

## **FOR IMMEDIATE RELEASE**

### **CONTACT:**

Tony Harris, Alabama Department of Transportation, 334-242-6552 or [harrist@dot.state.al.us](mailto:harrist@dot.state.al.us)  
Barbara Shaw, MAWSS Public Affairs Mgr., 251-694-3113 or [bshaw@mawss.com](mailto:bshaw@mawss.com)

### **ALDOT, MAWSS SETTLE HIGHWAY 98 LAWSUIT**

**MOBILE, May 13, 2010** - The Mobile Area Water and Sewer System (MAWSS) and the Alabama Department of Transportation (ALDOT) have reached a settlement regarding an eight mile stretch of new Highway 98 being constructed from the Mississippi state line to just east of Glenwood Road.

MAWSS filed the suit against ALDOT in 2007 when MAWSS believed sediment runoff from the construction site threatened the drinking water supply. MAWSS wanted the road relocated out of the Big Creek Lake watershed, an Environmental Impact Statement performed and water quality improvement projects to mitigate the project's impact in the watershed. Since then, the parties have worked together to find a way to build the road using Best Management Practices that minimize the project's environmental footprint and limit impact to the watershed.

"This settlement is important for ALDOT being able to move forward to relieve heavy traffic congestion on existing Highway 98," said Transportation Director Joe McInnes. "From the moment problems were discovered, ALDOT took corrective actions and made significant design changes. We look forward to providing a safer Highway 98."

MAWSS Board Chair James W. Bell sees the agreement having far-reaching benefits for the community.

"Our main concern throughout the process has been protecting the water supply, not just for our customers, but for future generations," Bell said. "This agreement is something in which both organizations can take pride. It protects our water quality and the watershed by setting environmental protection standards that will be used for future state road construction in the watershed."

ALDOT agreed to make changes to the construction design which included extending the Big Creek Bridge to a span of 1,700 feet to further reduce wetland impact and modifying the previously agreed upon watershed mitigation measures by adding containment systems for treating stormwater runoff and potential hazardous material spills, and addressing concerns about slope stability and high groundwater.

In addition, ALDOT agreed to erect appropriate signage to direct vehicles transporting hazardous materials (placarded vehicles) away from the new Highway 98 in the watershed and reduce the speed limit on the existing Highway 98. Access to new Highway 98 in the watershed will be limited, and ALDOT will implement a Highway Access Management Plan for any future driveways or road cuts.

Water quality will be studied to evaluate the effectiveness of treatment measures. The study will be developed by ALDOT in consultation with MAWSS.

Parts of the agreement will apply to future work in the watershed.

ALDOT and its contractor, W.S. Newell, also agreed to pay a total of \$1.1 million to MAWSS.

# # #