

From: Carlee Alm-LaBar calmlabar@LafayetteLA.gov
Subject: questions to prepare for 3/31 meeting
Date: March 22, 2017 at 12:25 AM
To: timothy.nickel@la.gov



Hi Tim,

Sorry in advance for the lengthy email. Following last week's EC meeting, I have been trying to wrap my head around both what happened at the meeting and what is being asked of me as an EC member, and I am left with the following questions/concerns. Once you review this email, let's try to figure out when we can meet (or talk on the phone) to discuss.

Process

I think it is fair to say that the process you all described in December was not what happened at the March 10 meeting. Having managed public processes, I understand the need to be fluid; however, in being fluid, it is my expectation as a committee member that I am brought along (and I hope the other two committees will be also). Specifically, I recall asking in December if there would be hybrid concepts created prior to Tier III, and I was told yes. In addition, we told the public that there would be an additional public meeting. Understanding the process and my role in the process is vitally important. I want to be a team player and a constructive partner in the best possible design for my community that also meets the goals of the state, and I worry that the decision to narrow to one series is premature.

The decision regarding 4v6

Reflecting on the meeting, I realized that it is my responsibility as an Executive Committee member to become comfortable with voting to take only one series into Tier III. As I reflected on what I know so far, I realized that I am going to need your help to get to that point. I have the following questions specifically related to advancing with one series only:

- 1) **Technical Memo:** I was surprised to learn at the last ETRT meeting that the technical memorandum, which was to help us compare the two series before us, has not been completed and may or may not be completed prior to the EC being asked to potentially pick one series over the other. Since the Executive Summary was completed in October, I am concerned that the document is not complete, and given the questions which we have both heard from the ETRT about the assumptions in that Technical Memo, I would ask that you provide me with a copy of the current draft so that I can deepen my understanding. I fear that given the lingering questions—expressed primarily by the ETRT—that I cannot perform the role I am expected to play on the EC without that information.
- 2) **Stantec's Scope/Cost to the State:** Much of the discussion at our last meeting was about the cost of continued study of the two series options at this point. I believe the DOTD position was that bringing Series 6 into Tier III would be more costly. In my review of the previous scope of work for the consultants on this project, and in thinking about projects that I have managed, I wanted to clarify that point. Does the contract cost (cost to the state) go up if we take both into the next Tier? (I understand that it may decrease Stantec's profit margins.) It would relieve my concerns on this issue—especially given how many questions still remain on the actual differences between the two series—if I could review the current scope of work for the relevant language or amendments to understand the cost impacts. I do not want to be later accused of being penny-wise, pound foolish—or—arguably worse, of making a premature decision for the community's choice which only serves to decrease Stantec's project costs.
- 3) **EIS/SEIS:** Based on a cursory (and uneducated) view of the Code of Federal Regulations that deal with the Environmental Impact Statement process. I am worried that moving forward in

the Supplemental EIS process with only one series would put this project at a disadvantage in the future (see CFR 771.127 and 771.130). I believe we all understand that there is a possibility that a future challenge could be lodged against our eventually selected alternative once we ultimately completed the SEIS and approve a supplemental record of decision. The way I read these passages (again, disclaimer that I do not read these things often), if we “fully evaluate” multiple scenarios all the way through the SEIS process, then we would have the option to choose one of those selected alternatives without having to restart the process all over again. In other words, fully evaluating Series 4 and Series 6 gives our community more options to withstand a lawsuit. I would like to have the conversation about exposing ourselves to this risk versus the benefits of keeping both series in.

The (local) case for Series 6 and/or the case for advancing both

Like many other people in the community, I certainly see issues and challenges related to Series 6 (drainage impacts and potential for flooding, for example, need to be fully explored and understood). That said, I definitely see opportunities that I believe warrant further exploration. Arguably, if I didn't, I might be more comfortable with moving into Tier III with only one option. I especially think that the City-Parish Government's long term ability to pay for the associated costs (and benefit from the structure) is improved with the Series 6 design. While that does not necessitate the selection of 6, it does mean to me as an EC member that I want to study the opportunities and tradeoffs more closely than I have had a chance to do (or will prior to our next meeting).

I understand that the state is seeking to control costs, and I commend you all for doing so—your financial struggles as a department are well-documented. And unfortunately, Series 6 may in fact be more expensive for the state, and—unlike local government—with no long term economic benefits expected in the form of financial returns. In part because of my management of the ETRT, one of the perspectives I bring to my roles as an EC member is to make sure that LCG is as aware of (as possible) and prepared for obligations down the road since the ETRT also seeks to understand LCG's ability to pay for necessary neighborhood improvements outside the footprint. Finding funding at the local level can be a challenge, especially in this case. A price tag of even \$20 million—less than 3% of a \$700 million project—would represent approximately an entire year's capital budget (for roads) for LCG. Some of the outstanding LCG funding questions—which are impacted when we narrow (especially if to Series 4 only)—are as follows:

- 1) **Signature Bridge:** Whether a signature bridge will be included in Series 4, who will pay for it, and how that bridge functions (e.g. Does it clear up space underneath the structure and present a “postcard” image for our city-- or is it traditional interstate with colored concrete and associated decorations?). It has not been made clear whether DOTD considers this (signature bridge) an “enhancement” that they won't fund as part of the project or as a “mitigation” strategy for the visual impacts of the structure (therefore eligible to be funded as part of the project). If LCG will be expected to pay for the signature bridge (in order to make it happen), that is a critical piece of information. If we don't know yet, that is also critical to understand as it becomes a case for leaving more options on the table.
- 2) **Environmental Remediation:** One of the local financial benefits of Series 6 is that it would necessitate the cleanup of the brownfield site as the land to build 6 is excavated. In the ETRT questions and resulting answers, your team acknowledged that the 4 series estimated costs only accounted for cleanup where the bridge piers would be. In contrast, in building the 6 series, our community can have the full area mitigated as part of the project cost. As we seek to

activate the space under the structure in Series 4, an unclear price tag for the cleanup and the likely expectation that would fall on the local government, leads me to favor the 6 series advancing to the next Tier in the process.

- 3) **Economic Assumptions:** While I understand that DOTD's primary purpose is to alleviate traffic congestion in the corridor (and it is part of the purpose and need of the project), I have a primary responsibility to consider the economic impact of this facility in the corridor. As some of the ETRT questions pointed out, the real measure of the economic development potential of this interstate is not only that it will move cars faster from one point to another—something that is measured in indirect impacts like “lost time from work.” While this is important, from a local perspective, I would ask that we (at least in our discussions) balance that against measures about whether or not the eventually selected and constructed alternative encourages rather than discourages investment and economic development along the corridor. At this point, based on the ETRT charrette work, it appears that Series 6 does a better job of this in the form of redevelopment potential and growing the tax base along the corridor (which can then be reinvested in the corridor). Series 6 avoids many of the problems caused by an elevated interstate like traffic noise and uninviting spaces underneath the structure, and if an effort is made to make urban-friendly design modifications to the version of Series 6 DOTD presented in Tier II (lowering design speeds on cross roads, avoiding neighborhood impacts, planning for parks, designing a limited cut-and-cap model rather than a full tunnel), the potential for the community improves further. Therefore, I believe Series 6 deserves a full evaluation in Tier III because of the economic development opportunities it presents.

Assumptions/questions moving forward (regardless of series)

- 1) **Urban Assumptions:** Candidly, regardless of the selected Series, I have been frustrated in how best to communicate how strongly I feel we must have a way to inject urban context into this process in more ways. During the Tier II analysis, I saw many of my comments reflected on the EC comments, but I have seen no movement towards changing Johnston Street's classification as a UA1 or drive to accommodate design exceptions. More than Johnston Street, I am even more worried about the design and assumptions of the portions of the Evangeline Thruway in McComb as we move forward. Those streets will serve many functions, and from a neighborhood perspective, arguably their most important function is how they serve McComb Veazey. They must also serve the interstate, to be sure, but they will only do both when we actively engage in the design discussion about urban context, road classification, exceptions to federal standards, etc.
- 2) **The Evangeline Thruway:** Relatedly, what the improvements will be made along the Thruway, whether they will aid in pedestrian mobility and set up an environment ready for neighborhood-friendly economic development (as opposed to functioning primarily as a six-lane frontage road similar to what we have today), who will pay for these improvements, and who will be responsible for the ultimate design are the questions on the table for the Thruway. Like the signature bridge feature, expectations in the community are high. But at this point in the process, it is unclear whether those expectations will be met, and who will ultimately pay for them.
- 3) **Mitigation vs. Enhancements:** I have a lot of questions about whether or not certain features of this project—from the signature bridge to bike trails—are considered mitigation techniques required by the Record of Decision or “enhancements.” This is an important distinction, as I understand it, because mitigation features are paid for by the project, with federal and state funding, while it has been indicated that enhancements would be funded locally. Who pays for what—and how those decisions are evaluated—is a critical question because many of these

what—and how those decisions are evaluated—is a critical question because many of these potentially costly features (that have raised public expectations and support for this project) could end up being placed on the backs of local taxpayers. If too many elements of the project end up as “enhancements”, many of those expected features are at risk to be underfunded and/or not funded at all. To be explicit, it is hard to imagine how local government would pay for a signature bridge, brownfield remediation, Thruway improvements, and amenities along the corridor.

Next Steps

I would ask that you and I figure out how to spend some time together over the next couple of weeks. If I am being asked to vote to narrow to one series, I will need a lot more information. Like the rest of the EC, my strong preference would be to achieve consensus; however, given that many members of the EC appeared to be leaning towards 4 series only, consensus seems difficult to achieve. If my level of discomfort stays high, I will likely want to forward this message to the entire EC in the coming days so that I do not blindside anyone with my perspective at the meeting.

Thank you for reading this very long email. As you know (like many others), I have put a lot of time and energy into this effort—both the local ECI work and the state’s project—and I am committed to a successful project. As many of us have said from the beginning, the complexity of this project is very high, so the best project will take a lot of hard work and sometimes difficult conversations to achieve the best possible outcome(s), and I see the questions above as a demonstration of that complexity. Thanks for all you are doing to keep this project moving, and I look forward to talking soon.

Thanks,
Carlee

Carlee Alm-LaBar | *Director, Planning, Zoning, and Development Department*
Lafayette Consolidated Government
220 W. Willow Street, Building B / P.O. Box 4017-C / Lafayette, LA 70502
p: 337.291.8013 / calmlabar@lafayettela.gov / lafayettela.gov

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