserved. As a regional feature, better highways are an ever-present need. Where these two views conflict, cooperative analysis and evaluation are necessary to arrive at decisions that contribute most to mobility and to preservation needs.

Like most environmental variables discussed in this chapter, preservation needs are better analyzed and solved when the voices of the residents of the area are heard early in the location process. Public agencies of several levels of government maintain registers of historic places and lists of publicly and privately owned sites and buildings of all types of national, state or local significance. Communication with these agencies should be established early in the location process.

People generally enjoy being involved with the history of their city and take a special pride in showing visitors monuments and reminders of their past. These points of interest, apart from attracting tourists, are of educational value, not just to the city, but to the entire region, state and perhaps nation. As a practical matter, distinction by proper officials must be made between buildings of a real historical nature in a broad community sense which feasibly can be preserved, and just "old buildings" of the same era. Some of these buildings and sites have high value and are irreplaceable. They not only should be preserved, but warrant efforts to enhance them by better visual accessibility. In some cases, where a strong tie does not exist between the structure and its location, it may be possible to relocate the specially significant historical structure.

Buildings of unique architectural merit which bear witness to the creative achievement of an era, rather than to historical events, also deserve

preservation and enhancement. The same concepts apply to historical buildings. Some modern buildings belong to this category, as well as old ones. The setting of their architecture may also be of sufficient value to warrant special attention.

In some special cases, architectural and historical preservation needs extend beyond a single building, and may include a sizeable area of unique aesthetic or historical value. Usually it is not difficult to identify these areas early in the planning and location processes.

The effects of relative size or scale of the total highway being located warrant careful consideration. Scale, in this context, means the relation between the magnitude of the highway form and its surroundings. The arrangement of lanes, the width of right-of-way and the highway structures may warrant special treatment to harmonize with the surrounding features. The sweep and roll of the underlying terrain also is a dominant scale factor. For the highway there is usually little choice in the basic minimums, such as number of lanes and cross section elements. Some above-minimum variations fitting to the scale of the surroundings can be developed, particularly in wider border and median areas. Also, structure features can be compatibly designed.

In extreme cases a proposed highway improvement may tend to overwhelm surrounding features which should desirably remain the center of focus. In such case the planned facility may warrant modification by some means such as serving traffic with widely separated directional roadway or even with two facilities of smaller scale.

Most cities have spaces of unique character in which people experience a strong "sense of place." These usually are spaces with a reasonable degree of enclosure by buildings and trees, perhaps a view out toward an expanse of open space or a controlled vista toward a particular building or topographical feature. The buildings in the area may not necessarily be of historical value or architectural merit, but they are important to people either because of activities within the space or because of visual qualities resulting from pleasing relationship of scale, proportion, light and shade, openness and enclosure. Such areas should be identified and location alternates developed so full consideration can be given to retention of unique areas.

Additionally, a historic building, such as a steepled church, may be a significant feature of the driver's view from the road. The proposed alignment might be selected so as to focus attention to the church as the highway passes through the city.

There may exist areas in cities with a strong, yet unrealized potential of a unique kind. A combination of factors may make an unpromising area, even a blighted or abandoned area, uniquely valuable. Examples may be a waterfront area, an underdeveloped area near a city center, a poorly developed area close to jobs, shopping, a university--each of which could be developed into a considerable asset to the city. Such areas should be sought out and efforts made in the highway location to contribute toward the realization of their

potential by means of multiple use, joint development or by appropriate landscape development.

Archeological and Paleontological

Special effort should be made to preserve objects, sites or buildings of national, state or local archeological or paleontological significance. The range of these items that may warrant preservation is immense: historic or prehistoric ruins or monuments, temple mounds, burial sites, fire hearths, posthole patterns, pottery and other artifacts, bones, fossils of plants and animals, many other types of objects and deeply buried cultural levels. These have all been involved in highway-related preservation and salvage activity. To some extent they may still exist within the developed city.

The principal objective is to increase the public's knowledge of these objects through cooperation with recognized museums and scientific and educational institutions where they can be displayed and studied.

Many archeological and paleontological sites are unknown. They could be anywhere. Certain Federal agencies have been created to salvage and preserve the immense store of informative remains still hidden or unrecorded. Many state and local agencies, universities and other organizations coordinate their efforts for these purposes.

Each State has an archeological authority which will make a reconnaissance survey within the corridor of a proposed highway where the presence of archeological or paleontological remains is suspected. Preliminary sample digs can be made by qualified officials to determine the importance of any objects encountered. Objects will then be removed and preserved or only recorded as their importance warrants. If unexpected objects appear during highway construction, the operations at that spot should be under controls that would permit the archeological authority to evaluate the objects.

The primary emphasis here is to stay alert for preservation needs where highway construction could hide or destroy valuable objects or information.

In addition, consideration should be given to preservation needs identified or suspected at any stage of highway activity within or outside the highway right-of-way. These possibilities may not become evident in the highway location study stages, but as a part of contributing urban development, the stage should be set for attention to them.

Economic Impact

In general, additional transportation capacity and opportunity for movement leads to some reduction in the total resources required to produce and distribute goods and services. When costs of production and distribution are thus reduced, increased income accrues to those engaged in these activities, and the benefits are, in turn, passed on to the consumer and the general public. Ideally, this increased income is distributed equitably to all citizens as increased purchasing capacity, affording a higher standard of living.

Growth of an urban economy usually is stimulated by the construction of a major highway. Whether, and to what degree, economic growth is stimulated depends to some extent on the location of the highway in the travel corridor. The economic growth of the area is also conditioned by the nature and magnitude of the proposed highway project and by the characteristics of the neighborhoods or communities in which it is to be located. Significant economic impact differences may exist between two different location corridors and even between alternative highway locations within a single corridor.

A corridor containing industrial and commercial establishments that rely heavily on motor vehicle transport can be expected to derive greater economic benefit from an improved highway than a less developed corridor or one in which much land is devoted to private residences.

Determination of the highway location that would best serve economic growth requires intimate study of the characteristics of the neighborhoods or communities within the corridor. Developing patterns of land use, trend in industry-mix, and changes in characteristics of the residents such as occupations and income, should be known in order to evaluate the economic impact differentials of several alternative locations. Projections of land use developments, changes in industry-mix, industrial growth, employment and income with no highway improvement can be compared to projects based on predicted short- and long-range effects of each alternative highway route location.

Short-range effects are those that occur simultaneously with construction of the highway or shortly thereafter. One early effect of a new or widened right-of-way is likely to be displacement of tax-producing private property—industrial, commercial, and residential. One major potential long-range highway effect on the economy of an urban corridor is that of restructuring its economic base. In addition to relocation due to displacement by the highway, some businesses relocate for other reasons to points outside the corridor, while other, more highway-oriented businesses such as motels and restaurants move to the vicinity of the highway.

An urban highway stimulates economic change through its effects on accessibility between various activity locations. Travel between land in industrial, commercial, institutional, recreational and residential uses may be facilitated or hindered by the highway. Improved accessibility and the concomitant reduction in transport costs can contribute to greater productivity of business, enlarge markets for goods and labor and enhance job opportunities. The desirable highway location and design is that which maximizes freedom of radial and lateral movement of people and goods within the corridor and between the corridor and the remainder of the city.

The acquisition of rights-of-way should avoid or minimize adverse impacts on both opportunities for employment and revenues from property taxes. The effect of the project on jobs and employment opportunities, from project construction, from elimination of businesses and from stimulated new

investment should be taken into account. Similarly, short-and long-range changes in the tax base of the city or county should be considered. Local tax roll losses due to right-of-way acquisition have typically been off-set by new development or by intensification of existing development in the vicinity of the new highway. These developments may occur in anticipation of the highway as well as during and after its construction.

The loss of a factory, for example, may have an effect on the employment, the tax base of the city or county and on the general level of economic activity. The size of the factory in terms of its product, the number and kinds of workers, the competitive position of the city or county and the replaceability of the lost operation should be considered. Yet against apparent losses should be weighed possible economically-related gains from removal of the factory, such as improvement of the natural environment and lower public expenditures for police and fire protection.

Analysis of the effects of highway right-of-way acquisitions involving places of employment are not simple and direct processes. They involve determinations of the number of workers affected, their home locations, potentials for re-employment if the occupational activity does not resume at a new location, their transportation to other sites, retraining needs, etc. Because of the uncertainties involved, an analysis of the effects of right-of-way acquisition of places of employment should be attempted only when a significant variation in new investment patterns between alternative routes is anticipated.

In the sparsely developed urban fringe area, a route may take lands with relatively low tax valuations. But these low valuations may have been guarded by owners and residents, the latter because they wish to maintain the area's low density character. Owners of vacant land may desire the highway routing knowing they can expect higher prices for the sale of their land. Other residents may oppose it knowing they may be subjected to adverse environmental effects from commercial-industrial expansion. Again, the identification and weighing of economic-environmental effects is needed.

As a further precaution, the effect of the pending plan should be anticipated. Upon announcement of taking of property for a highway, the property owners may tend to neglect maintenance and improvement of the property, causing its decline and deterioration. A program for taking over these properties quickly upon determination that they will be needed can enhance the environment for the affected community.

Multiple Use and Joint Development

As metropolitan areas continue to grow at rapid rates, there is increasing need to pattern the growth in an orderly fashion, to make optimum use of both new and renewable land. The two related concepts discussed in this section can provide a strong means of accomplishing an optimum of urban land use in conjunction with highway location. Joint development is the conception, planning and execution of improvements in the uses of land

outside the normal highway right-of-way. Multiple use is the development of nonhighway facilities, within the highway right-of-way.

Joint development and multiple use endeavors most often require the cooperative effort of various agencies of the public sector and various organizations of the private sector. However, the highway agency may alone effect some multiple uses. For most effectiveness, the cooperative endeavor should extend from conception through planning, designing, funding, and implementing. It is to be emphasized that "joint" includes financing for developments beyond those attainable from highway funds.

Joint development and multiple use planning are applicable to cities of all sizes. The highway corridor may represent a large proportion of the area of a smaller community and consequently affect a larger proportion of the tax base if not developed in conjunction with plans for wider community use. Therefore, joint development and multiple use planning may be even more desirable in smaller cities than in large urban areas.

Joint development planning applies within the fully developed inner city, but it also may take place in urban fringe areas and in rural areas. Cooperation between public and private agencies could result in water-based recreation areas in conjunction with the highway. Wildlife protection areas, historical or archeologically oriented rest areas, and trails for bicycles, hikers or horseback, are also among the many possibilities. The retention of undeveloped fringe land on the tax rolls may not be as important as it is in the more intensely developed urban areas, but maximum compatibility of the highway with its environment is equally desirable. To some extent, these types of uses have application in urban areas.

Though more often accomplished with highways on new location, upgrading of existing highways also presents valuable opportunities for multiple use and joint development action.

Multiple Use

"Multiple use" means the nonhighway use of the airspace above or below the highway gradeline, between the horizontal highway right-of-way limits acquired by the highway agency. Instances in which uses are made above or below a highway outside the right-of-way on reconveyed fee areas or acquisitions in limited vertical dimensions are not considered multiple uses but are generally grouped with other joint development projects.

Multiple use construction can be used to unite neighborhoods which might otherwise be physically divided. It can be a means for providing needed facilities where none existed before. Multiple use can be used to improve neighborhood appearance and to serve as a stimulus to new construction, recreational space development and neighborhood redevelopment. Air rights construction can help halt adjoining physical deterioration, raise land values and increase tax receipts. Multiple use is a major tool for making a new highway fully compatible with a developed or developing urban community.

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Eastern States
Southeastern States District Office
273 Market Street
Flowood, Mississippi 39232
www.blm.gov/eastern-states

IN REPLY REFER TO:
9113 (020) HS

April 30, 2019

Mr. Matthew Ericksen, P.E., Southwest Region Engineer
Attn: Mobile River Bridge Project
Alabama Department of Transportation
1701 – I-65 West Service Road N
Mobile, Alabama 36618
In Re: DPI-0030(005) Supplemental Draft Environmental Impact Statement

Dear Mr. Ericksen:

We have reviewed the Supplemental Draft Environmental Impact Statement for the I-10 Mobile River Bridge and Bayway in Mobile and Baldwin Counties, Alabama in accordance with Section 102(2)(c) of the National Environmental Policy Act of 1969 (P.L. 91-190) and Federal Highway Administration guidelines. The Bureau of Land Management (BLM) offers the following comments.

There is no conflict apparent between the BLM's interests and this project. The BLM has no public domain (PD) surface land holdings that will be affected on or near the proposed project site. Likewise, the BLM holds no subsurface mineral rights on or near the proposed project site.

We appreciate the opportunity to comment on the proposed project. Please contact this office (Minerals Section) at (601) 919-4650 if you have further questions.

Sincerely,

Lance R. Brady
Associate District Manager

SECTION	INFO	ACTION	FILE
REGIONAL ENGINEER	MC		
ASST REGION ENGINEER			
ADMINISTRATION			
OPERATIONS-MOBILE			✓
OPERATIONS-GROVE HILL			
CONSTRUCTION			
COUNTY TRANSPORTATION			
EQUIPMENT			
EEO			
MATERIALS			
PRE-CONSTRUCTION			
SPECIAL PROJECTS			
DISTRICT MANAGERS			

cc: MRB

RECEIVED
MAY - 3 2019
ALDOT Southwest Region
Region Engineer

From: january.murray@noaa.gov
To: Bartlett, Mark (FHWA)
Subject: I-10 Mobile River Bridge & Bayway
Date: Wednesday, May 1, 2019 3:40:42 PM

Hello Mark,

NOAA's Fisheries Habitat Conservation Division (HCD) has reviewed the Supplemental Draft Environmental Impact Statement (SDEIS) for the I-10 Mobile River Bridge and Bayway, Project No. DPI-0030(005). Previous correspondence from HCD expressed concerns regarding impacts to submerged aquatic vegetation (SAV) and wetlands which are addressed in the SDEIS, Appendix F Draft Mitigation Plan. The HCD does not object to the project concept and will be reviewing the project again during the permitting phase. No additional coordination with HCD is required unless changes are made outside of those described in the submitted documents.

Thank you,
--
January Murray
Fishery Biologist
Habitat Conservation Division
NOAA Fisheries Service
5757 Corporate Blvd, Suite 375
Baton Rouge, LA 70808

Office: 225-380-0089

Web	*www.nmfs.noaa.gov*
Facebook	*https://www.facebook.com/NOAAFisheries/*
Twitter	*www.twitter.com/noaafisheries*
YouTube	*www.youtube.com/usnoaafisheriesgov*

Thursday, May 2, 2019

Dear Ms. Gregg,

We, the below signed Africatown residents and regional advocates, are very concerned about how the proposed I-10 Toll Bridge & Tunnel will contribute negatively to traffic patterns through the community.

We all appreciated the workshops held in our community on Tuesday, July 19, 2018 and Tuesday, March 19, 2019 to better inform residents about the planning process and seek consultative feedback. We think ongoing dialogue about our concerns is necessary, and we look forward to productive conversations about our concerns.

To reiterate many of the concerns raised at these meetings, historic Africatown already experiences many negative impacts from the current traffic arrangement. These include difficulty leaving the neighborhood during rush hour traffic, traffic lights that are unresponsive, noxious air quality, high levels of heavy truck and hazardous cargo traffic, high speed traffic on Bay Bridge Road/Africatown Boulevard, and too few safe pedestrian crossing locations. Many in the community are rightfully wary of massive government-led infrastructure projects due to the sometimes profoundly negative impacts of poor planning and the lack of consideration for the kinds of adjustments the community is forced to make in response.

Based on the plans we have seen, praise is due for the future reintroduction of a four way traffic signal in front of Union Baptist Church at the intersection of Africatown Boulevard and Bay Bridge Cutoff Road, but we would also like to see these traffic lights and the existing set at Magazine Street at the foot of the Cochrane-Africatown USA Bridge to be on timers during periods of high traffic. Although the sensor-driven lights at Magazine Street have improved recently, there were years where they failed consistently, leaving residents and industry commuters with little choice but to run the light, endangering others. The current arrangement also allows traffic through the community to be moving dangerously fast for the kinds of land use along the at-grade interstate bypass corridor, which include historic tourist attractions, churches, and homes.

We are also looking for a much stronger emphasis put on pedestrian safety given the number of people who regularly cross Africatown Boulevard on foot. Responsive crosswalks should be installed not just at the Africatown Boulevard and Magazine Point intersection, but also at the Intersection of Africatown Boulevard and Bay Bridge Cutoff Road, where historic tourist attractions encourage pedestrian traffic but where the sheer danger today is a deterrent to the full enjoyment of the existing attractions. Pedestrian traffic at this location will only increase with the development of a new Africatown Welcome Center, proposed on the site of the former Welcome Center across from the historic Old Plateau Cemetery.

We also find it baffling that currently Bay Bridge Road at I-165 has a posted speed limit of 40 miles per hour, but as soon as the interstate bypass transitions into Africatown Boulevard headed eastbound, the posted speed limit goes up to 45 miles per hour despite there often being a greater concentration of pedestrian and residential traffic along the road on Africatown Boulevard. Unfortunately as any Africatown resident will attest, traffic passing through our community often travels at speeds much higher than the posted 45 miles per hour limit and law enforcement is never seen enforcing traffic law along the road. Instead of an increase for eastbound traffic, as it allows now, we would like to see traffic slowed to 35 miles per hour along Africatown Boulevard. To reiterate, this will help us facilitate the safety of tourists whose pedestrian traffic we hope to increase along that corridor for existing attractions such as the historic Union Baptist Church and our historic Old Plateau Cemetery as well as future heritage tourist attractions.

In order to aid in slowing traffic and to alert drivers headed westbound on the Cochrane-Africatown USA Bridge to the residential nature of the community they are entering at the foot of the bridge, we recommend a caution light at the crest of the bridge warning drivers that a light awaits at the foot of the bridge and reminding drivers of the Africatown Boulevard's maximum speed limit. Rumble strips at the foot of the bridge coming into the residential neighborhood may also be appropriate.

ALDOT's overall projected increase in traffic along Africatown Boulevard has raised concerns about air pollution and public health, as well. All emerging air quality science points to alarming increases in stroke risk for all who breathe auto and diesel exhaust even momentarily. To monitor the impacts to public health, appropriate air monitors should be installed somewhere along the Africatown Boulevard corridor, as well.

Additionally, we recognize data gaps when it comes to the types of traffic documented along Africatown Boulevard. ALDOT has asserted a belief that overall Hazardous Cargo tonnage moving through Africatown would decrease with the opening of a potential I-10 Toll Bridge and Tunnel. This is a potential traffic pattern that advocates and residents would love to be able to champion, however, we believe that assertions coming from ALDOT like these should be backed up by available data in order to monitor the real effect of the proposed I-10 Toll Bridge and Tunnel. We insist that any traffic studies executed include the collection of data about the types of traffic, specifically documenting the Hazardous Cargo traffic flow through Africatown in order to be able to compare actual numbers before and after potential construction.

Massive government infrastructure projects with touted regional benefits have negatively impacted the Africatown community in the past, sometimes profoundly. For instance, the construction of the Cochrane-Africatown USA Bridge and the related expansion of Bay Bridge Road (now partly Africatown Boulevard) saw the demolition or removal of many homes and small business storefronts from historic Africatown. Replacement properties for these community-serving businesses along the new corridor were never afforded, and the Africatown community has since gone without community-serving businesses along what is now Africatown Boulevard for several generations.

As we understand, the potential I-10 Toll Bridge and Tunnel will assess tolls upon drivers via a Private/Public Partnership between ALDOT and a private-sector vendor. Not only will expansion of existing road capacity allow for an increase in traffic along I-10 proper, which would negatively impact communities along the existing I-10 corridor, the potential toll avoidance traffic along the only toll-free alternate routes will almost certainly negatively impact communities living along those routes like Africatown.

As most who come to familiarize themselves with Africatown resident needs and priorities quickly recognize, Africatown residents and regional advocates can easily identify more capital improvement projects than there is available money to pay for them. Given the capital improvement needs of Africatown and of similarly-situated communities who are impacted negatively from their proximity to existing and future interstate traffic flows along I-10, we as Africatown residents and regional advocates insist upon the creation of a Community Benefits Agreement between the communities most directly impacted by existing and future I-10 traffic and any potential Private/Public Partnership.

The communities involved should include any community affected by toll avoidance traffic as well as those impacted by the potential I-10 Toll Bridge and Tunnel itself, such as Africatown, Down the Bay, and downtown Mobile, as well as Spanish Fort.

The goal of a Community Benefits Agreement of this nature would be to require that a portion of the revenue raised by a potential I-10 Toll Bridge and Tunnel be reinvested into directly-affected communities like Africatown to ensure that the burden imposed is appropriately acknowledged and compensated. In Africatown, this reinvestment would be a step in the right direction to address the profoundly negative impacts from past ALDOT infrastructure projects constructed through the neighborhood for regional benefit.

To recap, with respect to Africatown Boulevard and any potential I-10 Toll Bridge and Tunnel, we wish to see:

- Timed traffic lights at the intersections of Africatown Boulevard and Magazine St/Tin Top Alley and Bay Bridge Cutoff Road
- Responsive pedestrian cross walks at the intersections of Africatown Boulevard and Magazine St/Tin Top Alley and Bay Bridge Cutoff Road
- The speed limit on Africatown Boulevard lowered to 35 mph
- A speed caution light at the crest of the Cochrane-Africatown USA bridge warning of the traffic light at the bridge's base
- A rumble strip on the bridge's descent to encourage westbound bridge traffic to slow in its approach to historic Africatown
- Installation of appropriate air quality monitors along the traffic corridor
- A long-term traffic study that documents existing and future Hazardous Cargo traffic flow along Africatown Boulevard
- A commitment in the form of a contractual Community Benefits Agreement requiring a portion of toll revenue be reinvested into the communities directly impacted by potential I-10 Toll Bridge and Tunnel traffic flows and toll avoidance routes like Africatown

We look forward to an acknowledgement of receipt of this comment and to future productive dialogue about our concerns

Sincerely,

Joe Womack
Executive Director, Clean Healthy Educated Safe & Sustainable Africatown

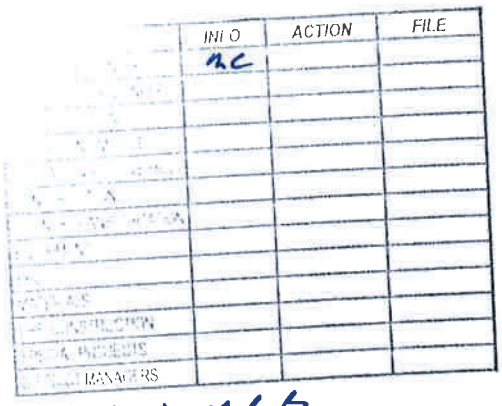
Reverend Christopher L. Williams
Pastor, Yorktown Missionary Baptist Church

Reverend Derek Tucker
Pastor, Union Missionary Baptist Church

Teresa Fox-Bettis
Executive Director, Center for Fair Housing

Anderson Flen
President, Mobile County Training High School Alumni Association

Ramsey Sprague
President, Mobile Environmental Justice Action Coalition
251.308.5872
infomejac@gmail.com



ALABAMA STATE SENATE
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334-261-0897

CHRIS ELLIOTT
STATE SENATOR DISTRICT 32
DISTRICT OFFICE:
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FAIRHOPE, AL 36532
PHONE 251-990-4610

Committees:
Governmental Affairs (Vice-Chair)
Transportation and Energy
Agriculture, Conservation and Forestry
Banking and Insurance
Education Policy
Tourism

May 7, 2019

Mr. Mark D. Bartlett, P.E.
Division Administrator
Federal Highway Administration
9500 Wynlakes Place
Montgomery, Alabama 36117

Mr. John R. Cooper
Transportation Director
Alabama Department of Transportation
1409 Coliseum Boulevard
Montgomery, Alabama 36110

Subject: SDEIS, I-10 Mobile River Bridge and Byway FHWA-AL-EIS-19-01-SD

Dear Sirs,

Project DPI-0030(005) is a proposal to increase the capacity of Interstate Route 10 (I-10) by constructing a new six-lane bridge across the Mobile River and replacing the existing four-lane I-10 bridges across Mobile Bay with eight lanes above the 100-year storm elevation. The proposed project is located in Mobile and Baldwin Counties, Alabama.

The proposed I-10 Bridge represents the largest ALDOT public works project ever to reach this stage of maturity, and I commend ALDOT for its innovative leadership and approach to the capital stack needed to fund a project of this size and complexity. The utilization of a Public Private Partnership (P3) to design, build, finance, maintain, and operate this project is clearly the only way forward given the current levels of state and federal funding for such ambitious projects. This bridge and corresponding bayway are crucial for Coastal Alabama, for the State of Alabama and for the entire I-10 corridor but the proposed tolling scheme puts entirely too high a burden on local commuters who will bear a disproportionate portion of the total project cost.

We must increase the public subsidy prior to the final Request for Proposal (RFP) in order to increase the frequent user discount for the people of this region that stand to be the most affected by this tolling plan. The current plan, which would see a possible maximum charge of $6, is overly burdensome and would lead to an almost $200 per month increase in costs for a daily commuter who makes 40 trips a month. That amount would be even higher for the trucking industry, which could see possible costs of $24 or even $36 per use in toll charges.

While the proposed changes do include possible measures to manage congestion on other routes like the Causeway and the Africatown Bridge, we all know that an unreasonable costing toll on the new bridge will lead to unprecedented traffic and issues on not only the alternate routes, but also the roads leading to those routes. Traffic in Daphne and Spanish Fort near the

current bridge is already problematic on a good day; adding thousands of additional vehicles daily to the Causeway due to issues of toll avoidance could easily create a nightmare traffic scenario on secondary and tertiary routes.

Additionally, a buy-down clause must be incorporated into any potential RFP for the tolling of this project. A buy-down clause is crucial and gives the state the ability to bring down future toll costs, as the state is able. Looking at similar projects around the country, the state of North Carolina failed to include such a buy-down clause in its agreement with a tolling company for its I-77 expansion project, which has continued to cause problems for the state government, its Department of Transportation and the residents of North Carolina. The state legislature even considered a $300 million buyout in both 2016 and 2018 due to major construction problems, continued delays and other issues caused by the tolling company in charge of the project – but was informed by NCDOT that such a buyout might not be possible due to the lack of clause language in the original agreement.

We must increase the ALDOT investment in this project to make sure that the people of this region are getting their fair share of state transportation dollars. Other projects in different parts of the state have had similarly elevated costs without having to be tolled. ATRIP I project costs will be around $1 billion. The I59/20 elevated road project in Birmingham is projected to cost in excess of $700 million and will likely be closer to $800 or even $900 million by completion. The Pike Road Exchange in Montgomery had costs of almost $200 million and proposed projects in Huntsville (the I-565 expansion, Brownsferry Road expansion and needed upgrades to the Greenbriar to Tanner Exit) will reach over $100 million. In all of these cases, none of the residents of those areas were asked to have to consider a toll to pay for those projects. Why is Coastal Alabama asked to accept a lower state subsidy for projects that are not even comparable in size or scope of impact?

I share ALDOT's frustration with the lack of United States Department of Transpiration funding for this project. The proposed $150 million INFRA grant is paltry for a project of this magnitude and its importance for not only Coastal Alabama, but for the crucial I-10 corridor. However, it seems that with a lack of meaningful federal infrastructure legislations, this is the reality of our current situation.

Two things are abundantly clear. This is our only opportunity to finally secure a Record of Decision (ROD) for this long-discussed project and our one chance for a viable P3 project. However, the current level of public subsidy and corresponding tolling scheme are a non-starter for Coastal Alabama commuters who simply cannot afford to disproportionately bear the cost of such a monumental project. In order to be successful, ALDOT should include an increased public subsidy in the RFP thereby reducing the cost of the tolls for daily commuters.

T. Christopher Elliott
Alabama Senator

cc: ALDOT – Mobile River Bridge and Bayway Project
Matthew J. Ericksen, P.E.
Region Engineer
1701 I-65 West Service Road N, Mobile, AL 36618

OFFICE OF THE CITY COUNCIL

Matt Erickson

May 7, 2019

Honorable John R. Cooper
Transportation Director
Alabama Department of Transportation
PO Box 303050
Montgomery, AL 36130

Dear Transportation Director Cooper:

I am writing in regard to the proposed Mobile River Bridge Project. As you are likely aware, while it will certainly be beneficial to the city and region, there are a number of incredibly historic and vulnerable communities which will be adversely impacted by its construction.

At a recent community meeting regarding the project, I introduced the concept of a community benefits agreement, which would compensate these communities including the historic Plateau/Africatown and Down the Bay community. There was a good bit of interest in the idea and I believe it might be the best way to help mitigate the major inconvenience both communities will have to endure.

I would very much appreciate the opportunity to discuss this proposal with you and your staff. I look forward to hearing from you soon.

Respectfully,

Levon C. Manzie
Council Vice President
District 2

LCM/df

cc Pastor Lamar D. Brady, First Hopewell Baptist Church, 664 Shelby Street (36610) pastorbrady001@aol.com
Rev. Derek Tucker, Union Baptist Church, 508 Bay Bridge Road (36610), derek.tucker38@gmail.com
Pastor Christopher Williams, Yorktown Baptist Church, 6717 Spice Pond Rd., Eight Mile, AL 36613 pastorymbc@bellsouth.net
Mrs. Beverly Crandle, 513 S. Scott Street (36603), beverlycran@yahoo.com

PO Box 1827 • Mobile, AL 36633-1827 • Phone (251) 208-7441 • Fax (251) 208-7482

Bernard H. Eichold II, M.D., Dr.P.H., F.A.C.P.

165 S. Georgia Avenue, Mobile, AL 36604 (251) 438-4984, berteichold@gmail.com

May 10, 2019

Mr. Matt Eriksen, P.E.
Alabama Department of Transportation (ALDOT)
Mobile River Bridge and Bayway Project
1701 I-65 West Service Road North
Mobile, AL 36618

Subject: Mobile River Bridge and Bayway Project

Dear Mr. Eriksen:

I would like to thank Mr. Vince Calametti, Mr. Michael Lee, Sr., the Mobile Area Chamber of Commerce and ALDOT for moving this project forward.

The first public meeting about the new I-10 bridge was held on June 6, 2005. It was stated that a route just east of Michigan Avenue direct to the Eastern Shore (the shortest option) was not possible because of the cost in building a new Bayway. The existing I-10 Route was to be widened to include an additional lane in each direction. In good faith ALDOT then acquired the land for the bridge crossing at the proposed site. At some later date the Federal Highway Administration required ALDOT to include a new elevated Bayway connected to the proposed new I-10 bridge. This was a major change in scope of work, more than doubled the original cost, yet the public hearing process was not started over or other location for the bridge considered. Now since the new I-10 Bayway is proposed on the existing I-10 ROW as presented in this EIS, the existing toll free I-10 will be destroyed at a cost of probably $200-300M and toll payers will be footing the bill.

If Mobile is to be the only community with a designated Interstate Toll Bridge, can ALDOT now amend the Environmental Impact Study moving the new Bayway several hundred feet to the south, convert the existing I-10 structure to a free local route: "Mobile/Baldwin County Connector" ending on the eastern shore at Highway 98 and at Canal Street on the western shore? If we cannot save the entire existing Bayway could we preserve the west bound lane for future light rail, biking and recreation, (rail could originate near the Bass Pro parking lot and use the Bankhead Tunnel with gates to get to Mobile). I believe the Mobile Area Chamber of Commerce has reviewed the benefits light rail could have on a southern city.

Alabama now has new dollars since the gasoline tax was increased. Birmingham is spending/spent $5.4 billion on interstate projects within 10 miles of their downtown over the last several years without a toll, why should Mobile be the only Interstate in Alabama with a toll?

For the purpose of economic growth and quality of life, I respectfully ask if the citizens would like to keep the existing I-10 as a "toll free" Mobile/Baldwin County Connector, leaving the new I-10 toll bridge for interstate commerce or simply make the new I-10 bridge toll free.

Sincerely,

B Eichold

Bernard H. Eichold II, M.D., Dr. P.H., F.A.P.C.

Att. 1

Mobile County Health Department

Major General William C. Gorgas Clinic

251 N. BAYOU STREET P.O. BOX 2867 MOBILE, ALABAMA 36652-2867 (251) 690-8158 FAX (251) 432-7443

Bernard H. Eichold II, M.D., Dr.P.H., F.A.C.P.
Health Officer

September 20, 2012

Mr. Vincent E. Calametti, P.E.
Division Engineer
Alabama Department of Transportation
1701 I-65 West Service Rd. N.
Mobile, AL 36618-1109

Dear Mr. Calametti:

Many thanks for the visit today. I was very happy to learn that any future I-10 Mobile River crossing will include a bike path/walking path like the bridge in Charleston, South Carolina and repairs to the west end of the Wallace Tunnel will soon begin. The increased traffic flow through the tunnel has resulted in many traffic accidents, damage to property and unfortunately the loss of life at this location.

Since a new bayway is an essential component for any new I-10 bridge over the Mobile River. I hope you will consider the southern route that was presented at our meeting. I believe most of the Right of Way (ROW) is already owned by government agencies. Total length and construction cost should be very similar to the routes currently being considered. The proposed route would start just east of Michigan Avenue and I-10 with river crossing pylons located on the very north end of the coal terminal and Little Sand Island. This would avoid the negative impacts on the historic districts, the parks, minority neighborhoods, the schools, nursing homes, noise in downtown, air quality issues for people walking visiting tourist attractions, vibrations to historic buildings during construction, settling that will occur after completion of this very heavy bridge, and industrial operations could function under the structure. East bound AL Port Authority truck traffic would proceed from Virginia (VA) St. along I-10 to Broad Street and then start up just East of Michigan Ave. (Yes a short one block ROW would have to be acquired to connect Ezra Trice Blvd to Baker Street which already connects to Broad Street all are on the East side of the CSX RR and the new RR crossing at Michigan Avenue will soon open.) The old bayway would remain for local traffic and be an alternate route when accidents occur on the new bridge.

Your leadership in working with the community is to be commended. Know my door is always open.

Warmest Regards,

Bernard H. Eichold II, M.D., Dr.P.H., F.A.C.P.
Health Officer

BHE:vw


Legend
Airbus North America Engineering
Battleship Inn Resort
Church
Daphne Fire Dept
Ed's Seafood Shed
Feature 1
Feature 2
Feature 3
Feature 4
Feature 5
Feature 6
Grand Band
Hot Wheels Skate Center
Island
Ladd-Peebles Stadium
Lake Forest Yacht Club
Little Magnolia Cemetery
Mobile Downtown
Mobile Police Dept
Rite Aid Pharmacy
Starbucks
Tacky Jacks
University of South
USA Children and Womens Hospital
Mobile
Chacaloochee Bay
Big Island
Pinto Island
Spanish Fort
Bridgehead
Little Sand Island
McDuffie Island
est. 51,852 ft.
Google Earth

United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
Richard B. Russell Federal Building
75 Ted Turner Drive, S.W., Suite 1144
Atlanta, Georgia 30303

ER 19/0144
9043.1

May 17, 2019

Mr. Mark Bartlett
Division Administrator
Federal Highway Administration
9500 Wynlakes Place
Montgomery, Alabama 36117

Re: Comments and Recommendations on the Supplemental Draft Environmental Impact Statement and Section 4(f) Evaluation, I-10 Mobile River Bridge and Bayway, Mobile and Baldwin, Alabama

Dear Mr. Bartlett:

The Department of the Interior (Department) has reviewed the Supplemental Draft Environmental Impact Statement (SEIS) and Section 4(f) Evaluation for the proposed I-10 Mobile River Bridge and Bayway project, Mobile and Baldwin Counties, Alabama. The Department offers the following comments for your consideration.

General Comments

We welcome this opportunity to cooperate with the Federal Highway Administration (FHWA) and the Alabama Department of Transportation (ALDOT) in evaluating the I-10 Mobile River Bridge and Bayway improvements. As detailed, the purpose of the proposed project is to increase the capacity of I-10 to meet existing and projected future traffic volumes and to provide a more direct route for vehicles transporting hazardous materials, while minimizing impacts to Mobile, Alabama's maritime industry.

Section 4(f) Comments

The Draft Section 4(f) evaluation describes a range of avoidance alternatives, the affected Section 4(f) resources, and discloses potential project impacts to those resources.

The BAE Maritime Historic District, Oakdale Historic District, Africatown Historic District, Church Street Historic District, Lower Dauphin Street Historic District, and USS ALABAMA

Battleship Memorial Park were identified as being in the area of potential effect (APE) during Section 106 consultation.

The draft Section 4(f) evaluation states, "No archeological sites as of yet have qualified as Section 4(f) resources, and none are expected to qualify as Section 4(f) resources." However, the draft Memorandum of Agreement (MOA) states, "…FHWA and ALDOT have also determined that the undertaking may have an adverse effect on archeological sites…" The referenced archeological sites were not identified in the draft Section 4(f) evaluation.

The draft Section 4(f) evaluation concludes, "With the loss of the Union Hall, none of the other Build Alternatives would result in Section 4(f) impacts." Conversely, the draft MOA identifies a finding of adverse effect for two National Register of Historic Places (NRHP) listed resources within the project's proposed APE. They are the Church Street East Historic District and the Lower Dauphin Street Historic District.

The draft Section 4(f) evaluation discusses an ongoing coordination effort with the Alabama Historical Commission (SHPO) in compliance with Section 106 of the National Historic Preservation Act. However, the administrative record provided is incomplete.

Summary Comments

The draft Section 4(f) evaluation fails to provide the complete administrative history with the SHPO documenting their concurrence with the proponent's findings and the draft MOA. As a result, the Department cannot provide Section 4(f) approval of this project at this time. We would be pleased to reconsider this position upon receipt of the referenced correspondence and the finalized MOA.

The Department has a continuing interest in working with the FHWA and ALDOT to ensure that impacts to resources of concern to the Department are adequately addressed. If you have questions, please contact Steven Wright at Steven_M_Wright@nps.gov. I can be reached at (404) 331-4524 or via email at joyce_stanley@ios.doi.gov.

Sincerely,

Joyce Stanley, MPA
Regional Environmental Officer

cc: Christine Willis – FWS
Michael Norris - USGS
Steven M. Wright – NPS
Michelle Fishburne - OSMRE
OEPC – WASH

HERNDON INGE III, L.L.C.
ATTORNEY AT LAW

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May 21, 2019

Mr. Matthew Ericksen, P. E.
ALDOT, Region Engineer
Southwest Region – Mobile Area
1701 I-65 West Service Road, North
Mobile, Alabama 36618

RE: Mobile River Crossing

Sir:

Please file the below Public Comments in the Environmental Impact Statement of the Mobile River Crossing:

LOW BUILD option:
Not previously seriously considered/evaluated
would relieve "view impact" objections
would reduce "skyline impact" objections
would relieve "constructive taking" objections
would reduce vibrations from piling foundation
would reduce "economic dead zone" objections
would reduce "noise impact" objections
to open for the passage for the 4 to 6 ships per day, and the balance of the day to close for car/truck and bicycle traffic
plenty of "low build" designs to consider/evaluate
would reduce incline, easier for bicycle and pedestrian and cars/trucks traffic
would reduce impact on ALL neighborhoods
would reduce impact on ALL historic resources
could place corridor almost anywhere
would prevent over 5 years of litigation
would reduce costs
would reduce impact to Mobile's Qulfquest Maritime Museum and Cruise Terminal
would be easier to connect to new Mobile Bay crossing

MOVE corridor 2 miles South:
would relieve "view impact" objections
would reduce "skyline impact" objections

would relieve “constructive taking” objections
would reduce “noise impact” objections
would reduce “economic dead zone” objections
would reduce impact on ALL neighborhoods
would reduce impact on ALL historic resources
would prevent over 5 years of litigation
would reduce cost of acquiring Rights of Way
would reduce impact to Mobile’s Qulfquest Maritime Museum and Cruise Terminal
would be easier to connect to new Mobile Bay crossing
would “cluster” local industries
would save the $50,000 in immature trees offered in Memorandum Of Agreement
exit would leave plenty of room to still enter Mobile’s Business District
would satisfy obligations of Section 106 and Section 4(f)
would decrease adverse impact on the style, theme, feeling, ambiance, quiet and peace of historic neighborhoods, historic structures, plazas, parks, waterfront protected areas, then complying with Federal law

Sincerely,

Herndon Inge

P.O. Box 65 • Mobile, Alabama 36601
(251) 433-2703 • FAX: (251) 433-2777
www.ussalabama.com

May 22, 2019

VIA HAND DELIVERY

Ms. Matthew Ericksen, P.E.
Southwest Region Engineer
ATTN: Mobile River Bridge Project
Alabama Department of Transportation
1701 I-65 West Service Road North
Mobile, Alabama 36618

Re: Supplemental Draft Environmental Impact Statement for ALDOT Project DPI-0030(005)
I-10 Mobile River Bridge and Bayway Widening
Mobile and Baldwin Counties, Alabama

Dear Mr. Ericksen:

This letter is sent in response to the March 29, 2019 letter sent by Ms. Natasha Clay on behalf of Steven Walker, State Design Engineer, calling for review and comment on the Supplemental Draft Environmental Impact Statement.

The USS ALABAMA Battleship Commission, as a §105 partner, first addressed the proposed I-10 Mobile River Bridge with your office on April 11, 2003. In that letter, and since that time, the Commission has voiced its opposition to the proposed construction as designed to a variety of state and federal officials. The route and design differs in 2019, of course; however, our concerns and objections remain constant.

The USS ALABAMA Battleship Commission's comments to the Supplemental Draft Environmental Impact Statement are as follows:

- If the estimated 2039 traffic flow through the Wallace Tunnell exceeds 100,000 vehicles daily, the environmental impact of air pollution, vehicle fluid and tire residue will be substantial and adverse to Battleship Memorial Park in general. With base funding of bridge construction now potentially dependent on a tolling solution, more traffic will descend on the Causeway (U.S. Highway 90). The potential environmental impact is unknown for those out-years, but it cannot be deemed benign.

- Wild bird populations will be affected. Battleship Memorial Park is Site 29 on the Alabama Coastal Birding Trail. Visitors and birdwatchers alike use our Nature Observation Deck overlooking Pinto Pass and the Mobile Bay mudflats. BMP is home to many bird species, including overwintering waterfowl such as Canadian geese, which hatch their young here. Shorebirds are abundant around the saltwater marsh. Our 4 raised Osprey nest boxes usually have 2 families raising young each spring. The Long-billed Curlew, herons, egrets, ibis, Gull-billed Terns, Least Bittern, Yellow- and Black-crowned Night Herons, Short-billed Dowitchers, Black-bellied Plovers and Black-necked Stilt all make BMP part of their natural habitat.

- Wildlife indigenous to and traversing Battleship Memorial Park wildlife (alligators, foxes, armadillo, opossum and other occasional and stray creatures) will also be exposed to air pollution and runoff residue from increased Causeway traffic.

We are a self-sustaining Memorial Park which opened to the public on January 9, 1965. Under §41-9-348, Code of Alabama (1975), the USS ALABAMA Battleship Commission is a state agency and has exclusive control over the Battleship USS ALABAMA, the memorial park, as well as improvements, exhibits and additions. However, we have never received any public funding for daily operations. Our fiscal responsibility is to maintain and display our two National Historic Landmarks (USS ALABAMA and submarine USS DRUM) as efficiently as possible.

The USS ALABAMA Battleship Commission appreciates being part of the planning process, and for the opportunity to make our concerns known reference the Supplemental Draft Environmental Impact Statement for ALDOT Project DPI-0030(005). We look forward to continuing dialog on this topic.

Sincerely,

For Tim Russell
Chairman
USS ALABAMA Battleship Commission

Executive Director, USS ALABAMA Battleship Commission and Battleship Memorial Park

COASTAL ALABAMA PARTNERSHIP

Vision, direction and action for the future of Baldwin and Mobile Counties.

May 22, 2019

ALDOT – Mobile River Bridge and Bayway Project
ATTN: Matt Ericksen, P.E.
1701 I-65 West Service Road N
Mobile, Alabama 36618

Subject: Supplemental Draft Environmental Impact Statement, Project No. DPI-0030(005), I-10 Mobile River Bridge and Bayway, Mobile and Baldwin Counties, Alabama.

Dear Mr. Ericksen,

In March, you released and opened for comments the **Supplemental Draft Environmental Impact Statement I-10 Mobile River Bridge and Bayway**, Mobile and Baldwin Counties, Alabama. The state purpose of this project is to increase the capacity of I-10 to meet existing and projected future traffic volumes and to provide a more direct route for vehicles transporting hazardous materials while minimizing impacts to Mobile's maritime industry.

Coastal Alabama Partnership (CAP) is a 501 (c)(3) private sector lead, not-for-profit organization focused on providing a platform for regional leaders to convene, collaborate, build consensus, and advocate for Coastal Alabama's top priorities. CAP supports funding for infrastructure and transportation projects that will facilitate economic competitiveness, environmental sustainability, and improve the overall quality of life for all citizens and businesses in Coastal Alabama.

The I-10 River Bridge and Bayway project is included in CAP's 2019 Regional Legislative Agenda, and is a priority project for the region. Specifically, CAP supports the commitment of the Alabama Department of Transportation (ALDOT) in working with public and private partners to increase capacity on Interstate 10 by building a new six-lane, cable-stayed bridge over the Mobile River and a new eight-lane, seven-mile Bayway spanning Mobile Bay.

This bridge and corresponding Bayway are crucial for Coastal Alabama, and the entire I-10 Corridor on the Gulf Coast for the following reasons and considerations:

- The Wallace Tunnel currently averages 75,000 vehicles per day, reaching up to 100,000 vehicles during the peak tourism season. Furthermore, Traffic crossing Mobile River and Bay on Interstate 10 has more than doubled since the current facilities were built in 1970, far exceeding the planned capacity.
- In a recent TRIP Report for Alabama (2016) --a national transportation research group— identified 50 highway projects needed in order to support Alabama's economic growth. This report listed the Mobile I-10 corridor as the 2nd most critical project to economic growth in Alabama.

- Transportation infrastructure is key to the continued success of the Port of Mobile. As volume increases at the Port (20% last year at APM Terminals alone), the more important the ability to move containers and cargo becomes along the east-west corridor of I-10.
- This project will also, increase the capacity of I-10 to meet existing and predicted future traffic volumes, provide vehicles carrying hazardous materials a direct route away from downtown Mobile, and minimize impacts to Mobile's maritime industry.

CAP, with its regional partners, supports the completion of the design phase of the Mobile River Bridge and Bayway project and will continue to support ALDOT's effort in seeking grant funding from the Federal Highway Administration. The Coastal Alabama region is experiencing tremendous growth – the Mobile River Bridge and Bayway project is vital and will provide great benefits for citizens, travelers, and businesses, as well as regional and interstate commerce. To advance the delivery of the project ALDOT is utilizing a public-private partnership pairing ALDOT with a private partner to design, build, finance, operate, and maintain the new Mobile River Bridge and Bayway—CAP commends ALDOT for this innovative approach to expedite the completion of this project.

Regarding project funding, your Department estimates the Mobile River Bridge and Bayway Project could cost approximately $2 billion. Citing the lack of United States Department of Transportation funding and state funding shortages, ALDOT determined the Mobile River Bridge and Bayway Project is only viable if the corridor is tolled. These projected toll revenues will be used to cover capital costs, operation, and maintenance of the project and will not cover all project costs. ALDOT will still need to invest in the project using traditional funds or available grants.

CAP is not opposed to tolling the Mobile River Bridge and Bayway Project and recognizes that to complete the project, the inevitable solution may involve tolling the corridor. However, it is clear many uncertainties remain as the potential amount of a required toll, the potential the initial toll could increase over time and the potential "cap" on the toll or the rate by which it could increase.

CAP urges ALDOT to work with our Coastal Alabama Elected Officials, Governor Ivey, our State Legislators, Federal Highway officials, Unites States Congress, and the Administration and examine all possible funding solutions prior to the final decisions regarding tolling for the Mobile River Bridge Project. We must also closely examine the potential burden tolling the corridor will have on citizens of Coastal Alabama who will bear a disproportionate portion of the project cost. CAP will not support a tolling rate that will cause economic detriment and hardships for citizens and businesses in our region. Increased traffic in our local municipalities from toll avoidance issues which increase congestion on alternate routes, must be adequately considered.

CAP supports ALDOT and its public and private partners to complete the long-discussed and much needed Mobile River Bridge and Bayway project, but believes we must take advantage of this opportunity to ensure the continued sucuess and growth of the Coastal Alabama Region.

Sincerely,

Wiley Blankenship
President/CEO
Coastal Alabama Partnership

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

MAY 22 2019

AL-DOT
MAY 28 2019

Mr. John Cooper
Alabama Department of Transportation
1409 Coliseum Boulevard Centers
Montgomery, Alabama 36110

Re: EPA Comments on the Supplemental Draft Environmental Impact Statement (SDEIS) for I-10 Mobile River Bridge and Bayway Widening; Mobile and Baldwin Counties, Alabama. CEQ No.: 20190046

Dear Mr. Cooper:

Pursuant to Section 309 of the Clean Air Act and Section 102(2)(c) of the National Environmental Policy Act (NEPA), the U.S. Environmental Protection Agency reviewed the subject document. The Federal Highway Administration (FHWA) and the Alabama Department of Transportation (ALDOT) propose to construct a new six-lane bridge across the Mobile River and replace the existing I-10 bridges across Mobile Bay increasing its capacity from four to eight lanes. The proposed Bayway bridges would be elevated up to eight feet higher than the existing bridges. Seven interchanges along the proposed project corridor would be reconstructed and modified from Broad Street in Mobile to US 98/90 in Daphne. The intent of the project is to reduce congestion along 1-10 through downtown Mobile and across Mobile Bay.

The purpose of this letter is to provide the EPA's comments on the proposed project. On November 6, 2014, the EPA provided comments on the Mobile I-10 River Bridge and Bayway widening Draft Environmental Impact Statement (DEIS), following site visits and meetings associated with the proposed project including a public meeting on September 23, 2014, in Mobile, Alabama. The EPA also provided comments on the Draft Mitigation Plan on wetlands, submerged aquatic vegetation (SAV) and essential fish habitat (EFH) on July 25, 2017, and January 11, 2018. ALDOT responded to the EPA's DEIS comments in Appendix P of the SDEIS and included a revised Draft Mitigation Plan in Appendix F.

The EPA's DEIS comments addressed water resources, air quality, cultural resources, noise and community impacts, and pedestrian and bicycle facilities. The EPA appreciates the efforts made by FHWA and ALDOT to respond to our comments and to ensure that additional environmental and socioeconomic issues associated with the changes to the project were considered as part of the SDEIS. Primary project changes include alignment modifications, replacement of the Bayway bridges, bicycle and pedestrian accommodations, and tolls to help fund the proposed $2.1 billion project. The SDEIS also identifies new environmental commitments and mitigation measures to help offset adverse impacts. Please see the enclosed detailed comments and technical recommendations that should be addressed in the Final Environmental Impact Statement/Record of Decision (See enclosure).

The EPA appreciates the opportunity to review the proposed SDEIS. If you have any questions regarding our technical comments and recommendations, please contact Ntale Kajumba of my staff at (404) 562-9620 or by email at Kajumba.ntale@epa.gov.

Sincerely,

Christopher A. Militscher
Chief, NEPA Section
Strategic Programs Office

cc: Mr. Mark Bartlett, FHWA w/enclosure

Enclosure: EPA Detailed Comments and Technical Recommendations

ENCLOSURE
EPA's Detailed Comments and Technical Recommendations
DSEIS for I-10 Mobile Bridge and Bayway Widening
CEQ No.: 20190046

Bicycle and Pedestrian Facilities
The EPA encouraged the implementation of a "Complete Streets" design to provide the public within the project limit with safe and user-friendly facilities to support transit, bicycle, and pedestrian modes of transportation for accessing places along the corridor. These accommodations could also help reduce mobile source air toxics. To address the need for pedestrian and bicycle facilities, ALDOT committed to new separated bicycle and pedestrian path from downtown Mobile via the Cochran-Africatown USA Bridge to the USS Alabama Battleship Memorial Park. ALDOT is also creating an overlook on the new Mobile River Bridge.

Comment: The EPA appreciates the efforts by ALDOT to coordinate with relevant stakeholders and commit to providing the public with safe bicycle and pedestrian facilities as well as a view of the Mobile River.

Tolling
ALDOT estimates that the Mobile River Bridge and Bayway Project will cost approximately $2.1 billion. Due to proposed project costs and limited funding availability, the proposed project will require a public-private partnership agreement for 55 years that will result in tolling the proposed corridor. The SDEIS recognizes that tolling has the potential to adversely impact low-income and minority populations. The EPA recognizes that a non-tolled route exists that could be used by communities in like Africatown, and other stakeholders.

Recommendation: The EPA understands that tolls are necessary to help fund the proposed project, however, the cost may be excessive for specific populations. The SDEIS states that a 15% discount will be provided to frequent users of the tolled facilities. In addition, the EPA recommends considering discounts for low income residents and those on a fixed income such as the elderly to help offset potential impacts to those populations.

Environmental Justice (EJ)
The EPA recognized that a new environmental justice (EJ) analysis was included in the SDEIS. Impacts on minority and low-income populations are discussed in the SDEIS including disproportionate impacts associated with the diversion of traffic onto non-tolled roads located within the vicinity of the Africatown/Plateau community. The EPA's DEIS comments noted that targeted EJ outreach occurred over ten years ago and as a result was outdated. We also requested a summary of EJ concerns expressed by the community in relationship to the proposed project.

Recommendation: The EPA appreciates the efforts made to more actively engage affected communities in the decision-making process, including the identification of community concerns, opportunities and the development of an EJ mitigation plan. The FEIS/ROD should include a final community mitigation plan or memorandum of agreement that is developed with the communities that will be adversely and disproportionately affected by the proposed project.

Air Quality
For air quality impacts during construction, the EPA previously recommended that the project implement diesel emission reduction activities through various measures such as: reducing idling

through operator training and/or contracting policies, using cleaner fuels, retrofitting equipment with emission reduction technologies, repowering older engines with newer cleaner engines, replacing older vehicles.

Recommendation: The SDEIS does not indicate that efforts will be made to implement diesel emission reductions. The EPA recommends that every effort should be made to minimize impacts to air quality during construction which is expected to take several years to complete.

Historic Resources

The EPA notes that FHWA and ALDOT continue to consult with the State Historic Preservation Officer (SHPO) and Section 106 Consulting Parties regarding historic resource concerns and ALDOT will need to conduct additional archeological surveys on some of the alternatives.

Recommendation: The EPA recommends that the FEIS should document the results of the consultation process, any remaining survey results, and the final requirements in the Memorandum of Agreement.

Water Resources and Water Quality

The EPA has a critical role in reviewing compensatory mitigation proposals and we requested that ALDOT consult with the EPA following the DEIS. We also requested a quantification of project related impacts. Per EPA's DEIS request, the SDEIS includes quantified wetland impacts. Potential impacts include approximately 6 acres of estuarine emergent wetlands, 1.3 acres of scrub shrub forested wetlands, and 16.1 acres of SAV resulting in impacts to 22.1 acres of essential fish habitat. Mitigation of 1.5:1 for wetlands and 2:1 for SAV is proposed. The proposed mitigation approach includes creating approximately 9 acres of marsh and approximately 32.2 acres of SAV habitat at a location north of the Mobile Bay Causeway. Impacts to scrub shrub and forested wetlands will be mitigated through the purchase of an appropriate number of credits from a U.S. Army Corps of Engineers approved mitigation bank.

Recommendations: The EPA appreciates the inclusion of quantified wetland and aquatic impacts, the involvement of EPA in the development of the compensatory revised Draft Mitigation Plan for the project, and the commitment to ensure that monitoring will be part of the final Mitigation Plan. Since SAVs are transient and wetland impacts are not fully known, the EPA recommends that commitments to conduct more recent SAV and wetland surveys be part included in the FEIS/ROD to ensure the information remains relevant.

Dredging

The DSEIS estimated that approximately 325,000 cubic yards of material would be dredged, and the dredged material would be beneficially used to create the marsh island mitigation site.

Recommendation: The EPA appreciates ALDOT's commitment to beneficially use dredged material. Environmental commitments to quantify and test the sediments prior to disposal should be included in the FEIS/ROD.

Noise

The SDEIS indicates that 1,185 noise-sensitive receptors are within the vicinity of the build alternatives. The preferred alternative may result in noise impacts to 276 receptors. These sites either approach or exceed the noise abatement criteria. There were no noise minimization strategies proposed during the SDEIS.

Recommendation: The EPA recommends that the FEIS/ROD include any required noise abatement measures for the preferred (selected) alternative that exceed current criteria.

MOBILE BAYKEEPER®

Providing citizens a means to protect the beauty, health and heritage of the Mobile Bay Watershed and our coastal communities.

OFFICERS:

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J. Steven McClure, P.E.
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May 23, 2019

Alabama Department of Transportation (ALDOT)
Mobile River Bridge and Bayway Project
ATTN: Matt Ericksen, P.E.
1701 I-65 West Service Road N.
Mobile, AL 36618

RE: Draft Supplemental Environmental Impact Study (SEIS)

To Whom It May Concern:

We are Mobile Baykeeper, a twenty-two-year-old nonprofit organization with the mission of providing citizens a means to protect the beauty, health, and heritage of the Mobile Bay Watershed and our coastal communities. We are submitting comments on behalf of our board, officers, and more than 4,500 members regarding the draft Supplemental Environmental Impact Study (SEIS) for the I-10 Mobile River Bridge and Bayway project. Mobile Bay is a complex and highly sensitive ecosystem considered to be one of the most biodiverse ecosystems in North America. Mobile Bay is Alabama's central estuary serving as a transitional zone where the river's fresh water can mingle with tidally influenced marine waters making it a highly productive and diverse nursery as well as exceedingly environmentally and economically important. Protecting the health of Mobile Bay is critical for several industries including: commercial and recreational fisheries, tourism, coastal development, and recreation (boating, paddling, swimming, etc.). Each of these industries contribute significantly to our economic prosperity and growth making it vitally important to evaluate all potential impacts to our natural resources. We must ensure that we understand all of the potential impacts to be able to mitigate appropriately and protect our environment, economy, community, and quality of life for future generations.

Mobile Baykeeper recognizes the value and need for the I-10 Mobile River Bridge and Bayway improvements and commend Alabama Department of Transportation (ALDOT) for its efforts to evaluate the project in full. By thoroughly studying and communicating the project's plan, we can grow responsibly and minimize negative impacts to the very natural resources that support so many economic sectors and our quality of life.

The project proposes to construct a new six-lane bridge across the Mobile River to increase capacity and supplement the existing four-lane George Wallace Tunnel and replace and raise the Bayway up to 8 feet higher as a result of storm surge projections. Mobile Baykeeper applauds ALDOT for evaluating several alternatives including a No Build Alternative and fourteen Build Alternatives to assess effectiveness and

impact on the environment. We have several comments after reviewing the SEIS that we believe should be reviewed and considered to ensure the plan is as effective as possible.

Public Involvement

Per NEPA requirements, environmental information must be made available to the public before decisions are made on a proposed project.[1] Mobile Baykeeper attended both public hearings on May 7 and May 9, 2019 hosted by ALDOT. The public hearings failed to cover the environmental impacts (wetland, SAVs, Essential Fish Habitat, etc.) in the presentation and poster sessions.[2] It is important to provide and include environmental impacts so the community can understand the significant changes from the 2014 EIS and how they will impact their natural resources. ALDOT needs to properly communicate with the community so they may provide feedback, comments, and concerns as intended through the NEPA process. We encourage ALDOT to actively share this information through their website, public meetings, or other media channels to ensure the community is properly informed of these changes for the final SEIS.

Stormwater Runoff

Stormwater runoff from highways and bridges contain harmful pollutants, including metals (including lead, zinc, and copper), particles, clay and silt, nutrients (nitrogen and phosphorous), oil, grease, chemicals, rubber, bacteria (animal droppings), litter, and other hydrocarbons.[3, 4, 5] Each of these can have a negative impact on water quality and aquatic life.[6] Any increase in impervious surfaces is an increase in the amount of rainfall now exposed to these substances, which results in a higher contribution of stormwater pollutants entering waterways. The proposed project will result in approximately 100 acres of new impervious surfaces within the watershed.

We strongly recommend ALDOT incorporate stormwater runoff capture and containment methods into Bridge design, construction, and operation to reduce runoff pollution to Mobile River and Mobile Bay. ALDOT cites a national study, NCHRP 778, as the primary resource for identifying recommendations for stormwater best management practices and treatment options. The study finds "little evidence of water quality or ecosystem degradation resulting from stormwater runoff from

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[1] 40 C.F.R. § 1500.1(b)

[2] Mobile River Bridge Poster Boards - https://www.dropbox.com/s/h6m110pp4h8xes3/MRB%20Boards%201.pdf?dl=0; https://www.dropbox.com/s/zdr3yx0tk7v0xil/MRB%20Boards%202.pdf?dl=0

[3] Dupuis, T. V., and Kobringer, N. P., (1985) "Effects of Highway Runoff on Receiving Waters, Volume IV: Procedural Guidelines for Environmental Assessments." Report No. FHWA/RD-84/065 (July 1985).

[4] Shepp, D.L. (1996). Petroleum Hydrocarbon Concentrations Observed in Runoff from Discrete, Urbanized Automotive-Intensive Land Uses. In Proceedings of Watershed 96: Moving Ahead Together, Baltimore, MD, June 8–12, 1996.

[5] Sansalone, J.J., and D.W. Glenn III. 2000. Temporal Variations in Heavy Metal Partitioning and Loading in Urban Highway Pavement Sheet Flow: Implications for In Situ Treatment Design. Transportation Research Record 1720 (00-0354):100–111.

[6] NCHRP (2002) National Cooperative Highway Research Program. Assessing the Impacts of Bridge Deck Runoff Contaminants in Receiving Waters V1.

bridge decks being release into receiving waters"; however, runoff from highways and bridges are well known to contain heavy metals and other harmful pollutants.[7, 8, 9] We are concerned ALDOT is relying on a national study, instead of a local or regional study, for its analysis of local impacts. Our area has a higher than average concentration of industrial facilities and associated commercial traffic carrying hazardous materials; because of this the NCHRP study is likely not an accurate representation of the impacts that could reasonably be expected to occur as a result of this project.

From ALDOT's review of the study and use of its BMP selection evaluation tool (that evaluates costs and benefits of different BMPs), ALDOT has committed to environmental stewardship measures to help offset environmental impacts caused by stormwater. The current identified measures are 1) sweeping on Bayway Bridges, 2) utilizing Open Grade Friction Course Pavements in sections of the project, 3) vegetated filter strips, and the implementation of 4) environmental stewardship projects (to be determined). We appreciate ALDOT's commitment and desire to reduce stormwater runoff impacts from the project, however, these measures alone will not offset the impacts and will likely lead to degradation of important and sensitive water resources for the state.

Sweeping on the bridge decks can be effective at removing some of the contaminated sediments, however, it is largely dependent on how frequently sweeping occurs (currently only planned to occur on a monthly basis).[10] Additionally, although stewardship projects have been successful at achieving improvements, many of these are seen off-site and away from where the negative impacts are being inflicted. We appreciate the addition of these low-cost nonstructural BMPs listed but are disappointed in ALDOT's decision not to incorporate containment and treatment of stormwater runoff from the bridges, particularly in areas of high sensitivity and ecological importance.

The NCHRP 778 report indicates decision about how to handle stormwater runoff must be made with consideration of public funding and the sensitivity of local environments. The report mainly focuses on the removal of pollutants with regards to their overall cost to the project. It is then up to the project manager and decision makers to evaluate the local system's dynamics and public interests to ensure the right application of stormwater measures. ALDOT states in the draft SEIS that the

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[7] Dupuis, T. V., and Kobringer, N. P., (1985) "Effects of Highway Runoff on Receiving Waters, Volume IV: Procedural Guidelines for Environmental Assessments." Report No. FHWA/RD-84/065 (July 1985).
[8] Shepp, D.L. (1996). Petroleum Hydrocarbon Concentrations Observed in Runoff from Discrete, Urbanized Automotive-Intensive Land Uses. In Proceedings of Watershed 96: Moving Ahead Together, Baltimore, MD, June 8–12, 1996.
[9] Sansalone, J.J., and D.W. Glenn III. 2000. Temporal Variations in Heavy Metal Partitioning and Loading in Urban Highway Pavement Sheet Flow: Implications for In Situ Treatment Design. Transportation Research Record 1720 (00-0354):100–111.
[10] Sutherland, R.C., S.L. Jelen, and G. Minton. 1998. High efficiency sweeping as an alternative to the use of wet vaults for stormwater treatment. In Advances in Modeling the Management of Stormwater Impacts, ed. W. James, pp. 351–372. Computational Hydraulics International, Guelph, ON.

report makes note that "decision maker must be the steward of public funding and environment, balancing the objectives of each to ensure sustainability."[11]

Mobile River and Mobile Bay are sensitive environments that are subject to numerous anthropogenic stressors from industrial pollutants to sedimentation. The bridge decks cross waterways that contain endangered species (Alabama sturgeon, Alabama red-bellied turtle, Bald eagle, Gulf sturgeon, and West Indian Manatee), support high value fisheries, wildlife habitat and are heavily used for recreation.[12, 13] Thus, it is vital that ALDOT place significant emphasis on stormwater pollution reduction and should support contracts that will implement stormwater capture and runoff containment and treatment methods in project design, construction practices, and the final build.

Runoff containment infrastructure is also extremely important when considering the potential for hazardous material spills. ALDOT cites NCHRP 778 again when discussing the estimated spill frequency, saying they are "extremely rare, less than 0.01 percent of all reported spills for the period of 2003 to 2012". This study however is national and does not evaluate the frequency of hazardous material anticipated to travel on the Mobile River Bridge and Bayway and does not look at local data for frequency of spills. Therefore, utilizing the national NCHRP 778 report as the sole source is inappropriate for this major, local project.

With so many new and innovative strategies available, ALDOT should incorporate more protective measures than what has been committed in the SEIS. For instance, with impacts to wetlands already identified from the replacement of the Bayway, wetland mitigation requirements could be fulfilled by constructing "stormwater wetlands" downgrade from the outlet of a bridge deck runoff collection system. As the NCHRP Report 778 states, "these engineered wetlands with dense vegetation remove pollutants primarily through biological processes, evapotranspiration and infiltration". They also provide other benefits including "high aesthetic value; improved treatment over dry detention and retention; flood attenuation; reduction of peak flows; and limits downstream bank erosion".[14]

Mobile Baykeeper strongly encourages ALDOT to reduce stormwater runoff impacts from the proposed project with containment and treatment onsite, particularly in critical areas where protecting water quality is crucial to support fisheries, endangered species, and recreational activities. Below is a list of potential areas for implementing additional, more protective stormwater runoff BMPs.

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11 https://www.dropbox.com/s/51lb7kt5g3xlz2r/Mobile%20River%20Bridge%20and%20Bayway%20SDEIS%20-%20Volume%20I.pdf?dl=0 p. 115

12 Martin, J. C. (2007, December 5). The Local and Regional Economic Impacts of The Port of Mobile (Rep.). Retrieved March 16, 2018, from Alabama State Port Authority website: http://www.asdd.com/aspa_feis/Appendix_C_MobileImpact.pdf

13 University of Alabama, 2013. Southern Wonder Alabama's Surprising Biodiversity. Book published by the University of Alabama and the Nature Conservancy, which was funded in part by the World Wildlife Federation. 2013.

14 Arizona DOT Post-Construction BMP Manual, p. 160 of the .pdf document. Appendix B. Table B-3

- Section of the proposed project crossing over D'Olive Creek – this is a critical area as it is listed in ADEM's 2018 303(d) list, is ranked high for wetland restoration, contains critical remaining brackish submerged aquatic vegetation, and has priority intertidal wetlands for storm protection (Appendix A).
- Crossing of important freshwater submerged aquatic vegetation (Appendix A, Appendix B).
- Mobile River crossing where multiple anthropogenic stressors exist upstream and West Indian Manatee sightings are clustered downstream throughout the year (Appendix C).

ADEM 303(d) Impaired Waterbodies

Joe's Branch and D'Olive Creek are listed in the 2018 303(d) list for siltation due to land development. The proposed project will cross directly over Joes Branch and will be partially in the D'Olive Creek watershed and in close proximity to the creek. The Mobile River is also listed in the final 2018 303(d) list for mercury from atmospheric deposition and although the project does not specifically cross over the section listed, it is still in close proximity to the project. Two of the three of these waterways' impairments are due to runoff and stormwater pollution. In order to not exacerbate the pollution issues in these waterways, runoff capture and containment from the Mobile River Bridge and Bayway is an integral part of project evaluation and final construction. We greatly appreciate ALDOT's commitment to achieving a sediment reduction load of 80% for the D'Olive Creek Watershed. We encourage ALDOT to account for impacts to impaired waters regardless of if a Total Daily Maximum Load (TMDL) has been implemented by Alabama Department of Environmental Management. We are also supportive of ALDOT's willingness to "partner with local organizations on environmental stewardship projects in a similar manner within the Southwest Region to help improve water quality".

Erosion Control

We strongly encourage the Construction Best Management Practices Plan (CBMPP) to incorporate phased construction approaches to minimize erosion issues. We also request the natural riparian buffer

to be at least 50 ft, as opposed to the 25 feet in the SEIS, as EPA suggests that distance "to safeguard these fragile areas [riparian buffers], highways should be sited with sufficient setback distances between the highway right-of-way and any wetlands or riparian areas".[15] Riparian areas are important zones to protect as they provide benefits to our aquatic resources, water quality, structural integrity, economy, and overall community welfare.

Environmental Justice and Air Quality

It is important that the Corps comply with the Executive Order 12898 requiring federal agencies to ensure minority and low-income populations will not experience disproportionately high and adverse impacts from federal projects. Based on the projections provided, the project would result in "disproportionately high and adverse effects on the Africatown/Plateau community due to traffic diverting to the non-tolled route along Bay Bridge Road and the Cochrane-Africatown USA Bridge". ALDOT needs to find ways buy down the toll including special funding resources and grants to ensure this community is not disproportionately impacted.

We appreciate ALDOT studying the impacts from the proposed project on local air quality. We suggest ALDOT install air monitors, particularly along the Africatown corridor to monitor air quality and ensure impacts to public health are evaluated as projections of traffic could be incorrect or change and therefore require additional measures to protect the surrounding community.

Dredging

Dredging can cause: an increase in suspended sediment concentrations or turbidity, the potential release of contaminated material, an increase in erosion to nearby shorelines, and disturbance of habitats, particularly within the vicinity of the dredging activities.[16] During this activity, fine sediments (including clays, silt, and fine-sands) generate turbid conditions. Turbidity plumes and sedimentation are a result of overflow and washing practices.[17] Impacts from dredging activities on water quality needs to be quantitatively evaluated to fully understand options for avoidance, minimization, and mitigation of impacts.[18]

Dredged material has the potential to be contaminated with harmful substances such as heavy metals, pesticides, PCBs, oil, etc. particularly when it is near ports and industrial facilities. Many of these contaminants are legacy and therefore can be buried within or locked in seabed sediments. Dredging can suspend these into the water column where they can cause contamination of waters and shellfish/fish species. Many of these metals typically do not manifest until some time has passed and different chemical, hydrographical, and geological processes have had an opportunity to alter these

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[15] National Management Measures to Control Nonpoint Source Pollution from Urban Areas (November 2005, EPA-841-B-05-004

[16] P.L.A. Erftemeijer, R.R.I.I.I. Lewis. (2006). Environmental impacts of dredging on seagrasses: a review Marine Pollution Bulletin, 52, pp. 1553-1572

[17] Nieuwaal, M. (2001). Requirements for sediment plumes caused by dredging. MSc. Thesis, Delft University of Technology, 89pp.

[18] 40 C.F.R. § 230.10(d)

newly disturbed sediments. ALDOT needs to evaluate the long-term impacts and monitor the material to be dredged to manage the potential for contamination.

Wetlands, SAVs, and Essential Fish Habitats

Wetlands are known to provide several important ecological functions such as water purification, shoreline stabilization, flood protection, groundwater recharge, nutrient recycling, particle retention, surface water and subsurface storage, and habitat for fish and wildlife.[19] They add intrinsic value to the community. However, wetland loss "remains a threat to the State's ecological and socioeconomic prosperity".[20] There are a number of reasons for the significant wetland loss in coastal Alabama and trends indicate future loss from sea level rise.[21] Shading of wetlands can result in a reduction of vegetation productivity and growth. The proposed construction of the new Bayway is anticipated to result in the impact of approximately 3.9 acres of wetlands through shading.

Submerged aquatic vegetation (SAV) is an important source of food for several species including manatees and over-wintering waterfowl. It provides habitat for macroinvertebrates and fishes, and helps prevent erosion through sediment stabilization. Over the past few decades, there have been dramatic declines in the SAV population in Mobile Bay.[22] Approximately 16.1 acres of SAV are anticipated to be impacted by the proposed project. We are appreciative of ALDOT for acknowledging that 100 percent of the SAV between the existing Bayway bridge could be impacted either from shading or dredging and therefore has taken a conservative approach to their impact evaluation.

ALDOT has indicated pile driving operations may result in impacts to aquatic species and has coordinated with the USFWS in order to minimize potential impacts and the Concessionaire has decided to use a "ramp-up pile driving procedure during the installation of piles in water". We appreciate ALDOT's cooperation and coordination with relevant agencies to reduce local impacts to fish habitat and aquatic species.

For the impacts that cannot be avoided, compensatory mitigation has been identified for the project. ALDOT is proposing a mitigation ratio of 1.5:1 for wetlands. This is one of the lowest ratios available and essentially considers these wetlands to be unproductive. These wetlands are located in the lower delta where critical species rely on these wetlands and are vital for several important ecological

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[19] U.S. Environmental Protection Agency, Why Are Wetlands Important? (last updated Jan 19, 2018) available at https://www.epa.gov/wetlands/why-are-wetlands-important

[20] Handley, L., K. Spear, S. Jones, C. Thatcher (2011) Mobile Bay. In: Emergent wetlands status and trends in the Northern Gulf of Mexico, 1950-2010: USGS Scientific Investigations Report. 22pps.

[21] Friend, J.H., Lyon, M., Garrett, N., Borom, J.L., Ferguson, J., and Lloyd, G.C. (1981). Alabama coastal region ecological characterization: Volume 3: a socioeconomic study, U.S. Fish and Wildlife Service, Office of Biological Services, Washington, D.C., FWS/OBS-81/41, 367 p.

[22] Barry A. Vittor & Associates. (2005). Historical SAV Distribution in the Mobile Bay National Estuary Program Area and Ranking Analysis of Potential SAV Restoration Sites. http://www.mobilebaynep.com/images/uploads/library/NEP_historicSAV.pdf

functions (listed earlier). ALDOT should increase their valuation of the impacted wetlands to more than 2:1 and ensure an adequate mitigation. All mitigation should occur within the 12-digit HUC sub-watershed and near where the impacts from the project will be endured.

In addition to reevaluating the mitigation ratio, we also want to make a few comments on the currently proposed mitigation: "the creation of tidally influenced emergent wetland and SAV habitat in Polecat Bay, approximately 8,600 ft (2,590 m) north of the project. Creation of a 9-acre marsh island and a surrounding 32.2-ac area of SAV habitat would require fill across 43.5 acres of bay bottom with suitable sediments". This proposed project could be a beneficial option, but we encourage ALDOT to work with relevant agencies to ensure successful implementation and to verify that no secondary impacts will occur from this proposed mitigation (such as release of contaminated materials, loss of existing productive habitat, etc.).

ALDOT plans to implement a "5-year monitoring program design [that] includes post-construction observations and measurement of elevation, bathymetry, and shoreline changes, as well as assessment of vegetative cover, species composition, and areal extent of habitat". We are supportive of monitoring plans but request they be at least 10 years to ensure long-term impacts and changes are accounted for and addressed.

Benthic Communities

Benthic communities are known to play a critical role in the health and functioning of estuarine systems. For instance, organic matter not used in the water column settles on the bottom floor where it can be remineralized by benthic organisms to become nutrients that can then be used in the water column.[23] This remineralization contributes the nutrients necessary to increase primary productivity and is an important link in the food web of an estuary.

Dredging activities can negatively impact benthic communities either directly or indirectly. The extent of these impacts can vary greatly and depend on many factors including the type of community present, the duration of, and type of dredging. Excavation and smothering by sediment can cause lethal impacts to these communities.[24, 25] The specific benthic communities along the proposed project should be characterized to understand what species will be disturbed from dredging and if damage is irreversible or if the area contains recolonizing benthic species that have a more rapid recovery period.[26] For instance, benthic assemblages that are physically buried from sediment deposited may or

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[23] Nowicki, B., & Nixon, S. (1985). Benthic Nutrient Remineralization in a Coastal Lagoon Ecosystem. *Estuaries, 8*(2), 182-190. Retrieved from http://www.jstor.org/stable/1352199

[24] Morton, R. A. (1977). Historical shoreline changes and their causes: Transactions Gulf Coast Association of Geological Societies, v. 27, p. 352-364.

[25] Guillory, V. (1982). Environmental effects of estuarine dredging and spoil disposal, a literature review. Contributions of the Marine Research Laboratory, Technical Bulletin 35, Louisiana Department of Wildlife and Fisheries, 37-61.

[26] ICES International Council for the Exploration of the Sea. (1992). Report of the ICES working group on the effects of extraction of marine sediments on fisheries. Copenhagen (Denmark):

may not be able to recolonize depending on the species and frequency of dredging and sediment deposited from the project. To ensure the full extent of impact is evaluated, we encourage ALDOT characterize the different benthic communities throughout the portion of the project's disturbance.

Major Comments Summarized:

- **More needs to be done to reduce stormwater runoff pollution.** With so many new and innovative strategies available, ALDOT needs to strive to incorporate better protections including containment and treatment of runoff. Specifically we suggest ALDOT implement constructed stormwater wetlands downgrade of stormwater runoff flow in critical areas .
- **Pursue options to buy down the toll and reduce impacts to environmental justice communities**. ALDOT should look into special funding and grant resources to reduce the toll including to ensure the Africatown/Plateau community is not disproportionately impacted from the project.
- **Impacts to water quality from dredging needs to be quantitatively evaluated.** ALDOT needs to evaluate the long-term impacts and monitor the material to be dredged to for manage the potential for contamination of waterbodies.
- **The mitigation ratio undervalues the importance of impacted wetlands.** With impacts to wetlands, SAVs, and Essential Fish Habitat, we must underscore the importance of proper mitigation so the project's impacts can be offset to ensure the ecological and economic functions these provide can be maintained.
- **Impacts to benthic communities needs to be evaluated**. ALDOT has not studied the specific benthic communities along the proposed project's disturbance area. These communities need to be characterized to understand potential impacts from dredging.

Thank you for the opportunity to provide comments on the draft SEIS. We request a written response to each of the provided comments. If you have any questions or need additional information, please don't hesitate to contact us.

Sincerely,

Casi (kc) Callaway
Executive Director & Baykeeper
Mobile Baykeeper

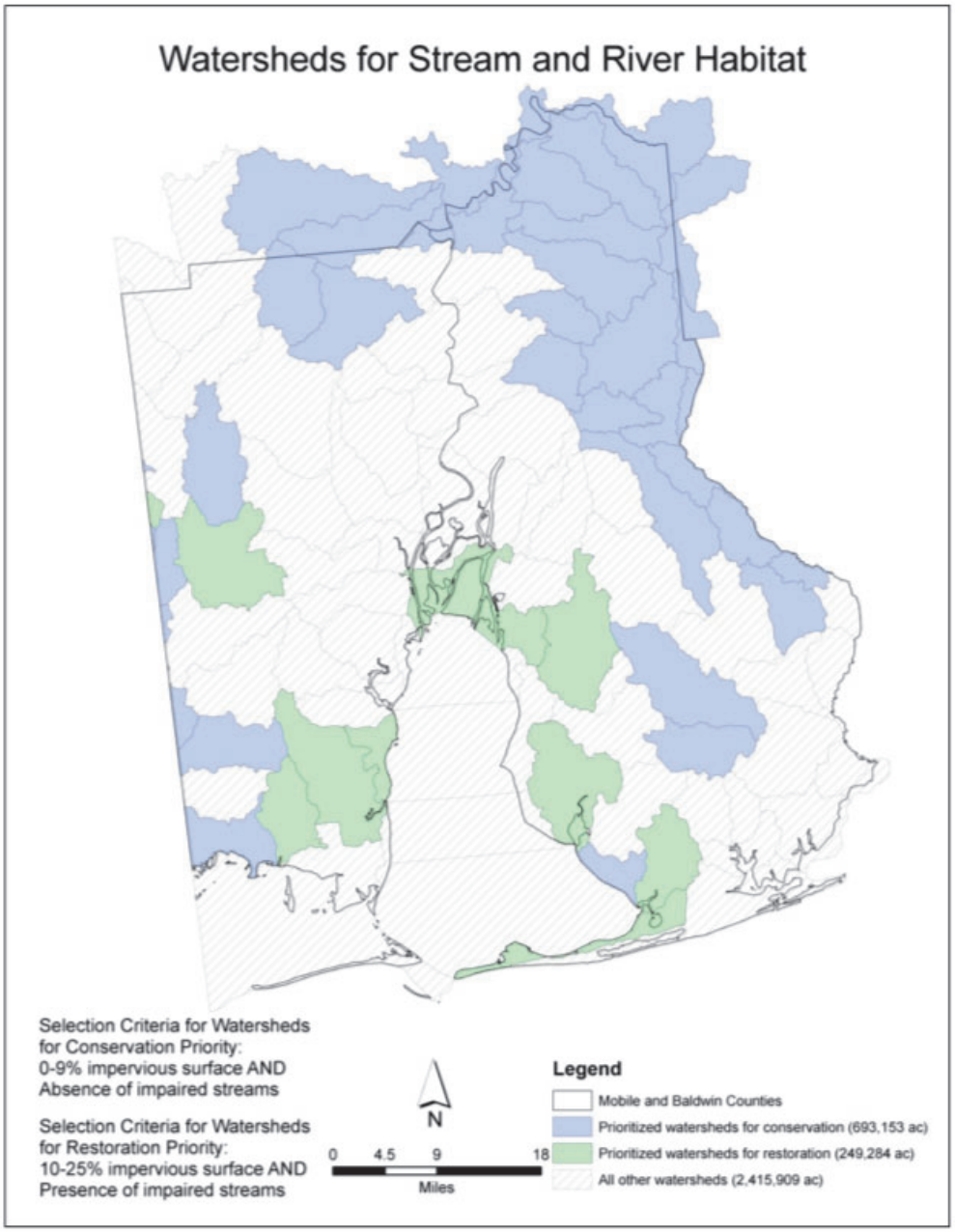
Cade Kistler
Program Director
Mobile Baykeeper

Laura Stone
Program Coordinator
Mobile Baykeeper

ICES Cooperative Research Report # 182. https://www.nefsc.noaa.gov/publications/tm/tm209/pdfs/ch6.pdf

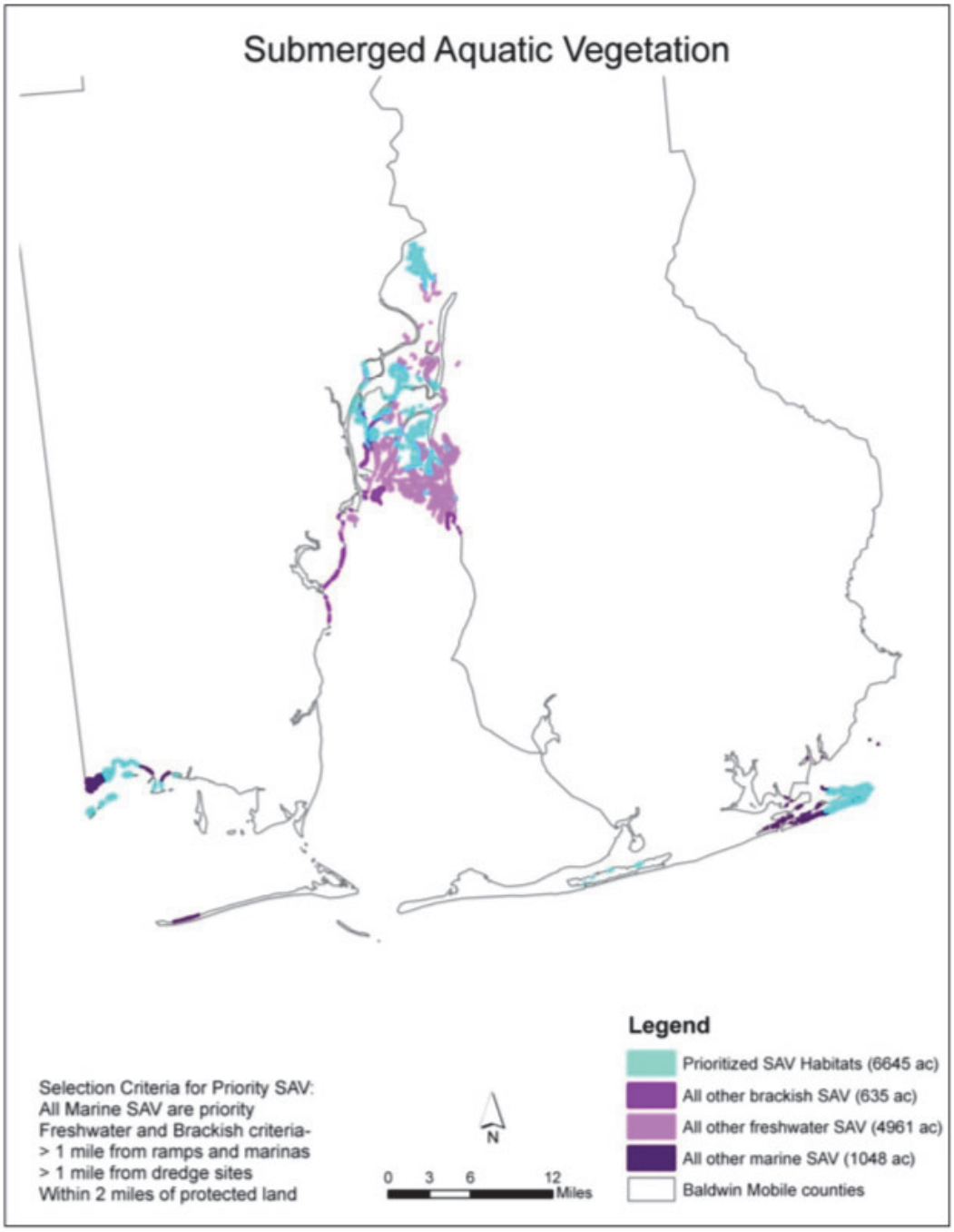
APPENDIX A

Figure 11: Prioritized Watersheds



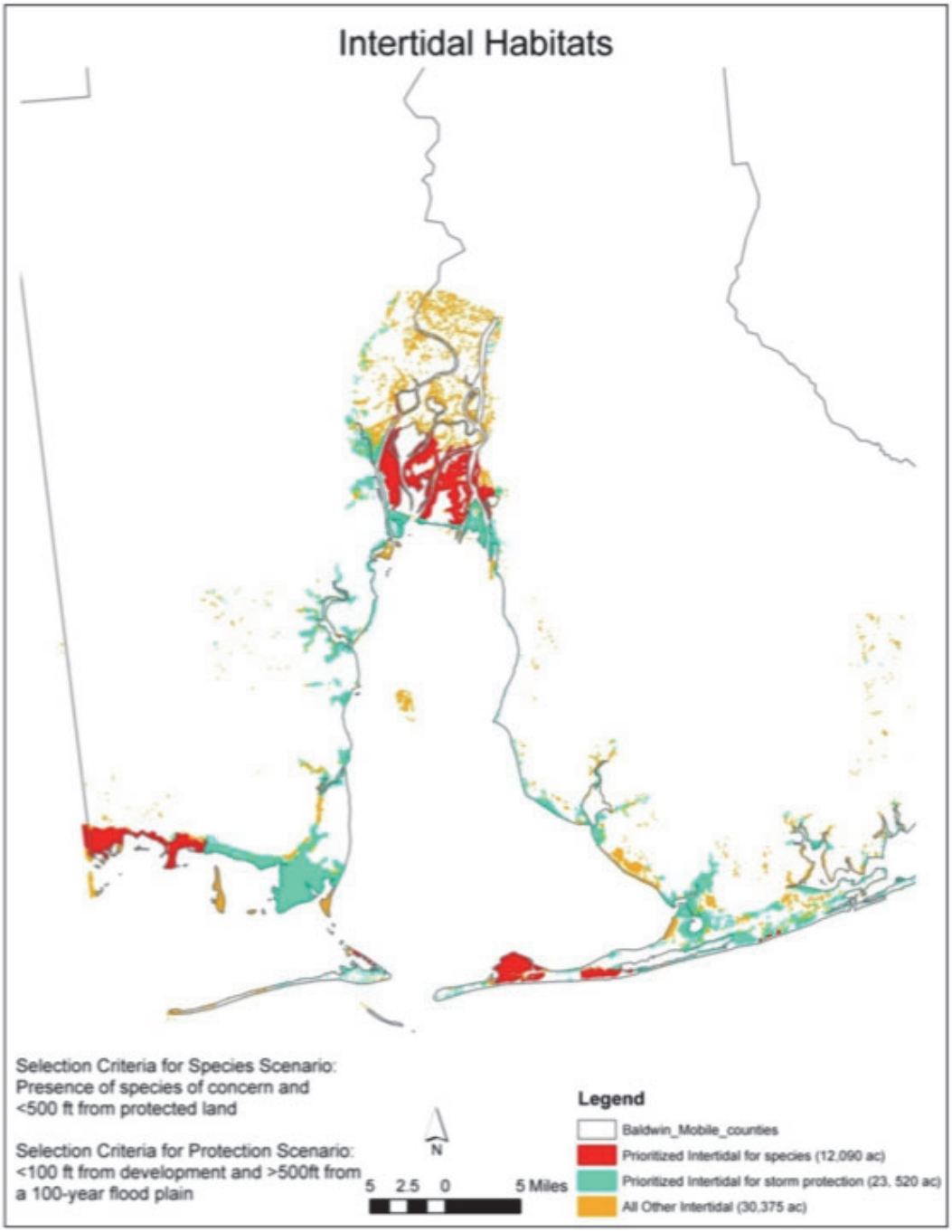
http://www.mobilebaynep.com/images/uploads/library/Prioritization_Guide_for_Coastal_Habitat_Protection_and_Restoration_in_Mobile_and_Baldwin_Counties_Final.pdf

Figure 9: Prioritized Submerged Aquatic Vegetation



http://www.mobilebaynep.com/images/uploads/library/Prioritization_Guide_for_Coastal_Habitat_Protection_and_Restoration_in_Mobile_and_Baldwin_Counties_Final.pdf

Figure 7: Prioritized Intertidal Marshes and Flats



http://www.mobilebaynep.com/images/uploads/library/Prioritization_Guide_for_Coastal_Habitat_Protection_and_Restoration_in_Mobile_and_Baldwin_Counties_Final.pdf

Figure 4-2. Summer (top) and fall (bottom) SAV extent near the mouth of the Apalachee River, in upper Mobile Bay.

http://www.mobilebaynep.com/images/uploads/library/SAV_2015.pdf

APPENDIX C

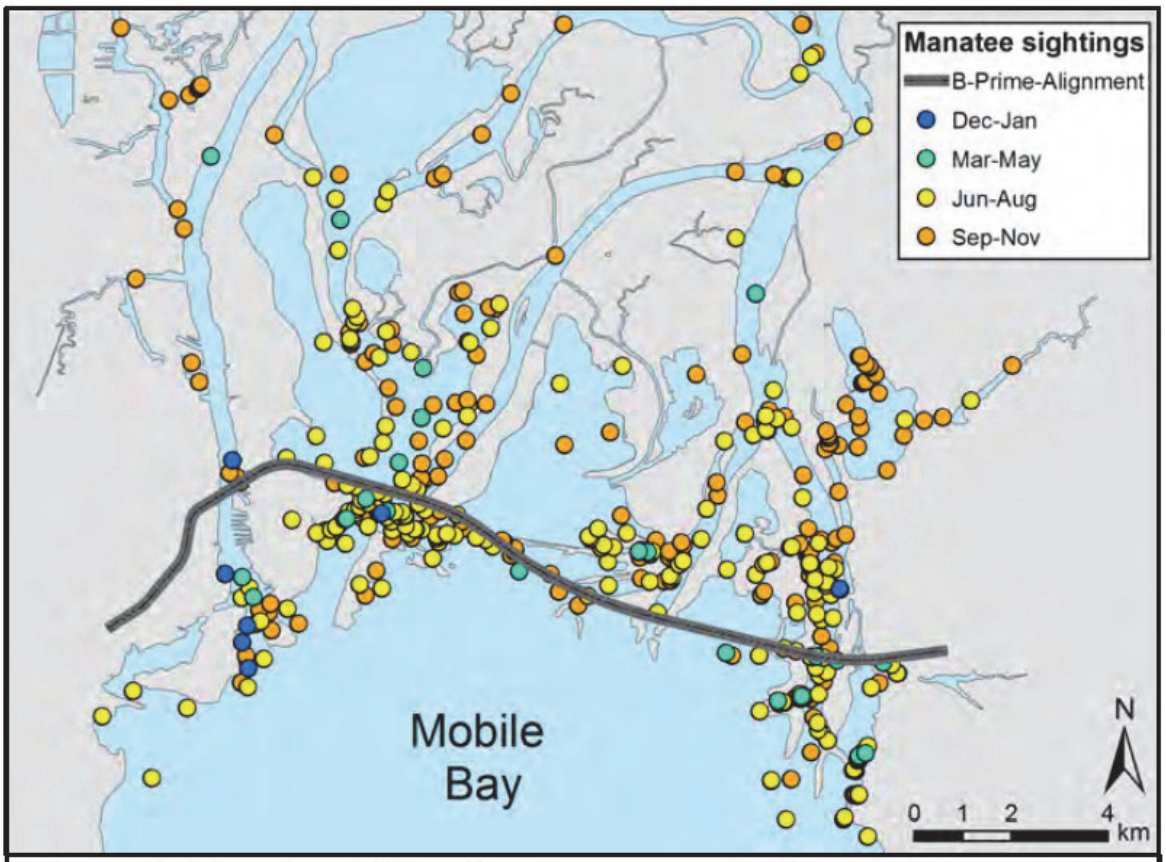


Figure 2. Manatee sighting locations separated by monthly period for all years (1993-2016) combined.

Retrieved from DSEIS Biological Opinion generated by Dr. Carmichael.

ALABAMA TRUCKING ASSOCIATION

P.O. Box 242337
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www.alabamatrucking.org

May 23, 2019

ALDOT – Mobile River Bridge and Bayway Project
ATTN: Matt Ericksen, P.E.
1701 I-65 West Service Road North
Mobile, Alabama 36618

RE: Comments on the Supplemental Draft Environment Impact Statement (SDEIS), I-10 Mobile River Bridge and Bayway Project

Dear Mr. Ericksen:

The Interstate 10 Corridor is a heavily traveled commercial lane for trucking. With an appreciation of the need for the proposed Mobile River Bridge and Bayway, early on the Alabama Trucking Association (ATA) joined the efforts of the Build the I-10 Bridge Coalition for the purpose of adding capacity to I-10.

Our vision, at the time, was that the I-10 Mobile bridge would be an alternative route allowing traffic to travel freely through the existing route (Wallace Tunnel), as well. In fact, the Build the Bridge Coalition website currently states: "the bridge is an addition to existing transportation options; the Wallace Tunnel and Bankhead Tunnel will continue unchanged." ATA is opposed to tolling existing highways.

Since this project's inception, estimated costs have nearly tripled. Initially, the cost for the project was estimated at $773 million. With the expanded scope of the project, today's estimated cost is $2.1 billion.

Based on the magnitude of the project's funding requirements, the study foresees tolling as the only available means to subsidize the project. With the discussions at the federal level concerning highway funding, we are not sure that will remain the case.

That brings to issue the proposed toll rates.

The maximum proposed toll (traveling the entire toll corridor) for a passenger automobile is $6. For people who use the entire tolled route twice per weekday to commute for work, the toll would cost approximately $60 per week (if the toll is set at the upper end of the acceptable

---

Founded in 1938, the Alabama Trucking Association is a non-profit trade association representing state motor carriers for the advancement of highway transportation and serving as the voice of trucking in Alabama. It conducts activities for the improvement of trucking service to the public and sponsors programs for the trucking industry in the public interest and industry betterment. The Association's membership consists of nearly 700 trucking related firms, including for-hire and private truck operations and allied businesses (those that equip and service the industry). For more information, visit www.alabamatrucking.org.

ATA AMERICAN TRUCKING ASSOCIATIONS

range). To help offset the cost of tolls for frequent users, ALDOT will incorporate a frequent user discount program into their toll policy. Currently, ALDOT is evaluating a 15% discount when 20 or more trips are taken in a month.

The trucking industry would also be affected by the implementation of a toll on I-10. The study anticipates the cost of truck tolls to be four to six times higher than the cost for a passenger vehicle, depending upon the size of the truck. A related chart shows the proposed toll rates for a tractor-trailer combination at $30; and $36 for a heavier tractor-trailer combination by permit. There are no discounts for trucks. Furthermore, the proposed rates as mentioned are indexed, meaning they increase annually.

Regarding truck tolls, we surmise that shippers are not willing to pay the add-on expense. Consequently, trucks that traverse the I-10 Bridge regularly will be inclined to seek alternate routes, though these routes are not, for the most part, conducive to truck traffic. The alternate route, in our opinion, is the Wallace Tunnel.

We understand that the actual toll rates are yet to be set by the concessionaire, but the study raises concerns among the trucking industry as to costs to the highway user. Given the expense to the movement of highway freight as defined by the proposed toll rates, the Alabama Trucking Association is not in the position to support the project as proposed.

Congestion is a major concern for trucking. Each year, the American Transportation Research Institute (ATRI) ranks The Top 100 Bottlenecks in America. The Mobile I-10 corridor did not place in the top 100. It in fact was ranked at 215th of the 300 venues compiled. ATRI ranks the bottlenecks based on truck data as to truck speed and number of trucks impacted. As the major highway user in Alabama, the trucking industry is forced to question the validity of the project based on its projected costs to the highway user.

The Alabama Trucking Association remains supportive of an adequately funded highway infrastructure, as evidenced by our backing of the recently passed state fuel tax. We too, support the efforts of the American Trucking Associations and the U.S. Chamber of Commerce in efforts to increase the fuel tax at the federal level.

That stated, we look forward to working with Governor Ivey and ALDOT to explore the best feasible scenarios for the funding of the Mobile River Bridge and Bayway.

Sincerely,

J. Frank Filgo
President & CEO

OFFICE OF THE MAYOR

MOBILE
ALABAMA

May 23, 2019

Mr. John R. Cooper, Transportation Director
Alabama Department of Transportation
1701 I-65 West Service Road North
Mobile, AL 36618

Attention: Matt Ericksen, P.E.

RE: Letter of Support
Mobile River Bridge and Bayway Project

Dear Mr. Cooper,

I am writing to support the Alabama Department of Transportation's I-10 Mobile River Bridge and Bayway Project. This project is an important transportation infrastructure project that will improve the mobility, safety, security, and efficiency along the I-10 corridor in Mobile and Baldwin Counties.

The South Alabama region has experienced tremendous growth in recent years and a reliable interstate system is vital to the maintaining and increasing that growth. The Mobile River Bridge and Bayway Project will provide great benefits for citizens, travelers, and businesses, as well as regional and interstate commerce.

As an elected official, I fully support the project and ALDOT's efforts to deliver it.

Should you have any questions regarding my endorsement, or if I can support your efforts in any other way, please feel free to contact me at your convenience. Thank you for your leadership in this important endeavor.

Sincerely,

William S. Stimpson
Mayor

LANCE R. LEFLEUR
DIRECTOR

Alabama Department of Environmental Management
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Montgomery, Alabama 36130-1463
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KAY IVEY
GOVERNOR

SECTION	INFO	ACTION
REGIONAL ENGINEER	MC	
ASST REGION ENGINEER		
ADMINISTRATION		
OPERATIONS-MOBILE		
OPERATIONS-GROVE HILL		
CONSTRUCTION		
COUNTY TRANSPORTATION		
EQUIPMENT		
EEO		
MATERIALS		
PRE-CONSTRUCTION		
SPECIAL PROJECTS		
DISTRICT MANAGERS		

May 24, 2019

c: MRB

CERTIFIED MAIL # 91 7199 9991 7039 3050 4074

Mr. Matthew Ericksen
Southwest Region Engineer
ATTN: Mobile River Bridge Project
1701 I-65 West Service Road N
Mobile, AL 36618

RE: **ADEM Review and Response:** *Supplemental Draft Environmental Impact Statement (SDEIS) for the Mobile River Bridge,* dated March 29, 2019.
Mobile, Mobile County, Alabama

Dear Mr. Ericksen:

The Alabama Department of Environmental Management (ADEM or the Department) has reviewed the Alabama Department of Transportation's (ALDOT's) SDEIS for the Mobile River Bridge Project. Based on the information provided, the Department has not identified any concerns with the proposed project as it pertains to the Governmental Hazardous Waste Program. However, it may be appropriate for ALDOT to coordinate with the ADEM Water Division or other programs within the Department that have jurisdiction over this type of project. It should be noted that the proposed work area for the Mobile River Bridge (MRB) Project is located near other sites being managed under the Governmental Hazardous Waste Branch. Additional information regarding these sites can be found in the Department's online files at http://app.adem.alabama.gov/eFile/ using the appropriate 5-digit master ID listed below.

- Alabama State Port Authority, Master ID: 00680
- Brookley AFB, Master ID: 29181
- Continental Motors - Teledyne, Master ID: 12050
- Theodore Ammo - AL State Docks, Master ID: 19569
- Mobile OMS 28, Master ID: 22433

Based on the review of the SDEIS, the Department does not anticipate any impact at these sites from the proposed construction for the MRB at this time. If ALDOT becomes aware of any impact or potential impact to these sites in the future, please notify the Department.

Birmingham Branch
110 Vulcan Road
Birmingham, AL 35209-4702
(205) 942-6168
(205) 941-1603 (FAX)

Decatur Branch
2715 Sandlin Road, S.W.
Decatur, AL 35603-1333
(256) 353-1713
(256) 340-9359 (FAX)

Mobile Branch
2204 Perimeter Road
Mobile, AL 36615-1131
(251) 450-3400
(251) 479-2593 (FAX)

Mobile-Coastal
3664 Dauphin Street, Suite B
Mobile, AL 36608
(251) 304-1176
(251) 304-1189 (FAX)

If you have any questions or concerns regarding this matter, please contact Mr. Colin Mitchell of the Governmental Hazardous Waste Branch at 334-271-7967 or via e-mail at cjmitchell@adem.alabama.gov.

Sincerely,

Jason Wilson, Chief
Governmental Hazardous Waste Branch
Land Division

JJW/ATM/CJM/tlp

Cc: Samantha Downing, ADEM
Brandi Little, ADEM
Ashley Mastin, ADEM
Kaneshia Townsend, ADEM
Heather Guerrero, ADEM

United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
Richard B. Russell Federal Building
75 Ted Turner Drive, S.W., Suite 1144
Atlanta, Georgia 30303

ER-19/0144

July 26, 2019

Mr. Mark Bartlett
Division Administrator
Federal Highway Administration
9500 Wynlakes Place
Montgomery, Alabama 36117

Re: Comments and Recommendations on the Supplemental Draft Environmental Impact Statement and Section 4(f) Evaluation, I-10 Mobile River Bridge and Bayway, Mobile and Baldwin, Alabama

Dear Mr. Bartlett:

The Department of the Interior (Department) has reviewed the Supplemental Draft Environmental Impact Statement (SEIS) and Section 4(f) Evaluation for the proposed I-10 Mobile River Bridge and Bayway project, Mobile and Baldwin Counties, Alabama. The Department offers the following comments for your consideration.

General Comments

We welcome this opportunity to cooperate with the Federal Highway Administration (FHWA) and the Alabama Department of Transportation (ALDOT) in re-evaluating the I-10 Mobile River Bridge and Bayway improvements. As detailed in the SEIS, the purpose of the proposed project is to increase the capacity of I-10 to meet existing and projected future traffic volumes and to provide a more direct route for vehicles transporting hazardous materials, while minimizing impacts to Mobile, Alabama's maritime industry.

Section 4(f) Comments

The Draft Section 4(f) evaluation describes a range of avoidance alternatives, the affected Section 4(f) resources, and discloses potential project impacts to those resources.

The BAE Maritime Historic District, Oakdale Historic District, Africatown Historic District, Church Street Historic District, Lower Dauphin Street Historic District, and USS ALABAMA Battleship Memorial Park were identified as being in the area of potential effect (APE) during Section 106 consultation.

The draft Section 4(f) evaluation states, "No archeological sites as of yet have qualified as Section 4(f) resources, and none are expected to qualify as Section 4(f) resources." However, the draft Memorandum of Agreement (MOA) states, "…FHWA and ALDOT have also determined that the undertaking may have an adverse effect on archeological sites…" The referenced archeological sites were not identified in the draft Section 4(f) evaluation.

The draft Section 4(f) evaluation concludes, "With the loss of the Union Hall, none of the other Build Alternatives would result in Section 4(f) impacts." Conversely, the draft MOA identifies a finding of adverse effect for two National Register of Historic Places (NRHP) listed resources within the project's proposed APE. They are the Church Street East Historic District and the Lower Dauphin Street Historic District.

The draft Section 4(f) evaluation discusses an ongoing coordination effort with the Alabama Historical Commission (SHPO) in compliance with Section 106 of the National Historic Preservation Act. However, the administrative record provided in the SEIS was incomplete.

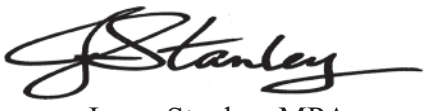
On July 18, 2019, an executed MOA (DPI-0030 (005) was provided. A mitigated finding of adverse effect was found for the Church Street East Historic District and the Lower Dauphin Street Historic District. FHWA and ALDOT have also determined that the undertaking may have an adverse effect on unidentified archaeological sites. The MOA details that a program of integrated Phase I and Phase II archaeological evaluation will be conducted as the project progresses.

Summary Comments

Based on this updated information, the Department has no objection to Section 4(f) approval of this project contingent on the full execution of the requirements identified in the July 11, 2019 MOA.

The Department has a continuing interest in working with the FHWA and ALDOT to ensure that impacts to resources of concern to the Department are adequately addressed. If you have questions, please contact Steven Wright at Steven_M_Wright@nps.gov. I can be reached at (404) 331-4524 or via email at joyce_stanley@ios.doi.gov.

Sincerely,



Joyce Stanley, MPA
Regional Environmental Officer

cc: Christine Willis – FWS
Michael Norris - USGS
Steven M. Wright – NPS

Chester McGhee – BIA
William Brown – BOEM
OEPC – WASH