

FINAL ENVIRONMENTAL IMPACT STATEMENT AND RECORD OF DECISION

**PROJECT NO. DPI-0030(005)
I-10 MOBILE RIVER BRIDGE AND BAYWAY
MOBILE AND BALDWIN COUNTIES, ALABAMA**



**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
AND
ALABAMA DEPARTMENT OF TRANSPORTATION**

**IN COOPERATION WITH:
U.S. Army Corps of Engineers, Mobile District
and
U.S. Coast Guard, Eighth District**

August 2019

THIS DOCUMENT INCLUDES:

- I-10 Mobile River Bridge and Bayway Final Environmental Impact Statement (FEIS)
- I-10 Mobile River Bridge and Bayway Record of Decision (ROD)

DOCUMENTS PROVIDED ON PROJECT WEBSITE (www.mobileriverbridge.com):

- I-10 Mobile River Bridge and Bayway Draft Environmental Impact Statement and Appendices, signed July 22, 2014
- I-10 Mobile River Bridge and Bayway Supplemental Draft Environmental Impact Statement and Appendices, signed March 26, 2019

List of Acronyms

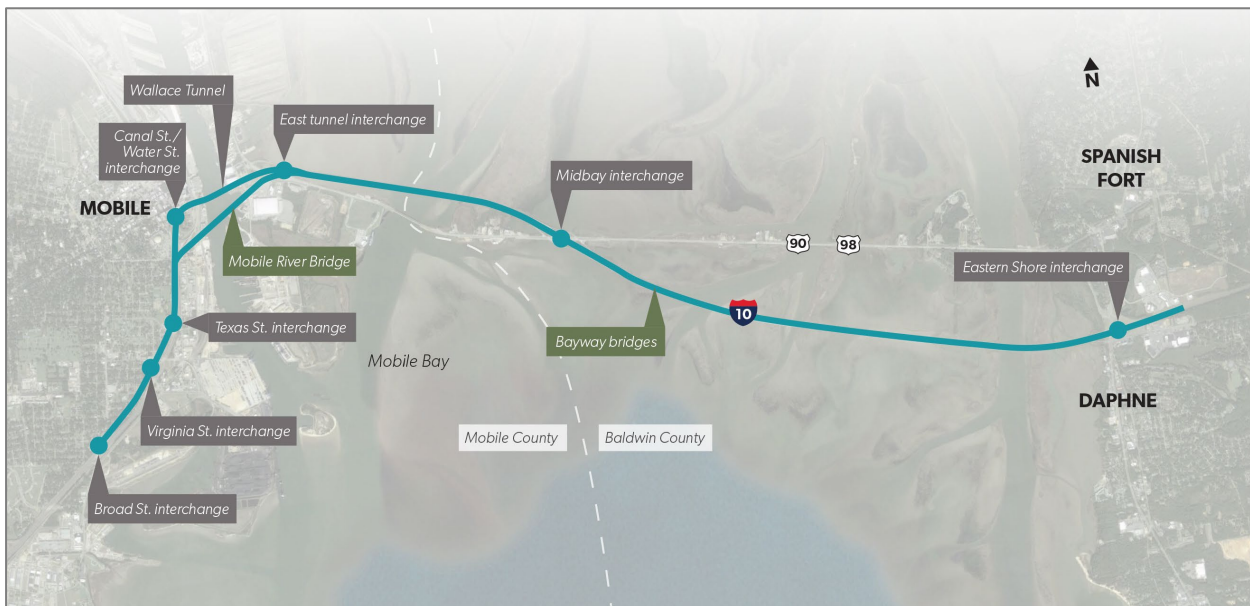
AASHTO	American Association of State Highway and Transportation Officials
ACHP	Advisory Council on Historic Preservation
ADC	Air Draft Clearance
ADCNR	Alabama Department of Conservation and Natural Resources
ADEM	Alabama Department of Environmental Management
ALDOT	Alabama Department of Transportation
ASPA	Alabama State Port Authority
CBD	Central Business District
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
Combined FEIS/ROD	Combined Final Environmental Impact Statement/Record of Decision
DBFOM	Design, Build, Finance, Operate, and Maintain
DEIS	Draft Environmental Impact Statement
EA	Environmental Assessment
EIS	Environmental Impact Statement
EJ	Environmental Justice
FEIS	Final Environmental Impact Statement
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
GOMESA	Gulf of Mexico Energy Security Act of 2006
I-10	Interstate-10
IMR	Interstate Modification Request
LOS	Level of Service
MAP-21	Moving Ahead for Progress in the 21 st Century
MOA	Memorandum of Agreement
NAC	Noise Abatement Criteria
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NOA	Notice of Availability
NOAA-NMFS	National Oceanic Atmospheric Administration-National Marine Fisheries Service
NOI	Notice of Intent
NRHP	National Register of Historic Places
P3	Public-Private Partnership
ROD	Record of Decision
SHPO	State Historic Preservation Officer
THPO	Tribal Historic Preservation Officer
USACE	U.S. Army Corps of Engineers
USCG	United States Coast Guard
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish & Wildlife Service

FACT SHEET



What is the Mobile River Bridge and Bayway Project?

The Alabama Department of Transportation (ALDOT), along with the Federal Highway Administration (FHWA), and in cooperation with the U.S. Army Corps of Engineers (USACE) and the U.S. Coast Guard (USCG), is proposing to increase the capacity of Interstate-10 (I-10) by constructing a new six-lane bridge with 215 feet of air draft clearance across the Mobile River to supplement the existing four-lane Wallace Tunnel. The project also includes replacing the existing four-lane I-10 bridges across the Mobile Bay with new eight-lane bridges above the 100-year storm elevation to meet the requirement set forth in the American Association of State Highway and Transportation Officials (AASHTO) 2008 *Guide Specifications for Bridges Vulnerable to Storm Surge*. The proposed project would be located in Mobile and Baldwin Counties, Alabama. The project corridor is approximately 10 miles long.



Mobile River Bridge and Bayway Project Limits

What is the purpose of the proposed project, and why is it needed?

The 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. The existing Wallace Tunnel, which is how I-10 currently crosses the Mobile River, was designed to carry approximately 35,000 vehicles per day. On average, the Wallace Tunnel has an average daily traffic of approximately 75,000 vehicles per day. By 2040, the Wallace Tunnel is expected to have an average daily traffic of approximately 95,000 vehicles per day, which is nearly three times the volume of traffic it was designed to carry. This means that, on average, the anticipated traffic going through the Wallace Tunnel in 2040 on a daily basis would be around fourteen percent higher than what is currently experienced on Fridays during July.

There is also a need to provide a direct interstate route for trucks transporting hazardous materials across the Mobile River. The transport of hazardous materials in the I-10 Wallace Tunnels is prohibited because of the potential for accidents in a confined space. Hazardous materials include radioactive hazardous materials, flammable, corrosive, and explosive materials. Trucks carrying prohibited hazardous materials must detour off I-10. Currently, they are rerouted through the Mobile central business district, using the Cochrane-Africatown USA Bridge to cross the Mobile River. Based on traffic counts of hazardous materials trucks, it is estimated that 257 hazardous materials trucks per day were detoured in 2005, 280 in 2010, and this volume is projected to continue to increase.

The third need is to minimize the project's impacts to Mobile's maritime industry. There are three main drivers of Mobile's maritime economy: cargo shipped through the Port of Mobile, shipbuilding and shipyard activities, and the cruise industry. The combined annual economic contribution supported by these three maritime activities is over 28,700 jobs and approximately \$2.4 billion in economic benefits, representing approximately 16 percent of the economic activities of the Mobile region. Given the magnitude of employment and economic value provided by maritime activities in the region, any proposed measures to increase the capacity of I-10 need to minimize adverse impacts to the maritime industry.

What is the history of the project?

In 1997, a Feasibility Study determined constructing a bridge over the Mobile River near Mobile's Central Business District (CBD) would alleviate congestion in the Wallace Tunnel. However, increasing the capacity only across the Mobile River would relocate the congestion problem from the tunnel to the I-10 Bayway. Based upon projected traffic and the availability of only two travel lanes in each direction on the existing Bayway, the need to increase the capacity of the Bayway from four lanes to eight lanes became apparent and was added to the proposed project.

Three initial Build Alternatives were considered and an Environmental Assessment (EA) for the proposed project was signed by the FHWA in 2003. Because of concerns related to visual impacts of the bridge on historic properties, the FHWA elevated the level of documentation to an EIS. In the sixteen years since the EA was prepared, a number of additional alternatives have been considered. In 2014, a Draft Environmental Impact Statement (DEIS) was prepared that evaluated the potential impacts of the No Build Alternative and four Build Alternatives. Between the signing of the DEIS and 2019, additional engineering and environmental studies were conducted, and revisions to the Build Alternatives were made. To address the changes that occurred subsequent to the DEIS, specifically the addition of tolling and the replacement of the Bayway, a Supplemental DEIS was prepared. The Supplemental DEIS was signed by the FHWA on March 26, 2019.

Why was a Supplemental DEIS prepared?

Under the National Environmental Policy Act (NEPA), a Supplemental EIS is required when significant new information or changes in a project implicate significant changes in the environmental analysis. This occurs when an agency makes substantial changes in the proposed action that are relevant to environmental concerns; or there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts. A Supplemental DEIS was prepared for this project due to the inclusion of tolling and the replacement of the Bayway, which are considered substantial changes in the proposed action.

The purpose of the Supplemental DEIS is to supplement the original DEIS, not to replace it. The Supplemental DEIS identifies new information and activities that have occurred in the project since the 2014 DEIS. The process used to develop the Supplemental DEIS involved incorporating new information from engineering and environmental studies and updating impacts, where applicable. The DEIS still remains valid except where superseded by changes described in the Supplemental DEIS.

Why was this Combined FEIS/ROD prepared?

This Combined FEIS/ROD was prepared to identify revisions needed to the Supplemental DEIS, to address substantive comments received on the Supplemental DEIS during the public comment period, summarize public involvement, summarize the mitigation measures that will be incorporated into the project, and to document the basis for the Selected Alternative.

What alternatives were considered for the proposed project?

A wide range of alternatives, including the No Build and numerous Build Alternatives, were considered for this project. In consultation with the public and stakeholders, fourteen (14) Build Alternatives were developed. In addition to the Build Alternatives, other alternatives were examined, including movable bridges, mass transit, light rail, ferries, commuter transit, and Transportation System Management. The Build Alternatives were analyzed in a 2005 Alternatives Screening Evaluation for their ability to meet the purpose and need of the project, the technical feasibility of constructing the alternative, the economic impact of travel savings, the estimated cost of the alternative, and anticipated overall impacts to the human and natural environment. The other alternatives were screened for their ability to meet the purpose and need of the project and for technical feasibility to be constructed. Section 3.0 and Appendix B of the DEIS describe how alternatives were eliminated from further consideration or retained to be evaluated in the DEIS.

Of the fourteen (14) potential Build Alternatives, four alternatives were recommended for further consideration; however, two of them were combined into one alternative due to their proximity to one another. The alternatives were named A, B, and C. Alternative B' was developed several years after the Alternatives Screening Evaluation in response to input from local stakeholders, which included Austal, the Alabama State Port Authority (ASPA), the Mobile Area Chamber of Commerce, and the City of Mobile. These stakeholders requested that ALDOT shift the alignment of Alternative B to minimize impacts on the cruise terminal, Austal's property on the east side of Mobile River, and historic resources. For these reasons, a new Build Alternative was created by shifting Alternative B further away from these resources. This new alternative was named Alternative B'. In addition, the No Build Alternative has been evaluated and provides a basis for comparison of impacts that may result from the proposed project.

All four Build Alternatives and the No Build Alternative have been carried forward through the Combined FEIS/ROD.



Build Alternatives A, B, B', and C

Why does the bridge have an air draft clearance of 215 feet over the Mobile River Navigation Channel?

Air draft clearance represents the vertical space between the water surface (mean water level) and the lowest part of the bridge deck to allow for safe passage of ships. The 1997 Feasibility Study prepared for the project recommended a vertical clearance of 190 feet for the new bridge over the Mobile River. In response to input from stakeholders and requests to increase the air draft clearance, a report evaluating an increase in air draft clearance from 190 feet to 215 feet was prepared in 2012. The evaluation determined 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, such as Gulfport and Houston, as well as those that are currently obstructed, such as New Orleans, Savannah, Charleston, Jacksonville, and Tampa. Additionally, an air draft clearance of 215 feet would accommodate larger cruise ships with air drafts ranging up to 210 feet. As addressed in the DEIS, the air draft clearance was increased from 190 feet to the currently proposed 215 feet. The full air draft clearance analysis is included in Appendix C of the DEIS.

What changes will be made to the I-10 interchanges as a result of the project?

The DEIS envisioned modifications to the interchanges along the I-10 corridor from Broad-Duval Street in Mobile to US-90/US-98 in Daphne would be required, but it did not contain detailed concepts nor did it include an analysis of how those interchanges would function.

The following modifications to I-10 interchanges will be part of the proposed project:

- A U-turn lane will be added to the Broad-Duval Street interchange to allow trucks going to and from Virginia Street to access the new Mobile River Bridge.
- The Texas Street Interchange will be closed.
- The Virginia Street and Canal Street/Water Street Interchanges will be converted to diverging diamond interchanges.
- Existing interchange access will be maintained at the US-90/US-98 East Tunnel and the US-90/US-98 Mid-Bay Interchanges, with some modifications being made to the ramps as necessary to improve traffic flow.
- Minor widening and alignment changes of the ramps at the US-90/US-98 Eastern Shore Interchange will be made.

Section 3.4 of the Supplemental DEIS contains more detailed description of the interchange modifications that will be needed.

Why does the Bayway have to be replaced rather than widened? What will happen to the old Bayway?

The DEIS envisioned that the existing I-10 Bayway would be widened to the inside of the existing bridges to provide eight lanes of capacity (four lanes in each direction). As discussed in Section 3.4 and Appendix G of the Supplemental DEIS, Level I and Level III Storm Analyses were conducted for this project 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 structures beyond repair similar to the damage that occurred to the I-10 bridges in Pensacola after Hurricane Ivan and the I-10 and US-90 bridges in Louisiana and Mississippi after Hurricane Katrina. As a result of Hurricanes Ivan and Katrina, AASHTO issued the *Guide Specifications for Bridges Vulnerable to Coast Storms*. This document includes a requirement to provide at least one foot of vertical clearance over the 100-year design storm, including the wave crest elevation.

Most of the existing Bayway is well below the 100-year wave crest elevation, placing it well within the wave impact area. 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 percent of the bridge beyond repair. ALDOT also studied the economics of retrofitting the existing Bayway, which is reaching the end of its 75-year design life. The cost of retrofitting the existing bridges and providing a new widened Bayway (that would also 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.

On average, the new Bayway will be up to 8 feet higher than the existing elevation. The existing Bayway will be demolished, and portions of the concrete will be beneficially used to create habitat as part of the Alabama Department of Conservation and Natural Resources' (ADCNR) Roads to Reefs Program.

Will the footprint of the Bayway change?

Replacement of the Bayway will require construction outside of the existing Bayway footprint at the East Tunnel interchange, Mid-Bay interchange, and US-90/US-98 Eastern Shore interchange. The new construction at these interchanges will be outside of the existing Bayway bridges and ramps but within ALDOT's right-of-way in order to maintain interstate traffic during construction. The remainder of the Bayway will be replaced within the existing footprint.

Will the project require dredging?

The DEIS identified segmented barges as the preferred construction methodology for the Bayway and did not allow for dredging. Bathymetric surveys performed as part of the storm surge analyses indicate that portions of the area between the existing Bayway bridges have naturally filled in to depths of less than six feet due to shoaling. The areas exhibiting the effects of shoaling are primarily located around the Tensaw, Apalachee, and Blakeley Rivers. In order to better facilitate construction of the new Bayway bridges, it has been determined that dredging may be required in areas where water depths are less than six feet. Dredging would reduce construction time and result in substantial construction cost savings. Dredging would occur within the previously disturbed construction channel that was used to build the existing Bayway.

Why does the project have to be tolled?

ALDOT's annual budget for capacity projects is around \$135 million. The proposed project was originally envisioned as 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 for the remaining 20 percent. However, due to a nationwide funding shortfall resulting from decreased revenues from gas taxes and increased construction costs, there has been a renewed interest in using toll financing to deliver major transportation infrastructure projects.

There are projects in other parts of the state that rely on traditional funding mechanisms that have begun, but there is no available funding to continue and they remain incomplete. Examples of this are the \$5.3 billion Birmingham Northern Beltline Project and the \$875 million Montgomery Outer Loop Project, both of which have been started but are not scheduled to be completed due to the lack of funds. As these projects indicate, construction of major projects with estimated costs of over \$500 million can result in lengthy construction periods and/or incomplete projects.

Constructing the Mobile River Bridge and Bayway Project over decades or only constructing only a portion of the project does not make good programming or planning sense. If only part of the project is constructed, congestion issues would be moved to a new location because the infrastructure could not handle the traffic demand. In addition, this approach would leave the Bayway vulnerable to damage from storm surge, potentially for decades.

Because of the funding challenges ALDOT and the Federal government are currently experiencing, the project is only viable if the corridor is tolled. Toll revenue will be used to cover the financing, operations, and maintenance costs of the proposed project. Tolls will also allow the private partner (Concessionaire) to recover its investment in the project over the life of the agreement.

ALDOT will still be required to invest in the proposed project to make up the difference between the private investment and the project cost. The amount of investment required from ALDOT will depend upon the final proposals from each of the teams that are pursuing the project. Funding sources for

ALDOT's investment may include a combination of Federal-aid, Federal loan programs, and/or state discretionary funds.

Why can't other funding sources, such as the new gas tax (Rebuild Alabama Act), RESOTRE Act, and Gulf of Mexico Energy Security Act (GOMESA), separately or together be used to fund the project?

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 that will consume and exceed the new state revenue generated by the Rebuild Alabama Act.

In response to public comments and recommendations by elected officials, other funding sources, such as the RESTORE Act and GOMESA, have been evaluated as potential funding sources.

RESTORE Act funds are 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.

GOMESA funds are to be used 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; or
- Planning assistance and administrative costs not to exceed three percent of the amounts received.

The state of Alabama will receive approximately \$21 million per year in RESTORE Act funds from 2019 through 2031. In 2019, Alabama received approximately \$31 million in GOMESA funds. Transportation projects are not currently eligible for GOMESA funds. Even if it was determined that this project was an eligible use for RESTORE Act and/or GOMESA funds, it would mean no other eligible and needed projects in Mobile and Baldwin Counties could be funded through these sources. Furthermore, even if the total remaining RESTORE Act funds and the total annual allocation of GOMESA funds were committed to the Mobile River Bridge Project, the funds would not be sufficient to eliminate tolls.

ALDOT is actively seeking all available funds to help deliver this project. The toll policy includes a buy down clause, which will allow ALDOT to subsidize tolls if additional funds become available in the future (even after the contract and construction begin).

What will the tolled and non-tolled routes be?

As currently proposed, 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 Tunnel to its connection with the Bayway would also be tolled. ALDOT has committed to maintaining a non-tolled route across the Mobile River and Mobile Bay. This route includes the Bankhead Tunnel, Cochrane-Africatown USA Bridge, and the US-90/US-98 Causeway.



Proposed Tolled and Non-Tolled Routes

What is a Public-Private Partnership, and why is it being used for this project?

Subsequent to the DEIS, ALDOT decided to pursue a public-private partnership (P3) to advance the proposed project. This P3 pairs ALDOT with a private partner or partners to design, build, finance, operate, and maintain (DBFOM) the new Mobile River Bridge and Bayway to lessen the burden on public tax dollars. ALDOT owns the facility and provides oversight to make sure the facility is designed, constructed, operated, and maintained in accordance with Federal and state requirements. After 55 years, ALDOT will take over the maintenance and operations of the facility.

One of the primary benefits of using a P3 to deliver a major project is expedited project delivery. Rather than waiting for a sufficient funds to be allocated to a project, which can take decades, a P3 can deliver the project in substantially less time, providing a reliable transportation corridor for drivers more quickly than what would be experienced if the project were constructed under the traditional design-bid-build model. Construction is expected to begin in late 2020 and is estimated to take approximately five years.

Why was Alternative B' identified as the Selected Alternative?

Alternative B' was identified as the Selected Alternative by balancing the competing interests and impacts of the project. This Alternative is located further south away from downtown Mobile's historic resources, than Alternatives A and B. Alternative C is located further south but uses a Section 4(f) resource that the Selected Alternative avoids. This Alternative is also located far enough north to avoid the more severe economic impacts of Alternative C on the maritime industry. The Selected Alternative avoids the impacts that Alternatives A and B would have on the Alabama Cruise Terminal. Finally, this

Alternative would avoid impacts to Austal's administration building and has less impacts than Alternative B on Austal's employee parking area.

What are the environmental consequences for the Selected Alternative?

The Selected Alternative would have impacts on local roads, the local economy, water quality, and floodplains, and would result in indirect and cumulative effects. The alternative would result in new temporary and permanent navigation clearance restrictions over four navigable waterways. The alternative would impact 12 hazardous materials sites, relocate 26 businesses, and result in noise impact to 276 receptors.

In addition, the proposed project would result in adverse visual effects on two historic districts located in close proximity to downtown Mobile, as well as archaeological sites within the proposed right-of-way. The Selected Alternative would not directly impact any historic standing structures.

The Selected Alternative would impact 6 acres of wetlands, 16.1 acres of submerged aquatic vegetation, and 22.1 acres of essential fish habitat. The proposed project would also require an Incidental Take Permit, which has been issued by the U.S. Fish & Wildlife Service (USFWS) for potential impacts to the Alabama red-bellied turtle and the Gulf sturgeon.

Due to tolling, the proposed project is expected to result in disproportionately high and adverse impacts on an environmental justice community located on the non-tolled route due to traffic diverting from I-10 to avoid paying the toll.

A summary of the environmental impacts for both the Selected Alternative and other Build Alternatives is in Section ES-6.0 of the Supplemental DEIS. For more detailed information about the specific impacts mentioned above, please refer to Section 4.0 of the DEIS and the Supplemental DEIS.

Will mitigation measures be implemented to offset the anticipated impacts of the Selected Alternative?

Due to the nature of the project corridor and the surrounding environmental, total avoidance of all impacts to the natural and human environment was not possible. Mitigation measures were developed through consultation with the public and agencies to minimize or mitigate (offset) the potential impacts from the Selected Alternative. A complete list of the final mitigation measures and environmental commitments for the proposed project can be found in Section 5.0 of the ROD.

How were the public and agencies involved in the development of the project?

The public has played an important role in the development of the Mobile River Bridge and Bayway Project, dating back to the development of the EA in 2003. The public involvement process used for this project was comprehensive and used a variety of techniques to reach stakeholders who may be affected by the proposed project. These techniques included neighborhood and public workshops, public involvement meetings, public hearings, and other meetings with stakeholders and interested parties. Input from the public was used to develop alternatives for consideration, identify reasonable alternatives, refine the Build Alternatives, evaluate potential impacts, and develop appropriate mitigation measures to offset or lessen unavoidable impacts to resources.

Federal, state, and local agencies have been involved in this project since its inception. The U.S. Army Corps of Engineers and the U.S. Coast Guard are Cooperating Agencies on the environmental documentation and have participated in the development of the DEIS, Supplemental DEIS, and

Combined FEIS/ROD. Methods used to obtain input from agencies include in-person meetings, conference calls, and written correspondence. Input from the Federal, state, and local agencies has been used to identify appropriate mitigation measures that are listed as environmental commitments for the project.

Section 6.0 of the DEIS and the Supplemental DEIS and Section 4.0 of the FEIS provide more details on the public and agency outreach activities performed for the project.

What are the next steps and the anticipated timeline for the project?

Upon approval of the Combined FEIS/ROD, ALDOT will release a Request for Proposals, which will allow the three teams pursuing the project to submit proposals. ALDOT will select the best-value proposal and negotiate a final contract with the selected Concessionaire. It is anticipated that proposals will be received by the end of 2019; selection of a Concessionaire will be made in the spring of 2020; and construction activities will begin in late 2020. Construction is expected to take approximately five years. Tolling will not commence until construction is complete, which is currently projected to be in the year 2025.

Final EIS



**PROJECT NO. DPI-0030(005)
I-10 MOBILE RIVER BRIDGE AND BAYWAY
MOBILE AND BALDWIN COUNTIES, ALABAMA**

FINAL ENVIRONMENTAL IMPACT STATEMENT

**U.S. Department of Transportation
Federal Highway Administration
and
Alabama Department of Transportation**

**In cooperation with the
U.S. Army Corps of Engineers, Mobile District
U.S. Coast Guard, Eighth District**

08/15/19
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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.

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1.0 INTRODUCTION

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 Federal Highway Administration (FHWA) is the lead Federal agency under the National Environmental Policy Act (NEPA). The Alabama Department of Transportation (ALDOT) is the state agency responsible for the project, and the U.S. Army Corps of Engineers (USACE) and the U.S. Coast Guard (USCG) are Cooperating Agencies.

The DEIS for the proposed project was signed by the FHWA on July 22, 2014. Due to changes in the proposed project that occurred subsequent to the DEIS, specifically the addition of tolling as a funding source, a Supplemental DEIS was prepared. The addition of tolling led to a range of potential impacts that were not previously considered in the DEIS.

1.1 Public Comment Period

The Supplemental DEIS was signed by the FHWA on March 26, 2019. The Notice of Availability (NOA) for the I-10 Mobile River Bridge and Bayway Supplemental DEIS was published in *Federal Register* on April 5, 2019. The 45-day comment period ended on May 20, 2019. ALDOT solicited written and oral comments from the public, agencies, and organizations during the comment period. Public hearings were held on Tuesday, May 7, 2019, in Spanish Fort, Alabama, and Thursday, May 9, 2019, in Mobile, Alabama. The comment period after the public hearings closed on May 23, 2019, in accordance with ALDOT's Public Involvement Plan. The public hearings gave the public the opportunity to learn about and comment on the project, with the primary focus being the changes that were documented as part of the Supplemental DEIS. In addition to written and oral comments received in person at the Public Hearings, ALDOT accepted comments by mail, e-mail, and submittal through the project website.

1.2 Abbreviated Format Final EIS

In accordance with 23 CFR 771.125, a FEIS is prepared to identify the preferred alternative, discuss substantive comments received on the DEIS and Supplemental DEIS, provide responses to substantive comments, summarize public involvement activities, and describe the mitigation measures that are to be incorporated into the proposed action.

In 2012, Moving Ahead for Progress in the 21st Century (MAP-21) was signed into law, effective October 1, 2012. MAP-21 has several provisions designed to accelerate decision-making in project delivery, including the use of an abbreviated FEIS. A traditional FEIS reproduces the information in the DEIS and incorporates the changes throughout the document. An abbreviated FEIS uses an errata sheet to list and explain the factual corrections made to the DEIS, or, in this case, the Supplemental DEIS. The Abbreviated FEIS format is only allowed if there are only minor changes to the DEIS and the comments received do not warrant major alterations. This provision is also allowed by guidance from the Council on Environmental Quality (CEQ) in 40 CFR 1503.4(c) and the existing FHWA Technical Advisory T6640.8A, Section VI. MAP-21 provides additional guidance on when this provision is appropriate and specifies the content of errata sheets.

Based upon the Federal guidance regarding accelerating decision-making, the project qualifies for use of an abbreviated FEIS using the errata sheet approach because only minor revisions to the Supplemental DEIS are required. The DEIS and Supplemental DEIS are still valid documents and should be used in conjunction with this abbreviated FEIS. Both of these documents are available to download and/or print on the project website at www.mobileriverbridge.com.

1.3 Combined FEIS and Record of Decision (ROD)

In 2013, the FHWA and the Federal Transit Authority issued Interim Guidance on MAP-21, Moving Ahead for Progress in the 21st Century Act, Section 1319, Accelerated

Decision-Making in Environmental Reviews which is available at <http://www.fhwa.dot.gov/map21/guidance/guideaccdecer.cfm>. On April 25, 2019, the United States Department of Transportation Office of Transportation Policy issued additional guidance entitled “Guidance on the Use of Combined Final Environmental Impact Statements/Records of Decision and Errata Sheets in National Environmental Policy Act Reviews.” This guidance directs agencies to combine the FEIS and ROD into a single document unless:

- 1) The FEIS makes substantial changes to the proposed action that are relevant to environmental or safety concerns or
- 2) There are significant new circumstances or information relevant to environmental concerns that bear on the proposed action or the impacts of the proposed action.

The Combined FEIS/ROD provisions do not alter requirements under other environmental laws. At a minimum, a Combined FEIS/ROD must meet the requirements for both an FEIS and a ROD established by FHWA in 23 CFR 771 and all other relevant laws, regulations, procedures, or guidance, except to the extent those requirements conflict with Section 1311 of the 2015 Fixing America's Surface Transportation (FAST) Act.

Since the Supplemental DEIS was prepared, the following changes have occurred: revisions to the frequent user discount program, addition of the competing facilities clause, receipt of public comments, and identification of needed errata sheet revisions. These changes were reviewed, as discussed below, to determine if the exceptions listed above apply. Based on the provided information, the changes from the Supplemental DEIS do not warrant separating the FEIS and ROD into two documents. Therefore, this Combined FEIS/ROD has been prepared.

1) Revisions to the Frequent User Discount Program

The frequent user discount program included in ALDOT’s toll policy and described in the Supplemental DEIS has been revised. The toll policy now includes a monthly

unlimited pass at a cost of \$90 per month at toll commencement. For those who do not purchase the monthly unlimited pass, a 15 percent discount will be applied for more than four trips per month. 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 and may encourage higher usage of the tolled route. This is a small change in the toll policy that represents an improvement in the frequent user discount program, decreasing adverse impacts resulting from the proposed action. Therefore, this revision does not make substantial changes to the proposed action that are relevant to environmental or safety concerns, nor does the revision result in significant new circumstances or information relevant to environmental concerns that bear on the proposed action or the impacts of the proposed action.

2) Competing Facilities Clause

ALDOT's toll policy includes a clause that limits ALDOT's ability to construct projects that would increase capacity across the Mobile River and/or Mobile Bay within 3.5 miles north and 3.5 miles south of the proposed Mobile River Bridge and Bayway Project's right-of-way during the concession period. All projects included in the South Alabama Regional Planning Commission's *Mobile Area Transportation Study Metropolitan Planning Organization (MPO) Long Range Transportation Plan Destination 2040*, as adopted and modified in 2018, and/or the Eastern Shore Metropolitan Planning Organization's *2040 Long Range Transportation Plan*, adopted June 2015, are excluded from this clause. Projects required to meet the environmental commitments for the Mobile River Bridge and Bayway Project are also excluded. This clause does not inhibit ALDOT's ability to perform maintenance or repair work on existing infrastructure (i.e., the Wallace Tunnel, the Bankhead Tunnel, the Cochrane-Africatown USA Bridge, and the US-90/US-98 Causeway) that crosses the Mobile River and Mobile Bay.

The clause allows ALDOT to proceed with currently planned projects, environmental commitment projects, and maintenance or repair work on existing infrastructure that crosses the Mobile River and Mobile Bay. Therefore, the inclusion of this clause will not result in additional environmental or safety concerns compared to what was evaluated in the Supplemental DEIS, nor will this change result in increased adverse impacts resulting from the proposed action.

3) Public Comments

Six hundred and eighty-four (684) comments were received during the comment period on the Supplemental DEIS. The comments indicate that most people who responded recognize that the project is needed. However, approximately 70% of responders also either opposed tolling on the project or stated that the proposed toll was too high. It is not uncommon for projects that propose tolls to receive comments that are against tolls or proposed toll rates. A more detailed discussion regarding comments received is included in Section 4.2 of this FEIS. Responses to comments received are included in **Appendix B** of this FEIS.

Subsequent to the close of the public comment period, the project has received considerable attention in various news outlets and on social media. The observations raised in the news and on social media are similar in nature to the comments that were submitted by the public as part of the May 2019 Public Hearings.

Elected officials have asked ALDOT to look for other ways to fund the project, including but not limited to, the use of RESTORE Act funds allocated to Mobile and Baldwin Counties, Rebuild Alabama gas tax funds, Gulf of Mexico Energy Security Act of 2006 (GOMESA) funds, and other Federal, state, and/or local grants. Other suggestions have included delaying the project until sufficient Federal, state, and/or local funds to pay for or finance the project through a traditional model are available.

ALDOT has heard these concerns and has implemented an outreach program to respond to these concerns and to address inaccurate statements that have been made both in news reports and on social media. This program has included conducting numerous media interviews, responding to media inquiries, and releasing information to the public to address inaccurate information published by those who oppose the proposed project.

While most of the public comments express opposition to tolling, they do not rise to the level of substantial controversy under NEPA. The comments received reflect opinions against tolling the project, and they speculate about the potential impacts of the proposed project. In the context of NEPA, substantial controversy does not encompass all public opposition and opinions regarding whether a proposed action should be allowed, but instead generally only applies to a substantial dispute regarding the size, nature, and effect of a proposed action. Additionally, if public opposition to a proposed action is based on opinion or speculation, it does not rise to the level of substantial controversy.

FHWA's Interim Guidance on MAP-21, Moving Ahead for Progress in the 21st Century Act, Section 1319, Accelerated Decision-Making in Environmental Reviews states that a FEIS and ROD may be issued as separate documents if issuing the FEIS as a separate document could help resolve the controversy. It is not anticipated that separating the document will resolve the public opposition to tolling the project. ALDOT will continue to provide accurate information to the media to help address the public's concerns and help educate the public on the proposed action and its potential impacts; however, it is not anticipated that providing additional time to address these comments will have an effect on public opinion regarding tolling. Those who are opposed to tolling are unlikely to change their opinion, regardless of how much time is provided between the FEIS and ROD. The comments received do not result in substantial changes to the proposed action that are relevant to environmental or safety concerns, and they do not present significant new

circumstances or information relevant to environmental concerns that bear on the proposed project or the impacts of the proposed project that would benefit from separating the FEIS and the ROD.

4) Errata Sheet Revisions

The remainder of the revisions listed in the errata sheet are minor in nature and are limited to the following: minor changes in the text to correct typos or make clarifications; addition or revisions of to respond to comments received from agencies and/or the public; and clarifications to make language more readily understandable to readers. These revisions do not result in substantial changes to the proposed action that are relevant to environmental or safety concerns, and they do not result in significant new circumstances or information relevant to environmental concerns that bear on the proposed action or the impacts of the proposed action.

1.4 Documents Contained in this Combined FEIS/ROD

This Combined FEIS/ROD has been prepared in accordance with 23 CFR 771.124. This Combined FEIS/ROD package consists of the following documents: the 2014 DEIS, the 2019 Supplemental DEIS, this FEIS, and the ROD. All of these documents are available for download and/or printing on the project website at www.mobileriverbridge.com.

2.0 SUPPLEMENTAL DEIS ERRATA













The errata (changes) provided in **Table 1** are corrections and amendments to the Supplemental DEIS and its appendices. The errata are based on the responses to the comments on the Supplemental DEIS contained in **Appendix B** and additional information obtained since the publication of the Supplemental DEIS. In order to use the errata sheet, readers should have the published Supplemental DEIS and DEIS available for reference. Both documents are available on the project website at www.mobileriverbridge.com.



To review the revisions listed in the errata sheet, the reader should locate the referenced Supplemental DEIS section, page, and location and read the revised the language that is described in the errata in lieu of what is contained in the Supplemental DEIS. In order to make the revisions more readily understandable to the reader, the language immediately before and after the revisions is included in **Table 1** below.

Additions to the text of the Supplemental DEIS are noted in red italicized font. Deletions from the text of the Supplemental DEIS are noted in strikethrough font.

TABLE 1: SUPPLEMENTAL DEIS ERRATA

Note: Additions to the text from the Supplemental DEIS are noted in red italicized font, and deletions from the text from the Supplemental DEIS are noted in strikethrough font.			
Section	Page, Location	Errata	Explanation/Reason for Change
ES-5.6	Page ES-8, 2 nd paragraph	The preferred route is a bicycle/pedestrian facility from downtown Mobile via the Cochrane-Africatown USA Bridge and then to the USS ALABAMA Battleship Park. This route includes funding and building a bicycle and pedestrian shared use path from the I-165 southbound on-ramp at Bay Bridge Road to the Cochrane-Africatown USA Bridge. ALDOT will retrofit the Cochrane-Africatown USA Bridge to provide two protected bicycle and pedestrian lanes (one on each side of the bridge). The bicycle and pedestrian path will be a minimum of eight feet wide. ALDOT proposes to provide a shared use path on the south side of Bay Bridge Road and a sidewalk on the north side of Bay Bridge Road with crosswalks at appropriate locations. <i>Crosswalks will be provided at all signalized intersections along Bay Bridge Road as part of the Cochrane-Africatown USA Shared Use Path.</i> More detailed studies, design, and coordination with the local community will be required to finalize the details of the bicycle and pedestrian facilities along this route. ALDOT will work with local municipalities to extend this route to downtown Mobile and to the USS ALABAMA Battleship Memorial Park.	Updated to address comments from the Africatown/Plateau community requesting crosswalks at each signalized intersection along the Cochrane-Africatown USA Bridge Shared Use Path.
ES-7.0	Page ES-13, 2 nd paragraph	Paying tolls will result in a new expense to travelers on the I-10 corridor. However, drivers will have the option to take the non-tolled route to avoid paying the toll. While users would pay a toll to use I-10 from Virginia Street to the US-90/US-98 interchange in Daphne and I-10 Business from Canal Street/Water Street through the Wallace Tunnel to its connection with the Bayway, they would receive a benefit of reduced congestion and more reliable travel times on I-10. For the general public, tolls will represent a new cost in their household budget, with the cost of a toll representing a higher portion of the household income of low-income drivers compared to households with higher incomes. The daily, weekly, monthly, and annual expenditure resulting from paying a toll would be directly related to the number of times the driver uses the tolled route per day. For example, 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. <i>ALDOT's toll policy includes a frequent user discount program. The policy 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. ALDOT has considered how to design the program to offset some of the burden for frequent users while also complying with federal laws that limit how residency is considered. While frequent users are most likely to use the monthly unlimited pass and frequent user discount, eligibility is not limited based on a user's residency.</i>	Revised toll policy to provide a higher discount for frequent users to help offset economic impacts resulting from tolling.
ES-7.0	Page ES-14, End of 1 st paragraph	ALDOT has committed to maintaining a non-tolled route across both the Mobile River and Mobile Bay for trucks and other users who do not want to pay a toll. <i>The non-tolled route will include the existing US-90/US-98 Causeway, the Bankhead Tunnel, and the Cochrane-Africatown USA Bridge.</i>	Updated to address comments from the public and specify the non-tolled route across the Mobile River and Mobile Bay.
ES-9.0	Page ES-15, 2 nd paragraph	Implementation of the mitigation measures will not offset the identified disproportionately high and adverse impacts on Environmental Justice (EJ) populations. There is no practicable alternative that would avoid or reduce the disproportionately high and adverse impacts. There is a substantial need for the project based on the best overall public interest, as congestion on the I-10 corridor continues to grow due to lack of adequate capacity. The mitigation measures will, however, provide a benefit to the Africatown/Plateau community by addressing access, congestion, and speed issues that are currently experienced and would continue to be experienced without the project, as well as those that are projected to result from the project. ALDOT will work with <i>the Africatown/Plateau community</i> to implement the mitigation measures through community outreach, public meetings, and for a Steering Committee. <i>for a Steering Committee.</i> This will provide continued opportunities for involvement of Africatown/ <i>Plateau</i> representatives to promote compatibility with <i>the community's</i> plans for Africatown's development and growth.	Updated to address comments received from the public and to formalize ALDOT's commitment to develop an Africatown/Plateau Steering Committee. The framework for the Steering Committee is included in Appendix C of this FEIS.
3.4	Page 34, last paragraph	Dredging would occur within the previously disturbed construction channel that was used to build the existing Bayway. The dimensions of the original channel were around 125 feet wide and 8 feet deep. The proposed dredging would be approximately 125 feet wide and 6 feet deep. Dredging would occur in open water areas where wetlands are not present. It is estimated that approximately 325,000 cubic yards of material	Updated to address comments from the USEPA and public regarding the requirement to perform a Sediment Sampling Plan and benthic characterization study prior to dredging.

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Section	Page, Location	Errata	Explanation/Reason for Change																														
		would be dredged. <i>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.</i>																															
3.8.2	Page 48, 2 nd paragraph	The preferred route is a bicycle/pedestrian facility from downtown Mobile via the Cochrane-Africatown USA Bridge and then to the USS ALABAMA Battleship Park as shown on Figure 17 . This route includes funding and building a bicycle and pedestrian shared use path from the I-165 southbound on-ramp at Bay Bridge Road to the Cochrane-Africatown USA Bridge. ALDOT will retrofit the Cochrane-Africatown USA Bridge to provide two protected bicycle and pedestrian lanes (one on each side of the bridge). The bicycle and pedestrian path will be a minimum of eight feet wide. ALDOT proposes to provide a shared use path on the south side of Bay Bridge Road and a sidewalk on the north side of Bay Bridge Road with crosswalks at appropriate locations. <i>Crosswalks will be provided at all signalized intersections along Bay Bridge Road as part of the Cochrane-Africatown USA Shared Use Path.</i> More detailed studies, design, and coordination with the local community will be required to finalize the details of the bicycle and pedestrian facilities along this route. The length of this proposed corridor is approximately 2.6 miles. This facility will be constructed using Federal and/or state funds and will be completed within the same timeframe as the completion of the Mobile River Bridge and Bayway project.	Updated to address comments from public requesting crosswalks at each signalized intersection along the Cochrane-Africatown USA Bridge Shared Use Path.																														
4.4.1	Page 67, Table 9	<div>TABLE 2: PROPOSED MAXIMUM TOLL RATES – ENTIRE TOLLED CORRIDOR*</div> <table><tr><th>Shape Examples</th><th>Vehicle Class</th><th>Description</th><th>Size <i>Dimensions</i> (including any trailer(s)) <i>do not exceed:</i></th><th>Proposed Maximum Toll Rate (2020 dollars)</th></tr><tr><td><i>Not applicable</i></td><td>0</td><td>Exempt Vehicles (law enforcement and emergency vehicles, school buses)</td><td>Not applicable</td><td>\$0</td></tr><tr><td></td><td>1</td><td>Passenger car, pickup truck, small van, SUV, motorcycle <i>(but not pulling a trailer)</i></td><td>Not larger than: 7 feet in height, or 20 <i>21.5</i> feet in length, or 8.5 feet in width</td><td>\$6</td></tr><tr><td></td><td>2</td><td>Class 1 vehicle <i>Vehicle that would be Class 1 but is</i> pulling one or more trailers</td><td>Combined dimensions do not exceed: <i>14</i> <i>13.5</i> feet in height, or 72.5 <i>57</i> feet in length, or 8.5 feet in width</td><td>\$12</td></tr><tr><td></td><td>3</td><td>Large trucks, buses, recreational vehicles <i>(but not pulling any trailer)</i></td><td>Dimensions do not exceed: <i>14</i> <i>13.5</i> feet in height, or 46 <i>45</i> feet in length, or 8.5 feet in width</td><td>\$18</td></tr><tr><td></td><td>4</td><td>Extra-Large Trucks and Buses <i>(but not pulling any trailer), vehicle that would be Class 3 but is pulling a trailer, or vehicle that would be Class 2 but is longer than 57 feet or Class 3 pulling one trailer</i></td><td>Dimensions do not exceed: <i>14</i> <i>13.5</i> feet in height, or 72.5 <i>78</i> feet in length, or 8.5 feet in width</td><td>\$24</td></tr></table>	Shape Examples	Vehicle Class	Description	Size <i>Dimensions</i> (including any trailer(s)) <i>do not exceed:</i>	Proposed Maximum Toll Rate (2020 dollars)	<i>Not applicable</i>	0	Exempt Vehicles (law enforcement and emergency vehicles, school buses)	Not applicable	\$0		1	Passenger car, pickup truck, small van, SUV, motorcycle <i>(but not pulling a trailer)</i>	Not larger than: 7 feet in height, or 20 <i>21.5</i> feet in length, or 8.5 feet in width	\$6		2	Class 1 vehicle <i>Vehicle that would be Class 1 but is</i> pulling one or more trailers	Combined dimensions do not exceed: <i>14</i> <i>13.5</i> feet in height, or 72.5 <i>57</i> feet in length, or 8.5 feet in width	\$12		3	Large trucks, buses, recreational vehicles <i>(but not pulling any trailer)</i>	Dimensions do not exceed: <i>14</i> <i>13.5</i> feet in height, or 46 <i>45</i> feet in length, or 8.5 feet in width	\$18		4	Extra-Large Trucks and Buses <i>(but not pulling any trailer), vehicle that would be Class 3 but is pulling a trailer, or vehicle that would be Class 2 but is longer than 57 feet or Class 3 pulling one trailer</i>	Dimensions do not exceed: <i>14</i> <i>13.5</i> feet in height, or 72.5 <i>78</i> feet in length, or 8.5 feet in width	\$24	Updated based on changes to ALDOT’s toll policy to clarify the shapes and dimensions of vehicles per classification.
Shape Examples	Vehicle Class	Description	Size <i>Dimensions</i> (including any trailer(s)) <i>do not exceed:</i>	Proposed Maximum Toll Rate (2020 dollars)																													
<i>Not applicable</i>	0	Exempt Vehicles (law enforcement and emergency vehicles, school buses)	Not applicable	\$0																													
	1	Passenger car, pickup truck, small van, SUV, motorcycle <i>(but not pulling a trailer)</i>	Not larger than: 7 feet in height, or 20 <i>21.5</i> feet in length, or 8.5 feet in width	\$6																													
	2	Class 1 vehicle <i>Vehicle that would be Class 1 but is</i> pulling one or more trailers	Combined dimensions do not exceed: <i>14</i> <i>13.5</i> feet in height, or 72.5 <i>57</i> feet in length, or 8.5 feet in width	\$12																													
	3	Large trucks, buses, recreational vehicles <i>(but not pulling any trailer)</i>	Dimensions do not exceed: <i>14</i> <i>13.5</i> feet in height, or 46 <i>45</i> feet in length, or 8.5 feet in width	\$18																													
	4	Extra-Large Trucks and Buses <i>(but not pulling any trailer), vehicle that would be Class 3 but is pulling a trailer, or vehicle that would be Class 2 but is longer than 57 feet or Class 3 pulling one trailer</i>	Dimensions do not exceed: <i>14</i> <i>13.5</i> feet in height, or 72.5 <i>78</i> feet in length, or 8.5 feet in width	\$24																													

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Section	Page, Location	Errata							Explanation/Reason for Change
				5	Class 4 pulling one or more trailers <i>Extra-Large Truck or Bus pulling one or more trailers, vehicle that would be Class 3 but is pulling more than one trailer, or vehicle that would be Class 4 but is longer than 78 feet</i>	Combined dimensions do not exceed: 14 13.5 feet in height, or 73.5 85 feet in length, or 8.5 feet in width	\$30		
				6	Larger than a Truck or a Special Permit Vehicle <i>Vehicle that exceeds any of the dimensions of a Class 5 vehicle, vehicle that weighs more than 80,000 pounds, or vehicle that requires a special permit issued by ALDOT to travel (e.g. oversize or overweight)</i>	Larger than: 14 feet in height, or 73.5 feet in length, or 8.5 feet in width, or weighs more than 80,000 pounds, or requires Special Permit	\$36		
4.4.1	Page 68, last paragraph	The implementation of a toll would affect users from the trucking industry and the general public, which includes minority and low-income users. For the general public, tolls will represent a new cost in their household budget. The daily, weekly, monthly, and annual expenditure resulting from paying a toll would be directly attributable to the number of times the driver uses the tolled route per day. For example, 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). ALDOT will incorporate a frequent user discount program into their toll policy. ALDOT's frequent user discount would be similar to discounts provided on other tolled routes around the country. For example, Florida's Sunshine Skyway provides a 10% discount on all transactions in a month with 40 or more transactions. Maine's Turnpike Authority provides a 25% discount on all transactions in a month with more than 30 transactions. Currently, ALDOT is evaluating a 15% discount when 20 or more trips are taken in a month. <i>ALDOT's toll policy includes a frequent user discount program. The policy includes a monthly unlimited pass at a cost of \$90 per month at toll commencement. For people who do not purchase 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. ALDOT has considered how to design the program to offset some of the burden for frequent users while also complying with federal laws that limit how residency is considered. While frequent users are most likely to use the monthly unlimited pass and frequent user discount, eligibility is not limited based on a user's residency.</i>							Revised toll policy to provide a higher discount for frequent users to help offset economic impacts resulting from tolling.
4.4.1	Page 69, end of 2 nd paragraph	ALDOT has committed to maintaining a non-tolled route across both the Mobile River and the Mobile Bay for trucks and other users who do not want to pay a toll. <i>The non-tolled route will include the existing US-90/US-98 Causeway, the Bankhead Tunnel, and the Cochrane-Africatown USA Bridge.</i>							Updated to address comments from the public and specify the non-tolled route across the Mobile River and Mobile Bay.
4.4.1	Page 70, 2 nd paragraph, 1 st sentence	Delete second period.							Updated to remove typo.
4.4.1	Page 70, 3 rd paragraph	Along the US-90/US-98 Causeway, commercial development primarily consists of restaurants. Other development includes the recreational areas or tourist attractions such as the USS ALABAMA Battleship Memorial Park, Five Rivers, and Meaher State Park. Increased congestion could result in adverse impacts on these facilities should the congestion result in access issues. <i>While ALDOT's toll policy includes a clause that limits ALDOT's ability to construct projects that would increase capacity across the Mobile River and/or Mobile Bay within 3.5 miles north and 3.5 miles south of the proposed Mobile River Bridge and Bayway Project's right-of-way during the concession period, ALDOT has identified ways to help ease congestion along the non-tolled route.</i> ALDOT will develop an access management plan to help facilitate access to and from							Updated to include language that explains contractual restrictions related to capacity improvements that will be in effect during the concession period.

Note: Additions to the text from the Supplemental DEIS are noted in red italicized font, and deletions from the text from the Supplemental DEIS are noted in strikethrough font.																			
Section	Page, Location	Errata	Explanation/Reason for Change																
		destinations along the US-90/US-98 Causeway. Strategies included in this access management plan may include installing traffic signals, medians with U-turns, mid-block signals, as well as other appropriate techniques. The access management plan will be implemented prior to tolling commencement. It is anticipated that the potential improvements along the US-90/US-98 Causeway would be constructed within existing ALDOT right-of-way and would not result in additional environmental impacts beyond what is presented in this Supplemental DEIS. <i>The access management plan and all projects included in the Mobile Area Transportation Study Metropolitan Planning Organization’s Long Range Transportation Plan Destination 2040, as adopted and modified in 2018, and/or the Eastern Shore Metropolitan Planning Organization’s 2040 Long Range Transportation Plan, adopted June 2015, are excluded from the above-described clause. Projects required to meet the environmental commitments for the Mobile River Bridge and Bayway Project are also excluded. This clause does not inhibit ALDOT’s ability to perform maintenance or repair work on existing infrastructure (i.e., the Wallace Tunnel, the Bankhead Tunnel, the Cochrane-Africatown USA Bridge, and the US-90/US-98 Causeway) that crosses the Mobile River and Mobile Bay.</i>																	
4.4.2	Page 71, 2 nd paragraph	The DEIS noted concerns about the loss of parking areas for employees at Austal. Since the DEIS was signed, ALDOT has worked with Austal to develop mitigation that will offset the parking impacts as part of the right-of-way acquisition process at Austal’s facility. It is anticipated that Austal will use the compensation from the right-of-way acquisition process to replace the parking spaces that will be lost as a result of the proposed project. Additionally, ALDOT has agreed to develop a lease agreement with Austal to allow them to use the parking spaces under the high level approaches crossing over Austal’s property once construction of the proposed project is complete. These <i>This</i> mitigation measures offsets s the adverse economic impacts associated with the potential loss of parking described in the DEIS. While the specific number of parking spaces that would be impacted at Austal would vary depending on the Build Alternative, with Alternative C impacting fewer parking spaces than the other Build Alternatives, the above-listed conditions to offset those impacts would be applicable under any of the Build Alternatives.	Updated to remove discussion of lease agreement based on changes in right-of-way negotiation process between ALDOT and Austal that have occurred since the Supplemental DEIS was signed. Austal will use cost-to-cure compensation to offset parking impacts. If a lease is required in the future, it will be determined through negotiations between ALDOT and Austal.																
4.6.5; Appendix E	Pages 96-98, Table 15; Appendix E Page E-38, Table EJ-9	<div>Replace Table 15 in Section 4.6.5 and Table EJ-9 in Appendix E with the following Table</div> <table><tr><th colspan="3">SUMMARY OF EJ MITIGATION MEASURES</th></tr><tr><th>Type of Impact</th><th>Mitigation Measure</th><th>Benefits to Africatown/Plateau Community</th></tr><tr><td rowspan="3">Traffic congestion resulting from traffic diversion on non-tolled route (degradation of level of service)</td><td>ALDOT will adjust signal timing along the non-tolled route, including Bay Bridge Road, to better accommodate local traffic movements.</td><td>Will minimize interruptions to the primary roadway used to access the Africatown/Plateau community and will ensure ingress and egress to the community</td></tr><tr><td>Based on current traffic projections, ALDOT will develop an access management plan to help facilitate access to and from destinations along the US-90/US-98 Causeway. Strategies included in this access management plan may include installing traffic signals, medians with U-turns, mid-block signals, as well as other appropriate techniques. The access management plan will be implemented prior to tolling commencement.</td><td>Will help maintain traffic flow along the preferred route used by residents of the Africatown/Plateau community to cross Mobile Bay</td></tr><tr><td><i>ALDOT will install a caution signal at the crest of the Cochrane-Africatown USA Bridge to warn drivers that a signal awaits at the foot of the bridge.</i></td><td><i>Will help improve safety for drivers along Bay Bridge Road by providing advance warning of upcoming traffic signal. Will also help to slow down traffic speeds on Bay Bridge Road.</i></td></tr><tr><td>Community Cohesion</td><td>ALDOT will provide traffic signals at Union Missionary Baptist Church and Bay Bridge Road Cutoff. <i>ALDOT will provide traffic signals at Union Missionary Baptist Church (Bay Bridge Road Cutoff) and Magazine Street/Tin Top</i></td><td>Will improve access to and from the church located on Bay Bridge Road in the Africatown/Plateau community and will improve connectivity between</td></tr></table>	SUMMARY OF EJ MITIGATION MEASURES			Type of Impact	Mitigation Measure	Benefits to Africatown/Plateau Community	Traffic congestion resulting from traffic diversion on non-tolled route (degradation of level of service)	ALDOT will adjust signal timing along the non-tolled route, including Bay Bridge Road, to better accommodate local traffic movements.	Will minimize interruptions to the primary roadway used to access the Africatown/Plateau community and will ensure ingress and egress to the community	Based on current traffic projections, ALDOT will develop an access management plan to help facilitate access to and from destinations along the US-90/US-98 Causeway. Strategies included in this access management plan may include installing traffic signals, medians with U-turns, mid-block signals, as well as other appropriate techniques. The access management plan will be implemented prior to tolling commencement.	Will help maintain traffic flow along the preferred route used by residents of the Africatown/Plateau community to cross Mobile Bay	<i>ALDOT will install a caution signal at the crest of the Cochrane-Africatown USA Bridge to warn drivers that a signal awaits at the foot of the bridge.</i>	<i>Will help improve safety for drivers along Bay Bridge Road by providing advance warning of upcoming traffic signal. Will also help to slow down traffic speeds on Bay Bridge Road.</i>	Community Cohesion	ALDOT will provide traffic signals at Union Missionary Baptist Church and Bay Bridge Road Cutoff. <i>ALDOT will provide traffic signals at Union Missionary Baptist Church (Bay Bridge Road Cutoff) and Magazine Street/Tin Top</i>	Will improve access to and from the church located on Bay Bridge Road in the Africatown/Plateau community and will improve connectivity between	Updated to address comments received from the Africatown/Plateau community and other and to provide more details on the mitigation measures to be implemented.
SUMMARY OF EJ MITIGATION MEASURES																			
Type of Impact	Mitigation Measure	Benefits to Africatown/Plateau Community																	
Traffic congestion resulting from traffic diversion on non-tolled route (degradation of level of service)	ALDOT will adjust signal timing along the non-tolled route, including Bay Bridge Road, to better accommodate local traffic movements.	Will minimize interruptions to the primary roadway used to access the Africatown/Plateau community and will ensure ingress and egress to the community																	
	Based on current traffic projections, ALDOT will develop an access management plan to help facilitate access to and from destinations along the US-90/US-98 Causeway. Strategies included in this access management plan may include installing traffic signals, medians with U-turns, mid-block signals, as well as other appropriate techniques. The access management plan will be implemented prior to tolling commencement.	Will help maintain traffic flow along the preferred route used by residents of the Africatown/Plateau community to cross Mobile Bay																	
	<i>ALDOT will install a caution signal at the crest of the Cochrane-Africatown USA Bridge to warn drivers that a signal awaits at the foot of the bridge.</i>	<i>Will help improve safety for drivers along Bay Bridge Road by providing advance warning of upcoming traffic signal. Will also help to slow down traffic speeds on Bay Bridge Road.</i>																	
Community Cohesion	ALDOT will provide traffic signals at Union Missionary Baptist Church and Bay Bridge Road Cutoff. <i>ALDOT will provide traffic signals at Union Missionary Baptist Church (Bay Bridge Road Cutoff) and Magazine Street/Tin Top</i>	Will improve access to and from the church located on Bay Bridge Road in the Africatown/Plateau community and will improve connectivity between																	

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Section	Page, Location	Errata				Explanation/Reason for Change
				<p><i>Road. 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.</i></p>	destinations north and south of Bay Bridge Road	
				ALDOT will construct the Cochrane-Africatown USA Bridge Shared Use Path from the I-165 ramp at Bay Bridge Road to US-90 on east side of Mobile River and will work with local municipalities to provide future extensions from downtown to the USS ALABAMA Battleship Memorial Park.	Will improve bicycle and pedestrian access to and from the Africatown/Plateau community and will provide stronger separation from vehicular traffic. At the October 2015 bicycle and pedestrian public workshop, the Africatown/Plateau community voiced their support for the Cochrane-Africatown USA Shared Use Path to cross the Mobile River. The community submitted a petition with 95 signatures in favor of this route. This path would provide connectivity to various points of interest proposed as part of the 2016 Africatown <i>Neighborhood Plan</i> developed by the City of Mobile and Africatown residents and community stakeholders. It would also provide connectivity to the Africatown Connections Blueway, which will include a recreation facility on the west side of the Mobile River in close proximity to the Cochrane-Africatown USA Bridge.	
				Crosswalks at signals along Bay Bridge Road will be provided to help pedestrians and cyclists cross from one side of Bay Bridge Road to the other. <i>ALDOT will provide crosswalks at all of the signalized intersections along Bay Bridge Road 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 signage.</i>	Will improve connectivity and safety for bicyclist and pedestrian traffic crossing Bay Bridge Road	
				ALDOT will install landscaping and historical/interpretive signage will be included along the Cochrane-Africatown USA Shared Use Path.	Will satisfy short-term actions listed in the Africatown <i>Neighborhood Plan</i> to provide streetscape/gateway improvements on Bay Bridge Road and to support the area's heritage tourism plan	
				Paper Mill Road will be resurfaced from Bay Bridge Road to US 43. <i>ALDOT will install</i> streetscaping will be included along this route.	Will improve condition of a roadway that is commonly used by Africatown/Plateau residents to reach I-65 and employment centers in areas north and south of the Africatown/Plateau community. Streetscaping	

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				along this route will fulfill an action item in Africatown's <i>Neighborhood Plan</i> .		
			<i>ALDOT will conduct a speed study to determine if changing the posted speed limits will have a beneficial effect.</i>	<i>Will help address concerns about existing and future conditions where drivers travel too fast on Bay Bridge Road.</i>		
		<i>Existing Conditions/Concerns</i>	<i>ALDOT will work with the Africatown/Plateau community to implement the mitigation measures through community outreach, public meetings, and a Steering Committee. This will provide continues opportunities for involvement of Africatown/Plateau representatives to promote compatibility with the community's plans for development and growth.</i>	<i>Will address requests for opportunities to be involved in decision-making on items that affect the Africatown/Plateau community.</i>		
			<i>ALDOT will continue to meet with the Africatown/Plateau community as the project develops.</i>	<i>Will address requests for ALDOT to remain engaged with the community.</i>		
			<i>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.</i>	<i>Will address request to monitor air quality in the Africatown/Plateau community.</i>		
			<i>ALDOT will conduct a traffic study that documents existing and future hazardous cargo flow along Bay Bridge Road to compare actual numbers before and after construction of the project.</i>	<i>Will address request from Africatown/Plateau community to quantify the number of hazardous materials trucks pass through the Africatown/Plateau community.</i>		
			<i>ALDOT will work with the Africatown/Plateau Steering Committee to evaluate and implement traffic calming measures that will be effective in reducing speeds along Bay Bridge Road without substantially increasing anticipated queue lengths.</i>	<i>Will address concerns raised by the Africatown/Plateau community that vehicles travel too fast on Bay Bridge Road. Will also help to slow down traffic speeds on Bay Bridge Road.</i>		
4.6.5	Page 98, last paragraph;	Implementation of the mitigation measures will not offset the identified disproportionately high and adverse impacts on Environmental Justice (EJ) populations. <i>As stated in the Supplemental DEIS in Section 4.6, all the Build Alternatives would experience the impacts to the EJ areas of concern listed in Table 13. Therefore, the disproportionately high and adverse impacts on EJ populations will also be the same for each of the Build Alternatives.</i> There is no practicable alternative that would avoid or reduce the disproportionately high and adverse impacts. There is a substantial need for the project based on the best overall public interest, as congestion on the I-10 corridor continues to grow due to lack of adequate capacity. The mitigation measures will, however, provide a benefit to the Africatown/Plateau community by addressing access, congestion, and speed issues that are currently experienced and would continue to be experienced without the project, as well as those that are projected to result from the project. ALDOT will work with <i>the Africatown/Plateau community</i> to implement the mitigation measures through community outreach, public meetings, and for a <i>Steering Committee</i> . This will provide continued opportunities for involvement of Africatown/ <i>Plateau</i> representatives to promote compatibility with <i>the community's</i> plans for Africatown's development and growth.				Updated to address comments received from the public and to formalize ALDOT's commitment to develop an Africatown/Plateau Steering Committee. The framework for the Steering Committee is included in Appendix C of this FEIS.
4.8.1	Page 112, 1 st paragraph	The DEIS lists the Mobile River as an impaired waterbody due to mercury from atmospheric deposition, but the Final 2018 Alabama 303(d) list does not include the portion of the Mobile River that would be crossed by the proposed project. The Bayway crosses one waterbody, Joe's Branch, which is listed as a 303(d) impaired waterbody, and is in close proximity to another listed waterbody, D'Olive Creek. The impaired portions of these waterbodies are Joe's Branch from its source to D'Olive Creek and D'Olive Creek from its source to D'Olive Bay (Figure 22). Joe's Branch and D'Olive Creek are both located in Baldwin County and are listed as impaired due to siltation (habitat alteration) due to land development. Both of these waterbodies are classified for fish and wildlife use. Total Maximum Daily Loads (TMDLs) have not yet been established. BMPs and a monitoring plan, including special provisions to adhere to ADEM requirements for a priority construction site that crosses impaired waterbodies listed pursuant to Section 303(d) of the CWA, will be required. The proposed project will be required to provide 80 percent sediment reduction for all work in D'Olive Creek Watershed. <i>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.</i>				Updated to clarify requirement.

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Section	Page, Location	Errata	Explanation/Reason for Change
4.13	Page 131, 1 st paragraph	Historic properties listed in or are eligible for listing in the National Register of Historic Places (NRHP) are protected under the National Historic Preservation Act (NHPA). <i>Historic properties listed in or eligible for listing in the NRHP may also be protected under Section 4(f) of the Department of Transportation Act as described in Section 5.0 of the Supplemental DEIS.</i> Section 4.16 and Appendix J of the DEIS detail the results of the cultural resources surveys performed for the proposed project.	Updated to add reference to Section 4(f).
4.13.3	Page 140, 3 rd paragraph	Therefore, the project was determined to have an adverse visual effect on the Church Street East Historic District <i>under Section 106 of the NHPA</i> . There will be no physical effect on the Church Street East Historic District; however, the visual effect will indirectly alter the characteristics of the Church Street East Historic District in a manner that would diminish the integrity of the district's setting, feeling, and association.	Updated to clarify that adverse visual effect was made under Section 106 of the NHPA.
4.13.3	Page 141, 4 th paragraph	Therefore, the project was determined to have an adverse visual effect on the Lower Dauphin Street East Historic District <i>under Section 106 of the NHPA</i> . There will be no physical effect on the Lower Dauphin Street East Historic District; however, the visual effect will indirectly alter the characteristics of the Church Street East Historic District in a manner that would diminish the integrity of the district's setting, feeling, and association.	Updated to clarify that adverse visual effect was made under Section 106 of the NHPA.
4.13.5	Page 142, 3 rd paragraph	ALDOT and FHWA met with the USS ALABAMA Battleship Memorial Park Commission on April 21, 2017, to discuss concerns about access to the Park and potential impacts that could result as part of the proposed project. ALDOT evaluated 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. Existing access to the Park will not be altered in the final condition of the proposed project. <i>Therefore, the project was determined to have no adverse effects under Section 106 of the NHPA on the USS ALABAMA Battleship Memorial Park.</i>	Updated to add conclusion that the project would not have an adverse effect on the USS ALABAMA Battleship Memorial Park under Section 106 of the NHPA.
4.13.6	Page 143, 3 rd paragraph	On February 1, 2016, a local contractor obtained a permit from the City of Mobile to demolish the Union Hall structure. During a field review on April 14, 2016, ALDOT and FHWA discovered that the structure had been removed, and the property was listed for sale by the property owner at the time. On April 18, 2016, ALDOT notified the SHPO that the Union Hall had been demolished. By e-mail dated June 27, 2016, SHPO informed ALDOT that the Union Hall property is no longer considered eligible for listing in the NRHP (Appendix L). At the May 2018 Section 106 Consulting Party meeting, the NTHP requested additional information about the demolition of the Union Hall. A timeline of events was transmitted to the NTHP from FHWA on July 23, 2018. Correspondence between FHWA and the NTHP regarding the loss of the Union Hall is included in Appendix L on pages L-257 to L-259 .	Updated to add page numbers to make it easier to locate the referenced information in Appendix L of the Supplemental DEIS.
4.13.7	Page 144, 2 nd paragraph	The proposed project would result in increased traffic on the US-90/US-98 Causeway due to diverted traffic avoiding the toll on the Bayway; however, the IMR indicates that traffic on the Causeway would also increase without the project. The proposed project would not alter the route which is what makes this resource eligible for the NRHP. By letter dated February 8, 2019, SHPO concurred that the project would not have adverse effects on this resource (Appendix L) <i>under Section 106 of the NHPA</i> .	Updated to clarify that the no adverse effect determination was made under Section 106 of the NHPA.
4.13.8	Page 145, 6 th paragraph	Efforts will be made to avoid and/or minimize impacts on archaeological sites listed on, eligible for, or potentially eligible for listing on the NRHP. <i>However, the project will have adverse effects on archaeological sites under Section 106 of the NHPA.</i> For sites where impacts cannot be avoided, mitigation will be performed in the form of Phase III Data Recovery or other approved alternative mitigation plans, as coordinated with the SHPO and tribes. Where required, Phase III Data Recovery investigations will be performed at affected parcels once specific impact locations are known and prior to commencement of ground-disturbing activities. Updates to the archaeological surveys and mitigation measures will be identified in the Final Section 106 MOA and will be included in the FEIS/ROD.	Updated to add conclusion that the project will have adverse effects on archaeological sites under Section 106 of the NHPA.
4.14.1	Page 146, 2 nd paragraph	D'Olive Creek and Joe's Branch are listed on ADEM's 2018 list of 303(d) impaired waterbodies. These waterbodies are considered priority construction sites under ADEM permitting. The proposed project will be designed to achieve sediment reduction load of 80 percent for the D'Olive Creek Watershed. <i>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.</i>	Updated to clarify that the requirement applies to discharge associated with the Mobile River Bridge and Bayway Project, not all projects.

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Section	Page, Location	Errata		Explanation/Reason for Change
4.14.3	Pages 150-151, Item 5	Any damage to historic structures due to vibrations s resulting from construction activities levels above the maximum shall will be repaired/restored in accordance with ALDOT Specification 107.12, 107.14 and 107.15 Protection and Restoration of Property, Landscape and Utility Facilities, 36CFR 800.12 Emergency Situations and 36 CFR 68 The Secretary of Interior’s Standards for the Treatment of Historic Properties.		Revised to match the language included in the Final Section 106 MOA, which is contained in Appendix D of this FEIS.
4.18.2	Page 169, Table 19, Lighting #1 - #4	Lighting		Revised to match the language included in the Final Section 106 MOA, which is contained in Appendix D of this FEIS.
		1	Lighting associated with the bridge approaches, bridges, ramps, roadway widening, and other components of the project shall be designed to meet current design criteria, while minimizing light pollution. In order to incorporate the newest technology available at the time of construction, lighting fixtures will not be specified until later in the design process. Measures to minimize light pollution on residential areas along I-10 shall be incorporated into the project through the use of light shielding technology, fixtures, and other means as appropriate. Measures to minimize light pollution on historic resources will be developed with input from the SHPO and Section 106 Consulting Parties through the Aesthetic Steering Committee. ALDOT will consult with FHWA, the Aesthetic Steering Committee, and the selected design team during the design phase to ensure compliance with the Section 106 MOA.	
		2	In order to incorporate the newest technology available at the time of construction, lighting fixtures will not be specified until later in the design process. <i>To prevent or minimize collision and nesting by migratory fowl, the maximum allowable duration for strobe (beacon) lighting on the bridge tower(s) will be requested in the FAA permit application(s) for the project. These lighting requirements will be coordinated with the USCG for compliance with navigational lighting requirements and the FAA for air traffic requirements as part of the permitting process.</i>	
		3	To prevent or minimize collision and nesting by migratory fowl, the maximum allowable duration for strobe (beacon) lighting on the bridge tower(s) will be requested in the FAA permit application(s) for the project. These lighting requirements will be coordinated with the USCG for compliance with navigational lighting requirements and the FAA for air traffic requirements as part of the permitting process. <i>Lighting shall be designed to minimize light spill into water to avoid and/or minimize impacts on aquatic species.</i>	
		4	Lighting shall be designed to minimize light spill into water to avoid and/or minimize impacts on aquatic species.	
4.18.2	Page 169, Table 19, Bridge Aesthetics	Opportunities to incorporate bridge aesthetics and contextual design of the proposed project will be developed as the design progresses with input from the SHPO and Section 106 Consulting Parties through the Aesthetic Steering Committee. Aesthetic and landscape plans for areas within ALDOT’s right of way, including areas beneath the bridge, will be developed and implemented. The Aesthetic Steering Committee has reviewed preliminary plans from the proposing teams and provided feedback to ALDOT. ALDOT will consult with the FHWA, the Aesthetic Steering Committee, and the selected design team during the design phase to ensure compliance with the Section 106 MOA.		Revised to match the language included in the Final Section 106 MOA, which is contained in Appendix D of this FEIS.
4.18.2	Page 169, Visual #1	Opportunities to incorporate bridge aesthetics and contextual design of the proposed project will be developed as the design progresses with input from the SHPO and Section 106 Consulting Parties through the Aesthetic Steering Committee. <i>Aesthetic and landscape plans for areas within ALDOT’s right-of-way, including areas beneath the bridge, will be developed and implemented.</i> ALDOT will consult with the FHWA, the Aesthetic Steering Committee, and the selected design team during the design phase to ensure compliance with the Section 106 MOA.		Revised to match the language in the Final Section 106 MOA, which is contained in Appendix D of this FEIS.
4.18.2	Page 170, Table 19, Vibrations #3	Any damage to historic structures due to vibrations s resulting from construction activities levels above the maximum shall will be repaired/restored in accordance with ALDOT Specification 107.12, 107.14 and 107.15 Protection and Restoration of Property, Landscape and Utility Facilities, 36CFR 800.12 Emergency Situations and 36 CFR 68 The Secretary of Interior’s Standards for the Treatment of Historic Properties.		Updated to match the language included in the Final Section 106 MOA, which is contained in Appendix D of this FEIS.

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4.18.2	Page 171, Table 19, Drainage #3	The proposed project will be required to provide 80 percent sediment reduction for all work in D'Olive Creek Watershed. <i>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.</i>	Updated to clarify that the requirement applies to discharge associated with the Mobile River Bridge and Bayway Project, not all projects.	
4.18.2	Page 172, Table 19, Bayway Construction #4	Insert new #5 with the following language: "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."	Updated based on comments received from USEPA and Mobile Baykeeper to require a Sediment Sampling Plan and benthic characterization study should dredging be used.	
4.18.2	Pages 174-175, Table 19, Environmental Justice	Environmental Justice	Updated mitigation measures based on comments received from the Africatown/Plateau community, includes additional commitments that will be provided to help lessen potential adverse impacts related to degradation of level of service and community cohesion. Additional mitigation measures related to traffic calming measures along Bay Bridge Road were added in response to the community's comments regarding existing concerns about speeds along the roadway. Revised introductory statement to match the conclusions reached in Section 4.6.5 of the Supplemental DEIS.	
		1		To offset adverse impacts on EJ communities <i>lessen the disproportionately high and adverse impacts on EJ communities</i> , ALDOT will implement the following mitigation measures:
		-		ALDOT will adjust signal timing along the non-tolled route, including Bay Bridge Road, to better accommodate local traffic movements.
		-		Based on current traffic projections, ALDOT will develop an access management plan to help facilitate access to and from destinations along the US-90/US-98 Causeway. Strategies included in this access management plan may include installing traffic signals, medians with U-turns, mid-block signals, as well as other appropriate techniques. The access management plan will be implemented prior to tolling commencement.
		-		<i>ALDOT will install a caution signal at the crest of the Cochrane-Africatown USA Bridge to warn drivers that a signal awaits at the foot of the bridge.</i>
		-		ALDOT will provide traffic signals at Union Missionary Baptist Church <i>(Bay Bridge Road Cutoff) and Magazine Street/Tin Top Road. 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 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.</i>
		-		ALDOT will construct the Cochrane-Africatown USA Bridge Shared Use Path from the I-165 ramp at Bay Bridge Road to US-90 on the east side of Mobile River and will work with local municipalities to provide future extensions from downtown to the USS ALABAMA Battleship Memorial Park.
		-		ALDOT will provide crosswalks at <i>all of the signalized intersections</i> signals along Bay Bridge Road <i>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 signage.</i> to help pedestrians and cyclists cross from one side of Bay Bridge Road to the other.
		-		<i>ALDOT will install</i> landscaping and historical/interpretive signage will be included along the Cochrane-Africatown USA Bridge Shared Use Path.
		-		Paper Mill Road will be resurfaced from Bay Bridge Road to US 43. ALDOT will <i>install</i> streetscaping along this route.
		-		<i>ALDOT will conduct a speed study to determine if changing the posted speed limits will have a beneficial effect.</i>
		-		<i>ALDOT will work with the Africatown/Plateau community to implement the mitigation measures through community outreach, public meetings, and a 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.</i>
		-		<i>ALDOT will continue to meet with the Africatown/Plateau community as the project develops.</i>
		-		<i>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.</i>
-	<i>ALDOT will conduct a traffic study that documents existing and future hazardous cargo flow along Bay Bridge Road to compare actual numbers before and after construction of the project.</i>			

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		<div> <div>-</div> <div>ALDOT will work with the Africatown/Plateau Steering Committee to evaluate and implement traffic calming measures that will be effective in reducing speeds along Bay Bridge Road without substantially increasing anticipated queue lengths.</div> </div>	
4.18.2	Page 175, ADCNR #3	Special care will be taken to avoid nighttime construction noise impacts on Meaher State Park through coordination with the ADCNR. <i>Construction noise levels at the nearest campsite at Meaher State Park Campground resulting from nighttime construction activities related to the proposed project will be monitored by the Concessionaire. Noise levels exceeding 70 dBA between 10:00 p.m. and 7:00 a.m. require prior coordination with Meaher State Park.</i>	Revised commitment to provide more details on requirements to maintain reasonable noise levels at the Meaher State Park Campground during nighttime construction activities.
Table of Contents, 5.0	Page iii and Page 177	5.0 Section 4(f) and Section 106	Revised title.
5.2	Page 178, 2 nd paragraph	FHWA’s determination of adverse effect under the Section 106 process (36 CFR 800.5) does not automatically mean that Section 4(f) will apply, nor does a determination of no adverse effect mean that Section 4(f) will not apply in some cases. When a project permanently incorporates land of a historic site, regardless of the Section 106 determination, Section 4(f) will apply. If a project does not permanently incorporate land from a historic property but results in an adverse effect, it is necessary to further assess the proximity impacts of the project in terms of the potential for constructive use. This analysis is necessary to determine if the proximity impact(s) substantially impair the features or attributes that contribute to the NRHP eligibility of a historic site. If there is no substantial impairment, notwithstanding an adverse effect determination, there is no constructive use, and Section 4(f) does not apply. <i>Section 5.5.3 includes additional discussion on identifying constructive use.</i> FHWA determines if there is a substantial impairment by consulting with all identified officials with jurisdiction, including the SHPO/THPO and the ACHP (if participating) to identify the activities, features, and attributes of the property that qualify it for Section 4(f) protection and by analyzing the proximity impacts of the project (including any mitigation) on those activities, features, and attributes (23 CFR 774.15(d)(3)). The determination of Section 4(f) applicability is ultimately FHWA’s decision, and the considerations and consultation that went into the decision are documented in the project record.	Updated to provide reference in Supplemental DEIS.
5.4	Page 180, Before 2 nd paragraph	<p><i>Section 4(f) applies to archaeological sites that are on or eligible for listing on 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 ACHP 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 do not object to this determination.</i></p> <p>Additional archaeological sites have been identified since the DEIS. All archaeological sites identified to date are either:</p> <ol style="list-style-type: none"> 1) Not listed or not eligible for listing on the NRHP or 2) Are listed or eligible for listing on the NRHP when the FHWA concludes that the resources are important chiefly because of what can be learned from data recovery. In these cases, the resources have minimal value for preservation in place. The SHPO has been consulted and has not objected to this finding. 	Added language to explain why Section 4(f) does not apply to the archaeological sites that may be impacted by the proposed project.
5.5.1	Page 181, 2 nd paragraph	The only historic Section 4(f) property from which land would be acquired is the BAE Maritime Historic District. Alternative C would require the acquisition of land from this NRHP-eligible historic district. Alternatives A, B, and the Preferred Alternative avoid impacts to this resource.	Deleted to clarify that the referenced property is the only Section 4(f) property from which land would be acquired under Alternative C.
5.5.3	Page 185, 2 nd paragraph	Per 23 CFR 775.15(f)(5), substantial impairment under Section 4(f) occurs only when the activities, features, or attributes of the property that qualify it for protection under Section 4(f) are substantially impaired. “Substantially impair” is used in the following sections to describe the project’s level of impairment on Section 4(f) properties. The term “substantial” is used in the following sections and in the Viewshed Impact Assessment to describe the assessment of the project’s visibility from various resources and does not describe the project’s level of impairment on Section 4(f) properties. Section 4.13 of this Supplemental DEIS provides a summary of NRHP eligibility and visual effects on cultural resources. Section 4.16 and Appendix J of the DEIS contain detailed descriptions of each of the historic resources. <i>The term</i>	Revised order of paragraph to improve readability.

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		<i>“substantial” is used in the Viewshed Impact Assessment in Appendix J of the DEIS to describe the assessment of the project’s visibility from various resources and does not describe the project’s level of impairment on Section 4(f) properties.</i>																																																																		
5.5.3	Pages 187-188, Item 5	Any damage to historic structures due to vibrations <i>resulting from construction activities</i> levels above the maximum shall <i>will</i> be repaired/restored in accordance with ALDOT Specification 107.12, 107.14 and 107.15 Protection and Restoration of Property, Landscape and Utility Facilities, 36CFR 800.12 Emergency Situations and 36 CFR 68 The Secretary of Interior’s Standards for the Treatment of Historic Properties.	Updated to match the language included in the Final Section 106 MOA, which is contained in Appendix D of this FEIS.																																																																	
Table of Contents, 5.5.4	Page iii, Page 188, Title, Table 21 Title, Table 21 Heading	<p>5.5.4 Summary of Section 4(f) Impacts Use</p> <p>Table 21 displays a summary of potential Section 4(f) impacts <i>use</i> that could result from the proposed project.</p> <p style="text-align: center;">TABLE 3: SUMMARY OF SECTION 4(f) IMPACTS USE</p> <table><tr><th rowspan="2">Section 4(f) Property</th><th colspan="5">Section 4(f) Impacts <i>Use</i>-by Alternative</th></tr><tr><th>No Build</th><th>A</th><th>B</th><th>Preferred Alternative</th><th>C</th></tr><tr><td>BAE Maritime Historic District</td><td>No</td><td>No</td><td>No</td><td>No</td><td>Yes ¹</td></tr><tr><td>Oakdale Historic District</td><td>No</td><td>No</td><td>No</td><td>No</td><td>No</td></tr><tr><td>Union Hall</td><td>No</td><td>No</td><td>No²</td><td>No</td><td>No</td></tr><tr><td>Africatown Historic District</td><td>No</td><td>No</td><td>No</td><td>No</td><td>No</td></tr><tr><td>Church Street Historic District</td><td>No</td><td>No</td><td>No</td><td>No</td><td>No</td></tr><tr><td>Lower Dauphin Street Historic District</td><td>No</td><td>No</td><td>No</td><td>No</td><td>No</td></tr><tr><td>US-90/US-98 Causeway</td><td>No</td><td>No</td><td>No</td><td>No</td><td>No</td></tr><tr><td>USS ALABAMA Battleship Memorial Park</td><td>No</td><td>No</td><td>No</td><td>No</td><td>No</td></tr><tr><td>ADCNR Facilities on US-90/US-98 Causeway</td><td>No</td><td>No</td><td>No</td><td>No</td><td>No</td></tr></table> <p><u>Notes:</u></p> <p>¹ Alternative C would acquire land from the BAE Maritime Historic District.</p> <p>² Alternative B would have required the demolition of the Union Hall; however, as discussed in Section 4.13, the structure was demolished by the property owner subsequent to the DEIS and is no longer eligible for the NRHP.</p>	Section 4(f) Property	Section 4(f) Impacts <i>Use</i> -by Alternative					No Build	A	B	Preferred Alternative	C	BAE Maritime Historic District	No	No	No	No	Yes ¹	Oakdale Historic District	No	No	No	No	No	Union Hall	No	No	No ²	No	No	Africatown Historic District	No	No	No	No	No	Church Street Historic District	No	No	No	No	No	Lower Dauphin Street Historic District	No	No	No	No	No	US-90/US-98 Causeway	No	No	No	No	No	USS ALABAMA Battleship Memorial Park	No	No	No	No	No	ADCNR Facilities on US-90/US-98 Causeway	No	No	No	No	No	Changed the word “impacts” to “use” to match Section 4(f) regulations.
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Africatown Historic District	No	No	No	No	No																																																															
Church Street Historic District	No	No	No	No	No																																																															
Lower Dauphin Street Historic District	No	No	No	No	No																																																															
US-90/US-98 Causeway	No	No	No	No	No																																																															
USS ALABAMA Battleship Memorial Park	No	No	No	No	No																																																															
ADCNR Facilities on US-90/US-98 Causeway	No	No	No	No	No																																																															
5.7	Page 189, 2 nd paragraph	The No Build Alternative would not impact <i>use</i> Section 4(f) resources. Alternative C would require the use (acquisition) of Section 4(f) property from the BAE Maritime Historic District. With the loss of the Union Hall, none of the other Build Alternatives would result in Section 4(f) impacts <i>use</i> .	Changed the words “impact” and “impacts” to “use” to match Section 4(f) regulations.																																																																	
6.4.1	Page 196, 2 nd paragraph	By letter dated May 4, 2018, the FHWA invited the National Park Service to serve as a Section 106 Consulting Party on the project. The National Park Service accepted the invitation, and by letter dated July 10, 2018, the FHWA provided additional information to the National Park Service related to the project. <i>The National Park Service requested the opportunity to engage in dialogue on the project. FHWA invited the National Park Service to participate in the May 8, 2018 and March 12, 2019 Section 106 Consulting Party Meetings, but they did not attend.</i> FHWA also invited Government Street Presbyterian Church to participate as a Section 106 Consulting Party on July 24, 2018. At the time of this Supplemental DEIS, a response had not been received from the church. ALDOT invited ten organizations/individuals with an interest in the Africatown Historic District to serve as Section 106 Consulting Parties by letter dated December 19, 2018. The Mobile County Training School, the Robert L. Hope Community Center, the Africatown C.H.E.S.S., and Ossia Edwards accepted the invitation. Copies of this correspondence are included in Appendix L .	Updated to include information on opportunities that were made available to the National Park Service to participate in Section 106 Consulting Party meetings.																																																																	

Note: Additions to the text from the Supplemental DEIS are noted in red italicized font, and deletions from the text from the Supplemental DEIS are noted in strikethrough font.			
Section	Page, Location	Errata	Explanation/Reason for Change
Appendix E	Appendix E Page E-29, Before Section 2.4.4 heading	<i>The impacts presented in Table EJ-5 would be experienced with any of the Build Alternatives. All of the Build Alternatives would require tolling and would result in traffic diverting to the non-tolled route. Alternatives A, B, and the Preferred Alternative would leave the mainline I-10 and I-10 Business running parallel to the Texas Street and Oakdale communities. Alternative C would move the mainline I-10 alignment further away from the Texas Street community, but I-10 Business would continue to exist in proximity to the Texas Street community.</i>	
Appendix E	Appendix E Page E-40	Implementation of the mitigation measures will not offset the identified disproportionately high and adverse impacts on Environmental Justice (EJ) populations. <i>All of the Build Alternatives would experience the impacts to the EJ areas of concern listed in Table EJ-5. Therefore, the disproportionately high and adverse impacts on EJ populations will also be the same for each of the Build Alternatives.</i> There is no practicable alternative that would avoid or reduce the disproportionately high and adverse impacts. There is a substantial need for the project based on the best overall public interest, as congestion on the I-10 corridor continues to grow due to lack of adequate capacity. The mitigation measures will, however, provide a benefit to the Africatown/Plateau community by addressing access, congestion, and speed issues that are currently experienced and would continue to be experienced without the project, as well as those that are projected to result from the project. ALDOT will work with <i>the Africatown/Plateau community</i> to implement the mitigation measures through community outreach, public meetings, and/or a Steering Committee. This will provide continued opportunities for involvement of Africatown/ <i>Plateau</i> representatives to promote compatibility with <i>the community's</i> plans for Africatown's development and growth.	
Appendix L	Page L-325, 4 th paragraph	The difference between Section 106 regulations, which focus on effects of a project on historic resources, and impacts to environmental justice communities was also discussed. The State Historic Preservation Office (SHPO) stated that they review historic resources for adverse effects under Section 106 regulations, not under the Executive Order for environmental justice. This project proposes to disturb areas within ALDOT's previously disturbed existing right-of-way. which does not qualify as adverse effects under Section 106. <i>SHPO noted that based on Section 106 regulations, disturbances within previously disturbed right-of-way are not adverse effects on archaeological resources. Certain conditions must apply for visual effects on standing structures to constitute adverse effects.</i> Therefore, SHPO concurred with the no adverse effect finding for the Africatown Historic District. ALDOT acknowledged that the proposed project is expected to have adverse impacts on the Africatown community, and ALDOT has reached out to the community and will continue to reach out to the community to discuss those impacts and mitigation measures. A meeting is scheduled for Tuesday, March 19, 2019, at the Union Missionary Baptist Church with Councilman Manzie to discuss the project and the potential impacts on the Africatown community. Input is needed from the community regarding their concerns about how the project may impact Africatown from an environmental justice perspective and how ALDOT can work with the community to address those concerns. The representatives from Africatown were encouraged to attend that meeting to have their voices heard and to provide input to ALDOT. The Africatown Consulting Parties were asked to make sure they provide their mailing addresses and contact information before they leave so that they can be invited to participate in future environmental justice meetings and discussions.	Updated to clarify meeting minutes based on comments from State Historic Preservation Officer (SHPO).

3.0 PREFERRED ALTERNATIVE

3.1 Reasonable Alternatives Considered

A wide range of alternatives, including the No Build and numerous Build Alternatives, were considered for this project. In consultation with the public and stakeholders, fourteen (14) Build Alternatives were developed. In addition to the Build Alternatives, other alternatives were examined, including movable bridges, mass transit, light rail, ferries, commuter transit, and Transportation System Management. The Build Alternatives were analyzed in a 2005 Alternatives Screening Evaluation for their ability to meet the purpose and need of the project, the technical feasibility of constructing the alternative, the economic impact of travel savings, the estimated cost of the alternative, and anticipated overall impacts to the human and natural environment. The other alternatives were screened for their ability to meet the purpose and need of the project and for technical feasibility to be constructed. Section 3.0 and Appendix B of the DEIS describe how alternatives were eliminated from further consideration or retained to be evaluated in the DEIS. Four Build Alternatives (A, B, B' and C) and the No Build Alternative were evaluated in the DEIS and Supplemental DEIS.

3.2 Identification of Preferred Alternative (Alternative B')

Alternative B' was identified as the Preferred Alternative by balancing the competing interests and impacts of the project. This Alternative is located further south away from downtown Mobile's historic resources than Alternatives A and B. Alternative C is located further south but uses a Section 4(f) resource that the Preferred Alternative avoids. This Alternative is also located far enough north to avoid the more severe economic impacts of Alternative C on the maritime industry. The Preferred Alternative also avoids the impacts Alternatives A and B have to the Alabama Cruise Terminal. Finally, this Alternative would avoid impacts to Austal's administration building and would have less impacts than Alternative B on Austal's employee parking area. The No Build Alternative would not meet the purpose and need of the project because it would

not add capacity to I-10 to meet existing and projected future traffic volumes, and it would not provide a more direct route for vehicles transporting hazardous materials.

3.3 Section 4(f)

The Supplemental DEIS evaluated whether the Preferred Alternative used Section 4(f) properties. The Section 4(f) properties evaluated included historic resources, parks, recreational areas, and a wildlife management area. The following Section 4(f) properties were identified as needing scrutiny: BAE Maritime Historic District, Oakdale Historic District, Africatown Historic District, Church Street East Historic District, Lower Dauphin Street Historic District, the USS ALABAMA Battleship Memorial Park, ADCNR's Five Rivers Delta Resource Center, Meaher State Park, public boat ramps along the US-90/US-98 Causeway, and the Mobile-Tensaw Delta Wildlife Management Area.

Per 23 CFR 774.17, a use of Section 4(f) property occurs when one of the following apply: (1) land is permanently incorporated into a transportation facility, (2) there is a temporary occupancy of land that is adverse in terms of the statute's preservation purpose as determined by the criteria in 23 CFR 774.13(d), or (3) there is a constructive use as determined by the criteria in 23 CFR 774.15. The Preferred Alternative will not require acquisition of land from or temporary occupancy of any of the Section 4(f) properties. Therefore, the Preferred Alternative will not result in the use or temporary use of a Section 4(f) property. Since there is no land acquisition from any Section 4(f) properties, the FHWA must evaluate whether there is a constructive use of any of the properties.

Per 23 CFR 774.15, a constructive use occurs when a transportation project does not incorporate land from a Section 4(f) property, but the project's proximity impacts are so severe that the protected activities, features, or attributes that qualify for protection under Section 4(f) are substantially impaired. Substantial impairment occurs only when the protected activities, features, or attributes of the property are substantially diminished. As a general matter, this means that the value of the resource, in terms of its Section 4(f) purpose and significance is reduced or lost. Constructive use to a Section 4(f) property is considered under four conditions: noise level increases exceeding FHWA's Noise Abatement

Criteria (NAC), substantial impairment of aesthetic features, access is restricted, or vibration impacts.

Noise

The Preferred Alternative has four Section 4(f) properties with predicted noise levels above the NAC: Oakdale Historic District, Church Street East Historic District, Africatown Historic District, and Meaher State Park. These properties are predicted to experience noise changes between a 4.1 dBA decrease to a 1.7 dBA increase in noise as a result of project construction. Per 23 CFR 774.15(f)(3), FHWA has reviewed and determined that a construction use does not occur when the increase in the projected noise levels if the proposed project is constructed, when compared with the project noise levels if the project is not built, is 3 dBA or less. Therefore, the Preferred Alternative will not result in a constructive use of a Section 4(f) property due to noise.

Visual (Aesthetic)

Under Section 106 of the NHPA, the Preferred Alternative will have adverse visual effects to two Section 4(f) resources: the Church Street East and Lower Dauphin Street historic districts.

FHWA's determination of adverse effect under the Section 106 process (36 CFR 800.5) does not automatically mean that Section 4(f) will apply, nor does a determination of no adverse effect mean that Section 4(f) will not apply in some cases. If a project does not permanently incorporate land from a historic property but results in an adverse effect, it is necessary to further assess the proximity impacts of the project in terms of the potential for constructive use. This analysis is necessary to determine if the proximity impact(s) substantially impair the features or attributes that contribute to the NRHP eligibility of a historic site. If there is no substantial impairment, notwithstanding an adverse effect determination, there is no constructive use, and Section 4(f) does not apply. FHWA determines if there is a substantial impairment by consulting with all identified officials with jurisdiction, including the 23 SHPO/THPO and the ACHP (if participating) to identify the activities, features, and attributes of the property that qualify it for Section 4(f) protection and by analyzing the proximity

impacts of the project (including any mitigation) on those activities, features, and attributes (23 CFR 774.15(d)(3)).

The changes in the view of the historic districts due to the Preferred Alternative were evaluated to determine the potential effects. The Preferred Alternative will remove the elevated I-10 ramp structures at the Canal Street/Water Street Interchange and provide new at-grade connections, potentially improving the view of the districts. The new bridge's high level approaches will not obstruct or eliminate views of the historic districts. The change in the view from the historic districts due to the Preferred Alternative were also evaluated to determine potential effects. The Preferred Alternative will insert a large modern structure into the skyline to the southeast of the districts which will, under Section 106 of the NHPA, adversely affect the historic districts. While the Preferred Alternative will diminish the setting, feeling, and association of the districts, the attributes that qualify the district for NRHP eligibility will not be substantially impaired.¹ Therefore, based on the assessments of the views both of and from the historic districts, the Preferred Alternative will not result in a constructive use of a Section 4(f) property due to visual.

Access

The Preferred Alternative has five Section 4(f) properties with access concerns: the USS ALABAMA Battleship Memorial Park (identified under Section 106 of the NHPA), ADCNR's Five Rivers Delta Resource Center, Meaher State Park, the public boat ramps along the US-90/US-98 Causeway, and the Africatown Historic District. ALDOT has committed to maintain access to the USS ALABAMA Battleship Memorial Park, ADCNR's Five Rivers Delta Resource Center, Meaher State Park, the public boat ramps along the US-90/US-98 Causeway before, during, and after construction. The Preferred Alternative was determined

¹ The Church Street East Historic District is eligible for the NRHP based on Criterion C: the district embodies distinctive characteristics of a type, period, or method of construction, or that represents the work of a master, or that possesses high artistic values, or that represents a significant and distinguishable entity whose components may lack individual distinction. Specifically, the qualifying characteristic of Church Street East Historic District is its distinctive architecture. The Lower Dauphin Street Historic District is eligible based on Criterion A: the district is associated with events that have made a significant contribution to the broad patterns of our history, and Criterion C, the district embodies distinctive characteristics of a type, period, or method of construction, or that represents the work of a master, or that possesses high artistic values, or that represents a significant and distinguishable entity whose components may lack individual distinction. Specifically, the qualifying characteristics of Lower Dauphin Street Historic District are its history of commerce, community planning and development, and its distinctive architecture.

not to result in an adverse effect under Section 106 of the NHPA to the Africatown Historic District. Per 23 CFR 774.15(f)(1), FHWA has reviewed and determined that a construction use does not occur when compliance with Section 106 of the NHPA for proximity impacts of the proposed action on a site on or eligible for the NRHP results in an agreement of no adverse effect. Therefore, the Preferred Alternative will not result in a constructive use of a Section 4(f) property due to access.

Vibration

Vibration impacts during construction of the Preferred Alternative were identified as a concern under Section 106 of the NHPA for contributing structures of the Church Street East Historic District, a Section 4(f) property. ALDOT conducted a study to evaluate potential vibration impacts for pile driving and to help identify construction methodologies that would avoid vibration impacts to properties in proximity of the project. Based on the study, ALDOT committed to monitoring vibration and other activities designed to prevent damage to historic resources. Per 23 CFR 774.15(f)(8), FHWA has reviewed and determined that a construction use does not occur when vibration levels from project construction activities are mitigated, through advance planning and monitoring of the activities to levels that do not cause a substantial impairment of projected activities, feature, or attributes of the Section 4(f) property. Therefore, the Preferred Alternative will not result in a constructive use of a Section 4(f) property due to vibration.

The Supplemental DEIS concluded the Preferred Alternative would not use a Section 4(f) property.

3.4 Wetland Finding

Executive Order 11990 Protection of Wetlands requires agencies to avoid to the extent possible the long and short-term adverse impacts associated with the destruction or modification of wetlands and to avoid direct or indirect support of new construction in wetlands wherever there is a practicable alternative.

The proposed project crosses Mobile Bay, which contains wetlands north, south, and underneath the existing I-10 Bayway bridges. Shifting the location of the Bayway north

or south would not avoid impacts to wetlands. Additionally, as part of the development of the environmental documentation for this project, ALDOT and FHWA coordinated with the regulatory and resource agencies (USACE, USEPA, U.S. Fish & Wildlife Service (USFWS), National Oceanic Atmospheric Administration (NOAA)-National Marine Fisheries Service (NMFS), Alabama Department of Conservation and Natural Resources (ADCNR), and the Alabama Department of Environmental Management (ADEM)) to determine the preferred approach for construction along the Bayway. In order to minimize potential impacts on natural resources occurring along corridor of the Bayway, the agencies stated a preference for construction to be performed within the footprint (outside edge to outside edge) of the existing Bayway. The Preferred Alternative meets this preference, except at the interchanges. In order maintain traffic at the interchanges along the Bayway, it is anticipated that construction of on and off ramps may be required outside of the existing footprint of the Bayway bridges. This construction would occur within ALDOT's existing right-of-way at the US-90/US-98 East Tunnel, US-90/US-98 Mid-Bay, and US-90/US-98 Eastern Shore interchanges. This approach would limit impacts to natural resources that were previously disturbed by Bayway construction activities in the 1970s.

There are no practicable alternatives to the proposed action. As described in Section 3.1 of this FEIS, a wide range of alternatives were considered as part of the Alternatives Screening Evaluation conducted for the proposed project. All of the alternatives considered would result in impacts to wetlands in Mobile Bay. However, Alternatives A and B (Alternatives 4 and 9 in the Alternatives Screening Evaluation) were two of the alternatives with the least potential to impact wetlands. Alternative B' was developed several years after the Alternatives Screening Evaluation in response to requests from local stakeholders to further minimize impacts on the maritime industry and historic resources in downtown Mobile, but it would result in the same wetland impacts as Alternatives A and B.

The Preferred Alternative is expected to result in shading of approximately 3.9 acres of estuarine emergent wetlands (marsh). Permanent impacts to wetlands at the interchanges along the Bayway are expected to total approximately 2.1 acres of herbaceous marsh and 1.3 acres of scrub-shrub and forested wetlands. The Preferred Alternative would result in the same wetland impacts as Alternatives A and B. Alternative C would result in approximately 5 acres of additional wetland impacts at Pinto Pass that would not be impacted by Alternatives A, B, or the Preferred Alternative.

Approximately 55 acres of wetlands were identified within ALDOT's existing right-of-way and/or within the proposed right-of-way for the project. Efforts have been made to avoid and/or minimize impacts to wetlands, as evidenced by the fact that approximately 48 acres of wetlands have been avoided by the replacement of the Bayway. Efforts to avoid and/or minimize impacts to wetlands include constructing the new Bayway within the footprint bounded by the existing Bayway structures. Another minimization effort proposed is the use of longer spans on the new Bayway to minimize bottom disturbance impacts from pier placement. By raising the elevation of the new Bayway, the shading impacts of the new Bayway structure should produce less shading below because more sunlight will be able to reach areas beneath the bridges. With additional sunlight entering the water, aquatic vegetation should benefit, especially with the removal of the existing Bayway structures. By constructing the new Bayway within the footprint of the existing Bayway bridges, except at the interchange ramps, impacts are limited to previously disturbed areas of wetlands. Impacts at the interchange ramps (US-90/US-98 East Tunnel, US-90/US-98 Mid-Bay and US-90/US-98 Eastern Shore) will be outside the previously disturbed areas, but limited to ALDOT right-of-way. Dredging will not occur in areas where wetlands exist.

Due to the location of the project across Mobile Bay, however, some impacts are unavoidable. To mitigate for impacts to estuarine emergent wetlands (marsh), approximately 9 acres of marsh will be created at a location in close proximity to the project site. This mitigation represents a mitigation ratio of 1.5:1, which was developed

in consultation with the regulatory and resource agencies referenced above. Impacts to scrub shrub and forested wetlands will be mitigated through the purchase of an appropriate number of credits from a USACE-approved mitigation bank.

Based upon the above-listed considerations, it is determined that there is no practicable alternative to the proposed construction in wetlands and that the proposed action contains all practicable measures to minimize harm to wetlands which may result from such use.

3.5 Floodplain Finding

Executive Order 11988 Floodplain Management requires Federal agencies to avoid to the extent possible the long and short-term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct and indirect support of floodplain development wherever there is a practicable alternative.

The Preferred Alternative would result in an encroachment on floodplains. However, the Preferred Alternative is not likely to increase the flooding in the area as bridge structures will be designed to FEMA standards as required by 23 CFR 650, Subpart A, Location and Hydraulic Design of Encroachment on Floodplains, and the project will be designed to avoid raising the base flood level in the project area. Additionally, structures will provide the minimum freeboard above the design flood elevation and will not be exceeded by the 100-year storm. A detailed hydrological study will be completed during the final design phase. This analysis would include establishing base flood elevations and adjusting bridge and culvert designs to minimize the risk of flooding upstream, as required by the Federal Emergency Management Agency (FEMA).

A Location Risk Assessment Record for floodplain encroachment was prepared in accordance with 23 CFR 650. This preliminary assessment, which is included in Appendix G of the DEIS, found that the proposed structures will have an effective waterway opening equal to or greater than existing structures, and backwater surface elevations are not expected to increase. As a result, there will be no impacts on natural

and beneficial floodplain values; there will be no significant change in flood risks; and there will be no increase in potential for interruption or termination of emergency service or emergency evacuation routes.

No substantial impacts to floodplains are anticipated from construction of the Preferred Alternative. The majority of the floodplain impacts would be adjacent to existing structures or within an existing transportation corridor, and all proposed crossings will be designed to maintain existing or provide improved flow conditions. There may be temporary impacts to river access and/or use during construction activities over the Mobile River and Mobile Bay. Sedimentation from construction may occur, but appropriate best management practices will be incorporated to minimize these impacts.

Incompatible floodplain development will not result from the proposed project. All structures will be designed to FEMA standards and will generally be constructed within an existing transportation corridor. The project will be designed to be consistent with local floodplain development plans and coordinated with local floodplain officials.

As described in Section 3.1 of this FEIS, 14 potential Build Alternatives were considered as part of the Alternatives Screening Evaluation conducted for the project. The 14 Build Alternatives were developed in consultation with the public and stakeholders. All of the Build Alternatives considered would result in floodplain encroachments. Various alternatives were analyzed from an engineering and environmental perspectives. The design includes measures to avoid or minimize floodplain impacts through the use of primarily piles instead of fill. Some fill may be needed to accommodate bridge, ramp, and culvert construction. Impacts would generally be adjacent to existing structures.

There is no practicable alternative to the Preferred Alternative's impacts on the floodplains. The floodplain crossings are perpendicular and cannot be avoided. The No Build Alternative is the only alternative that would avoid floodplain encroachments. However, the No Build Alternative does not meet the purpose and need of the project and therefore is not considered practicable.

The proposed project will be designed to be consistent with local floodplain development plans, which are administered by the City of Mobile, City of Daphne, City of Spanish Fort, and Baldwin County.

3.6 Environmental Justice

As part of the Supplemental DEIS, a new Environmental Justice Assessment was prepared for the proposed project primarily to address effects of tolling. Two areas of concern were identified. These areas included the Africatown/Plateau community, which is located along the non-tolled route approximately three miles north of the proposed new Mobile River Bridge and the Down the Bay/Texas Street community, which is located adjacent to existing I-10 near downtown Mobile. Based upon the Environmental Justice Assessment, the Africatown/Plateau community is expected to experience disproportionately high and adverse impacts due to traffic diverting onto the non-tolled route. The impacts that are expected to be disproportionately high and adverse include: community cohesion and degradation of level of service.

The Africatown/Plateau community is the only permanent residential area along the non-tolled route that is expected to experience impacts. Therefore, it has been determined that these impacts would be predominantly borne by the EJ population in the Africatown/Plateau communities, and these impacts would be greater in magnitude than the adverse effect experienced by non-EJ populations.

Mitigation Measures

Early in the EJ Assessment process, a determination of whether the adverse effects were disproportionately high and adverse was still pending. However, since consideration must be given to mitigation for all adverse effects, input from the affected populations was being solicited. Community workshops were held in June 2018. Invitation postcards were placed in local community centers and churches and more than 5,000 postcards were mailed directly to residents and property owners. However, early outreach efforts to the Africatown/Plateau community were not successful, with only 13 citizens attending. Section 4.6.4 of the Supplemental DEIS describes the outreach

efforts made to the EJ community. Initial mitigation measures were developed with limited input from the impacted community. Table 15 in Section 4.6.5 of the Supplemental DEIS includes the initial EJ mitigation measures.

In an effort to reach more affected citizens from the Africatown/Plateau community, ALDOT reached out to the City Councilman who represents the area to arrange a community meeting. In March 2019, a successful outreach meeting was held with the Africatown/Plateau community, with 49 citizens signing into the meeting. In the meantime, the determination was finalized that even with mitigation, the Africatown/Plateau community would experience disproportionately high and adverse effects. Based on input with Africatown/Plateau community and others, new mitigation measures were incorporated into the project, and existing mitigation measures were refined based on community input.

The refined initial mitigation measures for the project are listed here:

- ALDOT will adjust signal timing along the non-tolled route, including Bay Bridge Road, to better accommodate local traffic movements.
- Based on current traffic projections, ALDOT will develop an access management plan to help facilitate access to and from destinations along the US-90/US-98 Causeway. Strategies included in this access management plan may include installing traffic signals, medians with U-turns, mid-block signals, as well as other appropriate techniques.
- ALDOT will provide traffic signals at Union Missionary Baptist Church (Bay Bridge Road Cutoff) and Magazine Street/Tin Top Road. 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 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.

- ALDOT will construct the Cochrane-Africatown USA Bridge Shared Use Path from the I-165 ramp at Bay Bridge Road to US-90 on the east side of Mobile River and will work with local municipalities to provide future extensions from downtown to the USS ALABAMA Battleship Memorial Park.
- ALDOT will provide crosswalks at all of the signalized intersections along Bay Bridge Road 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 signage.
- ALDOT will install landscaping and historical/interpretive signage along the Cochrane-Africatown USA Bridge Shared Use Path.
- Paper Mill Road will be resurfaced from Bay Bridge Road to US 43. ALDOT will install streetscaping along this route.

The additional mitigation measures based on comments from the Africatown/Plateau community meeting and review of the Supplemental DEIS are listed here:

- ALDOT will install a caution signal at the crest of the Cochrane-Africatown USA Bridge to warn drivers that a signal awaits at the foot of the bridge.
- ALDOT will conduct a speed study to determine if changing the posted speed limits will have a beneficial effect. The speed study will collect data on the free-flow speeds of vehicles through the area. This data will show if and by how much vehicles are travelling above the posted speed limit. With this data, ALDOT can develop a speed management plan to determine if measures such as lowering the posted speed limit, coordinating with law enforcement, or installing warning devices, pavement markings, and/or rumble strips are warranted. The results of this study will be reviewed and discussed with the Africatown/Plateau

Steering Committee to determine which measures, if any, should be implemented.

- Based on the results of the speed study, ALDOT will work with the Africatown/Plateau Steering Committee to evaluate and implement traffic calming measures that will be effective in reducing speeds along Bay Bridge Road without substantially increasing anticipated queue lengths.
- ALDOT will work with the Africatown/Plateau community to implement the mitigation measures through community outreach, public meetings, and a 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.
- In order to reach minority and low-income populations in areas that may be affected by the proposed project, ALDOT has implemented an EJ outreach program using a variety of types of activities. ALDOT will continue to meet with the Africatown/Plateau community as the project develops.
- 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 sent a letter to ADEM requesting a contact person and information on the process to request an air quality monitoring system. A copy of this letter is included in **Appendix C** of the FEIS.
- ALDOT will conduct a traffic study that documents existing and future hazardous cargo flow along Bay Bridge Road to compare actual numbers before and after construction of the project. The results of the traffic study will be reviewed and

discussed with the Africatown/Plateau Steering Committee and will be made available for use by the City of Mobile and/or ALDOT in future planning activities.

All of the above-listed mitigation measures will be implemented prior to tolling commencement unless otherwise stated in the commitment.

In addition to the above-listed mitigation measures, discounts specifically designed for low-income residents were considered but were not included in the toll policy. Data from the select link analysis, performed as part of the EJ Assessment, was analyzed to evaluate the potential for changes in driver behavior in the Build scenario for the Africatown/Plateau community. The analysis indicates that drivers originating from within or in close proximity to the Africatown/Plateau community would continue to use I-65, the Bankhead Tunnel, and the Cochrane-Africatown USA Bridge, regardless of whether the project is constructed. This behavior can be attributed to the fact that the non-tolled route is located within and in close proximity to this EJ community. More information on this analysis can be found in Appendix E of the Supplemental DEIS.

Conclusion

As stated in Section 4.6 of the Supplemental DEIS, all of the Build Alternatives would experience the impacts to the EJ areas of concern listed in Table 13. Therefore, the disproportionately high and adverse impacts on EJ populations will also be the same for each of the Build Alternatives. There is no practicable alternative that would avoid or reduce the disproportionately high and adverse impacts. Even the No Build Alternative would result in adverse impacts to the Africatown/Plateau community because as I-10 becomes congested, Bay Bridge Road and the Cochrane-Africatown USA Bridge will become increasingly more congested as traffic diverts to avoid congestion on I-10. Constructing the project as proposed without tolling might reduce the additional traffic flow through Africatown and thereby substantially mitigate or even eliminate the disproportionately high and adverse impact, but doing so is not practicable because without financing via tolling, there are not sufficient funds to proceed with the project.

Implementation of the above-listed mitigation measures will not offset the identified disproportionately high and adverse impacts on EJ populations.

There is a substantial need for the project based on the best overall public interest, as congestion on the I-10 corridor continues to grow due to lack of adequate capacity. The mitigation measures will provide a benefit to the Africatown/Plateau community by addressing access, congestion, and speed issues that are currently experienced and would continue to be experienced without the project, as well as those that are projected to result from the project. ALDOT will work with the Africatown/Plateau community to implement the mitigation measures through community outreach, public meetings, and the Africatown/Plateau Steering Committee. These methods will provide opportunities for involvement of Africatown/Plateau representatives to promote compatibility with the community's plans for development and growth.

3.7 Environmental Commitments

FHWA and ALDOT committed to a comprehensive list of measures to avoid, minimize, or mitigate unavoidable environmental impacts where practicable. Section 5.0 of the attached ROD contains a comprehensive list of environmental commitments that must be carried forward through the design, construction, and post-construction phases of the project.

4.0 COMMENTS AND COORDINATION

4.1 Public Hearings

The 45-day public comment period for the Supplemental DEIS began on April 5, 2019 and ended on May 20, 2019. An additional three days were added to the public comment period in order to satisfy ALDOT's Public Involvement Plan that allows the public to submit comments within ten working days following a public hearing. ALDOT hosted two public hearings during the comment period to solicit comments on the Supplemental Draft EIS:

- Tuesday, May 7, 2019: Spanish Fort Community Center, Spanish Fort, Alabama from 4:30 – 8:00 p.m.
- Thursday, May 9, 2019: Mobile Civic Center, Mobile, Alabama from 4:30 – 8:00 p.m.

A formal presentation began at 5:30 p.m. with a public forum following the presentation at both hearings. A total of 150 registrants, 42 of whom were ALDOT and consultant personnel, attended the Spanish Fort hearing. A total of 167 registrants, 39 of whom were ALDOT and consultant personnel, attended the Mobile hearing.

4.2 Summary of Public Comments Received

Fourteen (14) people spoke during the public forum portion of the Spanish Fort hearing. Eleven (11) people spoke during the public forum portion of the Mobile hearing. Court reporters were present during both hearings to prepare transcripts of the hearings and to accept verbal comments.

A total of fifteen (15) comment forms were received at the Spanish Fort hearing, and sixteen (16) comment forms were received at the Mobile hearing. An additional 628 written comments were received by online submission, e-mail, or mail. Comments submitted in duplicate or in multiple formats by the same individual were combined and

counted as one comment. A total of 684 comments were received and are summarized below.

Address of Commenter

The following is a breakdown of where the people who commented reside:

- Mobile County: 31%
- Baldwin County: 59%
- Other (outside of Mobile and Baldwin Counties): 7%
- Did not provide information: 3%

How often do you use I-10 between Mobile and Baldwin Counties a month?

The following is a breakdown of how often individuals who commented use I-10 between Mobile and Baldwin Counties each month:

Trips Per Month	Percent of People who Responded
0-4	18%
5-9	9%
10-14	9%
15-19	7%
20-24	9%
25-29	1%
30-39	4%
40	22%
41-49	6%
50-59	7%
60-71	4%
72-79	<1%
80	2%
81-90	<1%
120	1%
168	<1%

Do you think there is a need to add capacity to I-10 across the Mobile River and Mobile Bay?

Approximately 82 percent of the individuals who answered this question believe there is a need to add capacity to I-10 across Mobile River and Mobile Bay. Approximately 18 percent do not think additional capacity is needed.

Are you in favor of the project as proposed?

Of the 651 people who answered this question, approximately 14 percent said yes, and approximately 86 percent said no. Of the 558 people who answered no, around 34 percent of the people said it is because the toll is too high, and about 52 percent said it was because there should be no toll. The remaining 14 percent had other comments regarding why they do not agree with the project as proposed, including suggestions for other ways to reduce congestion or locations for the proposed bridge.

Other Comments

The following is a summary of how comments received that are similar in nature were grouped together:

Comment Group	Number of Comments
- Mention the need for more Federal money to be used for project	56
- Mention the need to use gas tax increase to pay for project	55
- Specifically request a higher discount for locals	36
- Believe that locals should be exempt from paying tolls	31
- Recommend Alabama implement a lottery to help pay for roads, schools, etc.	15
- Suggest leaving the existing Bayway alone for use by locals (non-tolled)	15
- Recommend ALDOT use the northern route and connect the Bayway to the Cochrane-Africatown USA Bridge and build an interstate connector through Africatown to I-165	15
- Recommend moving the bridge over the Mobile River to the south near Michigan Avenue to provide a bypass for through traffic	15
- Do not believe that Wallace Tunnel should be tolled	13

Comment letters containing substantive comments on the Supplemental DEIS were received from the following individuals/organizations:

- Herndon Inge, III, LLC,
- Africatown, C.H.E.S.S., MEJAC,
- Chris Elliott, State Senator,
- Levon Manzie, City Councilman, City of Mobile,
- Bernard Eichold, II, M.D., Dr. P.H., F.A.C.P.,
- USS ALABAMA Battleship Memorial Park,
- Coastal Alabama Partnership,
- Mobile Baykeeper,
- Alabama Trucking Association, and
- City of Mobile.

The Public Hearing Summary Report is contained in **Appendix A** of this FEIS. A disposition of substantive comments is contained in **Appendix B** of this FEIS.

4.3 Agency Comments

Of the five agencies who submitted comments on the Supplemental DEIS:

- The U.S. Department of the Interior, Bureau of Land Management, and the National Oceanic Atmospheric Administration, Fisheries Service, and the ADEM did not have substantive comments.
- The U.S. Department of the Interior, Office of Environmental Policy and Compliance, requested the Final Section 106 MOA and provided comments for consideration in the Combined FEIS/ROD related to Section 4(f). By e-mail dated July 18, 2019, FHWA transmitted the Final Section 106 MOA to the U.S. Department of the Interior along with responses to their comments. In

response, the U.S. Department of the Interior issued a new letter, dated July 26, 2019, with no objections to approval of the Section 4(f) Evaluation.

- USEPA, Region 4, provided recommendations for consideration in the Combined FEIS/ROD related to tolling, environmental justice, air quality, historic resources, water resources and water quality, dredging, and noise.

Copies of these letters and responses to comments are contained in the disposition of substantive comments in **Appendix B** of this FEIS.

4.4 Africatown/Plateau Community Surveys

In an effort to obtain input from the Africatown/Plateau community, the Africatown Community Development Corporation circulated surveys to residents of the community. The same surveys were provided by ALDOT to the public at the Africatown/Plateau community meeting held at Union Missionary Baptist Church on March 19, 2019. Responses to the surveys were received from 17 individuals after the Supplemental DEIS was signed. Input from these surveys was used to amend the environmental commitments for the project, as appropriate, in the attached ROD. Responses to these comments are contained in **Appendix C** of this FEIS.

4.5 Section 106 Consultation

Subsequent to the Supplemental DEIS, four churches in Africatown/Plateau were invited to serve as Section 106 Consulting Parties on this project. A copy of the invitation letter is contained in **Appendix D** of this FEIS. One church, Yorktown Missionary Baptist Church, accepted the invitation by letter dated May 6, 2019.

E-mails providing information about the dates of the Public Hearings were sent to Section 106 Consulting Parties on April 26, 2019. Letters notifying the Section 106 Consulting Parties of the availability of the Supplemental DEIS were sent to the Section 106 Consulting Parties by letter dated May 3, 2019. Copies of this correspondence are contained in **Appendix D** of this FEIS.

A disposition of comments pertaining to historic resources received during the public comment period is contained in **Appendix B** of this FEIS. Copies of the disposition of comments and a final draft of the Section 106 Memorandum of Agreement (MOA) were sent to the Advisory Council on Historic Preservation and Section 106 Consulting Parties on June 12 and 13, 2019. Copies of this correspondence are contained in **Appendix D** of this FEIS. The Final Section 106 MOA was signed on July 11, 2019, and was distributed to the Section 106 Consulting Parties by e-mail dated July 31, 2019. A copy of the Final Section 106 MOA is included in **Appendix D** of this FEIS and is available on the project website at www.mobileriverbridge.com.

5.0 REFERENCES

FHWA, 2019. Notice of Availability, EIS No. 20190046, Draft Supplement, FHWA, AL, Project No. DPI-0030(005) I-10 Mobile River Bridge and Bayway, Mobile and Baldwin Counties, Alabama. April 5, 2019. Available at:
<https://www.federalregister.gov/documents/2019/04/05/2019-06688/environmental-impact-statements-notice-of-availability>

Record of Decision



PROJECT NO. DPI-0030(005)
I-10 MOBILE RIVER BRIDGE AND BAYWAY
MOBILE AND BALDWIN COUNTIES, ALABAMA
RECORD OF DECISION
July 2019

Decision

The Federal Highway Administration (FHWA) concurs with the Alabama Department of Transportation in the choice to construct the Preferred Alternative. The Preferred Alternative consists of increasing 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 along the route designated as Alternative B', as identified in the attached Final Environmental Impact Statement.

The Selected Alternative meets the project's purpose and need of increasing the capacity of I-10 to meet existing and projected future traffic volumes, provides a more direct route for vehicles transporting hazardous materials, and minimizes impacts to Mobile's maritime industry. FHWA and ALDOT identified the Preferred Alternative as the environmentally preferable option because it will be located further away from historic resources in downtown Mobile, will avoid the use of Section 4(f) properties, and will minimize impacts on the maritime industry. For these reasons, FHWA chose the Preferred Alternative for construction.

This decision is based on an evaluation of information presented in the Draft Environmental Impact Statement and Supplemental Draft Environmental Impact Statement, as well as the project's purpose and need and input from the project team, agencies, tribes, and the public. Additional basis for this decision is contained in the remainder of this Record of Decision and the attached Final Environmental Impact Statement.

08/15/19

Date of Approval

Mark D. Bartlett

Mark D. Bartlett, P.E.
Division Administrator
Federal Highway Administration

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1.0 INTRODUCTION

The purpose of a Record of Decision (ROD) is to explain the basis for a project decision, summarize mitigation measures that will be incorporated in the project, and document any required Section 4(f) approval. In accordance with 40 CFR 1502.2, the ROD explains the project decision that has been reached based on the information contained in the Environmental Impact Statement (EIS) prepared for the project.

1.1 Background

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 Federal Highway Administration (FHWA) is the lead Federal agency under the National Environmental Policy Act (NEPA). The Alabama Department of Transportation (ALDOT) is the state agency responsible for the project, and the U.S. Army Corps of Engineers (USACE) and the U.S. Coast Guard (USCG) are Cooperating Agencies.

The DEIS for the proposed project was signed by the FHWA on July 22, 2014 (FHWA, 2014). Due to changes in the proposed project that occurred subsequent to the DEIS, specifically the addition of tolling as a funding source, it was determined that a Supplemental DEIS would be prepared. The addition of tolling led to a range of potential impacts that were not previously considered in the DEIS. The Supplemental DEIS was signed on March 26, 2019 (FHWA, 2019a).

1.2 Purpose and Need

The 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.

1.3 Combined FEIS and ROD

The I-10 Mobile River Bridge and Bayway FEIS is attached (FHWA, 2019b). As discussed in Section 1.3 of the FEIS, the project meets the criteria for combining the FEIS/ROD into a single document under 23 CFR 771.124 and MAP-21. Under this provision, the typical 30-day review period between the Notice of Availability and the issuance of the ROD is not applicable. Additionally, MAP-21 also reduces the statute of limitations to file a legal challenge from 180 days to 150 days after the ROD is signed. FHWA plans to file a Notice of Limitation on Claims for Judicial Review for this FEIS in the *Federal Register*. The date that the notice appears in the *Federal Register* will begin the 150-day statute of limitations.

2.0 ALTERNATIVES CONSIDERED

In the twenty-two years since the Feasibility Study was prepared for this project, a number of alternatives have been developed and evaluated. The history of the Build Alternatives developed and evaluated for the project are discussed in detail in the DEIS and the Supplemental DEIS. The No Build and four Build Alternatives were carried through the EIS process. The four Build Alternatives are shown on **Figure 1**.

2.1 Alternatives Previously Considered

The No Build, or No Action, Alternative constitutes a baseline condition from which to measure impacts. The No Build Alternative avoids the impacts associated with the Build Alternatives, but it does not meet the purpose and need of this project. Disadvantages of the No Build Alternative include increased congestion and more frequent, longer delays along the I-10 corridor, especially in the Wallace Tunnel. Under the No Build scenario, trucks hauling hazardous cargo would continue to traverse the central business district of Mobile.

All four Build Alternatives (Alternatives A, B, B', and C) would include a cable-stayed bridge over the Mobile River. The bridge would have six lanes with inside and outside shoulders. The bridge's minimum vertical clearance above the navigation channel would be 215 feet for all of the Build Alternatives. The location of the bridge crossing of the Mobile River would be slightly different for each of the Build Alternatives.

Alternative A is the northernmost alternative located in closest proximity to downtown Mobile. Alternative B is located slightly south of Alternative A. The Selected Alternative (Alternative B') is almost the same as Alternative B except that it is shifted on the western shore of the Mobile River to avoid historic structures and the Alabama Cruise Terminal. Alternative C is the southernmost alternative and is the alternative that is closest to the Port of Mobile operations south of the existing tunnels. All of the Build Alternatives would include tolling.

2.2 Selected Alternative (Environmentally Preferred Alternative)

The Selected Alternative will increase the capacity of I-10 by constructing a new six-lane bridge with 215 feet of air draft clearance (ADC) across the Mobile River to supplement the four-lane Wallace Tunnel. It also includes replacing the existing four-lane I-10 bridges across the Mobile Bay (the Bayway) with new eight-lane bridges. The Selected Alternative would provide a LOS B on I-10 in 2040 during peak traffic periods on the majority of the route. The Selected Alternative would also provide a direct interstate route for hazardous material transport, which is currently prohibited from using the Wallace and Bankhead Tunnels. It would be located far enough north to minimize adverse economic impacts to the maritime industry.

While the impacts associated with the other Build Alternatives would result in similar impacts per Section 4.15 of the Supplemental DEIS, an evaluation of the differences among the alternatives resulted in the conclusion that the Selected Alternative would result in the least damage to the biological and physical environment, as set forth in 40 CFR 1505.2(b). This determination was made by considering the context and intensity of impacts associated with each option, such as the type, quality, and sensitivity of the resources involved, the duration of the impact (temporary or permanent), and the setting of the project.

Identifying a Selected Alternative involved consideration of the positive and negative impacts of the four Build Alternatives and the No Build Alternative. The No Build Alternative would not meet the purpose and need of the project.

All of the Build Alternatives would meet the purpose and need of the project. As presented in the alternatives comparison matrix in Section 4.15 of the Supplemental DEIS, noticeable differences in impacts were identified in the areas of economic loss, business relocations, wetlands, essential fish habitat, noise, and Section 4(f) impacts. However, the primary differentiators among the Build Alternatives were focused on the visual impacts on downtown historic resources, potential impacts to the maritime

industry, and input from local stakeholders. An evaluation of these differences led to the identification of Alternative B' as the Preferred Alternative in the DEIS, and this ROD documents that Alternative B' is the Selected Alternative for the reasons described in the following paragraphs.

Alternative A was closest to a National Historic Landmark (Old City Hall) and the NRHP-listed Church Street East Historic District and would have the most visual effects of all the Build Alternatives. It does not use any Section 4(f) resources. In addition, a pylon in the water east of the navigation channel would create a potential safety concern, and would require armoring to protect against a ship collision. The City of Mobile and historic interests opposed this alternative. For these reasons, it was not identified as the Selected Alternative.

Alternative B is located further away from historic resources in downtown Mobile than Alternative A and would also have visual effects. Alternative B would impact Austal's administration building and would have a greater impact on Austal's employee parking area and the Alabama Cruise Terminal than the Selected Alternative.

Alternative C is located the farthest away from historic resources in downtown Mobile and would have the least visual effects. However, Alternative C would cross the NRHP-eligible BAE Maritime Historic District located on the east side of the Mobile River. Property would be acquired from the historic district for a bridge pier, resulting in an adverse impact to the district and the use of the Section 4(f) resource. As the southernmost alternative, Alternative C was preferred by some historic interests due to reduced visual effects on historic resources. In addition, Alternative C would have the most severe economic impacts on the maritime industry due to its more southern location along the Mobile River. The Mobile Area Chamber of Commerce, Eastern Shore Chamber of Commerce, Alabama State Port Authority, and other maritime interests opposed Alternative C due to the anticipated economic impacts it would have on the maritime industry.

The Selected Alternative was identified by balancing the competing interests and impacts of the project. This Alternative is located further south, away from downtown Mobile's historic resources, than Alternatives A and B. Alternative C is located further south but uses a Section 4(f) resource that the Selected Alternative avoids. This Alternative is also located far enough north to avoid the more severe economic impacts of Alternative C on the maritime industry. The Selected Alternative avoids the impacts that Alternatives A and B would have on the Alabama Cruise Terminal. Finally, this Alternative would avoid impacts to Austal's administration building and had less impacts than Alternative B on Austal's employee parking area.

In summary, Alternative B' was identified as the Selected Alternative because it:

- Meets the purpose and need of the project,
- Is located further away from historic resources in downtown Mobile than Alternatives A and B,
- Would avoid use of Section 4(f) properties, and
- Would minimize impacts on the maritime industry compared to the other Build Alternatives.

3.0 SECTION 4(f)

The Supplemental DEIS evaluates the project's impacts to Section 4(f) resources. As part of that evaluation, it was determined that the Selected Alternative would not result in Section 4(f) use.

4.0 MEASURES TO MINIMIZE HARM

FHWA and ALDOT committed to a comprehensive list of measures to avoid, minimize, and mitigate the impacts that would result from the project. These commitments are listed in Section 5.0 of this ROD. ALDOT will work with resource and regulatory agencies to obtain environmental permits and will continue to further avoid and minimize impacts, where practicable. All practicable measures to minimize harm, as described in the DEIS and Supplemental DEIS, have been incorporated into this decision.

5.0 ENVIRONMENTAL COMMITMENTS

Environmental commitments include the actions that ALDOT will implement to replace, offset, or substitute for unavoidable environmental impacts. **Table 1** displays the final environmental commitments for the project.

TABLE 1: FINAL ENVIRONMENTAL COMMITMENTS

COMMITMENT		SOURCE OF COMMITMENT
Lighting		
1	Lighting associated with the bridge approaches, bridges, ramps, roadway widening, and other components of the project shall be designed to meet current design criteria, while minimizing light pollution. In order to incorporate the newest technology available at the time of construction, lighting fixtures will not be specified until later in the design process. Measures to minimize light pollution on residential areas along I-10 shall be incorporated into the project through the use of light shielding technology, fixtures, and other means as appropriate. Measures to minimize light pollution on historic resources will be developed with input from the SHPO and Section 106 Consulting Parties through the Aesthetic Steering Committee. ALDOT will consult with the FHWA, the Aesthetic Steering Committee, and the selected design team during the design phase to ensure compliance with the Section 106 MOA.	Section 106 MOA, FEIS Appendix D
2	To prevent or minimize collision and nesting by migratory fowl, the maximum allowable duration for strobe (beacon) lighting on the bridge tower(s) will be requested in the FAA permit application(s) for the project. These lighting requirements will be coordinated with the USCG for compliance with navigational lighting requirements and the FAA for air traffic requirements as part of the permitting process.	USFWS, Telephone Memo, November 1, 2018, Supplemental DEIS Appendix I
3	Lighting shall be designed to minimize light spill into water to avoid and/or minimize impacts on aquatic species.	USFWS, Telephone Memo, November 1, 2018, Supplemental DEIS Appendix I
Bridge Aesthetics		
1	Opportunities to incorporate bridge aesthetics and contextual design of the proposed project will be developed as the design progresses with input from the SHPO and Section 106 Consulting Parties through the Aesthetic Steering Committee. ALDOT will consult with the FHWA, the Aesthetic Steering Committee, and the selected design team during the design phase to ensure compliance with the Section 106 MOA.	Section 106 MOA, FEIS Appendix D
Visual		
1	Aesthetic and landscape plans for areas within ALDOT's right-of-way, including areas beneath the bridge, will be developed and implemented. ALDOT will consult with FHWA, the Aesthetic Steering Committee, and the selected design team during the design phase to ensure compliance with the Section 106 MOA.	Section 106 MOA, FEIS Appendix D

COMMITMENT		SOURCE OF COMMITMENT
2	ALDOT understands the importance of maintaining and improving the tree canopy within downtown Mobile in areas that are outside of ALDOT's right-of-way. To achieve this, ALDOT has partnered with the City of Mobile in the <i>Right Tree, Right Place</i> program. This program places appropriate trees and landscaping throughout the City of Mobile. ALDOT has committed to contribute \$50,000 to the <i>Right Tree, Right Place</i> program to help maintain and improve the tree canopy in downtown Mobile. The City of Mobile will be responsible for administering this money. The <i>Right Tree, Right Place</i> Committee will make sure that trees and landscaping are implemented within the City's right-of-way that are compatible with the setting and comply with municipal regulations.	
Archaeology		
1	No ground-disturbing activities will be allowed on any parcels containing identified or potential archaeological sites until Phase I, Phase II, and/or Phase III investigations are complete and the results have been coordinated with the SHPO and tribes.	Section 106 MOA, FEIS Appendix D
2	Efforts will be made to avoid and/or minimize impacts on archaeological sites listed on, eligible for, or potentially eligible for listing on the NRHP. For sites where impacts cannot be avoided, mitigation will be performed in the form of Phase III Data Recovery or other approved alternative mitigation plans, as coordinated with the SHPO and tribes. Where required, Phase III Data Recovery investigations will be performed at affected parcels once specific impact locations are known and prior to commencement of ground-disturbing activities.	
Historic Battleship Park		
1	Existing access to the USS ALABAMA Battleship Memorial Park will not be altered in the final condition of this project. Access to the USS ALABAMA Battleship Memorial Park will be maintained before, during, and after construction of the proposed project.	Section 106 MOA, FEIS Appendix D
2	In order to improve signage directing travelers to the Park, ALDOT has developed a preliminary signage plan for the USS ALABAMA Battleship Memorial Park including proposed locations and types of signs. The plan was developed with input from the SHPO and the USS ALABAMA Battleship Memorial Park Commission. New signs are proposed to supplement the existing signs along the I-10 corridor. The signs will direct travelers from I-10 to the Park. ALDOT will meet with the USS ALABAMA Battleship Memorial Park Commission to finalize the signage plan prior to approving the final signage plan before construction begins.	
Vibrations		
1	In order to avoid vibration impacts on structures, Concessionaire shall:	Final Vibrations Study, Supplemental DEIS, Appendix M and Section
-	Limit vibration to a maximum level of 0.5 inch per second for modern structures and 0.1 inch per second for historic structures at the location of the structure.	

COMMITMENT		SOURCE OF COMMITMENT
-	Survey and monitor for potential vibration damage for all modern structures within 150 feet of vibration-causing construction operations and all historic structures within 250 feet of vibration-causing construction operations. In addition, due to concerns raised by the Section 106 Consulting Parties, vibrations will also be monitored at Christ Church Cathedral, Old City Hall (History Museum of Mobile), Condé-Charlotte Museum House, Phoenix Fire Museum, Austal, the Wallace Tunnel, and the Bankhead Tunnel. These structures are well beyond the distance where vibration levels of 0.5 and 0.1 inch per second were projected to occur based on the vibration study and, therefore, represent conservative survey distances to ensure adjacent structures are not damaged.	106 MOA, FEIS Appendix D
-	Concessionaire shall obtain the services of a competent vibration or seismologist consultant to conduct vibration surveys and monitor and record ground vibrations during the entire demolition and construction phase operations. If at any time the maximum vibration level is exceeded, the Concessionaire will be required to make appropriate changes to reduce vibration to acceptable levels prior to continuing operations.	
2	Prior to acceptance of the project, Concessionaire shall be required to submit a vibration report covering the life of the project. Photographic, video and other surveys of surrounding structures and utilities (pre-construction and post-construction) will be made as part of the documentation record.	
3	Any damage to historic structures due to vibrations resulting from construction activities will be repaired/restored in accordance with ALDOT Specification 107.12, 107.14 and 107.15 Protection and Restoration of Property, Landscape and Utility Facilities, 36 CFR 800.12 Emergency Situations and 36 CFR 68 The Secretary of Interior’s Standards for the Treatment of Historic Properties.	
Final Section 106 Memorandum of Agreement		
1	The Section 106 MOA will be finalized and signed by the FHWA, SHPO, ALDOT, and ACHP prior to the FEIS/ROD. <i>This commitment was satisfied with the signature of the Section 106 MOA on July 11, 2019, which is included in Appendix D of the FEIS.</i>	FEIS Appendix D
Bicycle and Pedestrian Facilities		
1	ALDOT’s preferred route is a bicycle/pedestrian facility from downtown Mobile via the Cochrane-Africatown USA Bridge and then to the USS ALABAMA Battleship Memorial Park. This route includes funding and building a bicycle and pedestrian shared use path from the I-165 southbound on-ramp at Bay Bridge Road to the Cochrane-Africatown USA Bridge. ALDOT will retrofit the Cochrane-Africatown USA Bridge to provide two protected bicycle and pedestrian lanes (one on each side of the bridge). The bicycle and pedestrian path will be a minimum of eight feet wide.	DEIS Section 3.8
2	ALDOT will work with local municipalities and the Bicycle and Pedestrian Advisory Committees to extend this route to downtown Mobile and to the USS ALABAMA Battleship Memorial Park.	

COMMITMENT		SOURCE OF COMMITMENT
3	ALDOT commits to constructing a belvedere (i.e., an overlook that provides a space for people to stop, rest, and enjoy the view) on the bridge at the west main tower. Access to the belvedere will be provided via an elevator and stair tower on the west side of the river.	
4	Crepe Myrtle Trail and Eastern Shore National Recreation Trail/I-10 Scenic Underpass Trail: Piers for the proposed bridge shall be placed to avoid impacting the Crepe Myrtle Trail and the Eastern Shore National Recreation Trail/I-10 Scenic Underpass Trail. Access to the I-10 Scenic Underpass Trail shall be maintained.	
5	Existing pedestrian facilities within the project limits will be reviewed for compliance or replaced to meet design criteria under the Americans with Disabilities Accessibility Guidelines or the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way.	
6	The proposed project will provide pedestrian facilities at the areas under the high level approaches to connect to the elevator/stair tower for the belvedere at Water Street and along the new South Claiborne Street Extension.	
7	Pedestrian facilities will also provide crossings of I-10 at the Virginia Street, Canal Street/Water Street, and US-90/US-98 East Tunnel interchanges.	
8	In Daphne, pedestrian facilities to provide a crossing of I-10 from north to south will be provided. This path will be via a connection from North Main Street to Old Spanish Trail or another safe and accessible path across I-10 that is developed as part of the final design phase.	
9	Bicycle lanes and/or a shared use path will be provided along the proposed South Claiborne Street Extension and at the following interchanges: Virginia Street, Canal Street/Water Street.	
10	A shared use path will be provided along US-90/US-98 within the project limits at the US-90/US-98 East Tunnel interchange.	
11	The bicycle lanes and/or shared use path along the South Claiborne Street Extension, Virginia Street, and Canal Street/Water Street will provide connectivity to the Crepe Myrtle Trail on the western shore of the Mobile River.	
Drainage		
1	The project’s drainage system shall be designed such that post-project flow conditions do not exceed pre-project flow conditions.	Supplemental DEIS Section 4.8.2
2	Coordination with the City of Mobile shall occur during the design phase to assure compatibility of the project’s drainage system with the City’s drainage improvement programs.	
3	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.	FEIS Section 2.0

COMMITMENT		SOURCE OF COMMITMENT
Environmental Stewardship – Stormwater		
1	<p>The following activities are ALDOT’s Environmental Stewardship Commitments and mitigation measures for stormwater impacts for this project:</p> <ul style="list-style-type: none"> - Sweeping on the Bayway Bridges: The practice of vacuum sweeping on the Bayway bridges to remove particulates that have accumulated on the shoulders of the bridges is a Best Management Practice that ALDOT has implemented. This is currently performed on a monthly basis as part of a regularly scheduled maintenance activity and will continue to be performed on a monthly basis. - Utilizing OGFC Pavements: ALDOT will utilize open grade friction course (OGFC) pavements on the I-10 roadway segments on the proposed project, excluding bridges and tunnels. - Vegetated Filter Strips: The use of vegetated filter strips on the shoulders and slopes will be evaluated and utilized on this project where practicable. - Environmental Stewardship Projects: ALDOT will continue to partner with local organizations on environmental stewardship projects in a similar manner to the Joe’s Branch Step Pool Storm Conveyance project to help improve water quality in ALDOT’s Southwest Region. 	Supplemental DEIS Section 4.8.2, Appendix H
Spill Containment		
1	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 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.	Supplemental DEIS Section 4.8.4, Appendix H
Bayway Construction		
1	Construction of the Bayway will be performed within the existing Bayway bridges’ footprint (outside edge to outside edge) except at the three interchanges (East Tunnel, Mid-Bay, and Eastern Shore US-90/US-98) where construction is permissible outside of the existing Bayway but within ALDOT’s existing right-of-way.	Supplemental DEIS Section 3.4

COMMITMENT		SOURCE OF COMMITMENT
2	Use of barges and/or top-down construction are the preferred construction methodologies for the Bayway. Final construction methodologies will be coordinated with the agencies and fully evaluated as part of the Final Mitigation Plan and the Section 404/401 permit application. Dredging may occur in within the limits of the previously disturbed construction channel in open water areas with water depths of less than six feet and where wetlands are not present.	Supplemental DEIS Section 4.14.2
3	In areas where water depths do not allow barges to float, barges shall not be allowed to rest on water bottoms in any particular location for durations of more than 30 days.	Supplemental DEIS Section 4.14.2
4	Concrete materials shall not be allowed to fall into the water. Concrete materials shall be collected for transport to a suitable disposal site.	Supplemental DEIS Section 4.14.2
5	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.	FEIS Section 2.0
Wetlands, Submerged Aquatic Vegetation, Essential Fish Habitat, and Coastal Zone		
1	A Draft Mitigation Plan has been developed for wetlands, Submerged Aquatic Vegetation (SAV), Essential Fish Habitat (EFH), and the Coastal Zone. This Draft Mitigation Plan shall serve as the basis for future coordination efforts with regulatory and resource agencies during the final design, permitting, and construction phases of the Project. Prior to construction, a Final Mitigation Plan shall be prepared that includes mitigation for each habitat type impacted, as necessary to obtain environmental permits. ALDOT has committed to a mitigation ratio of 1.5:1 for wetlands and a mitigation ratio of 2:1 for SAV.	Supplemental DEIS Section 4.7, Appendix F
2	Updated wetland and SAV surveys to delineate resources that will be impacted shall be performed to provide a basis for determining appropriate mitigation measures in the Final Mitigation Plan. Appropriate mitigation measures shall be developed in consultation with resource and regulatory agencies including the U.S. Army Corps of Engineers (USACE), USFWS, National Oceanic Atmospheric Administration (NOAA) - Fisheries, Alabama Department of Conservation and Natural Resources (ADCNR), Alabama Department of Environmental Management (ADEM), and the US Environmental Protection Agency (USEPA).	Supplemental DEIS Section 4.7
3	A monitoring plan shall be implemented for the mitigation area in accordance with the Final Mitigation Plan and environmental permits obtained for the Project.	Supplemental DEIS Appendix F
4	In order to minimize impacts to aquatic species during pile driving operations in the water, the Concessionaire shall: <ul style="list-style-type: none"> - Use a ramp-up pile driving procedure during the installation of piles in water. This procedure allows for a gradual increase in noise levels so that species have time to leave the area prior to full noise levels being released by pile driving. - Implement an Erosion and Sediment Control Plan to minimize the suspension of sediments in the water during construction. 	Supplemental DEIS Section 4.7.3, Appendix I

COMMITMENT		SOURCE OF COMMITMENT
5	Coordination with ADEM shall occur to develop practical atypical construction best management practices deemed necessary during the permitting process.	DEIS, Section 4.23
Threatened and Endangered Species		
1	<p>The USFWS issued an Incidental Take Permit and prescribed reasonable and prudent measures to be taken as well as Terms and Conditions that must be met for the Incidental Take provisions to be valid. Coordination with the USFWS during project development and implementation shall be maintained throughout the Project. The reasonable and prudent measures along with the Terms and Conditions are as follows:</p> <ul style="list-style-type: none"> - Work areas within the defined project area shall be fenced to exclude Red-bellied turtles. - All equipment staging areas located along the Causeway shall be selected in cooperation with the USFWS and fenced to exclude Red-bellied turtles. - Fencing shall be monitored and properly maintained for the duration of the project. - Work areas within the project corridor shall be cleared of Gulf sturgeon and Red-bellied turtles prior to placing work barges in the enclosures. - Work areas that are not enclosed with mesh fencing shall be cleared daily of Red-bellied turtles or Gulf sturgeon that might have entered the area. - Catch barges or vehicles shall be used to collect and remove debris resulting from the modification of the existing bridge structures. - Monitoring for dead, sick, or injured Red-bellied turtles or Gulf sturgeon shall be conducted on a daily basis. - In those areas where barges will rest on the bay bottom, mesh fencing or floating silt curtains, with a maximum 2" by 2" mesh, shall be attached to existing support columns to exclude Red-bellied turtles and Gulf sturgeon from the work area. This fencing shall be installed prior to moving barges along the work area and removed when work in the area is completed. - Staging areas are those areas where equipment will be stored overnight or longer periods of time. These areas shall be fenced using silt fence where possible. If fencing is impossible, the area shall be surveyed and cleared before vehicles are moved and all Red-bellied turtles removed and released into adjacent habitats. 	USFWS Incidental Take Permit, DEIS Appendix A

COMMITMENT		SOURCE OF COMMITMENT
-	Prior to placing platform work barges in place, the work area within the project area shall be cleared of Gulf sturgeon and Red-bellied turtles by trained personnel familiar with the species and permitted to take those species. Alabama Red-bellied turtles shall be sexed, aged, measured, and weighed before releasing in suitable habitat outside the project area. Gulf sturgeon shall only be removed from the water long enough to photograph for identification.	Supplemental DEIS Section 4.7.3
	Some of the concrete portions of the existing bridges to be removed shall be placed on catch barges or vehicles and later taken to the Gulf for the creation of fish habitat structures as part of the "Roads to Reefs" Program. Determining locations of these structures should be coordinated with the Alabama Department of Conservation and Natural Resources (ADCNR), Marine Resources Division. Permits for this disposal method will be obtained prior to any disposal activities.	
	Upon locating a dead, injured, or sick individual of an endangered or threatened species, initial notification must be made to the Fish and Wildlife Service Ecological Services Division at the Daphne Field Office at (251) 441-5864. Care should be taken in handling sick or injured individuals and in the preservation of specimens in the best possible state for later analysis of cause of death or injury.	
	The project shall conform to the specified incidental take provisions, and ALDOT shall maintain appropriate coordination with the USFWS.	
2	<p>Concessionaire shall adhere to the Alabama Standard Manatee Construction Conditions.</p> <ul style="list-style-type: none"> - The lead project proponent/Concessionaire shall instruct all personnel associated with the project of the potential presence of manatees and the need to avoid collisions with manatees. All construction personnel are responsible for observing water-related activities for the presence of manatees. The Concessionaire shall hire an individual(s) familiar with this species to act as a spotter(s) for manatees during in-water activities. - The lead project proponent/Concessionaire shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act of 1972 and the Endangered Species Act of 1973. - All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible. - If manatees are seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure their protection. These precautions shall include the operation of all moving equipment no closer than 50 feet of a manatee. Operation of any equipment closer than 50 feet to a manatee shall necessitate immediate shutdown of that equipment. Activities will not resume until the manatee(s) has departed the project area of its own volition. 	Supplemental DEIS Section 4.9, Appendix I

COMMITMENT		SOURCE OF COMMITMENT
	<ul style="list-style-type: none"> - Any collision with and/or injury to a manatee shall be reported immediately to the USFWS in Daphne (251-441-5181). - Temporary signs concerning the manatees shall be posted prior to and during all construction/dredging activities. All signs are to be removed by the lead project proponent/Concessionaire upon completion of the project. A sign measuring at least 3 ft. by 4 ft. which reads <i>Caution: Manatee Area</i> will be posted in a location prominently visible to water related construction crews. A second sign should be posted if vessels are associated with the construction and should be placed visible to the vessel operator. The second sign should be at least 8.5" x 11" which reads <i>Caution: Manatee Habitat. Idle speed is required if operating a vessel in the construction area. All equipment must be shut down if a manatee comes within 50 feet of operation. Any collision with and/or injury to a manatee shall be reported immediately to the U.S. Fish and Wildlife Service in Daphne (251-441-5181).</i> 	
	Environmental Justice	
1	<p>To lessen the disproportionately high and adverse impacts on EJ communities, ALDOT will implement the mitigation measures listed below. All of the mitigation measures will be implemented prior to tolling commencement unless otherwise stated.</p> <ul style="list-style-type: none"> - ALDOT will continue to meet with the Africatown/Plateau community as the project develops. - ALDOT will work with the Africatown/Plateau community to implement the mitigation measures through community outreach, public meetings, and a 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. - ALDOT will conduct a speed study to determine if changing the posted speed limits will have a beneficial effect. - Based on the results of the speed study, ALDOT will work with the Africatown/Plateau Steering Committee to evaluate and implement traffic calming measures that will be effective in reducing speeds along Bay Bridge Road without substantially increasing anticipated queue lengths. - ALDOT will install a caution signal at the crest of the Cochrane-Africatown USA Bridge to warn drivers that a signal awaits at the foot of the bridge. - ALDOT will provide traffic signals at Union Missionary Baptist Church (Bay Bridge Road Cutoff) and Magazine Street/Tin Top Road. 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 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. 	<p>FEIS Section 2.0</p> <p>Supplemental DEIS Appendix E, FEIS Section 2.0</p> <p>FEIS Section 2.0</p> <p>FEIS Section 2.0</p> <p>FEIS Section 2.0</p> <p>Supplemental DEIS Appendix E, FEIS Section 2.0</p>

COMMITMENT		SOURCE OF COMMITMENT
-	ALDOT will adjust signal timing along the non-tolled route, including Bay Bridge Road, to better accommodate local traffic movements.	Supplemental DEIS, Appendix E
-	ALDOT will construct the Cochrane-Africatown USA Bridge Shared Use Path from the I-165 ramp at Bay Bridge Road to US-90 on the east side of Mobile River and will work with local municipalities to provide future extensions from downtown to the USS ALABAMA Battleship Memorial Park.	Supplemental DEIS Appendix E
-	ALDOT will provide crosswalks at all of the signalized intersections along Bay Bridge Road 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 signage.	FEIS Section 2.0
-	ALDOT will install landscaping and historical/interpretive signage along the Cochrane-Africatown USA Bridge Shared Use Path.	Supplemental DEIS Appendix E
-	Paper Mill Road will be resurfaced from Bay Bridge Road to US 43. ALDOT will install streetscaping along this route.	Supplemental DEIS, Appendix E
-	Based on current traffic projections, ALDOT will develop an access management plan to help facilitate access to and from destinations along the US-90/US-98 Causeway. Strategies included in this access management plan may include installing traffic signals, medians with U-turns, mid-block signals, as well as other appropriate techniques. The access management plan will be implemented prior to tolling commencement.	Supplemental DEIS Appendix E
-	ALDOT will conduct a traffic study that documents existing and future hazardous cargo flow along Bay Bridge Road to compare actual numbers before and after construction of the project.	FEIS Section 2.0
-	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.	FEIS Section 2.0
ADCNR Public Facilities on US-90/US-98 Causeway		
1	Access to ADCNR's Five Rivers Delta Resource Center, Meaher State Park, and public boat ramps along the US-90/US-98 Causeway will be maintained before, during, and after construction.	Supplemental DEIS Section 5.0
2	The proposed project will avoid acquisition of property from the Five Rivers Delta Resource Center, Meaher State Park, and public boat ramps along the US-90/US-98 Causeway.	

COMMITMENT		SOURCE OF COMMITMENT
3	Special care will be taken to avoid nighttime construction noise impacts on Meaher State Park through coordination with the ADCNR. Construction noise levels at the nearest campsite at Meaher State Park Campground resulting from nighttime construction activities related to the proposed project will be monitored by the Concessionaire. Noise levels exceeding 70 dBA between 10:00 p.m. and 7:00 a.m. require prior coordination with Meaher State Park.	FEIS Section 2.0
Mobile County Metro Jail		
1	Permanent structures shall not be placed on the acquired right-of-way from Mobile County Metro Jail property.	ALDOT and Mobile County
2	The interior recreational fences within the acquired right-of-way from Mobile County Metro Jail property shall not be removed or tampered with.	
3	If access to this property is needed during construction, a temporary fence shall be constructed at the right-of-way line matching the existing fence and meeting the requirements of the Mobile County Metro Jail.	
4	Prior to the completion of the project, the temporary fence must be removed and existing fence must be replaced meeting the same requirements.	
Access Management Plan		
1	ALDOT will develop an access management plan to help facilitate access to and from destinations along the US-90/US-98 Causeway. Strategies included in this access management plan may include installing traffic signals, medians with U-turns, mid-block signals, as well as other appropriate techniques. The access management plan will be implemented prior to tolling commencement.	Supplemental DEIS Section 4.16, IMR
Non-Tolled Route		
1	ALDOT will maintain a non-tolled route across the Mobile River and Mobile Bay. The non-tolled route will include the existing US-90/US-98 Causeway, the Bankhead Tunnel, and the Cochrane-Africatown USA Bridge.	ALDOT, FEIS Table 1
Hazardous Materials		
1	Based upon the 2017 Preliminary Hazardous Materials Investigation Summary of Results:	Supplemental DEIS Section 4.3, Appendix C
-	Dust suppression efforts shall be implemented to minimize dust inhalation at the following sites: Site 2: Harrison Brothers (Tomly Barge), Site 3: Austal (former Mobile Abrasives), and Site 12: Shell Station.	
-	Groundwater encountered during construction shall not be used for potable purposes at any site.	

COMMITMENT		SOURCE OF COMMITMENT
-	Fuel lines are believed to still be in place on Site 7: Nellena & Stokley Property. An Underground Storage Tank Closure Assessment will be conducted in accordance with ADEM regulations and guidelines after acquisition and as part of the demolition process.	
Access to Austal		
1	Continuous access to Dunlap Drive and Addsko Road shall be maintained at all times unless approval from Austal is obtained at least 30 days prior to the required road closures.	Supplemental DEIS Section 4.4.2

6.0 MONITORING OR ENFORCEMENT PROGRAM

ALDOT's Design Bureau and Southwest Region are ultimately responsible for monitoring and enforcing mitigation measures and environmental commitments. The permits listed below will be required from Federal and state agencies prior to construction of the project. The agencies that will issue these permits and certifications are either Cooperating Agencies or have been involved throughout the project development process. The Concessionaire and ALDOT will be responsible for preparing and obtaining the necessary permits which will be submitted prior to construction and based on more detailed design. Information related to each type of permit is listed below.

USCG Bridge Permits

Bridge permits from the USCG will be required for the Mobile River Crossing and for the I-10 Bayway Crossings of the Tensaw, Apalachee, and Blakeley Rivers. The USCG is a Cooperating Agency on this project.

Section 401/404/10 Joint Permit Application and Notification (Individual Permit)

A Section 401/404/10 Joint Permit Application and Notification (Individual Permit) will be required for the proposed project. A Coastal Zone Consistency Determination will be issued as part of this joint permit in order to satisfy the requirements of the Coastal Area Management Program. The USACE is a Cooperating Agency on this project. Coordination will be maintained with the USACE to ascertain specific permit requirements under Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the CWA as more detailed design is performed. The USACE's Operations Division will perform a Section 408 review of the project concurrently with the review of the Joint Permit Application.

Federal Aviation Administration Forms 7460-1 and 7460-2

FAA Forms 7460-1 and 7460-2 will be required to obtain permits for permanent project components, such as the towers, main span, cables, and lighting, as well as temporary, construction-related project components, such as cranes. Form 7460-1 is a Notice of

Proposed Construction or Alteration, which must be submitted during the design phase to obtain input from the FAA that might affect design considerations or requirements. Draft Forms 7460-1 have been submitted by ALDOT to the FAA. Additional studies will be required based upon the final design developed by the Concessionaire. Form 7460-2 is a Notice of Actual Construction or Alteration, which must be submitted and approved prior to commencing construction. Coordination with the FAA will include beacon lighting requirements.

Section 7 Endangered Species Act, Incidental Take Permit for Gulf Sturgeon and Red-Bellied Turtle

Special coordination and formal consultation activities have been conducted with the USFWS related to the Endangered Species Act. An Incidental Take Permit from USFWS was required because of the possibility of inadvertent harm to Gulf sturgeon and Red-bellied turtle as a result of construction activities related to the Bayway widening. A Biological Opinion/Incidental Take Permit was granted by the USFWS and is included in the DEIS.

Section 402 of the Clean Water Act, National Pollutant Discharge Elimination System (NPDES) Construction General Permit

A NPDES Construction General Permit will be obtained from ADEM for construction of the proposed project. The NPDES permit requires implementation of appropriate BMPs and monitoring that will minimize impacts to water quality throughout the project. BMPs will be developed as provided in the *Alabama Handbook for Erosion Control, Sediment Control, and Storm Water Management on Construction Sites and Urban Areas*. BMPs and a monitoring plan, including special provisions to adhere to ADEM requirements for a priority construction site that crosses impaired waterbodies listed pursuant to Section 303(d) of the CWA, will be required.

Other Permits Required

In addition to the above-listed Federal and state permits, additional permits from local municipalities may be required for construction-related activities.

7.0 CONCLUSION

The environmental record for this decision includes the following documents:

- I-10 Mobile River Bridge and Bayway Draft Environmental Impact Statement, including appendices (FHWA, 2014);
- I-10 Mobile River Bridge and Bayway Supplemental Draft Environmental Impact Statement, including appendices (FHWA, 2019a); and
- I-10 Mobile River Bridge and Bayway Final Environmental Impact Statement, including appendices (FHWA, 2019b).

These documents, incorporated here by referenced, constitute the statements required by NEPA and Title 23 of the United States Code on:

- The environmental impacts of the project,
- The adverse environmental effects that cannot be avoided should the project be implemented,
- Alternatives to the proposed project,
- Irreversible and irretrievable impacts on the environment that may be involved with the project should it be implemented.

Having carefully considered the environmental record noted above, the mitigation measures as required herein, the written and verbal comments offered by other agencies and the public on this record, and the written responses to the comments, the Selected Alternative has been determined to be the environmentally preferable option, as discussed in Section 2.2. The Selected Alternative represents the best option for construction of the I-10 Mobile River and Bayway Project. FHWA finds that all practicable measures to minimize environmental harm have been incorporated into the design of the Selected Alternative. FHWA will ensure that the commitments outlined herein will be implemented as part of final design, construction, and post-construction monitoring.

8.0 REFERENCES

Federal Highway Administration, 2014. *Draft Environmental Impact Statement, Project DPI-0030(005), I-10 Mobile River Bridge and Bayway Widening, Mobile and Baldwin Counties, Alabama*. Signed July 22, 2014. Available at:

<https://mobileriverbridge.com/documents/>

Federal Highway Administration, 2019a. *Supplemental Draft Environmental Impact Statement, Project DPI-0030(005), I-10 Mobile River Bridge and Bayway, Mobile and Baldwin Counties, Alabama*. Signed March 26, 2019. Available at:

<https://mobileriverbridge.com/documents/>

Federal Highway Administration, 2019b. *Final Environmental Impact Statement, Project DPI-0030(005), I-10 Mobile River Bridge and Bayway, Mobile and Baldwin Counties, Alabama*.