



State of Louisiana
DEPARTMENT OF JUSTICE
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November 10, 2022

VIA EMAIL AND US MAIL

Shawn D. Wilson, Ph.D.
Secretary, Louisiana Department of Transportation and Development
1201 Capitol Access Road
Baton Rouge, LA 70802-4438

RE: Phase I of the I-10: LA 415 to Essen Lane on I-10 and I-12 CMAR Project State Project
No. H.004100, Federal Project No. H004100; **Interstate 10 Lane Closures**

Dear Secretary Wilson:

My office has been contacted by several citizens and associations expressing concern over LA DOTD's announced plan to significantly reduce the number of travel lanes on I-10 in Baton Rouge for one year or more beginning in 2024. After reviewing the information provided by these constituents and additional information generated by your department, I too am concerned that the decision to move forward with this plan has been made without proper consideration of the resulting impacts or providing affected individuals the opportunity to state their views.

In statements to legislators, media outlets, and the public, LA DOTD has recently stated its intent to reduce capacity on both the eastbound and westbound lanes of I-10 from its existing six lanes to just two lanes – one lane in either direction – in an effort to reduce the time and costs associated with the project. While these are certainly important factors to consider when deliberating alternative courses of action, they do not exist in a vacuum. Instead, these decisions must be made in the best *overall* public interest based upon balanced consideration of many factors, including the social and economic impacts to Louisiana citizens and businesses.

In this instance, it appears not only that LA DOTD undertook no balanced consideration of the impacts that would result from reducing I-10 to one lane, but also that the department actively prevented such impacts from being evaluated. In particular, all of the studies and evaluations underlying approval of the I-10 widening project were explicitly premised upon the representation that three lanes of traffic in each direction would remain open during construction.¹ This same message was communicated to stakeholders during public meetings about the project and formed LA DOTD's official response to comments and questions about the effects of construction on traffic congestion and travel times.² As recently as August 24, 2022, LA DOTD representatives informed legislators that the "ground rules" for the project required the department to "maintain

¹ Stage 1 Environmental Assessment (EA), Exhibit A – October 2019 Line and Grade Study, at p. 6-1.

² EA Exhibit I, Public Meeting Comment Log; I-10 BR Public Hearing Presentation (November 18, 2019), available at: <https://t10br.com/archive/>.

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existing I-10 mainline traffic through the corridor.”³ In short, the current plan to eliminate multiple lanes of travel represents a complete abandonment of assurances provided by LA DOTD, creating new impacts with significant and far-reaching effects that appear to have never been taken into consideration.

While I applaud LA DOTD’s efforts to improve Louisiana’s infrastructure to alleviate current deficiencies and meet future demands, as Louisiana’s chief legal officer, I owe a duty to the public and the legislature to represent the public interest. Given the circumstances described above, this duty compels me to take action to ensure the decision to fundamentally alter travel to, from, and within our State’s capital for an extended amount of time was made after proper consideration of the anticipated impacts to the health, safety, and welfare of Louisiana citizens.

As a result, please consider this correspondence a formal request for LA DOTD to identify any evaluations or analyses demonstrating the department’s current plan to reduce the number of travel lanes on I-10 best serves the overall public interest, including those that address the anticipated social and economic impacts that will result from this approach. Please also provide copies of the contracts LA DOTD executed with the design consultant and CMAR contractor for the I-10 widening project so that the recent changes in the department’s strategy may also be considered in light of the obligations imposed by these agreements.

If you are unable to provide documentation demonstrating the benefits to be gained by severely restricting travel on I-10 outweigh the social and economic harms that will inevitably occur as a result, the project should only proceed in accordance with LA DOTD’s commitment to maintain existing capacity on I-10 at all times during project construction.

If you have any questions or if you would like to discuss this further, please do not hesitate to contact me.

For Louisiana,



Jeff Landry
Attorney General

cc: Charles W. Bollinger, P.E., Federal Highway Administration
Governor John Bel Edwards
Representative Mark Wright, Chair, House Transportation, Highways, and Public Works
Senator Patrick McMath, Chair, Senate Transportation, Highways, and Public Works

³ August 24, 2022 Meeting of Joint Committee on Transportation, Highways and Public Works, available at: https://house.louisiana.gov/H_Video/VideoArchivePlayer?v=house/2022/aug/0824_22_TR_Joint.