



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

Michigan Division

May 12, 2010

315 W. Allegan Street, Room 201
Lansing, MI 48933
517-377-1844 (office)
517-377-1804 (fax)
Michigan.FHWA@dot.gov

In Reply Refer To:
HAD-MI

Susan P. Mortel, Director
Bureau of Transportation Planning (B340)
Michigan Department of Transportation
Lansing, Michigan, 48933

Dear Ms. Mortel:

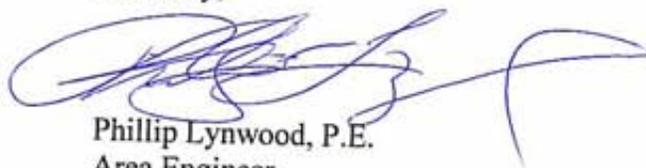
Finding of No Significant Impact

For the Supplement to the Environmental Assessment Programmatic Section 4(F) Evaluation
for the Proposed Replacement of the Fort Street (M-85) Bascule Bridge On existing alignment
over the Rouge River City of Detroit, Wayne County, Michigan

Reference is made to your letter of May 6, 2010, requesting a Finding of No Significant Impact (FONSI) for the proposed project. We have completed our final review of the Environmental Assessment document and conclude the proposed project will have no significant impacts to the environment. Accordingly, our signed FONSI determination is enclosed. Please transmit a notice to the affected federal, state, and local government units, informing them the FONSI document will be available from your Department, or our office, upon request from the public.

By our adoption of the FONSI and completion of the public comment requirements of 23 U.S.C. 128, the MDOT is authorized to proceed with further project development.

Sincerely,



Phillip Lynwood, P.E.
Area Engineer

For: Russell L. Jorgenson
Division Administrator

emn

File Directory: J/GroupWiseFiles

File Name: PL FONSI Transmittal Letter M85 Bascule JN54049_05122010

cc: David Williams, FHWA

Lori Noblet, MDOT



Federal Highway Administration

Finding of No Significant Impact
For the Supplement to the Environmental Assessment
Programmatic Section 4(F) Evaluation

For the Proposed
Replacement of the Fort Street (M-85) Bascule Bridge
On existing alignment over the Rouge River
City of Detroit, Wayne County, Michigan

The Federal Highway Administration (FHWA) has determined that the replacement of the Fort Street (M-85) Bascule Bridge over the Rouge River will have no significant impact on the human or natural environment. This finding of no significant impact (FONSI) replaces the FHWA's FONSI on the same project dated May 12, 2005, and is based on the attached:

- Supplement to the Environmental Assessment Programmatic 4(F) Evaluation.
- Supporting documentation for the Finding of No Significant Impact.

These documents have been independently evaluated by the FHWA and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures. The Environmental Assessment and supporting documentation provides sufficient evidence and analysis for determining that an environmental impact statement (EIS) is not required. The FHWA takes full responsibility for the accuracy, scope and content of EA and attached documentation.

Project Description

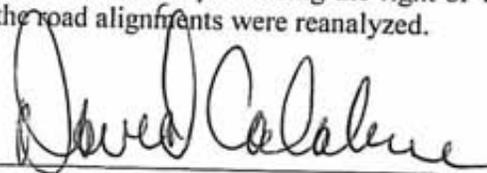
The new bridge will be a single-leaf bascule bridge with an overhead counterweight. A left turn lane will also be constructed on northbound Fort Street to allow for left turns on to Oakwood Boulevard with a 3-phase light that will be added at the intersection of Fort Street and Oakwood Boulevard in order to accommodate the left turn movement. The project will require additional parcels of property that were not required for the original proposed project. The Public Involvement process has been complied with (via a public hearing) as evidenced by the Michigan Department of Transportation's April 23, 2010 letter.

Background

FHWA originally made a finding on May 12, 2005 which was based on the original Environmental Assessment Programmatic Section 4(f) Evaluation which was approved on November 10, 2004. The EA proposed a different alignment than is currently proposed. The cost of purchasing the right of way for the original proposed alignment was excessive. Therefore, the road alignments were reanalyzed.

5/13/10

Date



Field Operations Group Leader



STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

KIRK T. STEUDL
DIRECTOR

May 6, 2010

Mr. Russell L. Jorgenson
Division Administrator
Federal Highway Administration
315 West Allegan Street, Room 201
Lansing, Michigan 48933

Dear Mr. Jorgenson:

This is a request for a Finding of No Significant Impact (FONSI) for the proposed replacement of the Fort Street (M-85) bascule bridge over the Rouge River in the City of Detroit, Wayne County, Michigan (Control Section 82071, Job Number 540490).

The supplement to the Environmental Assessment (EA)/Programmatic Section 4(f) Evaluation for the proposed project was approved by the Federal Highway Administration (FHWA) on March 9, 2010. Copies of the supplemental EA were distributed to potentially affected or interested parties, with written comments to be submitted no later than April 16, 2010. Legal notices announcing the public hearing were placed in the March 11, 2010, Detroit Zone issues of the *Detroit News* and *Detroit Free Press*, the *Latino Press*, and the *Ecorse Telegram*. The public hearing was held on Thursday, March 25, 2010. Certification of the public involvement process was completed on April 23, 2009.

Comments that were submitted to the Michigan Department of Transportation (MDOT) regarding this project, as well as MDOT's responses to these comments, are summarized and enclosed with this letter.

Based on studies of the proposed project conducted by MDOT, we request that a FONSI be issued and that the location and design approval be granted.

If you have any questions, please contact either me or Dave Wresinski, Administrator, Project Planning Division, 517-373-8258.

Sincerely,


Susan P. Mortel, Director
Bureau of Transportation Planning

Enclosures

**Supporting Documentation for a Finding of
No Significant Impact**

**For the Supplement to the Environmental Assessment
Programmatic Section 4(F) Evaluation**

**For the Proposed
Replacement of the Fort Street (M-85) Bascule Bridge
On existing alignment over the Rouge River
City of Detroit, Wayne County, Michigan**



Prepared by the:



In cooperation with the

**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
U.S. ARMY CORPS OF ENGINEERS
U.S. COAST GUARD**

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DOCUMENTATION SUPPORTING A FINDING OF NO SIGNIFICANT IMPACT (FONSI) FOR THE PROPOSED REPLACEMENT OF THE FORT STREET (M-85) BASCULE BRIDGE OVER THE ROUGE RIVER IN THE CITY OF DETROIT, WAYNE COUNTY, MICHIGAN

SECTION 1 – PROPOSED PROJECT

1.1 Project History

A supplement to the Environmental Assessment (EA)/Programmatic Section 4(f) Evaluation for the proposed replacement of the Fort Street (M-85) Bridge over the Rouge River in the city of Detroit, Wayne County, Michigan was approved by the Federal Highway Administration (FHWA) on March 9, 2010. Legal notices announcing the hearing were placed in the March 11, 2010, Detroit Zone issues of the *Detroit News and Detroit Free Press*, the *Latino Press* and the *Ecorse Telegram*. The public hearing was held on Thursday, March 25, 2010 at the Mark Twain Academy located in Detroit, Michigan. Approximately 33 people attended the public hearing. The public hearing was held in accordance with Federal and State Public Involvement/ Public Hearing Procedures. The public comment/hearing requirements have been met as certified by the Michigan Department of Transportation (MDOT) Public Hearings Officer. See **Appendix A** for Public Involvement Certification Letter and legal notices.

1.2 Alternatives Considered

Two alternatives were presented in the Supplemental EA: (1) No Build Alternative; and (2) Replacement of the Fort Street (M-85) Bascule Bridge on Existing Alignment. The Michigan Department of Transportation (MDOT) is recommending the replacement of the bascule bridge on the existing alignment. The recommended alternative would replace a bridge that is deteriorating and would improve traffic operations at the intersection of Fort Street and Oakwood Boulevard.

1.3 Project Description

The new bridge will be a single-leaf bascule bridge with an overhead counterweight. A left turn lane will also be constructed on northbound Fort Street to allow for left turns on to Oakwood Boulevard with a 3-phase light that will be added at the intersection of Fort Street and Oakwood Boulevard in order to accommodate the left turn movement. (See **Exhibit 1**)

1.4 Rational for Recommendation

The recommended alternative was selected because it meets the purpose and need for the project and had the least impacts to the community. The community was given an opportunity to review and provide input into the final decision regarding what type of counterweight (overhead or underdeck) will be used for the new bridge, and whether a

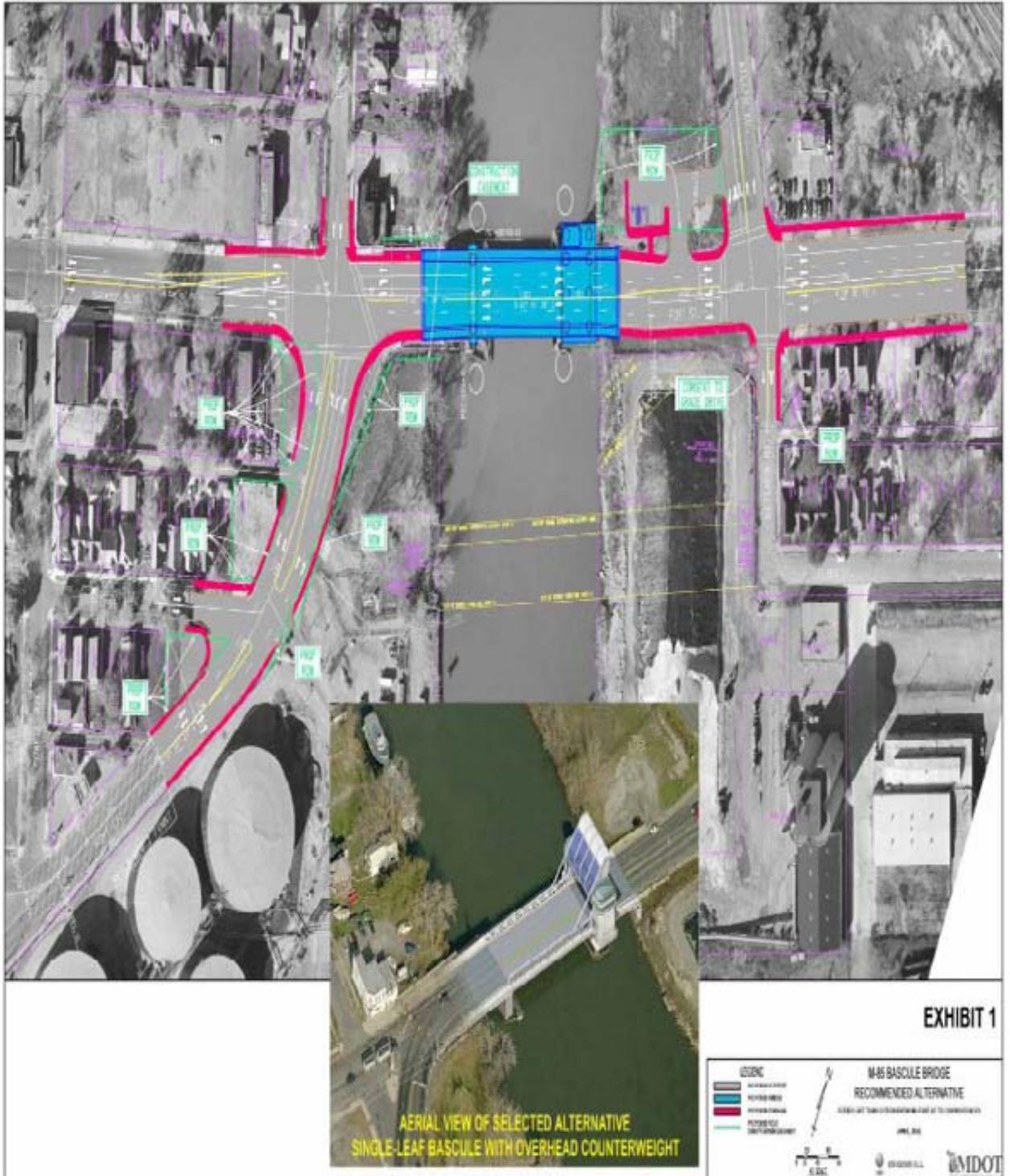
left turn lane should be constructed on northbound Fort Street to allow vehicles to turn west on to Oakwood Boulevard. Community input included comments that were received during the comment period, and one-on-one discussions with MDOT staff at the Public Hearing.

Based on community input, which included written comments (See **Appendix D**) and one-on-one discussions with public there was strong support for adding a left turn lane on northbound Fort Street. Many of the community members were in favor of the underdeck counterweight; however there were some community members who supported the overhead counterweight. A comparison of the structure types (See **Appendix E**) was also developed and analyzed. The criteria for comparing the structure types (overhead and underdeck) included constructability, construction costs, aesthetics and public preference, ease of future inspections, ease/cost of future maintenance and future rehabilitation costs for the both types of counterweights. After comparing the structure types and the criteria for each structure type, MDOT has decided to construct the overhead counterweight, and the left turn lane on northbound Fort Street.

1.5 Environmental Mitigation

The Project Mitigation Summary “Green Sheet” that describes proposed mitigation measures for this project can be found at the end of Section 2 of this document. A signed Memorandum of Agreement (MOA) between MDOT, FHWA and the State Historic Preservation Office (SHPO) can be found in **Appendix B**. Also included with the MOA, is one letter rescinding the original MOA dated January 2005, the original 2005 MOA, and SHPO Guidance Documentation.

Proposed M-85 Bascule Bridge over the Rouge River with an overhead counterweight and a new left turn lane on northbound Fort Street



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SECTION 2

COMMENTS AND RESPONSES

The following are summaries of letters, written comments and an email and that were received as part of the public record. Each comment has been responded to and copies of the email and letters that were received from Federal, State and Local Agencies are included in **Appendix C**. Comments that were received during the comment period along with comments recorded by the Court Reporter are included in **Appendix D**.

2.1 Federal Agency Comments

The United States Environmental Protection Agency (EPA) and the United States Department of Interior (DOI) reviewed the Supplemental EA and had the following comments.

1. **Comment:** The EPA has reviewed the Supplemental EA and has no comments on the supplement.

Response: Comment noted.

2. **Comment:** The U.S. Department of Interior reviewed the document and concurred that all measures to minimize harm to the 4(f) property have been employed, under the conditions that the mitigation proposed in the MOA is agreed to by the Michigan State Historic Preservation Officer. A copy of the signed MOA should be attached to the final evaluation.

Response: MDOT, Michigan State Historic Preservation Officer, and Federal Highway Administration have signed the MOA. The signed MOA is included in Appendix A.

2.2 State Agency Comments

The Michigan Department of Natural Resources (MDNRE)- Land and Water Management Division (LWMD), the Michigan Department of Agriculture (MDA), and the MDNRE – Wildlife Division reviewed the Supplemental EA and had the following comments.

1. **Comment:** MDNRE encouraged the MDOT to evaluate alternatives to capture and treat runoff before entering directly into the Rouge River. The Supplemental EA indicated that the new bridge structure may have an open grate bridge deck which could allow for direct runoff from the bridge to the river.

Response: During the design of the new bridge, MDOT will look at other alternatives to capture and treat runoff before entering directly into the Rouge River. MDOT will also coordinate with the appropriate agencies.

The Rouge River in the project area is on Michigan's 303 (d) List of waters currently not meeting state water quality standards. A Total Maximum Daily Load (TMDL) was developed for Biota and E. Coli in 2007. A TMDL for dissolved oxygen will be developed in 2011. The M-85 Bascule Bridge replacement will be in compliance with TMDL restrictions and required permits, including National Pollutant Discharge Elimination System (NPDES) Stormwater permits.

2. **Comment:** MDNRE is concerned that the sediment in the Rouge River may be contaminated, and that measures must be taken to properly contain and dispose of these sediments. Proper testing of the sediments in the Rouge River should occur. The test results and a proper disposal plan should be submitted with the Part 301 application to MDNRE's Land and Water Management Division (LWMD).

Response: During construction, the Rouge River bottom sediments will be excavated for the construction of the new bridge piers and electrical cable installation. Additional sediment testing in the area of the new piers will occur prior to construction to determine the proper disposal methods to be used. MDOT will take the necessary steps to properly contain and dispose of sediments in the Rouge River that may be contaminated. As part of the 301 permit application, MDOT will submit test results and a disposal plan for any contaminated sediments to the LWMD.

3. **Comment:** MDNRE states that the Supplemental EA indicated that soil samples in the area of the project have concentrations of contamination above state criteria, and that MDOT should coordinate work activities in these areas with MDNRE's Remediation and Redevelopment Division (RRD).

Response: When necessary, MDOT will coordinate with MDNRE's Remediation and Redevelopment Division for work activities in areas where concentrations of contamination are above the state criteria. All areas of contamination will be marked on the design plans.

4. **Comment:** The Michigan Department of Agriculture (MDA) reviewed the Supplemental EA for potential impacts on properties enrolled under Part 361 of Natural Resource Environmental Protection Act (NREPA) which was formerly Public Act 116 (Farmland and Open Space Preservation Act), and on established intra- and inter-county drains. The MDA stated that since the project is in a highly urbanized corridor, MDA finds that there will be no potential impacts to Part 361 lands, and

that the plans indicate there will be no impacts on established intra-county or inter-county drains.

Response: MDOT will comply with all Act 451, Part 361 requirements.

5. **Comment:** The MDNRE Wildlife Division has reviewed the supplement document and offers the following summary of results of the review in Wayne County, Section 28. The project should have no impact on rare or unique natural features at the locations specified above if it proceeds according to the plans provided.

Response: Comment noted.

2.3 Local Agency Comments

The City of Detroit's Department of Environmental Affairs (DEA) and the Planning and Development Department reviewed the Supplemental EA and had the following comments.

1. **Comment:** The DEA recommends that MDOT implement a filtering process for drainage from the bridge deck prior to runoff being discharged to the river. They feel that MDOT should be proactive in minimizing the amount of road pollutants and runoff that is being discharged directly to the river.

Response: During the design of the new bridge, MDOT will look at alternatives to capture and treat runoff before entering directly into the Rouge River. MDOT will also coordinate with the appropriate agencies.

The Rouge River in the project area is on Michigan's 303 (d) List of waters currently not meeting state water quality standards. A Total Maximum Daily Load (TMDL) was developed for Biota and E. Coli in 2007. A TMDL for dissolved oxygen will be developed in 2011. The M-85 Bascule Bridge replacement will be in compliance with TMDL restrictions and required permits, including National Pollutant Discharge Elimination System (NPDES) Stormwater permits.

2. **Comment:** DEA asks that MDOT state in the Supplement EA that MDRE Part 201 Cleanup Standards will be used for removal and disposal of soil or ground water contamination.

Response: MDOT will follow MDNRE Part 201 Cleanup Standards. During construction, the Rouge River bottom sediments will be excavated for the construction of the new bridge piers and electrical cable installation. Additional sediment testing in the area of the new piers will occur prior to construction to determine the proper disposal methods

to be used. MDOT will take the necessary steps to properly contain and dispose of sediments in the Rouge River that may be contaminated. As part Act 451, Part 301 permit application, MDOT will submit test results and a disposal plan for any contaminated sediments to the MDNRE. Also, any contaminated soils that are excavated during construction activities shall not be relocated to a different area within the construction site. All contaminated media will be handled and disposed of in accordance with State and Federal regulations.

3. **Comment:** DEA states that that the Supplement EA should state that MDOT will follow NREPA Act 451 of 1994 Section 324.20120c Relocation of soil, when excavating, reusing and transporting contaminated soils. They also recommend that MDOT will notify DEA of such cases as they occur.

Response: MDOT adheres to all state and local (if applicable) regulations when excavating, and transporting contaminated soils from the project area. MDOT will indicate on design plans all areas of contamination. MDOT will make preliminary design plans available for review at the plan review meeting which will be held before the plans are finalized. The city of Detroit will be invited to this meeting. All contaminated media will be handled and disposed of in accordance with State and Federal regulations.

4. **Comment:** The DEA states that MDOT will need to obtain a permit from the city of Detroit Water and Sewage Department prior to discharging water to the City's storm sewers.

Response: MDOT will obtain the necessary permits from the city of Detroit prior to discharging water to the city's storm sewers.

5. **Comment:** DEA states that the Supplemental EA indicates that there are areas of contamination throughout the project area. DEA wants to know how MDOT plans to monitor the areas of concern to ensure contaminated sediment, soil, etc, is not exposed, exacerbated or pose a threat to the river, environment and health and safety of the community. Will these areas be monitored quarterly, yearly, etc? Will these concerns be addressed in the Design plans referred to under Section 2.21 of the Supplemental EA.

Response: During construction, the Rouge River bottom sediments will be excavated for the construction of the new bridge piers and electrical cable installation. Additional sediment testing in the area of the new piers will occur prior to construction to determine the proper disposal methods to be used. MDOT will take the necessary steps to properly contain and dispose of sediments in the Rouge River that may be contaminated. As part of the 301 permit application, MDOT will submit test results and a disposal plan for any contaminated sediments to the LWMD. Also, any

contaminated soils that are excavated during construction activities shall not be relocated to a different area within the construction site.

In order to ensure that disturbed contaminated media is not exposed, exacerbated or pose a threat to the river, environment or human health and safety of the community, MDOT will abide to the conditions stipulated in MDOT's special provisions.

6. **Comment:** DEA states that MDOT will need to prepare a Section 7a Compliance Analysis according to Part 201 of Act 451 of 1994, as amended, for the impacted/contaminated areas within the project that will not be excavated as part of this project.

Response: MDOT will complete the compliance analysis according to Part 201 of Act 451 of 1994, as amended for only impacted/disturbed areas within the project area.

Proposed testing in the design phase of this project will provide site specific information on environmental contamination issues as discussed in the Supplement EA, Section 2.19 - Sites of Environmental Contamination and in the Project Mitigation Summary Green Sheet – Section IV- Hazardous/contaminated Materials. As a result of the testing, MDOT will be in compliance with “due care” obligations under Act 451, as amended. MDOT's contractor will be able to follow the “due care” plan to avoid any exacerbation issues and to properly dispose/treat any soil or groundwater contamination that is encountered during construction activities.

7. **Comment:** DEA states that MDOT will need to acquire right-of-way (ROW) access permits for all city owned ROW.

Response: MDOT will obtain the necessary row access permits from the city of Detroit.

8. **Comment:** The City of Detroit Planning & Development Department reviewed the Supplemental EA and finds that the proposal is consistent with the IDP (Distribution/Port Industrial) land use shown on City's future General Land Use maps. The proposal is also consistent with M4 (Intensive Industrial District) designated zoning maps from the city of Detroit Zoning Ordinance.

Response: Comment noted.

2.4 COMMENTS RECEIVED AT THE PUBLIC HEARING

The Michigan Department of Transportation received six written comment forms from five individuals who attended the hearing, and from five individuals who gave their comments to the Court Reporter at the public hearing held on March 25, 2010 at the Mark Twain Academy in Detroit, Michigan.

1. **Comment:** MDOT received several comments indicating that they prefer the underdeck counter weight.

Response: A comparison of the structure types (See **Appendix E**) was also developed and analyzed. The criteria for comparing the structure types (overhead and underdeck) included constructability, construction costs, aesthetics and public preference, ease of future inspections, ease/cost of future maintenance and future rehabilitation costs for the both types of counterweights. After comparing the structure types and the criteria for each structure type, MDOT has decided to construct the overhead counterweight, and the left turn lane on northbound Fort Street.

2. **Comment:** MDOT received a comment asking them to consider preserving the current tower as a historic landmark.

Response: The operator's house (Tower) on the historic bridge will not be preserved. The retention of the operator's house in its historic location was infeasible based on changes in the alignment; and the relocation of the operator's house was determined not to be prudent. This decision was based on costs, long term maintenance, and jurisdiction of the operator's house which made it not feasible or prudent to preserve.

The SHPO, FHWA and the Advisory Council on Historic Preservation concurred with the proposed project to replace the bridge on the existing alignment which includes demolishing the existing operator's house. Mitigation Measures which include documenting the historic bridge and operator's house are discussed in the MOA (**Appendix B**). A public meeting will also be held to allow for public input on the aesthetics for the new bridge.

3. **Comment:** MDOT received a request from a local business representative to review plans as they become available.

Response: MDOT will contact affected property owners when preliminary plans become available. The design of the new bridge will take two years to design. After the preliminary plans have been

completed, MDOT will contact property owners to let them know that plans are available for their review.

MDOT will also make plans available for review at any upcoming public meetings that will occur on the design of the new bridge. These meetings will occur during the next two years of design.

4. **Comment:** MDOT received a comment asking for someone to address the impact issues of detouring traffic, and possible police services to the residents of zip code 48217. There were also concerns about detouring traffic for 4 years, which would be two years for the Viaduct project and two years for the M-85 Bascule Bridge Replacement Project. He felt that this is unacceptable for the community. He stated “Why not do them both at the same time”.

Response: During the design phase of the M-85 Bascule Bridge Project, MDOT will be meeting with local officials (Police, Fire, etc) to discuss the two year detour and its effects on emergency response times. MDOT will work with these agencies and the community to minimize impacts and provide funding for additional emergency response services during construction.

Unfortunately, detouring traffic for four years can not be avoided. The two projects can not be constructed at the same time, because the bascule bridge project has not been designed due to a change in the alignment.

5. **Comment:** A neighborhood resident would like MDOT to make sure the soil is checked for contaminants. If the soil is contaminated, remove the soil. Do not put the soil back. All dirt should be cleaned and tested.

Response: MDOT will coordinate with MDNRE’s Remediation and Redevelopment Division for work activities in disturbed areas where concentrations of contamination are above the state criteria. All areas of contamination in the project area will be marked on the design plans. Also, any contaminated soils that are excavated during construction activities shall not be relocated to a different area within the construction site.

Also, proposed testing in the design phase of this project will provide site specific information on environmental contamination issues as discussed in the Supplement EA, Section 2.19 - Sites of Environmental Contamination and in the Project Mitigation Summary Green Sheet – Section IV- Hazardous/contaminated Materials. As a result of the testing, MDOT will be in compliance with “due care” obligations under Act 451, as amended. MDOT’s contractor will be able to follow the “due care” plan to avoid any exacerbation issues and to properly dispose/treat any soil

or groundwater contamination that is encountered during construction activities.

6. **Comment:** The Neighborhood City Hall Manager had concerns regarding overflow of traffic on other routes. She wanted to know what is in place for truck traffic and who would enforce truck traffic on these routes?

Response: MDOT has a detour plan for thru traffic on I-75 and for local traffic using local streets. Traffic volumes in the project area have decreased over the last 8 years. The additional traffic on local roads can be accommodated without compromising traffic flow on the local streets. Enforce of truck traffic on local neighborhood streets is the responsibility of the local government.

7. **Comment:** The Neighborhood City Hall Manager wanted to know if there were alternative routes for first response teams, and will MDOT be subsidizing any funds to the city for certain issues pertaining to construction.

Response: The first response teams will be using the same detour routes that are discussed in the Supplemental EA. MDOT plans to meet with the city of Detroit to discuss funding to hire additional police and fire officers to respond to emergencies on both sides of the bridge during the two year M-85 detour.

8. **Comment:** The Neighborhood City Hall Manager indicated that she prefers the underdeck counterweight because it would be safer. She is concerned children may try to climb the overhead counterweight.

Response: MDOT has decided to construct the overhead counter weight. This decision was based on several factors such as community input, constructability, maintenance, and the cost of constructing a new counterweight.

The new bridge will have an operator's house which will be occupied twenty-four hours a day, thus, it will be difficult for children to climb the overhead counterweight without alerting the bridge operator.

9. **Comment:** A citizen wanted to know if MDOT could put in camera ports in the fence for people who like to take pictures.

Response: Because of security concerns, MDOT can not put camera ports on fences.

10. **Comment:** A citizen indicated that he favors the underdeck counterweight.

Response: MDOT has decided to construct the overhead counterweight. This decision was based on several factors such as community input, constructability, maintenance, and the cost for constructing a new counterweight.

2.5 COMMENTS FROM THE TRANSCRIPT

The following comments were recorded by the Court Reporter at the Public Hearing held on March 25, 2010, at the Mark Twain Academy in Detroit, Michigan. The comments are as follows:

1. **Comment:** A business representative stated that he favors the left turn lane option on Fort Street.

Response: MDOT has decided to construct the left lane on northbound Fort Street.

2. **Comment:** A business representative states the he advocates for the use of a base camp on the western side of the Rouge River so that workers that are on this project can enjoy the use of Gonella's, Giovanni's, and other restaurants that are on Oakwood Boulevard.

Response: The contractor who is hired to construct the new bridge is responsible for deciding where the construction staging area will be.

3. **Comment:** A business representative prefers the overhead counterweight.

Response: MDOT has selected the overhead counterweight.

4. **Comment:** A resident indicated that they favor the new bridge with a single leaf. However, he prefers the underdeck counterweight. He feels the overhead counterweight would not look aesthetic for the next 90 years.

Response: MDOT has decided to construct the overhead counterweight. This decision was based on several factors such as community input, constructability, maintenance, and the cost for constructing a new counterweight.

5. **Comment:** A resident stated that there is asbestos, silica, and asbestos fibers in concrete, with a request for testing the concrete at the viaduct for this.

Response: MDOT recently tested concrete (April 2010) at the Viaduct. The tested concrete was found to have no asbestos. However, MDOT is

not aware of any asbestos or silica being mixed into concrete for highway purposes. During concrete removal should any of these issues arise, the use of water will be used as a dust control measure.

6. **Comment:** There was a comment regarding the contaminated soils in the area and what mitigation methods will be used to protect residents from dust particles being released in the air caused by trucks driving on the grade and from the general earth moving operations.

Response: The dust suppression of soil is going to be accomplished through watering and sweeping practices enforced on the contractor.

7. **Comment:** A resident asked if someone will be at the viaduct construction site overseeing during the construction process.

Response: MDOT will be on site whenever the contractor is on site, and will be monitoring all contractor activities.

8. **Comment:** A resident wanted to know how many hours the contractor would be working at driving piles and what methods were in place to ensure that noise does not cause deafness in seniors and kids.

Response: There are local (Detroit) work hour ordinances that the contractor will follow during these construction activities. The contractor will also be required to monitor vibration levels during construction to ensure they remain within acceptable levels.

May 2010

Project Mitigation Summary “Green Sheet”

**Finding of No Significant Impact (FONSI)
For the Supplement to the
Environmental Assessment
Programmatic Section 4(f) Evaluation**

**M-85 (Fort Street) Bascule Bridge Replacement
Over the Rouge River in the City of Detroit
Wayne County, Michigan**

**For the Replacement of the Bascule Bridge
on the Existing Alignment**

This final Project Mitigation Summary “Green Sheet” contains the project specific mitigation measures being considered at this time. These mitigation items may be modified during the final design, right of way acquisition, or construction phases of this project.

I. Social and Economic Environment

- a. *Emergency Service Access* – This project will require a two year detour route and MDOT will continue to coordinate with the city of Detroit. As part of the coordination effort, MDOT proposes to provide funding to hire additional police officers to respond to emergencies on both sides of the bridge during the time the detour is in effect. MDOT will also coordinate with the Detroit Department of Transportation and Detroit School District regarding route changes during project construction.
- b. *Public Transportation* – During construction, bus service for area residents will be maintained on local roads. MDOT will coordinate with the Detroit Department of Transportation (DDOT) and other transit providers to accommodate users.

- c. *Pedestrian/Bicyclists* – During construction, non-motorized users will have to use the Dix Avenue Bridge located three-quarters of a mile northwest of Fort Street to cross the Rouge River. Temporary signing for the new Dix Avenue pedestrian and non-motorized route will be installed at the start of the construction phase. The new Fort Street Bridge will accommodate both pedestrians and bicyclists on 8 foot wide sidewalks on both sides of the structure. The sidewalks will be separated from vehicle traffic by a barrier. This project is compatible with the Rouge River Gateway Master Plan which proposes a public multi-modal pathway for the entire length of the gateway.
- d. *Aesthetic/Visual* – The project will provide improved visual quality through architecturally appropriate bridge design and interpretive markers in accordance with the Memorandum of Agreement (MOA) between MDOT, FHWA and the State Historic Preservation Office (See MOA in **Appendix B of this FONSI**).
- e. *Relocations* – MDOT will need to acquire additional parcels of property for this project, including two commercial relocations (auto repair and warehouse) that were not required for the original skew alignment studied in the Environmental Assessment. Replacement commercial properties are available and businesses will be encouraged to relocate within the community.

II. Natural Environment

- a. *River Crossing* – The new M-85 Bascule Bridge over the Rouge River will increase the existing 118 foot navigation channel to at least 135 feet to meet current U.S. Coast Guard requirements. Since a detour route will be used, the existing bridge will be closed to vehicle traffic but open for navigation during the construction of the new bascule bridge.
- b. *Floodplains* – Mitigation will include removal of the existing abutments and approach roads with the new structure waterway opening increased from 118' to 135'. No detrimental impacts to the floodplain are anticipated. The hydraulic analysis will be verified during the design process after the bascule counterweight option has been determined.
- c. *Water Quality* – Strict soil erosion and sedimentation controls will be implemented on this project. Any catch basin inlets will be protected. The M-85 Bascule Bridge replacement over the Rouge River will be in compliance with TMDL restrictions and required permits, including the National Pollutant Discharge Elimination System (NPDES) stormwater permit.

III. Cultural Environment (Memorandum of Agreement Mitigation)

- a. *Historic Bridge* – The MDOT Environmental Section will coordinate a complete photo, video, and archival documentation prior to the removal of the existing historic bridge and construction of the new bridge.
- b. *Interpretive Markers* – New Interpretive Markers will be placed adjacent to the 8 foot sidewalks on the new bridge.
- c. *Consultation* – The SHPO will be consulted through the design phase and will review and comment on the bridge design. A public meeting will also be held to allow for public input on the aesthetics for the new bridge.

IV. Hazardous/Contaminated Materials

- a. *Preliminary Site Investigation (PSI)* – A PSI was conducted and both soil and groundwater samples were found to exceed the groundwater-surface water interface protection criteria and/or direct contact criteria. All areas of contamination will be marked on the design plans.
- b. *Project Area Contamination Survey (PACS)* - A PACS will be conducted on the three commercial properties that will be displaced as a result of this project. If the PACS identify known or potential sites of environmental contamination, a Preliminary Site Investigation will be conducted during the design phase. If testing indicates that contamination is present, MDOT will properly remove and dispose of any contamination.
- c. *Contaminated Soil (PSI)* – The soil on the west side of the bridge where the pavement will be removed, will be tested for contamination. Any contaminated soil that must be disposed of off-site will be tested and transported to a proper facility that will accept these wastes. Contaminated soils that are excavated during construction activities shall not be relocated to a different area within the construction site.
- d. *Dewatering Operations* – During construction, pumped water will not be discharged into storm drains or surface water discharge points without testing and/or treatment. MDOT will be in compliance with all NPDES and federal/state water quality standards.
- e. *River Sediment Contamination* – Rouge River bottom sediments will be excavated for construction of the new bridge piers and electrical cable installation. Additional sediment testing in the area of the new piers will occur prior to construction to determine the proper disposal methods to be used.

- f. *Utility Trenching* – A sub-surface utility plan will be prepared to ensure that no deep utility cuts will impact any contaminated areas. Any utility cuts in contaminated areas will be reviewed to ensure proper excavation and backfill methods.
- g. *Contamination Exposure* – A Worker Health and Safety Plan will be prepared prior to construction to reduce dermal exposure and address direct contact issues.

V. Construction

- a. *Construction Access Pads or Work Areas* – No stone access pads in the river are expected to be required. The temporary use of a barge in the river may be required for construction of the new bridge or removal of the existing bridge. Navigation will be maintained during construction and this project will comply with all navigation requirements of the U.S. Coast Guard.
- b. *Construction Permits* – Permits from the MDNRE, U.S. Army Corps of Engineers, and the U.S. Coast Guard are required for this project.
- c. *Date Restrictions* – Based on the most current available data, no work in the Rouge River will be allowed between March 1 and May 31 to protect fish spawning activity. Work may occur within enclosed cofferdams if they are installed prior to the protection date.
- d. *Existing Utility Tunnels* – Utilities will be relocated from the existing tunnels under the existing M-85 structure and reburied on future MDOT right of way at the northeast corner of the bridge (currently CSX property). However, on the west side of the river at the northwest corner of the bridge, the utilities may be located in an easement north of Bryan's Café. The existing brick utility tunnels under the existing structure will be removed or filled during construction operations.
- e. *Noise and Vibration* – Construction noise will be minimized by measures such as requiring that construction equipment have mufflers, that portable compressors meet federal noise-level standards for that equipment, and that all portable equipment be placed away from or shielded from sensitive noise receptors. Where pavement must be fractured or structures must be removed, care will be taken to prevent vibration damage to adjacent structures. In areas where construction-related vibration is anticipated, basement surveys will be offered before construction begins to document any damage caused by highway construction.
- f. *Water quality* – All disturbed sewer lines will be addressed in accordance with local ordinance.

APPENDIX A

Public Involvement Certification Letter

And

Legal Notice

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Michigan Department of Transportation Aviso de Audiencia Pública

Suplemento a la Evaluación Ambiental y la Sección 4 de Evaluación (E) para la sustitución propuesta de la calle Fort (M-83) Puente sobre el río Rouge, de la ciudad de Detroit, Condado de Wayne, Michigan.

El Departamento de Transporte de Michigan (MDOT) está llevando a cabo una audiencia pública sobre un suplemento a la Evaluación Ambiental (EA) y programática Sección 4 (E) de Evaluación de la propuesta de sustituir la calle Fort (M-83) Puente sobre el río Rouge. Esta audiencia se celebrará de conformidad con la participación del público federal y estatales / públicos los procedimientos de audiencias.

La audiencia pública se llevará a cabo Jueves, 25 de marzo 2010, en la Academia de Mark Twain, 12800 Viger St., Detroit, un centro de acceso reservado. Los participantes pueden pasar por cualquier hora 4:00-8:00 para ver la muestra y hablar con los representantes MDOT sobre los problemas sociales, económicos y ambientales, así como las cuestiones de diseño, incluyendo el aspecto y la función de puente y las opciones de intersección. No habrá presentación formal.

La audiencia será una oportunidad para el público a hacer comentarios para el registro de una alternativa para la sustitución del anterior puente histórico y la mejora de la intersección de las calles Fort y Oakwood Boulevard. Desde la aprobación de la EA en 2005, los costos para obtener el necesario derecho de vía necesarios para construir el nuevo puente al sur de la estructura existente se han intensificado, lo que obligó a reconsiderar MDOT una alternativa anterior, que fue analizado en la EA original. MDOT propone ahora sustituir el puente levadizo sobre la alineación existente, lo que reducirá el derecho de paso de los costos.

Un cierre de dos años de Fort Street será necesario. Resumen de la información del suplemento está disponible en el sitio web del proyecto: www.michigan.gov/roads/roads. Y en los siguientes lugares: Biblioteca de la Ciudad de Detroit, 5201 Woodward Avenue, Detroit, la ciudad de Detroit; Barrio Avanzamientos en 2300, 7744 W. Vernor, Detroit, Detroit, MDOT TSC, 1400 Howard St., Detroit; MDOT Planeta Oficina de la Región, 18101 W. Nine Mile Road, Southfield, y MDOT Oficina de Planificación, 425 W. Chawwa St., Lansing.

Un recordatorio de corte está disponible para las personas que deseen hacer una reclamación o comentario sobre el proyecto y que se incluya en la transcripción de esta audiencia pública. Los ciudadanos también pueden llenar un formulario de comentarios y depositarlo en el lugar de la audiencia pública. Los comentarios también pueden ser enviados por correo, fax, o por correo electrónico a: Robert H. Parsons, Participación Pública y Audiencias, Oficina de Planificación de Transporte, Michigan Department of Transportation, P.O. Casilla 30050, Lansing, Michigan 48909, Fax: (517) 373-9255, o correo electrónico: parsons@mi.tps.gov. Comentarios deben enviarse por correo en o antes del 9 de abril 2010, que se aclararán en la transcripción de la audiencia.

Para obtener más información sobre esta audiencia o para solicitar una copia del suplemento, puede escribir a la dirección antes mencionada o llamar al (517) 373-9534.

Con una antelación de siete días, MDOT pueden hacer la mayoría de los materiales para esta audiencia en otro formato, como letras grandes o cinta de audio, y se pueden hacer adaptaciones para la traducción, la interpretación del lenguaje de signos y/o dispositivos de escucha asistida.

Por favor llame a (517) 373-9534 para solicitar alojamiento.

Michigan Department of Transportation Public Hearing Notice

Supplement to the Environmental Assessment and Section 4(f) Evaluation for the Proposed Replacement of the Fort Street (M-83) Bridge Over the Rouge River, City of Detroit, Wayne County, Michigan.

The Michigan Department of Transportation (MDOT) is conducting a public hearing on a Supplement to the Environmental Assessment (EA) and Programmatic Section 4(f) Evaluation for the Proposed Replacement of the Fort Street (M-83) Bridge over the Rouge River. This hearing is being held in accordance with federal and state public involvement/public hearing procedures.

The public hearing will be held Thursday, March 25, 2010, at the Mark Twain Academy, 12800 Viger St., Detroit, a handicapped accessible facility. Participants may pass by any time from 4:00 to 8:00 p.m. to view displays and talk with MDOT representatives regarding social, economic and environmental concerns, as well as design issues, including the look and function of bridge and intersection options. There will be no formal presentation.

The hearing will provide an opportunity for the public to comment for the record on a previous alternative for replacing the historic drawbridge and improving the intersection of Fort Street and Oakwood Boulevard. Since approval of the EA in 2005, costs for obtaining the necessary right-of-way needed to construct the new bridge south of the existing structure have escalated, forcing MDOT to reconsider a previous alternative that was analyzed in the original EA. MDOT is now proposing to replace the drawbridge on the existing alignment, which will reduce the right-of-way costs significantly.

A two-year closure of Fort Street will be required. Information summarizing the Supplement is available on the project website: www.michigan.gov/roads/roads, and at the following locations: City of Detroit Library, 5201 Woodward Ave., Detroit; City of Detroit Neighborhood City Halls at 2300, 7744 W. Vernor, Detroit; MDOT Detroit TSC, 1400 Howard St., Detroit; MDOT Metro Region Office, 18101 W. Nine Mile Rd., Southfield; and MDOT Planning Bureau, 425 W. Chawwa St., Lansing.

A court reporter will be available for persons wishing to make a statement or comment about the project and have it included in the transcript of this public hearing. Citizens also may fill out a comment form and deposit it at the public hearing site. Comments also may be mailed, faxed, or e-mailed to: Robert H. Parsons, Public Involvement and Hearings Officer, Bureau of Transportation Planning, Michigan Department of Transportation, P.O. Box 30050, Lansing, Michigan 48909; Fax: (517) 373-9255; or email: parsons@mi.tps.gov. Comments must be postmarked on or before April 9, 2010, to be included in the transcript of the hearing.

For more information on this hearing or to request a copy of the Supplement, please write to the above address or call (517) 373-9534. With an advance notice of seven days, MDOT can make most of the materials for this hearing available in alternative formats such as large print or audiotape, and can make accommodations for translation, sign language interpretation and/or assisted listening devices. Please call (517) 373-9534 to request accommodations.

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APPENDIX B

Memorandum of Agreement with SHPO

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**MEMORANDUM OF AGREEMENT BETWEEN
THE FEDERAL HIGHWAY ADMINISTRATION AND
THE MICHIGAN STATE HISTORIC PRESERVATION OFFICER
REGARDING
THE REPLACEMENT OF THE M-85 / FORT STREET BASCULE BRIDGE,
CITY OF DETROIT, WAYNE COUNTY, MICHIGAN
SUBMITTED TO THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
PURSUANT TO 36 CFR PART 800.6(b)(1)**

WHEREAS, the Federal Highway Administration (FHWA) of the U.S. Department of Transportation has determined that the replacement of the M-85 / Fort Street Bascule Bridge, City of Detroit, Wayne County, Michigan, which appears to meet the criteria for listing in the National Register of Historic Places, will pose an adverse effect on the Fort Street Bascule Bridge, and has consulted with the Michigan State Historic Preservation Officer (SHPO) pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470f) (the Act); and

WHEREAS, The Michigan Department of Transportation (MDOT) participated in the consultation and has been invited to concur in this Memorandum of Agreement (MOA); and

WHEREAS, The 2005 MOA between FHWA and SHPO for this project was terminated by FHWA and this MOA is enacted to replace it. Copies of termination documents are attached hereto as *Letter Terminating the 2005 MOA (Attachment A)* and *2005 MOA (Attachment B)*.

NOW, THEREFORE, FHWA and SHPO agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on the historic M-85/Fort Street Bascule Bridge.

Stipulations

FHWA shall ensure that the following measures are carried out:

I. PHASE I MITIGATION

A. Recordation

1. The Bridge shall be recorded so that there is a permanent record of its existence. MDOT shall prepare photographic documentation and a historical overview of the Bridge according to the SHPO *Documentation Guidelines*, attached hereto as **Attachment C**. Unless otherwise agreed to by the SHPO, MDOT shall ensure that all documentation is completed and accepted by the SHPO for deposit in the Archives of Michigan prior to the commencement of any demolition or construction activity concerning the bridge. MDOT will provide original copies of the recordation package to

the SHPO for placement in the Archives of Michigan and appropriate local repositories designated by the SHPO.

2. MDOT shall include as part of the recordation package original or archival –quality copies of historic bridge plans and historic photographs; additionally, electronic versions of these historic plans and photographs, will be submitted.
3. Video recordation will be performed at the same time as Stipulation I.A.1 and will provide a permanent record of interior and exterior spaces and of the Bridge in operation. Distribution of the video recording shall follow Stipulation I.A.1.

B. Bridge Design

1. Prior to completing the design for the new bridge, up to three public open house meetings will be held to allow public input on bridge aesthetics. FHWA and MDOT shall review the results of these forums and shall incorporate, where practicable, comments and/or suggestions from the public into the design.
2. FHWA and MDOT shall consult with the SHPO, Wayne County, the City of Detroit, and other interested parties and provide them with the opportunity to review and comment on the proposed architectural concepts and/or plans for the replacement bridge.

II. PHASE II. MITIGATION

A. Interpretive Markers

1. MDOT shall remove the existing Michigan Historical Marker prior to any demolition activities and shall consult with SHPO, or their designee, as to the disposition of the marker.
2. MDOT shall develop, purchase, and install up to four interpretive markers on the replacement bridge, to be located adjacent to the bridge sidewalks

B. Selective Salvage

1. Prior to demolition of the historic bridge, MDOT shall consider the feasibility of selectively salvaging materials from the historic bridge, including but not limited to stone (panels, trim and details), streetcar utility arches, iron and steel members (truss pieces, gears, tracks, and beams).

III. GENERAL CONSIDERATIONS

A. Amendment

1. Any party to this MOA may propose to the other parties that it be amended, whereupon the parties will consult in accordance with 36 CFR800.6(c)(7) to consider such an amendment.
2. In the event that any portion of this MOA is found to be infeasible, the parties to this MOA shall consult to consider appropriate alternative mitigation.
3. Any additional or alternative actions considered pursuant to this agreement shall be subject to implementation by amending this MOA in accordance with this section.

B. Dispute Resolution

Should the SHPO or MDOT object within 30 (thirty) days to any actions proposed pursuant to this MOA, the FHWA shall consult with the objecting party to resolve the objection. If the FHWA determines that the objection cannot be resolved, the FHWA shall forward all documentation relevant to the dispute to the Advisory Council on Historic Preservation (Council). Within 45 (forty-five) days after receipt of all pertinent documentation, the Council will either:

1. Provide the FHWA with recommendations, which the FHWA will take into account in reaching a final decision regarding the dispute; or
2. Notify the FHWA that it will comment pursuant to 36 CFR 800.7(c) and proceed to comment. Any Council comment provided in response to such a request will be taken into account by FHWA in accordance with 36 CFR 800.7(c)(4) with reference to the subject of the dispute.

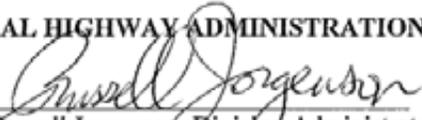
C. Termination

1. If the FHWA determines that it cannot implement the terms of this MOA, or if the SHPO determines that the MOA is not being properly implemented, the FHWA or the SHPO may propose to the other parties to this MOA that it be terminated.
2. The party proposing to terminate this MOA shall so notify all parties to this MOA explaining the reasons for termination and affording at least sixty (60) days to consult and seek alternatives to termination. The parties shall then consult.

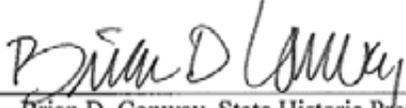
3. Should such consultation fail, the FHWA or the SHPO may terminate the MOA by so notifying all parties.
4. Should this MOA be terminated, the FHWA shall either
 - a. Consult in accordance with 36 CFR § 800.6 to develop a new MOA; or
 - b. Request the comments of the Council pursuant to 36 CFR § 800.7.

Execution and implementation of this MOA and its submission to the Council evidences that FHWA has afforded the Council a reasonable opportunity to comment on the project and that the FHWA has taken into account the effects of the project on historic properties.

FEDERAL HIGHWAY ADMINISTRATION

By:  Date: 4/28/10
Russell Jorgenson, Division Administrator

MICHIGAN STATE HISTORIC PRESERVATION OFFICER

By:  Date: 4/28/10
Brian D. Conway, State Historic Preservation Officer

Concur:

MICHIGAN DEPARTMENT OF TRANSPORTATION

By:  Date: 4/28/10
Susan Mortel, Director, Bureau of Transportation Planning

Attachment A - Letter Terminating the 2005 MOA



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

Michigan Division

March 10, 2010

315 W. Allegan Street, Room 201
Lansing, MI 48933
517-377-1844 (office)
517-377-1804 (fax)
Michigan.FHWA@dot.gov

In Reply Refer To:
HAD-MI

Mr. Brian Conway
State Historic Preservation Officer
Michigan Historical Center
State Historic Preservation Office
702 W. Kalamazoo Street
Lansing, Michigan, 48909-8240

Dear Mr. Conway:

ER-00-571 Replacement of the M-85/Fort Street Bridge crossing the Rouge River
City of Detroit, Wayne County, Michigan

Federal Highway Administration (FHWA) would like to terminate the *2005 Memorandum of Agreement (MOA) Regarding the Replacement of the M-85/Fort Street Bascule Bridge* (attached) due to design changes proposed in above-referenced project.

The original project contained a two-leaf bascule bridge on a 13 degree skewed alignment. It cleared by NEPA via a Finding of No Significant Impact (FONSI), signed by FHWA on May 12, 2005. The Michigan Department of Transportation (MDOT) now proposes a single-leaf bascule bridge on the existing alignment. A supplemental Environmental Assessment is being circulated for public review. The comment period ends April 16, 2010, with the FONSI anticipated in May.

I understand your organization consulted with Lloyd Baldwin (MDOT Historian and Cultural Resource Specialist) on February 12, 2010, and determined that based on the project changes:

- There will still be an adverse effect on historic bridge due to its replacement.
- It is impractical to retain the bridge Operator's House and establish an interpretive site as proposed in the current MOA.
- The appropriate mitigation includes photographic, video, and narrative recordation of the bridge and the installation of up to four interpretive panels on the bridge sidewalks (barrier or railing mounted).
- A replacement MOA will be submitted for your review and approval.

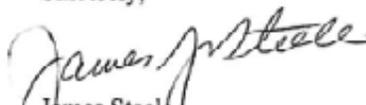
Attachment A - Letter Terminating the 2005 MOA

As follow-up to these action items, I encourage you to take prompt actions to:

- Terminate the 2005 MOA,
- Review/execute the proposed MOA by April 16, 2010 - - MDOT submitted the proposed MOA to you on February 18, 2010.

Please feel free to contact David Williams at 517-702-1820 should you have any questions.

Sincerely,



James Steele
Division Administrator

Enclosure

cg

File Directory: J:/GroupWise Files

File name: DW M-85 Bascule Bridge MOA Termination Letter to SHPO

cc: Lloyd Baldwin, MDOT (B340)

Lori Noblet, MDOT (B340)

Jose Garcia, MDOT (B220)

Phillip Lynwood, FHWA-Michigan Division

Attachment B - 2005 MOA

MEMORANDUM OF AGREEMENT BETWEEN
THE FEDERAL HIGHWAY ADMINISTRATION AND
THE MICHIGAN STATE HISTORIC PRESERVATION OFFICE
REGARDING
THE REPLACEMENT OF THE M-85 / FORT STREET BASCULE BRIDGE,
CITY OF DETROIT, WAYNE COUNTY, MICHIGAN
SUBMITTED TO THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
PURSUANT TO 36 CFR PART 800.6(b)(1)

WHEREAS, the Federal Highway Administration (FHWA) of the U.S. Department of Transportation has determined that the proposed replacement of the M-85 / Fort Street Bascule Bridge, City of Detroit, Wayne County, Michigan (Bridge) will pose an adverse effect upon this Bridge, which appears to meet the criteria for listing in the National Register of Historic Places and has consulted with the Michigan State Historic Preservation Office (SHPO) pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470f) (the Act); and

WHEREAS, The Michigan Department of Transportation (MDOT) participated in the consultation and has been invited to concur in this Memorandum of Agreement (MOA);

NOW, THEREFORE, FHWA and SHPO agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on the historic properties.

STIPULATIONS

FHWA shall ensure that the following measures are carried out in a phased process. Phase I mitigation must be completed prior to the removal of the Bridge. Phase II may occur within the specified timeframes noted herein.

I. PHASE I MITIGATION (to complete prior to the removal of the Bridge)

A. Recordation

1. The Bridge shall be recorded so that there is a permanent record of its existence. MDOT shall prepare photographic documentation and a historical overview of the Bridge according to the SHPO *Documentation Guidelines* attached hereto as **Attachment A**. Unless otherwise agreed to by the SHPO, MDOT shall ensure that all documentation is completed and accepted by the SHPO for deposit in the State Archives of Michigan prior to the commencement of any demolition or construction activity concerning the Bridge. MDOT will provide additional original copies of the recordation package to appropriate local repositories designated by the SHPO.
2. MDOT shall include as part of the recordation package original or archival-quality copies of historic bridge plans and historic photographs; additionally, electronic versions of these historic plans and photographs will be submitted.
3. Video Recordation will be performed at the same time as Stipulation I.A.1 and will provide a permanent record of exterior and interior spaces and of the bridge in operation. Distribution of the videotape will follow Stipulation I.A.1.

B. Retention of the Operator's House and Associated Structures and Equipment

1. The existing historic operator's house, pier/mechanical housing and a portion of the bridge approach shall be retained.
2. A fender system, meeting the current standards of the American Association of State Highway Transportation Officials (AASHTO) shall be incorporated into the retained pier.
3. Operating equipment within the operator's house and pier/mechanical housing shall be removed. The pier/mechanical housing area will be backfilled. The operator's house, equipment areas and pits shall be photographed and videotaped prior to removal in accordance with Stipulation I.A.
4. Prior to the demolition of the Bridge, MDOT, in consultation with the SHPO, shall develop a plan for removing, retaining and disposing of Operating Equipment. As part of this plan, MDOT and the SHPO shall evaluate the Operating Equipment for salvage viability and historic significance. Equipment that is determined to be salvageable and/or have historic significance will be tagged, clearly indicated on plans, and removed carefully. Items identified for retention will be stored in a secure manner until appropriate disposition can be determined. The plan for Operating Equipment may be amended to the MOA per Stipulation III.A.
5. Any retained structures shall be rehabilitated following the Secretary of the Interior *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (National Park Service, 1990) (*Standards*). MDOT shall develop a rehabilitation and maintenance plan for the structures in cooperation with the FHWA, SHPO, and MDOT.

II. PHASE II MITIGATION

A. Design of New Bridge

1. The replacement structure will be a two-leaf bascule bridge; the design shall be architecturally appropriate and context sensitive.
2. Prior to completing the design for the new bridge, a minimum of three public forums will be held to allow public input on bridge aesthetics. FHWA and MDOT shall review the results of these forums and shall incorporate, where practicable, any comments or suggestions from the public into the bridge design.
3. FHWA and MDOT shall consult with the SHPO, Wayne County, the City of Detroit, and other interested parties and provide them with the opportunity to review and comment on the architectural plans for the replacement bridge. Interested parties include other affected federal, state, and local agencies, community businesses and citizen organizations, and private citizens. The interested parties will continue to be identified and recognized throughout the bridge design and implementation phase.

B. Interpretive Site

Within one year of replacing the Bridge, if not earlier, MDOT shall consider the feasibility of developing an Interpretive Site for the interpretation of the Bridge and its surrounding area.

MDOT shall consider the following factors in determining feasibility and development of the Interpretive Site:

1. Consultation

- a. MDOT shall seek partners to assist in the development of and long-term viability of the Interpretive Site. Such partners shall include the Consulting Parties for this MOA, Wayne County, the City of Detroit, and other interested parties.

2. Site Considerations

- a. The Interpretive Site shall incorporate the historic operator's house, pict/mechanical housing and a portion of the bridge approach which shall have been retained in accordance with Stipulation I.B.
- b. Boundaries for the Interpretive Site shall be within existing MDOT right-of-way.

3. Site Design and Interpretation Considerations

- a. Design and Interpretive Function of the Interpretive Site shall be a collaborative effort and shall include the parties named in Stipulation II.B.1 and the general public.
- b. The public component of the design process will be handled in conjunction with the public forums described in Stipulation II.A.2.
- c. Interpretive functions will include opportunities for permanent and changeable interpretive exhibits. The site shall attempt to accommodate a river overlook and other amenities.
- d. The site design shall be consistent with the *Standards* and shall meet the overall design intent for the *Rouge River Gateway Master Plan* and *GreenWays Initiative*. See:

<http://www.rougeriver.com/geninfo/gateway.html>

http://greenways.cfsem.org/projects/projects_reader.php?pid=Rouge_River_Gateway_Corridor.txt

http://greenways.cfsem.org/grantees/grantees_reader.php?pid=Southwest_Detroit_Business_Associat.txt

4. Long-Term Ownership, Management and Maintenance of Interpretive Site Considerations

- a. MDOT intends to retain ownership of the Interpretive Site but will consider turning over ownership to another agency if such an arrangement will better serve the mission of the Interpretive Site. If ownership is transferred, MDOT must include provisions for the long-term management and maintenance of the Interpretive Site by another entity.
- b. Management and maintenance of the Interpretive Site may be contracted to another agency as part of an operating and maintenance agreement for the replacement M-85/Fort Street Bascule Bridge.

- c. MDOT will establish a fund for the maintenance and development of the Interpretive Site and will contribute an amount, yet to be determined, as seed money for the fund. MDOT shall develop guidelines for contributing to and drawing from the fund.
- d. In consultation with the FHWA and SHPO, MDOT shall develop a long-term Management and Maintenance Plan for the Interpretive Site

III. GENERAL CONSIDERATIONS

A. Amendment

1. Any party to this MOA may propose to the other parties that it be amended, whereupon the parties will consult in accordance with 36 CFR 800.6(c)(7) to consider such an amendment.
2. In the event that any portion of Phase II Mitigation (Stipulation II) is found to be infeasible, the parties to this MOA shall consult to consider appropriate alternative mitigation.
3. Any additional or alternative actions considered pursuant to this agreement shall be subject to implementation by amending this MOA in accordance with this section.

B. Dispute Resolution

Should the SHPO or MDOT object within 30 (thirty) days to any actions proposed pursuant to this MOA, the FHWA shall consult with the objecting party to resolve the objection. If the FHWA determines that the objection cannot be resolved, the FHWA shall forward all documentation relevant to the dispute to the Advisory Council on Historic Preservation (Council). Within 45 (forty-five) days after receipt of all pertinent documentation, the Council will either:

1. Provide the FHWA with recommendations, which the FHWA will take into account in reaching a final decision regarding the dispute; or
2. Notify the FHWA that it will comment pursuant to 36 CFR 800.7(c) and proceed to comment. Any Council comment provided in response to such a request will be taken into account by FHWA in accordance with 36 CFR 800.7(c)(4) with reference to the subject of the dispute.

C. Termination

1. If the FHWA determines that it cannot implement the terms of this MOA, or if the SHPO determines that the MOA is not being properly implemented, the FHWA or the SHPO may propose to the other parties to this MOA that it be terminated.
2. The party proposing to terminate this MOA shall so notify all parties to this MOA explaining the reasons for termination and affording at least sixty (60) days to consult and seek alternatives to termination. The parties shall then consult.
3. Should such consultation fail, the FHWA or the SHPO may terminate the MOA by so notifying all parties.

4. Should this MOA be terminated, the FHWA shall either:
- a. Consult in accordance with 36 CFR § 800.6 to develop a new MOA; or
 - b. Request the comments of the Council pursuant to 36 CFR § 800.7.

Execution and implementation of this MOA and its submission to the Council evidences that FHWA has afforded the Council a reasonable opportunity to comment on the project and that the FHWA has taken into account the effects of the project on historic properties.

FEDERAL HIGHWAY ADMINISTRATION

By: James J. Steele Date: 5/11/05
James J. Steele, Division Administrator

MICHIGAN STATE HISTORIC PRESERVATION OFFICER

By: Brian D. Conway Date: 4/13/05
Brian D. Conway, State Historic Preservation Officer

Concur:

MICHIGAN DEPARTMENT OF TRANSPORTATION

By: Susan Mortel Date: 5/9/05
Susan Mortel, Deputy Director, Bureau of Transportation Planning

MICHIGAN STATE HISTORIC PRESERVATION OFFICE DOCUMENTATION GUIDELINES

The following guidelines provide instruction for producing permanent documentation of historic properties following submittal to the State Historic Preservation Office, the photos produced will be transferred to the State Archives, where they will be maintained and made available to the public for research purposes. In many cases, this documentation will constitute the only visual public record of a resource. It is therefore important that reports, drawings and photographs adequately depict the salient visual characteristics of the resource, and that they be produced using archivally stable materials and procedures.

The specifications outlined in this memorandum are intended to ensure that the material will be of high quality and remain in usable condition for many years to come. The guidelines were adapted from those used for submitting nominations to the National Register of Historic Places, as described in **National Register Bulletin 16: *Guidelines for Completing National Register of Historic Places Forms***. The complete text of this and other National Register Bulletins may be found on the web at <http://www.cr.nps.gov/nr/publications/bulletins.htm>.

I. REPORTS - GENERAL INSTRUCTIONS

Reports should be printed on archival paper and be 8½ by 11 inches in size.

II. DESCRIPTIVE AND HISTORICAL NARRATIVES

The report should contain a descriptive and historical narrative about the resource(s). The descriptive overview should concisely but thoroughly describe the resource, including discussion of its site and setting; overall design and form, dimensions, structural character, materials, decorative or other details, and alterations. The historical narrative should provide an account of the resource's history and explain its significance in terms of the national register criteria (information about the criteria for listing a resource in the national register may be found on the web at <http://www.cr.nps.gov/nr/listing.htm>). Published and unpublished sources should be used as needed to document the resource's significance. For bridges and public structures, public records and newspapers should be used for information concerning the historical background and construction of the resource and to identify those involved in its design and construction. All sources of information (including author, title, publisher, date of publication, volume and page number) should be listed in a bibliography.

III. DRAWINGS - GENERAL INSTRUCTIONS

Drawings should be drawn or printed on archival paper and folded to fit an archival folder approximately 8½ by 11 inches. Use coding, crosshatching, numbering, transparent overlays, or other standard graphic techniques to indicate the information. Do not use color because it can not be reproduced by microfilming or photocopying. Drawings should be used to document the existing condition of the resource, the evolution of a resource, alterations to a building or complex .of buildings, floor plans of interior spaces. - Site plans should have a graphic north arrow and include locations and types of trees, shrubs and planting beds. All architectural and site plans should include dimensions indicating the overall size of buildings, sizes of major interior spaces and distances between major site features. If original drawings of the resource(s) exist, add a graphic scale the drawings and reproduce them to fit on 8½ by 11 inch archival paper. Photographic reductions are permissible provided they meet the photographic requirements specified in these guidelines.

IV. PHOTOGRAPHS - GENERAL INSTRUCTIONS

Submit clear and descriptive black and white photographs and negatives in acid-free envelopes. Photographs should provide a clear visual representation of the historic integrity and significant features of the resource. The number of photographs needed will vary according to the project and the nature of the resource. The attached article by David Ames, *A Primer on Architectural Photography and the Photo Documentation of Historic Structures* ([Vernacular Architecture Forum News](http://www.vernaculararchitecture.org/IFeatures/photography/article.htm), no date) provides helpful information for photographing buildings and structures. This article is available on the web at <http://www.vernaculararchitecture.org/IFeatures/photography/article.htm>.

GUIDELINES FOR PHOTOGRAPHIC COVERAGE

The number of photographic views required depends on the size and complexity of the resource. Submit as many photographs as needed to depict the current condition and significant aspects of the resource. When available, prints of historic photographs may supplement documentation.

Buildings, Structures and Objects

- Submit one or more views to show the principal facades and the environment or setting in which the resource is located;
- Additions, alterations, intrusions, and dependencies should appear in the photographs;
- Include views of interiors, outbuildings, landscaping, or unusual details if the significance of the resource is entirely or in part based on them.

Historic and Archaeological Sites

- Submit one or more photographs to depict the condition of the site and any above-ground or surface features and disturbances;
- If they are relevant to the site's significance, include drawings or photographs that illustrate artifacts that have been removed from the site;
- At least one photograph should show the physical environment and configuration of the land making up the site.

BASIC REQUIREMENTS

Photographs must be:

- at least 5 x 7 inches, preferably 8 x 10 inches, unmounted (do not affix the photographs to paper, cards, or any other material); photographs with borders are preferred;
- printed on double or medium-weight black-and-white paper having a matte, glossy, or satin finish; fiber-based papers are preferred; resin-coated papers that have been

processed automatically will be accepted provided they have been properly processed and thoroughly washed; we recommend the use of a hypo-clearing or neutralizing agent, and toning in selenium or sepia to extend the useful life of the photographs;

- submitted in acid free envelopes; the envelopes should be labeled in pencil (see labeling instructions below).

ENVELOPE LABELING INSTRUCTIONS

Neatly print the following information on the upper right corner of the envelope in soft **lead pencil**:

1. Name of the resource;
2. Street Address, township, county, and state where the resource is located;
3. Name of photographer;
4. Date of photograph;
5. Description of view indicating direction of camera;
6. Photograph number.

Do not use adhesive labels for this information.

NEGATIVE SUBMISSION INSTRUCTIONS

The negatives must be submitted with the prints. Each strip of negatives should be submitted in acid free envelopes that have the following information submitted in soft lead pencil in the upper right corner of the envelope.

1. Name of the resource;
2. Name of the photographer;
3. Date of photograph;
4. Negative numbers

V. ADDITIONAL ITEMS

In addition to the items described in these guidelines, the SHPO may request additional documentation, depending on the nature and, significance of a particular resource.

If you have any questions, please contact the Environmental Review Coordinator at 517-335-2721.

State Historic Preservation Office
Michigan Historical Center
717 W. Allegan
Lansing, MI 48918-1800

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APPENDIX C

Comments Received from Federal, State and Local Agencies

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From: David Wresinski
To: Kamke.Sherry@epamail.epa.gov
CC: Irwin, Andy; Noblet, Lori
Date: 4/8/2010 11:45AM
Subject: Re: Supplement to the EA for M-85 Bascule Bridge

Thank you Sherry.

>>> <Kamke.Sherry@epamail.epa.gov> 4/8/2010 11:34AM >>>

I wanted you both to know that EPA has no comments on the Supplemental EA. Thank you.

Sherry A. Kamke
Environmental Scientist
NEPA Implementation (Mailcode: E-19J)
Office of Enforcement and Compliance Assurance
U.S. EPA Region 5
77 W. Jackson Blvd.
Chicago, Illinois 60604-3590
Phone: 312-353-5794
Fax: 312-408-2215

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United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240



APR 19 2010

9043.1
PEP/NRM

ER 05/34

Mr. James J. Steele
Division Administrator
Federal Highway Administration
315 West Allegan Street, Room 201
Lansing, Michigan 48933

Dear Mr. Steele:

As requested, the Department of the Interior (Department) has reviewed the supplement to the Environmental Assessment and Programmatic Section 4(f) Evaluation for **Replacement of Fort Street (M-85) Bascule Bridge over the Rouge River, City of Detroit, Wayne County, Michigan**. The Department offers the following comments and recommendations for your consideration.

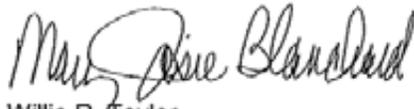
Section 4(f) Comments

The supplement to the original Environmental Assessment and Section 4(f) Evaluation changes the Preferred Alternative by utilizing one of the alternatives studied in the earlier evaluation, replacement of the existing bridge on the same alignment. This results in the Section 4(f) involvement of the Fort Street Bascule Bridge only, a property eligible for the National Register of Historic Places. The Department concurs with the Federal Highway Administration (FHWA) and the Michigan Department of Transportation (MDOT) that there appears to be no feasible or prudent alternative to the proposed project, which would result in the loss of the eligible Section 4(f) property, the Fort Street Bascule Bridge over the Rouge River. The Department also concurs that all measures to minimize harm to the property have been employed, under the condition that the mitigation proposed in the draft Memorandum of Agreement (MOA) is agreed to by the Michigan State Historic Preservation Officer. A copy of the signed MOA should be attached to the final evaluation.

The Department has a continuing interest in working with the FHWA and the MDOT to ensure impacts to resources of concern to the Department are adequately addressed. For matters related to Section 4(f), please contact Regional Environmental Coordinator Nick Chevance, National Park Service, Midwest Regional Office, 601 Riverfront Drive, Omaha, Nebraska 68102-4226; telephone 402-661-1844.

We appreciate the opportunity to provide these comments.

Sincerely,


for Willie R. Taylor
Director, Office of Environmental
Policy and Compliance

✓ CC:
Mr. David E. Wresinski, Administrator
Project Planning Division
Michigan Department of Transportation
P.O. Box 30050
Lansing, Michigan 48909



STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENT

LANSING

JENNIFER M. GRANHOLM
GOVERNOR

REBECCA A. HUMPHRIES
DIRECTOR

April 2, 2010

Mr. David E. Wresinski, Administrator
Project Planning Division
Michigan Department of Transportation
P.O. Box 30050
Lansing, Michigan 48909

Dear Mr. O'Malley:

**SUBJECT: Supplemental Environmental Assessment – Programmatic Section 4(f) Evaluation
Fort Street (M-85) Bascule Bridge, Rouge River, City of Detroit, Wayne County**

The Department of Natural Resources and Environment's (DNRE) Land and Water Management Division (LWMD) has reviewed the Supplement to the Environmental Assessment (SEA) for the proposed Fort Street (M-85) Bascule Bridge replacement over the Rouge River in the City of Detroit, Wayne County.

The primary purpose of the proposed project is to correct the deficiencies and deterioration of the bascule bridge. The secondary purpose is to establish a traffic flow preference for M-85.

The supplement indicates that the current proposed alternative is to replace the bridge on existing alignment versus the previous recommendation to replace the structure just downstream on a 13 degree skewed alignment. The primary reason given for the change are the excessive costs associated with purchasing a new right of way.

The LWMD does not object to the issuance of a Finding of No Significant Impact (FONSI) by the Federal Highway Administration for this project. We have the following comments:

- Page 22 of the SEA, under Post construction impacts, states that the new bridge structure may have an open grate bridge deck which could allow for direct runoff from the bridge to the river. LWMD encourages the Michigan Department of Transportation (MDOT) to evaluate alternatives to capture and treat this runoff before entering directly into the river.
- Page 26 of the SEA indicates that sediment in the Rouge River may be contaminated, and measures must be taken to properly contain and dispose of these sediments. Proper testing of the sediments in the Rouge River should occur. Test results and a proper disposal plan should be submitted with the Part 301 application to the LWMD.
- Page 26 of the SEA indicates that soil samples in the area of the project have concentrations of contamination above state criteria. MDOT should coordinate work activities in these areas with the DNRE's Remediation and Redevelopment Division

Mr. David Wresinski

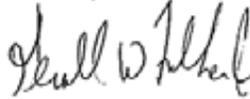
2

April 2, 2010

(RRD). You may contact Mr. Oladipo Oyinsan in the RRD's Southeast Michigan District Office at 586-753-3800.

If you have any questions, please contact Mr. Alex Sanchez of this office at 517-335-3473, or you may contact me.

Sincerely,



Gerald W. Fulcher, Jr., P.E., Chief
Transportation and Flood Hazard Unit
Land and Water Management Division
517-335-3172

cc: Mr. David Williams, U.S. Federal Highway Administration
Ms. Sherry Kamke, U.S. Environmental Protection Agency
Mr. Craig Czarnecki, U.S. Fish and Wildlife Service
Mr. John Konk, U.S. Army Corps of Engineers
Mr. Oladipo Oyinsan, DNRE
Mr. Andy Hartz, DNRE
Mr. Chris Antleau, DNRE
Mr. Alex Sanchez, DNRE



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF AGRICULTURE
LANSING

DON KOIVISTO
DIRECTOR

April 14, 2010

Mr. David E. Wresinski, Administrator
Project Planning Division
Bureau of Transportation Planning
Michigan Department of Transportation
P.O. Box 30050
Lansing, MI 48909

Re: Rouge River Bascule Bridge Replacement, Detroit, MI, Wayne County –
Environmental Assessment/ Programmatic Section 4(f) Evaluation

Dear Mr. Wresinski:

I received your request for review and comment as part of the Environmental Assessment (EA)/ Programmatic Section 4(f) Evaluation for the proposed Bascule Bridge replacement over the Rouge River in Detroit, Michigan. I have reviewed the plans and discussion of the proposed project with Michigan Department of Agriculture (MDA) staff.

Our primary concern, as it relates to this and similar projects would be potential impacts the project could have on properties enrolled under Part 361 of NREPA (formerly PA 116, the Farmland and Open Space Preservation Act) and on established intra- and inter-county drains. This area, however, is a highly urbanized corridor. We find no potential impacts to Part 361 lands nor do plans indicate any impacts on established intra-county or inter-county drains.

We find no additional concerns regarding the issues identified in this Environmental Assessment as they might relate to the various additional functions of the MDA and, as such, take no issue with a Finding of No Significant Impact (FONSI).

We appreciate being included in this EA Process. Feel free to contact me at (517) 241-3933 if I can be of further assistance on this project.

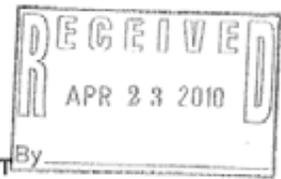
Sincerely,

Abigail S. Eaton
Environmental Resource Specialist



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENT
LANSING



By REBECCA A. HUMPHRIES
DIRECTOR

April 20, 2010

Mr. David E. Wresinski, Administrator
Project Planning Division
Department of Transportation
P.O. Box 30050
Lansing, Michigan 48909

SUBJECT: Proposed Replacement of the Bascule Bridge over the Rouge River

Dear Mr. Wresinski:

The location of the proposed projects were checked against known localities for rare species and unique natural features, which are recorded in a statewide database. This continuously updated database is a comprehensive source of existing data on Michigan's endangered, threatened, or otherwise significant plant and animal species, natural plant communities, and other natural features. Records in the database indicate that a qualified observer has documented the presence of special natural features at a site. The absence of records in the database for a particular site may mean that the site has not been surveyed. The only way to obtain a definitive statement on the status of natural features is to have a competent biologist perform a complete field survey.

Under Act 451 of 1994, the Natural Resources and Environmental Protection Act, Part 365, Endangered Species Protection, "a person shall not take, possess, transport, ...fish, plants, and wildlife indigenous to the state and determined to be endangered or threatened," unless first receiving an Endangered Species Permit from the Department of Natural Resources & Environment, Wildlife Division. The presence of threatened or endangered species does not preclude activities or development, but may require alterations in the project plan. *Species may be present that have not been recorded in the database.*

The following is a summary of the results of the review in Wayne County, section 28, T2S R11E:

The projects should have no impact on rare or unique natural features at the locations specified above if it proceeds according to the plans provided. Please contact Ms. Lori Sargent for an evaluation if the project plans are changed.

Thank you in for your coordination in addressing the protection of Michigan's natural resource heritage. Responses and correspondence can be sent to: Michigan Department of Natural Resources & Environment, Wildlife Division, PO Box 30444, Lansing, MI 48909. If you have further questions, please contact Ms. Sargent at 517-373-9418, or at SargentL@michigan.gov.

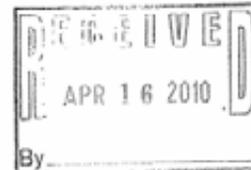
Sincerely,

Russ Mason, Ph.D., Chief
Wildlife Division
517-373-1263

cc: Ms. Lori Sargent, DNRE



April 15, 2010



Mr. David Wresinski, Administrator
Project Planning Division
Michigan Department of Transportation
P.O. Box 30050
Lansing, MI 48909

SUBJECT: REPLACEMENT OF THE FORT STREET (M-85) BASCULE BRIDGE PROJECT
Comments on the Supplement to the Environmental Assessment

The Department of Environmental Affairs (DEA) has reviewed the Supplement to the Environmental Assessment Programmatic Section 4(F) Evaluation (EA), for the proposed replacement of the Fort Street (M-85) Bascule Bridge Project, prepared by MDOT, dated March 9, 2010. Following are DEA's comments/concerns regarding this document.

2.14 Water Quality

- Refer to page 22 of the EA report. DEA recommends that MDOT implement a filtering process for drainage from the bridge deck prior to runoff being discharged to the river. Although drainage from the current bridge is discharging directly to the river, MDOT should be proactive in minimizing the amount of road pollutants and runoff that is being discharged directly to the river.

2.19 Sites of Environmental Contamination

- Refer to page 26 of the EA report. MDOT needs to state in the report that MDNRE (formerly MDEQ) Part 201 Cleanup Standards will be used for removal and disposal of soil or groundwater contamination.

Mitigation Measures, pg. 26

- It should be stated within the EA report that MDOT will follow NREPA Act 451 of 1994 Section 324.20120c Relocation of soil, when excavating, reusing and transporting contaminated soils. We recommend that MDOT will notify DEA of such cases as they occur.
- Refer to second paragraph under this section. In addition to authorization from MDNRE, MDOT will also need to obtain a permit from the City of Detroit Water and Sewage Department prior to discharging water to the City's storm sewers. This needs to be stated in the report.
- The EA report indicates that there are areas of contamination throughout the project area. In the long term, how does MDOT plan to monitor the areas of concern to ensure contaminated sediment, soil, etc. is not exposed, exacerbated or pose a threat to the river,



environment and health and safety of the community? Will these areas be monitored quarterly, yearly, etc.? Will these concerns be addressed in the Design Plans referred to under section 2.21?

- MDOT will need to prepare a Section 7a Compliance Analysis according to Part 201 of Act 451 of 1994, as amended, for the impacted/contaminated areas within the project that will not be excavated as part of this project.

General Comments/Concerns

- City of Detroit Rights – Of – Way (ROW) access permits are to be acquired by MDOT for all City owned ROWs. Mr. William Hischke with the Department of Environmental Affairs can be contacted at 313-471-5104 to initiate this process.

We look forward to an opportunity to discuss the comments above. If you have any questions please feel free to contact me at (313) 471-5108 or Mrs. LaReina E. Wheeler at 313-471-5110 or via email at scott@detroitmi.gov and wheelerla@detroitmi.gov, respectively.

Sincerely,

A handwritten signature in cursive script that reads "Raymond A. Scott".

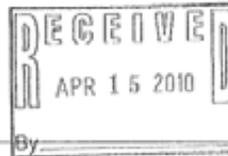
Raymond A. Scott
General Manager

RAS/lew

cc Alfred Jordan, Director, DPW



CITY OF DETROIT
PLANNING AND DEVELOPMENT DEPARTMENT



2300 CADILLAC TOWER
DETROIT, MICHIGAN 48226
PHONE 313-224-6380
FAX 313-224-1629
WWW.DETROITMI.GOV

April 8, 2010

Mr. David Wresinski, Administrator
Project Planning Division
Michigan Department of Transportation
P.O. Box 30050
Lansing, MI 48909

RE: Response to the supplement to the Environmental Assessment (EA) for the proposed replacement of the Fort Street (M-85) Bascule Bridge over the Rouge River in the City of Detroit, Wayne County, Michigan.

Mr. David Wresinski:

As per your request, the City of Detroit Planning & Development Department has reviewed the supplement to the Environmental Assessment (EA) for the proposed replacement of the Fort Street (M-85) Bascule Bridge over the Rouge River in the City of Detroit, Wayne County, Michigan. Our response is solely regarding the compliance with the City of Detroit Master Plan of Policies and the City of Detroit Zoning Ordinance.

The proposal is consistent with the IDP (Distribution/Port Industrial) land use shown on the attached *Boynton Neighborhood Area (S-1B)/West Riverfront Neighborhood Area (S-7B)* Future General Land Use maps from the Master Plan of Policies. The proposal is also consistent with the M4 (Intensive Industrial District) designated zoning (Maps #49, #52) from the City of Detroit Zoning Ordinance.

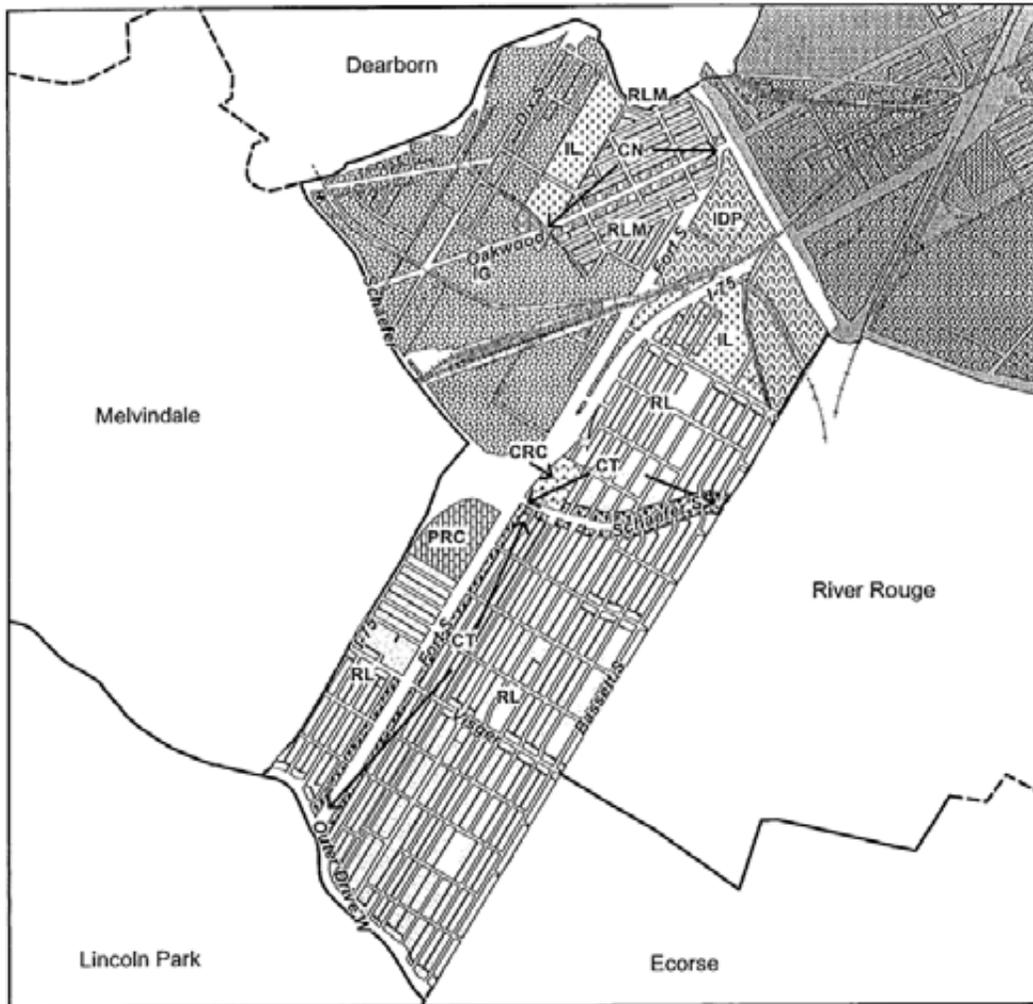
Respectfully,

Marja Winters,
Deputy Director

MMW/CL/sb

Enclosure

cc: Warren Palmer, Director
John Baran, Executive Manager
Clarence Lee, Manager I



Map 5-1B

City of Detroit
Master Plan of
Policies

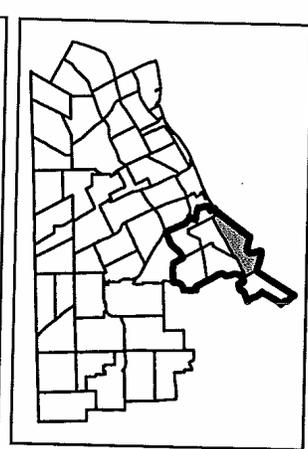
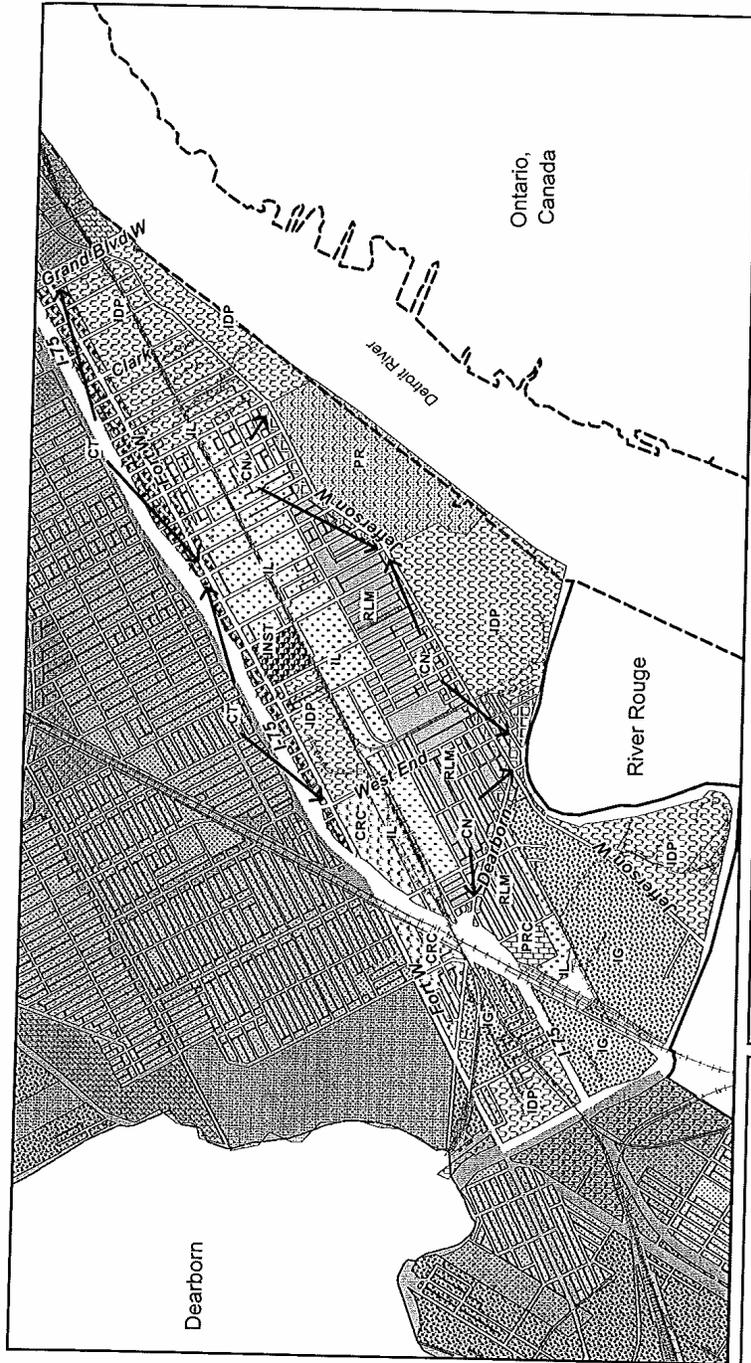
**Neighborhood Cluster 5
Boynton**



Future Land Use -

- | | |
|--------------------------------------|------------------------------------|
| Low Density Residential (RL) | Light Industrial (IL) |
| Low-Medium Density Residential (RLM) | Distribution/Port Industrial (IDP) |
| Medium Density Residential (RM) | Mixed-Residential/Commercial (MRC) |
| High Density Residential (RH) | Mixed-Residential/Industrial (MRI) |
| Major Commercial (CM) | Mixed-Town Center (MTC) |
| Retail Center (CRC) | Recreation (PRC) |
| Neighborhood Commercial (CN) | Regional Park (PR) |
| Thoroughfare Commercial (CT) | Private Marina (PMR) |
| Special Commercial (CS) | Airport (AP) |
| General Industrial (IG) | Cemetery (CEM) |
| | Institutional (INST) |

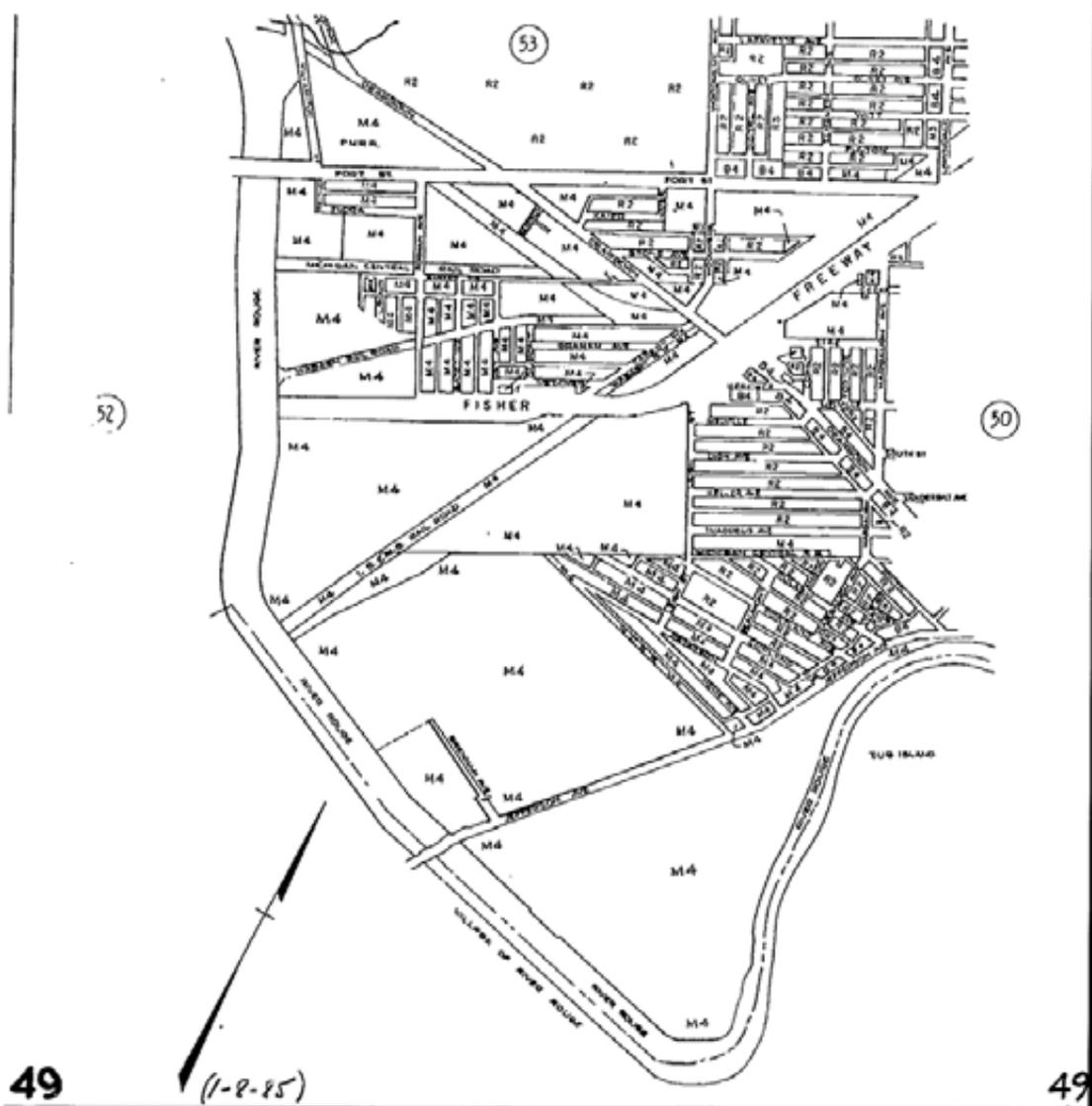




- Future Land Use -**
- Low Density Residential (RL)
 - Low-Medium Density Residential (RLM)
 - Medium Density Residential (RM)
 - High Density Residential (RH)
 - Major Commercial (CM)
 - Retail Center (CRC)
 - Neighborhood Commercial (CN)
 - Thoroughfare Commercial (CT)
 - Special Commercial (CS)
 - General Industrial (IG)
 - Light Industrial (IL)
 - Distribution/Port Industrial (IDP)
 - Mixed-Residential/Commercial (MRC)
 - Mixed-Residential/Industrial (MRI)
 - Mixed-Town Center (MTC)
 - Recreation (PRC)
 - Regional Park (PR)
 - Private Marina (PMR)
 - Airport (AP)
 - Cemetery (CEM)
 - Institutional (INST)

Map 5-7B
 City of Detroit
 Master Plan of
 Policies
Neighborhood Cluster 5
West Riverfront







52 (12-19-77) *gpc*

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APPENDIX D

Comments received from the Public and Transcript

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**M-85 (Fort Street) Drawbridge Replacement
Comment Form**

The Michigan Department of Transportation (MDOT) is hosting a Public Information meeting to inform the public about the proposed replacement of the historically significant Fort Street Drawbridge on existing alignment. The project would improve the river channel clearance for boat traffic and improve the intersection at Fort Street and Oakwood Boulevard.

GET INVOLVED!

Your comments are important and will receive careful consideration.

* * * PLEASE PRINT CLEARLY * * *

Name Sally McKellar % Morton Salt
Address 10335 Flora St.
City/Zip Detroit, MI 48209
Email smckellar@mortonsalt.com

Comments:

- Prefer underground counter weights
- Please consider preserving current tower as historic landmark
- Would like to see plans as they become available

**M-85 (Fort Street) Drawbridge Replacement
Comment Form**

The Michigan Department of Transportation (MDOT) is hosting a Public Information meeting to inform the public about the proposed replacement of the historically significant Fort Street Drawbridge on existing alignment. The project would improve the river channel clearance for boat traffic and improve the intersection at Fort Street and Oakwood Boulevard.

GET INVOLVED!

Your comments are important and will receive careful consideration.

* * * PLEASE PRINT CLEARLY * * *

Name Tyrone A. Laker
Address 25701 N. Oakwood Drive
City / Zip Detroit 48217
Email tylaker3@yahoo.com

Comments:

Can anyone address the impact issues of detouring traffic and possibly police services to the residents of zip code 48217. Four years is a long time! Two years for each project is unacceptable for the community! Why not do them both at the same time.

**M-85 (Fort Street) Drawbridge Replacement
Comment Form**

The Michigan Department of Transportation (MDOT) is hosting a Public Information meeting to inform the public about the proposed replacement of the historically significant Fort Street Drawbridge on existing alignment. The project would improve the river channel clearance for boat traffic and improve the intersection at Fort Street and Oakwood Boulevard.

GET INVOLVED!

Your comments are important and will receive careful consideration.

* * * PLEASE PRINT CLEARLY * * *

Name Linda A. Martin
Address 631 S Colonial
City / Zip Det 48212
Email martin4767@sbcglobal.net

Comments:

I would like to see MDOT make sure
the soil is checked for contaminants
and remove them and not put back
in place clean up soil. all dirt
should be cleaned and tested

**M-85 (Fort Street) Drawbridge Replacement
Comment Form**

The Michigan Department of Transportation (MDOT) is hosting a Public Information meeting to inform the public about the proposed replacement of the historically significant Fort Street Drawbridge on existing alignment. The project would improve the river channel clearance for boat traffic and improve the intersection at Fort Street and Oakwood Boulevard.

GET INVOLVED!

Your comments are important and will receive careful consideration.

* * * PLEASE PRINT CLEARLY * * *

Name: N. Cancel
Address: 7744 W. VERNOR
City / Zip: Del MI 48209
Email: CANCELN@detroitmi.gov

Comments:

Concerns w/ overflow of traffic
ON other routes, what is in place
with truck traffic who enforces:

In case there is AN ACCIDENT ON I-75
how will the traffic overflow be
handled?

First response terms Alternative routes:
will M-DOT be subsidizing ANY
funds to the city for certain issues
pertaining to construction?

I feel the underdeck would be better
safe. Or may cause some youth to climb or
tag equipment eliminate the situation.

**M-85 (Fort Street) Drawbridge Replacement
Comment Form**

The Michigan Department of Transportation (MDOT) is hosting a Public Information meeting to inform the public about the proposed replacement of the historically significant Fort Street Drawbridge on existing alignment. The project would improve the river channel clearance for boat traffic and improve the intersection at Fort Street and Oakwood Boulevard.

GET INVOLVED!

Your comments are important and will receive careful consideration.

*** * * PLEASE PRINT CLEARLY * * ***

Name KENNETH BORG
Address 3512 MERRICK
City/Zip DEARBORN, MI 48124-3849
Email _____

Comments:

ON NEW FORT ST. VIADUCT CAN YOU PUT
IN CAMERA PORTS IN FENCING FOR PEOPLE
WHO LIKE TO TAKE TRAIN PICTURES

PROSPECT A RETAINMENT HOLE 16" X 6"
ABOUT 4 OF THEM 5 FEET ABOVE THE
SIDE WALK.

**M-85 (Fort Street) Drawbridge Replacement
Comment Form.**

The Michigan Department of Transportation (MDOT) is hosting a Public Information meeting to inform the public about the proposed replacement of the historically significant Fort Street Drawbridge on existing alignment. The project would improve the river channel clearance for boat traffic and improve the intersection at Fort Street and Oakwood Boulevard.

GET INVOLVED!

Your comments are important and will receive careful consideration.

* * * PLEASE PRINT CLEARLY * * *

Name KENNETH BORG
Address 3512 MERRICK
City / Zip DENBARD, MI 48124-3849
Email _____

Comments:

PUT DRAWBRIDGE BELOW GRADE.
YES IT COST MORE BUT WILL LOOK
SO MUCH BETTER OVER THE LIFE OF THE
BRIDGE.

**Official Public Hearing Transcript for the
Supplement to the
Environmental Assessment and Programmatic
Section 4 (f) Evaluation for the Proposed
Fort Street (M-85) Bascule Bridge Replacement
City of Detroit, Wayne County, Michigan**



**Hearing held on March 25, 2010
Mark Twain Academy
Detroit, Michigan**

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STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION

In the Matter of:
Supplement to the EA for the
Fort Street (M-85) Drawbridge
Replacement Project

PUBLIC HEARING

12800 Visger, Detroit, Michigan
Thursday, March 25, 2010, 4:00 p.m.

APPEARANCES: Bill Land
MDOT

RECORDED BY: Rachel Sunde, CER 6538
Certified Electronic Recorders
Network Reporting Corporation
1-800-632-2720

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— STATEWIDE COURT REPORTERS —
800-632-2720

1 Detroit, Michigan
2 Thursday, March 25, 2010 - 4:00 p.m.
3 MR. DAVIS: My name is George Davie, and I'm with
4 the Detroit Salt Company. We own and operate the salt mine
5 within Oakwood Heights. I'm also a representative of the
6 Oakwood Heights Business Association which represents many
7 of the businesses in Oakwood Heights as well. My specific
8 comments are the following: I'm advocating for the left
9 turn lane option on Fort Street so that semi trucks can make
10 a turn back onto Oakwood from Fort. We think that would be
11 good for business and commercial usage. Secondly, we
12 advocate for use of a base camp on the western side of the
13 Rouge River so that workers that are on this project can
14 enjoy the use of Gonella's, there's a party store there,
15 Giovanni's, and various other restaurants that are down Fort
16 Street within the Detroit area.

17 As an Oakwood Heights business member we try to
18 promote those particular pieces. In fact, I spoke with
19 Fran Truant, who is the owner of Giovanni's Restaurant, who
20 owns several lots that are vacant on Oakwood that might be
21 used for staging and for base camp operations for part of
22 your crew that works on this project. And I guess thirdly,
23 the overhead counterweight would probably be the preferred
24 option for the single leaf design. As it would limit any
25 impact on the river, Rouge River itself, and be simpler to

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1 maintain with cost estimates. It's easier to do things
2 above ground than it is to do it below ground. So that
3 would be a real nice piece there. And besides that, we are
4 glad that MDOT has taken the time and opportunity to talk
5 with the neighborhood about these things. As we all have a
6 business set of minded opportunities in Oakwood Heights. We
7 feel that MDOT is seeking to increase the options for us as
8 business and operators within the Oakwood Heights area.

9 (Off the record)

10 MR BORG: I'm all in favor of building the new
11 Fort Street bascule bridge with a single leaf, that looks
12 like a nice design. However, we need to put the
13 counterweight under the roadway. Overhead counterweight,
14 no, it will not look aesthetic for the next 90 years. If
15 this was in Grand Rapids, or Lansing, or Charlevoix, there
16 would be no question about it, the counterweight would be
17 below grade. The counterweight needs to be below grade.
18 The concept they have where the counterweight is below grade
19 and a single leaf bascule bridge, that's a nice concept.
20 I'm looking forward to seeing the new bridge and driving
21 over it.

22 REPORTER: Why don't you go ahead and state your
23 name one more time for the record.

24 MR. BORG: Kenneth Borg, B-o-r-g.

25 REPORTER: Thank you.
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1 (Off the record)

2 MS. SMITH: My name is Jacqueline Smith, and I
3 live in the 48217 Southwest Detroit. And I'm not too far
4 from the construction site where they're going to tear down
5 the old viaduct and put up a new one. The location is on
6 Fort Street adjacent to Marathon. Fort Street and -- what's
7 that -- it's just Fort Street; right?

8 MS. MOUNCE: Between Schaefer and Powell.

9 MS. SMITH: Between Schaefer and Powell. My
10 concern is, have you did a sampling of the concrete that
11 you're going to be breaking up, the construction people?
12 Because I know for sure that in the early 1900's that they
13 used asbestos and asbestos fibers were used in concrete, and
14 silica. And these are two deadly chemicals that could
15 affect the neighborhood. Especially when you're breaking up
16 the concrete. So I'm requesting that this concrete be
17 tested before construction even began.

18 MS. MOUNCE: My name is Jayne Mounce, I also live
19 in 48217 the neighborhood adjacent to the viaduct. I was
20 told that there is contaminated soil. And I think he did
21 say they did do testing on it. What was it Simone said?

22 MS. SMITH: We got three things that we have to
23 look at, when they're cutting the cement going up into the
24 air. And then when the trucks go over --

25 MS. MOUNCE: Yes. When they drive over the
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1 contaminated soil, it needs to remain wet.

2 MS. SMITH: And who's going to be watching?

3 MS. MOUNCE: Yes. We would like -- was curious
4 too if there is anybody going to be there to oversee the
5 project. You know, like somebody that's not 24 hours, but
6 any time that it's under construction that somebody will be
7 there to overlook the process, making sure that everything
8 is being handled properly. You know, if anything should be
9 released into the air. Right?

10 MS. SMITH: Yes. Is that all we want to say? The
11 pollution, we're just concerned about the pollution.

12 MS. MOUNCE: Air quality.

13 MS. SMITH: Air quality. And you have houses
14 right over that site. And what about the noise of the
15 piling that's going to be there? How many hours are they
16 going to be working? We need to know how many hours they
17 are going to be working so we can expect the noise. And we
18 do know that that piling causes deafness in senior citizens
19 and young kids, and that's what we have in the neighborhood.

20 (Off the record)

21 (Public Hearing concluded at 8:00 p.m.)

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APPENDIX E

Comparison of Structure Types

COMPARISON OF STRUCTURE TYPES

The existing bascule bridge that carries M-85, Fort Street, over the Rouge River is in need of replacement. The replacement bridge will be on essentially the same alignment as the existing bridge. The new bridge will carry five 12-ft traffic lanes and two 8-ft sidewalks over the river. The navigation channel at the existing bridge is currently 118 feet wide. The US Coast Guard requires that a new bridge will have to accommodate a navigation channel width of no less than 135 feet.

For the replacement bridge a number of structure types were considered; these were narrowed down to two practical alternatives, herein referred to as Option 2 and Option 3. (Option 1 is considered to be the 200-ft double-leaf bascule on the skewed alignment that is no longer viable due to excessive real estate costs.) Option 2 is a 176-ft single-leaf bascule with an overhead counterweight. Option 3 is a 176-ft single-leaf bascule with an underdeck counterweight. With both options, the heel of the bascule leaf is located on a bascule pier near the east bank of the river. In the closed (lowered) position, the toe of the bascule leaf will be supported on a rest pier near the west bank of the river.

Several criteria influence the selection of the preferred alternative. These include: constructability, construction costs, aesthetics & public preferences, ease of future inspections, ease/cost of future maintenance, future rehabilitation costs.

Constructability

The most significant constructability difference between the two options is that the underdeck counterweight will require a deep pit to accommodate the counterweight when the bascule leaf is in the open position. The bottom of the pit would need to be approximately 35 - 40 feet below the water line. This would require removing portions of the two utility tunnels and constructing a major cofferdam. In order to dewater the cofferdam to enable construction of the pier, a tremie concrete seal at least 36 feet thick would be required to overcome the water pressure of that depth plus at least 10 feet of artesian head. The bottom of the seal would be within 5 feet of bed rock. Constructing such a deep cofferdam and keeping it stable during excavation of the spoils and placement of the tremie seal would be difficult and expensive. Extensive pre-grouting to shut off the flow of water into the cofferdam from below, rock excavation for a keyway to resist the large horizontal forces, and possibly enormous amounts of water treatment for hydrogen sulfide and trapped methane will be required for the deep bascule pier required for Option 3.

Option 2 would not require a major cofferdam for constructing the bascule pier. A modest cofferdam or similar enclosure would be required to demolish the existing pier. The large diameter drilled shafts to support the bascule pier and the rest pier in Option 2 may be placed to minimize removal of the existing tunnels, existing caissons, and existing pit floors. Additionally, Option 2, with much smaller area within the pressurized aquifer, requires far less treatment of water from the excavation. Option 2 appears to require removal and disposal of much less contaminated material than Option 3.

COMPARISON OF STRUCTURE TYPES

The abutments, retaining walls, approach spans, and fender systems would be the same for both Option 2 and Option 3. Both Options 2 and 3 will require most of the construction of the bascule leaf to be done in the open position to permit large commercial vessels to use the channel. Therefore, the constructability issues are primarily, and significantly, affected by the counterweight type and the foundation required to accommodate that type.

Construction Costs

Preliminary “ball park” estimates using 2009 dollars resulted in an estimate of \$38,300,000 for Option 2, the overhead counterweight, and \$47,400,000 for Option 3, the underdeck counterweight. Almost all of the cost differential between the two options can be attributed to the foundation costs for the bascule pier. Option 3 requires a very large perimeter cofferdam driven to rock, extensive pre-grouting or soil mixing, extensive water treatment, and large volumes of both tremie and structural concrete compared with Option 2.

In order to raise the pit floor enough to construct a more conventional foundation with reduced cofferdam needs for Option 3, the tail holding the underdeck counterweight would need considerable shortening. The tail can be shortened by increasing the density of the counterweight material, by increasing the leaf imbalance using heavier machinery and higher powered electric motors, or a combination of higher density materials and more powerful motors and machinery. The cost per pound of normal weight concrete is estimated to be about 10 cents while heavy structural steel plates or billets will cost at least \$2.00 per pound. Lead, which is even denser than steel, will probably cost \$2.00 or more per pound. The shorter the tail, the more pounds of counterweight material is needed to reach the same balancing moment. Many millions could be spent on a shorter tail to save perhaps a few hundred thousand dollars in bascule pier costs. Alternatively, if the tail is shortened without any compensating increase in density, a greater imbalance is created, requiring more power to lift, hold, and lower the leaf. This requires larger electric motors, larger shafts, larger gears, larger brakes, larger supports, and more capacity throughout the electrical power circuits. To make a significant difference in substructure costs, machinery and electrical costs will be much greater than the benefits. Under any scenario the underdeck counterweight Option 3 will cost more than Option 2.

Aesthetics & Public Preference

Either option will be made to be aesthetically pleasing. The major difference between the two options is that Option 2 has the bascule machinery room and counterweight located above the roadway deck. Together, these compose a substantial structure.

The machinery room can be made a visual focal point. If the front of the machinery room has a glass front the large mechanical components will be visible to the users of the bridge. This would complement the industrial heritage of Detroit.

COMPARISON OF STRUCTURE TYPES

The counterweight for Option 2 will be the full width of the bridge and about 40 feet tall with the bottom being about 20 feet above the roadway surface. This is a very large visible mass and could be viewed as overbearing if not treated properly. The use of appropriate architectural details and colors can reduce the apparent massiveness of the counterweight.

It should be clarified that the Option 3 counterweight would not be visible to the traveling public.

Most people who have voiced a preference between the two options have indicated a preference for Option 2, primarily because it is a little different and would be more visually interesting.

Ease of Future Inspections

There should be no major difference in the ease of inspection for the two options. In either case, the component parts will be designed so that future inspections can be performed relatively easy. Access to some portions of Option 3 may be slightly more difficult than Option 2, but nothing that is not typical for MDOT's other bascule bridges.

Ease/Cost of Future Maintenance

Future maintenance costs should be relatively similar. The operating machinery, electrical systems, and structural members of the moving leaf will be similar size and function for both Options 2 and 3. Routine inspection, cleaning, and lubrication of the various parts will be essentially the same for both options.

Option 2 would have more exterior surface to maintain. In addition to the operator house on the north side of the bascule pier, it would have a stair tower/machinery enclosure on the south side of the pier. This second structure would require some maintenance over the years.

Option 3 would have a counterweight pit which will require periodic cleaning of debris from the roadway surface that falls into the pit when the leaf is opened. This means that access to the pit needs to be provided as well as a method of removing the accumulated debris by a vacuum hose or buckets and hoists. One or more sump pumps will be needed to remove roadway surface water and snow melt that routinely accumulates on the pit floor as well as any potential leaking of the pit walls and floor. It should be noted that the tops of the front walls of the existing bascule piers are just slightly above the record high water line and the counterweight pits have been partially flooded in the past. A new bascule pier would be constructed with its front wall sufficiently high to preclude flooding of the counterweight pit.

COMPARISON OF STRUCTURE TYPES

Future Rehabilitation Costs

The most common rehabilitation of any movable or fixed bridge is deck repair, overlay, or replacement. The deck area and type will be the same for both Option 2 and Option 3, and the costs for deck rehabilitation are expected to be the same for both options.

Option 3 requires a deep pit and a large bearing area anchored in the bedrock for the bascule pier. The potential for sliding or rotational movement is less for Option 3 than for the Option 2 foundation, which would be built of long drilled shafts with a cap or platform at the top. The rest pier on the west side of the river channel for both options is anticipated to be the same. However, it is unknown if the long term movement of the existing bridge is primarily on the east side, primarily on the west side, or nearly equal since the historic record only provided the relative distance between the two structures. There is a potential for future rehabilitation at the joint, bearings, and span locks at the rest pier for both options. Therefore, no significant difference in future rehabilitation costs due to movement can be estimated between Option 2, the overhead counterweight, and Option 3, the underdeck counterweight.

Most often substructure rehabilitation consists of repairing cracks and spalls of exposed concrete. Since Option 3 has a large bascule pier with a deep pit and much more exposed concrete than Option 2, we may anticipate that more extensive concrete repairs will be necessary for Option 3. However, Option 2, with both an Operator's House and a Stair Tower, may need more rehabilitation of exterior and interior walls, roofs, windows, and doors than just an Operator's House alone for Option 3. There may also be a potential for repairs or rehabilitation of the bottom of the bascule cap for Option 2, depending on the elevation of the bottom and future water levels. Overall, the future rehabilitation costs for substructures do not appear to be significantly different...

The operating machinery and electrical systems for both options are similar and rehabilitation costs will be similar.

Other parts that usually need repairs or rehabilitation are the fender system, traffic gates and signals, and railings. There will be no significant difference in design of the fender system, traffic gates, bridge signals, traffic railings, or pedestrian railings that will make a difference in future rehabilitation costs.

Preferred Alternative

After evaluating all of the above, the preferred alternative is Option 2, a single-leaf bascule with an overhead counterweight.