NATIONAL TRUST FOR HISTORIC PRESERVATION®

August 31, 2011

John Sacksteder, PE
Project Manager
Community Transportation Solutions
Louisville - Southern Indiana Ohio River Bridges Project
305 N. Hurstbourne Lane, Suite 100
Louisville, KY 40223

Re: Comments on Draft Range of Alternatives Document (DRAD) for Ohio River Bridges Project Supplemental EIS

Dear Mr. Sacksteder:

On behalf of the National Trust for Historic Preservation, we appreciate the opportunity to submit comments on the Draft Range of Alternatives Document (DRAD) for the future Draft Supplemental Environmental Impact Statement (SEIS) for the Ohio River Bridges Project. We received the DRAD in the mail from the Federal Highway Administration (FHWA), offering us a 15-day comment period. In our view, limiting comments to a 15-day period in the middle of August is unreasonable. Nonetheless, we have done our best to develop comments as expeditiously as possible.

In general, we are pleased that the FHWA apparently intends to expand the scope of its analysis in order to include all of the alternatives that were originally reviewed for the 2003 FEIS, including single-bridge alternatives, as we strongly recommended in our July 15, 2011 comments. However, we urge the FHWA to consider a number of additional recommendations.

The Purpose and Need Factors Should be Revised.

In reviewing the five factors from the original purpose and need statement, we strongly encourage the FHWA to eliminate the fifth factor referring to "[l]ocally approved transportation plans that call for two new bridges," DRAD at 3, 7, 8. In contrast to the other four factors, which can be quantified and used to measure the relative benefits among alternatives, the reference to local transportation plans is utterly circular and self-fulfilling, and ultimately reflects nothing more than a political decision. It appears that the DRAD may essentially be proposing to downgrade this fifth factor in any event, or to treat it as redundant, based on the description on page 8. However, this should be made more explicit.

The Proposed Revision of the Metrics for Cross-River Mobility Will Thwart Meaningful Review and Comparison of Alternatives.

We strongly disagree with the proposal in the DRAD to measure "Cross-River Mobility" solely in terms of Vehicle Hours of Delay (VHD), rather than the additional two metrics that were used in the 2003 NEPA process—Vehicles Miles of Travel (VMT) and Vehicle Hours of Travel (VHT). DRAD at 8 n.3. Eliminating two out of three metrics that were used in the 2003 EIS would undermine the analysis,

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preventing "apples-to-apples" comparisons, and would result in an overly simplistic reliance on a single metric. Furthermore, it is a metric that appears less objective than VMT and VHT, because it inherently requires a comparison to a hypothetical baseline (i.e., vehicle hours that would have been traveled *without* the delay), which is subject to error or manipulation. Contrary to the unsupported assertion that VHD "is the measure that most closely correlates with the goal of reducing delay and improving mobility," DRAD at 8 n.3, VHD has been criticized by at least one state transportation official as a metric that does "not adequately describe mobility performance."[1] We strongly recommend that the original three-metric analysis be retained.

The Alignment for the Eastern Bridge Needs to be Re-Evaluated.

We are pleased to see that the analysis will include "re-assessing the alignment screening and selection decisions that were made in the 2003 FEIS," and evaluating whether current changes would lead to "different alignment preferences." DRAD at 9. This new evaluation is especially important for the Eastern Bridge alignment, for two reasons. First, cost-reduction is an important goal, and more information is now available than in 2003 about the cost estimates for construction of the mandatory tunnel under Drumanard, which has always been required by the FHWA for the A-15 alignment. Selecting a different alignment for the Eastern Bridge approach on the Kentucky side (i.e., one that would avoid Drumanard) could result in major cost reductions through elimination of the required tunnel. Second, it is important to recall that the Kentucky State Historic Preservation Officer (SHPO) had always taken the position that Alignment A-16 would be the least harmful alternative with respect to historic properties, *not* A-15, which was selected in 2003. The SHPO's position was originally articulated in a letter dated June 27, 2002 (attached), and was reinforced in a letter dated December 26, 2006 (also attached). We especially urge the FHWA to ensure that the re-evaluation of alternatives includes a careful look at alignment A-16.

Review of Cost/Financial Feasibility

We are pleased to see the following statement:

> It is recommended that if an alternative's cost estimate is substantially in excess of the $1.9 billion [estimated available funds], the alternative is not financially feasible. Alternatives will be considered reasonable in the SEIS

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[1] *See* http://cospl.coalliance.org/fez/eserv/co:5247/tra2100813internet.pdf (Jeremy Klop & Erik Guderian, "Linking of Mobility Performance Measures to Resource Allocation: Survey of State DOTs and MPOs" at 23 (Dec. 2008) (Colo. Dep't of Transp., DTD Applied Research & Innovation Branch) (Report No. CDOT-2008-13)).

> only if they include a revenue source that could be reasonably expected to cover the share of estimated project costs that exceeds $1.9 billion.

DRAD at 9. This financially responsible criterion is an especially important reason why the Draft SEIS must include consideration of single-bridge alternatives. Of course, the $1.9 billion assumption may be optimistic, but at least this is a useful starting point for a more realistic approach to financing this project. Based on the cost estimates reflected in the six sections of the matrix, almost $1 billion would still need to be raised from tolls or other sources in order to fund the modified two-bridge alternative as currently proposed. Finding that extra billion dollars will be an ambitious challenge indeed. Accordingly, single-bridge (i.e., less costly) alternatives must be included in the re-evaluation.

Recommended Range of Alternatives

We are pleased to see that the Range of Alternatives has been expanded to include all alternatives previously evaluated in the 2003 FEIS. DRAD at 21. We also support the inclusion of Transportation System Management (TSM) measures for consideration as part of all the alternatives. *Id*. Mass Transit should be treated in the same way.

Comments on the Matrix Comparing the 2003 EIS Selected Alternative and the new Modified Alternative

The section-by-section matrix describing the changes to the project for each of the six sections is extremely useful, and will serve as an important reference point going forward into the NEPA and Section 106 review process.

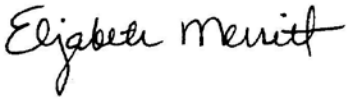
The modifications to Section 4 (Kentucky Approach to East End Bridge) raise a number of specific concerns, which will need to be addressed through Section 106 consultation in addition to the NEPA review.

- The modifications in the proposed tunnel profile (4th listed item) have the potential to exacerbate adverse effects, including noise and vibration effects, on a number of historic properties. These changes in adverse effects must be analyzed and assessed in detail through the Section 106 consultation process.
- The elimination of retaining walls and vertical rock cut facing walls (9th listed item) also have the potential to create or exacerbate adverse effects on historic properties. Although the description of the modified alternative suggests that the road would "remain within the original proposed right-of-way," the description of this feature for the EIS Selected Alternative states that the whole purpose of the retaining walls was "to minimize right-of-way impacts." These two statements are contradictory. A thorough review is

needed in order to ensure that adverse effects on historic properties are carefully understood, and avoided, minimized, and mitigated.

Thank you again for the opportunity to comment on the Draft Range of Alternatives Document.

Sincerely,



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