Appendix A

Section 1. Agency Comments on DEIS
and
Section 2. SHPO Letters

USDA

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Department of
Agriculture

Natural
Resources
Conservation
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June 1, 2005

Mr. Robert Parsons
Michigan Department of Transportation
P.O. Box 30050
Lansing, Michigan 48909

RE: Detroit Intermodal Freight Terminal, Wayne and Oakland Counties, Michigan: Draft Environmental Impact Statement and Draft Section 4(f) Evaluation (DEIS)

Dear Mr. Parson:

We have reviewed the DEIS for the Detroit Intermodal Freight Terminal in Wayne and Oakland Counties. We have determined that the proposed changes will not have a negative effect on prime and unique farmland. This is based on current use of the soils in Wayne County as per a photographic study. All of the City of Detroit and most of the surrounding cities south of 8-Mile Road in Wayne County are without a modern soil survey where some predictions related to future uses can reasonably be made based on soil characteristics. 1

The CN/Moterm Terminal in Oakland rests on soils that are quite porous, have seasonally high water tables within 6 feet of the surface and have high permeabilities. Contamination of near surface and surface waters is very likely in the event of a contaminant spill during any proposed construction. The movement or spread of such a spill can be rapid within these large soils pores. Contingency plans may need to be considered for such an event in all areas but especially for this terminal. 2

Thank you for this opportunity to comment on the proposed project.

Sincerely,

Timothy D. Cotton, acting

JOHN A. BRICKER
State Conservationist

cc:
Steve Olds, District Conservationist, NRCS, Ann Arbor, Michigan
Albert Jones, ASTC for Field Operations, NRCS, Flint, Michigan

NRCS Natural Resources Conservation Service

The Natural Resources Conservation Service works in partnership with the American people to conserve and sustain natural resources on private lands.

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1	Comment acknowledged.
2	The CN/Moterm Terminal is not part of the Preferred Alternative.

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

AUG 16 2005

REPLY TO THE ATTENTION OF

B-19J

Mr. Abdelmoez Abdalla
Environmental Program Manager
Federal Highway Administration
315 West Allegan Street, Room 201
Lansing, Michigan 48933

Re: Comments on the Draft Environmental Impact Statement (DEIS) for the Detroit Intermodal Freight Terminal (DIFT), Wayne and Oakland Counties, Michigan, EIS No. 20050190

Dear Mr. Abdalla:

I am providing comments on the Draft Environmental Impact Statement (DEIS) for the Detroit Intermodal Freight Terminal (DIFT), consistent with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act.

The DIFT includes the proposed enhancement of intermodal operations by four Class I railroad companies [Norfolk Southern (NS), Canadian Pacific (CP), Canadian National (CN), and CSX]. In the Detroit area, four terminals handle intermodal operations: the Livernois-Junction Yard owned/operated by CSX and NS; CP/Expressway; CP/Oak; and, CN/Moterm. The purpose of the DIFT is to improve freight handling efficiency and increase capacity in the Detroit area. Four alternatives are evaluated in detail in the DEIS:
Alternative 1 – the No-Action Alternative,
Alternative 2 – Improve and expand existing terminals,
Alternative 3 – Consolidate all intermodal operations at Livernois-Junction yard, and,
Alternative 4 – Consolidate the intermodal operations of CSX, Norfolk Southern and Canadian Pacific at Livernois-Junction Yard while improving/expanding the existing CN/Moterm terminal.
The Federal Highway Administration (FHWA) and Michigan Department of Transportation (MDOT) have not identified a preferred alternative.

The U.S. Environmental Protection Agency (EPA) understands that the proposed enhancement would have a number of economic efficiency improvements and would benefit the local economy. We offer our comments below because we believe that FHWA and MDOT can make several small but important adjustments to maintain economic gains while improving air quality relative to the current alternatives.

EPA is concerned about the quality of the analysis regarding air impacts of this project. It appears that the project has the potential to improve regional air quality but also to concentrate

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truck/locomotive/handling equipment emissions in area(s) of Detroit that already have serious air pollution problems. EPA has recently designated Southeast Michigan as a non-attainment area for the fine particulate standard, referred to here as particulate matter 2.5 microns or less (PM2.5). Because of their impact on human health, EPA has emphasized the need to address PM2.5 and diesel emissions through the National Clean Diesel Campaign and various regional and local initiatives. Work is currently underway to develop and implement national, regional, and local control programs that will assist in bringing this area into attainment of the health-based PM2.5 standard as expeditiously as practicable. Preliminary analyses indicate, however, that despite implementation of national air pollution control programs, additional local controls will likely be necessary for this area to reach attainment of the National Ambient Air Quality Standard (NAAQS) for PM2.5. As a result, the state may need to consider significant local emissions reductions beyond current levels in order to attain the PM2.5 standard. It is from this perspective that we have evaluated the proposed project and note that it has the potential to make it more difficult to attain the PM2.5 NAAQS. For example, using information provided in Section 4.1 (Table 4-3 and Figure 4-1d), Alternative 3 could increase truck traffic at the Livernois-Junction Yard, near the highest violating PM2.5 monitor in Region 5, four to six times above current levels. Any increase in the emissions in this area is cause for concern and will make the state's task of developing a control strategy for bringing the area into attainment more challenging.

At this point in the process, we believe that the DEIS does not adequately describe impacts. Further, there are unexplored opportunities for FHWA and MDOT to consider air quality mitigation strategies. In order to establish that all practical, cost-effective mitigation options are being considered, EPA recommends that additional evaluations be done. Specifically, additional information is needed to better understand pollution coming from sources at these facilities, especially for PM2.5, including diesel emissions. Given the existing nonattainment status of the Southeast Michigan area and the high pollution levels being monitored near the terminal areas, we believe it is important that pollution be reduced through available, cost-effective mitigation strategies in order to assist in attainment of the health-protective PM2.5 standards.

We encourage FHWA and MDOT to assess how to minimize these emissions while achieving the project's goals consistent with MDOT's policy of context sensitive solutions. That policy includes the principles of achieving environmental sensitivity and stewardship, reflecting community values, and insuring safe and feasible integrated solutions. Particularly, FHWA should evaluate transportation corridors for each alternative that have the potential to shift truck traffic away from residential areas. In addition, EPA recommends that the agencies evaluate diesel emission reduction strategies for terminal operations such as retrofits, electrification, alternative fuels, and anti-idling in order to reduce environmental impacts associated with PM2.5. We believe these mitigation efforts can produce reductions in the 40 to 60 percent range for a cost that can be small relative to other local controls and likely are justified by the public health improvements. We encourage a comprehensive evaluation of the impacts on the community, including an environmental justice evaluation. We recommend that FHWA and MDOT undertake an analysis of mitigation options, and commit to them to the extent possible, so that an alternative with low environmental impact to the regional and local communities can be selected.

Based on our review of the information provided in the DEIS and the detailed comments we have enclosed on air quality and environmental justice, we have rated the DEIS as "Environmental Objections-Insufficient Information" (EO-2). The "EO" means that EPA identified significant environmental impacts that can be cost-effectively reduced in order to attain the PM2.5 NAAQS and provide adequate protection for public health, and the "2" indicates that additional information needs to be provided in the Final Environmental Impact Statement (FEIS) to alleviate these public health issues. Our rating applies to each of the build alternatives presented in the DEIS. We have enclosed a summary of EPA's rating system under NEPA.

Thank you for the opportunity to comment on this DEIS. We are available to discuss these comments. We are confident that these issues will be addressed and reflected in the forthcoming FEIS. If you have any questions, please contact me. The staff person assigned to this project is Sherry Kamke; she can be reached at (312) 353-5794 or via email at kamke.sherry@epa.gov.

Very truly yours,

Thomas V. Skinner
Regional Administrator

Enclosures (2)

1) EPA's Detailed Comments on the DEIS
2) EPA's Summary of NEPA Rating Definitions and Followup Actions

cc: Robert Parsons, Michigan Department of Transportation

Detailed Comments on Detroit Intermodal Freight Terminal (DIFT)
Draft Environmental Impact Statement (DEIS)

Mitigation

EPA is concerned that no mitigation is proposed or discussed in the DEIS for air quality impacts. There are numerous mitigation actions and strategies that should be discussed and applied to the alternatives for construction and for terminal operational activity. These are actions that complement EPA's National Clean Diesel Campaign to reduce diesel emissions. EPA is available to assist in efforts to select mitigation strategies that would be included in the final project. EPA has found that there are multiple cost effective measures to reduce PM2.5 emissions. Mitigation measures appropriate for consideration at the terminals include, but are not limited to: 1

- Evaluation of transportation corridors for each alternative that have the potential to shift truck traffic away from residential areas.
- Anti-idling measures and efficient management for the movement of trucks and locomotives to limit idling.
- Use of auxiliary power units for trains.
- Use of on-road fuels for trucks and equipment in the yards.
- Retrofit and control technology for trucks and equipment in the yards.
- Use of hybrid utility locomotive engines for rail yard movements.
- Implementation of a construction emissions reduction plan. Several states' Departments of Transportation have developed and implemented such plans. There are a number of action options to choose from to reduce overall construction emissions, including:
  - Retrofitting off-road construction equipment,
  - Using ultra low sulfur fuels for all equipment,
  - Limiting the age of on-road vehicles used in construction projects to 1998 and newer vehicles and engines,
  - Fugitive dust control plans,
  - Diesel particulate traps and oxidation catalysts,
  - Use of existing power sources or clean fuel generators rather than temporary power generators.

We recommend that the FEIS include an evaluation of these mitigation measures and commitments to the maximum extent possible.

Air Quality

While several options may reduce total regional emissions of PM2.5 by 2025, EPA is concerned about the potential for localized impacts of particulate matter of 2.5 microns or smaller (PM2.5), especially from diesel equipment, trucks, and locomotives, and the potential for regional emission increases prior to 2025. Throughout the DEIS scoping and development process, EPA 2

1	See Section 5, Mitigation. First, the Preferred Alternative minimizes air pollutant emissions at the Livernois-Junction Yard terminal by siting gates and access routes to minimize exposure to neighborhoods and residential development by: 1) constructing the entry point off Livernois Avenue (Figure 3-19) with concrete curbs so trucks are forced to/from the north via an improved I-94/Livernois interchange, and not to/from the south and the dense neighborhood south of Vernor Avenue; and, 2) providing new Wyoming Avenue entrances that connect directly to I-94. Wyoming, like Livernois Avenue, is a major arterial with no residential frontage and little nearby residential development. Second, voluntary emission reduction measures are drawn from experiences with addressing diesel and PM2.5 emissions through EPA's National Clean Diesel Campaign and other initiatives. These would include the measures such as Engine Idling Reduction Programs for trucks and locomotives, auxiliary power units for trucks, and automatic shut-off devices for idling locomotives; use of electrified truck parking areas; and, use of alternative fuels for handling equipment.
2	$PM_{2.5}$ and diesel particulate matter (DPM) concentration forecasts are not included. The tools to calculate concentrations are not yet reliable and concentration prediction is not required.

has advocated quantifying emissions and local ambient concentrations of PM2.5, including a breakout of diesel PM, in order to identify possible local areas of concern, to inform the design and selection of alternatives, and to inform mitigation. 2

National Ambient Air Quality Standards (NAAQS) Concerns

On January 5, 2005, EPA designated the seven-county Detroit Metropolitan area as nonattainment for the PM2.5 National Ambient Air Quality Standard (NAAQS). This designation became effective on April 5, 2005. The State of Michigan is required to develop a plan by April 5, 2008 to address the PM2.5 NAAQS. The State of Michigan's plan will need to incorporate any additional activity in the nonattainment area.

The Livernois-Junction yard area in Wayne County is near the Dearborn PM2.5 monitor site. This monitor is registering the highest PM2.5 levels in EPA Region 5 and some of the highest in the eastern United States. There are additional monitored violations of the air quality standards in the surrounding areas near the other DIFT terminal sites. Preliminary analyses indicate that it will be difficult for the State to reach attainment for the PM2.5 NAAQS. The State may need to consider significant local emissions reduction programs, including those targeting diesel emissions in order to attain. Without significant mitigation, the additional activity from this project will greatly affect the State's ability to attain the PM2.5 standard. 3

Air Emissions Estimates

EPA has had ongoing dialogue with FHWA and MDOT regarding air pollution impacts of this project. We acknowledge the efforts made by FHWA and MDOT to address the issues. However, EPA has identified some concerns regarding the analysis provided in the DEIS: 4.1

- There is no build-out or completion year designated in the DEIS. 4.2
- The construction plan and construction emissions estimates are not included in the DEIS
- No air emissions information is presented for interim years. Section 4.8.4 of the DEIS and Appendix E section 7.0 state that terminal pollutant emission burden estimates were calculated for the year 2015. These emissions estimates are not included in the DEIS. Air emissions information is only presented for 2004 and 2025, bracketing a twenty-one year span. The State is required to submit a plan in April 2008 that will ensure attainment of the standards as expeditiously as practicable. States are to attain the PM2.5 standard by April 2010 but EPA may provide up to a five year extension to 2015 in certain cases. Since the State plan will need to demonstrate attainment of the PM2.5 standard as expeditiously as practicable, it is especially important to provide emissions information for modeling years earlier than 2025. 4.1 cont
- The public roadway network is depicted by link segments in maps in the DEIS for the build alternatives, but there is no description of what the truck volume will be and what routes trucks will use under each of the alternatives. 4.3

3	MDEQ is taking a variety of actions to control point sources. Sulfur has been removed from diesel fuel. New restrictions on diesel vehicles will substantially reduce mobile source particulate emissions. The DIFT project has been found to be in conformity (see Section 4.8.4).
4.1	Interim year (2015) data, based on the anticipated DIFT implementation schedule, are found in Section 4.8.
4.2	FHWA-sponsored environmental documents do not normally include air quality emissions for construction because it is impossible to define the type of construction equipment and their activities at this planning stage. For the PM2.5 and PM 10 hot-spot analysis construction estimates were made and compared to the other terminal development activities, such as closing Lonyo and reducing truck traffic on Kronk to ensure that the construction activities do not contribute to violations of the standards.
4.3	Truck volumes are shown in Figure 4-11.

In particular, EPA is concerned about estimates for PM2.5. Due to the elevated PM2.5 monitoring values existing in the area, the non-attainment status of the area, and the increase in intermodal activity associated with the build alternatives, a local assessment of PM2.5 ambient concentrations from the yard and traffic should be performed. The information should include estimates of PM2.5, including a breakout of diesel PM, to optimize the project design and minimize the local impacts. Models and methods that are widely accepted and used in regulatory contexts are appropriate for these analyses. EPA has worked with other agencies to conduct analyses of PM2.5, including the diesel PM component, for truck stops and other projects using tools that are appropriate for application to the DIFT. EPA is available to assist FHWA and MDOT in this analysis. 4.4

We have overall concerns about potential increases in PM2.5 emissions for each of the project alternatives. We realize that some of the project alternatives also have potential regional decreases in PM2.5 emissions. As noted above, several alternatives potentially impact violating PM2.5 monitors. Based on information presented in the DEIS, the number of freight container lifts will increase dramatically in the build scenarios (especially under Alternative #3, the Consolidate option). This information indicates that the number of lifts will increase up to four times from current levels. Using the number of additional lifts and the lift/truck ratio used in the DEIS, the number of truck movements through the DIFT area is expected to increase up to six times from current levels. EPA is concerned about the potential impacts given that the activity will be occurring near the Dearborn monitor, which is already a heavily burdened area with respect to PM2.5. Maps in the DEIS (Figure 4-8c for example) show predicted traffic volume t roadway capacity ratios exceed 1.00 (full capacity) in several locations near the violating Dearborn PM2.5 monitor. In some cases, volume-to-capacity ratios nearly double. This suggest that substantial congestion will occur at a number of intersections and roadway segments adjacent to terminals. This is true for each of the build alternatives, but is most notable for Alternative 3. 4.5

It is unclear why the DEIS predicts the public roadway burden for diesel PM should go down for Alternatives 3 and 4 compared with No Action 2025 (Table 4.22) when the number of trucks in those scenarios appears to increase by at least four times. The public roadway network is only partially described in the document. There are maps that show the links that constitute the roadways in the near-terminal areas that factor into the calculations, but there is no description of how much truck traffic will use specific routes to get onto those roadways identified, especially for the Livernois-Junction yard (Fig. 4-41a). The Final EIS should provide a more robust discussion of traffic patterns for each build alternative and what specific actions will be undertaken to optimize traffic flows and reduce impacts. 4.6

The DEIS states that road/soil dust represents a significant part of the total PM emissions, although it is not clear if the road dust number reflects the proposed paving of the yards (Table 4.21b). The DEIS suggests that rail yards will be paved and asserts that paving the yards will greatly reduce the PM2.5 impacts of this project. Air quality data from speciation monitors in the area show that road dust contributes a small percentage of PM2.5 to ambient concentrations. 4.7

4.4	PM $_{2.5}$ and diesel particulate matter (DPM) concentration forecasts are not included. The tools to calculate concentrations are not yet reliable and concentration prediction is not required.
4.5	The DIFT traffic analysis presented in Section 4.1 of the EIS demonstrates that traffic congestion is not caused by DIFT activities. No intersections are forecast to experience congestion under the Preferred Alternative.
4.6	In 2030 the number of daily trucks with the Preferred Alternative compared to No Action goes up by fewer than 700 (Table 1-4). The number of trucks does not go up four times from No Action to any scenario. Information on traffic patterns to be achieved under each alternative was included in the traffic/gate descriptions in DEIS Sections 4.1 and 4.8.2, which cover the local roadway burden. This information has been expanded upon in Section 4.8 of the FEIS.
4.7	A drive through of the neighborhood, and comments received at public meetings, demonstrate that dust is prevalent in the neighborhoods; it is both a nuisance and an air quality concern. Work by the Lake Michigan Air Directors Consortium reported on in a draft "Weight of Evidence" document prepared by SEMCOG in support of PM2.5 analysis indicates that dust control related to PM is an issue that may need further attention. FEIS Table 4-31 (Preferred Alternative) reflects the assumption that the terminals will be paved as part of the project's design. The methodology used in calculating dust is from EPA's AP-42. The assumptions and calculations are all shown in Appendix A of the *Air Quality Impact Analysis Technical Report*.

Consequently, while control of road dust at this facility may be warranted, such efforts do not address what are likely to be the most significant impacts of this proposed facility. Focusing primarily on control for the road dust category may overlook more significant and cost-effective mitigation options. 4.7

We are pleased that an air toxics burden analysis is presented. However, the DEIS does not offer any discussion about the air toxics estimations presented for the various build alternatives and source category activities. Table 4-21b indicates that the various toxic pollutants, including diesel PM, are trending upward for all build alternatives compared with No Action. It would be helpful if FHWA could share its interpretation of the data that is included in the DEIS. 4.8

The DEIS includes some language regarding limitations of the existing science to understand the health impacts from PM2.5 and air toxics which is not representative of current practices. The limitations mentioned include inadequate tools and unusually large degrees of uncertainty. We believe that proven methods are available, which are routinely used in regulatory contexts. The DEIS presented the lack of a pass/fail test as the reason why PM2.5 analyses, including diesel PM, were not done. The existence of the PM2.5 annual and 24-hour NAAQS provide sufficient justification for performing PM2.5 analysis, regardless of the DEIS's assessment of the limitations of the existing science. 4.4 cont

General Conformity

This project will need to address the General Conformity requirements if applicable. The purpose of the General Conformity Rule is to ensure that Federal activities do not interfere with the clean air quality goals as contained in the State Implementation Plan. General Conformity is required for all National Ambient Air Quality Standard nonattainment and maintenance areas. The Detroit metropolitan area is nonattainment for ozone and PM2.5, and maintenance for carbon monoxide. We would like to note that any General Conformity documentation would need to have a public comment review period. The General Conformity determination must be competed by FHWA prior to signing a Record of Decision. 5

Environmental Justice

The DEIS provided much of the necessary demographic information showing the population of key groups around the terminal areas. For example, the DEIS included information stating that in the year 2000, the Livernois-Junction/CP Expressway area was 52.5% minority and more than 25% of the people in the area live below the poverty level. The African American, Hispanic and Arab populations represent at least two-thirds of the people living in the three terminal areas. The DEIS correctly states that when all populations covered by the Environmental Justice Executive Order are combined, each terminal area is dominated by these groups.

Under each build scenario, the EJ section of the DEIS states, "Compared to the No Action condition in 2025, terminal pollutant burdens are expected to increase due to the forecast

4.8	The FEIS expands on the discussion of the differences between No Action and the Preferred Alternative and summarizes these in a new Table 4-30.
5	General conformity was found not to apply.

Letter 2, continued

increase in intermodal activity" and "The 2025 pollution burdens of the roadways around the terminals are forecast to be virtually the same as today (or slightly less for Alternative 3). The regional mobile source pollutant burdens are expected to be reduced due to diversion of freight shipments from truck to rail and the use of cleaner fuels and engines." This information is used as the basis for drawing conclusions on the proportionality/disproportionality of impacts. It appears that adverse air quality impacts are being counterbalanced with positive effects projected for land use, economic impacts, and water quality because the EJ section (under the evaluation of the effects of Alternative 2 on the Livernois-Junction Yard/CP-Expressway) provides the statement "On balance, there will be no disproportionate adverse effect on populations covered by the EJ Executive Order in the Livernois-Junction/CP-Expressway terminal area as a result of Alternative 2's proposed terminal expansion." Similar statements are made for each of the terminals under each build alternative. The DEIS provides little supporting information to indicate how FHWA analyzed impact areas to determine if there were disproportionately high and adverse effects on minority and low-income populations. We believe that this analysis is important for all the impact categories identified by FHWA in its EJ section. Based on the rest of the comments in our letter, we emphasize the need to do an analysis on air quality impacts. 6.1

There is no separate evaluation of impacts in the context of ensuring compliance with Title VI of the Civil Rights Act of 1964. To the extent that there is such an evaluation, it is included only under Section 4.3.1. We recommend that a separate determination be made regarding Title VI compliance, particularly given that there is a significant population (Arabs) that is protected under Title VI but is not within the scope of the definition of "minority" used to implement Executive Order 12898. This recommendation is consistent with FHWA Order 6640.23. 6.2

As stated elsewhere in these comments, we are concerned that additional pollutant burden from terminal activity will be occurring in an area that is already impacted by poor air quality. Part of the reason for conducting a robust Environmental Justice analysis is to determine if an adverse effect on a low income or minority population significantly exceeds that of a comparable reference area or population. A qualitative evaluation of possible synergistic effects or exposures should be considered in this analysis. There may be areas of vulnerability to consider such as increased sensitivity of sub-populations based on age (children and elderly), attributes of households (lack of air conditioning), and lack of insurance coverage (lack of routine health care). 6.3

We recommend that the FEIS provide more detailed information regarding whether or not air quality impacts are disproportionately high and adverse on minority populations and low-income populations. Discussion of regional reduction in pollutant levels is not sufficient, without a discussion of pollutant levels in the specific areas raising environmental justice concerns, to adequately evaluate the potential for disproportionately high and adverse impacts from air pollutants. The FEIS should detail what course of action (avoidance, minimization, and mitigation) will be considered to address any possible EJ effects.

6.1	The analysis for the Preferred Alternative in this FEIS finds there is a disproportionate effect on EJ populations. The DEIS did not. Section 4.3.2 covers Environmental Justice issues. The methodology of the analysis has been stated more explicitly for this FEIS. It opens with an explanation of the Executive Order, and provides information on the subject populations. The comparison base for each terminal area is the Detroit Urbanized Area. Next, all impact categories are reviewed for all alternatives to determine whether there are disproportionate impacts. Impacts at each terminal were identified and presented at the end of the impacts discussion for each terminal. The conclusions for the DEIS for the terminals were that there were no disproportionate EJ impacts. Since the DEIS it has been determined that the loss of residences, jobs, and cultural resources is disproportionate, so mitigation is identified in Section 5. The analysis recognizes positive and negative effects on EJ populations and concludes adverse effects will receive appropriate mitigation because of the disproportionate negative effects on population groups covered by the EJ Executive Order.
6.2	The analysis for the Preferred Alternative in this FEIS finds there will also be adverse effects on Title VI population groups. The FEIS complied with Title VI of the Civil Rights Act of 1964, and did not exclude the participation of any group or deny benefits of any program or activity. To ensure compliance the following steps were taken: 1) an intensive community involvement effort was implemented in order to identify Title VI and Environmental Justice groups within the project area; 2) an analysis of direct, indirect, and cumulative effects was done to determine the impacts the proposed project might have on Environmental Justice and Title VI population groups; 3) project mitigation and community enhancements were developed to benefit Environmental and Title VI population groups. A separate evaluation of Title VI groups within the project area(s) can be found in Section 4.3.1 of the FEIS.
6.3	Impacts to the local community have been identified and are the subject of Section 4 and mitigation is identified in Section 5 of the FEIS. That analysis recognizes positive and negative effects on EJ populations and concludes as follows: "there will be disproportionately adverse housing and cultural resource effects on minority or low-income populations" covered by the EJ Executive Order.

Cumulative Impacts

The cumulative impact section in the DEIS and the Indirect and Cumulative Impacts Analysis Technical Report addressed several resource categories namely: mobility, economic impacts, land use, air quality, community effects, noise, cultural resources, and water. EPA's review focused primarily on the air quality category. We note that the cumulative effects section of the DEIS concluded that increased development would increase pollution but increases would not cause standards to be violated.

The analysis in the technical report does not appear to consider any more activities than what was considered for the direct air quality analysis. The burden analysis included in the DEIS was segregated by terminal burden and roadway burden. The combined burden from terminal activities and roadway activities was not assessed. Direct effects from construction activities were not assessed in the air quality analysis or the cumulative effects section. Cumulative impacts to air quality from infrastructure projects (e.g., new border crossings, changes to Ambassador Bridge, and rehabilitation of I-94) and other pollution sources could be significant, if not regionally, then locally. The DEIS did not provide support for the statement made that standards will not be violated if development is properly located and if governmental actions are consistent with planning processes. We recommend that the FEIS address cumulative effects to air quality from these other activities. 7

Purpose & Need and Alternatives Analysis

It is clear that Detroit's intermodal network could be improved by providing the necessary infrastructure to support current and future distribution needs, reducing truck vehicle miles traveled, removing intermodal terminal truck traffic from local streets and buffering intermodal facilities from nearby neighborhoods. EPA supports these goals. Although the data in the DEIS indicates that there is a need to provide additional terminal capacity, it isn't clear how capacity deficiencies were calculated for the Detroit region and what the target capacity is for the DIFT project. The Commodity Flow Model Report provides additional information about capacity projections. These are based on a set of assumptions, and they consider a subset of factors that affect freight demand. The purpose and need section could be improved by including a more complete explanation of how capacity targets were determined, how factors affecting freight demand were determined, and how sensitive the capacity projections are to other assumptions and factors. 8

The DEIS's purpose and need discussed the role of switching operations, signaling, route conflicts, length of trains and train speeds in intermodal connectivity needs, but no information was presented regarding how alternatives would address these issues. Since some key environmental effects such as relocations depend on the size of the terminal facilities, it is important to answer the question of what effect fixing the other intermodal connectivity needs would have on the capacity without increasing terminal footprint. We recommend that the FEIS address this point.

7	The projects mentioned in the comment are all included in the analysis of indirect and cumulative effects documented in Section 4.17. A new "Delray" bridge to Canada plus the proposed second span of the Ambassador Bridge are discussed in the revised indirect and cumulative analysis for the FEIS.
8	There are systemic reasons for the demand for intermodal freight movement: the price of fuel, the congestion of highways with limited ability to improve capacity and the cost competitiveness of shipping by rail. The limitation on existing terminal capacity is documented in Section 2.2. Alternatives to improve existing rail yards are covered in Section 3. One such alternative is Alternative 2. Increasing the size of the terminals in response to the forecast demand will create a modern, efficient terminal. Improvements to the tracks in the area will also increase efficiency, but these improvements do not increase terminal capacity.

SUMMARY OF RATING DEFINITIONS AND FOLLOW UP ACTION*

Environmental Impact of the Action

LO-Lack of Objections
The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC-Environmental Concerns
The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impacts. EPA would like to work with the lead agency to reduce these impacts.

EO-Environmental Objections
The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU-Environmentally Unsatisfactory
The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS sate, this proposal will be recommended for referral to the CEQ.

Adequacy of the Impact Statement

Category 1-Adequate
The EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alterative and those of the alternatives reasonably available to the project or action. No further analysis or data collecting is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2-Insufficient Information
The draft EIS does not contain sufficient information for the EPA to fully assess the environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3-Inadequate
EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640 Policy and Procedures for the Review of the Federal Actions Impacting the Environment

Letter 3a, Federal Aviation Administration, August 12, 2005

U.S. Department of Transportation
Federal Aviation Administration

Detroit Airports District Office
11677 South Wayne Road
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Romulus, MI 48174

August 12, 2005

Margaret M. Barondess, Manager
Environmental Section
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P.O. Box 30050
Lansing, MI 48909

Dear Ms. Barondess:

Draft Environmental Impact Statement (EIS)
Detroit Intermodal Freight Terminal

We have reviewed the subject document and comments concerning the current alternatives. If some how the Willow Run site becomes an alternative we would need to conduct additional review. 1

If you have any questions concerning this letter, please contact me at (734) 229-2905.

Sincerely,

Ernest P. Gubry
Environmental Protection Specialist
Detroit Airports District Office

1	The Preferred Alternative allows the intermodal activity at the Willow Run Terminal to be transferred to the Livernois-Junction Yard.

DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Centers for Disease Control
and Prevention (CDC)
Atlanta GA 30341-3724

August 8, 2005

Ms. Margaret M. Barondess, Manager
Environmental Section
Project Planning Division
State of Michigan Department of Transportation
PO Box 30050
Lansing, Michigan 48909

Dear Ms. Barondess:

Thank you for the opportunity to review the Draft Environmental Impact Statement and Draft Section 4 (f) Evaluation for the Detroit International Freight Terminal Wayne and Oakland Counties. We are responding on behalf of the Department of Health and Human Services (DHHS), U.S. Public Health Service.

We have reviewed this document for potential health and safety impacts on human populations and believe that most potential impacts were addressed. Therefore, we have only one project specific comment to offer at this time. We noted that a Project Area Contamination Survey (PACS) had been conducted and that additional soil borings will be required to identify potential contamination along the preferred alternative. However, we did not see where studies had been conducted for lead and asbestos in the buildings that will be demolished. Depending on the alternative selected, there are a number of residences and businesses that will be acquired and demolished. Given the age of the structures in this area, it is very likely that some may contain lead based paint and/or asbestos materials. The Final EIS should indicate whether or not such materials exist in these structures and if so, describe plans for the safe handling, removal, and disposal of these hazardous materials. 1

Please send us a copy of the FEIS when it becomes available.

Sincerely yours,

Paul Joe

Paul Joe, DO, MPH
Medical Officer
National Center for Environmental Health (F16)
Centers for Disease Control & Prevention

1	Section 4.16 notes the likely presence of asbestos in the buildings to be demolished. Assessment of asbestos-containing materials and lead-based paints will be conducted during the property acquisition phase of the project. MDOT construction specifications address such activities.

Letter 4, Michigan Department of Environmental Quality, August 12, 2005

JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING

STEVEN E. CHESTER
DIRECTOR

August 12, 2005

Ms. Margaret M. Barondess, Manager
Environmental Section
Project Planning Division
Michigan Department of Transportation
P.O. Box 30050
Lansing, Michigan 48909

Dear Ms. Barondess:

SUBJECT: Draft Environmental Impact Statement (DEIS)-Detroit Intermodal Freight Terminal
Wayne and Oakland Counties

The Michigan Department of Environmental Quality (MDEQ), Land and Water Management Division (LWMD), has completed review of the Draft DEIS for the Detroit Intermodal Freight Terminal project located in Wayne and Oakland Counties, Michigan. **The MDEQ's Air Quality Division will be commenting separately.**

The purpose of the proposed project is to support the economic competitiveness of southeastern Michigan and the state by improving freight transportation opportunities and efficiencies for business, industry and the military. The DEIS addresses alternative enhancements for intermodal operations at the following rail terminals: Livernois-Junction; Canadian Pacific (CP)/Expressway; CP Oak; and Canadian National (CN)/Moterm.

The alternatives include:

- Alternative 1-No Action
- Alternative 2-Improve/Expand the four existing terminals
- Alternative 3-Consolidate all terminals to the Livernois-Junction Area
- Alternative 4-Consolidate two of the terminals (CP–Expressway and CP-Oak with the Livernois Junction terminal) and expand the 4th terminal (CN/Moterm).

Alternatives 2-4 also include improving the north side of the I-94 Livernois Avenue interchange to facilitate truck movements to the Livernois-Junction yard. Under alternatives 3 and 4 the CP-Oak and CP-Moterm facilities would still be used by the railroads for shipping freight by other means than intermodal, while the CP-Expressway would transition to other uses.

Under the National Environmental Policy Act and Section 404 regulatory process for transportation projects, we agree on the second concurrence point as to the selection of the alternatives to carry forward. 1

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www.michigan.gov • (517) 241-1515

1	Comment acknowledged.

Letter 4, continued

Ms. Margaret Barondess 2 August 12, 2005

The LWMD has the following comments:

1) The DEIS estimates that between 0 and 0.08 acres of wetland impact will occur. The functions and values of the impacted wetlands should be adequately defined in the EIS. A permit will be required under Part 303, Wetlands Protection, of the Natural Resources and Environmental Protection Act, 1999 PA 451, as amended (NREPA). At the time of permit application mitigation will be required for the impacted wetlands. 2

2) Page 1-66 under State permits should read: 3

   - Part 303, Wetlands Protection

3) The DEIS indicates that there are no surface water bodies in any of the terminal areas. A permit will therefore not be required from LWMD under Part 301, Inland Lakes and Streams or the Floodplain Regulatory Authority, found in Part 31, Water Resources Protection, of the NREPA.

4) A National Pollution Discharge Elimination System (NPDES) stormwater permit will need to be applied for from the MDEQ, Water Bureau for construction sites impacting more than 5 acres. For constructions sites between 1-5 acres an application is not needed as long as the proper Soil Erosion and Sedimentation Control permit has been received under Part 91, Soil Erosion and Sedimentation Control, of the NREPA. 4

5) Several potential contamination sites have been identified in the DEIS in the vicinity of the proposed terminals. If these sites are likely to be impacted by proposed construction, coordination should occur with MDEQ's, Waste Management Division and Remediation and Redevelopment Divisions. 5

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

Sincerely,

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

cc: Mr. Abdel Abdella, U.S. Federal Highway Administration
Ms. Sherry Kamke, U.S. Environmental Protection Agency
Mr. Craig Czarnecki, U.S. Fish and Wildlife Service
Mr. John Konik, U.S. Army Corps of Engineers
Ms. Teresa Seidel, MDEQ
Mr. Ben Okwumabue, MDEQ
Mr. Oladipo Oyinsan, MDEQ
Ms. Barbara Rosenbaum, MDEQ
Ms. Mary Vanderlaan, MDEQ
Mr. Alex Sanchez, MDEQ

2	Section 4.12.2 states that the wetland impacted (0.1 acres) has minimal storm water storage capacity, minimal filter capacity, and no wildlife value. A general permit to address this impact will be obtained under Part 303 of P.A. 451.
3	This correction has been made.
4	The Livernois-Junction Yard, and the expansion area to the north under the Preferred Alternative, will be paved for efficient operation. Stormwater is covered in Section 5.8 and permitting is covered in Section 5.4. All requirements related to water quality and discharge rates will be met.
5	Coordination has occurred through file review at MDEQ during the Project Area Contamination Survey. Coordination will continue in order to address contamination issues.

JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING

STEVEN E. CHESTER
DIRECTOR

August 16, 2005

Mr. Robert Parsons
Bureau of Transportation Planning
Michigan Department of Transportation
P.O. Box 30050
Lansing, Michigan 48909

Dear Mr. Parsons:

The Michigan Department of Environmental Quality (MDEQ), Air Quality Division (AQD), submits the attached comments on the May 2005, Draft Environmental Impact Statement (DEIS) for the Detroit Intermodal Freight Terminal (DIFT). Our comments apply to the assessment of the potential air quality impacts of the four proposed DIFT alternative approaches. Although we have not examined and critiqued the finer details of the DEIS, we have a number of significant concerns with the overall scope and approach utilized for this DEIS.

The AQD has had an ongoing dialogue with Federal Highway Administration (FHWA) and the Michigan Department of Transportation (MDOT) regarding the potential air pollution impacts of this project, including ten meetings and conference calls since January 2003. We acknowledge the consideration made by FHWA and MDOT to address the issues; however, we note that our concerns are not adequately addressed in this DEIS.

Thank you for this opportunity to comment on this very important matter. If you have any questions regarding our comments, please contact Mr. Robert Sills, AQD, at 517-335-6973, or you may contact me.

Sincerely,

G. Vinson Hellwig, Chief
Air Quality Division
517-373-7069

Attachment
cc/att: Mr. Steven E. Chester, Director, MDEQ
Mr. Jim Sygo, Deputy Director, MDEQ
Ms. Barbara Rosenbaum, MDEQ
Mr. Robert Sills, MDEQ
Mr. Robert Irvine, MDEQ
Mr. Robert Rusch, MDEQ

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Michigan Department of Environmental Quality
Air Quality Division
Comments on the Draft Environmental Impact Statement
for the
Detroit Intermodal Freight Terminal
August 16, 2005

Modeling of Ambient Air Impacts

The Michigan Department of Environmental Quality (MDEQ), Air Quality Division (AQD), is concerned about the potential for localized ambient air impacts of particulate matter of 2.5 microns or smaller (PM2.5) and air toxics, especially from diesel equipment, trucks, and locomotives. Throughout the Draft Environmental Impact Statement (DEIS) scoping and development process (including ten meetings and conference calls), the AQD has requested the quantification of emissions and the modeling of local ambient concentrations of PM2.5, diesel particulate matter (DPM) and other air toxics. The purpose of such assessments is to identify possible local areas of concern, to help compare the relative impacts of the four alternative proposals, to compare the relative concerns for the air toxics, and to evaluate the effectiveness of potential mitigation measures. Mr. Jeffrey Holmstead, Assistant Administrator for Air and Radiation for the U.S. Environmental Protection Agency (EPA), recently published an article that stated, "Over the past decade, we have learned that particulate pollution, and especially fine PM (generally referred to as PM 2.5) is the most serious air pollution threat to public health in the United States." (Air & Waste Management Association's *em*, a magazine for environmental managers, August 2005.) The modeling of ambient air impacts for PM2.5 and air toxics has not been performed for the DEIS. Lacking that assessment, these important issues and comparisons cannot be adequately evaluated. The absence of modeled ambient air impacts is a major deficiency of the DEIS. Despite this void in the assessment, the DEIS reaches conclusions regarding the lack of adverse environmental and human health impacts which are not well supported. This issue is further described below.

1

2

Environmental Justice

The DEIS (page 4-70) discusses the need for an assessment of the potential for disproportionately high and adverse human health and environmental effects as a requirement to account for environmental justice concerns. The DEIS concludes (page 1-40) that the "action alternatives" will not result in disproportionately high and/or adverse human health or environmental effects: "A review of data on low-income and minority populations finds the Action Alternatives will neither result in disproportionately high and/or adverse human health or environmental effects on minority or low-income populations, nor be associated with discrimination as prohibited by Title VI of the Civil Rights Act of 1964. Each area around an intermodal terminal is composed of predominantly low-income and minority populations. On balance, the investment and improvement will be beneficial to these areas compared to the No Action condition." However, the terminal pollutant burdens are expected to increase for each of the action alternatives in comparison to the "no action" alternative for the year 2025 (pages 4-82 to 4-87). Without an ambient air impact and risk assessment for PM2.5 and the air toxics, the DEIS does not support the conclusion that the action alternatives would result in "minimal adverse effects and no disproportionate negative effect on population groups covered by the EJ Executive Order" (page 4-87).

3

PM2.5

On January 5, 2005, the EPA designated the seven-county Detroit Metropolitan Area as nonattainment for the PM2.5 National Ambient Air Quality Standard (NAAQS). This designation

1	PM 2.5 and diesel particulate matter (DPM) concentration forecasts are not included. The tools to calculate concentrations are not yet reliable and concentration prediction is not required.
2	Air quality impacts were an important consideration in developing the project alternatives and in decisions related to routing truck traffic in the Preferred Alternative. Possible health effects of PM2.5 and air toxics are noted in Section 4.8.3 of the FEIS. The reasons why no additional analysis of health effects will be done are stated in that section.
3	Health effects of PM2.5 and air toxics are noted in Section 4.8.3 of the FEIS. The reasons why no additional analysis of health effects will be done are stated in that section. The FEIS finds a disproportionate effect on environmental justice populations. All alternatives would affect environmental justice populations.

became effective on April 5, 2005. The state of Michigan is required to develop a plan (Plan) to address the PM2.5 NAAQS by April 5, 2008. The state's Plan will need to incorporate any additional activity in the nonattainment area. 4

The Livernois-Junction yard area in Wayne County is near the Dearborn PM2.5 monitor site. This monitor is registering the highest PM2.5 levels in EPA Region 5 and some of the highest in the eastern United States. There are additional monitored exceedances of the NAAQS in the surrounding areas. The state may need to consider significant local emissions reduction programs targeting diesel emissions in order to reach attainment for the PM2.5 NAAQS.

An overall concern is with regard to potential increase in PM2.5 emissions in each of the project alternatives. As noted above, several alternatives potentially impact violating PM2.5 monitors. Based on information presented in the DEIS, the number of freight container lifts will increase dramatically in the build scenarios (especially under Alternative 3, the Consolidate option). This information indicates that the number of lifts will increase up to four times from current levels. Using the number of additional lifts and the lift/truck ratio used in the DEIS, the number of truck movements through the DIFT area is expected to increase up to six times from current levels. The AQD is concerned about the potential impacts given that the activity will be occurring near the Dearborn monitor, which is already a heavily burdened area with respect to PM2.5. 4

Due to the elevated PM2.5 monitoring values existing in the area today, the existing nonattainment status of the area, and the increase in intermodal activity associated with the build alternatives, a local assessment of PM2.5 ambient concentrations from the yard and traffic should be performed. The information should be presented as both total PM2.5 and the diesel PM2.5 component to optimize the project design and minimize the local impacts. Emission and dispersion models and methods that are widely accepted and used in regulatory contexts are appropriate for these analyses. 1 cont.

Air Toxics

We note that an air toxics "burden" (emission) analysis is presented for DPM and five other air toxics. According to Table 4-21b, the terminal activities for all of the "build" Alternatives 2-4 will result in higher emissions of these air toxics (except 1,3-butadiene) in comparison to the "no action" Alternative 1. Without dispersion modeling and risk assessment, it is not possible to effectively utilize this information for desirable evaluations, as noted in the above comments under "Modeling of Ambient Air Impacts." All six of these air toxics have been identified as compounds of concern in the Detroit area, based on the MDEQ's Detroit Air Toxics Initiative (DATI) risk assessment. 5

The DEIS includes some language regarding limitations that the existing science places on understanding the health impacts from PM2.5 and air toxics; i.e., inadequate tools and unusually large degrees of uncertainty. We believe that appropriate and useful methods are available that are approved by the EPA and MDEQ to assess potential health impacts. 6

The lack of NAAQS for air toxics is considered in the DEIS to be an impediment to evaluating the public health impacts or significance. The NAAQS are developed for criteria pollutants and not air toxics. Air toxics NAAQS are not required nor provided for in the federal Clean Air Act (CAA). Under the CAA Amendments of 1990, the EPA policies and procedures have focused upon the establishment of maximum available control technology followed by risk assessment (utilizing appropriate peer-reviewed health risk-based benchmarks) rather than pursuing further NAAQS for air toxics pollutants. The absence of a NAAQS (as is the case for all but criteria

4	The cited increases in lifts and trucks are wrong. The maximum percent increases under the most expansive Action Alternative was 132 % in lifts (Figure 4-1) and 142 % in trucks (Alternative 3, compare totals in Tables 4-1c and 4-3). The Preferred Alternative will have an increase in lifts and trucks of 57 percent more than the No Action Alternative (Figure 4-10). The "net new" number of trucks with the Preferred Alternative, compared to the No Action Alternative, is about 700 at the Livernois-Junction Yard (Table 4-22b), as the project will relocate a number of heavy truck generators.
5	As there are no air toxic standards, the burden analysis in the DEIS compared the alternatives to one another, rather than to a standard. The data in Table 4-31 shows the relationship between the No Action Alternative and the Preferred Alternative.
6	FHWA guidance issued February 13, 2006 and EPA Rules of March 10th find the science still lacking to accurately predict particulate concentrations.

pollutants) is neither an impediment to risk assessment nor an indication of ignorance about the toxicity of a substance. The air toxics of focus in the DEIS have been relatively well-studied toxicologically, with established and peer-reviewed health risk benchmark information that is widely used in the EPA and MDEQ regulatory programs. A more fair and transparent discussion of this issue should be provided in the DEIS. The EPA's most recent National Scale Air Toxics Assessment, the DATI, and the Detroit Exposure and Aerosol Research Study indicate that air toxics pose significant health concerns and should be accounted for in the evaluation of major projects such as the DIFT. — 7

An ambient air impact analysis may entail the application of some reasonable assumptions, as with all environmental risk assessments, and should be accompanied by proper qualifying statements. Yet it should be emphasized that such assessments are valuable and very informative – not for pass/fail decision-making, but for providing a basis for comparison of the four alternative DIFT approaches, identifying the relative concerns for specific air toxics and impacted areas, and helping to inform appropriate decisions on mitigation efforts. The available health information is widely accepted, peer-reviewed, and utilized in risk assessments, along with available models and methods that are routinely employed in regulatory contexts. Statements in the DEIS suggest otherwise. — 7 cont

The DEIS appears to lack conclusions about the air toxics "burden" estimations presented for the various alternatives and source category activities. There are a few general statements about the public roadway burdens (page 4-124) but these are too broad to be informative. Air toxics data should not be interpreted under a grouped category of "air toxics." — 8

The statement comparing estimates of aggregated air toxics from residential home heating to air toxics roadway burdens is not particularly fitting or accurate (page 4-124). — 9

There are well-established cancer and/or noncancer risk assessment factors for all of the air toxics in the DEIS. Ambient air impact and risk assessment should be done for the terminal and public roadway emission estimates for each of the alternative approaches.

Mitigation

We remain concerned that the DEIS is inadequate in proposing and discussing mitigation measures for air quality. Mitigation measures will be critical for the DIFT project because of the PM2.5 nonattainment problem in Wayne County, with the highest nonattainment levels recorded in the immediate vicinity of the proposed Alternative 3 DIFT location. The DIFT proposals will clearly result in increased PM2.5 emissions; mitigation measures must be put in place to reduce these emission increases as part of the state's strategy to attain the PM2.5 standard in the required time frame. — 10

The mitigation section of the DEIS only commits to "include a discussion of practical mitigation measures" and states that "it is anticipated" that the DEIS will contain agreements mandating specific air quality mitigation measures. Further, the railroads participating in the DIFT have "expressed an interest in mitigation." The DEIS should contain a quantitative analysis of the mitigation strategies on the four alternatives and a firm commitment to implement specific mitigation measures. The current language provides no assurance that the emission increases from the DIFT will be adequately addressed. — 11

There are numerous mitigation actions and strategies readily available at this time that should be discussed and applied to the alternatives for construction and for terminal operational activity. Mitigation measures appropriate for the terminals include, but are not limited to:

7	Possible health effects of PM2.5 and air toxics are noted in Section 4.8.3 of the FEIS. The reasons why no additional analysis of health effects will be done are stated in that section.
8	The FEIS expands on the discussion of the differences between No Action and the Preferred Alternative and summarizes these in a new Table 4-31.
9	The example is illustrative, allowing a lay person to have some understanding of the magnitude of other air toxics in the environment. Its accuracy depends on EPA's AP-42 document, which is the recognized source for such information.
10	See Section 5, Mitigation. First, the Preferred Alternative minimizes air pollutant emissions at the Livernois-Junction Yard terminal by siting gates and access routes to minimize exposure to neighborhoods and residential development by: 1) constructing the entry point off Livernois Avenue (Figure 3-19) with concrete curbs so trucks are forced to/from the north via an improved I-94/Livernois interchange, and not to/from the south and the dense neighborhood south of Vernor Avenue; and, 2) providing new Wyoming Avenue entrances that connect directly to I-94. Wyoming, like Livernois Avenue, is a major arterial with no residential frontage and little nearby residential development. Second, voluntary emission reduction measures are drawn from experiences with addressing diesel and PM2.5 emissions through EPA's National Clean Diesel Campaign and other initiatives. These would include the measures such as Engine Idling Reduction Programs for trucks and locomotives, auxiliary power units for trucks, and automatic shut-off devices for idling locomotives; use of electrified truck parking areas; and, use of alternative fuels for handling equipment.
11	See Section 5, Mitigation. First, the Preferred Alternative minimizes air pollutant emissions at the Livernois-Junction Yard terminal by siting gates and access routes to minimize exposure to neighborhoods and residential development by: 1) constructing the entry point off Livernois Avenue (Figure 3-19) with concrete curbs so trucks are forced to/from the north via an improved I-94/Livernois interchange, and not to/from the south and the dense neighborhood south of Vernor Avenue; and, 2) providing new Wyoming Avenue entrances that connect directly to I-94. Wyoming, like Livernois Avenue, is a major arterial with no residential frontage and little nearby residential development. Second, voluntary emission reduction measures are drawn from experiences with addressing diesel and PM2.5 emissions through EPA's National Clean Diesel Campaign and other initiatives. These would include the measures such as Engine Idling Reduction Programs for trucks and locomotives, auxiliary power units for trucks, and automatic shut-off devices for idling locomotives; use of electrified truck parking areas; and, use of alternative fuels for handling equipment.

- Anti-idling measures for trucks and locomotives.
- Use of auxiliary power units for trains.
- Use of on-road fuels for trucks and equipment in the yards.
- Retrofit and control technology for vehicles and equipment in the yards.
- Use of Green Goat technology for locomotives.
- Efficient movement of carriers on and off highways to minimize movement of trucks through neighborhoods.
- Develop a plan to address construction emissions. Several state departments of transportation have developed and implemented such plans. There are a number of actions that can reduce overall construction emissions, including:
  - Retrofitting off-road construction equipment.
  - Using ultra low-sulfur fuels for all equipment.
  - Limiting the age of on-road vehicles used in construction projects to 1998 and newer vehicles and engines.
  - Fugitive dust control plans.
  - Diesel particulate traps and oxidation catalysts.
  - Use of existing power sources or clean fuel generators rather than temporary power generators.

11 cont

12

Other Comments

Air emissions information for air toxics and PM2.5 is only presented for 2004 and 2025 and not for the interim years. Since the state Plan will need to demonstrate attainment of the PM2.5 standard, it is especially important to provide emissions information for 2009.

13

The DEIS fails to provide the necessary information on the prospective air quality impacts of the proposed project alternatives. Despite the information presented in the DEIS, there is an inadequate understanding of the impacts of the proposed project alternatives on the air quality of the local neighborhoods. With large emission increases projected from DIFT action alternatives located in an area in which ambient concentrations of pollutants are already high and in excess of the NAAQS, dispersion modeling to project the resulting ambient impact from DIFT alternatives should be included in the DEIS.

12	FHWA-sponsored environmental documents do not normally include air quality emissions for construction because it is impossible to define the type of construction equipment and their activities at this planning stage. For the $PM_{2.5}$ and PM_{10} hot-spot analysis construction estimates were made and compared to the other terminal development activities, such as closing Lonyo and reducing truck traffic on Kronk to ensure that the construction activities do not contribute to violations of the standards.
13	Interim year (2015) data, based on the anticipated DIFT implementation schedule, are found in Section 4.8.

SEMCOG . . . *Local Governments Advancing Southeast Michigan*

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www.semcog.org

July 8, 2005

Margaret M. Barondess, Manager
Michigan Department of Transportation
Project Planning Division/Environmental Section
P.O. Box 30050
Lansing, Michigan 48909

RE: Draft Environmental Impact Statement (DEIS) for the Detroit Intermodal Freight Terminal (DIFT), Wayne and Oakland Counties
Regional Clearinghouse Code: TR 050147

Dear Ms Barondess:

SEMCOG, the Southeast Michigan Council of Governments, has processed a review for the above Final EIS according to intergovernmental review procedures established in the National Environmental Policy Act and assumed in U.S. Department of Transportation review procedures.

As the designated Metropolitan Planning Organization and regional planning agency for Southeast Michigan, we notified the following local government agencies of your project and requested comments:

Oakland County Planning & Economic Development Services
Detroit Planning & Development Department
Wayne County Planning Division
City of Ferndale

As of this date, no comments have been received. We will forward comments, if any, for your information and attention.

SEMCOG's staff has reviewed the Draft EIS which you submitted and offers the attached comments from SEMCOG's Transportation Planning and Environmental Planning staff [memo dated 6/27/05]. These comments address elements of transportation planning consistency with specific comments on traffic and safety, ecological resources, air quality impacts and contaminated sites. Please consider these comments and suggestions when preparing the Final Environmental Impact Statement.

Sincerely,

Richard W. Pfaff, Jr.
Regional Review Coordinator

RWP/bar

Attachments

Gregory Pilon
Chairperson
Mayor
City of Taylor

John F. Jones
First Vice Chairperson
Supervisor
Ity Township

Mary Blackmon
Vice Chairperson
Secretary, Wayne County
Regional Education
Service Agency

Robert J. Cannon
Vice Chairperson
Supervisor
Clinton Township

Chuck Moss
Vice Chairperson
Commissioner
Oakland County

William T. Roberts
Vice Chairperson
Mayor
City of Walled Lake

Joan Flynn
Immediate Past Chair
Vice Chairperson
Macomb County
Board of Commissioners

Paul E. Tait
Executive Director

SEMCOG

MEMO

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June 27, 2005

TO: Rich Pfaff, Jr.

FROM: Tiffany Julien, Jeff Tumidanski, Bill Parkus, and Joan Weidner

SUBJECT: Detroit Intermodal freight Terminal Study (DIFT), Draft Environmental Impact Statement
Regional Clearinghouse Code: TR 050147

Staff has reviewed the Draft Environmental Impact Statement for the Detroit Intermodal Freight Terminal (DIFT) Study and provides the following. The Memorandum contains general comments, as well as specific questions or concerns that arose during review.

This Study appears in the 2030 Regional Transportation Plan (RTP). It was also included in the 2000-2002 Transportation Improvement Program (TIP) also known as the Junction Yard study and the 2002-2004 TIP. A construction phase was programmed for late 2002 however, it is doubtful if this phase was ever completed.

Background
The Draft Environmental Impact Statement (DEIS) for the DIFT Study identifies and discusses the need for a coordinated intermodal freight facility. The Study is consistent with the regional freight needs analysis of the 2030 RTP for Southeast Michigan: Regional Transportation Needs.

In Southeast Michigan trucks are at the core of intermodal freight movements. Trucks haul freight between ships, planes, trains, manufacturing plants, and to final destinations. Efficient movement of goods is critical to the region's transportation system and economic competitiveness given the just-in-time manufacturing requirements which increase the number of freight shipments significantly.

The DEIS presents the proposed enhancement of existing intermodal operations by four Class 1 railroads at four intermodal terminals that will continue to exist in the future: Livernois-Junction Yard; Canadian Pacific (CP)/Expressway; CP/Oak; and Canadian National (CN)/Moterm. The DEIS assesses four alternatives for upgrading and potentially consolidating the four commercial terminals.

Traffic and Safety
While truck movements are adequately addressed in the four alternatives discussed in the DEIS document, some questions regarding the rail crossings need further clarification. Staff analysis of

the potential rail issues involve safety and congestion concerns primarily related to any increase potential for passenger vehicle/train conflicts with at-grade crossings. Congestion caused by at-grade crossing delays can cause both efficiency and safety concerns.

Alternatives 2 through 4 discuss the proposed modification to the Central Avenue railroad crossing and the intent to make that crossing grade-separated for the purpose of improving safety. However, no other at-grade rail crossing is identified and/or recommended to be grade-separated. The following are questions/observations that should be reviewed in an effort to clarify rail crossing issues.

Questions/Observations:

- Are there other at-grade railroad crossings located in the proposed project areas that ha been reviewed and/or considered for grade separation or any other modifications enhance the safe movement of traffic around the terminal area? 1
- The DEIS report does not clarify rail volumes (i.e., number, length, and frequency of trains) that currently exist at the four commercial terminals. Based on the alternatives listed, has there been any identification of the rail volumes that currently exists and what the potential decrease and/or increase would be for each of the alternatives? 2

Ecological Resources

The alternatives of the Detroit Intermodal Freight Terminal Study have the potential to negatively impact the water quality of Southeast Michigan, primarily through storm water runoff. Detroit's sewer system is combined, carrying both storm water and sewage. On occasion, the Detroit Water and Sewerage Department (DSWD) is forced to overflow portions of its sewer system to avoid back-ups when the amount of storm water in the system exceeds the capacity of the pipes or the treatment plant.

Steps should be taken in all of the action alternatives to manage on-site storm water. The runoff should be treated first to reduce the amount of pollutants it carries off site and into DSWD system.

An underground storm water drainage and treatment system, similar to one proposed in the final EIS for the I-94 Freeway Rehabilitation Project between I-96 and Connor Avenue, should be considered for this project, especially under Alternatives 3 and 4. The system would consist of oil and water separators, discharge controls, in-line detention basins and other features that will reduce pollutants carried in the storm water runoff. This will reduce pollutants that are released to DSWD's system, and potentially released to the Detroit River during a wet weather combined sewer overflow event. 3

Air Quality

No air quality mitigation measures are planned. Considering the proximity of this facility to air monitors measuring the highest PM2.5 levels in Southeast Michigan's nonattainment area, the high amount of mobile source activity on the site, and the recent release of MDEQ's Detroit Air Toxics Initiative (DATI) report, measures to reduce diesel emissions should be explored. 4

In particular, idling reduction programs should be considered. Such

1	No other separations of the rail line and roadways are needed to allow the Preferred Alternative to function safely and efficiently.
2	See Table 4-32 and the introductory text to Section 4.9
3	The Livernois-Junction Yard, and the expansion area to the north under the Preferred Alternative, will be paved for efficient operation. Stormwater is covered in Section 5.8 and permitting is covered in Section 5.4. All requirements related to water quality and discharge rates will be met.
4	See Section 5, Mitigation. First, the Preferred Alternative minimizes air pollutant emissions at the Livernois-Junction Yard terminal by siting gates and access routes to minimize exposure to neighborhoods and residential development by: 1) constructing the entry point off Livernois Avenue (Figure 3-19) with concrete curbs so trucks are forced to/from the north via an improved I-94/Livernois interchange, and not to/from the south and the dense neighborhood south of Vernor Avenue; and, 2) providing new Wyoming Avenue entrances that connect directly to I-94. Wyoming, like Livernois Avenue, is a major arterial with no residential frontage and little nearby residential development. Second, voluntary emission reduction measures are drawn from experiences with addressing diesel and PM2.5 emissions through EPA's National Clean Diesel Campaign and other initiatives. These would include the measures such as Engine Idling Reduction Programs for trucks and locomotives, auxiliary power units for trucks, and automatic shut-off devices for idling locomotives; use of electrified truck parking areas; and, use of alternative fuels for handling equipment.

programs might include:

- Education campaign to encourage less truck idling on site.
- Anti-idling policies/ordinances that limit the time diesel engines may idle while waiting at facilities; such laws/ordinances have been enacted for ports in other parts of the country.
- Provision of on-site comfort facilities for truck drivers (truck stop type facility with climate controlled break room, food service, TV…) that reduce need for truck drivers to keep engines running when not moving.
- Provide truck drivers with alternative power source (e.g., truck stop electrification equipment) for climate control and other amenities in their cab.

4

Other Air Quality Questions/Observations:

Pg. 1-43	Toxics: Why are toxic emissions so much lower in the "No Action" alternative? – appears to be related to changes in container handling emissions. Is it assumed that there will be a lot less container handling in the "No Action" alternative?	5
Pg. 1-42 & Pg. 4-116	The wording in the 2nd to last sentence of the 1st paragraph is confusing. It makes it sound like Alternative 2's NOx emissions are higher than 2004 existing conditions and it also seems to link the alternatives sequentially rather than present them as independent options.	6
	Alternative 2 narrative says PM10 would be reduced relative to 2025 No Action alternative but PM2.5 would be virtually unchanged. Table shows PM2.5 would be reduced 7% over 2025 No Action Alternative. Does the narrative only pertain to the SW Detroit/E. Dearborn site?	7
	Alternative 4: PM10 and PM2.5 terminal burdens are much lower for this alternative compared to Alternatives 1 – 3? (Table 1-3) This appears due to reduced road & yard dust. What makes this reduction so much greater for Alternative 4 when Alternatives 2 & 3 also involve paving the Livernois-Junction Yard?	8
Table 1-4 & Table 4-22	There appears to be an error in the total for truck VOC for alternative 2, should be 1.78 instead of 0.78.	9
Pg. 4-101	Carbon monoxide paragraph – Last sentence should be deleted. The newly revised CO budget is the 3,843 tons/day stated in the prior sentence.	10
	Suggest changing PM10 sentence to read "As Southeast Michigan currently meets the NAAQS for this pollutant, a regional transportation conformity analysis is not required."	11
Page 4-103	Monitoring Data – Regarding the "spike" in 2003 PM10 values, MDEQ believes the higher concentrations at the Dearborn monitor were due to the construction of the new Salina School. The monitor was only 300 feet from the construction site. The construction began in 2003 and ended in the summer of 2004. Contact Amy Robinson of MDEQ's air monitoring division for more information (313-456-4692).	12

5	If the comment refers to air toxics at the Livernois-Junction Yard, the answer is "yes", there would be less on-terminal activity than with the Preferred Alternative.
6	The language has been clarified.
7	No. The language has been clarified.
8	The difference is a function of the terminal layouts and traffic patterns assumed under each alternative. Alternative 4 is a more efficient layout. Note that some emission factors changed for the FEIS as corrections were made to MOBILE6.2 and to AP-42.
9	This change has been made.
10	This change has been made.
11	This change has been made.
12	Spikes were noted by MDEQ in their 2005 Air Quality Report as resulting from construction near the monitor. Adjustments were made, as noted in Section 4.8.4.3.

Contaminated Sites

A survey of contaminated sites was done as part of the project assessment. A large number of sites were identified that could potentially impact the project as public health hazards as well as contribute pollution to the Detroit sewer system. Fifteen sites that would potentially be acquired under Alternative 2, 45 sites for Alternative 3, and 37 sites for Alternative 4 were rated medium/high for contamination potential.

Contaminated soil or backfill were discovered on a number of these sites left behind by previous commercial and industrial activities. Many of the potential impacts identified during the survey could be managed through measures such as limited soil disturbance and removal as well as appropriate protection of workers.

The cleanup and redevelopment of any contaminated parcel being considered for acquisition would have to be done in compliance with Part 201 (Environmental Remediation) of PA 451 of 1994, the Natural Resources and Environmental Protection Act. Grants and loans are available for environmental assessments, cleanups, and redevelopment of brownfield sites. Funds are targeted to projects that promote economic development and reuse of brownfield properties. 13

If you have any questions, please feel free to contact Tiffany Julien or Jeff Tumidanski, at (313) 961-1266.

Cc: Carmine Palombo, Director, Transportation Programs

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13	Comment acknowledged.

Letter 7, Detroit City Council, May 17, 2005

City of Detroit
CITY COUNCIL

May 17, 2005

Gloria J. Jeff, Director
MDOT, State Transportation Building
425 W. Ottawa St.
Post Office Box 30050
Lansing, MI 48909

Dear Ms. Jeff:

As far back as our October 8, 2003 discussion with you regarding transportation projects in southwest Detroit, President Pro-Tem Kenneth Cockrel, Jr. stressed the need for a cumulative impact study of transportation projects in southwest Detroit with particular focus on the impacts of the projects on traffic, infrastructure, noise, and the environment. At the time he questioned who should do such a study.

We understand that you held a meeting in February 2005 with Congresswoman Carolyn Cheeks-Kilpatrick and representatives of the Gateway Communities Development Collaborative, and the need for a coordinated and comprehensive review of transportation issues in Southwest Detroit was discussed. We also understand this type of study was referred to as a "Sub-Sector Study" which MDOT might consider initiating if asked by the City of Detroit. 1

As a result, the Detroit City Council is requesting the following: confirmation of the above information and clarification regarding what a Sub-Sector Study involves including the process, projects, and participants. If the Sub-Sector study would allow us to achieve a cumulative impact study of transportation projects in Southwest Detroit, then the Detroit City Council respectfully requests that the Michigan Department of Transportation act as the lead agency in initiating such a study.

We look forward to your response to this request, and thank you for your time and consideration

Sincerely,

Maryann Mahaffey, President

Kenneth V. Cockrel, Jr., President Pro-Tem

Alonzo W. Bates, Council Member

Sheila M. Cockrel, Council Member

Barbara-Rose Collins, Council Member

Sharon McPhail, Council Member

Alberta Tinsley-Talabi, Council Member

JoAnn Watson, Council Member

1	MDOT is supportive of such efforts at the local level. Land use is under the control of the cities of Detroit and Dearborn, where the terminal of the Preferred Alternative is located. SEMCOG develops the regional transportation plan, based on input from local jurisdictions and in cooperation with MDOT.

CITY OF DETROIT
DEPARTMENT OF ENVIRONMENTAL AFFAIRS

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August 15, 2005

Mr. Robert Parsons,
Michigan Department of Transportation
P.O. Box 30050
425 W. Ottawa, 3rd Floor
Lansing, MI 48909

Re: Comments to the Draft Environmental Impact Statement and Draft Section 4(f) Evaluation.

Dear Mr. Parsons:

Please find enclosed City of Detroit's comments on the Draft Environmental Impact Statement and Draft Section 4(f) Evaluation. Also enclosed are comments from concerned citizens and community groups that have been received in our office as of this date.

Thank you.

Sincerely,

Sarah D. Lile
Director

KWAME M. KILPATRICK, MAYOR

DRAFT ENVIRONMENTAL IMPACT STATEMENT AND DRAFT
SECTION 4(f) EVALUATION
DETROIT INTERMODAL FREIGHT TERMINAL (DIFT)
WAYNE AND OAKLAND COUNTIES

OFFICIAL COMMENTS OF THE CITY OF DETROIT

The City of Detroit through its Planning and Development Department (PDD), Department of Health and Wellness Promotion (DHWP), Department of Public Works, Traffic Engineering Division (DPW) and the Department of Environmental Affairs (DEA) respectfully submit the following comments to the Draft Environmental Impact Statement and Draft Section 4(f) Evaluation (DEIS) for the Detroit Intermodal Freight Terminal (DIFT).

The National Environmental Policy Act (NEPA) requires federal and federally assisted projects be examined to identify environmental impacts and to characterize the extent of those impacts on the environment. Under NEPA, the "environment" includes the natural environment and the built and social environment. Thus, this DEIS must examine the impact of the DIFT and characterize the extent of those impacts on air quality, water quality and land, as well as examine the projects impact on the community, its culture, history, economic and social life. The DEIS must also examine direct, indirect and cumulative impacts of the DIFT upon the "environment" and the CEQ regulations further require that upon identification and consideration of these impacts, the DEIS must include consideration and discussion of possible mitigation for project impacts.

The City of Detroit has participated in the many public meetings surrounding this project and has commented on the Feasibility Study and the Scoping Document produced during the course of this process that has culminated in the DEIS. Some of the comments stated herein are restatements of those comments and some are based solely on the present state of the DEIS. The comments of individual City Departments are contained in the Appendix and are incorporated herein by reference. Overall, however, the City believes that this DEIS does not meet the requirements of NEPA. The reasons for this determination are set forth below. 2

There are four alternatives discussed in the DEIS: 1) the no action alternative; 2) improve and expand; 3) consolidate and 4) the composite option. The comments set forth herein are primarily addressed to alternatives 2, 3 and 4. Particular emphasis is addressed to alternative 3

2	This document has been reviewed for legal sufficiency by the Federal Highway Administration and was approved as meeting the requirements of the NEPA process.
3	A modified Alternative 4 is the Preferred Alternative. It is smaller, as the CP/Expressway operation has ended, and expansion of the CN/Moterm Terminal into the Fairgrounds is no longer part of the alternative. The Preferred Alternative will be associated with a governance structure. See the Pre-development Plan Agreement in Appendix F.

4, because this alternative or a modification of it appears to be the most viable. Alternative 3, which requires consolidation of all intermodal activities at the Livernois-Junction Yard, has been roundly criticized as placing an undue and extraordinary burden on the surrounding community. The City agrees. It is therefore not a viable alternative and the City will not address it in detail. It should be noted, however, that the comments as a whole apply to alternative 3 and alternative 2.

3 cont

I. The analysis of the built and social environment is based on obsolete and incomplete data.

4

It is fundamental that an environmental impact statement must be based on the actual state of the environment. If, for example, the data used to evaluate the cultural, economic and social impact is flawed, so too will be the analysis. The cultural, economic and social data relied upon in the DEIS was gleaned from the City's 1992 Master Planning documents. The Master Planning documents of 2004 more accurately depict Detroit and the neighborhoods where these intermodal facilities would be sited as they are today. Yet, the DEIS chose to rely on documents that are nearly 15 years old over those that are more contemporaneous to the project. It should be noted that both the 1992 documents (in the 1998 Master Plan) and the 2004 documents are side by side on the City's web site. (Attached for your convenience are the relevant Master Planning documents for the impacted areas.)

Livernois/Junction Yard

To illustrate the significance of the data relied upon in the DEIS, compare the difference in the description of the cultural, economic and social condition of the Livernois-Junction Yard/CP Expressway Terminal Area:

Southwest Sector:

Southwest Detroit has two outstanding economic characteristics: an exceptional concentration of very heavy industry, and a unique convergence of freight transportation modes. Weaknesses of the Sector relate to economic obsolescence in both the industrial and commercial plant. Strengths of the area include the Detroit River as a unique attraction, the fixed nature of the transport infrastructure, the availability of many sound industrial buildings, and shopping habits of many local residents favoring neighborhood stores.

Detroit's major concentration of ports, rail facilities, truck terminals, pipelines, international crossings and associated or support facilities and organizations occurs in the Southwest Sector. This remains unchanged despite the serious and continuing erosion of the Sector's manufacturing base. Only to a limited extent can changing technology, changing corporate ownership patterns, or other evolutionary factors disperse southwest Detroit's highly significant concentration

2

4	The 2004 plan was not official at the time the DEIS and FEIS were prepared, so it could not be used as the basis of analysis, but its contents were reviewed, and there are no known changes in impacts/conclusions.

of freight facilities. In fact, prevailing economic forces actually favor continued concentration. DIFT DEIS 4-174; Detroit Master Plan, 1992.

Compare the bove 1992 description to that of the 2004 Master Plan text.

Cluster 5/Livernois Junction Yard

Introduction

Cluster 5 is generally bounded by Warren and the Ford Freeway (I-94) to the north; the Detroit River to the south; the Jeffries Freeway (I-96) and the Ambassador Bridge to the east and the Dearborn, Melvindale, Lincoln Park,Ecorse and River Rouge city limits to the west. The cluster consists of seven neighborhood areas: Boynton, Chadsey Condon, Hubbard/Richard, Springwells, Vernor Junction and West Riverfront.

Cluster5 has an exceptional concentration of heavy industry and freight transportation mode. After the cluster experienced a decrease in total population between 1990 and 2000, it lost fewer people proportionally than the entire City of Detroit. Furthermore, the growth in some neighborhoods exceeded the citywide average.

Vernor-Junction

The area experienced a modest increase in population between 1990 and 2000; most of the growth is due to a significant increase in Hispanic population. Almost 60 percent of the households are headed by married couples. A third of the population is below 18 years old.

While the housing stock is relatively sound, some dilapidated units are scattered throughout the area due to prior decades of depopulation and disinvestment. Proximity to high growth areas .in Cluster 5 should result in growth into this area. ***Neighborhoods near the industrial corridor along the railroad tracks have shown the most signs of deterioration.*** (Emphasis added)

Springwells

Springwells is generally bounded by John Kronk to the north, the former Conrail railroad to the southeast and the Dearborn City limits to the west. North of Dix, virtually all of the land is in rail yards and other heavy industry. South of Dix is residential, except for the commercial strips on Vernor and Springwells.

Springwells experienced a population increase of almost ten percent between 1990 and 2000. This included a doubling of the Hispanic population (4,437 in 1990 to 9,858 in 2000). Almost a third of the population is under 18 years of age. Over half of the households are headed by married couples...

The average Springwells home is about 70 years old. Most houses are wood and in fair condition...

The dense character of the built environment limits assembling large sites for retail development. ***The only large site with potential for retail development is at eh intersection of Dix, Vernor and Livernois.*** (Emphasis added)

Cluster 4 CP Expressway

Cluster 4 – Corktown

3

Corktown is generally bounded by the Fisher Freeway (I-75) to the north, the Detroit River to the south, the Lodge Freeway (M-10) to the east and 16th Street to the west. Landmarks include the former Tiger Stadium and former Michigan Central Depot.

Between 1990 and 2000 Corktown lost over twenty percent of its population and thirty percent loss of its housing units. Yet Corktown has one of the City's lowest percent of vacant housing units with a high percent of rental housing units. Almost a third of the population are college graduates...

Corktown's small lot sizes, the age of the area's housing, and the vacant lots interspersed throughout the neighborhood create redevelopment challenges. The large vacant former rail yard along the Detroit River provides an opportunity for mixed-use development...

There are several functioning light industrial facilities in the central portion of the area. The expansion of trucking and other uses associated with the Ambassador Bridge is creating conflict with the nearby residential and commercial uses. City of Detroit Master Planning Text 2004; see appendix for excerpted provisions

The text of the DEIS and its technical report documents consistently refer to documents created in 1992. Standing alone these quoted passages depict Southwest Detroit as an industrial wasteland ripe for an industrial revitalization project such as the DIFT. Furthermore the language actually creates the impression that concentration of the DIFT in Southwest Detroit is desirable. It is therefore, not surprising that the DEIS concludes that a DIFT in Southwest Detroit is beneficial to the area and will have no adverse impact on the area. 4.1

In point of fact, the Southwest Detroit area is, as the 2004 Detroit Master Planning Text reveals, a series of neighborhoods with vibrant commercial strips in need of expansion in the precise location slated for the DIFT. It reveals ethnically rich neighborhoods that are growing and expanding both socially and economically. It reveals historic neighborhoods with old but stable and renovated housing. In fact, Southwest Detroit is one of the most thriving regions of the City of Detroit. Any industrial development, particularly the DIFT, must be designed in such a way as to reduce the present conflicts between those industrial uses and commercial and residential communities, provide buffers to the community, and provide for relocation of existing uses within the community so as to avoid or mitigate disruption of the neighborhoods surrounding it.

Under NEPA the DEIS is obliged to fully examine the social and built environment. If there conflicts in supporting documentation they should be addressed and resolved if possible. The DEIS cannot extract the "facts" that support the action proposed and reject those which do not. 4.1 cont

4

4.1	The EIS addresses all impacts, consistent with state and federal regulations and laws. The benefits of the project are also addressed.

CN MOTERM

The DEIS in at least one important respect failed to examine relevant facts on the social and built environment. The discussion of the CN Moterm facility fails to acknowledge the existence of an important sector of the area surrounding this proposed expansion. This omission not only affects the choice of CN Moterm as viable expansion area but also the placement and design of the terminal.

4.2

The DEIS defines the Terminal Area as bounded by Dequindre Avenue on the east, Schaefer Avenue on the west, I 696 and Guthrie Avenue on the north and the Lodge Freeway and on the south. The Terminal Area encompasses four cities, Ferndale and Hazel Park on the north and Highland Park and Detroit on south. The present CN Moterm terminal is located entirely within Ferndale. Under Alternative 2 and 4 the expansion would be entirely within the City of Detroit.

First, in deciding to locate the expansion in Detroit, the DEIS examined the four cities for the impact of the expansion on the built and social environment. The text contains an extensive description of the stability of Ferndale and its residential, commercial and industrial base. It examines the City of Highland Park and its obvious challenges to revitalize. It examines the neighborhoods immediately adjacent to the State Fairgrounds, the proposed site of the expansion. Ironically, it omits discussion of the entire Northwest side of Detroit and the area of Detroit between the Fairgrounds and Highland Park. That omission was critical to the selection of alternatives and the site selection of CN-Moterm's expansion. To Illustrate, the Master Plan of 1992 and of 2004 describe the adjacent western boundary of the Terminal Area as follows:

4.2 cont

1992 Master Plan-Northwest Sector Article 307

Bounded by Eight Mile Road, Woodward Avenue, McNichols, and Livernois, the Palmer Park Subsector is composed of several neighborhoods, including Sherwood Forest, Green Acres, Golf Club, and University (District) subdivisions, Palmer Woods, and the Palmer Park apartment district. Commercial uses are located along each of the major thoroughfares with the exception of Seven mile Road. In addition two large cemeteries are located here, along with the Detroit Golf Club and Palmer Park itself. The single-family neighborhoods in this subsector are among the most affluent in the City...

This entire subsector is an extremely important resource for the City. Its four neighborhoods of distinctive single-family homes offer some of the best housing opportunities in the Greater Detroit area for middle and upper-income families desiring fine vintage housing and a central location in a diverse but close-knit community. All indications are that these neighborhoods are persistently improving in many respects and will, with continued commitment, become increasingly (be) recognized as one of the region's premier residential areas....

5

4.2	The discussion of the potential direct, indirect and cumulative effects with the CN/Moterm facility covered an area in Northwest Detroit and Southern Oakland County that is 22 square miles with more than 140,000 people according to the 2000 U.S. Census. That area includes Highland Park and the area between it and the Fairgrounds. The analysis also covered the Highland Park Comprehensive Plan and its relation to the existing intermodal terminal and its proposed expansion.

The Livernois Avenue of Fashion could once again become a vibrant retail area, taking advantage of the current revival of the urban shopping street as a desirable alternative to the malls, serving the surrounding affluent community as well as the large region. Detroit Master Plan of Policies Article 307 July 1992.

Culster 10 Master Plan Policies

Cluster 10 is generally bounded by the Oak Park, Royal Oak Township and the Ferndale city limits to the north, McNichols, Oakman Boulevard and the HighPark City limits to the south, Woodward and Highland Park city limits to the east and the Lodge Freeway (M-10) and Livernois to the west. The cluster consists of four neighborhood area: Bagley, McNichols, Palmer Park and Pembroke.

4.2 cont

Although Cluster 10 is the City's smallest cluster in both size and population, this community contains some of Detroit's strongest, most stable residential neighborhoods. The total number of housing units has remained relatively steady over the past decade, and the community boasts the lowest vacancy rate in the City. Additionally, cluster 10 has the highest owner occupancy rates and housing values in the City.

Cluster 10 also has among the highest level of household income in the city. Education plays an important role in household earnings; the residents of Cluster 10 lead the City in educational attainment. Maser Plan of Policies 2004.

Although the importance of this area to Detroit is stated in both the 1992 and the 2004 Master Plan, the only reference to it in the DEIS is in the figure depicting the Terminal Area for CN Moterm. The make-up of this area, its stability and importance to the City of Detroit are neither discussed nor considered in any way. While the area is not the site of the expansion it is certainly impacted by the siting of the DIFT at the Fairgrounds, which is directly across Woodward Avenue on the DIFT western border. The impact on this area was never considered. Instead the decision was based on what impact the expansion of the DIFT into Ferndale or Hazel Park might mean to those communities and why such action was not "reasonable":

4.2 cont

In developing the proposal for Alternatives 2 and 4 to re-enter the Fairgrounds for expansion of the CN/Moterm terminal, options to the east and west of the terminal and north of Eight Mile Road, were examined, but were not considered reasonable. Going west would require penetration of a dense residential area. Sixty single-family houses would be acquired, as well as seven businesses. Fair Park would also be taken by expansion of the terminal to the west. Expanding the terminal to the east, north of Eight Mile Road, would cause displacement of 10 businesses that combined, are responsible for a major portion of the tax base of the City of Ferndale. Because of the limited amount of industrial redevelopment proper in the city, these businesses would likely be lost to other areas. Additionally, Gage Products Company would be displaced by expanding the CN/Moterm terminal to the east. This company is a permitted storer of up to one million gallons of hazardous material. It is Ferndale's largest taxpayer. It will

6

not be possible to relocate in Ferndale because of its handling of hazardous material. Expanding the terminal to the east, south of Eight Mile Road, would cause the displacement of 90 single –family residences and seven businesses. Hunt Playground (about six acres would also be removed.

So, the proposed expansion of the Moterm Terminal (to the Fairgrounds) avoids going east or west of the (existing) terminal north of Eight Mile Road....DIFT DEIS 3-23-28.

This illustration is not to suggest the DIFT should be expanded in to Ferndale or Hazel Park. This illustration demonstrates that had a **complete** analysis been done, it would have shown that concerns regarding the neighborhoods in Ferndale and Hazel Park existed to an equal degree for Detroit neighborhoods. The "reasonable" conclusion would be that this area of Southeast Michigan was an unlikely candidate for expansion of a DIFT. 4.2 cont

The tendency of the DEIS to view Detroit as terminating at the intersection of Woodward and Eight Mile Road renders all subsequent analysis of Alternatives 2 and 4 inadequate, inaccurate and flawed. The traffic analysis, air pollution analysis, social impacts, economic analysis, noise, park land and public recreation land analysis do not meet the requirements of NEPA because the analyses were based on no more than half the Terminal Area. 4.2

II. There is no analysis of indirect or cumulative impacts/effects on the host community; the DEIS narrative is absent of any consideration of planned or in process projects that will add to the impact of the project on the natural or built and social environment. 5

For each of the alternatives evaluated, the DEIS concludes that all indirect and cumulative impacts are positive. As stated above this conclusion derives from inaccurate or incomplete data that culminated in a blanket conclusion that each of the sites under study were industrial in nature, the surrounding areas were in decline or non-existent and therefore only good things could come from siting a DIFT in these areas.

However, even if one assumes that the data was sufficient it is incumbent upon the DEIS to discuss all relevant indirect and cumulative impacts, not simply the ones that support the action alternatives. This is clearly the intent of NEPA. To truly evaluate indirect and cumulative impacts the DEIS must examine the past, present and reasonably foreseeable actions that have impacted these resources. The DEIS must

7

5	The positive and negative indirect and cumulative effects are cited at the end of Section 4.17.

include a "useful analysis of the cumulative impacts of past, present and future projects". See the Federal Highway Administration, Environmental Guidebook, Questions and Answers Regarding the Consideration of Indirect and Cumulative Impacts in the NEPA Process. NEPA requires that the EIS take a "hard look" at the consequence of agency action. These principles were not followed in the examination of the DIFT alternatives.

Existing/Present Impacts

Present Impacts in the four sites were ignored or simply given no weight. For example, Southwest Detroit is home to many existing industrial uses and transportation uses. Yet, there is virtually no discussion of the existing uses or how they presently impact the natural, built or social environment. There is no discussion of how these impacts interplay with the proposed action. 5.1

In particular, any discussion of the traffic crossing the Ambassador Bridge and the impact of that traffic on the operation of the DIFT or on the environment is simply absent. The Ambassador Bridge border crossing is the busiest commercial crossing between the United States and Canada or the United States and Mexico. It has been estimated that at least one (1) truck per minute crosses the border every working day. **Thirteen thousand commercial vehicles travel the Ambassador Bridge each day.** These vehicles are primarily diesel trucks carrying parts and commodities into the United States. Fourteen percent of those vehicles are slated for long distance travel in the United States. Fifty percent of those vehicles travel long distance to long distance from Canada to and through the United States. "Over the next 30 years, the Detroit River area cross-border passenger car traffic is forecast to increase by approximately 57 percent, and movement of trucks by 128 percent. Traffic demand could exceed the 'breakdown' cross-border roadway capacity as early as 2015 under high growth scenarios." Detroit River International Crossing Study Draft Environmental Impact Statement (DEIS), Scoping Information, July 2005.

Surprisingly, there is no discussion of the how traffic crossing the Ambassador Bridge impacts this current proposed action. There is no analysis of how much of the present volume of traffic crossing the bridge will be intermodal vehicles or how much will remain long haul vehicles bypassing the DIFT. These obvious and important questions are simply not discussed. The Gateway Project, which is an expansion of gate capacity at the Ambassador Bridge and presently under construction, is also absent from the analysis. This project alone is expected to double the capacity of the Ambassador Bridge. 5.1 cont

8

5.1	The discussion of existing land uses is included in Section 4.6 and future land uses is in Section 4.17. The positive and negative indirect and cumulative effects are cited at the end of Section 4.17. U.S.-Canada intermodal truck traffic carried on the Ambassador Bridge is very minor. The DIFT will have almost no effect on the Ambassador Bridge.

The omission of this important border crossing and the expansion project for this crossing is just a sampling of the lack of examination given to the totality of the DIFT project. Contrast the simplistic reasoning used in this DEIS to the Scoping Information contained in the Detroit River International Crossing Study:

> *It should be understood that the delays and resultant queuing are not limited to border locations but have several negative effects associated with poor transportation network operations, including the following:*
>
> - *Increased highway safety concerns, including higher potential for collisions at intersections entrances and queue ends;*
> - *Increased economic opportunity costs, including losses to businesses themselves and of businesses to other areas outside the region and even, to other countries outside the region;*
> - *Increased air pollution;*
> - *Impacts to access and adjacent land uses in the vicinity of the border crossings*
> - *Infiltration of cross-border traffic onto local roads.*
> - *Impacts to incident/emergency response time*
> - *Increased vehicle operating costs and fuel consumption; and*
> - *Increased driver frustration.*

The Scoping Information recognizes and acknowledges that impacts exist outside of the footprint of the project. This DEIS does not. It therefore makes no attempt to identify or discuss them. There are many more existing impacts that have been left unaddressed by this DEIS. It is the City's recommendation that the drafters engage in a full and frank discussion with City planning and traffic officials to gain a true picture of present impacts. 5.2

Future Impacts

Similarly, the DEIS fails to discuss future impacts. "Reasonably foreseeable" impacts simply are not examined. The 2030 Plan of the Southeast Michigan Council of Government (SEMCOG), the MPO for Southeast Michigan is referred to but not evaluated for the impacts on the DIFT and the Terminal Areas. There is no mention of the proposed truck tunnel under the Detroit River that would empty into the Terminal Areas. The Detroit River International Crossing Study cited herein is not mentioned. These are all proposed transportation projects as is the DIFT. They are proposed in the same area(s) as one or more of the Alternatives. Yet there is no mention or analysis of how these projects will affect the proposal at hand. 5.3

Finally, there is no discussion of planned or in process commercial, industrial and residential development projects. Certainly, a few

9

5.2	MDOT has and will coordinate with local officials regarding proposed improvements.
5.3	Section 4.17 mentions all of the projects listed in the comment and discusses their positive and negative indirect and cumulative effects. A NEPA document does not evaluate the adopted Plan of a Metropolitan Planning Organization such as SEMCOG.

discussions with Planning and Development are in order to determine these "reasonably foreseeable" actions.

This DEIS concludes there are no indirect or cumulative impacts on the sole strength of narrowing the scope of the project to the footprint of the alternatives and an incorrect reference to obsolete master planning documents. That is not what NEPA requires. DEIS should go back and look a little harder.

5.3 cont

III. The air quality analysis is wholly inadequate and places the burden of mitigation, if at all, on the local community rather than on the agency action.

6

Throughout this process the City of Detroit and citizens within the proposed DIFT Terminal Areas have requested that there be an in-depth analysis of the air quality impacts of this project on the natural environment and upon the citizens residing in these areas. The repeated response has been NEPA does not require it. Consequently, the analysis contained in this DEIS contains only the most superficial review of the environmental impact of this action on the natural environment and upon human beings who live in the proposed Terminal Areas.

The City of Detroit response to this lack of analysis as follows: 1) NEPA requires a "hard look" at the consequences of agency action on the natural environment; and 2) the statutes governing the planning and implementation require it and 3) an action which causes or significantly contributes to deterioration in air quality is a violation of the Clean Air Act. The spirit and the language of NEPA, ISTEA and the CAA require a thorough analysis of the air quality implications of this proposed action. This DEIS is obligated to thoroughly discuss the air quality implications of the proposed actions and not leave them to another day. In addition, failure to engage in such a discussion precludes any discussion of mitigation. Again, this DEIS starts and ends with the proposition that the project is a good thing, therefore there are no adverse impacts to examine and no mitigation is required. This is a fundamental violation of NEPA. **An environmental impact statement is not designed to confirm the desired agency action but to evaluate it fairly and fully to determine what action is the appropriate to the purpose and need with due respect for and protection of the "Environment".**

In Appendix E, the DEIS sets forth the air quality analysis protocol for this action. In paragraph 2.0 it sets forth the elements of that analysis. However, the discussion of this protocol is nothing more of than restatements that the agency is unable to make the analysis because the model is not in place or there are no scientifically accepted methods of

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6	See Section 5, Mitigation. First, the Preferred Alternative minimizes air pollutant emissions at the Livernois-Junction Yard terminal by siting gates and access routes to minimize exposure to neighborhoods and residential development by: 1) constructing the entry point off Livernois Avenue (Figure 3-19) with concrete curbs so trucks are forced to/from the north via an improved I-94/Livernois interchange, and not to/from the south and the dense neighborhood south of Vernor Avenue; and, 2) providing a new Wyoming Avenue entrance that connects directly to I-94. Wyoming, like Livernois Avenue, is a major arterial with no residential frontage and little nearby residential development. Second, voluntary emission reduction measures are drawn from experiences with addressing diesel and PM2.5 emissions through EPA's National Clean Diesel Campaign and other initiatives. These would include the measures such as Engine Idling Reduction Programs for trucks and locomotives, auxiliary power units for trucks, and automatic shut-off devices for idling locomotives; use of electrified truck parking areas; and, use of alternative fuels for handling equipment.

study. Consequently, the City and its citizens have been advised that these analyses will take place after an alternative has been selected.

The City respectfully, declines to accept that course of action. The analysis of air quality is crucial to and often dictates the mitigation and enhancement that is needed for an action to conform to NEPA and to the other federal standards derived from transportation and environmental laws. Without the analysis there can be no mitigation set forth in the Final EIS. The proposed action would go to a Record of Decision devoid of any mitigation. The City and its citizens would be left "tilting at windmills" to modify an approved action. We think it better that the process proceed in sequentially. This EIS cannot and should not be final until the analysis is complete.

Additionally, the City of Detroit offers the following comments with respect to the Air Quality analysis contained in the DEIS

Burden Analysis

The burden analysis contained in the DEIS is flawed. It is based on trends derived from national standards that are not reflective of and are different from the local trends. The national trends differ greatly from what is actually realized in Michigan, specifically Southeast Michigan (SEM). With regards to NOX levels, SEM on-road and non-road sources account for 59% of the overall emissions, whereas point sources account for only 40% of the overall emissions. Ozone levels with SEM have exceeded the national standards and the largest VOC sources (ozone precursors) in the region are both on-road and non-road sources which account for 63% of the overall VOC emissions. This exceeds the national VOC source trend of 45% for transportation and 45%for point sources. Michigan point sources account for only 9% of VOC emissions. Southeastern Michigan has exceeded PM2.5 emissions for the past four (4) years. On-road and non-road sources account 98% of PM2.5 emissions while point sources in this region account for a mere 2% of the PM 2.5 emissions. Use the national trends in the face of this data was clearly erroneous.

6.1

6.2

Further, to rely solely on a burden analysis for a transportation project is untenable. This is an INTERMODAL TRANSPORTATION PROJECT. That means that the trucks and the trains come from somewhere and travel to somewhere. That where is on the highways and streets of Detroit. Nonetheless, the DEIS treats this proposed project as a point source. Pollution from this action is created there and remains there. It has no affect on the air quality of the surrounding area and is unaffected by the traffic moving to and from the terminal. Untenable.

6.2

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6.1	The burden analysis is not based on trends. The roadway burden emission factors assume SEMCOG's fleet vehicle mix, which is approved by EPA, together with traffic volumes and speeds estimated for this project. The terminal burden analysis likewise used EPA guidelines and emission factors, together with site layouts specific to each terminal and alternative.
6.2	Section 4.8.7 covers the terminal burden analysis and lists all vehicular movements on the yard that were considered. It covers the roadway burden analysis, and refers to Figures 4-48, which show the roadway networks where traffic to and from the terminals is considered.

Additional Truck Traffic

As stated above the DEIS is deficient in analyzing the impact of existing and proposed truck traffic on the action and therefore omits any analysis of the air quality impacts of the proposed action. The DEIS concludes, without support, the all the air quality issues will be resolved by the implementation of the CAIR Rule and by the USEPA's rules requiring the upgrade of diesel engines. This analysis is flawed because 1) it does not account for the Canadian trucks that cross at the Ambassador Bridge and will not be subject to USEPA rules; 2) DIFT trucks tend to be owned and operated by independent operators who hold their trucks much longer and delay repairs, so that the probability that these trucks will be replaced with clean diesel models within the stated timeframe is small; 3) it does not account for the pollution emanating from trucks traveling to and from the DIFT; and 4) the CAIR Rule admittedly will be nothing to reduce the ozone in the Southeast Michigan region. Therefore, the conclusion, that all will be well because of USEPA action and clean diesel technology, is erroneous. 6.3

Southeast Michigan Non-Attainment Status

In 2003 Southeast Michigan was designated in non-attainment for ozone and PM 2.5. In addition, previously, the region had been made part of the SIP call for NOX. The Region's non-attainment status cannot be ignored and the impact of the proposed action on that status and the region's ability reach and maintain attainment is critical. The only air quality analysis contained in this DEIS is for CO. Yet it is well recognized that Particulate Matter and Ozone are transportation related pollutants. Furthermore, particulate matter and VOCs (a precursor to ozone) are the primary pollutants of concern for diesel engines. Given the stated and the suspected increase of diesel truck traffic resulting from this proposed action, existing projects and reasonably foreseeable actions it is unsupportable to conclude that there is no need to analyze the impact of this proposed action on the air quality of Southeast Michigan and the Terminal Areas in Detroit. This is particularly so because it is known that the Livernois/Junction Yard sits in an area, Southwest Detroit, where air monitors persistently register non-compliance for ozone and particulate matter. 6.4

One of the stated reasons for the decision not to make an analysis is USEPA has no model for these parameters. Not so. There are accepted models for PM 2.5 and Ozone and they should be employed here. The same argument has been offered with respect to air toxics. While there is

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6.3	The *Air Quality Impact Technical Report* provides them an extensive amount of data used to generate the link-by-link roadway pollutant burden forecasts (using EPA emission factors), and all elements of the terminal activity: visitor/employee traffic; truck activity on the rail yard related to container delivery and pickup; container handling (moving containers between delivery points and trains); locomotive idling and movement on the yard; fugitive dust from paved and unpaved yard areas; vehicular travel on sites of businesses to be acquired; vehicular travel on streets that would close with development (John Kronk and a section of Lonyo); and, fugitive dust from business sites and streets that would be closed. Canadian trucks are produced in the same factories and generally meet the same emission standards as US trucks. No data are provided to indicate intermodal trucks are different than other trucks. The analysis does account for trucks traveling to and from the terminals as well as the truck trip reduction through diversion to rail.
6.4	The project has found to be in conformity with all NAAQS by SEMCOG in conjunction with FHWA. See Section 4.8.7.

no final rule with respect to air toxics there are scientifically accepted models that can and should be employed.

Public Health Effects

Given the non-attainment status of this region and the magnitude of this proposed action, it is not unreasonable to expect that the DEIS should contain at least some analysis of the human health effects of this proposed action. Rather than re-state those recommendations here, the City refers to the Review of the Detroit Intermodal Freight Terminal (DIFT) Project from a Public Health Perspective, prepared by the Detroit Department of Health and Wellness Promotion and set forth in the Appendix. Perhaps this City Department with the help of USEPA can assist in providing the scientifically accepted methods for examining the DIFT Terminal areas for adverse health affects of the pollutants that will emanate from this action.

IV. The traffic pattern analysis is incomplete and does not account for foreseeable impacts of other transportation projects. 7

Appended to this document is an evaluation of the traffic impacts of this proposed action prepared by the Traffic Engineering Division of the City's Department of Public Works. It sets forth many of the City's concerns in this regard.

As discussed earlier it is critical for the DEIS to examine and discuss direct, indirect and cumulative impacts. The importance of such an analysis is particularly obvious when addressing the impact of this proposed action on the traffic patterns and infrastructure in the City. This DEIS fails to do so. Consequently, statements that there will be little impact on the traffic patterns and infrastructure or that the streets can handle the capacity imposed by this proposed action ring hollow.

Of particular note is the analysis of the traffic pattern for CN-Moterm. Because the entire northwest side of Detroit was omitted from discussion, the discussion of the traffic patterns focused on East Eight Mile Road and I-75. According to the traffic pattern analysis only those corridors will be impacted. Not so. The improvements at Livernois and I-94 will encourage the use of Livernois as a route from Metropolitan Airport and points west to reach Eight Mile Road and the CN-Moterm facility. This would create heavy truck traffic that would traverse the entire northwest side of the City, traveling through some the of City's most stable and residentially populace neighborhoods. Such a consequence is unacceptable to the City. The City cannot afford the "foreseeable" economic consequences of that action. The disruption of those neighborhoods will cause erosion of the commercial strips, 7.1

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7	The traffic analysis, documented in Section 4.1 , addresses DIFT-related traffic by comparing the highest forecast for each Action scenario to the lowest forecast of No Action. The traffic of other projects included in SEMCOG's plan is incorporated in the analysis by using SEMCOG's traffic data and roadway network for future conditions. The activities of AMTRAK and commuter rail expected to move through the Livernois-Junction Yard are included in Section 4.9.1.
7.1	The I-94 change will not encourage use of Livernois as a route from the airport and points west to 8 Mile. No one would drive over 7 miles of surface streets with upwards of a dozen signals, rather than using the parallel-freeway system.

encourage residents to move from the disrupted areas, thereby severely impacting the City's tax base.

V. The noise analysis does not account for the activities that take place in the operation of a DIFT. 8.1

The noise analysis assumes that the only noise created by this DIFT will be highway noise. It nowhere accounts for the on site impact noise attendant the operations of the DIFT or the impact noise attendant the movement of the trains inside the DIFT. This is particularly important since the document concludes that no noise barrier walls will be constructed around the DIFT to shield the residents from the sound. The only wall will be a security wall to protect the DIFT. This is unacceptable. 8.2 8.3

VI. There is no Environmental Justice analysis and the EIS remarkably concludes that this is not an environmental justice area. 9

The Draft EIS remarkably and incredibly concludes that there are no environmental justice implications to this proposed action because Detroit is comprise of 84% minorities, all of the DIFT terminal areas are in Detroit, so all the minorities are being treated the same. Hence there is no disproportionate impact. An entire treatise could be written on why this analysis is just plain wrong. It is sufficient to say, however, that the drafters are respectfully referred to the hundreds of documents and treatises written on this subject by scholars and by the USEPA.

But the City does have a short rebuttal to offer. The Department of Transportation Order on Environmental Justice states: "Statutes governing DOT operations will be administered so as to identify and avoid discrimination and avoid disproportionately high and adverse effects on minority populations and low – income populations..." The Order goes on to define disproportionately high and adverse effect as:

(1) is predominately borne by a minority population and/or low income population or

(2) will be suffered by the minority population and /or low-income population and is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/ or non-low-income population.

There are two ways, in transportation projects, to demonstrate disproportionate impact. In the first instance we ask the question: Is 9.1

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8.1	The noise analyses of the DIFT DEIS/FEIS require mitigation for noise in the loudest hour. The nature of this noise metric is such that it is designed to control continuous noise, not "impulse noise." The entire Livernois-Junction Yard will be buffered from non-industrial uses so that the noise in the loudest hour does not exceed the established criterion of 67 dBA at sensitive receptors, such as homes. Impulse noise, such as container handling, is controlled by local noise ordinances, in this case the cities of Detroit and Dearborn.
8.2	The train noise analysis is in the *Noise and Vibration Technical Report* and is summarized in Section 4.9 of the FEIS. All sensitive areas around the project will be properly buffered to reduce projected noise levels below established residential criteria.
8.3	That security wall will also block/attenuate noise.
9	Section 4.3.2 covers Environmental Justice issues. It opens with an explanation of the Executive Order, and provides information on the subject populations. To prevent repetition, figures earlier in the EIS are referred to. The comparison base for each terminal area is the Detroit Urbanized Area. All impact categories are reviewed for all alternatives. Table 4-16 summarizes impacts: mobility, economic impacts, air quality, community effects, noise, and cultural resources. The same table summarizes mitigation measures. Impacts to the local community have been identified and are presented in Section 4. Mitigation is identified in Section 5. The analysis recognizes positive and negative effects on EJ populations and concludes adverse effects will receive appropriate mitigation because of the disproportionate negative effects on population groups covered by the EJ Executive Order.
9.1	As explained in Sections 4.3.1 and 4.3.2 of the FEIS, the Detroit Urbanized Area is the basis of comparison to each of three defined "terminal areas" which range in size from 22 to 35 square miles and 140,000 to 164,000 people. The terminal areas are aggregations of census tracts around each terminal. The Detroit Urbanized Area is defined in the footnotes to Table 4-12 and shown in Figure 4-13c.

the action predominately borne by the minority population? This question contains no comparison to "other" populations. If the burden falls on a minority or low-income population then environmental justice principles are invoked. The second demonstration is a comparative one. Does the action in comparison to non-minority or non-low-income populations treat the protected populations more severely or adversely? In the latter instance a geographic component exists in the former there is no geographic component.

9.1

It is obvious why transportation projects would look at the environmental justice component through more than one lens. If the DEIS is correct in its analysis a highway project could avoid any environmental justice claim by simply building the entire project through minority and low - income neighborhoods. Then it could be argued, as the DEIS argues here, that all the poor and all the minorities are treated equally. This kind of reasoning is just what environmental justice principles seek to prevent.

However, even assuming that such a narrow reading of environmental justice could prevail this project falls within that reading. The Purpose and Need for this Action states:

> The purpose of the Detroit Intermodal Freight Terminal (DIFT) protect is to support the economic competitiveness of **southeastern Michigan and the state** by improving freight transportation opportunities and efficiencies for business, industry and the military. The goal is to ensure **Southeast Michigan has a regional facility or facilities** with sufficient capacity and inter-connectivity to provide for existing and future intermodal demand and reduce time, monetary costs and congestion to support the economic competitiveness of **Southeast Michigan**. (Emphasis added)

9.1 cont

Nowhere is there any mention of the City of Detroit. This is a regional project. Therefore the relevant geographic area is Southeast Michigan. When compared to the whole of Southeast Michigan the minority population of Detroit is more severely impacted than the whole of the region. There will be no terminal facilities outside of Detroit; there will be no relocations outside of Detroit; the air pollution that is created will be in Detroit. Those are just some of the disproportionate impacts. The failure of this DEIS to examine those disproportionate impacts means it cannot become a final document.

VII. The DEIS fails to adequately address the need for mitigation and enhancement required of the DIFT.

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Because the protocol of this DEIS was so narrowly drawn it fails to adequately address the issues as required by NEPA. Consequently, it

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10	See Section 5.

concludes that only minimal mitigation is required. This conclusion, falls far short of transportation policy.

> *In the spirit of environmental stewardship and support of FHWA's strategic goal to "protect and enhance the natural environment and communities affected by highway transportation, we should seek opportunities to implement innovative measures that will help our projects fit within the community and natural environment in which they are located. An example of such an opportunity is the integration of context sensitive design and solutions (CSS/CSD) within the NEPA and project development process. The context sensitive solutions approach is collaborative, interdisciplinary approach that involves all stakeholders in the development of a transportation proposal so the project will fit in with the physical setting and preserve scenic, aesthetic, historic and natural environmental resources, while maintaining safety and mobility...*
>
> *Mitigation that is included, as a commitment in the environmental document becomes an integral an essential part of the transportation project decision. FHWA's responsibility regarding the implementation of mitigation measures identified as commitments in environmental documents is stipulated in 23 CFR 771.109(b):*
>
> *'It shall be the responsibility of the applicant, in cooperation with the Administration, to implement those measures stated as commitments in the environmental documents prepared pursuant to this regulation. The FHWA will assure that this is accomplished as part of its program management responsibilities that include reviews of designs, plans specifications and estimates (PS&E) and construction inspections.'*

It could well be argued that mitigation and enhancement that is not addressed in the EIS is not obligatory but discretionary. If this is the case then the City cannot accept this DEIS as final. There are no mitigation measures in this proposed action even though the impacts are significant, long-term and disproportionate. Those measures that are stated are only the most minimal in nature and primarily designed to facilitate the project.

The City also believes that Section 109 of the Federal Highway Act requires the agency to identify measures to mitigate adverse public health effects of air pollutants and analyze the costs and benefits of such mitigation. This has not been done and it should be. 10.1

It is difficult for the City and its residents to suggest mitigative measures, since such measures are often dictated by the impacts. Consequently, we believe strongly that the flaws discussed above must be address before proper mitigation and enhancement can be fully addressed. However the following are a few concepts that the City offers for consideration.

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10.1	See Section 5, Mitigation. First, the Preferred Alternative minimizes air pollutant emissions at the Livernois-Junction Yard terminal by siting gates and access routes to minimize exposure to neighborhoods and residential development by: 1) constructing the entry point off Livernois Avenue (Figure 3-19) with concrete curbs so trucks are forced to/from the north via an improved I-94/Livernois interchange, and not to/from the south and the dense neighborhood south of Vernor Avenue; and, 2) providing new Wyoming Avenue entrances that connect directly to I-94. Wyoming, like Livernois Avenue, is a major arterial with no residential frontage and little nearby residential development. Second, voluntary emission reduction measures are drawn from experiences with addressing diesel and $PM_{2.5}$ emissions through EPA's National Clean Diesel Campaign and other initiatives. These would include the measures such as Engine Idling Reduction Programs for trucks and locomotives, auxiliary power units for trucks, and automatic shut-off devices for idling locomotives; use of electrified truck parking areas; and, use of alternative fuels for handling equipment.

Recommended Mitigation Actions for DIFT:

• Intermodal lift tipping fees. Monies to be earmarked for specific community improvement/enhancement projects.	10.2.1
• Comprehensive Community Benefits Package to address long health impacts form air emissions, long-term air monitoring within all neighborhoods impacted by the DIFT.	10.2.2
• Replacing all rail yard diesel powered equipment with cleaner-burning equipment	10.2.3
• Expanded noise study to address "impact noise" generated by rail yard activities and installation of Noise Barrier walls at all locations where noise levels impact residential areas.	10.2.4
• Structural improvements to all roadways leading to and from terminals where truck traffic is expected and in which the roadway is not structurally suitable for future roadway loads.	10.2.5
• Intersection enhancements to address safety issues with truck/vehicle movement at intersections and terminal entrances and exit points.	10.2.6
• Wastewater infrastructure improvements in order to manage storm water runoff flows including sustainable design and construction methods.	10.2.7
• Provision to provide adequate buffer (green) zones separating rail yards and truck routes from neighborhoods.	10.2.8
• Provide adequate mitigation measures to address both the noise and vibrations impacts at Beard Elementary School at 1551 Beard Street.	10.2.9
• Emergency Response: The consolidation of rail activities will adversely impact the ability of the Detroit Fire Department to response to an emergency regarding hazardous materials. The DIFT must include a provision to address the needs of the Fire Department and provide the equipment necessary to address a response action at the consolidated facility.	10.2.10
• Repair and replace, if necessary all rail viaducts.	10.2.11
• Provide a visual barrier, at all terminals, from both commercial businesses and residential homes surrounding the DIFT yards.	10.2.12
• Provide for the development and implementation of a strategic investment plan	10.2.13
• Provide relocation sites in the affected neighborhoods for businesses and residences.	10.2.14
• Proved for an air quality monitoring and improvement program that goes beyond the SIP requirements for Southeast Michigan	10.2.15
• Create an assistance program to encourage DIFT truck owners and operators to retrofit or replace outmoded equipment	10.2.16
• Provide for transit alternatives including light rail	10.2.17

10.2.1	"Tipping fees" are not required as the railroads will directly pay for about 28% of the capital costs of the Preferred Alternative.
10.2.2	See Section 5.
10.2.3	See Section 5, Mitigation. First, the Preferred Alternative minimizes air pollutant emissions at the Livernois-Junction Yard terminal by siting gates and access routes to minimize exposure to neighborhoods and residential development by: 1) constructing the entry point off Livernois Avenue (Figure 3-19) with concrete curbs so trucks are forced to/from the north via an improved I-94/Livernois interchange, and not to/from the south and the dense neighborhood south of Vernor Avenue; and, 2) providing new Wyoming Avenue entrances that connect directly to I-94. Wyoming, like Livernois Avenue, is a major arterial with no residential frontage and little nearby residential development. Second, voluntary emission reduction measures are drawn from experiences with addressing diesel and PM2.5 emissions through EPA's National Clean Diesel Campaign and other initiatives. These would include the measures such as Engine Idling Reduction Programs for trucks and locomotives, auxiliary power units for trucks, and automatic shut-off devices for idling locomotives; use of electrified truck parking areas; and, use of alternative fuels for handling equipment.
10.2.4	The noise study in the FEIS meets all federal and state requirements. Mitigation of noise is associated with barrier walls that are part of the design of the Preferred Alternative. There is no need for the project to mitigate pre-existing conditions although the new barrier walls will do so where they are placed.
10.2.5	Dix at Central and Livernois at I-94 will be improved as part of the project. The grade separation of Central from the rail line will also be part of the project and MDOT will take over that portion of Central Avenue from the local jurisdiction. All other roads in the area except Michigan Avenue, I-94, and I-75 are under local government control.
10.2.6	Enhancements are planned at Dix/Vernor, Livernois @ I-94, and Wyoming at Michigan. Design there and at all gates will follow American Association of State Highway Officials (AASHTO) guidelines, thereby addressing safety needs.
10.2.7	The Livernois-Junction Yard, and the expansion area to the north under the Preferred Alternative, will be paved for efficient operation. Stormwater is covered in Section 5.8 and permitting is covered in Section 5.4. All requirements related to water quality and discharge rates will be met.
10.2.8	The design of the Preferred Alternative includes a buffer as described in Sections 4.9, 4.15 and 4.19.
10.2.9	The Preferred Alternative does not include a truck route by the Beard School.
10.2.10	The current situation at the Livernois-Junction Yard in terms of emergency response of police and fire services will be improved by the Preferred Alternative as there will be no blocking of their movement by trains. Jobs will increase and local tax revenues will increase.
10.2.11	Viaduct actions in the Livernois-Junction Yard area are the responsibility of either the railroads or the local jurisdictions. Viaduct improvements have been included in the Enhancement Program. See the last section of the Green Sheet.
10.2.12	The design of the Preferred Alternative includes a buffer as described in Sections 4.9, 4.15 and 4.19.
10.2.13	See Section 5.
10.2.14	Every attempt will be made to relocate in the Terminal Area persons and businesses affected by the Preferred Alternative, if they so choose.
10.2.15	Enforcement of air quality rules and regulations is the responsibility of the Michigan Department of Environmental Quality and the U.S. EPA. SEMCOG plays a role by working with these agencies to set "budgets" to guide the region to attainment of National Ambient Air Quality Standards. The DIFT project has been found to conform to the Clean Air Act (Section 4.8.4).
10.2.16	The EPA regulations on diesel fuel content and new diesel engines will affect terminals (off-road) and on-road equipment (intermodal trucks). There will be no control over the trucks that use the terminal. All vehicles will be subject to idle controls while at the terminal.
10.2.17	Improved transit does not improve intermodal freight movement or address the project purpose and need. Nonetheless, the Preferred Alternative accommodates AMTRAK and commuter rail operations through the Livernois-Junction Yard.

- Provide for water quality monitoring and improves to mitigate depositions to the Rouge and the Detroit rivers

10.2.18

CONCLUSION

The City of Detroit respectfully requests that the issues set forth herein be fully addressed before there is any attempt to move forward with to a Final EIS. This DEIS does not meet the requirements of NEPA or substantive transportation and environmental laws. We welcome the opportunity to engage in a full and frank discussion of the issues raised herein and to seek to resolve those issues for the benefit of our citizens and all those who reside in Southeast Michigan.

10.2.18	Stormwater monitoring is not warranted with the anticipated project stormwater controls.

Date: August 5, 2005

To: Sarah Lile, Environmental Affairs Department

From: Manilal Patel, Traffic Engineering Division

RE: Detroit Intermodal Fright Terminals
Draft Environmental Impact Statement Review

The Engineering Analysis Report and Engineering Concept Report of the Draft Environmental Impact Statement (DEIS) prepared by Corradino Group (on behalf of MDOT) is reviewed by TED from the Traffic Engineering perspective. The Socio-economic and environmental impact must be reviewed by other departments.

This report is a follow up to a feasibility study, examines the proposed improvements for Detroit Intermodal Freight Terminals (DIFT) located in City of Detroit and City of Ferndale. Currently there are 3 major railroad operators in the City of Detroit with intermodal operations and the fourth major railroad company operates out of Ferndale. The City of Detroit will be critically impacted due to the three locations within the City of Detroit and the fourth operator in Ferndale has a freight container storage in the State Fair Ground. Our comments on each of the presented four alternatives are as follows:

Alternative 1: The "Do Nothing" or "No Action" Alternative

Alternative 1 reflects the status quo. This would leave each of the Rail Operators to develop their facilities as they seem appropriate for their needs, without governmental assistance.

Each railroad company will indulge in independent and uncontrolled development in the future to cope up with the projected increase in business. Preliminary data projects 425, 000 total lifts per year by 2025 compared to the current 300,000 lifts per year for th three terminals located within the City of Detroit, excluding Ferndale yard. In other words this translates into an increase in truck traffic of 340 trucks a day, about 40% increase (considering that one lift will result in movement of one truck).

11.1

The increase in truck traffic will accelerate damage to the city streets, particularly Livernois and Wyoming streets and increase in noise and dust pollution without any mitigation in place; it is a concern to us.

Increased truck traffic will adversely affect traffic capacity at or near the intersections close to Railroad Gates. The City will be forced to provide mitigation measures for safety/congestion without any funding from state, federal or private agencies.

1

11.1	Comment acknowledged.

Alternative 2: **Improve/Expand all of the existing four Railroad's existing Intermodal facilities.**

Alternative-2 addresses the expansion of each railroad's existing Intermodal facilities with governmental assistance (funding and governmental approval) and control. These terminals include:

- Livernois-Junction Yard, located within City of Detroit
- CP/Expressway (at the Michigan Central Depot), located within City of Detroit
- CP/OAK, located within City of Detroit
- CN/Moterm, located within City of Ferndale

These de-centralized improvements to interlocking and the expanded size of the yards are expected to stimulate growth that will require more trains. Under this alternative, the planned increase in truck traffic is projected at 1270 trucks per day, increase of about 155% (compared to 340 trucks a day for Alternative-1).

Traffic movements in the surrounding areas are affected by the following factors:

- Increased truck traffic will be distributed through out various corridors in the City affecting more streets but reduced severity.
- The extent of federal//state assistance for this program is not well defined at this time. However, Federal/State/RR funding could be tapped for improvement of roadway infra structure. Therefore, City's acceptance should be contingent upon procuring 100 % funding from the project cost/no cost to the city for the roadway infrastructure improvements.
- The proposed new underpass (depressed roadway) on Central Street will mitigate the traffic congestion generated due to increased Rail/Vehicular traffic.
- The proposed new underpass at Central Street and elimination of Grade Crossing at Lonyo would also enhance safety.

However, closing of Lonyo will generate increased traffic at Central /Dix requiring considerable modifications and geometric improvements at many intersections to handle the discharge of truck traffic into the City's freeways via surface streets.

11.2

Alternative 3: **Consolidate Developments of all four Railroad's existing Intermodal facilities at Livernois-Junction Yard, located in the City of Detroit.**

The existing four railroad intermodal facilities of CP/Expressway, CP/OAK, NS/Triple Crown and CN/Moterm would be relocated to and expand Livernois-Junction yard (which presently is home to CSX Intermodal, NS Intermodal and Conrail).

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11.2	Intermodal truck traffic will follow the routings created by the project on Wyoming Avenue and on Livernois Avenue north of the Livernois-Junction yard. Intermodal truck traffic will be reduced on Livernois and Dragoon south of the terminal. Major truck traffic will be reduced on Central and Lonyo. The increase in intermodal truck traffic on Wyoming and Livernois will be negligible relative to background traffic. Maintenance will no longer be required by Dearborn on Southern Street or Kronk, as they will be incorporated into the terminal. The new perimeter road of the terminal will be maintained by local governments, as it is today. The Preferred Alternative includes improvements at Central/Dix.

These consolidated improvements to the largest yard are expected to spurt growth that will require centralized improvement and development involving land acquisition (causing displacement of residents/businesses and also closing down/transfer of some of City's right-of -ways. Under this alternative, the planned increase in truck traffic is projected at 2320 trucks per day /increase of about 282 % (compared to 1270 increased trucks a day for Alt.2 and 340 increased trucks a day for Alt.1).

Traffic movements in the surrounding areas are impacted by the following factors:

- Increased truck traffic will be centralized particularly in the Livernois corridor, Wyoming corridor and partly in the Dix/Vernor corridor.
- The extent of federal//state assistance for this program is not well defined at this time. However, Federal/State/RR funding could be tapped for improvement of roadway infra structure. Therefore, City's acceptance should be contingent upon procuring 100 % funding from the project cost/no cost to the city for the roadway infrastructure improvements.
- The proposed new underpass (depressed roadway) on Central Street will mitigate traffic congestion generated due to increased Rail/Vehicular traffic.
- Proposed new Central Underpass (depressed roadway) will eliminate traffic congestion generated due to increased Rail/Vehicular traffic at grade.
- The proposed new underpass at Central Street and elimination of Grade Crossing at Lonyo would also enhance the intersectional safety.

However, closing of Lonyo will generate increased traffic at Central /Dix requiring considerable modifications and geometric improvements at many intersections to handle the discharge of truck traffic into the City's freeways via surface streets.

11.3

This alternative if chosen, will require additional in-depth study to determine the extent of infrastructure improvements to accommodate additional truck traffic.

Alternative 4: **Consolidate Developments of three out of the four Railroad's existing Intermodal facilities at Livernois-Junction Yard, located in the City of Detroit, except the CN-Moterm intermodal facility in Ferndale City.**

Three (out of the four) existing railroad intermodal facilities of CP/Expressway, CP/OAK and NS/Triple Crown would be relocated to and expand Livernois-Junction yard (which presently is home to CSX Intermodal, NS Intermodal and Conrail). The CN-Moterm operation will be left alone at their Ferndale yard, thereby eliminating truck traffic in the City of Detriot, attributed to CN-Moterm operation.

These consolidated improvements to the Livrnios/Junction Yard are expected to spurt growth that will require centralized improvement and development involving land acquisition (causing displacement of residents/businesses and also closing down/transfer of some of City's right-of -ways. Under this alternative, the planned increase in truck

3

11.3	Intermodal truck traffic will follow the routings created by the project on Wyoming Avenue and on Livernois Avenue north of the Livernois-Junction yard. Intermodal truck traffic will be reduced on Livernois and Dragoon south of the terminal. Major truck traffic will be reduced on Central and Lonyo. The increase in intermodal truck traffic on Wyoming and Livernois will be negligible relative to background traffic. Maintenance will no longer be required by Dearborn on Southern Street or Kronk, as they will be incorporated into the terminal. The new perimeter road of the terminal will be maintained by local governments, as it is today. The Preferred Alternative includes improvements at Central/Dix.

traffic is projected at 1790 trucks per day / increase of about 218% (compared to 1270 increased trucks a day for Alternative 2 and 2320 increased trucks per day for Alternative 3 and 340 increased trucks a day for Alternative 1).

Traffic movements in the surrounding areas are impacted by the following factors:

- Increased truck traffic will be centralized particularly in the Livernois corridor, Wyoming corridor and partly in the Dix/Vernor corridor.
- The extent of federal//state assistance for this program is not well defined at this time. However, Federal/State/RR funding could be tapped for improvement of roadway infra structure. Therefore, City's acceptance should be contingent upon procuring 100 % funding from the project cost/no cost to the city for the roadway infrastructure improvements.
- The proposed new underpass (depressed roadway) on Central Street will mitigate the traffic congestion generated due to increased Rail/Vehicular traffic.
- Proposed new Central Underpass (depressed roadway) will eliminate traffic congestion generated due to increased Rail/Vehicular traffic at grade.
- The proposed new underpass at Central Street and elimination of Grade Crossing at Lonyo would also enhance the intersectional safety.

However, closing of Lonyo will generate increased traffic at Central /Dix requiring considerable modifications and geometric improvements at many intersections to handle the discharge of truck traffic into the City's freeways via surface streets (to a lesser magnitude than Alternative-3).

11.4

4

11.4	Intermodal truck traffic will follow the routings created by the project on Wyoming Avenue and on Livernois Avenue north of the Livernois-Junction yard. Intermodal truck traffic will be reduced on Livernois and Dragoon south of the terminal. Major truck traffic will be reduced on Central and Lonyo. The increase in intermodal truck traffic on Wyoming and Livernois will be negligible relative to background traffic. Maintenance will no longer be required by Dearborn on Southern Street or Kronk, as they will be incorporated into the terminal. The new perimeter road of the terminal will be maintained by local governments, as it is today. The Preferred Alternative includes improvements at Central/Dix.

August 8, 2005

Bruce King, Manager II
City of Detroit, Department of Environmental Affairs
Suite 1800
660 Woodward Avenue (First National Building)
Detroit, MI 48226

HAND DELIVERED & VIA EMAIL

RE: Detroit Intermodal Freight Terminal (DIFT) - Draft Environmental Impact Statement (DEIS)

Attached are comments from the City of Detroit, Planning and Development Department, regarding the DIFT. The review of the DIFT-DEIS focused primarily on comparing the DEIS with the 2004 Revised Master Plan of Policies. These comments are intended to help the City of Detroit Department of Environmental Affairs compile a response report for MDOT. The 2004 Revised Mater Plan of Policies was used as the benchmark for comparison because this document was developed in conjunction with the community at large.

The Planning and Development Department is aware that many community meetings were held that captured community input of the social, economic and relocation impacts of the four alternatives for the DIFT. While the comments from the Planning and Development Department may include statements from these community meetings, and mirror some of the same concerns, they do not act as a substitute for these comments. We encourage the Department of Environmental Affairs to also include the community comments to paint a full picture of potential impacts.

The Planning and Development Department would encourage the Department of Environmental Affairs to advocate for proper and complete mitigation to all impacts from any of the four alternatives. In addition, a full discussion regarding the necessity of the DIFT project would be appropriate.

Sincerely

Burney Johnson
Director, Planning Activities

drs/BJ

cc: J. Baran (P&DD)
K. Robinson (P&DD)
T. Davie-Patterson (P&DD)
G. Parrish (P&DD)

The City of Detroit, Planning & Development has reviewed the Detroit Intermodal Freight Terminal (DIFT) Study, Draft Environmental Impact Statement (DEIS). This review is focused on the following DIFT criteria: social, economic and relocation impacts.

Interpretation of the 2004 Revised Master Plan of Policies RE: DIFT
The 2004 Revised Master Plan of Policies exists to provide guidance and clarity for the future land use of the City of Detroit. In order to discuss the potential DIFT areas fully, the comments from those geographic locations are listed below. This will illustrate the context provided by the Master Plan of Policies. All comments are cited from the 2004 Master Plan of Policies unless otherwise noted.

Cluster 5

Introduction
Cluster 5 is generally bounded by Warren and the Ford Freeway (I-94) to the north; the Detroit River to the south; the Jeffries Freeway (I-96) and the Ambassador Bridge to the east and the Dearborn, Melvindale, Lincoln Park, Ecorse and River Rouge city limits to the west. The cluster consists of seven neighborhood areas: Boynton, Chadsey, Condon, Hubbard/Richard, Springwells, Vernor/Junction and West Riverfront.

Cluster 5 has an exceptional concentration of heavy industry and freight transportation modes. Although the cluster experienced a decrease in total population between 1990 and 2000, it lost fewer people proportionally than the entire City of Detroit. Furthermore, the growth in some neighborhoods exceeded the citywide average.

Vernor-Junction

Vernor-Junction is generally bounded by the former Conrail railroad to the northwest, the Fisher Freeway (I-75) to the south and West Grand Boulevard to the east. The area has a vibrant commercial corridor along Vernor.

The area experienced a modest increase in population between 1990 and 2000; most of the growth is due to a significant increase in the Hispanic population. Almost 60 percent of the households are headed by married couples. A third of the population is below 18 years old.

- **Neighborhoods and Housing**

  Issues: While the housing stock is relatively sound, some dilapidated units are scattered throughout the area due to prior decades of depopulation and disinvestment. Proximity to high growth areas in Cluster 5 should result in growth into this area. Neighborhoods near the industrial corridor along the railroad tracks have shown the most signs of deterioration.

GOAL 1: Preserve sound neighborhoods

Policy 1.1: Maintain the stability of the area through home repair programs and scattered-site infill development of similar scale and character to the existing housing stock.

GOAL 2: Increase residential density

Policy 2.1: Develop medium density housing near Vernor to strengthen the adjacent commercial corridor.

Policy 2.2: Include medium density housing as a component of a mixed-use node at Dix, Vernor and Livernois.

GOAL 3: Conversion of obsolete industrial buildings

Policy 3.1: Near Michigan and West Grand Boulevard, encourage the conversion of vacant industrial buildings into residential lofts.

- **Industrial Centers**

Issue: Many small industrial sites along the former Grand Trunk and Conrail railroads directly abut residential areas. The boundaries separating the residential and industrial areas are not always clearly delineated.

GOAL 6: Reduce conflicts between industrial and residential areas

Policy 6.1: Establish and enforce designated truck routes to and from Livernois and I-75.

Policy 6.2: Buffer the negative impacts of industrial land uses upon residential areas.

Springwells

Springwells is generally bounded by John Kronk to the north, the former Conrail railroad to the southeast and the Dearborn City limits to the west. North of Dix, virtually all of the land is in rail yards and other heavy industry. South of Dix is residential, except for the commercial strips on Vernor and Springwells.

Springwells experienced a population increase of almost ten percent between 1990 and 2000. This included a doubling of the Hispanic population (from 4,437 in 1990 to 9,858 in 2000). Almost a third of the population is under 18 years of age. Over half of the households are headed by married couples.

- **Neighborhoods and Housing**

  Issues: The average Springwells home is about 70 years old. Most houses are wood frame and in fair condition.

  GOAL 1: Preserve sound neighborhoods

  Policy 1.1: Maintain the stability of the area through home repair programs and scattered-site infill development of similar scale and character to the existing housing stock.

  GOAL 2: Increase residential density

  Policy 2.1: Include medium density housing as a component of a mixed-use node at Dix, Vernor and Livernois.

- **Retail and Local Services**

  Issues: The dense character of the built environment limits assembling large sites for retail development. The only large site with potential for retail development is at the intersection of Dix, Vernor and Livernois.

  GOAL 3: Increase the vitality of neighborhood commercial areas

  Policy 3.1: Develop neighborhood commercial nodes along Vernor and Springwells with a compatible mix of locally serving, small-scale businesses and medium density housing.

  GOAL 4: Develop a mixed-use activity node

  Policy 4.1: Develop the intersection of Dix, Vernor and Livernois as a mixed use, pedestrian-oriented commercial node.

- **Industrial Centers**

  Issues: The Junction Yard railroad terminal, north of Dix, is a multi-modal transportation hub. This area includes many under-utilized industrial sites. Small-scale industrial sites are scattered throughout. The boundaries separating the industrial and residential areas are not always clearly delineated.

  GOAL 5: Reduce conflicts between industrial and residential areas

  Policy 5.1: Ensure that modernization and expansion plans for the rail yard operations minimize encroachment into surrounding residential areas.

Policy 5.2: Encourage relocation of industries in conflict with residential areas to sites north of Dix.

Policy 5.3: Establish and enforce designated truck routes to and from Dix and Livernois.

Policy 5.4: Buffer the negative impacts of industrial land uses upon residential areas along Dix and John Kronk.

- **Environment and Energy**

Issue: The west riverfront is site to some of the regions most intense industrial activity. Many of the facilities are major pollution sources impacting nearby commercial and residential areas.

GOAL 6: Improve environmental quality

Policy 6.1: Attract industries that emphasize pollution minimizing technology and research.

Policy 6.2: Concentrate environmental remediation efforts to industrial areas in the south and west.

CP/Expressway

Cluster 4 - Corktown

Corktown is generally bounded by the Fisher Freeway (I-75) to the north, the Detroit River to the south, the Lodge Freeway (M-10) to the east and 16th Street to the west. Landmarks include the former Tiger Stadium and the former Michigan Central Depot.

Between 1990 and 2000 Corktown lost over twenty percent of its population and thirty percent loss of its housing units. Yet, Corktown has one of the City's lowest percent of vacant housing units with a high percent of rental housing units. Almost a third of the population are college graduates.

- **Neighborhoods and Housing**

  Issue: Corktown's small lot sizes, the age of the area's housing, and the vacant lots nterspersed throughout the neighborhood create redevelopment challenges. The large vacant former rail yard along the Detroit River provides an opportunity for mixed-use development.

  GOAL 1: Preserve sound neighborhoods

  Policy 1.1: Maintain the stability of the central area through home repair programs, and scattered-site infill development of similar scale and character to the existing housing stock.

  GOAL 2: Increase residential density

  Policy 2.1: Develop the former riverfront rail yard as a mixture of high density residential and commercial uses, preserving views and public access to open space along the riverfront.

  GOAL 3: Conversion of obsolete industrial buildings

  Policy 3.1: Rehabilitate vacant industrial buildings along Lafayette and Fort into residential lofts.

- **Retail and Local Services**

  Issues: The major issues for this community involve redevelopment of large vacant sites along the riverfront and along Michigan (i.e., Tiger Stadium and Michigan Central Depot) and their impact on the adjacent commercial strips.

  GOAL 4: Develop mixed-use activity nodes

Policy 4.1: Encourage mixed-use development for the Tiger Stadium site (at Michigan and Trumbull), incorporating residences, shopping, offices, and recreation.

Policy 4.2: Encourage major office and retail development for the Michigan Central Depot.

Policy 4.3: Encourage high-density mixed-use development to replace obsolete industrial and commercial properties along Fort.

Policy 4.4: Develop commercial nodes south of Jefferson with a mix of locally serving, small-scale businesses, entertainment related venues, service establishments and civic space.

GOAL 5: Reduce conflicts between commercial and residential areas

Policy 5.1: Insure commercial development along Michigan does not encroach into the adjacent residential areas.

- **Industrial Centers**

Issue: There are several functioning light industrial facilities in the central portion of the area. The expansion of trucking and other uses associated with the Ambassador Bridge is creating conflict with nearby residential and commercial uses.

GOAL 6: Increase the viability of industrial area

Policy 6.1: Redevelop the under-utilized sites west of Rosa Parks by attracting new and encouraging existing businesses to use the land for expansion or relocation.

GOAL 7: Reduce conflicts between industrial and residential areas

Policy 7.1: Establish and enforce designated truck routes to and from Rosa Parks and Fort.

Policy 7.2: Buffer the negative impacts of industrial land uses upon residential areas to the north.

Policy 7.3: Ensure that modernization and expansion plans for the rail and bridge facilities do not encroach upon the surrounding residential areas.

Policy 7.4: Encourage custom related uses to locate in the area east of 16th street and north of Lafayette.

- **Parks, Recreation and Open Space**

Issue: There are few well-maintained green spaces or recreational areas for neighborhood residents. The area also lacks links to the riverfront.

GOAL 8: Increase open space and recreational opportunities

Policy 8.1: Improve the condition of the public open space immediately north of the Michigan Central Depot (at Michigan and Roosevelt).

Policy 8.2: Develop open space and recreation uses along the riverfront to encourage recreational activities such as fishing and picnicking.

GOAL 9: Increase access to open space and recreational areas

Policy 9.1: Develop greenways connecting residential areas to the riverfront.

- **Transportation and Mobility**

Issue: The redevelopment of the Michigan Central Depot and Tiger Stadium could create regional attractions. The area is poorly linked to downtown and other area attractions.

GOAL 10: Provide transportation options

Policies 10.1: Development transit links for sites along Michigan to the CBD and other area attractions.

CP/Oak

Cluster 8 - Brightmoor

Brightmoor is generally bounded by Puritan and Fenkell to the north, the Chesapeake and Ohio railways to the south, Evergreen and the Southfield Freeway (M-39) to the east and the Redford Township city limits to the west.

Brightmoor has a high percent of youths. Over 50% of the housing units in Brightmoor are rental housing. Between 1990 and 2000, Brightmoor experienced a large loss in population and housing units. The resulting amount of vacant land presents considerable opportunity for reinvestment.

Neighborhoods and Housing

Issue: Housing in the southwest area of Brightmoor is very stable. The housing stock in the central area has sustained major losses from deterioration and demolition. There has been substantial infill housing in the past decade.

The southern portion of Brightmoor is isolated from the rest of the cluster; it is bounded by freeways and railways. This has contributed greatly to the deterioration and loss of housing stock.

GOAL 1: Preserve sound neighborhoods

Policy 1.1: Use code enforcement as a tool to maintain neighborhoods in the southwest portion.

GOAL 2: Revitalize neighborhoods with poor housing conditions

Policy 2.1: Encourage rehabilitation and infill housing development in the central area of Brightmoor.

GOAL 3: Increase residential density

Policy 3.1: Develop medium density housing near Fenkell to strengthen the adjacent commercial corridor.

Policy 3.2: Develop medium density housing at the northeast corner of Eliza Howell Park and in the area south of the Jeffries Freeway.

Retail and Local Services

Issue: Fenkell and Schoolcraft contain the majority of Brightmoor's commercial sites. Along Fenkell, auto repair shops and towing yards are interspersed with vacant commercial structures.

GOAL 4: Increase the vitality of commercial thoroughfares

Policy 4.1: In conjunction with the retail node at Schoolcraft and Evergreen, encourage retail development along Schoolcraft.

GOAL 5: Increase the vitality of neighborhood commercial areas

Policy 5.1: Develop neighborhood commercial nodes along Fenkell with a compatible mix of locally serving, small-scale businesses and medium density residential along less viable sections.

GOAL 6: Develop a retail center

Policy 6.1: Develop a retail node at the Schoolcraft and Evergreen intersection.

GOAL 7: Improve the appearance of commercial areas

Policy 7.1: Encourage code enforcement, the removal of abrasive commercial uses, and physical improvements along Fenkell.

Industrial Centers

Issue: Brightmoor's northwestern edge includes an industrial area between Eliza Howell Park and Telegraph. A strong industrial area with rail and freeway access is in the southeast corner.

GOAL 8: Increase the viability of industrial areas

Policy 8.1: Attract light industrial uses to the area southeast of Schoolcraft and Evergreen.

Policy 8.2: Improve signage, entry points and infrastructure in the industrial area southeast of Schoolcraft and Evergreen.

GOAL 9: Reduce conflicts between industrial, residential and natural areas

CN Motern

Cluster 1 - State Fairgrounds

State Fair

State Fair is generally bounded by Eight Mile to the north, the Highland Park city limits to the south, the Canadian National Railroad to the east, and Woodward to the west. The Michigan State Fairgrounds occupies one-fourth of the area's acreage.

Losing almost a quarter of its population between 1990 and 2000, State Fair has experienced one of the highest rates of population loss in the City. Accompanying the loss in population, State Fair lost more than twenty percent of its housing units between 1990 and 2000. The amount of vacant land creates considerable opportunity for reinvestment.

Approximately one-fourth of all residents in State Fair are foreign born, and more than eighty percent of those foreign-born residents hail from the Middle East. Over one third of State Fair residents are under the age of 19. More than fifty percent of State Fair adults have completed high school, and less than ten percent of adults have earned a college degree. State Fair contains one of the highest concentrations of low-income households in the City. Forty-four percent of households earn less than $15,000 per year.

- **Neighborhoods and Housing**

  Issues: There are some stable neighborhoods in State Fair. But, the loss of housing units has left a number of vacant parcels throughout the community and many more housing units remain vacant.

  GOAL 1: Preserve sound neighborhoods

  Policy 1.1: Maintain the stability of the area south of Seven Mile and the area east of Woodward through home repair programs and scattered-site infill development of similar scale and character to the existing housing stock.

  GOAL 2: Revitalize neighborhoods with poor housing conditions

  Policy 2.1: Demolish vacant and/or dangerous structures and encourage rehabilitation and infill housing in the central area north of Seven Mile, and the area east of Jon R.

- **Retail and Local Services**

Issues: Despite the loss in population and the blighted commercial corridors, the growth of ethnic communities in the area provides the potential to bring new vitality to commercial corridors.

GOAL 3: Increase the vitality of commercial thoroughfares

Policy 3.1: Take advantage of the traffic volumes and regional prominence of Woodward to attract more intense commercial activity.

GOAL 4: Increase the vitality of neighborhood commercial areas

Policy 4.1: Develop neighborhood commercial nodes along John R, Seven Mile and McNichols with a compatible mix of locally serving, small-scale businesses and medium density residential along the less viable sections.

GOAL 5: Develop a retail center

Policy 5.1: Develop a large-scale retail node at the southeast corner of Woodward and Eight Mile.

GOAL 6: Improve the appearance of commercial areas

Policy 6.1: Encourage code enforcement, the removal of abrasive commercial uses, and physical improvement along John R, Seven Mile and McNichols.

- **Industrial Centers**

Issues: State Fair's industrial areas have some moderately sized vacant sites available for redevelopment. But, industrial uses attract high volumes of truck traffic that can adversely impact the health and safety of local residents.

GOAL 7: Increase the viability of industrial areas

Policy 7.1: Redevelop the underutilized sites in the corridor by attracting new and encouraging small-scale industries to use the land for expansion or relocation.

GOAL 8: Reduce conflicts between industrial and residential areas

Policy 8.1: Establish and enforce designated truck routes to and from the Chrysler Freeway and Eight Mile.

Policy 8.2: Buffer the negative impacts of industrial land uses upon residential areas along the eastern edge.

- **Parks, Recreation and Open Space**

Issues: The community is lacking year-round recreational opportunities for youth. The State Fairgrounds has recreational space and facilities. Access to neighboring Palmer Park is difficult given the heavy volume of traffic along Woodward Avenue.

GOAL 9: Increase open space and recreational opportunities

Policy 9.1: Support diverse, year-round recreational activities at the State Fairgrounds.

GOAL 10: Increase access to open space and recreational areas

Policy 10.1: Develop greenways to and from Palmer Park, including pedestrian crossing and signage at Woodward.

- **City Design**

Issues: Woodward is the major thoroughfare connecting with other cities in the region. Woodward lacks distinctive or distinguishing features to welcome people as they travel through the region.

GOAL 11: Promote major thoroughfares as attractive gateways to the City

Policy 11.1: Incorporate streetscape, landscape and signage improvements at the Woodward and Eight Mile intersection.

Alternative 1 (No Action)

Alternative 1 assumes that the four Class I railroads CSX, Norfolk Southern (NS), Canadian National (CN), and Canadian Pacific (CP) will continue to operate and develop at their respective locations (Livernois-Junction Yard, CP/Expressway, CP/Oak, and CN Motern) without any government assistance or oversight.

The primary concern with Alternative 1 is that the four Class I railroads will choose to make improvements at different terminals, but without any community input, resulting in none of the mitigation preferred by the community. 12.1

12.1	The No Action Alternative must be carried through the DEIS stage and is not the Preferred Alternative. The Preferred Alternative does not involve the CN/Moterm Terminal and eliminates the closed CP/Expressway operation. It is also associated with a series of community improvements.

Action Alternatives (Alternatives 1 through 4)

The information in this section applies to all the relevant alternatives.

Generalized Social Impacts

- Section 1.4 "Areas of Controversy" on page 1-66 provides only one sentence on potential negative impacts. More information and detail is necessary for evaluation purposes. 12.2.1
- It is mentioned that the other existing terminals will continue to operate serving different railroad business. What assurances are there that they will not revert back to intermodal in the future? 12.2.2
- An inventory of residences located less than or equal to 1000 feet of an intermodal site should be provided. Such an inventory was provided for community facilities within this context. 12.2.3
- What type of remediation will be given to residents within 1000 feet? 12.2.4
- Some type of remediation should also be provided by community facilities within 1000 feet. 12.2.5
- The DEIS projects an overall increase in train traffic (freight and passenger/AMTRAK with the anticipated improvements to tracks and related infrastructure under all action alternatives. How will this increase in train activity affect the surrounding communities? 12.2.6
- All action alternatives propose the relocating of John Kronk, closing Lonyo, and presumable other nearby local streets. This has the potential for causing a disruption to non-motorized activity (pedestrians and bicyclists). Additional planned remediation should be provided. 12.2.7
- Included in the DEIS is a proposed public-private governance structure among the parties who execute an Implementation Agreement to oversee the implementation, operation, and maintenance of the DIFT over the life of the project. This proposed governance structure should include seats for community representatives including residents living in close proximity to intermodal facilities. 12.2.8

Generalized Economic Impacts

- What plans or proposals will be generated to ensure that the stated number of permanent and construction jobs will be available for city of Detroit residents? Such a plan would serve to mitigate the burden placed upon the City and its residents. 12.2.9
- Section 2.4 on page 2-10 notes the DIFT as "Stimulating economic development and redevelopment throughout Southeast Michigan through job creation, and increasing the tax base." And page 4, section 1.3 of the Economic Impact Analysis Technical Report (as well as other sections throughout the DEIS) notes that the REMI Policy Insight model used in the study "... is designed for application at the regional level. Therefore, applying the model to smaller areas than the region provides general insight, but is inherently less accurate than forecasts developed for regional applications." 12.2.10

12.2.1	Section 4 "Affected Environment and Environmental Consequences" is devoted to project impacts. Where impacts must be mitigated, these issues are addressed in Section 5. None of the issues constitute "areas of controversy" except those mentioned in that section.
12.2.2	The plan is to shift intermodal from all terminals but CN/Moterm to the area of the Livernois-Junction Yard. The Pre-Development Plan Agreement between MDOT and the railroads prevents the duplication of intermodal facilities.
12.2.3	Off-site impacts are limited to noise from trucks and trains. Noise levels exceeding criteria will be mitigated.
12.2.4	Remediation of contaminated properties occurs with property acquisition, but only of the property being acquired, not nearby properties. If the commenter is referring to local improvements, these are presented in Section 5.
12.2.5	Remediation of contaminated properties occurs with property acquisition, but only of the property being acquired, not nearby properties. If the commenter is referring to local improvements, these are presented in Section 5.
12.2.6	Using John Kronk Street at the Livernois-Junction Yard as an example, the growth in intermodal trains is 12 additional trains per day of an estimated increase of 40. No significant negative effects are anticipated due to the increased intermodal train traffic. And, the other train movements are being studied by other governments than MDOT. Their impacts will be defined in those studies. They are not known today.
12.2.7	Eliminating roads crossing the Livernois-Junction Yard is critical to the function of the yard and the safety of motorists. Traffic now using Lonyo that will be rerouted to Central Avenue will take an additional two minutes, but no trains will be encountered, eliminating the potential for severe crashes, which have occurred. Counts did not find pedestrians and bicyclists using Lonyo and crossing the railroad tracks.
12.2.8	Details of governance are in the Pre-Development Plan Agreement in Appendix F.
12.2.9	This issue is addressed, to the extent possible, in Section 5.
12.2.10	The economic analysis cites all the issues affecting its application. The forecast gain with the Preferred Alternative of 1,542 permanent jobs in the terminal area and 4,514 statewide through intermodal operations are valid forecasts using a recognized tool from the University of Massachusetts.

- It is recommended that an independent review be conducted by econometric forecasters, and possibly a sub-model be applied that will more accurately forecast the economic impacts at the local level. | 12.2.11

- There must be an economic development strategy associated with the project to create local jobs and enhance the tax base. There are a variety of associated businesses including freight distribution, warehouse, and logistics operations that could be planned and developed as a related component to the project. | 12.2.12

- What plans or proposals can be generated to encourage businesses to develop or expand in the intermodal sectors mentioned in the DEIS study? | 12.2.13

- The concept of a freight village would support economic development at the proposed intermodal locations. This should be incorporated into the study. | 12.2.14

- Page 2-10, Section 2.4 Summary, mentions the DIFT as providing the necessary infrastructure to support current and future distribution needs of industry, particularly auto manufacturing, the state's largest industry, and other Southeast Michigan businesses. What assurances or letters of support have been submitted by industry, particularly the automotive manufacturing sector? | 12.2.15

- What is the potential impact to housing values located in the immediate vicinity of a proposed or expanded intermodal facility? | 12.2.16

- What is the net import/export effect resulting from each of the Action Alternatives vs. No Action? | 12.2.17

- As a result of the changes that the DIFT introduces, how many blue-collar jobs will be created for City of Detroit residents? How many white-collar jobs? | 12.2.18

- A percentage of the jobs created at the freight terminals as well as all additional related economic development, such as logistics and distribution centers, should be filled by local residents. A training program to support resident employment should be developed and made available. | 12.2.19

- A local, minority, women, and small business utilization program should be developed to increase participation of these businesses in all phases of the DIFT project including planning and design, environmental mitigation, construction, and maintenance. | 12.2.20

- Community Benefits Agreements are recent models for ensuring that local host communities benefit from transportation infrastructure expansion projects. Typically, these agreements include benefits and improvements that are beyond the mitigation actions associated with the impacts of a project. Akin to the Memorandum of Understanding between the railroads and MDOT on the DIFT project, a Community Benefits Agreement will outline the respective understanding between the community, MDOT, and the railroads on the type and level of | 12.2.21

12.2.11	The economic analysis included in Section 4.5 indicates conversion of private land to government ownership and the loss of property tax revenue will be more than offset by the tax gains due to increased economic activity associated with improving intermodal transportation in Southeast Michigan. The increase in truck traffic on Wyoming will be negligible relative to background values.
12.2.12	Section 5 contains mitigation measures to retain and grow local jobs around the Livernois-Junction Yard, the site of the Preferred Alternative, and to train local residents to qualify for those jobs.
12.2.13	Section 5 contains mitigation measures to retain and grow local jobs around the Livernois-Junction Yard, the site of the Preferred Alternative, and to train local residents to qualify for those jobs.
12.2.14	Section 5 contains mitigation measures to retain and grow local jobs around the Livernois-Junction Yard, the site of the Preferred Alternative, and to train local residents to qualify for those jobs.
12.2.15	DaimlerChrysler has stated it values intermodal transportation as an efficient, cost effective alternative to truck and rail modes and believes it will play a role in the Southeastern Michigan transportation network. It supports the completion of the EIS and will review the results. Ford has indicated, while it uses intermodal service, its "Overall business plan for intermodal services is projected to remain flat into the foreseeable future". NS, CN and CP all signed the Memorandum of Understanding supporting the DIFT study process to address the future intermodal needs of the Detroit area. CSX has joined these railroads in signing the Pre-Development Plan Agreement, the successor to the Memorandum of Understanding.
12.2.16	An analysis performed during the DIFT Feasibility Study found that property values near two comparable intermodal sites in Chicago were stable or increased (see Figures 4-3 to 4-6 of that report for photographs and data). A review of Multiple Listing Service data on some sales in the vicinity of the intermodal terminals in Southeast Michigan found the same.
12.2.17	The economic impact analysis presented in Section 4.15 is based on historical trends which have included the globalization of the economy for years. That analysis indicates the Preferred Alternative will create a net increase of 4,500 jobs in the state of Michigan.
12.2.18	The number of permanent jobs for the Detroit area in the Preferred Alternative is 2,359 as documented in Section 4.5.2.
12.2.19	This issue is addressed, to the extent possible, in Section 5.
12.2.20	This issue is addressed, to the extent possible, in Section 5.
12.2.21	See Section 5.

benefits and mitigation actions for the host communities. Including a Community Benefits Agreement in the DIFT project could set a new model for a stronger connection between transportation infrastructure projects and local community and economic development.

Generalized Relocation Impacts

- What specific assistance will be provided to help relocated businesses and residents remain their current areas? 12.2.22
- What data or database was used to calculate the number of residents and businesses that wil be relocated? When was this data/database produced? Please provide updated copies. 12.2.23
- Develop a program to keep displaced businesses in the city so jobs are not lost. 12.2.24

12.2.22	Every attempt will be made to relocate in the Terminal Area persons and businesses affected by the Preferred Alternative, if they so choose.
12.2.23	The relocation areas were determined by field inspection. An interview was conducted by MDOT with each property owner that agreed to participate in order to establish relocation needs. The Preferred Alternative will require relocation of 29 dwelling units and 32 businesses.
12.2.24	Every attempt will be made to relocate in the Terminal Area persons and businesses affected by the Preferred Alternative, if they so choose.

Terminal Specific Impacts

Comments and questions from this section are specific only to a particular terminal.

Livernois-Junction Yard

- Paragraph 3, page 4-51 notes "The gate at Livernois Avenue would likely be signalized to allow safe movement of pedestrians, bicyclists and auto travelers." The potential for conflicts between intermodal traffic and this (other) traffic is too great. A traffic signal study with appropriate mitigation therefore should be planned for at this location. 12.3.1
- Sixty-four (64) businesses and eighty-three (83) residences will be relocated under Alternative 3. This has the potential for a tremendous disruption to this community. Historically, the process of acquisition and relocation of residents has not been an easy task. 12.3.2
- Improvements are needed to all roads and viaducts around the yard. Livernois floods, and most of the other viaducts are in terrible shape. 12.3.3
- Improved lighting needed around the yard. 12.3.4
- What type of impact will the possible closing of Lonyo and Central Avenue have on adjacent communities? 12.3.5
- Keep Lonyo open—not enough north-south roads go through the yard. It can be a bridge or go under the yard like MDOT proposes for Central. 12.3.6
- Build a berm all the way around the yard-the whole yard. It should be buffered and landscaped. The yard is currently a magnet for illegal dumping. MDOT only proposes to do part of the yard in the DEIS. This needs to be improved upon. 12.3.7
- Close the Dix-Vernor entrance. It has a negative impact on the Vernor commercial district and brings trucks from I-75 through a residential area. 12.3.8
- Propose to build replacement housing in the neighborhoods adjacent to the yard to strengthen those areas. Also other neighborhood revitalization activities in those areas—these are the areas most vulnerable because of a yard expansion. That should be mitigated. are not) 12.3.9
- Limit the number of ingress and egress points through an expansion of the internal road to take more trucks off neighboring streets. 12.3.10
- Add beautification to the Livernois and Wyoming exits off of I-94 to mitigate heavy truck usage. 12.3.11
- Accommodation needed for some of the businesses around the yard. The DEIS should be helping some of the actual jobs producers, also. 12.3.12

12.3.1	The traffic signal already there will lower the potential for conflicts. No study is needed.
12.3.2	Comment acknowledged. The relocations totals for the Preferred Alternative are 29 dwelling units and 32 businesses.
12.3.3	Viaduct actions in the Livernois-Junction Yard area are the responsibility of either the railroads or the local jurisdictions. Viaduct improvements have been included in the Enhancement Program. See the last section of the Green Sheet.
12.3.4	Planned lighting is discussed in Section 4.20.
12.3.5	Eliminating roads crossing the Livernois-Junction Yard is critical to the function of the yard and the safety of motorists. Traffic now using Lonyo that will be rerouted to Central Avenue will take an additional two minutes, but no trains will be encountered, eliminating the potential for severe crashes, which have occurred. Counts did not find pedestrians and bicyclists using Lonyo and crossing the railroad tracks.
12.3.6	Eliminating roads crossing the Livernois-Junction Yard is critical to the function of the yard and the safety of motorists. Traffic now using Lonyo that will be rerouted to Central Avenue will take an additional two minutes, but no trains will be encountered, eliminating the potential for severe crashes, which have occurred. Counts did not find pedestrians and bicyclists using Lonyo and crossing the railroad tracks.
12.3.7	The design of the Preferred Alternative includes a buffer as described in Sections 4.9, 4.15 and 4.19. The maintenance of the buffer will be MDOT's responsibility as it will be on public property. A buffer is not needed on the south side of the Preferred Alternative from one block east of Lonyo west to Wyoming Avenue because the terminal is adjacent to industrial uses, some of which require continued rail service, and the Woodmere Cemetery, which do not represent a security or noise-sensitive issue.
12.3.8	The Preferred Alternative includes closing the Dix/Waterman gate in the long-range future of intermodal at the Livernois-Junction Yard.
12.3.9	Every attempt will be made to relocate in the Terminal Area persons and businesses affected by the Preferred Alternative, if they so choose.
12.3.10	The Preferred Alternative will design the entrance to the Livernois-Junction yard from Livernois so that trucks can only enter and exit to the north, reducing intermodal truck traffic on Livernois and Dragoon to the south. At the west end of the yard, trucks will travel to/from I-94 via Wyoming and to I-75 via Wyoming and Dix/Schaefer or one of several similar routes. Also, the Detroit River International Crossing project will close the Livernois/Dragoon interchange at I-75, thereby inhibiting trucks to and from the south from accessing I-75 via Livernois Avenue.
12.3.11	This proposal is not part of the Preferred Alternative.
12.3.12	Every attempt will be made to relocate in the Terminal Area persons and businesses affected by the Preferred Alternative, if they so choose.

- What type of accumulative impacts of other projects (such as the possible expansion of the bridge/tunnel) will occur? How will they affect infrastructure and traffic in adjacent residential neighborhoods? 12.3.13

- According to the segment that aired on Fox 2 News (7/21/05, 10 PM), there was a strong amount of community opposition to both the Bridge expansion and any increased truck traffic in adjacent residential neighborhoods. 12.3.14

CP/Expressway

- Page 4-50 paragraph two states "The United Community Hospital is north and west of the Expressway terminal and would be adjacent to the terminal, if the terminal was expanded under Alternative 2. [and] ... The change in intermodal train activity of Alternative 2 over No Action conditions will not affect this hospital." 12.3.15

- Please explain how a sensitive community facility such as a hospital just 90 feet away from this expanded intermodal terminal would not be affected? 12.3.16

- Page 3-17 second to last paragraph states "Expanding the terminal would require the acquisition of ... one institutional property and no residences." Presumably the property in question is the City of Detroit, DPW yard. The office building on this site is fairly new. Given this, and the importance and proximity of the yard and its office operations "What plans and contingencies will be developed to help in the transition to a new location?" 12.3.17

CP/Oak

- Figure 1-16c "CP/Oak Terminal Site Map." on page 1-54 does not clearly show the exiting terminal boundary. Figure 4-10c "CP/Oak Terminal Community Facilities on page 4-40 does not show the community facilities. A new map should be generated. 12.3.18

- Section 4.2 "Social Impacts/Community Cohesion" section needs to provide more detail for the CP/Oak community. 12.3.19

CN Motem

- Page 1-30 states that the under Alternatives 2 and 4 the proposed expansion of this terminal avoids going into dense neighborhoods to the west of the existing terminal in Ferndale. It is therefore proposed that operations be shifted over to the Fairgrounds. This proposal does not take into account the close proximity of residences in Detroit near the existing track. Many homes are less than 500 feet from the track. Possible remediation or relocations may be necessary. 12.3.20

- Expansion of this terminal into the Fairgrounds is contrary to the overall communities desire to use the proposed land for recreational purposes. 12.3.21

12.3.13	The projects mentioned in the comment are all included in the analysis of indirect and cumulative effects documented in Section 4.17. A new "Delray" bridge to Canada plus the proposed second span of the Ambassador Bridge are discussed in the revised indirect and cumulative analysis for the FEIS.
12.3.14	With the Preferred Alternative intermodal truck traffic will follow the routings created by the project on Wyoming Avenue and on Livernois Avenue north of the Livernois-Junction yard. Intermodal trucks will reduce on Livernois and Dragoon south of the terminal and the Dix/Waterman entrance will be closed.
12.3.15	The United Community Hospital has closed.
12.3.16	The Preferred Alternative does not include any changes at the Expressway Terminal, and, therefore, to the referenced property will be unaffected.
12.3.17	Figure 4-12c shows no community facilities because there are none, as noted at the bottom of the graphic.
12.3.18	More detail is not needed as the Preferred Alternative does not involve expansion of the CP/Oak Terminal.
12.3.19	The Preferred Alternative does not include any changes at the Moterm Terminal or Fairgrounds.
12.3.20	The Preferred Alternative does not affect the Moterm Terminal or Fairgrounds and CN has indicated it is not planning to expand at the Moterm facility in the near future.
12.3.21	Comment acknowledged. The 2004 plan was not official at the time the DEIS and FEIS were prepared, so it could not be used as the basis of analysis, but its contents were reviewed, and there are no known changes in impacts/conclusions.

- Between 1990 and 2000, the State Fair Subsector lost twenty-four percent (24%) of its population and twenty-two (22%) percent of its housing stock. Over that same period of time, the Nolan Subsector lost eleven (11%) of its population and four (4%) of its housing stock. The City of Detroit, 2004 revised Master Plan of Policies mandates that the City "[d]emolish vacant and/or dangerous structures and encourage rehabilitation and infill housing..." (Policy 2.1, 1-11 and 1-16). 12.3.22

- The State should demonstrate that the proposed expansion of the Canadian National Terminal into the State Fairgrounds would not hinder the redevelopment of neighborhoods immediately surrounding the proposed site. 12.3.23

- The 2004 revised Master Plan of Policies directs the City to "(e)stablish and enforce designated truck routes" (Policy 8.1, 1-18).

  This is necessary to: 1) minimize health and safety risks to pedestrians and passenger vehicles utilizing area roads, particularly residential streets and secondary thoroughfares, and 2) reduce the risk of traffic congestion along area roads, particularly residential streets and secondary thoroughfares. The potential expansion of the Canadian National Terminal into the State Fairgrounds should not interfere or conflict with the City's directive to regulate truck traffic. 12.3.24 12.3.25

- The 2004 revised Master Plan of Policies mandates that the City "(b)uffer the negative impacts of industrial land uses upon residential areas" (Policy 8.2, 1-18).

  All relevant parties should take appropriate measures to minimize adverse environmental impacts, including air pollution and noise pollution, and preserve, to the greatest extent possible, a high quality of life for area residents, particularly those neighborhoods immediately east and south of the proposed expansion. 12.3.26 12.3.27

- The 2004 revised Master Plan of Policies mandates that the City "(r)edevelop the underutilized sites in the corridor by attracting new and encouraging small-scale industries to use the land for expansion or relocation" (Policy 7.1, 1-18).

  The State should demonstrate that the proposed expansion of the Canadian National Terminal into the State Fairgrounds could aid in the redevelopment of underutilized industrial sites along the rail line. 12.3.28 12.3.29

- The 2004 revised Master Plan of Policies directs the City to "(s)upport diverse, year-round recreational activities at the State Fairgrounds" (Policy 9.1, 1-18).

  Again, the State should demonstrate that the proposed expansion of the Canadian National Terminal would not preclude the possibility of diverse, year-round recreational activities at the Fairgrounds. 12.3.30

12.3.22	The Preferred Alternative does not affect the Moterm Terminal. CN has indicated it will not expand into the Fairgrounds.
12.3.23	Comment acknowledged.
12.3.24	The Preferred Alternative does not include any changes at the Moterm Terminal or Fairgrounds.
12.3.25	Comment acknowledged. The 2004 plan was not official at the time the DEIS and FEIS were prepared, so it could not be used as the basis of analysis, but its contents were reviewed, and there are no known changes in impacts/conclusions.
12.3.26	The Preferred Alternative does not include any changes at the Moterm Terminal or Fairgrounds.
12.3.27	Comment acknowledged. The 2004 plan was not official at the time the DEIS and FEIS were prepared, so it could not be used as the basis of analysis, but its contents were reviewed, and there are no known changes in impacts/conclusions.
12.3.28	The Preferred Alternative does not affect the Moterm Terminal. CN has indicated it will not expand into the Fairgrounds.
12.3.29	Comment acknowledged. The 2004 plan was not official at the time the DEIS and FEIS were prepared, so it could not be used as the basis of analysis, but its contents were reviewed, and there are no known changes in impacts/conclusions.
12.3.30	The Preferred Alternative does not affect the Moterm Terminal. CN has indicated it will not expand into the Fairgrounds.

Review of the Detroit Intermodal Freight Terminal (DIFT) Project

from a Public Health Perspective

According to the U.S. Environmental Protection Agency (EPA), the railroad industry has laid over 300,000 miles of railroad track, connecting almost every locale, rural or urban, throughout the United States. When railroad lines meet industrial areas, railroad yards result. Railroad yards are areas where railcars and locomotives are maintained, stored, and coupled to form trains. The Detroit Intermodal Freight Terminal is, in effect, a central location where railroad companies can work on their rolling stock, transfer and dispatch trains to locations around the country. (Your Canadian traffic comments fits here as well).

Alternative #4 for the Detroit Intermodal Freight Terminal proposes increasing the number of diesel operated trucks on a per day basis by several thousand. The exculpatory nature of the summary and analyses will require a number of clarifications. The assumption, under alternative #4, that the increase in railcars and trucks and the corresponding decrease in automobiles will in fact reduce pollution in the coming years is overstated and misleading. 13.1

One of the most important chemicals of concern is diesel emissions. Diesel exhaust is made up of gases and fine particulate matter (10 microns or less in diameter). Diesel exhaust produces fine particulate matter that is easily inhaled and can deposit in the lungs. This causes physiological damage to the lungs and can aggravate asthma, bronchitis and other respiratory ailments. According to information provided in a resolution by the Detroit City Council, Southwest Detroit already has the highest level of fine particulate matter in the state. The U.S. Environmental Protection Agency (EPA) has designated Southeastern Michigan in non-attainment for particulate matter ($PM_{2.5}$) and ozone, both known asthma triggers. In addition, asthma rates and the number of hospitalizations due to asthma are far higher in Southwest Detroit than in other areas of Michigan. Exposure to particulate matter is also associated with increased hospital admissions and emergency room visits for heart and lung disease, decreased lung function, and even premature death. 13.2

Over 40 substances found in diesel exhaust are classified by USEPA as hazardous air pollutants (HAPs). At least 15 of the constituents are classified as known, probable, or possible human carcinogens by the International Agency on for Research on Cancer. Elevated cancer risks from diesel particulate matter (DPM) were also found as part of the June, 2005 Michigan Department of Environmental Quality's (DEQ) DETROIT AIR TOXICS INITIATIVE: RISK ASSESSMENT REPORT. However, due to uncertainty associated with determining DPM ambient concentrations, estimating DPM risks was inconclusive due to the limited number of sites with surrogate monitoring data. Based on source apportionment modeling, and using monitored levels of elemental carbon, PM2.5, and other compounds, DPM concentrations were estimated to be approximately 1-2 $\mu g/m^3$ DPM. Although these estimated values are relatively uncertain, they serve to provide a general sense of the contribution DPM may add to the cancer risk from air toxics in Detroit. This concentration range resulted in an estimated increased cancer risk in the range of approximately 300 to 600 X 10^{-6} associated with the estimated levels at the Detroit sites. These estimates are consistent with USEPA's roughly estimated lifetime cancer risk of 10 to 1000 X 10^{-6} associated with diesel emissions in the U.S. These estimated ranges of cancer risk are considered to have significant uncertainty. However, they suggest that diesel emissions may be a significant risk driver in the context of the total cancer risks estimated in the DEQ report.

Small children, the elderly, and people with compromised immune systems are the populations with the greatest risk for health impacts from exposure to diesel exhaust. There are also potential safety risks posed by a significant increase in the number of large trucks being on neighborhood streets. 13.3

13.1	The air quality analysis uses EPA-approved methods and software and finds that, primarily through EPA's regulatory actions, air quality will substantially improve; however, the increase in intermodal activity brought about by the project will increase activity at the Livernois-Junction Yard with the Preferred Alternative. Section 4.8 covers air quality.
13.2	Possible health effects of PM2.5 and air toxics are noted in Section 4.8.3 of the FEIS. The reasons why no additional analysis of health effects will be done are stated in that section.
13.3	With the Preferred Alternative, intermodal truck traffic will follow the routings created by the project on Wyoming Avenue and on Livernois Avenue north of the Livernois-Junction Yard. Intermodal trucks will be reduced on Livernois and Dragoon south of the terminal and at the Dix/Waterman entrance will be closed..

Intermodal transportation operations can create environmental problems from three additional areas: fueling, hazardous material transport, and oil and coolant release during transport (EPA 1997). With fuel operations there can be spillage or fuel leakages. It is also important to determine if the fuel storage tanks and piping are above ground or below ground. If the tanks and piping are below ground there could be an increased chance of groundwater contamination. 13.4

Contaminants Found at Railyards

Various types of contaminants can result from the railroad yard operations described above. Each contaminant is a risk to both soil and groundwater quality. 13.5

Contaminants resulting from locomotive and engine maintenance are degreasing solvents. PCBS (poly-chlorinated biphenyls), and heavy metals. Solvents and heavy metal-based paints can be found in the area surrounding railcar refurbishing and maintenance operations. Further environmental problems can result from creosote and pentachlorophenol (PCP) from the rail ties. The "slag" base for the railroad ties can contribute to heavy-metal contamination. Finally, contamination from the transportation operations can be from diesel fuel associated with fueling as well as possible contamination from spillage or leakage of hazardous cargo during transport.

Typical Contaminants Found at a Railroad Yard

- Petroleum Hydrocarbons
- waste acids and alkalies
- paints contaminated with heavy metals
- VOCs
- BTEX
- Solvents and paint thinners
- Fuels
- Oil and grease
- Lead
- PCBs
- used coolants

Remediation of railyards depends on the contaminants present, their concentration, and the media they are affecting (soil or water). In addition, selecting a remediation strategy also involves an in-depth analysis of the costs associated with development. 13.6

Railyard Activities

A wide variety of activities take place at a railroad yard that can result in environmental problems. Additional activities can be broken down into the following three areas (EPA August, 1999): 13.7

- Locomotive maintenance;

13.4	Participating railroads have Emergency Response Plans to comply with applicable federal and state requirements concerning hazardous and petroleum storage, handling, spill prevention, spill response, incident response and related concerns. As a practical matter, the Livernois-Junction Yard will be paved with the Preferred Alternative and oil/water separators will be included in the surface water drainage system.
13.5	Participating railroads have Emergency Response Plans to comply with applicable federal and state requirements concerning hazardous and petroleum storage, handling, spill prevention, spill response, incident response and related concerns. As a practical matter, the Livernois-Junction Yard will be paved with the Preferred Alternative and oil/water separators will be included in the surface water drainage system.
13.6	No project-related testing is required on existing railroad properties.
13.7	The Preferred Alternative will not change railroad operations with respect to rail car refurbishing and maintenance, or track maintenance.

- Railcar refurbishing and maintenance;

- Track maintenance.

Locomotive Maintenance

13.7 cont

There are numerous activities associated with locomotive maintenance that can result in environmental problems. Activities that may have contributed contaminants to the area in the past are: changing oil and oil filters, painting and paint stripping, hydraulic system repair, locomotive coolant disposal, metal machining, used battery disposal and general cleaning of engine parts and the locomotive car (EPA 1997). Asbestos can be present from the insulation around the boilers of steam locomotives, old structures, or from old brake shoes that were not properly disposed of. Brake repair, large-and small-scale equipment cleaning, and metal machining can be part of maintenance. Each of these activities can contribute to environmental problems.

Railcar Refurbishing and Maintenance

13.7 cont

Railcar refurbishing and maintenance consist of cleaning the interiors and exteriors of the railcars, stripping and painting the railcars, and other maintenance such as brake and wheel set repair (EPA 1997). Environmental problems can result from all these activities. In addition, anything that the railcars carry or pass over (i.e., creosote) may wash off and contaminate the surrounding soil or water.

Refurbishing railcars entails the removal of old paint and the application of new paint. Both of these activities can result in soil or water contamination. The paint removal process can result in paint chips and grit. These chips and grit can cause soil or water contamination. When the new paint is applied there is also the chance that some of the new paint could end up in the surrounding soil or water.

Track Maintenance

13.7 cont

Environmental problems from track maintenance can result from two areas. First, the wood ties are treated with a wood preserver such as creosote, which can leach into the soil and groundwater. Second, the gravel and stone mixtures upon which the tracks are built usually contain heavy metals. These heavy metals tend to be from the stone mixture or "slag", which is often the residual left over from copper mining. These can also leach into surrounding soil and groundwater (EPA 1999).

Soil Remediation

There are two major classes of soil remediation: ex situ, where soil is removed off site for treatment, and in situ, where soil is treated on site. For the most part, any technique that is performed on site can be performed off site, and vice-versa. Some soil treatment techniques include:

Bioremediation

This remediation strategy involves using microorganisms such as bacteria, yeast, or fungi to break down hazardous substances to less-toxic or non-toxic substances.

Phytoremediation

For sites where it is appropriate, phytoremediation may be used both to remove contaminants and to establish greater confidence on the part of the community.

Thermal Desorption

Thermal desorption is a remediation technique that can be performed on contaminated soils, both in-situ and ex-situ. In this process, soils are heated to temperatures up to 1000°F to break down and destroy contaminants. The volatilized contaminants are then collected and treated by a registered waste disposal facility. This treatment technology works best on compounds with high VOCs and PAHs.

Soil Vapor Extraction (SVE)

In this remediation technique the soil is usually excavated and moved ex-situ, but it can sometimes be treated in-situ. The method involves exerting a vacuum through the soil formation to extract vapors. It is especially valuable for treating soils with high levels of VOCs and SVOCs.

Groundwater Remediation

Treatment Walls

This passive remediation strategy is very popular at sites where the hazard is not acute (thus not warranting more expensive methods) but where groundwater contamination needs to be contained. Construction involves excavating a trench perpendicular to the direction of groundwater flow and installing a wall made of a material with the ability to absorb contaminants while letting water flow through naturally. This strategy is only for contaminated groundwater.

Groundwater Extraction/Injection

This method of treating contaminated groundwater involves drilling numerous wells into and around contaminated groundwater. Once completed, the wells can extract contaminated water for

treatment. Treated water is then reinjected into the aquifer. This method of treatment can take years to work, depending on the size of the aquifer, because groundwater withdrawal/injection rates must be monitored closely so as not to cause ground subsidence or other hydrogeological problems. This technique can be used to treat most groundwater problems, including heavy metal and VOC contamination.

Each site will have a unique set of contaminants and those contaminants will be present in unique concentrations. Successful remediation depends on the ability of the developers to create unique treatment plans for that site, while observing any economic constraints.

DHWP believes that this report should : 13.8

1. Include an emphasis on the local relevance of public health problems and an examination of the social, economic, and cultural conditions that influence health status and the ways in which these affect life-style, behavior, and community decision-making.

2. The project should assist our understanding of issues affecting the community and to develop, implement and evaluate, as appropriate, plans of action that will address those issues in ways that benefit the community. 13.9

3. Representatives of community-based organizations, public health agencies, health care organizations, and educational institutions are involved as appropriate in all major phases of the process.

4. Produce, interpret and disseminate the findings to community members in clear language respectful to the community and in ways which will be useful for developing plans that will benefit the community. 13.10

Under the National Environmental Protection Act an Environmental Impact Statement (EIS) must identify environmental impacts, characterize the extent of the impacts, and provide mitigative measures. Affects on health resulting from environmental impacts are not addressed. There are no federal, state or local regulations that mandate conducting a health assessment for the DIFT project; however, to ensure that potential health impacts from implementing this project are properly evaluated, DHWP proposes the following recommendations: 13.11

- Request a health assessment with a quantitative risk component to characterize incremental risk. DHWP can provide oversight for the protocol used for the health assessment. This oversight is necessary to ensure that the health assessment addresses all potential health impacts. 13.12
- Request a cost-benefit analysis to assess the impact of costs for additional medical care (for insured and uninsured) and time lost from work when people suffer with adverse health effects. 13.13
- Request a quantitative air analysis that includes all hazardous air pollutants found in diesel exhaust (HAPs). 13.14
- Request an environmental justice analysis. 13.15

13.8	Possible health effects of PM2.5 and air toxics are noted in Section 4.8.3. The reasons why no additional analysis of health effects will be done are stated in that section.
13.9	A reading of the FEIS does assist understanding of these issues, especially Section 7.2.1, which summarizes the views of community leaders. The DIFT project includes actions to enhance the community. See Section 5.
13.10	MDOT provided information in English, Arab and Spanish, had interpreters at all public meetings, and offered to meet with any person to read/interpret project documents, if such service were needed.
13.11	Possible health effects of PM2.5 and air toxics are noted in Section 4.8.3 of the FEIS. The reasons why no additional analysis of health effects will be done are stated in that section.
13.12	Possible health effects of PM2.5 and air toxics are noted in Section 4.8.3 of the FEIS. The reasons why no additional analysis of health effects will be done are stated in that section.
13.13	Possible health effects of PM2.5 and air toxics are noted in Section 4.8.3 of the FEIS. The reasons why no additional analysis of health effects will be done are stated in that section.
13.14	Mobile source air toxics (MSATs) are analyzed consistent with joint U.S. EPA and FHWA guidance in Section 4.8.3.
13.15	Impacts to the local community have been identified and are the subject of Section 4 and mitigation is identified in Section 5 of the FEIS. That analysis recognizes positive and negative effects on EJ populations and concludes as follows: "there will be disproportionately adverse housing and cultural resource effects on minority or low-income populations" covered by the EJ Executive Order.

- DHWP strongly recommends the review and inclusion of the US Environmental Protection Agency's own Detroit children's health study: "Health Effects of Environmental Exposures Among Children Living in the Detroit, Michigan Area, EPA ICR Number 2167.01." 13.16

13.16	The cited study is described on EPA's Web site - www.epa.gov/dears/studies.htm. Quoting from the "Background" section of the Web site, "Previous research has shown that concentrations of $PM_{2.5}$ mass concentrations measured at community sites are often a reasonable surrogate for personal PM mass concentration exposures. Presently, it is not known if specific components of PM and related air toxic pollutants from specific ambient sources observe the same relationship." The studies include: the Detroit Exposure and Aerosol Research study (DEARS); the Detroit Children's Health Study (DCHS); the Detroit Cardiovascular Health Study; and, the Detroit PM Toxicology Study.

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RE: Comments on the Draft Environmental Impact Statement (DEIS) for the Detroit Intermodal Freight Terminal (DIFT)

Dear Mr. Parsons:

Please accept these comments made on behalf of the City Planning Commission and its staff. Whichever alternative is eventually selected, our overall goal is for you to minimize the negative impacts of the project on our communities, to mitigate any potential negative impacts whenever possible, and to include community stakeholders in the process so that they can leverage a full array of community benefits in order to offset the burdens of this project on the community.

Background

For background information, the City Planning Commission first became involved in the DIFT in 2001 after MDOT completed the DIFT feasibility study. In December 2001 and February 2002, the City Planning Commission held a series of public hearings at which time the public expressed considerable opposition to consolidation of all intermodal activity at Livernois Junction yard under the option then referred to as Rail Strategy 3.

It has been very clear to us that consolidation at Livernois Junction provides the greatest cost burden to the adjacent neighborhood while the greatest benefits are distributed throughout the region. Also, we were, then, and continue to be, particularly concerned about the following:

- Uncertainty that the project will realize its purpose;
- The potential for an increase in truck traffic on and around neighborhood streets, and, in particular, concerns about truck routes and the number and location of gates that might encourage use of neighborhood streets by trucks;
- Environmental issues resulting from an increase in truck traffic; and

- Negative impacts of relocating viable businesses and residences in a growing community.

As a result of the public opposition and our staff's analysis, the City Planning Commission recommended that the City Council oppose the Livernois Junction consolidation option that was under consideration at that time. City Council supported the recommendation and passed a resolution to that effect in July 2002 (please find copy of the report attached).

MDOT's Response to Initial Concerns

We are pleased to observe that that project has changed considerably since 2002. Many of the changes directly respond to concerns raised by the City Planning Commission and shared by the community. Expanding the scope of the EIS to include two other alternatives directly responds to our criticism about only looking at consolidation at the Livernois Junction yard.

MDOT also responded to the community's concerns by eliminating the above-grade truck-only road, reducing the number of gates to two, locating the gates at the east and west ends of the yard, limiting intermodal freight transportation development to sites under consideration, closing the new truck gate at West Vernor/Dix/Waterman, and reducing truck estimates from 16,000 to 4,600 per day.

An Unresolved Concern: Inadequate Environmental Analysis

While this has been viewed as a step in the right direction for the DIFT project, there have been additional, on-going concerns about the environmental and health impacts of this project, especially if any expansion is to occur in southwest Detroit where a number of other major transportation projects are being explored. These concerns were formalized in resolutions adopted by City Council in June 2003 (please find copies attached) and were most recently restated in a position paper submitted to the City Planning Commission by Arab Community Center for the Economic and Social Services (ACCESS) (please find copy attached).

Like ACCESS, we remain concerned that air quality impacts were not adequately studied, especially given the levels of fine particulate matter (PM 2.5) already found in southwest Detroit and southeast Dearborn and the substantial increase of truck traffic that would result from Alternatives 2, 3, and 4. We are equally concerned that health impacts were not studied despite repeated requests by a number of community stakeholders. We are not convinced that this DEIS meets its requirement to study all potential environmental impacts.

Creating Community Opportunities Moving Forward

Nevertheless, we also recognize that intermodal freight activity at Livernois Junction is not going to disappear, whether or not we embrace this project. In fact, we agree that

conditions around the Livernois Junction yard could worsen without the government oversight and monitoring associated with a major public investment. We support the community's desire to negotiate with MDOT to design an alternative that the community can accept and that includes an extensive Community Benefits Agreement to mitigate environmental concerns as well as other possible negative impacts, leverage direct economic benefit to the community, and assure adequate public investment in infrastructure improvements.

More specifically, we ask that you consider the following requests, many of which have also been raised by the community. In general, these apply to any of the yards and adjacent communities under consideration for expansion under Alternatives 2, 3, and 4 unless otherwise specified

• There must be a Community Benefits Agreement.	1
• The implementing agency must include community representation during decision-making processes and monitoring activities.	2
• MDOT, FHWA, SEMCOG and the community should engage in a process to review all the transportation routes in our communities and enforce agreed- upon results with the goal of removing trucks from residential and neighborhood commercial streets. We think the City of Detroit should be included in this process.	3
• Do not allow intermodal development at Michigan Central Depot. We agree the Canadian Pacific (CP) Expressway needs to find a different location; this could include Livernois-Junction or other locations. One option is to only have a CP intermodal yard and not a CP Expressway intermodal yard in the area.	4
• At the Moterm yard under Alternatives 2 or 4, we support the closure of the existing gate north of Eight Mile Road.	5
• Do not allow continued incremental expansion of the terminal outside an agreed-upon boundary.	6
• Buffer and landscape the perimeter land around the entire yard. We think several of the plans do not provide adequate buffering, particularly along Dix. Any screen wall must be properly designed so as not to create a fortress-type appearance at any of the yards under any of the action alternatives.	7
• Repair, repave, and maintain all of the roadways that have suffered the most inappropriate levels of truck traffic. We think repairs should be done in concrete and not just blacktop resurfacing, and traffic calming items such as a landscaped boulevard should be created specifically on Livernois from John Kronk to I-94.	8
• All of the railroad viaducts should be repaired, lit, and maintained including proper drainage.	9
• Lighting should be screened from adjacent residential neighborhoods and reduced at night.	10
• Rail activity, particularly train assembly, should be limited at night.	11
• Incorporate best practices for air quality improvements and mitigation into the development, including the latest sustainable environmental practices.	12

1	See Section 5.
2	Details of governance are in the Pre-Development Plan Agreement in Appendix F.
3	MDOT is supportive of such efforts at the local level. Land use is under the control of the cities of Detroit and Dearborn, where the terminal of the Preferred Alternative is located. SEMCOG develops the regional transportation plan, based on input from local jurisdictions and in cooperation with MDOT.
4	The CP Expressway operations were suspended in June 2004 and are not to resume as part of the Preferred Alternative. There is no provision for CP/Expressway anywhere in the Preferred Alternative.
5	The Preferred Alternative does not include any changes at the Moterm Terminal or Fairgrounds.
6	Expansion beyond the limits of the Preferred Alternative at the Livernois-Junction Yard is not part of the Preferred Alternative. While private companies develop their businesses at locations which they choose, such developments are eventually controlled by local units of government.
7	The design of the Preferred Alternative includes a buffer as described in Sections 4.9, 4.15 and 4.19. The maintenance of the buffer will be the responsibility of local government as it will be on public property. A buffer is not needed on the south side of the Preferred Alternative from one block east of Lonyo west to Wyoming Avenue because the terminal is adjacent to industrial uses, some of which require continued rail service, and the Woodmere Cemetery, which do not represent a security or noise-sensitive issue.
8	The owner of the road is responsible for its upkeep. In the case of the roads around the Preferred Alternative, MDOT is responsible for Michigan Avenue and I-94. All other roads are controlled by Wayne County, the City of Detroit or the City of Dearborn.
9	Viaduct actions in the Livernois-Junction Yard area are the responsibility of either the railroads or the local jurisdictions. Viaduct improvements have been included in the Enhancement Program. See the last section of the Green Sheet.
10	Planned lighting is discussed in Section 4.20 of the FEIS.
11	Such limitations cannot be imposed as they are a violation of interstate commerce.
12	See Section 5, Mitigation. First, the Preferred Alternative minimizes air pollutant emissions at the Livernois-Junction Yard terminal by siting gates and access routes to minimize exposure to neighborhoods and residential development by: 1) constructing the entry point off Livernois Avenue (Figure 3-19) with concrete curbs so trucks are forced to/from the north via an improved I-94/Livernois interchange, and not to/from the south and the dense neighborhood south of Vernor Avenue; and, 2) providing new Wyoming Avenue entrances that connect directly to I-94. Wyoming, like Livernois Avenue, is a major arterial with no residential frontage and little nearby residential development. Second, voluntary emission reduction measures are drawn from experiences with addressing diesel and PM2.5 emissions through EPA's National Clean Diesel Campaign and other initiatives. These would include the measures such as Engine Idling Reduction Programs for trucks and locomotives, auxiliary power units for trucks, and automatic shut-off devices for idling locomotives; use of electrified truck parking areas; and, use of alternative fuels for handling equipment.

- Whenever possible, viable businesses should be relocated within the neighborhood. We think if the relocation cannot occur within the neighborhood, for example in the Oak yard, then it must occur, at a minimum, within the City; the City must commit to assisting with this relocation. 13
- There must be economic development associated with freight transportation, such as distribution and logistic centers. We think this should be steered toward adjacent existing brownfield and other industrial sites within the area and not disruptive to residential neighborhoods. 14
- A training program to support resident employment should be implemented and made available. 15

In addition, please find below specific requests related to the Livernois Junction yard in southwest Detroit and southeast Dearborn:

- Keep Lonyo open. Explore the creation of an underpass. We think closing Lonyo might overly disrupt community cohesion and force too much traffic onto Central. Several persons at the DIFT public hearings raised concerns about Lonyo being closed. If Lonyo is kept open, then we recommend that eliminating all or parts of the proposed perimeter road be studied. We would rather have vehicles use Michigan Avenue or Dix, and eliminating the perimeter road might free up more land for buffering or reduce the amount of acquisition needed. 16
- The West Vernor, Livernois, and Waterman gate must be permanently closed. We think all gates except on Wyoming and Livernois should be prohibited now and in the future. Improvements to Wyoming and Livernois between the Livernois-Junction Yard and I-94 are very important. 17.1 17.2 17.3
- A new gate at Lonyo north of Dix should not be permitted. We think gates should be required only for both Livernois and Wyoming. 18
- Acquiring the existing intermodal container yard on the north side of Dix west of Waterman should be explored. This use is a large piece of land adjacent to the Livernois-Junction yard which is very poorly maintained, and this land could help meet the capacity requirements of the DIFT. 19
- A percentage of the jobs created at the terminal, the distribution and logistics centers, as well as terminal construction, must go to southwest Detroit and southeast Dearborn residents. 20
- Viable houses should be relocated within the neighborhood. 21
- There must be a comprehensive assessment and analysis of all transportation projects under consideration in southwest Detroit to look at their potential cumulative impacts on the community. This was previously requested by the City Council in a letter to Gloria Jeff dated May 17, 2005 (please find copy attached). 22

Summary and Conclusion

The City Planning Commission and its staff support the position that "no action" is an unacceptable option and will undermine community revitalization in Southwest Detroit. As currently proposed, Alternatives #2, #3, and #4 do not go far enough in addressing

13	Every attempt will be made to relocate in the Terminal Area persons and businesses affected by the Preferred Alternative, if they so choose.
14	The FEIS contains mitigation measures to retain and grow local jobs around the Livernois-Junction Yard, the site of the Preferred Alternative, and to train local residents to qualify for those jobs.
15	This issue is addressed, to the extent possible, in Section 5.
16	Eliminating roads crossing the Livernois-Junction Yard is critical to the function of the terminal and the safety of motorists and pedestrians. Automotive traffic now using Lonyo Avenue that will be rerouted to Central Avenue will take an additional two minutes, but no trains will ever be encountered, eliminating the potential for severe accidents, which have occurred. Counts found pedestrians or bicyclists do not use Lonyo to cross the railroad tracks.
17	The Preferred Alternative includes closing the Dix/Waterman gate in the long-range future of intermodal at the Livernois-Junction Yard.
17.1	The Preferred Alternative has gates only off of Livernois and Wyoming Avenue.
17.2	The owner of the road is responsible for its upkeep. In the case of the roads around the Preferred Alternative, MDOT is responsible for Michigan Avenue and I-94. All other roads are controlled by Wayne County, the City of Detroit or the City of Dearborn.
18	The access to the gate referred to is from Wyoming, so the gate is internal to the future Livernois-Junction Yard.
19	It is believed the property noted is within the ownership of the railroads and would continue to be part of an expanded yard.
20	This issue is addressed, to the extent possible, in Section 5.
21	Every attempt will be made to relocate in the Terminal Area persons and businesses affected by the Preferred Alternative, if they so choose.
22	MDOT is supportive of such efforts at the local level. Land use is under the control of the cities of Detroit and Dearborn, where the terminal of the Preferred Alternative is located. SEMCOG develops the regional transportation plan, based on input from local jurisdictions and in cooperation with MDOT.

community concerns; we feel a Community Benefits Agreement resulting in concrete infrastructure improvements, job expansion, protection of community assets, and greater coordination of transportation planning is required. City Council adopted a resolution to this effect on July 29, 2005 (please find copy attached).

In closing, though we are not completely comfortable with all aspects of this project, we do think that this project provides an opportunity for the community and the City to leverage potential benefits and improvements to an area that would otherwise not be likely to occur. In particular, we think that for the Livernois-Junction yard, the possible DIFT benefits (i.e., paving the yard and installing appropriate buffering), moving access gates to both Wyoming and Livernois, and allowing MDOT to address the intermodal needs of the State make it acceptable to favor an action alternative subject to the comments listed above. 23

Please free to contact our staff, Chris Gulock, Heidi Alcock, or Kimberly James at (313)224-6225 if you have any questions about the contents of this letter or if you would like to discuss our position in more detail. Thank you in advance for incorporating these comments into your selection of a final DIFT alternative.

Respectfully submitted,

Marsha S. Bruhn for

Arthur Simons, Chairperson

Marsha S. Bruhn, Director

Cc: City Council Members
Kathryn Savoie, ACCESS
Karen Kavanaugh, SDBA

23	Comment acknowledged. The Preferred Alternative does each of these and meets the project purpose and need.

CAROLYN CHEEKS KILPATRICK
13TH DISTRICT, MICHIGAN
ASSISTANT WHIP
COMMITTEE:
APPROPRIATIONS
SUBCOMMITTEES:
FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS
TRANSPORTATION, TREASURY AND INDEPENDENT AGENCIES

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SOUTH RIVER DISTRICT
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August 15, 2005

Mr. Robert Parsons
Public Hearings Officer/ DIFT
Michigan Department of Transportation
P.O. Box 30050
Lansing, Michigan 48909

Dear Mr.Parsons:

The following comments are in reference to the Detroit Intermodal Freight Terminal Environmental Impact Study that was released for public comment in June 2005.

Since the initial planning stages of DIFT, the project has been intensely debated and reviewed in the communities that will be affected. A feasibility study was initiated to determine not only the projects technical possibility, but also demonstrate whether its economic benefits would outweigh its environmental costs. The EIS has failed to show with necessary specificity: 1) What are the benefits to the area of location and 2) what will be the specific "*costs*" that the host community will pay. 1 2

After further review of the EIS and talking with my constituents, the study has failed to demonstrate this outcome in a clear and concise manner. I recognize that the EIS does not mandate a health risk assessment in its process. But, I believe a health risk assessment is necessary to identify health risk for the affected community. Government definitions of feasibility studies, cost-benefit studies and environmental impact statements do not specifically require that all of the questions raised by the community are answered. I hoped that a spirit of cooperation would dictate that the EIS would at least generate a report that would identify the "greatest good for the greatest number of people in the area." 3

As this process moves forward, I encourage MDOT to continue to include the community it is planning and decision making. I ask that health risk assessments be reviewed and discussed as a future component following the EIS process. I also ask that a community strategy be put in place, regardless of what option is selected, to insure the constituents of my district have significant input into what benefits the community will receive.

I look forward to hearing from you.

Sincerely,

Carolyn Cheeks Kilpatrick
Member of Congress

1	The measures in Section 5 of the FEIS includes improvements to benefit the area immediately around the Livernois-Junction Yard, which is the area of the Preferred Alternative.
2	The costs of most transportation programs are usually financed 100% by public/government funds. In the case of the Detroit Intermodal Freight Terminal Project, government/public funds will cover about 65% of the costs and the railroads about 35%.
3	Possible health effects of PM2.5 and air toxics are noted in Section 4.8.3 of the FEIS. The reasons why no additional analysis of health effects will be done are stated in that section.

RAYMOND E. BASHAM
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THE SENATE
STATE OF MICHIGAN

SENATE STANDING COMMITTEES:
LOCAL, URBAN AND STATE AFFAIRS, VICE CHAIR
ECONOMIC DEVELOPMENT, SMALL BUSINESS AND REGULATORY REFORM
NATURAL RESOURCES AND ENVIRONMENTAL AFFAIRS
TRANSPORTATION

August 11, 2005

Robert H. Parsons, Public Hearings Officer
Bureau of Transportation Planning
Michigan Department of Transportation
P.O. Box 30050
Lansing, MI 48909

Dear Mr. Parsons:

I write you regarding the Draft Environmental Impact Statement on the Detroit Intermodal Freight Terminal. I have several concerns which I feel must be addressed before this project proceeds any further.

First, I am distressed by the fact that the Michigan Department of Transportation (MDOT) has refused to study the dispersion of air pollutants and to conduct a Health Impacts analysis based on that dispersion. The impact that this project would have on the health of the surrounding communities should be thoroughly investigated before allowing this project to proceed. 1

Second, I am concerned that MDOT has not considered the numerous other transportation projects planned for Wayne County such as the widening of I-94, housing projects, truck tunnel project and the construction of an additional international border crossing. These projects could have a significant effect on the intermodal freight terminal and this effect must be both studied and properly considered. 2

My final concern lies in the fact that I have not seen proper justification of the need for this project. The concentrated intermodal activity in Southwest Detroit and South Dearborn appears to be based upon a business decision by the railroad companies to consolidate their operations by closing other facilities in Melvindale and Romulus, among others. This seems to indicate that this concentration of activity is based more on saving money than an increase in demand. As a legislator, I would like to see MDOT prepare a much better case for why this intermodal freight terminal is needed before this project proceeds any further. 3

Thank you for taking into consideration my concerns with regards to this project and I hope that they will be properly addressed as the discussion of the Detroit Intermodal Freight Terminal proceeds.

Sincerely,

RAYMOND E. BASHAM
State Senator
8th District

1	Possible health effects of PM2.5 and air toxics are noted in Section 4.8.3. The reasons why no additional analysis of health effects will be done are stated in that section.
2	The projects mentioned in the comment are all included in the analysis of indirect and cumulative effects documented in Section 4.17. A new "Delray" bridge to Canada plus the proposed second span of the Ambassador Bridge are discussed in the revised indirect and cumulative analysis for the FEIS.
3	The Purpose and Need for the project are fully documented in Section 2. The railroads will contribute financially to the Preferred Alternative in proportion to the benefits that will accrue to them. MDOT and FHWA will also invest because there is a public need for and a public benefit from this project.

12th House District
Southwest Detroit

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STEVE TOBOCMAN
MICHIGAN STATE REPRESENTATIVE

Committee Member:
COMMERCE
GOVERNMENT OPERATIONS
(Min. Vice-Chair)
LOCAL GOVERNMENT AND
URBAN POLICY
(Min. Vice-Chair)

August 16, 2005

Robert H. Parsons, Public Hearing Officer
Bureau of Transportation Planning
Michigan Department of Transportation
P.O. Box 30050
Lansing, Michigan 48909

RE: Comments on the Draft Environmental Impact Statement (DEIS) for the Detroit Intermodal Freight Terminal (DIFT)

Dear Mr. Parsons:

I am submitting the attached comments regarding the Detroit Intermodal Freight Terminal (DIFT) Draft Environmental Impact Statement (DEIS). On behalf of the nearly 100,000 residents that I represent in Michigan's 12th State House District, I cannot endorse any of the options contained in the DEIS because of the proposed options' failure to respect and protect the important community development work undertaken in Southwest Detroit over the past decade. Unfortunately, the DEIS emphasizes investment in the Livernois-Junction Yard from the perspective of regional economic and transportation benefits without due consideration to local impacts.

It is my sincere hope that the DEIS can be improved upon so that the final EIS contains adequate assurances that community benefits will adhere from additional public investment into intermodal facilities in Southwest Detroit. This can be accomplished through the creation of a Community Benefits Agreement that spells out local mitigation activities, as well as defining other community benefits. I urge MDOT to take up my offer from October 2004 to work with my office and numerous community stakeholders who have identified their interest in such an agreement. 1

The DEIS woefully understates the nature, extent, value and importance of revitalization that has occurred in the surrounding community. It does not adequately insure that MDOT investment in the yard will build upon the millions of 2

1	See Section 5.
2	MDOT believes the Preferred Alternative provides appropriate investment in SW Detroit to support ongoing redevelopment and growth.

dollars in other state and federal investments in Southwest Detroit, from affordable housing subsidies to transportation enhancement grants, to the two Cool Cities Neighborhood designations this community has garnered.[1]

Over the seven years that I engaged in community development work in Detroit and across Michigan prior to running for public office, as well as the past two and a half years serving in the Michigan House of Representatives (including serving as the House Democratic Chair of the Bipartisan Urban Caucus and the ranking Democrat on the Local Government and Urban Affairs Committee), I have developed a certain expertise about Michigan's urban areas and the disinvestment, blight and abandonment they have experienced. The importance of developing viable strategies to revitalize Michigan's urban areas is critical to the state's ability to attract knowledge workers for a modern economy, to remain competitive and to solve social problems.

Southwest Detroit represents a model urban revitalization area for the state. Over the past 15 years, no other large area within the city of Detroit has seen population growth. While Detroit's population declined between the 1990 and 2000 U.S. Census by some 7.5 percent (a trend that has continued beyond 2000), Southwest Detroit grew by nearly 7 percent during the same period. The area is one of the state's most racially and ethnically diverse. Given that the Detroit metro area is estimated to be the nation's second most segregated metropolitan region, protecting and nurturing a community that is home to such diversity should be paramount. Thousands of new and rehabilitated units of housing have been created, as well as hundreds of new commercial retail establishments, new manufacturing plants and new industrial facilities. Nearly every challenge that is crippling Detroit is being tackled head on in Southwest Detroit through a vibrant, vigorous and committed network of community nonprofit organizations and residents.

My comments largely focus on proposed development activities at the Livernois-Junction Yard and CP/Expressway because of their location in the 12th District, which I represent in the Michigan House of Representatives. Dominating a large section of Southwest Detroit, the Livernois-Junction Yard is a vastly underutilized rail yard with few buffers between it and the surrounding neighborhoods. It is poorly maintained and imposes significant negative impacts on the community. **As currently proposed in the DEIS, none of the alternatives adequately ensure that the yard will become more of an asset to the surrounding community, as opposed to the blight that it is.** 3

Community Benefits Agreement

Before MDOT finalizes the EIS, it must seriously consider and pursue the adoption of a Community Benefits Agreements (CBA) to help achieve some positive benefits 4

[1] The description of ongoing revitalization work in Section 4 (pages 4-172 and 4-173) is startling deficient, omitting half of the existing projects. I have drafted a separate attachment just to provide a more realistic view of the area surrounding Livernois-Junction Yard and CP/Expressway.

3	See Section 5.
4	See Section 5.

for any host community impacted by this project. I have attached "Gaining Community Benefits: The Detroit Intermodal Freight Terminal" which further explains CBAs and how one might work for the DIFT. Akin to the Memorandum of Understanding between the participating railroads and MDOT on the DIFT project, a CBA should outline the respective understanding between community representatives, the railroads, MDOT, and the Federal Highway Administration on the type and level of benefits and mitigation actions for the host communities. Including a negotiated CBA as a critical component of the Final Environmental Impact Statement on the DIFT project will establish a new model for a strengthened connection between transportation infrastructure projects and local community and economic development. 4 cont

Flaws in the DEIS Analysis

The DEIS analysis of air quality, noise and vibrations and their related potential health impacts should be strengthened. The conclusion that the local terminal area pollution is expected to decrease is misleading. Such decrease results solely from the change in national diesel emission standards and not from the decision at hand. All of the action alternatives (Alternatives 2, 3 and 4) increase trucks in the terminal area and increase HC, NOx, VOCs, DPM, BENZ, BUTA, FORM, ACET and ACRO over Alternative 1, sometimes increasing the annual tonnage of such pollutants by more than 200% (see Table 1-3). Justifying such increases in pollution over Alternative 1 is tantamount to omitting seatbelt requirements because of improved safety from new automotive designs or road construction. 5.1 5.2

I continue to be disappointed by MDOT's position (as dictated by FHWA) regarding the extent of analysis required for air quality impacts, particularly given the generally acknowledged poor air quality and high asthma rates in Southwest Detroit and East Dearborn. The DIFT project was an opportunity to initiate policies that recognize that communities burdened with industrial and transportation uses deserve a more rigorous analysis of air quality impacts to community health. In my attached comments, I have specific recommendations on how **the final EIS might remedy this portion of the analysis through an ongoing health impacts study.** 6

The DEIS gives no weight to the negative impacts imposed by increased vibrations. One of the four locations measured during the feasibility study (Beard Elementary School) reached "annoyance level" (see page 1-49). Presumably, the results found at Beard are replicable at residential, commercial and community properties similarly-situated near rails throughout the community. While the proposed project would double the daily instances at which the "annoyance level" is reached, no vibrational mitigation is discussed and the negative impacts are dismissed because the "annoyance level" is a common occurrence at Beard. Exacerbating an existing problem should not be an acceptable outcome. In fact, so dismissive is the DEIS of the negative vibrational impacts that the category is completely omitted from the Summary of Cumulative Effects (see Table 4-15 on page 4-79). 7

5.1	The analysis meets all applicable state and federal regulations and guidelines.
5.2	Air emissions are compared to 2004 conditions and 2015 and 2030 No Action conditions. Where emissions are lower with the project, it is because the additional terminal activity generates less pollution than the non-terminal uses that they replace.
6	Possible health effects of PM2.5 and air toxics are noted in Section 4.8.3. The reasons why no additional analysis of health effects will be done are stated in that section.
7	The Preferred Alternative does not include a truck route by the Beard School.

A third flaw in the DEIS analysis concerns the inclusion of national defense in the Purpose and Need Statement when the only evidence offered to support its conclusion was a speech regarding the U.S. Military's desire to use intermodal services. No empirical data concerning Southeast Michigan was provided similar to the non-military freight data used to generate Figure 2-1. Given that Michigan is not near an international port and is surrounded by water and a foreign country, it is conceivable that the U.S. Military does not rely upon Michigan intermodal services for deployment. Finally, even if such data could be produced, it would not follow that military deployment and national defense are reliant upon intermodal. Equipment utilizing intermodal services might not be time-sensitive in its delivery and deployment of U.S. forces in likely areas of conflict may bypass such facilities. 8

The State of Michigan continues to ignore the opportunity and benefit of studying all of the current and proposed transportation-related projects in Southwest Detroit collectively. Such a comprehensive study would assist in creating a land use and transportation plan that would balance local and regional transportation needs with local community revitalization efforts. Given the confluence of transportation-related infrastructure in Southwest Detroit (the country's largest border crossing, a re-opened port facility, significant intermodal capacity and heavily-utilized interstates), it is inexcusable that the State continues to look at transportation projects in "silos," as opposed to planning and evaluating them in a coordinated, comprehensive and proactive fashion with the local community. Without such a comprehensive study, MDOT is helping to intensify the negative community impacts from these various projects, thereby, expanding the necessary mitigation costs of each project. 9

Southwest Detroit shoulders a significantly higher percentage of transportation land uses than other communities and bears an undue burden for being strategically located in our region's transportation network. Unfortunately, this burden is not accompanied by adequate and appropriate buffering and infrastructure investment to mitigate its effects. Given the growth in local truck traffic anticipated by the DIFT, the final EIS must address this unfair burden and prescribe far-reaching mitigation. **MDOT's analysis of truck traffic, air quality, community cohesion, and other environmental impacts gives short shrift to the seriousness of the existing transportation burdens placed on Southwest Detroit and to any the impact of any additional burden over time.** The study of environmental justice fails to recognize the disproportionate impact of a regional project on a low-income, minority host community. 10

Recommended Actions for Final EIS

The continued revitalization and growth of the Southwest Detroit as a strong, ethnically diverse residential, commercial, and tourist destination should be a significant goal of any and all public investments in Southwest Detroit. Michigan simply cannot bear to disrupt the fragile revitalization progress that has been achieved in this community. The

8	The military handles a component of its logistics via intermodal operations. Specific data are classified and not available for public dissemination.
9	MDOT is supportive of such efforts at the local level. Land use is under the control of the cities of Detroit and Dearborn, where the terminal of the Preferred Alternative is located. SEMCOG develops the regional transportation plan, based on input from local jurisdictions and in cooperation with MDOT.
10	There has been no substantial change in the transportation infrastructure of Southwest Detroit in 40 years, following completion of the interstate system. In this context, the "disproportionate impact" has been present at least that long. Prior to the interstate system, industry grew around the railroads and housing developed for the industrial workers. Any negative consequences of this development have not been addressed largely because of lack of government resources.

economic and social costs of harming this community are far too great and will have significant long-term reverberating costs to the city of Detroit, Southeast Michigan, and the state of Michigan.

I cannot endorse any of the four alternatives as proposed and evaluated in the DEIS. All have significant design flaws. In addition, the DIFT analysis lacks a strategy to harness the local economic development potential of the project, mitigate adverse effects related to worsening air quality and truck traffic, or acknowledge the current negative effects the Livernois-Junction Yard has on community development and cohesion.

I sincerely hope that MDOT and FHWA will consider this letter and the attached comments and ultimately create a project that creates economic benefits for the host community, mitigates air quality and truck traffic problems, and improves the appearance of the yard, while achieving the State's goals for improving intermodal freight transportation in Michigan.

Based upon my participation in the EIS process over the past four years, I do not believe that discussions through the Local Advisory Committee or any other structure in which I have participated to date will achieve the necessary results. **It is my hope that direct discussions with community stakeholders to develop a Community Benefits Agreement for the project will produce the assurances that public officials should have before public support for the project is warranted.** Such an agreement must address the concerns outlined in this letter and the attached comments. I look forward to participating in such a process and I hope that a final EIS can be developed that will be embraced by the majority of the nearly 100,000 residents that I represent in our State Legislature. 11

Sincerely,

Steve Tobocman
State Representative
12th District—Southwest Detroit

11	See Section 5.

Comments Submitted to MDOT regarding DIFT DEIS
State Representative Steve Tobocman
August 16, 2005

The following comments relate to specific characteristics of the Detroit Intermodal Freight Terminal (DIFT) Draft Environmental Impact Statement (DEIS), as well as to the DEIS' methodology. Although some of the alternatives might already incorporate a few of the suggested improvements listed below, no alternative incorporates all of these comments and, thus, each fails to develop a project that adequately protects the host community while promoting the regional intermodal freight efficiencies.

1.) Removal of truck traffic from neighborhoods

Efforts to permanently prevent truck movements on residential and neighborhood commercial roadways must be undertaken on the east side of the yard and for any proposed western entrance. The DEIS Summary (page 1-38) notes that reducing truck traffic produces a safety benefit. Conversely, one should expect an increase in truck traffic near Livernois-Junction Yard to produce a safety cost. Such a cost should be mitigated. Specifically, truck traffic should be eliminated on the Dragoon and Livernois one-way pairs between the I-75 service drive on the north and the northern boundary of West Vernor. Semi-trucks should also be removed from West Vernor, Central, and Springwells. These improvements can be accomplished by physically reconfiguring existing and new entrances and exits to prevent prohibited movements, designating appropriately signed truck routes to and from the facility, and creating the internal truck-only road through the yard. 12

The current and newest gate located at West Vernor, Waterman, and Dix must be permanently closed. Throughout the DEIS, it is noted that the intersection of Dix/Waterman/Vernor is the only intersection expected to exceed capacity if the new gate remains open, as envisioned in Alternatives 1 and 2/Option A (see page 4-4). Given the DEIS' recognition of the problems that this gate creates for local traffic, it should trouble all policymakers that $6.5 million of public funds were used to open the gate in 2004. In closing this gate, every effort must be made to balance truck access to the intermodal rail yard between the east and the west ends of Livernois-Junction Yard. 13

Any and all intermodal truck traffic must be removed from Michigan Avenue. Significant revitalization work is ongoing on Michigan Avenue, especially in the Corktown area, which was recently designated as one of Governor Granholm's Cool Cities. Directing trucks to a CP/Expressway intermodal facility via Michigan Avenue would have untenably negative impacts on that community. 14

2.) Adequate air quality studies and mitigation

As noted in the cover letter of my comments, the conclusion that the local terminal area pollutions is expected to decrease is misleading. Such a decrease results solely from the change in national diesel emission standards and not from the decision at hand. All of the action 5 cont.

12	MDOT has attempted, throughout the DIFT study, the development of the Preferred Alternative to be responsive to community needs by: 1) positioning terminal gates at both east and west ends of the terminal to move intermodal traffic out of the surrounding neighborhood; 2) designing the gate at Livernois so that trucks can only enter and exit to the north; 3) improving the I-94/Livernois interchange to support use of Livernois, rather than Central and other neighborhood streets; and, 4) improving the intersection of Dix and Central.
13	The Preferred Alternative includes closing the Dix/Waterman gate in the long-range future of intermodal at the Livernois-Junction Yard.
14	With the Preferred Alternative intermodal truck traffic will follow the routings created by the project on Wyoming Avenue and on Livernois Avenue north of the Livernois-Junction yard. Intermodal trucks will reduce on Livernois and Dragoon south of the terminal and the Dix/Waterman entrance will be closed.

alternatives (Alternatives 2, 3 and 4) increase trucks in the terminal area and increase HC, NOx, VOCs, DPM, BENZ, BUTA, FORM, ACET and ACRO over Alternative 1, sometimes increasing the annual tonnage of such pollutants by more than 200% (see Table 1-3). Justifying such increases in pollution over Alternative 1 is tantamount to omitting seatbelt requirements because of improving safety designs in automotive manufacturing.

By simply using a burden analysis, MDOT has failed to adequately describe the cumulative impacts of any of the alternatives of the DIFT on local air quality. In addition, the refusal to consider health impacts is inconceivable given that several of the air toxics studied are known to have cancer-causing effects. The Michigan Department of Environmental Quality (MDEQ) recently completed the Detroit Air Toxics Initiative, which studied the concentrations of both cancer-causing air toxics and other air toxics known to have deleterious effects on human health beyond certain health-protective levels. That study found that 15 compounds of concern with cancer risks greater than 1 in 1 million or monitored levels greater than health protective levels for non-cancer health effects. Of these, 8 were identified as priority pollutants of concern in Southwest Detroit, including acrolein, benzene, diesel particulate matter, formaldehyde. It is unfortunate that MDOT could not find a way to acknowledge the health effects of these and other air pollutants in the DEIS. MDOT should improve the air quality analysis to address the myriad concerns previously expressed on this issue prior to issuing a final EIS. 6 cont

However, if the DIFT project is implemented, there must be ongoing air quality monitoring and analysis, similar to those created for the Los Angeles World Airports expansion. This would include defined triggers for calibrating actions related to air quality mitigation, a study of upper respiratory system impacts, and community-based research during each phase of the implementation. Environmental best practices must also be implemented regarding restrictions on diesel idling, installation of emission reduction equipment, the use of specific fuels, and reducing the age of trucks used locally in the intermodal business. 15 16

3.) Creation of a local economic development strategy

Any state investment in the Livernois-Junction Yard should be leveraged to create local economic benefits for the City of Detroit. Although the DEIS estimates that there will be a net increase in local jobs, the experience with business relocation and retention in projects involving eminent domain is not strong in Detroit. The DEIS' reliance on interviews with potentially relocated businesses, without investigating empirical evidence from past eminent domain projects in Detroit, is disturbing (see page 4-93). Even in the most favorable economic climates, business and residential retention involves private sector decisions and its outcome cannot be entirely predicted. 17

MDOT must make every effort to retain viable businesses that will be relocated in Southwest Detroit. The local economic strategy should include specific sites that are available for redevelopment, identify related industries that could benefit from the transportation investment, and set a course for recruitment and development of the appropriate businesses.

15	Enforcement of air quality rules and regulations is the responsibility of the Michigan Department of Environmental Quality and the U.S. EPA. SEMCOG plays a role by working with these agencies to set "budgets" to guide the region to attainment of National Ambient Air Quality Standards. The DIFT project has been found to conform to the Clean Air Act (Section 4.8.7).
16	See Section 5, Mitigation. First, the Preferred Alternative minimizes air pollutant emissions at the Livernois-Junction Yard terminal by siting gates and access routes to minimize exposure to neighborhoods and residential development by: 1) constructing the entry point off Livernois Avenue (Figure 3-19) with concrete curbs so trucks are forced to/from the north via an improved I-94/Livernois interchange, and not to/from the south and the dense neighborhood south of Vernor Avenue; and, 2) providing new Wyoming Avenue entrances that connect directly to I-94. Wyoming, like Livernois Avenue, is a major arterial with no residential frontage and little nearby residential development. Second, voluntary emission reduction measures are drawn from experiences with addressing diesel and PM2.5 emissions through EPA's National Clean Diesel Campaign and other initiatives. These would include the measures such as Engine Idling Reduction Programs for trucks and locomotives, auxiliary power units for trucks, and automatic shut-off devices for idling locomotives; use of electrified truck parking areas; and, use of alternative fuels for handling equipment.
17	Every attempt will be made to relocate in the Terminal Area persons and businesses affected by the Preferred Alternative, if they so choose.

4.) Landscaping and buffering of Livernois-Junction Yard

The perimeter land around the entire rail yard should be buffered, landscaped, and greened. The height, width, and density of the buffer should be of sufficient scope to mitigate air and noise impacts. The final EIS must be revised to note the greater importance of such barriers to mitigate community impacts than to the terminal's operators. References to a "barrier wall for terminal security" should be altered or deleted (see pages 4-45 and 5-2), so as to assure that the design of such barriers achieve their proper mitigation purposes. For example, a wall of electrical barbed-wire might provide adequate "terminal security," but would fall far short of a proper barrier to mitigate community impacts. 18.1 19

The perimeter of Livernois-Junction Yard could be incorporated into the emerging greenway network in Southwest Detroit and Dearborn to improve the yard perimeter, mitigate air quality impacts, and enhance non-motorized transportation options. In the areas where barrier walls are the appropriate buffer, they must mitigate noise impacts and be of the appropriate scale, width, and materials. MDOT should work with community-engaged architects develop a buffer design that will acknowledge the history and current usage of the yard, but also will aesthetically protect the substantial residential, commercial, and community investments surrounding it. 18.2

Any proposal must contain an adequate maintenance plan for the perimeter land along with a dedicated revenue sources. The experiences with the CSX berm on Dix, the deteriorating sidewalks on Livernois, the condition of viaducts and lack of any investment in physical appearance along the yard's other borders must not be repeated. Not only does the new CSX berm on Dix fail to buffer the rail uses from community view, it is unattractive and poorly maintained. 20

5.) Reconstruction of road infrastructure to support truck traffic

Local roadways that have suffered the most from truck traffic must be rebuilt to compensate for years of abuse and lack of repair. The roads that will continue to be used to some degree for truck traffic for the yard also should be repaired, repaved, and maintained. These streets include, but are not limited to, John Kronk, Central, Lonyo, Dragoon, Wyoming, Fort, and Livernois. 21

6.) Repair of railroad viaducts supporting the Livernois-Junction Yard

The viaducts associated with the rail lines leading into the yard blight Southwest Detroit, attracting litter, graffiti, and other unwanted activity. They should be repaired, lit, maintained, and equipped with proper drainage. These viaducts must be redesigned to slow vehicular traffic and provide adequate infrastructure for non-motorized transportation (especially given the Detroit Empowerment Zone's estimates that 38 percent of all Detroit households do not have access to a car). 22

A written agreement, with a timeline, should be developed and signed outlining maintenance responsibilities and duties of the railroads and/or other parties for litter removal, embankment upkeep, and addressing drainage issues.

20 cont.

18.1	The design of the Preferred Alternative includes a buffer as described in Sections 4.15 and 4.19. The maintenance of the buffer will be local government's responsibility. A buffer is not needed on the south side of the Preferred Alternative from one block east of Lonyo west to Wyoming Avenue because of the adjacent industrial uses and the Woodmere Cemetery.
18.2	The design of the Preferred Alternative includes a buffer as described in Sections 4.15 and 4.19. The maintenance of the buffer will be local government's responsibility. A buffer is not needed on the south side of the Preferred Alternative from one block east of Lonyo west to Wyoming Avenue because of the adjacent industrial uses and the Woodmere Cemetery.
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21	Dix at Central and Livernois at I-94 will be improved as part of the project. The grade separation of Central from the rail line will also be part of the project and MDOT will take over that portion of Central Avenue from the local jurisdiction. All other roads in the area except Michigan Avenue, I-94, and I-75 are under local government control.
22	Viaduct actions in the Livernois-Junction Yard area are the responsibility of either the railroads or the local jurisdictions. Viaduct improvements have been included in the Enhancement Program. See the last section of the Green Sheet.

7.) End to intermodal development or expansion outside of the Livernois-Junction Yard

No intermodal development or expansion should occur at sites outside of Livernois-Junction Yard, including Michigan Central Depot or the former Ward Bakery site located on West Grand Boulevard and Toledo. There should be no further incremental expansion of the intermodal yard outside of a negotiated boundary. Redevelopment around the Michigan Central Depot should support commercial uses that are compatible with the adjacent historic neighborhood, which was recently designated as one of the Governor's Cool Cities and has seen considerable investment in the past decade, making it a critical leader in the revitalization work of Southwest Detroit. 23

8.) Participation of Detroit residents and businesses in DIFT-related jobs and contracts

A local, minority, women, and small business utilization program should be developed to increase participation of these businesses in all phases of the DIFT project including planning and design, environmental mitigation, construction, and maintenance. In addition, a percentage of the jobs created should accrue to local residents and job training programs should be developed or existing programs enhanced, as well as the development of "first source" referrals to ensure that local residents can participate in these employment opportunities. 24

9.) Creation of housing relocation and neighborhood revitalization strategy

Residents displaced by the DIFT project should be given the opportunity to relocate in the neighborhoods in the local area. MDOT has the opportunity to work with MSHDA and local community development corporations to create an innovative plan to strengthen the adjacent neighborhoods by addressing community improvements and building affordable housing on in-fill lots to accommodate those displaced by the project. This would be a strong step in supporting local neighborhoods that would otherwise feel negative impacts because of an encroaching industrial use. 25

10.) Maintenance of traffic on Lonyo

Lonyo should not be closed, given the lack of north-south streets and the immense size of the Livernois-Junction yard. Contrary to MDOT's analysis, neighborhood circulation would be impacted by its closure. The DEIS makes no mention or analysis of providing a grade separation on Lonyo similar to the one it embraces on Central. All of the benefits to yard traffic would accrue through such an action, while not destroying neighborhood cohesion. If project cost is the rationale for foregoing such an action, then the DEIS need, at least, to make mention of such. 26

11.) Environmentally-friendly design of the Livernois-Junction Yard

The latest sustainable environmental practices must be incorporated into the development of any DIFT alternative. The design and materials should include porous surfaces, storm water runoff management, and native plantings. The recent environmental remediation practices implemented at the Ford Rouge Complex are an excellent model for developing this program for the DIFT 27

23	Expansion beyond the limits of the Preferred Alternative at the Livernois-Junction Yard is not part of the Preferred Alternative. While private companies develop their businesses at locations which they choose, such developments are eventually controlled by local units of government.
24	This issue is addressed, to the extent possible, in Section 5.
25	Every attempt will be made to relocate in the Terminal Area persons and businesses affected by the Preferred Alternative, if they so choose.
26	Eliminating roads crossing the Livernois-Junction Yard is critical to the function of the yard and the safety of motorists and pedestrians. Traffic now using Lonyo Avenue that will be rerouted to Central will take an additional two minutes, but no trains will ever be encountered, eliminating the potential for severe accidents, which have occurred. Counts found very few pedestrians and bicyclists using Lonyo and crossing the railroad tracks.
27	The design of the Preferred Alternative includes paving the yard for operational and water quality purposes, detention of storm drainage with sediment basins, and grassy ditches to promote infiltration. Landscaping is also to be extensive as described in Section 4.19 of the FEIS. The railroads will be responsible for improvements on the terminals.

project. Leadership in Energy and Environmental Design (LEED) building standards should be used for design, construction, and operation of all aspects of the DIFT implementation. 27

12.) Implementation of appropriate homeland security measures

Given the large residential population around the yard and increased homeland security concerns since the terrorist attacks of September 11, 2001, the Department of Homeland Security should ensure that all necessary protections are in place for the safe and efficient use of Livernois-Junction Yard. This includes an analysis of the materials that are hauled through the community and the rail yard and limitations on certain hazardous materials. There also must be a plan to deal with homeland security or hazardous material incidents at the yard so that the surrounding community is protected. 28

13.) Relocation of historic structures

Historic structures within the footprints of any of the DIFT alternatives should be relocated and saved, as opposed to documented and demolished. With a significant supply of vacant land in Detroit, MDOT could surely find an appropriate site for relocation and reuse. 29

14.) Include removal of blight as a community priority

The written description of the community interviews from the Livernois-Junction/CP Expressway Terminal Area (see page 4-69) should be revised to include blight as a significant community concern. Numerous community-led initiatives have been pursued to deal with the issue of blight because it is such a large concern. These initiatives include anti-illegal dumping efforts, anti-graffiti initiatives, regular volunteer clean-ups, paid workers to clean trash and litter from designated commercial revitalization areas, etc. 30

15.) Barrier walls as mitigation strategy

The "Green Sheet: Project Mitigation Summary" included at the end of Section 5 of the DEIS notes that barrier walls and other elements of each terminal's design are covered in the Memorandum of Understanding between the railroads and MDOT. Yet, the term "barrier walls" never appears in the signed MOU, leaving one to wonder what level of emphasis the DEIS places on these walls to mitigate noise and visual pollution of the facility. 31

16.) Errors in regards to Community Facilities Map (Figure 4-10a)

There are several errors and omissions with regards to the Community Facilities Map depicted in Figure 4-10a. These include: 32

- Failure to include Michigan Secretary of State Office as a Government Office (near point 19)
- Points 52 and 54 are mislabeled, as Comerica is west of Bank One on Vernor
- Senior Housing is mislabeled as Senior "City" Homes, when the City of Detroit owns no senior housing in the area on the map

28	The containers of CP and CN are x-rayed before they enter Southeast Michigan. Additionally, the Preferred Alternative plans for an x-ray inspection device to be placed to serve the terminals of the Preferred Alternative operated by CSX and NS.
29	See Section 6. The only historic site that would experience an adverse effect is the former Michigan Box Company/Spranger Wire Wheel Corporation at 7175 Clayton Street. A Memorandum of Agreement signed by MDOT and the State Historic Preservation Officer (Appendix C) has determined that the site will be properly recorded before it is demolished.
30	The term "blight" was not noted in the interviews. Pollution, truck traffic and industrial dumping were noted.
31	The Pre-Development Plan Agreement, in Appendix F, indicates that walls are the responsibility of government. Section 5 addresses barrier walls that attenuate noise in terms of MDOT participation.
32	Comment acknowledged. Corrections have been made.

- St. Stephens School houses Our Lady of Guadalupe Middle School at Point 4
- Southwest Solutions, a major regional mental health clinic, is not listed under Clinics (and is situated across the street from Point 10 on the eastside of Waterman)
- Other Clinics include Dr. Tom Moses' Chiropractor and the Podiatrist on Vernor west of Waterman.
- Lawndale Station at Lawndale and Vernor includes a community agency, supportive housing units and a soon-to-be reopened branch of the Detroit Public Library (the Campbell Branch at Lawndale Station).
- The Fourth Precinct no longer exists (point 21).
- Community centers for Southwest Detroit Business Association on Vernor, Go Getters on Green, and the Veterans of Foreign Wars on Michigan Avenue are omitted.
- New pocket park and renovated community center operated by Neighborhood Centers, Inc. on Longworth, west of Springwells is omitted.

32 cont

Attachment A
Omitted Revitalization Projects

Comments Submitted to MDOT regarding DIFT DEIS
State Representative Steve Tobocman
August 16, 2005

Section 4.17 of the DEIS presents the direct and cumulative effects of the proposed alternatives. Section 4.17.1 seeks to present the "most significant past, present and foreseeable future actions that affect each of the terminal areas." (See page 4-172 and 4-173). The section chronicling ongoing revitalization in the Livernois-Junction Yard/CP Expressway Terminal Area omits considerable amounts of revitalization work. This list attempts to correct some of those omissions. 33

- Bagley Housing Single-Family Homes --dozens of locations
- Expansion of Pablo Davis Living Center
- Southwest Detroit Business Association revitalization of Oddfellows Hall at Lawndale and Vernor
- Large retail shopping complex at Livernois/Vernor
- Mexicantown International Welcome Center and Mercado
- Re-opening of Campbell Branch of the Detroit Public Library at Lawndale and Vernor
- Opening of Cesar Chavez High School and construction of Cesar Chavez Middle School on Waterman
- Construction and opening of three new private restaurants on Michigan Avenue and Vernor
- Renovation of ice rink and other part improvements at Clark Park
- Development of pocket park at Neighborhood Centers, Inc. on Longworth
- Proposed multi-family rehabilitations of Southwest Nonprofit Housing at various locations
- Proposed housing rehabilitations and/or new construction of Claytown group
- Proposed housing development for grandparents caring for grandchildren in the Springwells Village neighborhood

33	The positive and negative indirect and cumulative effects are cited at the end of Section 4.17 of the FEIS.

- Several new businesses scheduled to open in formerly abandoned buildings along Michigan Avenue in Corktown in 2005

33 cont

All of these projects are ongoing revitalizations that are not listed by the DEIS. In fact, this list, developed without any assistance from other organizations or individuals, is as large as the total list compiled in the report. Some of these have been in development for years and others have begun construction. As stated in the accompanying letter, **the DEIS woefully understates the nature, extent, value and importance of revitalization that has occurred in the surrounding community.**

The DEIS section discussing impacts is designed only to mention ongoing efforts and does not include the revitalization work that has been completed in that past 10 years. Such a list would literally contain hundreds of units of newly-renovated affordable and supportive housing, as well as over 100 small business façade investments and three new senior housing complexes in areas throughout the affected community. It would mention church renovations, as well as hundreds of private residences which have seen significant renovation work. It would mention Main Street commercial revitalization programs with staff operating on West Vernor Highway, two parts of Michigan Avenue, and Bagley Avenue in Mexicantown. It is no wonder that Governor Granholm designated two of the neighborhoods in the area as part of her Cool Cities initiative.

All of the physical revitalization work has been pursued in concert with social and human capital development. A strong network of nonprofit agencies serves the community and innovative community policing, charter school, immigrant services, mental health treatment, community health clinics, and other programs abound.

Finally, several infrastructure developments are omitted, including:

- Re-opening of the Detroit Marine Terminal port
- Streetscape and lighting investments on Michigan Avenue
- Resurfacing of Fort Street, West Vernor Highway and numerous other roads
- Reconstruction of Michigan Avenue

STATE OF MICHIGAN
JENNIFER GRANHOLM
GOVERNOR
DEPARTMENT OF HISTORY, ARTS AND LIBRARIES
LANSING
DR. WILLIAM ANDERSON
DIRECTOR

November 22, 2004

DR DAVID L RUGGLES
DEPT OF TRANSPORTATION
MURRAY D WAGONER BUILDING
PO BOX 30050
LANSING MI 48909

RE: ER-02-360 Draft Archaeological Reports, Detroit Intermodal Freight Terminal Project, Wayne County

Dear Dr. Ruggles:

We have reviewed five reports associated with the above-cited project, all of which were prepared by Commonwealth Cultural Resources Group (CCRG). The five reports are:

1. *Archaeological Literature Search and Field Review of the Detroit Intermodal Freight Terminal (DIFT) Project, Detroit and Dearborn, Michigan;*
2. *Assessment of Archaeological Sensitivity for the Proposed CP Oak – Detroit Intermodal Freight Terminal, City of Detroit, Wayne County, Michigan;*
3. *Assessment of Archaeological Sensitivity for the Proposed CP Expressway - Detroit Intermodal Freight Terminal, City of Detroit, Wayne County, Michigan;*
4. *Assessment of Archaeological Sensitivity for the Proposed CN Moterm - Detroit Intermodal Freight Terminal, City of Detroit, Wayne County, Michigan;* and,
5. *Assessment of Archaeological Sensitivity for the Proposed CSX Livernois - Detroit Intermodal Freight Terminal, City of Detroit, Wayne County, Michigan.*

The reports discuss the archaeological potential of the various alternate terminal locations, and make recommendations regarding the need for further investigation of those locations in order to determine the presence or absence of archaeological deposits. CCRG recommends that no further investigation is necessary at the CP Oak, the CP Expressway, and the CN Moterm prospective terminal locations. The history of land use at these locations, particularly industrial development in recent decades, has disturbed and altered the landscape to the extent that there is little likelihood that intact archaeological deposits survive. We agree that no further investigation is warranted in these three areas.

The CSX Livernois location has been altered by industrial development as well However, CCRG identifies two places within the CSX Livernois project area at which archaeological deposits may be present: the vicinity of site number 20WN1078, and the stockyard vicinity in the southwest portion of the railroad yard. While it may be that development has obliterated any archaeological remains in these areas, it has been our experience that it is not uncommon for archaeological deposits to survive even in developed, urban settings. Given that these areas were the locations of specific sites – the Jacque Baby Mill and the Michigan Central Stockyard Hotel - we agree that field investigation should be conducted of these two areas within the CSX Livernois project location to determine whether archaeological deposits are present.

From an editorial standpoint, we also want to note that in the report entitled *Archaeological Literature Search and Field Review of the Detroit Intermodal Freight Terminal (DIFT) Project, Detroit and*

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Dearborn, Michigan, Figure 1.01is supposed to be a fold-out map, but in our copy of the report, the folded map was copied onto an 81/2" X 11" sheet of paper. Also, in the report entitled *Assessment of Archaeological Sensitivity for the Proposed CSX Livernois - Detroit Intermodal Freight Terminal, City of Detroit, Wayne County, Michigan*, page 5-3 ends with a parenthetical statement, but it does not continue on the following page. It appears that some text is missing.

If you have any questions, please contact Brian Grennell, Environmental Review Specialist, at (517) 335-2721 or by email at ER@michigan.gov. **Please reference our project number in all communication with this office regarding this undertaking.** Thank you for this opportunity to review and comment, and for your cooperation.

Sincerely,

John R. Halsey for

Brian D. Conway
State Historic Preservation Officer

BDC:DLA:bgg

Copy: Abdelmoez Abdalla, FHWA

STATE OF MICHIGAN

ENNIFER GRANHOLM
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DEPARTMENT OF HISTORY, ARTS AND LIBRARIES
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DR. WILLIAM ANDERSON
DIRECTOR

June 20, 2005

LLOYD BALDWIN
MICHIGAN DEPARTMENT OF TRANSPORTATION
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RE: ER-02-360 Draft Environmental Impact Statement (EIS), Detroit Intermodal Freight Terminal (DIFT) Project, Detroit, Wayne County (FHWA)

Dear Mr. Baldwin,

Under the authority of Section 106 of the National Historic Preservation Act of 1966, as amended, we have reviewed the Draft EIS for the Detroit Intermodal Freight Terminal (DIFT) Project, including additional information concerning the Federal Screw Works Building. We approve the Draft EIS, however, we do have the following comments on specific properties:

Federal Screw Works Factory, 3301-3401 Martin: We concur with MDOT's determination that this complex appears to meet the national register criteria in relation to labor history and also concur with MDOT's evaluation of the potential effects on this property.

House at 6332 John Kronk: As a result of a recent site visit by Robert Christensen of our office, it is our opinion that the proposed construction of a barrier wall alongside the railroad yard across the street from the house has the potential to result in an Adverse Effect on the house through its height, design, and placement. Therefore, any alternative that includes the construction of such a wall must include the condition that the plans for the barrier wall and any landscaping are subject to review and approval by the SHPO.

If you have any questions, please contact Martha MacFarlane Faes, Environmental Review Coordinator, at (517) 335-2721 or by email at ER@michigan.gov. **Please reference our project number in all communication with this office regarding this undertaking.** Thank you for this opportunity to review and comment, and for your cooperation.

Sincerely,

Brian D. Conway
State Historic Preservation Officer

MMF:ROC:bgg

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