



STATE OF MICHIGAN
DEPARTMENT OF HISTORY, ARTS AND LIBRARIES
LANSING

DR. WILLIAM ANDERSON
DIRECTOR

JENNIFER GRANHOLM
GOVERNOR

March 26, 2007

Rec'd
obr
3 April 2007

[REDACTED]
U S COAST GUARD
1240 EAST NINTH STREET ROOM 2019
CLEVELAND OH 44199-2060

RE: ER05-422 Ambassador Bridge Enhancement Project, Section 4, T2S, R11E, Detroit,
Wayne County (USCG)

Dear [REDACTED]

Under the authority of Section 106 of the National Historic Preservation Act of 1966, as amended, we have reviewed the above-cited undertaking at the location noted above. Based on the information provided for our review, it is the opinion of the State Historic Preservation Officer (SHPO) that the proposed undertaking will have an **adverse effect** on the Ambassador Bridge, which was determined eligible for the National Register of Historic Places by the Keeper of the National Register on June 6, 1986.

Spanning the Detroit River, connecting Detroit, Michigan with Windsor, Canada, the Ambassador Bridge is significant as the busiest international commercial crossing in North America. At the time of its completion in November of 1929, the Ambassador Bridge was the longest suspension bridge in the world. Its unique towers featuring distinctive diagonal cross-members and the name of the bridge mounted on top have become a visual landmark in the Detroit skyline.

This undertaking meets the criteria of adverse effect because: *the undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association [36 CFR § 800.5(a)(1)]* Specifically, the undertaking will result in:

- The introduction of visual, atmospheric or audible elements that diminish the integrity of the property's significant historic features. Specifically, with its size and scale and its location immediately adjacent to the existing structure, the proposed new bridge will become an overwhelming visual distraction, diminishing the integrity of the historic bridge.

In addition, the State Archaeologist, Dr. John Halsey, notes that archaeological resources may be affected at the project site; therefore, an archaeological survey should be conducted and submitted to this office so that we may complete our review, prior to any site clearance or construction activity.

Archaeological Concerns:

The specific area of concern for potential effect to archaeological resources is the proposed location of piers 2, 3, and 4, in the area between Fort Street and Jefferson Avenue. A report entitled *An Archaeological Evaluation of the West Riverfront Study Area*, prepared in 1984 by C. Stephen Demeter of Commonwealth Associates Inc., contains information about this location. Demeter states that this area

was part of Private Claim 20, which was granted to Robert Navarre by the Potawatomi on May 26th, 1771. At that time, the Potawatomi asked that Navarre look after their dead. Years later, burials were exposed by grading operations south and west of the project area, near the intersection of Jefferson Avenue and 24th Street. In 1779, a man named Brevoort was identified as the head of household on a parcel of land that comprised a portion of the original Navarre tract. Members of the Brevoort family continued to own and occupy property in this vicinity through most of the 19th century. On pp. 68-69 of the report, at the end of his discussion of Private Claim 20, Demeter states that, "As it presently stands, this property (the Brevoort farm) represents one of the more critical farm frontages of the old Detroit settlement, and should be considered as requiring more detailed investigation for the grounds lying between Fort Street and the original riverbank in the event of future development."

The information in Demeter's report raises the possibility that archaeological remains relating to 18th and 19th century settlement in Detroit could be present in the project area. Since this is an urban environment, we are aware of the possibility that development and construction may have disturbed or destroyed any archaeological deposits. However, it has been our experience that it is not uncommon for archaeological deposits to survive in urban settings, especially in areas where an original ground surface has been covered by fill. It is a distinct possibility that there may be archaeological deposits relating to early Euro-American settlement – or Native American occupation – buried beneath fill material in the vicinity of the proposed pier locations.

Based on aerial photos, it appears that part or all of the proposed location of piers 2, 3, and 4 is paved. Given this situation, plus the likely presence of fill deposits, archaeological investigation of the project area will probably require mechanized testing to determine the depth of fill, and ascertain whether any intact archaeological deposits exist beneath the fill. Appropriate field methodology to successfully test the area can be discussed with an archaeological consultant. Enclosed, for your convenience, is a list of archaeologists who have been found to meet or exceed the professional requirements for archaeologists.

Compliance Process:

The finding of adverse effect will prompt the U. S. Coast Guard, hereinafter referred to as "Agency", to consult further to resolve the adverse effect pursuant to 36 CFR § 800.6 by proceeding with the following steps:

(1) Per 36 CFR § 800.6(a), the Agency shall continue consultation with the SHPO and other consulting parties to develop and evaluate alternatives or modifications to the undertaking that could avoid, minimize or mitigate adverse effects on historic properties. The Agency shall submit a case study outlining these efforts for review by the SHPO.

(2) In accordance with 36 CFR § 800.6(a)(4), the Agency shall make information regarding this finding available to the public, providing the public with an opportunity to express their views on resolving adverse effects of the undertaking. Pursuant to 36 CFR § 800.11(e), copies or summaries of any views provided by consulting parties and the public shall be made available to the SHPO as part of the case study outlined in (1).

(3) The Agency shall immediately notify the Advisory Council on Historic Preservation (Advisory Council), Old Post Office Building, 1100 Pennsylvania Avenue, NW, Suite 809, Washington, D.C.

20004, of the adverse effect finding per 36 CFR § 800.6 (a)(1). The notification to the Advisory Council should be similar to the project information submitted to this office and should include the following documentation as outlined in 36 CFR § 800.11(e).

- A description of the undertaking, specifying the federal involvement, and its area of potential effects, including photographs, maps and drawings, as necessary.
- A description of the steps taken to identify historic properties.
- A description of the affected historic properties, including information on the characteristics that qualify them for inclusion in the National Register of Historic Places.
- A description of the undertaking's effects on historic properties.
- An explanation of why the criteria of adverse effect were found applicable or inapplicable, including any conditions or future actions to avoid, minimize or mitigate adverse effects.
- Copies or summaries of any views provided by consulting parties and the public.

(4) The Agency shall invite the Advisory Council to participate in consultation if the undertaking will affect a National Historic Landmark, if a Programmatic Agreement will be developed as a result of the finding of adverse effect, or if the Agency wants the Advisory Council to participate in consultation. The Advisory Council will advise of its decision to participate in consultation within fifteen (15) days of receipt of this notification or other request. If the Advisory Council chooses not to participate in consultation, the Agency shall resolve the adverse effect without Advisory Council participation and pursuant to 36 CFR § 800.6(b)(1).

(5) If the Agency, the SHPO and, if applicable, the Advisory Council agree on how the adverse effects will be resolved, they shall execute a Memorandum of Agreement (MOA) pursuant to 36 CFR § 800.6(c).

(6) If the Agency and the SHPO fail to agree on the terms of the MOA, the Agency shall request the Advisory Council to join the consultation. If the Advisory Council decides to join the consultation, the Agency shall proceed in accordance with 36 CFR § 800.6(b)(2). If the Advisory Council decides not to join the consultation, the Advisory Council will notify the Agency and proceed to comment in accordance with 36 CFR § 800.7.

The views of the public are essential to informed decision making in the Section 106 process. Federal Agency Officials or their delegated authorities must plan to involve the public in a manner that reflects the nature and complexity of the undertaking, its effects on historic properties and other provisions per 36 CFR § 800.2(d). We remind you that Federal Agency Officials or their delegated authorities are required to consult with the appropriate Indian tribe and/or Tribal Historic Preservation Officer (THPO) when the undertaking may occur on or affect any historic properties on tribal lands. **In all cases**, whether the project occurs on tribal lands or not, Federal Agency Officials or their delegated authorities are also required to make a reasonable and good faith effort to identify any Indian tribes or Native Hawaiian organizations that might attach religious and cultural significance to historic properties in the area of potential effects and invite them to be consulting parties per 36 CFR § 800.2(c).

Please note that the Section 106 process will not conclude according to 36 CFR § 800.6 "Resolution of Adverse Effects" until the consultation process is complete, an MOA is developed, executed and implemented, and, if applicable, the formal comments of the Advisory Council have been received.

The State Historic Preservation Office is not the office of record for this undertaking. You are therefore asked to maintain a copy of this letter with your environmental review record for this undertaking. If the scope of work changes in any way, or if artifacts or bones are discovered, please notify this office immediately.

If you have any questions, please contact Martha MacFarlane Faes, Environmental Review Coordinator, at (517) 335-2720 or by email at ER@michigan.gov. **Please reference our project number in all communication with this office regarding this undertaking.** Thank you for this opportunity to review and comment, and for your cooperation.

Sincerely,


State Historic Preservation Officer

BDC:DLA:ROC:mm

Enclosure

copy: Advisory Council on Historic Preservation
 Quinn Evans Architects



JENNIFER GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF HISTORY, ARTS AND LIBRARIES
LAN

DR. WILLIAM ANDERSON

July 13, 2007

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1240 EAST NINTH STREET ROOM 2019
CLEVELAND OH 44199-2060

Post-it® Fax Note	7671	Date	7/13/07	# of pages	▶
To	[REDACTED]	From	[REDACTED]		
Co./Dept.	US Coast Guard	Co.	SHPO		
Phone #		Phone #			
Fax #		Fax #			

RE: ER05-422 Ambassador Bridge Enhancement Project Draft Environmental Assessment,
Section 4, T2S, R11E, Detroit, Wayne County (USCG)

Dear [REDACTED]

Under the authority of Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, we have reviewed the Draft Environmental Assessment (EA) for the above-cited undertaking at the location noted above. Our review of this document in accordance with the National Environmental Policy Act (NEPA) is concurrent with our Section 106 review (per 36 CFR Part 800.8(c)), and information contained in this document is being considered as the case study of alternatives required under 36 CFR Part 800, the regulations implementing Section 106.

Before we proceed with comments on the EA itself, we request your clarification on a few legal matters pertaining to this project.

On June 26, the U.S. Coast Guard (USCG) responded via letter to a question from the Advisory Council on Historic Preservation (ACHP) regarding the USCG's authority for this project. Your response stated that *"The Coast Guard Bridge Administration Program is responsible for the issuance of Bridge Permits for construction, reconstruction, or alteration of bridges across navigable waters for the United States. The laws relating generally to the protection, preservation, and safety of the navigable waterways are found in Section 9 of the Act of March 3, 1899, as amended, 33 U.S.C. 401; the Act of March 23, 1906, as amended, 33 U.S.C. 491; the Act of June 21, 1940, as amended (Truman-Hobbs Act) 33 U.S.C. 511-523; the General Bridge Act of 1946, as amended, 33 U.S.C. 525; and the International Bridge Act of 1972, 33 U.S.C. 535. The Code of Federal Regulations for Bridge Administration and permit processing are found in 33 CFR 114-118."*

Upon our own analysis of these acts, we find that Congress specifically granted these authorities (in all instances which we could find) to the U. S. Secretary of Transportation. The United States Code does not specifically mention the USCG in these acts. Granted, the USCG was formerly under the Secretary of Transportation, which delegated these responsibilities to the USCG, and the USCG has traditionally maintained the role of issuing bridge permits. In addition, the regulations you refer to in your statement to the ACHP (33 CFR 114-118) do indeed provide the USCG with administrative procedures for processing bridge permits. However, the USCG no longer operates under the Secretary of Transportation but is now a part of the Department of Homeland Security (DHS). The question therefore remains as to when and how authority for issuing bridge permits was transferred from the Secretary of Transportation to the DHS, and therefore authorizes the USCG to continue issuing these permits. Please provide us with a copy of or reference to the appropriate statute(s).

Furthermore, the EA contains a frontispiece letter from American Consulting Engineers of Florida dated April 23, 2007. The letter notes that the Department of State "has confirmed that a Presidential Permit is

STATE HISTORIC PRESERVATION OFFICE, MICHIGAN HISTORICAL CENTER
702 WEST KALAMAZOO STREET • P.O. BOX 30740 • LANSING, MICHIGAN 48909-8240
(517) 373-1630
www.michigan.gov/hal

not needed for the construction of the second span." Please provide the SHPO with a copy of this referenced letter from the Department of State. Should we infer from this statement that this project is fact exempt from the International Bridge Act of 1972 (33 U.S.C. 535)? If so, for what reason(s)?

Finally, the SHPO, as a cultural agency, has some concern with how this project will impact cultural resources in general, whether within our jurisdiction or not. We remind you of the USCG's responsibilities under Section 402 of the NHPA (16 U.S.C. 470a-2), which states, "*Prior to the approval of any federal undertaking outside the United States which may directly and adversely affect a property which is on the World Heritage List or on the applicable country's equivalent of the National Register, the head of a Federal agency having direct or indirect jurisdiction over such undertaking shall take into account the effect of the undertaking on such property for purposes of avoiding or mitigating adverse effects.*" While we acknowledge that Canadian cultural resources are beyond our purview, we request that you provide us with evidence that the USCG has fully complied with this portion of the NHPA.

Comments on the EA

Section 1.0, Project Description

Our first comments concern the *Project Description* (Section 1.0) of the EA. Our office has studied hundreds of environmental assessments from various federal agencies. It is our understanding of the NEPA process that the purpose of this effort is to assess a problem or set of problems in order to establish the need for a potential project to address those problems. A rigorous analysis of several reasonable alternatives/solutions follows before finally identifying a preferred alternative/solution to the problem(s) based on numerous factors. In this case of this document, however, an inverted tactic seems to be taken. More specifically, the document sets out from the assertion (page 1) that "The project identified as the Ambassador Bridge Enhancement Project" [ABEP] or "Proposed Project" described in this document consists of the construction of an adjacent span to the Ambassador Bridge, just west of the existing span....The second span will be a new state-of-the-art cable stayed bridge that will connect directly to the Canadian and U.S. plazas owned by the DIBC/CTC." It seems to us entirely premature to announce not only the preferred alternative, but also the very design of the project on page one of the document before even the slightest argument has been made to support this alternative over the many other possibilities. By setting this tone at the outset, the remainder of the EA appears intent upon supporting the singular conclusion of a new bridge, rather than a sincere assessment of project alternatives.

In light of this concern and our comments on this document to follow, we believe a far more rigorous standard of analysis must be upheld in this EA. In fact, in the enclosed May 12, 2003 letter from James Connaughton of the Council on Environmental Quality to then Secretary of Transportation Norman Mineta, Connaughton writes, "*Courts have cautioned agencies not to put forward a purpose and need statement that is so narrow as to 'define competing 'reasonable alternatives' out of consideration (and even out of existence)*", (citing *Simmons v. US Army Corps of Engineers*, 120 F.3rd 664(7th Cir. 1997) and *Alaska Wilderness Recreation and Tourism Association v. Morrison*, 67 F.3rd 723 (9th Cir. 1995).

Indeed, other than the construction of a new bridge, it is not exactly clear to us what the purpose, let alone the need for the project, is from this section. Section 1.1.1 addresses *National Interest and Security Considerations* and Section 1.1.3 concerns *Trade Considerations*, both of which are issues of major public importance and may indeed reflect the ultimate need for this project (although a great deal more

data is needed to support the broad assertions made in either section – in the very least, footnotes or references to the data studies in the appendices would be helpful). However, how is a potential new crossing by the Detroit International Bridge Company (DIBC) the *best way* to meet this need, given the fact that alternatives vary from doing nothing, continuing use of the existing Ambassador Bridge, constructing a tunnel, or the proposed Detroit River International Crossing (DRIC) project proposed by the Federal Highway Administration (FHWA) and the Michigan Department of Transportation (MDOT)? This document does not make a strong argument for its case.

Regarding Section 1.1.2, *Support for the Project*, we will be interested to review the results of further public comment gathered for the both the NEPA and Section 106 processes. We question why this section does not present a more balanced viewpoint of public views on the project, and why, in a document of this nature, *only* letters of “support” for the project were included (Appendix A). It has not been our impression, based on what we have observed in the media and heard from community groups, that this is an accurate portrayal of public sentiment toward this project. We find it unlikely that there are no countering opinions on this project. Moreover, the letters in Appendix A bear certain remarkable similarities among them which suggest that these responses may have been prompted. Finally, we note that many of these letters support the DIBC in general (for its jobs creation, charitable donations, local investment, border security, etc.) but they do not consistently and specifically support the construction of a new Ambassador Bridge.

We question the statement, also made on page 1, Section 1.1, that this project is not part of other contiguous concurring projects such as the FHWA/MDOT “Gateway Project”. Surely the addition of a new bridge at this location will impact circulatory patterns and traffic congestion, among other potential impacts. The argument that appears to be made in this section is that since the FHWA approved an EA for the Gateway Project in 1997 which considered “construction of a new deck that will accommodate a future second span bridge to Canada”, the Gateway Project EA effectively addressed the environmental concerns associated with secondary impacts in the area of the bridge approaches. Notably, the SHPO issued an opinion of *no adverse effect* for the Gateway Project on November 7, 1996 (enclosed in Appendix H of this EA). From our standpoint, the fact that this EA references a statement concerning the interconnectivity between the Gateway Project and a new bridge span from the 1997 Gateway Project EA is strong evidence that the two projects form a common utility. A new span would not be under consideration were it not for the Gateway Project. Moreover, the passage of more than a decade since our comments on the Gateway Project signals the need for updated consideration of this geographic area in the EA for the Ambassador Bridge project.

In light of the potential cumulative and secondary impacts to surrounding areas, we want to have a greater understanding of how the USCG established the Area of Potential Effects (APE) presented to the SHPO on February 9, 2007 in the initial Section 106 consultation documentation for this project (see Appendix H of EA). In their June 29, 2007 request for Section 106 consulting party status, the Gateway Communities Development Collaborative (GCDC), through their counsel Tracy Andrews, asserts that *“The proposal to twin the historic bridge with a new, bigger modern bridge directly next to the historic Ambassador Bridge will destroy the historic visual value of the bridge, and thus also harm the historic and redeveloping neighborhoods around the bridge.....The new bridge will bring more traffic through the neighborhoods, increase the levels noise [sic] in the neighborhoods, add air pollution to the neighborhoods, and fundamentally alter the historic view and landscape of the neighborhoods.”* The GCDC will have an important role as we consider impacts of the project within the surrounding area. It is very possible that we will need to consider expansion of this project’s APE.

Section 2.0, Alternatives Analysis

As we indicated in our comments concerning Section 1, the EA document presents the construction of a new bridge span as a foregone conclusion. Moreover, the document provides sweeping claims of how this alternative will provide every benefit from increased jobs to reduced air pollution without any substantial data to support these claims (for example, Section 1.1.2, *Support for the Project* and Section 1.1.4, *Spin-off Benefits and Interrelated Projects*). The same trend continues in this section concerning alternatives analysis in which reasonable project alternatives are summarily dismissed for being too expensive or having too many environmental impacts, again without adequate data to support these claims. Any applicable data that is tucked away in an appendix should be brought forth into the main document.

We were rather confused by this section of the document, because it does not appear to flow in a logical manner towards an assessment of alternatives. In our experience, for example, it is customary for the alternatives analysis to begin with the "no-build" alternative. The fact that this section begins with the "build" alternative and "no-build" is not discussed until Section 2.2, further reinforces our opinion that the new bridge is dangerously close to being considered a foregone conclusion in this EA. Section 2.1.2 furthermore refers to the new bridge as the "preferred alternative", once again before any analysis has been provided to bring the reader to that same conclusion. The USCG appears to consider two basic alternatives: a "no-build" alternative (i.e. keep and rehabilitate the existing bridge) and a "built alternative", with the latter choice encompassing either another adjacent bridge of varying design/alignment, a complete replacement of the existing bridge, or a tunnel. We therefore count about nine alternatives/project variants under consideration.

Our comments will address each of the alternatives in the following order: no build; construction of a tunnel; construction of a new bridge (any alignment); and design of a new bridge.

No-Build

The discussion of the no-build alternative (section 2.2) provides probably the most compelling case in this document of the need for a new or modified crossing on the Detroit River. In fact, much of the information here should be in the initial purpose and need statement. This document attempts to make the case for the need for a safe, efficient and effective mode of transportation across the Detroit River and that the current Ambassador Bridge is approaching structural obsolescence for these purposes. However, this section does not provide any cost estimates for the rehabilitation of the bridge, nor does it explore what type of rehabilitation would need to occur for this bridge to remain functional. What will be the impacts to the bridge if this is done? Notably, Section 2.7 claims that "Higher traffic volumes are not anticipated as a result of this project and the purpose of the project is not to add capacity." If this is the case, then why wouldn't a careful rehabilitation of the existing bridge meet this need? This information must be assessed before we will be prepared to rule out the possibility of a no-build alternative. Finally, since this section is intended to be an analysis of a no-build alternative, the statement on pages 15-16 regarding the addition of a second span has no place here.

Construction of a Tunnel

The possibility that a tunnel might be an effective alternative crossing to the bridge is addressed in Section 2.4.2.3. While the tunnel may eliminate impacts to the Ambassador Bridge, immediately this analysis turns to the disadvantages of this alternative, ranging from higher construction costs, decreased functionality, engineering challenges and greater security concerns. We would expect that for a project of this magnitude, this section would be replete with studies of this alternative to support these claims. However, there is virtually no supporting data. What are the costs to construct a tunnel? What exactly are the environmental impacts? Do you have statements from resource agencies to support the assertion that "environmental impacts of a tunnel are greater than those associated with bridge alternatives"? What are the specific security concerns that a tunnel would create? How do all of these factors compare to the bridge analysis? The analysis of this alternative is not sufficient.

Construction of a New Bridge

The SHPO has already acknowledged that the construction of a new bridge, whether on an alignment adjacent to the existing bridge or entirely replacing the existing bridge will have the most negative consequences on the national register-eligible Ambassador Bridge (SHPO letter of *Adverse Effect*, March 26, 2007). While we have noted in our correspondence that these impacts would be visual, it has also come to our attention through review of the EA that we must also consider impacts to the existing bridge that may result from construction of a new bridge (such as impacts from construction vibrations and debris) but also from the unknown fate facing the existing bridge.

The EA quite openly states the intent to retain the existing Ambassador Bridge. Section 1.1 (page 1) announces, "By constructing a new state of the art span across the Detroit River, the existing span will be freed up to allow it to be rehabilitated and to then serve as a backup, redundant resource in case of an emergency or another impediment against the free flow of people and goods across the new span as well as serve as a pedestrian and bicycle facility." This essential claim was made in the initial Section 106 documentation presented to our office, and several times throughout the EA.

While we commend the DIBC in its desire to retain and rehabilitate the existing bridge, we question if this will in fact be the case. Other than the word of the DIBC, there are no statements from the USCG, U.S. Customs and Border Patrol, or other relevant agencies in support of retaining the historic bridge. Indeed, such a structure, if not used to its fullest capacity, could be viewed as a navigational hazard, financial burden, and/or a threat to homeland security, therefore leading to pressures calling for its eventual demolition.

This section of the EA must provide information as to the potential physical impacts of nearby construction on the bridge. In addition, what are the proposed plans and specifications for rehabilitation of the bridge? What assurance is there that there will not be future requirements for the demolition of the historic bridge stemming either directly or indirectly from the construction of a new bridge?

The potential loss of such a significant historic bridge and Michigan landmark is not an option the SHPO believes can be effectively mitigated through the Section 106 process. Given this potential scenario, it is crucial to our analysis of the EA that all alternatives to avoid adverse effects be considered in their entirety – even those not within the control of the DIBC. We therefore regret that the EA appears to

downplay impacts by claiming that the ABEP "*simply modifies* the existing crossing by replacing the lanes of an aging bridge structure that connect to existing plazas in the U.S. and Canada." (Section 2.3, *Corridors under Consideration*) This same section goes on to say, "As such, other alternative corridors are not being considered as they are beyond the scope of this project and would not meet the purpose and need and they would have substantial human and environmental impacts." This latter remark is in specific reference to the DRIC project.

It is our contention that this EA must give greater consideration to the DRIC project as an alternative to avoid adverse effects to the existing Ambassador Bridge. In the first place, we cannot follow the argument that the DRIC project does not meet the purpose and need of this EA because, as we have already stated elsewhere, this EA does not establish a clear purpose and need for the project. Moreover, the claim that the DRIC project would have "substantial human and environmental impacts" is unsubstantiated in this document. If the DRIC project would result in fewer impacts to cultural resources, particularly those as significant as the Ambassador Bridge, then it should be considered as a viable alternative to this project, even if it is outside of the control of the DIBC. We remind you that the Section 106 regulations require federal agencies and consulting parties to "develop and evaluate alternatives or modifications to the undertaking that could avoid, minimize or mitigate adverse effects on historic properties" (36 CFR Part 800.6 (a)). The regulations do not place limits on what alternatives may be considered.

Design of New Bridge

We are very surprised that the new bridge, as the "preferred alternative," is already in the design phase when the EA is only in draft form (Section 2.1.6) and a preferred alternative has not been finalized. Of the three types of structures considered in Section 2.4.2 *Structural Alternatives*, the document indicates the Cable Stayed Bridge was the preferred alternative. Through our opinion of *adverse effect*, the SHPO has already asserted that the proposed new bridge will become an overwhelming visual distraction and will diminish the integrity of the historic bridge. Therefore, the design for the new structure is important, and all options that would minimize the visual impacts on the historic bridge should be closely evaluated. If the new bridge is indeed the preferred alternative, the SHPO will want to work closely with the consulting parties to develop an acceptable design.

Section 2.4.2.1 addresses the potential for a "Twin" Suspension Bridge and asserts that this design would result in numerous environmental impacts, higher construction costs, and would be considered undesirable from a navigational perspective. Moreover, prior conversations with the DIBC and project consultants have led us to believe that suspension bridges are no longer constructed. However, we have now learned, through examples such as the 2003 Carquinez Straits Bridge near Vallejo, California, that this is certainly not the case. Therefore, the EA should be revised to include specific information regarding the costs, navigational problems and environmental impacts that could result from the construction of a suspension bridge. Similar information should be provided for cable-stayed bridges as points of comparison.

Other Comments

The rankings of various alternatives listed near the end of Section 2 are confusing. Why are cultural resources not considered in this evaluation? Who made these rankings, with what data and on what basis? How much public comment went into these rankings?

We are electing to reserve our comments on certain portions of this EA pending further discussion with the consulting parties for this project and further consideration of the project's APE. These sections, which also pertain to our Section 106 review, include comments related to impacts to cultural resources and *Visual Quality and Aesthetics* described in Section 3, as well as *Mitigation of Impacts* outlined in Section 4.

Summary

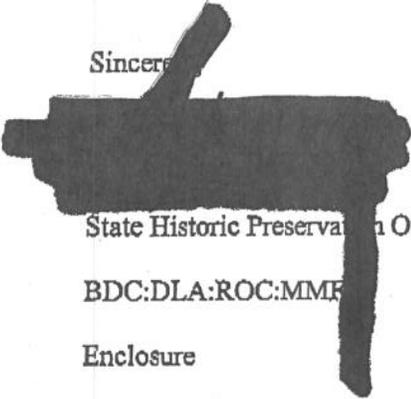
In summary, certain legal questions must be settled, as outlined in the beginning of this letter, and further information provided before the SHPO will be able to proceed in the Section 106 process. We must explore whether the APE should be revised and consider potential impacts within those geographic areas accordingly. It is our impression that the EA does not provide a rigorous analysis of many issues and we do not have a clear understanding of the purpose and need for this project. Construction of a new span, does not, in and of itself appear to us to be a valid purpose and need under NEPA (rather, this is a project alternative). When it comes to consideration of alternatives, the EA does not analyze in any depth the impacts, total costs, or other factors such as environmental impacts of the different alternatives. Furthermore, all of these alternatives should be given equal weight until it becomes clearer to the reader why one alternative predominates. Given that the future of the existing bridge has become a primary concern to the SHPO, we want to have a very clear understanding of the possible outcomes. In our considered opinion, eventual removal of the historic bridge would be an unacceptable outcome of this project and would cause the SHPO to consider petitioning for an Environmental Impact Statement (EIS) for this project due to the fact that the ABEP would result in significant impacts to the human environment.

Public comment and the contributions of the consulting parties will be crucial to the outcome of the Section 106 consultation process. We await the comments gathered for the Section 106 process and we expect to see a more balanced quality in the public comment than has been presented here. In the spirit of openness, future meetings regarding Section 106 consultation should involve all consulting parties to the project. In the same vein, we suggest that the USCG convene a meeting of all federal, state, and even international agencies who have expressed concern or interest in the ABEP to discuss the EA and address concerns and questions about this project.

The State Historic Preservation Office is not the office of record for this undertaking. You are therefore asked to maintain a copy of this letter with your environmental review record for this undertaking. If the scope of work changes in any way, or if artifacts or bones are discovered, please notify this office immediately.

If you have any questions, please contact Martha MacFarlane Faes, Environmental Review Coordinator, at (517) 335-2720 or by email at ER@michigan.gov. **Please reference our project number in all communication with this office regarding this undertaking.** Thank you for this opportunity to review and comment, and for your cooperation.

Sincerely,



State Historic Preservation Officer

BDC:DLA:ROC:MMF

Enclosure

- copy: , Olson, Bzdok and Howard, Traverse City, MI
- , MDOT
- , Advisory Council on Historic Preservation
- , Steptoe and Johnson, Washington, D.C.
- , USEPA, Chicago
- , FHWA, Lansing
- , American Consulting Engineers
- , Quinn Evans Architects
- , Canadian Transit Company
- , DIBC
- , FHWA, Lansing

In situations involving two or more agencies that have a decision to make for the same proposed action and responsibility to comply with NEPA or a similar statute, it is prudent to jointly develop a purpose and need statement that can be utilized by both agencies. An agreed-upon purpose and need statement at this stage can prevent problems later that may delay completion of the NEPA process. As Congress stated in the Federal Aid Highway Act of 1973, "It is the national policy that to the maximum extent possible the procedures to be utilized by the Secretary and all other affected heads of Federal departments, agencies, and instrumentalities for carrying out this title and any other provision of law relating to the Federal highway programs shall encourage the substantial minimization of paperwork and interagency decision procedures and the best use of available manpower and funds so as to prevent needless duplication and unnecessary delays at all levels of government", 23 U.S.C. §101(e); see also, CEQ's regulations implementing NEPA at 40 C.F.R. §§1500.4, 1500.5.

In the case of a proposal intended to address transportation needs, joint lead or cooperating agencies should afford substantial deference to the DOT agency's articulation of purpose and need. 49 U.S.C. §101(b)(5). This deference reflects CEQ's expectation and experience in other settings where an agency has the primary substantive expertise and program responsibility. If a cooperating or joint lead agency identifies substantive or procedural problems with the purpose and need statement, including an omission of factors, important to that agency's independent legal responsibilities, the agency should raise those issues immediately and, if necessary, elevate those issues to higher level decisionmakers in the region and at headquarters for resolution. Thoughtful resolution of the purpose and need statement at the beginning of the process will contribute to a rational environmental review process and save considerable delay and frustration later in the decisionmaking process.

Please let me know if you have any further questions regarding this issue. Thank you for your leadership and I commend your department officials for the work they are undertaking in fulfilling the President's direction.

Sincerely,

[Original signed by]



U.S. Fish & Wildlife Service



East Lansing Field Office
Ecological Services



2651 Coolidge Road, Suite 101
East Lansing, MI 48823
Phone: 517-351-2555
Fax: 517-351-1443

FAX TRANSMISSION COVER SHEET

Date: June 4, 2007

To: North Coast Guard District

Fax: 216 902 6088 (Telephone: _____)

Re: Public Notice 09-03-07 Detroit Int'l Bridge Co

Sender: Dark Hasler

YOU SHOULD RECEIVE 3 PAGE(S), INCLUDING THIS COVER SHEET. IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL 517-351-2555



United States Department of the Interior

FISH AND WILDLIFE SERVICE
East Lansing Field Office (ES)
2651 Coolidge Road, Suite 101
East Lansing, Michigan 48823-6316

IN REPLY REFER TO:

May 31, 2007

Commander (dpb)
Ninth Coast Guard District
1240 East Ninth Street – Room 2025
Cleveland, Ohio 44199-2060

Re: Public Notice No. 09-03-07, applicant Detroit International Bridge Company

Dear [REDACTED]

We have reviewed the Public Notice for the above referenced file, concerning the availability of the draft Environmental Assessment (EA) for the Ambassador Bridge between Detroit, Michigan and Windsor, Ontario, Canada. We submit these comments in accordance with the National Environmental Policy Act of 1969, as amended (NEPA).

General Comments

The draft EA identifies the six-lane cable stayed bridge on the western alignment as the preferred alternative. The draft EA provides a fairly thorough discussion of the environmental consequences from construction of the preferred alternative.

Specific Comments

Section 3.9.2 Avian: This section provides an analysis of the potential impacts to migratory birds from collisions with a new bridge structure. The draft EA correctly points out that few studies of avian mortality from collisions with bridges are available. This section states that focusing the lighting downward on the bridge will be considered as a means to minimize nighttime collisions. We support this measure but recommend the draft EA discuss other potential impacts and mitigation measures for lighting on the bridge. For example, studies of avian collisions with other structures (e.g., buildings, communication towers) indicate that bird kills appear to be correlated with the type of lighting, including color (e.g., red, white, green) and duration (e.g., continuously lit, variously flashing, strobe). In general, white strobe lights are believed to be the least dangerous to birds. We recommend the draft EA discuss the type of lighting that would be installed on the bridge and measures to minimize potential bird collisions.

We appreciate the opportunity to review the subject document. Please direct any questions to Barbara Hosler of this office at 517/351-6326 or the above address.

Sincerely,

A large, solid black rectangular redaction box covering the signature of the sender.

Field Supervisor

cc: MDNR, Wildlife Division, Lansing, MI (Attn: 
USEPA, Region 5, B-19J, Chicago, IL (Attn: 

#14

FIRST NATIONAL BUILDING
660 WOODWARD AVE., STE. 180
DETROIT, MICHIGAN 48226
PHONE 313•471•5100
FAX 313•471•5139
WWW.CL.DETROIT.MI.US

CITY OF DETROIT
DEPARTMENT OF ENVIRONMENTAL AFFAIRS

MEMORANDUM

To: The Honorable Detroit City Council
From: [REDACTED], PhD, MPH 
Director
Date: June 28, 2007
Subject: Detroit International Bridge Company - Ambassador Bridge Enhancement Project
Environmental Assessment, Detroit, Michigan

This memo provides a technical opinion on the Detroit International Bridge Company (DIBC)-Ambassador Bridge Enhancement Project, Draft Environmental Assessment Report, dated April, 2007. The Department of Environmental Affairs (DEA) received the report on May 12, 2007. The United States Coast Guard (USCG) is the lead federal agency for the proposed project. The objective of the DIBC project is to construct an additional bridge span (i.e., second span) capable of supporting six (6) lanes located west of the existing Ambassador Bridge. The proposed construction will be a Cable Stay bridge. The Environmental Assessment (EA) was developed pursuant to the National Environmental Policy Act (NEPA) process.

DIBC General Assumption

According to DIBC, the second span will not "significantly" contribute to adverse impacts in any category except for those that are not applicable, such as farmland. These facts are based on the premise that the existing Ambassador Bridge "will be rehabilitated and then serve as a backup, redundant resource in case of an emergency or another impediment against the free flow of people and goods, as well as serve as a pedestrian and/or bicycle facility." The idea is that the existing bridge will be replaced by or in lieu of the second span, whereby eliminating the need to assess cumulative impacts for air, noise, traffic, etc.

An EA, or more appropriately an Environmental Impact Statement (EIS), is required due to significant environmental impacts. The difference between an EA and an EIS rely on the significance and complexity of the proposed project and related environmental impacts. The EIS is the most comprehensive documentation of the NEPA analysis. DEA believes that due to the magnitude of the DIBC project and the potential for cumulative impacts that an EIS should be conducted.

An EIS would be able to discern the nature and extent of potential impacts of the second span as: 1) a single source from the construction and operation activities; 2) comparison of impacts with the existing span; and 3) cumulative effects of the existing and second span operations.

DETROIT
CITY CLERK
2007 JUN 29 P 2237



Overview of the Environmental Assessment

The DEA assessment of the EA is that it fails to provide substantive analysis of air, noise, and traffic data, among others. A study was not conducted to determine whether the outcome of the EA's many assertions are valid and accurate. It appears that the DIBC relied heavily on data developed for the Detroit River International Crossing (DRIC) as well as the EA and Finding of No Significant Impact (FONSI) conducted on behalf of the Gateway Project. In most cases, topics appear to be glanced over without quantitative analyses and or assessments. Phrases such as "if necessary", "minimal", "indirect", "not significantly contribute", "does not anticipate", "not expected", "minor increases", and "minor inconvenience" are stated throughout the document. Where these phrases are used there are no benchmarks to reference their significance. Furthermore, as these phrases are used, they alleviate the need for mitigation options.

In general, how can one improve traffic flow unless an expansion is created? The current bridge as referenced in the EA consists of four (4) highway lanes of traffic, with two lanes traversing northbound and two lanes traversing southbound. The second span will consist of six (6) lanes of traffic with three in each direction. In essence, the second span, once constructed will be larger than the existing bridge, however, no increase in traffic volume, no change in use or character of the study area, and no adverse impacts on the local population were anticipated in the study.

Specific Observations of Concern:

- No agency for the city of Detroit or city of Windsor was notified?
- No adverse impacts to land use and topography are anticipated from the construction or operation of the proposed project – No vibration study was conducted.
- Will any roads (e.g., W. Jefferson Avenue, Fort Street, etc.) be altered in any way due to the proposed project?
- The statement, "the proposed project will not directly impact Riverside Park," did not elaborate on the effects to the park as a result of construction and subsequent operations of the proposed project.
- Description of soil management was not clear and ambiguous in content.
- Compliance with federal state and local regulations were mentioned with no specificity as to what regulations, permits, and authorizations would be required in the event that mitigation measures are necessary.
- The EA needs to elaborate in detail on all topics under section 4.0 Mitigation of Impacts.
- Impacts to air quality are expected both during and after construction and operations of the proposed project in Detroit, but are not expected in Windsor. How can this be?



In conclusion, the technical review did not yield sufficient information to substantiate a FONSI and therefore DEA requests that a comprehensive study, EIS, be conducted in order to validate the EA findings.

cc: [REDACTED] Legislative Liaison
[REDACTED] DEGC

July 10, 2007

Commander (dpb)
9th Coast Guard District
1240 E. 9th Street - Room 2025
Cleveland, OH 44199-2060

**Subject: DEA's Opinion of the Detroit International Bridge Company
 Ambassador Bridge Enhancement Project Environmental
 Assessment Detroit, Michigan**

This memo provides a technical opinion on the Detroit International Bridge Company (DIBC)-Ambassador Bridge Enhancement Project, Draft Environmental Assessment Report, dated April, 2007. The Department of Environmental Affairs (DEA) received the report on May 12, 2007. The United States Coast Guard (USCG) is the lead federal agency for the proposed project. The objective of the DIBC project is to construct an additional bridge span (i.e., second span) capable of supporting six (6) lanes located west of the existing Ambassador Bridge. The proposed construction will be a Cable Stay bridge. The Environmental Assessment (EA) was developed pursuant to the National Environmental Policy Act (NEPA) process.

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An EIS would be able to discern the nature and extent of potential impacts of the second span as: 1) a single source from the construction and operation activities; 2) comparison of impacts with the existing span; and 3) cumulative effects of the existing and second span operations.



Overview of the Environmental Assessment

The DEA assessment of the EA is that it fails to provide substantive analysis of air, noise, and traffic data, among others. A study was not conducted to determine whether the outcome of the EA's many assertions are validate and accurate. It appears that the DIBC relied heavily on data developed for the Detroit River International Crossing (DRIC) as well as the EA and Finding of No Significant Impact (FONSI) conducted on behalf of the Gateway Project. In most cases, topics appear to be glanced over without quantitative analyses and or assessments. Phrases such as "if necessary", "minimal", "indirect", "not significantly contribute", "does not anticipate", "not expected", "minor increases", and "minor inconvenience" are stated throughout the document. Where these phrases are used there are no benchmarks to reference their significance. Furthermore, as these phrases are used, they alleviate the need for mitigation options.

In general, how can one improve traffic flow unless an expansion is created? The current bridge as referenced in the EA consists of four (4) highway lanes of traffic, with two lanes traversing northbound and two lanes traversing southbound. The second span will consist of six (6) lanes of traffic with three in each direction. In essence, the second span, once constructed will be larger than the existing bridge, however, no increase in traffic volume, no change in use or character of the study area, and no adverse impacts on the local population were anticipated in the study.

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-
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In conclusion, the technical review did not yield sufficient information to substantiate a FONSI and therefore DEA requests that a comprehensive study, EIS, be conducted in order to validate the EA findings.

Respectfully yours

[Redacted signature]

Director

VRN/ras

cc: Honorable [Redacted], Mayor
[Redacted], Chief Development Officer
[Redacted] Director – City Planning Commission
[Redacted] Legislative Liaison
file



U.S. ENVIRONMENTAL PROTECTION AGENCY - REGION 5
77 WEST JACKSON, CHICAGO, IL 60604

OFFICE OF ENFORCEMENT AND COMPLIANCE ASSURANCE

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
[Redacted]	[Redacted] NEPA Implementation Section (B-19J)
COMPANY:	DATE:
United States Coast Guard	7/17/2007 7/18/07
FAX NUMBER:	FAX NUMBER:
216-902-6088	
PHONE NUMBER:	PHONE NUMBER:
	(312) 353-5794

RE:

NOTES/COMMENTS:

Please see EPA's letter on the Ambassador Bridge Enhancement Project. I would be happy to discuss these comments with you if you have any questions or concerns. Thanks.

total no. of pages, including cover: 7 + 1 (Confirmation of fax for 7/17/07, in case you need it)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JUL 17 2007

REPLY TO THE ATTENTION OF
B-19J

[REDACTED]
United States Coast Guard
Office of Commander (dpw-3)
Ninth Coast Guard District
1240 East Ninth Street
Cleveland, Ohio 44199

RE: Comments on Environmental Assessment for Construction of Second Fixed Highway Bridge over the Detroit River Known as the Ambassador Bridge Enhancement Project (ABEP)

Dear [REDACTED]

The United States Environmental Protection Agency (U.S.EPA) has responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act to review and comment on major federal activities subject to the National Environmental Policy Act (NEPA). EPA is submitting comments to you regarding the Ambassador Bridge Enhancement Project (ABEP) environmental assessment issued by the Coast Guard and the NEPA evaluation done by the Detroit International Bridge Company (DIBC) for the ABEP.

On August 30, 2006, we submitted comments on the Project Description and Type 2 Draft Categorical Exclusion Environmental Documentation Public Notice 09-03-06 for the approval of location and plans for the construction of a second fixed highway bridge over the Detroit River for the ABEP project. In those comments, we suggested that more detailed analysis be done, above and beyond what was done for the Draft Categorical Exclusion (CATX). The primary reasons for this recommendation were: 1) the need to provide information on the relationship of the project to other international crossing projects; 2) uncertainty regarding status of the existing bridge and ultimate bridge build-out capacity; 3) the lack of analysis regarding consistency with local government land use plans; and 4) air quality, stormwater, endangered species, historic resources and cumulative effects concerns.

Although the Environmental Assessment (EA) provides more information than what was presented in the Draft CATX, a number of issues remain. We continue to have concerns environmentally and procedurally. We recommend that the Coast Guard address these concerns before reaching a permit decision. Those issues are discussed in the enclosed detailed comments.

Thank you for the opportunity to comment on the EA. If you have any questions on our comments, please contact Sherry Kamke, of my staff. Sherry can be reached by phone at (312) 353-5794 and by e-mail at: kamke.sherry@epa.gov.

Sincerely yours,

[Redacted signature block]

Supervisor, NEPA Implementation
Office of Enforcement and Compliance Assurance

Enclosure

cc: [Redacted], DIBC
[Redacted], FHWA
[Redacted], MDOT
[Redacted], CEAA
[Redacted], Transport Canada
[Redacted], Facs, Michigan SHPO
[Redacted], Michigan DEQ

*Detailed United States Environmental Protection Agency (U.S. EPA) Comments on the
Ambassador Bridge Enhancement Project (ABEP)
Environmental Assessment (EA) Prepared by the Detroit International Bridge Company*

Relationship of ABEP to Other DIBC Proposals – U.S. EPA is concerned how the ABEP project relates to other proposals that the Detroit International Bridge Company has put before the Federal Highway Administration (FHWA) and Michigan Department of Transportation (MDOT). We understand that DIBC has discussed other projects such as additional plaza work and local roadway modifications (Fort Street relocation). If these projects will be triggered by this proposal or if these other projects are interdependent on the ABEP project, they should be considered connected actions and analyzed along with the ABEP proposal. This point is an important one to consider because it relates to the scope of the NEPA analysis. We recommend that the Coast Guard address this in their NEPA evaluation.

Uncertainty Regarding Status of Existing Bridge and Ultimate Bridge Capacity - As stated in the documentation, the ABEP would simply tie the existing plazas in both Canada and the U.S. together via a new 6-lane bridge including two new lanes for trucks using the FAST system. The EA indicates that once the new structure is completed, the existing bridge will be taken out of service and evaluated, then placed back in service for either bicycle/pedestrian use or to be used as a redundant structure. Provisions for bicycle/pedestrian plaza facilities were not discussed in the EA. Further, we understand that repairs are in process on the existing structure that will bring the bridge up to standard. We question whether such a large investment in infrastructure would be left to sit idle without vehicle traffic. It is more likely that there would be economic and traffic pressures to use the maximum amount of bridge capacity for vehicular traffic. Therefore, we believe a reasonable assumption could be made that 10 lanes of bridge capacity would be present at this location. Environmental analyses depicting the vehicular use of all 10 lanes should be undertaken as part of this EA.

Coordination With CEAA on Canadian Concerns – The EA includes a discussion of the Canadian environmental process used to evaluate the ABEP proposal on the Canadian side. At this stage in that environmental assessment process, it is not clear what the results of the Canadian process will be or if there are issues that could make the current ABEP proposal inconsistent with locally desired social, economic, or environmental conditions. The EA isn't clear how Canadian concerns regarding impacts would be considered in the Coast Guard's decision. We recommend that the Coast Guard coordinate with the Canadian Environmental Assessment Agency (CEAA) to determine how the NEPA process should consider the Canadian environmental evaluation and decision. We are aware of the reasons why the Bi-national Transportation Partnership involved in the Detroit River International Crossing (DRIC) project considered and then eliminated from further consideration a new crossing structure in the area of the existing Ambassador Bridge. The EA does not include any information about how those concerns would be addressed in the ABEP proposal. Even though the ABEP proposal is different than the DRIC proposal, the issues associated with providing a new structure in the area of the existing Ambassador Bridge should be discussed. Issues such as existing and future plaza capacity, existing and future connecting

roadway capacity, and community impacts need to be discussed thoroughly in the Coast Guard's EA for both the United States and Canada.

Environmental Concerns

The Draft CATX document and the Coast Guard public notice indicate that footprint impacts from constructing the bridge may be largely avoided, since there are no structures planned to be placed in the Detroit River, or in any wetlands or floodplains. However, operational impacts - those impacts associated with six to ten lanes of traffic across the Detroit River - have not been completely assessed. The EA states that the new bridge would simply replace the existing structure. As we stated above in our capacity comment, the ultimate bridge capacity is uncertain, but we assume that 10 lanes of vehicular traffic (8 through lanes and 2 FAST lanes) could use the bridge structures. The additional traffic volume would have measurable impacts on the environment, such as stormwater runoff from additional impervious surface and air quality from additional mobile source emissions. Discussion of construction impacts and mitigation should also be included. A complete assessment of environmental impacts from the project should be done before a NEPA decision is made. The key environmental aspects that require additional analysis are listed below.

Air Quality - This project will be located in an ozone nonattainment area, a carbon monoxide (CO) maintenance area, fine particulate (PM_{2.5}) nonattainment area, and coarse particulate (PM₁₀) maintenance area. We expect that the additional bridge capacity would contribute to an increase in vehicle miles traveled (VMT) and would therefore have an effect on air quality. Heavy-duty diesel vehicles represent around half of all projected traffic of the ABEP. Emissions from idling diesel trucks in the area at plaza operations and from traffic on the bridge and surrounding highway systems are a human health concern. Even with more stringent heavy-duty highway engine standards taking effect over the next decade, during the next twenty years millions of diesel engines already in use will continue to emit large amounts of nitrogen oxides and particulate matter, both of which contribute to serious public health problems.

Long-term (i.e., chronic) inhalation exposure to diesel exhaust is likely to pose a lung cancer hazard to humans, as well as damage the lung in other ways depending on exposure. Diesel exhaust is listed as a human carcinogen in California and a likely human carcinogen by U.S. EPA. Short-term (i.e., acute) exposures can cause irritation and inflammatory symptoms of a transient nature, these being highly variable across the population. The assessment also indicates that evidence for exacerbation of existing allergies and asthma symptoms is emerging. U.S. EPA recognizes that diesel exhaust, as a mixture of many constituents, also contributes to ambient concentrations of several criteria air pollutants, including nitrogen oxides and fine particles, as well as other air toxics.

To address these issues, we recommend that analyses should be conducted to assess air quality impacts from this project. First, FHWA has indicated to you that ABEP would be a regionally significant transportation project that should be included in the Detroit Metropolitan Long Range Transportation Plan and undergo an air quality conformity analysis. The Mobile 6.2 model should be used to assess regional air quality for criteria pollutants. Second, a qualitative hot spot analysis

for PM2.5 and PM10 should be done and included in the Coast Guard's NEPA documentation. Guidance is available at <http://www.fhwa.dot.gov/environment/conformity/pmhotspotguid.pdf>. Additionally, the American Association of State Highway and Transportation Officials project report entitled, "Analyzing, Documenting, and Communicating the Impacts of Mobile Source Air Toxic Emissions in the NEPA Process," March 2007, (found at [http://www.trb.org/NotesDocs/25-25\(18\)_FR.pdf](http://www.trb.org/NotesDocs/25-25(18)_FR.pdf)) provides information and guidelines on available analytical methods to assess mobile source air toxics in a NEPA context. We believe this document should be consulted and considered for use by the Coast Guard because of the project's effect on diesel particulate matter. The project should include an analysis for mobile source air toxics (MSAT) and diesel particulate matter. At the very minimum, an inventory burden analysis should be conducted for the various years.

Ultimately, we are interested in seeing that the proposal mitigates for diesel emissions to the maximum amount possible. We are concerned that no air quality mitigation is proposed or discussed in the EA. Various mitigation actions and strategies should be considered for this project, including those that reduce diesel emissions during construction and operation. Mitigation measures that should be considered include shifting transportation corridors to avoid residential areas, anti-idling measures and efficient management of truck traffic.

We recommend that the project proponents consider a construction emissions reduction plan which includes Best Available Diesel Retrofit Control Technology (BACT) and other measures to minimize emissions during construction. Measures could include but are not limited to: the retrofit of all diesel powered equipment with diesel oxidation catalysts or diesel particulate filters, and other strategies or technologies (for example, cleaner burning fuels or anti-idling policies). EPA is available to participate in discussions to determine how to address this emerging issue.

Stormwater – The City of Detroit utilizes combined sewers. The new bridge will increase impervious surface area by 6 lanes. This additional load to the existing stormwater collection and treatment should be analyzed. Enough information should be presented in the EA to determine whether adverse impacts to the Detroit River will occur from stormwater runoff from the new bridge structure.

Historic Resources – The existing Ambassador Bridge structure is listed on the National Register of Historic Places. We understand that the Michigan State Historical Preservation Officer (SHPO) has determined, in a letter to the project applicant dated March 26, 2007, that the proposed project would result in an adverse effect to the existing Ambassador Bridge. The EA does not include any draft memorandum of agreement regarding these impacts or propose any potential mitigation for possible effects. It would appear that Section 106 of the NHPA is applicable to this project and is being addressed under the NEPA process, as indicated in the draft public notice announcing the availability of the EA. If the NEPA process and Section 106 are being undertaken at the same time, consultation should begin with the Michigan SHPO and the Advisory Council on Historic Preservation, and documentation of this should be included in the EA.

The historic nature of the existing bridge is a critical factor. We recommend that information that shows that the Section 106 process is progressing and or completed to the satisfaction of the SHPO should be included in the EA. It is important for the Coast Guard's NEPA evaluation and decision documents to show that any adverse effects to historic properties, and feasible mitigation measures for those effects, are identified and taken into consideration when selecting the preferred alternative. These effects and mitigation measures could determine whether or not a Finding of No Significant Impact could be signed for this project.

Transboundary and Cumulative Impacts Analysis – We note that the Coast Guard's EA includes information about the Canadian environmental analysis of this project. However, the EA does not discuss cumulative effects or transboundary effects of the key environmental resources listed above. We encourage the Coast Guard to continue to coordinate with the CEAA in the determination and disclosure of transboundary effects.

MESSAGE CONFIRMATION

JUL-17-2007 05:53 PM TUE

FAX NUMBER : 312 353 5374
NAME : US EPA REGION 5

NAME/NUMBER : 912169026088
PAGE : 7
START TIME : JUL-17-2007 05:51PM TUE
ELAPSED TIME : 01'16"
MODE : STD ECM
RESULTS : [O.K]

*Sent via fax: cover sheet
cover letter
detailed comments
excluding con-
currence page.
N/AW*



U.S. ENVIRONMENTAL PROTECTION AGENCY - REGION 5
77 WEST JACKSON, CHICAGO, IL 60604

OFFICE OF ENFORCEMENT AND COMPLIANCE ASSURANCE

FACSIMILE TRANSMITTAL SHEET

TO: [REDACTED] FROM: [REDACTED]
NEPA Implementation Section (B-19f)
COMPANY: United States Coast Guard DATE: 7/17/2007
FAX NUMBER: 216-902-6088 FAX NUMBER:
PHONE NUMBER: PHONE NUMBER:
(312) 353-5794

NOTES/COMMENTS:

Please see EPA's letter on the Ambassador Bridge Enhancement Project. I would be happy to discuss these comments with you if you have any questions or concerns. Thanks.

total no. of pages, including cover: 7



STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

KIRK T. STEUDLE
DIRECTOR

July 17, 2007

[REDACTED] Commander "OBR"

U.S. Coast Guard
Ninth Coast Guard District
1240 E. Ninth Street
Cleveland, Ohio 44199-2060

Dear [REDACTED]

Subject: Ambassador Bridge Enhancement Project Environmental Assessment

Thank you for the opportunity to review the Ambassador Bridge Enhancement Project Environmental Assessment (EA). The Michigan Department of Transportation (MDOT) has an interest in the transportation future of the Ambassador Bridge given that the bridge spans a roadway under our jurisdiction (Fort Street) and will soon connect directly to I-75. We have the following comments on the Ambassador Bridge Enhancement Project EA:

- The EA makes the argument that many environmental topics were discussed in the Gateway Project environmental documentation. However, the Gateway Project primarily focused on the impacts of connecting I-75 directly to the Ambassador Bridge plaza. As part of the Gateway study, MDOT assumed that a second span would be built in the future so the proposed design for the freeway connection would not interfere with the installation of a second span. MDOT accommodated the second span; however, we did not analyze the environmental impacts of building a second span because this was proposed as an independent action by the Detroit International Bridge Company (DIBC).
- The EA should more fully address the environmental areas of storm water runoff, contaminated site information, impacts to parks, noise analysis, utility relocations, right-of-way impacts, identification of environmental justice populations and impacts, information on rehabilitating the existing structure, and archaeological impacts. The impact of the second span on the existing historic bridge, including mitigation measures to avoid, minimize, or mitigate adverse effects should be addressed.
- The secondary and cumulative impact analysis should identify and analyze other projects in the immediate area that also affect the riverfront and southwest Detroit neighborhoods, such as the proposed Detroit Intermodal Freight Terminal and the reconstruction of Fort Street.

[REDACTED]
Page 2
July 17, 2007

- The EA should discuss connected or similar actions and their associated impacts. For example, there are proposed changes to the plaza in the draft General Services Administration Master Plan for the Ambassador Bridge, as well as plans by the DIBC to make long-term changes. The DIBC has proposed a relocation of Fort Street to accommodate the expansion of the plaza. Additionally, the DIBC has plans to build a pump station, and the West Riverfront initiative proposes to establish right-of-way for a multi-use trail below the Ambassador Bridge. How do all of these actions relate to each other?
- From a transportation perspective, the study has no quantitative traffic information. Even though the EA contends there will be no increase in traffic, we would like to see a discussion of the modeling used to arrive at this conclusion. We would also like to see the traffic technical report supporting this conclusion. Traffic modeling is essential to the purpose and need for the proposed project and is the underpinning for the air quality and noise analyses.
- Finally, on another transportation-related topic, will the new span accommodate the transport of hazardous materials?

Again, thank you for the opportunity to comment on the Ambassador Bridge Enhancement Project EA. Should you need further clarification of our comments, please contact me at 517-373-2316.

Sincerely, [REDACTED]

[REDACTED]
[REDACTED] Administrator
Project Planning Division



FAX

Number of pages: 3 (including this cover sheet)

Date: July 17, 2007

Attention: [REDACTED]

For: [REDACTED] Commander "OBR"
U.S. Coast Guard, Ninth Coast Guard District
(Prevention, Bridge Program Section, Room 2025)

Phone/fax: 216-902-6059 – Fax
216-902-6047 -- Phone

From: [REDACTED]
Michigan Department of Transportation

Phone: 517-335-6879

E-Mail: [REDACTED]

Subject: Ambassador Bridge Enhancement Project Environmental Assessment

Forthcoming is a copy of a letter addressed to you in reference to the Ambassador Bridge Enhancement Project Environmental Assessment. The original letter is being delivered to you by overnight express.



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

Michigan Division

315 W. Allegan, Room 201
Lansing, Michigan 48933

May 24, 2007

Commander (dpb)
Ninth Coast Guard District
1240 E. 9th Street, Room 2025
Cleveland, Ohio 44199-2060

Dear Sir:

The Michigan Division of the Federal Highway Administration (FHWA) has reviewed the Environmental Assessment prepared for the proposed Enhancement Project at the Ambassador Bridge in Detroit, Michigan. Our comments are submitted in the attachment for your review and consideration. Should you have any questions regarding our comments, please feel free to contact me at 517-702-1835.

Sincerely,

Original signed by:

[Redacted Signature]
Assistant Division Administrator

For: [Redacted Name]
Division Administrator

Attachment

cc: [Redacted] US Coast Guard, Ninth District
[Redacted] FHWA
[Redacted] FHWA
[Redacted] FHWA

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PSubject: Comments to the U.S. Coast Guard
Ambassador Bridge Enhancement Environmental Assessment
May 21, 2007

By: Federal Highway Administration, Michigan Division

General Comments and Observations:

- The document is still largely a qualitative document and does not perform a rigorous quantitative analysis of several topical areas.
- The Detroit International Bridge Company (DIBC) philosophy and presentation has changed since earlier characterizations of the proposed project presented over the years. Now the Enhancement project is portrayed as a large maintenance project. Statements made by the Bridge Company during public meetings in Canada have said, "... the Ambassador Bridge Enhancement Project, which can essentially be viewed as a large maintenance project. The cost of carrying out maintenance while the Bridge is under load is very high and given the current economic and bond markets it makes sense to construct a new bridge now, take the current bridge out of service and assess its long term maintenance needs." While the statement concerning maintenance under traffic is true, it raises the question as to what the Ambassador Bridge Enhancement Project really is. It has been characterized as different things over time. It also begs the question concerning the fate of the current bridge. Realistically, why would an owner of the existing bridge maintain it and leave it sit empty or use it for international pedestrian or bicycle traffic which the U.S. Customs discourages? Who would ensure the existing bridge is adequately maintained? Would it become a hazard to navigation, or will it be re-opened to through traffic once all necessary maintenance is completed, and the current controversy is forgotten?
- DIBC reiterated that DIBC/CTC will fund the entire project. No federal funds are needed, yet the DIBC intends to use Private Activity Bonds approved by the federal government.
- The analysis draws on data from the DRIC study, specifically the traffic data for border crossing trips. This is the extent of the traffic analysis performed. In our review of the document, it appears that the traffic was only analyzed for the air quality analysis in Appendix K. No attempt is made to refine the DRIC traffic data for the future proposed enhancement bridge. A refinement would include the eventual operation of a new bridge at the DRIC location to address future capacity needs and show projected future traffic at the Ambassador location. No analysis of current or future traffic could be found.

- This project is a regionally significant transportation project and should be in the South East Michigan Council of Governments (SEMCOG) Long Range Transportation Plan and undergo an air quality conformity analysis by SEMCOG before a Finding of No Significant Impact is made.
- The proposed cable-stayed bridge main span, at 685 m or 2,247', is significantly longer than any current bridge in North America. The longest cable-stayed span currently in use in the world is 2,920' (Japan), in North America is 1,525' (BC, Canada), and in the US is 1,300' (FL). China has 2 cable-stayed bridges proposed with spans over 3,000', so the span-length proposed may be reasonable. However, there is no indication that an engineering consultant experienced in such a record setting long-span cable-stayed structure was involved in determining the feasibility of the proposed bridge.
- There are very significant structural security vulnerabilities associated with suspension and cable-stayed bridges. The opportunity exists to mitigate some of these vulnerabilities when designing new bridges of these types. This opportunity should not be ignored for such a critical structure.
- The height of the proposed support tower could interfere with operations of the Windsor Airport. There is no analysis of this in the document.
- Transboundary effects and impacts per the CEQ guidance of July 1, 1997, should be considered in the analysis. Impacts in Canada from the proposed enhancement project will be studied by Transport Canada and need to be considered in the U.S. Coast Guard's analysis before a decision is reached.

Specific Comments:

- Page 17: The EA indicates that full rehabilitation of the bridge to continue indefinitely with current and future day-to-day truck traffic is expected to require the full replacement of many of the primary load carrying structural elements of the superstructure. This statement is not born out by the bridge inspection reports and information the FHWA has seen. Repairs are currently underway to structural elements which, when completed, will improve the load rating.
- Page 26: A statement is made that there is no need to alter plaza or local roadway networks. If this is true, then why is expansion of the truck cargo inspection facility with requisite relocation of Fort Street being investigated by the GSA and DIBC?
- Page 55: Historic Structures; A statement is made, "The architect also reviewed and identified historic structures in the area of potential effect and determined no adverse effect." The proposed enhancement bridge will have an adverse effect on the historic Ambassador Bridge per the Michigan SHPO's determination. There was no draft Memorandum of Understanding between the SHPO and the Coast Guard per Section 106, found in the EA document.

- Page 66: Mitigation; it is indicated that runoff from the proposed new bridge may be directed into the existing storm water collection system. Detroit has combined sewers and adding the bridge runoff to the combined sewer may result in undesirable overflows to the Detroit River. No analysis was performed of this in the EA.
- Page 78: Noise Mitigation; It is indicated that an assessment of noise and vibration impacts will be conducted for the proposed project alignments. This implies a future analysis will be done for the EA. The noise analysis was done and is presented in Appendix L and should be referenced on page 78.
- Air Quality Discussion:
 - Page 75: Wayne County is a maintenance area for carbon monoxide not an attainment area as referenced. Parts of Wayne County are also maintenance areas for PM₁₀, not attainment areas as referenced.
 - Page 75: Impacts; comparing the emissions from the proposed project to Wayne County emissions is a meaningless comparison. Also the air quality analysis performed in Appendix K (not J) used Mobile 6 version 24. This is not the currently approved emissions factor model. Mobile 6.2, released on May 19, 2004, is the current, approved model. Mobile 6.2 made significant improvements to emission factors over Mobile 6 for PM_{2.5} and PM₁₀. If the FHWA was required to approve this analysis it could not, due to the analysis not using the current, approved emissions model.
 - Page 76: The analysis adds together all criteria pollutants, both those that that the SEMCOG region is in attainment for and those pollutants that are designated as maintenance. What is this supposed to demonstrate? It's like adding apples and oranges.
 - Page 76: The statement is made that the proposed project will not significantly contribute to the non-attainment status of ozone in Wayne County. Only a system wide conformity analysis can draw this conclusion (SEMCOG).
 - Page 76: The statement is made that the proposed project will be added to the State Implementation Plan (SIP). The project will not be added to the SIP. Only transportation control measures go into SIPs.
- Air quality is a transboundary impact. The analysis needs to be done right.
- Appendix A contains correspondence in support of the proposed project. It was noted in our review that many of these letters say almost exactly the same thing, word for word. They appear to be a form letter prepared by the DIBC to support the proposed project and provided to the groups to send back to the DIBC.

Conclusions:

The analysis of the proposed Ambassador Bridge Enhancement project presented in the Environmental Assessment appears to demonstrate that the proposed project will have little significant social impacts or impacts on the natural or man made environment with the exception of the significant impact on the existing Ambassador Bridge listed on the National Register of Historic Places. It appears that it will have a positive economic impact on the operation of the border crossing.

The analysis is too narrow, however, in its scope in that it only looks at the proposed bridge and ignores other improvements discussed and publicly presented by the DIBC such as further expansion of the U.S. plaza beyond the foot print of the Ambassador Gateway plaza. The General Services Administration in conjunction with the DIBC is currently scoping an expansion of the Cargo Inspection Facility which would expand the Ambassador Gateway plaza cleared by the FHWA's FONSI of October 23, 1997. It is anticipated that construction will begin this summer on the Gateway plaza. The proposed additional plaza expansion work should be analyzed under NEPA along with the proposed new bridge to avoid segmentation as is currently being done by the DIBC. There are several testimonial letters provided in the Environmental Assessment, Appendix A, which state; "We support your plans to move the truck inspection plaza south of Fort Street and away from the residential area and historic Ste. Anne's Church." Most of these letters are dated April 28, 2006. These letters came about as a result of DIBC interaction with various community groups where DIBC presented what it planned to do. The DIBC may argue that the proposed new bridge and future plaza expansion have independent utility and logical termini under NEPA, but the context in which these two proposed projects have been presented publicly would argue otherwise.