Appendix A:

Response and Consideration of Public Input on the Draft Screening Report

Response 1 0f 10: Letter from D. Stamper and P. Lombardi of the Canadian Transit Company (Ambassador Bridge) re: Detroit River International Crossing Study ("DRIC") Draft Federal Screening Report CEAR No. 06-01-18170 to S. O'Keefe, Transport Canada. Dated August 7, sent via Email and Facsimile.

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
67	Bifurcated Process - Federal/ Provincial Coordination (p. 4)	Requested an extension to the public comment period to allow for Federal and Provincial government to generate a single body of documentation, as well as providing the opportunity to obtain and review all supporting documentation, to comply with Section 2.9.4 of the Guide for Proponents and the Public relating to the Federal/Provincial Environmental Assessment Coordination in Ontario.	The federal and provincial EA processes were coordinated pursuant to the *Canada-Ontario Agreement on Environmental Assessment Cooperation* (the Agreement), which states that federal and provincial governments: "*will coordinate the environmental assessment processes whenever projects are subject to review by both jurisdictions … The agreement maintains the current level of environmental standards and the legislative and decision-making responsibilities of both governments. While projects requiring both provincial and federal environmental assessment approvals will still require separate approvals, decisions will be based on the same body of information and there will be an ability to make decisions concurrently".* A Canadian Agencies Advisory Group (CANAAG) was established in 2005 to provide a forum for federal and provincial government agency representatives could receive regular project updates, and to exchange information on issues and concerns. To further assist in coordination efforts, a Joint Assessment Committee (JAC) was established in early 2008, comprised of representatives of the Ontario Ministry of the Environment, MTO, the Agency, TC, DFO, and the WPA. The goal of the coordinated process was to ensure that the study generated the type and quality of information required to satisfy both the *Canadian Environmental Assessment Act* and the *Ontario Environmental Assessment Act*; and provides findings on the environmental effects of the proposed project required for decision-making by the respective parties.	N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			Transport Canada and the Federal Review Team, has throughout the Project worked with the Province of Ontario, to ensure that the Environment Assessment was coordinated to the greatest extent possible. Early on in the process the Canadian Environmental Assessment Agency was identified as the Federal Environmental Assessment (EA) Coordinator, and lead contact for the Federal Review Team to assist in coordination with the Ontario Ministry of the Environment. The parties have worked together to plan the announcement of their respective EA decisions within approximately the same time frame. Decisions have also been jointly communicated to the proponent and the public, to the extent possible. For the DRIC Project, it was not possible to make a joint announcement regarding the Federal and Provincial decisions. Interested parties were notified of the Ontario cabinet decision to approve the provincial Environmental Assessment through letters mailed by the Ontario Ministry of the Environment on August 24, 2009. The proponent and interested persons will be notified of the Responsible Authority's decision regarding the federal Environmental Assessment once it is issued.	
68	Bifurcated Process - Federal/ Provincial Coordination (p. 5, 16)	Concern that there has been, and continues to be, no rationale to justify the obvious disconnect that has occurred between the Federal and Provincial Environmental Assessment processes.	An end-to-end study was assessed and completed in close coordination with both the Canadian and U.S. members of the Partnership. While analysis and evaluation for individual components was carried out within each respective country, the work was done using similar criteria and the results compared and evaluated on an overall basis by the Partnership. In Canada, the Project was subject to the requirements of both the *Canadian Environmental Assessment (EA) Act* and the *Ontario Environmental Assessment Act*. As such, the EA was coordinated according to the *Canada-Ontario Agreement on Environmental Assessment Cooperation (COAEAC).* In accordance with Section 16(2) of the COAEAC, the Federal and Provincial	N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			EAs for the Project were coordinated to the extent possible, throughout the cooperative EA process and included consideration of the decision timing.	
69	Bifurcated Process - Federal/ Provincial Coordination (p. 5)	The documents are misleading as to the scope of the Project, the legislative requirements and the authority to act under the Ontario Environmental Assessment Act as compared to the Canadian Environmental Assessment Act. Highlights confusion within government departments as to whom is responsible for reviewing and approving which portions of the Project.	The Draft CEAA Screening Report (July 2009) was prepared in accordance with the requirements of the Final Federal Environmental Assessment Guidelines (Feb. 2009), which details the roles of the responsibilities authorities under the *Canadian Environmental Assessment Act*. The Guidelines also outline the level of assessment, the scope of the Project and factors to be considered, in addition to the steps required by the Federal EA process. The scope of the Project was developed by the Federal Review Team (FRT) in accordance with Section 15(3) of the *Canadian Environmental Assessment Act*. The scope of the Project for Transport Canada and the Windsor Port Authority includes the design, construction, operation, modification and any decommissioning work in relation to the Project, including the Windsor-Essex Parkway between Highway 401 and the proposed Border Services Plaza, the proposed Border Services Plaza and the Canadian portion of a new six-lane international bridge crossing over the Detroit River. This includes activities associated with the construction and operation of various project components, which are further detailed in Table 3.1 of the Draft CEAA Screening Report (July 2009). The scope of the Project for Fisheries and Oceans Canada (DFO) includes the components of the Project, or activities required for the Project, that have the potential to result in the Harmful Alteration, Disruption or Destruction of fish and fish habitat associated with the potential realignment/enclosure of watercourses, watercourse crossings, temporary shoreline works in the Detroit River and any ancillary works and/or activities that are required solely for the purpose of undertaking the components of the Project that require authorization under Section 35(2) of the federal *Fisheries Act*. The *Ontario Environmental Assessment Act* approvals only included the access	Clarification and additional information regarding Ontario EA decision and conditions of approval will be included

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			road portion of the DRIC Project. The proposed undertaking includes the Windsor-Essex Parkway, from the existing terminus of Highway 401 to the proposed plaza and bridge crossing. The Windsor-Essex Parkway includes a four-lane service road that would connect the existing Highway 3 to Huron Church Road is also included.	
57	Bifurcated Process - Environmental Effects (p. 5)	The EA does not address the concerns expressed by the Ministry of Natural Resources (MNR) relating to the devastating impacts the DRIC Project will have on the natural environment and numerous species. CTC believes that the Screening Report is being pushed to the forefront for approval in attempt to render the MNR's concerns moot.	Strategies and approaches for mitigation were developed at a conceptual level for each of the environmental factors identified in the Final Federal Environmental Assessment Guidelines (Feb. 2009). This included, the identification of regulatory requirements, consideration for best management practices, commitments for the development of detailed environmental management planning, as well as, construction and post-construction monitoring and follow-up programs. In addition, both Transport Canada and the Ontario Ministry of Transportation have committed to the establishment of a Coordination Committee, in cooperation with both the Environment Canada and the Ministry of Natural Resources (MNR), specifically for Species at Risk. Effects and mitigation will be considered from a holistic project perspective using an adaptive management approach. Transport Canada will also ensure the effective implementation of mitigation for Species at Risk through a formal monitoring and follow-up program. Additional details can be found in the Supplemental Mitigation Approach for Species at Risk. The EA identified *Endangered Species Act, 2007* (OESA) permitting requirements for the road component of the Project. Any outstanding concerns, or information requirements from the MNR relating to Species at Risk, will be addressed through the ESA application and permit. This permitting process, as well as the federal *Species at Risk Act* permitting process for the Plaza site, will be completed subsequent to the EA phase of the Project.	Section 7.6 of the Screening is to be clarified with specific reference to the Supplemental Mitigation Strategy for Species at Risk
28	Bifurcated Process - Failure	The Planning/Needs and Feasibility (P/NF) Study prepared		N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
	to Comply with P/NF Study (p. 6, 15)	by the Partnership led the public to believe that one integrated planning and environmental study process would be undertaken. The approach endorsed by the P/NF Study required that where the various EA processes differed, the most rigorous requirement would be met and one product generated for review and comment at each stage of the process.	The Partnership jointly commissioned a *Planning/Need and Feasibility Study (P/NF)* in 2001, which identified a long-term strategy to promote the safe and efficient movement of people and goods between Southwest Ontario and Southeast Michigan. The transportation problems and opportunities identified during the P/NF Study provided the basis for the Partnership to initiate the environmental study processes for the development and assessment of transportation alternatives at the Detroit River international crossing. In Canada, the Project was subject to the requirements of both the *Canadian Environmental Assessment Act* and the *Ontario Environmental Assessment Act*. As such, the EA was coordinated according to the *Canada-Ontario Agreement on Environmental Assessment Cooperation (COAEAC).* In accordance with Section 16(2) of the COAEAC, the Federal and Provincial EAs for the Project were coordinated to the extent possible, throughout the cooperative EA process and included consideration of the decision timing.	
32	Bifurcated Process –Property Acquisition and Bias (p. 6, 7)	Property acquisition for the purposes of the project has advanced prior to the completion of the Environmental Assessment, suggesting that decision-making relating to the project has already been made. The expropriation of existing homes and businesses prior to a determination of whether the DRIC Project can proceed, contravenes due process, relating to legislative and statutory rights, environmental effects and private property rights.	All property acquisition activities for the purposes of enabling the Project initiated by Transport Canada prior to the completion of the Federal Screening are subject to Final Environmental Assessment approvals, as per Section 5 (1)(a) of the *Canadian Environmental Assessment Act*. **Property acquisition for the Windsor-Essex Parkway has been undertaken on a willing buyer-willing seller basis, in response to requests from potentially affected owners. MTO recognizes that construction could not proceed in the absence of EA approvals.**	Clarification and include reference to Property Acquisition and Section 5(1) (a) of CEAA.

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
42	Bifurcated Process (p. 6)	The documentation indicates that the Federal and Provincial governments decided the location of the DRIC Project prior to engaging in public consultation and assessing all possible alternatives.	Section 16 (1) (e) of the *Canadian Environmental Assessment Act* states that other matters relevant to the Screening, such as the need for the Project and alternatives to the Project may be considered. The Responsible Authorities felt that it was important to take into consideration the Planning/Needs and Feasibility Study, as well as the environmental aspects of the Alternatives Selection process, as it provided a context for the Federal Screening. The entire EA has proceeded through a traceable and replicable process, which is based on thorough and systematic analysis. The Study began in 2005 with identification of need and a broad range of Illustrative Alternatives, which included fifteen potential alternative river crossing locations. The proposals were subject to thorough and systematic analysis during the Illustrative Alternatives stage. Input from stakeholders was collected during the public consultation periods, and was taken into consideration. The decision on the recommended crossing location was based on all the information gathered throughout the Study and is well founded based on the analysis completed at each stage of the Study. During 2007, the Parkway alternative was developed based on refinements to the below-grade and tunnel alternatives. The Parkway was based on the notion of a more "green", context sensitive alternative, which emerged through consultation with stakeholders. The introduction of the Windsor-Essex Parkway at the same time as the presentation of the full analysis of the initial five practical alternatives gave stakeholders the opportunity to reflect on the features of the Windsor-Essex Parkway, in the full knowledge of the detailed analysis information.	N/A
14	Bifurcated Process – Biased and Arbitrary Process (p. 6, 23, 25)	The results of the EA were predetermined, and biased against the Ambassador Bridge and resulted in an unfair EA process. Documentation was geared toward the predetermined decision that the Project will proceed at any and all costs.	The Draft Federal Screening Report was prepared in accordance with the Final Federal Environmental Assessment Guidelines (Feb. 2009), and in accordance with the *Canadian Environmental Assessment Act*. The scopes of the assessment and the Project were developed in a manner consistent with standard practice, and have met the requirements of the Responsible Authorities (Transport Canada, Fisheries and Oceans Canada) and the Prescribed Authority (Windsor Port Authority).	N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
35	Bifurcated Process - Alternatives Selection (p. 6)	The DRIC Project cannot be approved until the alternatives assessment set out in the Ontario Environmental Assessment is approved and is no longer subject to court challenge.	An end-to-end analysis of the roads, customs plaza, and bridge plan was conducted in close coordination with both the Canadian and U.S. members of the Partnership. While analysis and evaluation for individual components was carried out within each respective country, the work was done using similar criteria and the results compared and evaluated on an overall basis by the Partnership. The results with respect to the Illustrative Alternatives are documented in the *Generation and Assessment of Illustrative Alternatives Report*. Likewise, the end-to-end analysis and evaluation for Practical Alternatives is documented in detail in the *Practical Alternatives Report*. The Federal Review Team is not currently aware of any reason or litigation in Ontario that would affect the federal EA decision and approvals process. The Ontario EA decision was announced on August 24, 2009.	N/A
36	Bifurcated Process - Alternatives Selection (p. 6)	The FEDERAL REVIEW TEAM cannot approve the DRIC Project, as there is no confirmation that the alternative reviewed in the Screening Report represents the preferable and most viable location for the DRIC crossing.	Section 16 (1) (e) of the *Canadian Environmental Assessment Act* states that other matters relevant to the Screening, such as the need for the Project and alternatives to the Project may be required to be considered. The Responsible Authorities felt that it was important to take into consideration the Planning/Needs and Feasibility Study, as well as the environmental aspects of the Alternatives Selection process in the OEA, as it provided a context for the Federal Screening process. An end-to-end analysis of the roads, customs plaza, and bridge plan was conducted in close coordination with both the Canadian and U.S. members of the Partnership. While analysis and evaluation for individual components was carried out within each respective country, the work was done using similar	N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			criteria and the results compared and evaluated on an overall basis by the Partnership. The results with respect to the Illustrative Alternatives are documented in the *Generation and Assessment of Illustrative Alternatives Report*. Likewise, the end-to-end analysis and evaluation for Practical Alternatives is documented in detail in the *Practical Alternatives Report*. Throughout the Alternative Selection process, the location and design of the Project were refined to reflect any incorporated design mitigation (e.g. below grade segments of the Parkway, no piers in the Detroit River for the bridge component, and 300 acres of greenspace proposed adjacent to the alignment). The Federal Review Team is not currently aware of any reason or litigation in Ontario that would affect the federal EA decision and approvals process. The Ontario EA decision was announced on August 24, 2009	
25	Premature Approval - Litigation against U.S. Partners (p. 7)	Legal proceedings initiated against U.S. Partners (FHWA and MDOT) - Alleging that the DRIC Final Environmental Impact Statement failed to follow the legislative process set out under *U.S. National Environmental Protection Act*. Pending the decision of the U.S. Court, any approval of the DRIC Environmental Assessment in Ontario would be rendered a nullity. Judicial expediency requires that	The DRIC Study Team is aware of U.S. litigation in relation to the Project. The DRIC Partnership recognizes the need to meet legislative and approvals requirements in both Canada and the United States. With this in mind, work was carried out in full coordination with the U.S. Team and documented so as to meet the needs of each jurisdiction. Transport Canada will continue to coordinate with U.S. Partners subsequent to the Federal Environmental Assessment process. The Federal Review Team has not identified any reason to stop the approvals process in Canada, while other jurisdictions continue to seek finalize approvals.	N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
		any decision, with the exception of a refusal to approve the DRIC Screening, at this time is premature and without merit.		
75	Final Federal Environmental Assessment Guidelines – Provision of One Comprehensive Document (p. 25)	The DRIC Screening fails to meet the approved Terms of Reference.	The Draft Federal Screening Report (July 2009) was prepared in accordance with the Final Federal Environmental Assessment Guidelines (Feb. 2009), and with the *Canadian Environmental Assessment Act*. The scope of the assessment and the Project were developed in a manner consistent with standard practice, and meet the requirements of the Responsible Authorities (Transport Canada, Fisheries and Oceans Canada) and the Prescribed Authority (Windsor Port Authority). The Final Federal Environmental Assessment Guidelines (Feb. 2009) were developed in coordination with the Province of Ontario, and incorporate the Environmental Assessment Work Plans developed by the Ministry of Transportation and Transport Canada in response to the Provincial Terms of Reference.	N/A
94	Final Federal Environmental Assessment Guidelines – Mitigation (p. 13)	Absent a description of the bridge structure (cable-stayed vs. suspension), mitigation for bird collisions cannot be effectively developed as the height and configuration of the structure is unknown.	Table 3.1 Project Components and Activities in the Screening Report clearly identifies all potential construction activities anticipated in association with either cable-stay or suspension bridge design. In particular, the screening identifies three main construction components associated with the bridge including: 1. Construction of towers and anchorage or pylon and anchor pier (140m or 250m tower height, depending on the selected bridge design); 2. Installation of main bridge deck (ranging from 855m to 804m in length) and cable system; minimum clearance of 46m across shipping channel; 3. Construction of approach roadway, consisting of backs and/or spans (including construction of support piers at 45 to 80m intervals, for a distance of 250m to 320m, depending on the selected bridge design).	N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			Also, known mitigation measures as identified below will aid in mitigating bird collisions: • Further work is being undertaken to confirm and mitigate the potential for effects of the Project on migratory birds. Radar studies, acoustic studies and point count surveys are being carried out by Transport Canada in consultation with Environment Canada to provide input to bridge design. A Terms of Reference document has been prepared by Transport Canada which outlines how further work is to be carried out. • Measures to mitigate potential bird mortality from the crossing will be investigated in greater detail during future design stages. • Final bridge design and lighting will need to take appropriate safety measures into account, in consideration of marine navigation on the Detroit River, the needs of motorists using the bridge and the aviation warning system. • Bridge lighting, including the need for and treatment of showcase lighting to highlight the architectural amenities of the bridge, will be reduced while still satisfying the principal needs of lighting as a safety enhancement. Architectural lighting to highlight the aesthetics of the bridge should be developed with consideration for its effect on migratory birds. • Transport Canada will consult with relevant agencies and authorities with regard to future lighting requirements for the proposed crossing.	
56	Final Federal Environmental Assessment Guidelines – Mitigation Measures (p. 14)	A conclusion on the environmental effects cannot be stated until the appropriate mitigation measures are established and assessed to determine whether any adverse effects will occur after mitigation, as per Final Federal Environmental Assessment	Extensive studies were conducted to ascertain the existing environment and to quantify the potential impacts of the Project on the surrounding environment. Strategies and approaches for mitigation were developed ata conceptual level for each of the environmental factors identified in the Final Federal Environmental Assessment Guidelines (Feb. 2009). This included, the identification of regulatory requirements, consideration for best management practices, commitments for the development of detailed environmental management planning, as well as, construction and post-construction monitoring and follow-up programs.	N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
		Guidelines (Feb. 2009).	Based on the scope of the Project and the assessment, and in consideration of proposed mitigation measures, the Responsible Authorities concluded in the Draft CEAA Screening Report (July 2009) that there are no likely significant adverse environmental effects anticipated as a result of the Project.	
21	Final Federal Environmental Assessment Guidelines – Mitigation Measures (p. 3, 14)	The DRIC Project is ignoring negative impacts on vegetation and wildlife species, including Species at Risk, and migratory birds in disregard of *the Species at Risk Act* and the *Migratory Bird Convention Act*.	The CEAA Screening Report (July 2009) was prepared in accordance with the requirements of the Final Federal Environmental Assessment Guidelines (Feb. 2009), and includes a summary of the analysis undertaken to support the coordinated EA process. This included the identification of existing environmental conditions in the Study Area, as well as, potential adverse environmental effects on vegetation and wildlife, including Species at Risk, migratory birds. Strategies and approaches for mitigation were developed at a conceptual level for each of the environmental factors identified in the Final Federal Environmental Assessment Guidelines (Feb. 2009). This included, the identification of regulatory requirements, (including those of the *Species at Risk Act* and the *Migratory Bird Convention Act*) consideration for best management practices, commitments for the development of detailed environmental management plans, as well as, construction and post-construction monitoring and follow-up programs.	N/A
91	Environmental Effects and Mitigation Measures (p. 3, 7)	Environmental effects on the social, economic, and cultural environments have not been properly assessed.	The Draft Federal CEAA Screening Report (July 2009) was prepared in accordance with the Final Federal Environmental Assessment Guidelines (Feb. 2009), and in accordance with the *Canadian Environmental Assessment Act*. The scope of the assessment and the Project were developed in a manner consistent with standard practice, and meet the requirements of the Responsible Authorities (Transport Canada, Fisheries and Oceans Canada) and the Prescribed Authority (Windsor Port Authority). As per the Final Federal Environmental Assessment Guidelines (Feb. 2009), the Screening included a consideration for any changes that the Project may cause in	Clarification and definition of indirect effects on socio-economic factors will be included in Section 7.0.

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			the environment that may potentially result in an effect on: • Health and socio-economic conditions; • Built heritage; • Current use of lands and resources for traditional purposes by Aboriginal persons; or • Historical, archaeological, paleontological or architectural resources.	
15	Environmental Effects and Mitigation Measures (p. 7)	The DRIC Screening fails to meet the minimum requirements of the *Canadian Environmental Assessment Act* or Final Federal Environmental Assessment Guidelines (Feb 2009).	The Draft Federal Screening Report (July 2009) was prepared in accordance with the Final Federal Environmental Assessment Guidelines (Feb. 2009), and in accordance with the *Canadian Environmental Assessment Act*. The scopes of the assessment and the Project were developed in a manner consistent with standard practice, and have met the requirements of the Responsible Authorities (Transport Canada, Fisheries and Oceans Canada) and the Prescribed Authority (Windsor Port Authority). The Draft Federal Screening Report (July 2009) includes a description of the effects of the Project including cumulative effects, mitigation measures that technically and economically feasible as well as the significance of the effects. Consideration was also given to comments from the public as well as, the need for the Project and the Alternative Selection process	N/A
17	Environmental Effects and Mitigation Measures (p. 7)	The DRIC Screening does not provide any specific information relating to mitigation of adverse effects of the Project.	Strategies and approaches for mitigation were developed at a conceptual level for each of the environmental factors identified in the Final Federal Environmental Assessment Guidelines (Feb. 2009). This included, the identification of regulatory requirements, consideration for best management practices, commitments for the development of detailed environmental management planning, as well as, construction and post-construction monitoring and follow-up programs. In general, the Draft Federal Screening Report (July 2009) summarizes detailed specific information available in the Project technical documents that were prepared in support of the coordinated EA process. Additional information on specific mitigation strategies is available in the Provincial EA Report (December 2008), as well as the Fisheries Compensation Plan, the Supplementary Mitigation	Sections 7.6 through 7.8 of the Screening is to be updated with reference to the future development of the Wetland Compensation Plan, the Bird Migration Radar Study, and the restriction of concessionaires to the use of existing docking facilities

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			Approach for Species at Risk, the Bird Migration Radar Study Preliminary Report, and the Fisheries and Aquatic Environment Secondary Source Summary (Detroit River).	
13	Bridge Design and Environmental Effects (p. 3, 8)	Lack of clarity on the proposed Project design (cable-stayed vs. suspension bridge), thereby making it impossible to assess environmental effects, including effects on local wildlife, migratory creatures, navigation, subsurface land disturbances, and others.	Table 3.1 Project Components and Activities in the Draft Federal Screening Report (July 2009) clearly identifies all potential construction activities anticipated in association with either cable-stay or suspension bridge design. In particular, the Screening identifies three main construction components associated with the bridge including: 1. Construction of towers and anchorage or pylon and anchor pier (140 m to 250m tower height, depending on the selected bridge design); 2. Installation of main bridge deck (ranging from 855 m to 804 m in length) and cable system; minimum clearance of 46 m across shipping channel; 3. Construction of approach roadway, consisting of backs and/or spans (including construction of support piers at 45 m to 80 m intervals, for a distance of 250 m to 320 m, depending on the selected bridge design). Also, known mitigation measures as identified below will aid in mitigating bird collisions: • Further work is being undertaken to confirm and mitigate the potential for effects of the Project on migratory birds. Radar studies, acoustic studies and point count surveys are being carried out by Transport Canada in consultation with Environment Canada to provide input to bridge design. A Terms of Reference document has been prepared by Transport Canada which outlines how further work is to be carried out. • Measures to mitigate potential bird mortality from the crossing will be investigated in greater detail during future design stages. • Final bridge design and lighting will need to take appropriate safety measures into account, in consideration of marine navigation on the Detroit River, the needs of motorists using the bridge and the aviation warning system.	N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			• Bridge lighting, including the need for and treatment of showcase lighting to highlight the architectural amenities of the bridge, will be reduced while still satisfying the principal needs of lighting as a safety enhancement. Architectural lighting to highlight the aesthetics of the bridge should be developed with consideration for its effect on migratory birds. Transport Canada will consult with relevant agencies and authorities with regard to future lighting requirements for the proposed crossing. The significance of the environmental effects associated with the bridge was evaluated using a conservative approach representative of the worst-case scenario.	
73	Project Design (p. 8)	Anchorages are proposed on lands not owned and operated by the Federal government. There is no information provided as to how the bridge will be secured from outside influences.	Property acquisition and detailed design including specific measures to appropriately secure the bridge will be completed in subsequent design stages following consultation with government and private stakeholders.	N/A
86	Project Design - Cumulative Effects (p. 8)	The former salt mining activities that occurred in the vicinity of the DRIC Project were not included in the Cumulative Effects Assessment.	Although historic mining of salt deposits has been identified in the vicinity of the Project, these are found in areas outside the proposed Project footprint of the vicinity of the proposed bridge-piers. As a result, historic mining caverns (and associated potential contamination) are not expected to affect the structural integrity of the bridge. In the event that any contaminated materials are encountered during construction of the Project, they will be managed in accordance with all applicable regulations, guidelines and best practices.	Summary of Cumulative Effects Assessment will be revised based on additional information in the Cumulative Effects Assessment Report.
18	Noise and Vibration - Mitigation Measures (p. 8, 9)	The DRIC Screening failed to meet the Final Federal Environmental Assessment Guidelines (Feb. 2009) and a proper assessment of the	Strategies and approaches for mitigation were developed at a conceptual level for each of the environmental factors identified in the Final Federal Environmental Assessment Guidelines (Feb. 2009). This included, the identification of regulatory requirements, consideration for best management practices, commitments for the development of detailed environmental management	Section 7.1 of the Screening to be clarified.

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
		environmental effects of the DRIC Project has not been completed, because there is a lack of mitigation measures for noise and vibration effects, as well as a lack of commitment to environmental management and complaints protocols.	planning, as well as, construction and post-construction monitoring and follow-up programs. Noise and vibration were assessed in accordance with Final Federal Environmental Assessment Guidelines (Feb. 2009). Design mitigation has been developed to reduce or eliminate noise effects on adjacent sensitive receptors during the operation of the Windsor-Essex Parkway (WEP), the Plaza and the Bridge, particularly in areas where the alignment of the WEP has shifted traffic closer to residential communities. Specific design mitigation includes the construction of noise barrier and/or berm. The design of the WEP also includes below-grade segments and greenspace separating traffic operations from sensitive receptors. In addition, the Plaza and Bridge components will be located in industrial areas removed from sensitive receptors. As part of the public, private, partnership (P3) approach, compliance monitoring programs, and environmental management programs will be developed as the Project proceeds through subsequent design stages, in order to track and address key issues.	
92	Noise and Vibration – Environmental Effects (p. 9)	It appears that the governments are abrogating their responsibility pursuant to the *Canadian Environmental Assessment Act* to produce a report claiming no adverse environmental effects result from the DRIC Project.	The Draft Federal CEAA Screening Report (July 2009) was prepared in accordance with the Final Federal Environmental Assessment Guidelines (Feb. 2009), and in accordance with the *Canadian Environmental Assessment Act*. The scope of the assessment and the Project were developed in a manner consistent with standard practice, and meet the requirements of the Responsible Authorities (Transport Canada, Fisheries and Oceans Canada) and the Prescribed Authority (Windsor Port Authority). Strategies and approaches for mitigation were developed at a conceptual level for each of the environmental factors identified in the Final Federal Environmental Assessment Guidelines (Feb 2009). This included, the identification of regulatory requirements, consideration for best management practices, commitments for the development of detailed environmental management planning, as well as,	Section 7.1 of the Screening to be clarified. Update Cumulative Effects Summary.

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			construction and post-construction monitoring and follow-up programs. Based on factor specific analysis, an assessment of potential residual effects was undertaken and the significance of any potential effects was determined. Although some potential residual effects are anticipated as a result of the Project, mitigation has been proposed to ensure that effects are not adversely significant. Residual cumulative residual environmental effects were also considered in the Draft Federal CEAA Screening Report (July 2009). However, the physical separation between most identified projects and the DRIC Project and the extent of mitigation proposed for each environmental factor, significant cumulative effects were not anticipated.	
58	Species at Risk - Mitigation Measures (p. 11)	There will be a loss or disturbance of approximately 130 hectares of habitat for mammals, herpetofauna (snakes) and avian species. Details with regards to the 120 ha of land available for protection, restoration and enhancement, and details of the Landscape Management Plan have not been provided. The Specie at Risk mitigation strategy is heavily reliant on the use of these lands for Species at Risk relocation.	In order to ensure that Species at Risk could feasibly be transplanted or relocated, a review of the 120 ha of potential greenspace locations within the Project footprint was undertaken. As a result, a conceptual Landscape Plan was developed (Appendix B of the Provincial EA (December, 2008) and included candidate areas for ecological restoration/enhancement. Both Transport Canada and the Ontario Ministry of Transportation have committed to the establishment of a Coordination Committee, specifically for Species at Risk, such that effects and mitigation can be considered from a holistic project perspective using an adaptive management approach. In addition, Transport Canada will also ensure the effective implementation of mitigation for Species at Risk through a formal monitoring and follow-up program.	Section 7.7 of the Screening is to be clarified with specific reference to the future development of a Detailed Landscape Plan
61	Species at Risk – Project Design (p. 11, 12)	Unable to determine environmental effects (on Monarchs specifically) without design details.	The Monarch is listed on the *Species at Risk Act*, as a species of special concern, under Schedule 1. Impacts to Monarchs cannot be entirely avoided given the scope and nature of the Project and the urban nature of the species. The area for vegetation removals has been minimized to the extent possible, and areas that	N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			should be protected during construction will be delineated prior to construction start. To avoid impacts to Species at Risk and their critical habitat, vegetation removals will be avoided in the vicinity of Species at Risk and their habitat during the growing season. The primary threat to Monarch is the loss of breading habitat throughout the Southern U.S. and Mexico. The areas proposed for restoration and enhancement throughout the project will result in the creation of new Monarch feeding habitat.	
62	Species at Risk (p. 12)	The Butler's gartersnake prefers open habitats, such as dense grasslands and old fields where there are small marches and seasonal wet areas. The Butler's gartersnake feeds on leeches and earthworms and is listed as a threatened species under the *Ontario Endangered Species Act* (OESA). The OESA protects the species from being harassed, captured, possessed, bought, sold or killed.	Noted. Section 7.8 Draft Federal CEAA Screening Report (July 2009) identifies potential effects and proposed mitigation for the Butler's gartersnake.	Section 7.8 of the Screening is to be clarified
63	Species at Risk (p. 12)	The Eastern Fox Snake is also protected under the *Ontario Endangered Species Act* and the *Fish and Wildlife Conservation Act*.	Noted. Section 7.8 of the Draft Federal CEAA Screening Report (July 2009) identifies potential effects and proposed mitigation for the Eastern foxsnake.	Section 7.8 of the Screening is to be clarified
64	Species at Risk (p. 12)	The Massasauga rattlesnake is Ontario's only venomous snake and is listed as threatened under the *Ontario Endangered Species Act* and protected from actions	Extensive studies were conducted to ascertain the existing environment and to quantify the potential impacts of the Projects on the environment. Only those species, which were confirmed to be present within the Project footprint, were further considered in the analysis of effects. Although, Federally regulated species not considered in the EA have been identified in close proximity to the	Section 7.8 of the Screening is to be clarified to include additional information on contingency plans

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
		that may cause harm to the species. Also protected under *Ontario's Fish and Wildlife Conservation Act*	Project, their presence was not confirmed during the extensive field studies. Nonetheless, both Transport Canada and the Ontario Ministry of Transportation acknowledge that wildlife species are mobile and may be encountered within the Project area in the future. A contingency plan will be developed and implemented in the event that Species at Risk are encountered accidentally during construction and operation/maintenance of the Project and are also covered under the *Endangered Species Act* permitting process. Additional details are included in the Supplemental Mitigation Approach for Species at Risk. In addition, both Transport Canada and the Ontario Ministry of Transportation have committed to the establishment of a Coordination Committee, specifically for Species at Risk, such that effects and mitigation can be considered from a holistic Project perspective using an adaptive management approach. In addition, Transport Canada will also ensure the effective implementation of mitigation for Species at Risk through a formal monitoring and follow-up program.	for potential SAR encounter during construction and operations/maintenance.
54	Species at Risk (p. 3)	The DRIC Project fails to comply with *Species at Risk Act, Endangered Species Act, Planning Act, Heritage Act, Migratory Birds Convention Act*, etc.	Although the Draft Federal CEAA Screening Report (July 2009) includes indication of anticipated regulatory requirements for each environmental component, the Project will be subject to any applicable Federal and/or Provincial regulatory approvals. To ensure the effective implementation of mitigation measures, any regulatory requirements identified under the *Species at Risk Act*, *Ontario Endangered Species Act*, *Fisheries Act*, *Migratory Bird Convention Act*, *Canadian Wildlife Conservation Act*, and under other applicable environmental approvals processes will be incorporated into environmental management planning during future Project stages.	N/A
53	Species at Risk (p. 3)	The Environmental Assessment fails to assess the impact of the Project on Species at Risk, their critical habitat, or their residences.	Extensive studies were conducted to ascertain the existing environment and to quantify the potential impacts of the Projects on the environment. Only those species, which were confirmed to be present within the Project footprint, were further considered in the analysis of effects. Although Federally regulated species that are not considered in the EA have been identified in close proximity to the Project, their presence was not confirmed during the extensive field studies.	Sections 7.6 through 7.8 of the Screening is to be clarified with specific reference to the future development of the Supplementary Mitigation Approach

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			Both Transport Canada and the Ontario Ministry of Transportation acknowledge that wildlife species are mobile and may be encountered within the Project area in the future. A contingency plan will be developed and implemented in the event that Species at Risk are encountered accidentally during construction and operation/maintenance of the Project. Additional details are included in the Supplemental Mitigation Approach for Species at Risk. In addition, both Transport Canada and the Ontario Ministry of Transportation have committed to the establishment of a Coordination Committee, specifically for Species at Risk, such that effects and mitigation can be considered from a holistic Project perspective using an adaptive management approach. In addition, Transport Canada will also ensure the effective implementation of mitigation for Species at Risk through a formal monitoring and follow-up program.	for Species at Risk
12	Mitigation Measures (p. 4)	Site-specific mitigation strategies have neither been considered nor incorporated in the DRIC Screening for fish and fish habitat, Ojibway Prairie Wetland Complex, wildlife, wildlife habitat, migratory birds, vegetation communities, and Species at Risk.	Strategies and approaches for mitigation were developed at a conceptual level for each of the environmental factors identified in the Final Federal Environmental Assessment Guidelines (Feb. 2009). This included, the identification of regulatory requirements, consideration for best management practices, commitments for the development of detailed environmental management planning, as well as, construction and post-construction monitoring and follow-up programs. Detailed specific mitigation is not available at this time given the conceptual stage of the Project. Additional specific requirements for construction and post-construction mitigation, monitoring and/or follow-up will be identified through permitting processes. With respect to fish and fish habitat, any proposed Harmful Alteration, Disruption or Destruction of fish habitat would require authorization under the federal *Fisheries Act*, administered by the Department of Fisheries and Oceans Canada (DFO) and include a detailed compensation plan to ensure no net loss of fish habitat. Similarly, Environment Canada and Ontario Ministry of Natural Resources will require specific mitigation and compensation plans to ensure the Project will not adversely affect the survivability and recovery of	Sections 7.6 through 7.8 of the Screening is to be clarified with specific reference to the future development of a Wetland Compensation Plan and a Detailed Landscape Plan, as well as reference to the Supplementary Mitigation Approach for Species at Risk, the Fisheries and Aquatic Environment Secondary Source Summary, the Bird Migration Radar Study, and the restriction of

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			Species at Risk. In general effects on wildlife and bird species will be mitigated through the use of standard best management practices, design mitigation and other site-specific environmental management planning to limit the extent of any environmental effects.	concessionaires to the use of existing docking facilities
20	Mitigation Measures - Fish and Fish Habitat (p. 13)	There are no specific mitigation measures developed for fish and fish habitat to support the conclusion "that significant adverse effects from the Project are not likely to occur".	In addition to the mitigation measures identified for the protection of surface water, in Section 7.5 of the Draft Federal CEAA Screening Report (July 2009), effects on fish and fish habitat will be reduced to the extent possible, by implementing best management practices as well as a compensation strategy for fish habitat alterations. Construction activities will be subject to appropriate timing restrictions. Culvert lengths and extensions will be minimized, and new structures will be constructed using fish-friendly designs, that include appropriate horizontal and vertical clearances, open bottoms, countersinking culverts, incorporation of low flow channels in culverts. Pump intakes will be fitted with screens to prevent fish entrainment, in accordance with the requirements of Fisheries and Oceans Canada (DFO). Realigned channels will be designed using natural channel design principles to enhance habitat over pre-project conditions. During de-watering activities, isolated fish will be captured and relocated by qualified personnel. Refinements to the conceptual plans for fish habitat compensation will be developed in accordance with DFO requirements for Harmful Alteration, Disruption or Destruction authorizations under the Fisheries Act. The Draft Federal CEAA Screening Report (July 2009) determined that based on the analysis of the effects on fish and fish habitat, and in consideration of proposed mitigation, including best management practices for construction, and a compensation strategy consistent with the no net loss of habitat principle, the effects will be temporary in nature and of limited magnitude.	• Section 7.6 of the Screening to be clarified by specifically referring to the Fish Compensation Strategy and the Fisheries and Aquatic Environment Secondary Source Summary, as well as the restriction of concessionaires to the use of existing docking facilities
23	Environmental Effects - Air Quality (p. 14)	The DRIC Screening misleads the public to conclude that air quality in the area will improve only as a result of the DRIC	Anticipated regulatory changes and emissions reduction targets are likely to result in long-term regional improvements to air quality and were incorporated into predictive modeling for both the build and no-build scenarios. Modeling for the build scenario demonstrated that regional air quality could benefit from	N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
		Project, without consideration of more stringent standards and aggressive legislation changes governing air pollutants.	improvements to existing traffic flows, and an associated reduction in idling. However, limited localized effects are anticipated in areas where the alignment shifts closer to residential areas. Design mitigation including buffer areas and greenspace, along certain sections of the Windsor-Essex Parkway are proposed to reduce or eliminate these potential localized effects.	
85	Environmental Effects - Transboundary (p. 4)	Cross border impacts on environment, community, and social environment have been disregarded.	Potential transboundary environmental effects were considered in the environmental analysis undertaken in support of the Provincial and Federal Environmental Assessment (EA) process, as required in the Final Federal Environmental Assessment Guidelines (Feb. 2009).	Section 7.1 of the Screening to be clarified
93	Environmental Effects – Scientific Uncertainty (p. 4)	Any precautionary approach to manage threats of serious irreversible harm where there is scientific uncertainty has not been applied.	The precautionary approach recognizes that the absence of full scientific certainty shall not be used as a reason to postpone decisions where there is a risk of serious or irreversible harm. Even though scientific information may be inclusive, decisions have to be made to meet society's expectations that risks be addressed and living standards maintained. Section 4.1 (a) of the C*anadian Environmental Assessment Act* states that the purpose of the *Act* is to ensure that "projects are considered in a careful and precautionary manner before federal authorities take action in connection with them, in order to ensure that such projects do not cause significant adverse environmental effects". The greatest scientific uncertainty related to the Project associated with mitigation strategies for Species at Risk where recovery strategies have not yet been developed by Environment Canada and the Canadian Wildlife Service (EC/CWS). The conclusion of no significant adverse effects on regulated species was made based on the commitment of Transport Canada and the Ministry of Transportation to work with EC/CWS and the Ministry of Natural Resources specialists on Species at Risk, in developing of species-specific mitigation measures, as well as a monitoring and formal follow-up program. Consideration of a worst-case scenario for the design of the bridge structure in the Environmental Assessment process, and is a key example of the application of the precautionary principle in the analysis of potential effects.	Section 7.6 of the Screening to be clarified

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
155	Significance of Environmental Effects (p.2)	Should the Responsible Authority decline to exercise their authority under section 20(1)(b) or (c) of the *Canadian Environmental Assessment Act*, there are significant adverse environmental effects from the Project that would occur warranting referral to a panel review.	Based on the scope of the Project and the assessment, and in consideration of proposed mitigation measures, the Responsible Authorities concluded in the Draft Federal CEAA Screening Report (July 2009) that there are no likely significant adverse environmental effects anticipated as a result of the Project. At this time, and after considering public input into the Screening, under Section 18(3) of the *Canadian Environmental Assessment Act*, there is no indication that the Project would warrant a request to the Minister of Environment for referral to a review panel under Section 20(1)(c) of CEAA.	N/A
87	Planning/Needs and Feasibility Study (p. 15)	The Planning/Needs and Feasibility Study inappropriately considered ownership "public" vs. "private" as a factor in assessing whether a new Crossing, Access Road, and Customs Plaza were necessary.	Section 16(1)(e) of the *Canadian Environmental Assessment Act* states that other matters relevant to the screening, such as the need for the project and alternatives to the project may be required to be considered. The Responsible Authorities felt that it was important to take into consideration the Planning/Needs and Feasibility Study, as well as the environmental aspects of the Alternatives Selection process, as it provided a context for the Federal Screening. An end-to-end analysis of the roads, Customs Plaza, and Bridge plan was conducted in close coordination with both the Canadian and U.S. members of the Partnership. While analysis and evaluation for individual components was carried out within each respective country, the work was done using similar criteria and the results compared and evaluated on an overall basis by the Partnership. The results with respect to the Illustrative Alternatives are documented in the *Generation and Assessment of Illustrative Alternatives Report*. Likewise, the end-to-end analysis and evaluation for Practical Alternatives is documented in detail in the *Practical Alternatives Report*. Ownership was not a factor in the EA evaluation process.	N/A
142	Planning/Needs and Feasibility Study – Ambassador	The Federal government is misleading in its characterization of the DRIC Project as an end-to-end solution, alleging that the	Section 16(1)(e) of the *Canadian Environmental Assessment Act* states that other matters, relevant to the Screening, such as the need for the Project and alternatives to the Project may be required to be considered. The Responsible Authorities felt that it was important to take into consideration the	N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
	Bridge/ Gateway Project (p. 15, 16, 20)	Ambassador Bridge/Gateway Project would meet these needs. The Federal government, in preparing the DRIC Screening disregarded the Ambassador Bridge Gateway Project and its principal objective of accommodating a second span to the west of the existing Ambassador Bridge.	Planning/Needs and Feasibility Study, as well as the environmental aspects of the Alternatives Selection process, as it provided a context for the Federal Screening process. In order to meet the purpose as defined in Chapter 1 of the provincial EA document, the Detroit River International Crossing study has strived to address the following regional transportation and mobility needs: • Provide new border crossing capacity to meet increased long-term travel demand; • Improve system connectivity to enhance the continuous flow of people and goods; • Improve operations and processing capabilities at the border; and • Provide reasonable and secure crossing options (i.e., network redundancy).” A twinning of the Ambassador Bridge was considered during the analysis and evaluation of Illustrative Alternatives, as described in the provincial EA Report. Actions related to a replacement span are independent of the need for the end-to-end solution. The DRIC study team understands that Ambassador Bridge has yet to obtain all the necessary approvals to proceed with construction. The need for the Ambassador Bridge/Gateway Project or other infrastructure projects was not considered directly in the scope of the Federal Environmental Assessment of the DRIC Project.	
143	Ambassador	Instead of recognizing the direct		N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
	Bridge/ Gateway Project (p. 17)	access being provided on the U.S. side of the border, the Federal and Provincial governments have decided to squander Canadian taxpayers' monies on a new crossing that is neither warranted nor needed at this time.	The Replacement Span project proposed by the CTC would provide only one (1) new physical traffic lane each way (except in emergency situations when the existing bridge could be re-opened according to their plan). The Replacement Span project does not provide for plaza capacity requirements necessary to meet long-term needs, and does not address system connectivity. Therefore the Replacement Span does not satisfy the purpose and need as defined in the DRIC EA. An alternative that would provide for a new six-lane bridge adjacent to the existing Ambassador Bridge, as a component of a complete end-to-end solution, was considered in the DRIC study as an Illustrative Alternative, but not short-listed based on the thorough and systematic analysis carried out during the Illustrative Alternatives phase of the work (see Chapter 6, pages 6-34 and 6-48 of the EAR). This alternative, along with all other Illustrative Alternatives, assumed the existing four-lane Ambassador Bridge would remain in service.	
146	Ambassador Bridge/ Gateway Project – Use of Existing Infrastructure (p. 17, 20)	The DRIC Screening fails to take into consideration the Ambassador Bridge Replacement Span as a viable alternative to the construction of a new access road, plaza and crossing and overlooks the associated initiatives to improve efficiency at the existing border crossing. Instead of completing the last 1 km of roadway to the foot of the Ambassador Bridge the Federal and Provincial governments have chosen to construct a new road, Plaza and Bridge crossing.	Section 16(1)(e) of the *Canadian Environmental Assessment Act* states that other matters relevant to the Screening, such as the need for the Project and alternatives to the Project may be required to be considered. The Responsible Authorities felt that it was important to take into consideration the Planning/Needs and Feasibility Study, as well as the environmental aspects of the Alternatives Selection process, as it provided a context for the Federal Screening process. In order to meet the purpose as defined in Chapter 1 of the provincial EA document, the Detroit River International Crossing study has strived to address the following regional transportation and mobility needs: • Provide new border crossing capacity to meet increased long-term travel demand; • Improve system connectivity to enhance the continuous flow of people and goods; • Improve operations and processing capabilities at the	N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			border; and • Provide reasonable and secure crossing options (i.e., network redundancy)." The Replacement Span project proposed by the CTC would provide only one (1) new physical traffic lane each way (except in emergency situations when the existing bridge could be re-opened according to their plan). The Replacement Span project does not provide for plaza capacity requirements necessary to meet long-term needs, and does not address system connectivity. Therefore the Replacement Span does not satisfy the purpose and need as defined in the DRIC EA. An alternative that would provide for a new six-lane bridge adjacent to the existing Ambassador Bridge, as a component of a complete end-to-end solution, was considered in the DRIC study as an Illustrative Alternative, but not short-listed based on the thorough and systematic analysis carried out during the Illustrative Alternatives phase of the work (see Chapter 6, pages 6-34 and 6-48 of the EAR). This alternative, along with all other Illustrative Alternatives, assumed the existing four-lane Ambassador Bridge would remain in service.	
145	Ambassador Bridge/ Gateway Project - Failed to Consider Additional Crossing Capacity (p. 17, 21)	Question the need for the Project given the costs that cause irreparable harm to the natural environment and create adverse environmental effects that are impossible to mitigate.	In order to meet the purpose as defined in Chapter 1 of the provincial EA document, the Detroit River International Crossing study has strived to address the following regional transportation and mobility needs: • Provide new border crossing capacity to meet increased long-term travel demand; • Improve system connectivity to enhance the continuous flow of people and goods; • Improve operations and processing capabilities at the border; and • Provide reasonable and secure crossing options (i.e., network redundancy)."	N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			The Replacement Span project proposed by the CTC would provide only one (1) new physical traffic lane each way (except in emergency situations when the existing bridge could be re-opened according to their plan). The Replacement Span project does not provide for plaza capacity requirements necessary to meet long-term needs, and does not address system connectivity. Therefore the Replacement Span does not satisfy the purpose and need as defined in the DRIC EA. An alternative that would provide for a new six-lane bridge adjacent to the existing Ambassador Bridge, as a component of a complete end-to-end solution, was considered in the DRIC study as an Illustrative Alternative, but not short-listed based on the thorough and systematic analysis carried out during the Illustrative Alternatives phase of the work (see Chapter 6, pages 6-34 and 6-48 of the EAR). This alternative, along with all other Illustrative Alternatives, assumed the existing four-lane Ambassador Bridge would remain in service. As discussed in Section 5.2 of the provincial EA report, Transportation Demand Management (TDM), including diversion to the Blue Water Bridge was considered as an Alternative to the Undertaking. TDM is not a long-term solution to the international transportation needs at Windsor-Detroit.	
34	Alternatives Selection – Failed to Consider Additional Crossing Capacity (p.3)	The additional crossing capacity provided by the Windsor-Detroit Tunnel, Ambassador Bridge Gateway Project, Ambassador Bridge Replacement Span, Blue Water Bridge Plaza Expansion, expansion of the Sterling Marine Fuels - Aggregate Storage Facility, and Detroit-Windsor Truck Ferry Road Infrastructure Improvements were not considered prior to selecting preferred alternative. The DRIC	In order to meet the purpose as defined in Chapter 1 of the provincial EA document, the Detroit River International Crossing study has strived to address the following regional transportation and mobility needs: • Provide new border crossing capacity to meet increased long-term travel demand; • Improve system connectivity to enhance the continuous flow of people and goods; • Improve operations and processing capabilities at the border; and • Provide reasonable and secure crossing options (i.e., network redundancy).”	N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
		Screening also fails to consider the use of existing infrastructure. The goals and objectives of the Planning/Needs and Feasibility Study were inappropriately relied upon in developing the DRIC Terms of Reference.	The Replacement Span project proposed by the CTC would provide only one (1) new physical traffic lane each way (except in emergency situations when the existing bridge could be re-opened according to their plan). The Replacement Span project does not provide for plaza capacity requirements necessary to meet long-term needs, and does not address system connectivity. Therefore the Replacement Span does not satisfy the purpose and need as defined in the DRIC EA. An alternative that would provide for a new six-lane bridge adjacent to the existing Ambassador Bridge, as a component of a complete end-to-end solution, was considered in the DRIC study as an Illustrative Alternative, but not short-listed based on the thorough and systematic analysis carried out during the Illustrative Alternatives phase of the work (see Chapter 6, pages 6-34 and 6-48 of the EAR). This alternative, along with all other Illustrative Alternatives, assumed the existing four-lane Ambassador Bridge would remain in service. As discussed in Section 5.2 of the provincial EA report, Transportation Demand Management (TDM), including diversion to the Blue Water Bridge was considered as an Alternative to the Undertaking. TDM is not a long-term solution to the international transportation needs at Windsor-Detroit. Transport Canada carefully reviewed the Planning/Needs and Feasibility Study, the Provincial Terms of Reference, other available technical documentation, as well as legislative requirements under the *Canadian Environmental Assessment Act*, in developing the Final Federal Environmental Assessment Guidelines (Feb. 2009).	
149	Use of Existing Infrastructure (p. 18)	The future crossing capacity and reduced travel time at the Ambassador Bridge corridor was neither addressed nor considered in the DRIC Ontario Environmental Assessment or the Screening.	Additional capacity was not the sole need that would be addressed by the proposed DRIC Project. The need for crossing options (redundancy), improved connectivity, and improved processing are also addressed by the proposed DRIC project Specifically, section 1.3 of the DRIC EA states “The purpose of the undertaking is to provide for the safe, efficient and secure movement of people and goods	N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			across the Canadian-U.S. border in the Detroit River area to support the economies of Ontario, Michigan, Canada and the U.S." "In order to meet the purpose, this study has addressed the following regional transportation and mobility needs: ▪ Provide new border crossing capacity to meet increased long-term travel demand; ▪ Improve system connectivity to enhance the continuous flow of people and goods; ▪ Improve operations and processing capabilities at the border, and ▪ Provide reasonable and secure crossing options (i.e., network redundancy)." The Replacement Span project proposed by the CTC would provide only one (1) new physical traffic lane each way (except in emergency situations when the existing bridge could be re-opened according to their plan). The Replacement Span project does not provide for plaza capacity requirements necessary to meet long-term needs, and does not address system connectivity. Therefore the Replacement Span does not satisfy the purpose and need as defined in the DRIC EA. An alternative that would provide for a new six-lane bridge adjacent to the existing Ambassador Bridge, as a component of a complete end-to-end solution, was considered in the DRIC study as an Illustrative Alternative, but not short-listed based on the thorough and systematic analysis carried out during the Illustrative Alternatives phase of the work (see Chapter 6, pages 6-34 and 6-48 of the EAR). This alternative, along with all other Illustrative Alternatives, assumed the existing four-lane Ambassador Bridge would remain in service.	
151	Use of Existing Infrastructure (p. 18)	It is irresponsible for the Ministry of Transportation and Transport Canada to ignore the	In order to meet the purpose as defined in Chapter 1 of the provincial EA document, the Detroit River International Crossing study has strived to address the following regional transportation and mobility needs:	N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
		Replacement Span as a viable alternative when all of the details, information and technical studies in support of the Replacement Span proposal were readily accessible.	▪ Provide new border crossing capacity to meet increased long-term travel demand; ▪ Improve system connectivity to enhance the continuous flow of people and goods; ▪ Improve operations and processing capabilities at the border, and ▪ Provide reasonable and secure crossing options (i.e., network redundancy)." The Replacement Span project proposed by the CTC would provide only one (1) new physical traffic lane each way (except in emergency situations when the existing bridge could be re-opened according to their plan). The Replacement Span project does not provide for plaza capacity requirements necessary to meet long-term needs, and does not address system connectivity. Therefore the Replacement Span does not satisfy the purpose and need as defined in the DRIC EA. An alternative that would provide for a new six-lane bridge adjacent to the existing Ambassador Bridge, as a component of a complete end-to-end solution, was considered in the DRIC study as an Illustrative Alternative, but not short-listed based on the thorough and systematic analysis carried out during the Illustrative Alternatives phase of the work (see Chapter 6, pages 6-34 and 6-48 of the EAR). This alternative, along with all other Illustrative Alternatives, assumed the existing four-lane Ambassador Bridge would remain in service.	
147	Use of Existing Infrastructure (p. 18)	The decision relating to the elimination of the Ambassador Bridge Replacement Span as a DRIC alternative crossing was entirely politically driven without engaging in a fair and impartial assessment of the Ambassador Bridge Replacement Span as a	In order to meet the purpose as defined in Chapter 1 of the provincial EA document, the Detroit River International Crossing study has strived to address the following regional transportation and mobility needs: • Provide new border crossing capacity to meet increased long-term travel demand; • Improve system connectivity to enhance the continuous flow of people and goods;	N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
		DRIC alternative.	• Improve operations and processing capabilities at the border; and • Provide reasonable and secure crossing options (i.e., network redundancy)." The Replacement Span project proposed by the CTC would provide only one (1) new physical traffic lane each way (except in emergency situations when the existing bridge could be re-opened according to their plan). The Replacement Span project does not provide for plaza capacity requirements necessary to meet long-term needs, and does not address system connectivity. Therefore the Replacement Span does not satisfy the purpose and need as defined in the DRIC EA. An alternative that would provide for a new six-lane bridge adjacent to the existing Ambassador Bridge, as a component of a complete end-to-end solution, was considered in the DRIC study as an Illustrative Alternative, but not short-listed based on the thorough and systematic analysis carried out during the Illustrative Alternatives phase of the work (see Chapter 6, pages 6-34 and 6-48 of the EAR). This alternative, along with all other Illustrative Alternatives, assumed the existing four-lane Ambassador Bridge would remain in service.	
148	Unrealistic Traffic Projections - Need for the Project (p. 3, 20, 22)	The Federal-Provincial coordinated Environmental Assessment process has relied on traffic projections that are purposely inflated to manufacture an artificial need for the DRIC Project while actual traffic data does not justify the alleged "need" for the Project.	Traffic capacity is but one of the four transportation needs identified in the DRIC EA (December 2008). The work done during the Planning/Needs and Feasibility Study clearly illustrated the need for additional crossing capacity in the Windsor-Detroit area. The majority of passenger movements across the Ontario-Michigan border are same-day trips starting and ending in the Detroit-Windsor areas. For truck movements, there are a substantial number of shorter-distance truck movements, between Windsor/Essex County and Detroit/Wayne County. The traffic projections used for the DRIC EA (December 2008) are documented in the Travel Demand Forecasts Working Paper (September 2005). The forecasts	N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			were based on reasonable assumptions using the most current information available at the time, with extensive review and scrutiny by modeling experts from the Partnership agencies. This forecasting approach addressed future uncertainty through extensive sensitivity analyses, which capture a realistic range in the forecasts. The low growth scenario was intended to reflect much lower levels of demand, which could be brought about by a variety of circumstances including low economic growth, currency exchange rates, the Western Hemisphere Travel Initiative, City of Windsor or provincial non-smoking initiatives, fuel prices and other such factors. Similarly, high growth scenarios were tested to determine the upside potential in cross-border demand based on more optimistic, yet reasonable growth assumptions. Since the forecasts were completed, there have been declines in cross border passenger car traffic. Truck traffic remained fairly stable between 2001 and 2007 and in fact, 2006 represented the peak in commercial vehicle traffic at the Ambassador Bridge. The recent declines in truck and passenger car trips across the border as a result of the recent economic downturn would indicate that the volumes are tending towards the lower range of the forecasts. Assuming a modest economic recovery over the long-term, the existing crossing facilities will reach their practical capacity within the planning horizon.	
84	Failed to Consider Additional Crossing Capacity (p. 3, 21)	The cumulative effects from the following projects have not been considered: the Windsor-Detroit Tunnel, Ambassador Bridge Gateway Project, Ambassador Bridge Replacement Span, Blue Water Bridge Plaza Expansion, expansion of the Sterling Marine Fuels - Aggregate Storage Facility.	These projects have now been addressed in the Cumulative Effects Assessment (CEA); however, the Blue Water Bridge and associated plaza expansion are located outside the CEA Study Area and therefore, were not included in the assessment.	Cumulative Effects Assessment has been updated

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
150	Failed to Consider Additional Crossing Capacity (p. 150)	The provision of "reasonable and secure border crossings" is already met by the seven existing Michigan-Ontario border crossings.	Alternatives to the undertaking are discussed in Section 5.2, “Alternatives to the Undertaking” in the Ontario Environmental Assessment. Page 5-12 outlines measures considered to divert demand, and concludes that transportation demand management including diversion to the Blue Water Bridge is not a long-term solution.	N/A
39	Failed to Consider Ambassador Bridge Replacement Span – Bias (p. 21)	There is no reference provided to the participation of Canadian governmental agencies in the review and support for the Michigan Strategy that included the Ambassador Bridge Gateway Project. Any allegation by the DRIC Study Team that there was no formal involvement by Canadian governmental agencies in the Ambassador Bridge Gateway project is incorrect as evidenced by the submissions made by several governmental bodies and agencies.	The Ambassador Bridge replacement span was considered in the illustrative alternatives phase. However, the community impacts associated with twinning the bridge, expansion of the existing plaza and conversion of Huron Church Road to a freeway were notably higher than other alternatives carried forward for further consideration.	N/A
153	Biased and Arbitrary Process (p. 24)	It appears that the community and neighbourhood impacts of the Windsor-Essex Parkway route were purposely downplayed to guarantee that it would receive the highest ranking amongst the various alternatives.	An end-to-end analysis of the roads, customs plaza, and bridge plan was conducted in close coordination with both the Canadian and U.S. members of the Partnership. While analysis and evaluation for individual components was carried out within each respective country, the work was done using similar criteria and the results compared and evaluated on an overall basis by the Partnership. The results with respect to the Illustrative Alternatives are documented in the Generation and Assessment of Illustrative Alternatives Report. Likewise, the end-to-end analysis and evaluation for Practical Alternatives is documented in detail in the Practical Alternatives Report.	N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			The review and evaluation of alternatives was conducted in accordance with the provincially approved terms of reference for the study.	
43	Biased and Arbitrary Process (p. 24, 25)	The push by the Senate Committee to proceed to the detailed design stage of the alternatives circumvented the Environmental Assessment process, including of the public consultation requirement. The Senate Committee did not subject all practical alternatives to an independent Environmental Assessment process to establish the preferable location of the undertaking, before concluding that the Ambassador Bridge Replacement Span would not be considered or assessed as an alternative to the undertaking.	Although the Senate Committee published a report in 2005, the Senate Committee provides advice to government but does not grant approvals. The Report of the Senate Committee was noted by the DRIC Study Team, and was considered together with numerous positions and proposals put forward by a wide range of interested parties. The DRIC Study Team received input from municipalities, the public and various private sector proponents. The DRIC Study Team undertook a wide range of consultations in 2005, and throughout the study so that a wide range of alternatives could be considered. Each of these alternatives was included in the development and analysis of Illustrative Alternatives. The Illustrative Alternatives were subjected to thorough and systematic evaluation. The entire evaluation is documented in the *Generation and Assessment of Illustrative Alternatives Report*.	N/A
41	Biased and Arbitrary Process (p. 2, 24)	The Partnership, to the detriment of other reasonable alternatives, engaged in a biased process to ensure that the pre-determined conclusion of the DRIC crossing and Plaza in the Brighton Beach area was established as the preferable alternative.	Section 16(1)(e) of the *Canadian Environmental Assessment Act* states that other matters relevant to the Screening, such as the need for the Project and alternatives to the Project may be required to be considered. The Responsible Authorities felt that it was important to take into consideration the *Planning/Needs and Feasibility Study*, as well as the environmental aspects of the Alternatives Selection process, as it provided a context for the Federal Screening process. The entire environmental assessment as documented in the EAR, has proceeded through a traceable and replicable process, which is based on thorough and systematic analysis. The study began in 2005 with the identification of need and	N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			a broad range of Illustrative Alternatives, which included fifteen (15) potential alternative river crossing locations. The review and evaluation of alternatives was conducted in accordance with the provincially approved terms of reference for the study.	

Response 2 0f 10: Letter from D. Bergmann of Transport 2000 and Associated organizations re Request for Public Comment on the Draft Federal Screening Report for the Detroit River International Crossing Project, Windsor, Ontario to Transport Canada, Fisheries and Oceans Canada and the Windsor Port Authority c/o S. O'Keefe, Transport Canada. Dated August 7, sent via Email.

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
29	Litigation against U.S. Partners	The DRIC Project's Canadian and U.S. Proponents advertised the Project as mode-neutral and transformed it into a Highway Project.	The Final Federal Environmental Assessment Guideline (Feb. 2009) defined the Project as a six-lane international bridge crossing of the Detroit River, a border services Plaza and a controlled access highway connection approximately 10 km long located between the Border Service Plaza and the provincial highway network. The connection is a six-lane urban freeway involving interchanges, grade separations, road closings and the use of service roads.	N/A
30	Litigation against U.S. Partners	Knowledge of the investment required for the proposed DRIC highway project is important to determining what alternatives to that project constitute reasonable alternatives. Costs estimated for each of the six traffic lanes being proposed is $670M.	The factor "Cost and Constructability" is one of seven factors used in the analysis and evaluation of the Practical Alternatives. Estimates of construction costs were prepared for six Practical Alternatives for the access road. Estimates for all six alternatives were prepared in a systematic and traceable manner, based on a conceptual level of design, which is considered a reasonable basis for comparison of Practical Alternatives. Cost estimates were documented in Preliminary Construction Cost Estimate Report for Practical Alternatives (May 2008).	N/A
76	Federal - Provincial – U.S. Coordination	DRIC Screening and U.S. Final Environmental Impact Statement fail to meet the respective Canadian and U.S. standards for review, and did not comply with the Terms of Reference and the Ontario Environmental Assessment Act.	The Draft Federal Screening Report was prepared in accordance with the Final Federal Environmental Assessment Guidelines (Feb. 2009), and the *Canadian Environmental Assessment Act*. The scope of the assessment and the Project were developed in a manner consistent with standard practice, and meet the requirements of the Responsible Authorities (Transport Canada, Fisheries and Oceans Canada) and the Prescribed Authority (Windsor Port Authority). The Final Federal Environmental Assessment Guidelines (Feb. 2009) were developed in coordination with the Province of Ontario, and incorporate the EA Workplans developed by Ministry of Transportation in response to the approved Provincial Terms of Reference.	N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			The Border Transportation Partnership recognizes the need to meet legislative and approval requirements in both Canada and the United States. With this in mind, work was carried out in full coordination with the U.S. Team and documented to meet the needs of each jurisdiction. Transport Canada will continue to coordinate with U.S. Partners subsequent to the Federal EA process.	
121	Legal – CEAA Requirements	DRIC highway project does not agree with Section 4(1) of the Act as a project that avoids significant adverse environmental effects and promotes sustainable development. Points to the examination of non-highway transport options suggested on May 29, 2009 (attached).	An environmental assessment was undertaken to ensure that the Project as proposed is consistent with sustainable development principles, and will not result in significant adverse environmental effects. Several proposals are included as part of the project that are designed to promote sustainable development including greenspace, recreational areas and paths as well as green and energy efficient building methods.	Additional information on sustainable development will be included in the screening
31	Alternatives Selection	Suggests that alternatives, which do not have deleterious effects, were ignored.	The Responsible Authorities considered the need for and alternatives to the Project as described under Section 16(1) of the *Canadian Environmental Assessment Act* including the Planning/Need Feasibility Study and the Alternatives Selection process, as it provided a context for the Federal Screening process. At the Practical Alternatives stage, the DRIC Study Team identified reasonable alternatives through a thorough and systematic process, involving the analysis and evaluation of the Illustrative Alternatives. Comments from many stakeholders were received and considered in the analysis over the course of the various consultation periods. Throughout the alternatives process, the location and design of the project were refined to reflect any incorporated design mitigation (ie. below grade segments of the Parkway, no piers in the Detroit River for the bridge component, and 300 acres of greenspace proposed adjacent to the alignment).	N/A
101	Scientific Uncertainty – Traffic	Concerns about the legitimacy of the traffic projections, which were forecasted based on 2005 data.	As per the Final Federal Environmental Assessment Guidelines (Feb. 2009), traffic projections were used to support the assessment of potential environmental effects on air quality, noise, human health, other operational phase environmental effects, as	N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
	Projections		well as mitigation measures, and determine the significance of residual effects. The traffic projections used for the DRIC EA (December 2008) are documented in the Travel Demand Forecasts Working Paper (September 2005). The forecasts were based on reasonable assumptions using the most current information available at the time, with extensive review and scrutiny by modeling experts from the Partnership agencies. This forecasting approach addressed future uncertainty through extensive sensitivity analyses, which capture a realistic range in the forecasts. The low growth scenario was intended to reflect much lower levels of demand, which could be brought about by a variety of circumstances including low economic growth, currency exchange rates, the Western Hemisphere Travel Initiative, City of Windsor or provincial non-smoking initiatives, fuel prices and other such factors. Similarly, high growth scenarios were tested to determine the upside potential in cross-border demand based on more optimistic, yet reasonable growth assumptions. Since the forecasts were completed, there have been declines in cross border passenger car traffic. Truck traffic remained fairly stable between 2001 and 2007 and in fact, 2006 represented the peak in commercial vehicle traffic at the Ambassador Bridge. The recent declines in truck and passenger car trips across the border as a result of the recent economic downturn would indicate that the volumes are tending towards the lower range of the forecasts. Assuming a modest economic recovery over the long-term, the existing crossing facilities will reach their practical capacity within the planning horizon.	
78	Cumulative Effects	Suggests that cumulative effects were ignored in the Screening.	The temporal scope of the Cumulative Effects Assessment included current and reasonably foreseeable future projects with the potential to interact with any potential residual effects from the DRIC Project. With respect to past projects, only projects recently completed, or those which have been identified in close proximity and which were determined to be likely to interact with the Project, such as the Brighton Beach Power Plant, were further considered. Over 40 projects, including infrastructure, industrial, commercial and residential developments were considered in combination	Cumulative Effects Assessment (CEA) updated. Screening to be updated to reflect the changes in the CEA.

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			with the DRIC Project and were assessed for cumulative effects.	

Response 3 0f 10: Letter from D. Coronado of Citizens Environment Alliance re: Request for public input on the Draft Federal Screening Report for the Detroit River International Crossing Project, Windsor, Ontario to S. O'Keefe, Transport Canada. Dated August 7, sent via Email.

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
6	Mitigation measures – Wildlife & Wildlife Habitat, Migratory Birds, Fish & Fish Habitat	Concern about the inadequate mitigation measures.	Strategies and approaches for mitigation were developed at a conceptual level for each of the environmental factors identified in the Final Federal Environmental Assessment Guidelines (Feb. 2009). This included, the identification of regulatory requirements, consideration for best management practices, commitments for the development of detailed environmental management planning, as well as, construction and post-construction monitoring and follow-up programs. On a regional scale, the proposed Project is predicted to maintain or enhance connections between natural areas through the provision of tunnels, and restoration and enhancement of adjacent areas. With respect to the habitat associated with listed vegetative and snake species, mitigation approaches for any potential effects have been identified through the *Ontario Endangered Species Act*, 2007 permitting process (as outlined below) and are currently being reviewed by the Ontario Ministry of Natural Resources. These measures will be further refined in future design stages minimizing any risk of adverse effects. The anticipated loss of habitat within the Ojibway Prairie Wetland Complex has been identified; however, the development of a Wetland Compensation Plan, which achieves no net loss of area or function of the Provincially Significant Wetland, will be developed prior to construction, in accordance with the Federal Policy on Wetland Conservation (1991) as well as Provincial wetland policies. A Spring Bird Migration Radar Study has been completed to evaluate potential effects on migratory bird populations in the area. Based on the findings of this Report, it was concluded that overall, the potential mortality rate resulting from collisions with the bridge structure is anticipated to be negligible at a population level. In addition, some collisions can be avoided through the use of best-practice lighting strategies. Such strategies and consideration of bridge height will be further considered throughout the detailed design stage. A Fall Bird Migration Radar Study	• Sections 7.6 through 7.8 of the Screening is to be updated with reference to the future development of the Wetland Compensation Plan, as well as the Bird Migration Radar Study, and the restriction of concessionaires to the use of existing docking facilities.

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			is currently underway. Transport Canada has also agreed to limit future concessionaires to the use of existing docking facilities to reduce the potential for direct interaction between the Project and fish species within the Detroit River. Any potential negative effects on fish habitat within the Turkey Creek subwatershed will be reduced to the extent possible, by implementing best management practices as well as a compensation strategy for fish habitat improvements. Culvert lengths and extensions will be minimized, and new structures will be constructed using fish-friendly designs, that include appropriate clearances and open bottoms or countersinking culverts to incorporate low flow channels in culverts. Realigned channels will be designed using natural channel design principles to enhance habitat over pre-project conditions. Refinements to the conceptual plans for fish habitat compensation will be developed in accordance with DFO requirements for Harmful Alteration, Disruption or Destruction authorizations under the federal *Fisheries Act*. During construction, any proposed activities within a watercourse will be subject to appropriate timing restrictions. Pump intakes will be fitted with screens to prevent fish entrainment, in accordance with the requirements of Fisheries and Oceans Canada (DFO). During de-watering activities, isolated fish will be captured and relocated by qualified personnel.	
115	Design Issues - Ojibway Shores	Would like to see the protection of the existing shoreline and wildlife habitat on the Port Authority property included as a mitigation measure.	At this time, Transport Canada has not identified additional property requirements for the undertaking, or the implementation of mitigation associated with the Project.	N/A

Response 4 0f 10: Letter from D. Estrin on behalf of the City of Windsor re: Draft CEAA Screening Report, July 2009, CEAR No. 06-01-18170, Detroit River International Crossing Study, to S. O'Keefe, Transport Canada. Dated August 5, sent via Email and Courier (including three CD enclosures with technical submissions to MOE)

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
24	Human Health – Mitigation Measures	Recommend that strategic tunneling be implemented in the design of the Access Road to reduce human health impacts.	Experts concluded during the preparation of the Practical Alternatives reports that tunnels, regardless of the length, only provide a means of moving emissions from one location to another. While very local concentrations near tunnels (within 50 to 100 m of roadways and towards the middle of tunnels) might be lower, the concentrations near tunnel portals would be higher. Their professional opinion was that tunnels offer no benefit in terms of regional air quality in the Windsor air shed, particularly considering that air quality in Windsor is driven by background concentrations and no alternative will be fully protective of air quality.	N/A
46	Alternative Selection - Bias	Allege that the Senate Committee was biased in the determination of alternatives.	Section 16 (1) (e) of *the Canadian Environmental Assessment Act* states that other matters relevant to the Screening, such as the need for the Project and alternatives to the Project may be considered. The Responsible Authorities felt that it was important to take into consideration the Planning/Needs and Feasibility Study, as well as the environmental aspects of the Alternatives Selection process, as it provided a context for the Federal Screening process. Although the Senate Committee published a report in 2005, the Senate Committee provides advice to government, but does not grant approvals. The report of the Senate Committee was noted by the DRIC Study Team, and was considered together with numerous positions and proposals put forward by a wide range of interested parties. The DRIC Study Team received input from municipalities, the public and various private sector proponents. The DRIC Study Team undertook a wide range of consultations in 2005, and in fact, throughout the study, so that a wide range of alternatives could be considered. Each of these alternatives was included in the development and analysis of Illustrative Alternatives. The Illustrative Alternatives were subjected to thorough and systematic evaluation. The entire evaluation is documented in the Generation and Assessment of Illustrative Alternatives Report.	N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
120	Design Issues – Human Health	The Access Road as currently designed unnecessarily exposes Windsor residents living, working and playing adjacent thereto to measureable negative health impacts. These impacts could be mitigated through the use of strategic tunneling, at the same cost as the current Access Road design.	The Practical Alternatives Reports, which were prepared by SENES Consultants, show that tunnels, regardless of length, only provide a means of moving emissions from one location to another. Thus, while very local concentrations near tunnels might be lower, the concentrations near tunnel portals would be higher. Moreover, tunnels offer no benefit in terms of regional air quality in the Windsor air shed. While many tunnels worldwide employ mechanical ventilation techniques, due to their length and requirement of maintaining in-tunnel air quality, few of these have air-cleaning systems. Where air-cleaning systems have been used, Electrostatic Precipitators (ESPs) have typically been installed primarily to control in-tunnel visibility. These tunnel-cleaning systems only typically treat a small amount (between 10 to 20%) of the in-tunnel air and do not treat the balance. Comprehensive reviews on the use of air pollution controls in tunnels have been conducted by regulatory agencies in Australia. They have generally concluded that although the technologies for tunnel air pollutant removal exist, their use is not warranted. This is primarily due to the fact that dispersion techniques are effective at reducing air pollutant concentrations such that ambient air quality criteria are met. In addition, there is no evidence to support that the use of such systems would result in an improvement in Ambient Air Quality. Recent and on-going improvements in vehicle emission control technologies and fuels will combine to substantially reduce the emissions from transportation sources.	N/A
124	MOE Review	Inadequate review of the Access Road Environmental Assessment by the Ministry of Environment.	The Draft Federal Screening Report was prepared in accordance with the Final Federal Environmental Assessment (EA) Guidelines (Feb 2009), and in accordance with the *Canadian Environmental Assessment Act*. The scope of the assessment and the Project were developed in a manner consistent with standard practice, and meet the requirements of both the Responsible Authorities (Transport Canada, Fisheries and Oceans Canada) and the Prescribed Authority (Windsor Port Authority).	N/A
123	Legal Requirements	The Environmental Assessment work failed to comply with legal	The Responsible Authorities have ensured that the Federal Environmental Assessment process has met the requirements of *the Canadian Environmental*	N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
		requirements of *the Ontario Environmental Assessment Act*.	*Assessment Act*. The Draft Federal Screening report was prepared in accordance with the Final Federal EA Guidelines (Feb 2009). The scope of the assessment and the project were developed in a manner consistent with standard practice, and meet the requirements of both the Responsible Authorities (Transport Canada, Fisheries and Oceans Canada) and the Prescribed Authority (Windsor Port Authority).	
125 129	Legal Requirements Adverse Effects – Human Health	The Access Road portion of the Project cannot be approved because, contrary to s. 20(1)(a) of *Canadian Environmental Assessment Act*, the Access Road component will cause significant unmitigated adverse environmental effects. Environmental Assessment work failed to accurately identify the significant human health impacts the Access Road will cause for Windsor residents.	The Draft Federal Screening Report was prepared in accordance with the Final Federal Environmental Assessment (EA) Guidelines (Feb 2009), and in accordance with the *Canadian Environmental Assessment Act*. The scope of the assessment and the Project were developed in a manner consistent with standard practice, and meet the requirements of both the Responsible Authorities (Transport Canada, Fisheries and Oceans Canada) and the Prescribed Authority (Windsor Port Authority). It has been determined that localized air quality effects during operations of the Windsor-Essex Parkway are not likely to be significant. A careful review of the project documentation for air quality and human health and additional consultation with project experts was undertaken in response to the concerns raised by the City of Windsor. The following summarizes key results: • Air quality in Windsor is driven by transboundary pollution. • Both the Tunnel and the Parkway are slightly preferred over the other alternatives for receptors within 50 m and that all alternatives are preferred over No Build for air quality beyond 100 m. • None of the alternatives result in sufficient enough change to impact the Air Quality Index. • All alternatives showed exceedances of the $PM_{2.5}$ criteria using very conservative silt loading factors and all alternatives showed similar improvements for NO_x concentrations. • The predicted modeled concentrations represent the maximum concentrations that occur once per year, and are not indicative of concentrations that occur most of the time, nor do the predicted maximum concentrations occur simultaneously at all receptors.	• Section 7.1 of the Screening to be further clarified

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			• The predicted modeled concentrations that are presented in the reports use a conservative 90th percentile background concentration (i.e., typical background is lower 90% of the time), which artificially elevates predicted concentrations and exceedances. • The human health risk assessment interpreted the potential for overall adverse effects of the proposed Windsor-Essex Parkway, and specifically considered the effects on people in the immediate project area. The study, which was done in concurrence with procedures outlined by regulatory agencies, concluded the Parkway is not likely to result in an increased health risk when compared with a Future "No Build" scenario. In consideration of the available studies and information, it has been concluded that the impacts of the proposed Detroit River International Crossing project, will not result in any likely significant adverse environmental effects on air quality or human health.	
126	Legal Requirements	The Federal Ministers and the Windsor Port Authority must, in respect of the Access Road component, ensure Ontario imposes strategic tunneling on the design as a condition of approval under the *Ontario Environmental Assessment Act*, or refer the Access Road component of the Project to the Federal Environment Minister for mediation or Panel Review under s. 20(1)(c) of the Canadian Environmental Assessment Act.	The Practical Alternatives Reports, which were prepared by SENES Consultants, show that tunnels, regardless of length, only provide a means of moving emissions from one location to another. Thus, while very local concentrations near tunnels might be lower, the concentrations near tunnel portals would be higher. Moreover, tunnels offered no benefit in terms of regional air quality in the Windsor air shed. While many tunnels worldwide employ mechanical ventilation techniques, due to their length and requirement of maintaining in-tunnel air quality, few of these have air-cleaning systems. Where air-cleaning systems have been used, Electrostatic Precipitators (ESPs) have typically been installed primarily to control in-tunnel visibility. These tunnel-cleaning systems only typically treat a small amount (between 10 to 20%) of the in-tunnel air and do not treat the balance. Comprehensive reviews on the use of air pollution controls in tunnels have been conducted by regulatory agencies in Australia. They have generally concluded that although the technologies for tunnel air pollutant removal exist, their use is not	N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			warranted. This is primarily due to the fact that dispersion techniques are effective at reducing air pollutant concentrations such that ambient air quality criteria are met. In addition, there is no evidence to support that the use of such systems would result in an improvement in Ambient Air Quality. Recent and on-going improvements in vehicle emission control technologies and fuels will combine to substantially reduce the emissions from transportation sources.	
137	Adverse Effects – Human Health	Concern regarding the levels of airborne contamination that violate Federal and Provincial air quality criteria throughout the planning horizon. Concern regarding air contaminant concentrations inside the trails and recreational greenspace, capable of increasing heart attack risk even after short-term exposure.	Residential receptors were evaluated since they represent the most exposed individuals along the roadways, as they are assumed to be exposed 24 hours a day, 7 days a weeks for 365 days per year for a 75-year lifetime. Recreational users will be exposed for a much shorter time and are thus encompassed by the residential receptors. However, additional calculations and discussion were provided by recreational users of the trails on the greenspace in the updated Risk Assessment document (March, 2009). Appropriate standards were used to determine exposures to chemicals such as formaldehyde and sulphur dioxide. Chemicals associated with vehicle tailpipe emissions and vehicular movements on roads were considered in the selection of Chemicals of Concern (COCs). A detailed discussion of all the chemicals considered and the rationale for dropping chemicals from further consideration was also provided; therefore, all potential pollutants were considered in the health evaluation. Indoor air exposure was not considered and an explanation is provided in the updated Human Health Risk Assessment. The evaluation considered that individuals would be exposed to the maximum air concentrations at a given location (outdoors) such as schools, daycares, residences and homes for the aged for 24 hours a day, every day for their lifetime. This is very conservative given that the indoor air concentrations would be lower and thus exposures would be lower. While the concentrations within these greenspaces are higher than concentrations in the residential receptor locations, background concentrations still account for a substantial fraction of the exposure. No adverse effects are predicted as a result of exposure within the right-of-way.	• Section 7.1 of the Screening to be further clarified
130	Adverse	The DRIC Environmental	Project technical studies were prepared in support of both the Federal and Provincial	• Section 7.1 of the

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
	Effects – Air Quality	Assessment for the Access Road Component is deficient in respect to Air Quality and the associated Human Health Effects.	Environmental Assessment (EA) processes, and are in accordance with the Provincial Terms of Reference, and the Final Federal EA Guidelines (Feb 2009). Results of the studies indicate that air quality effects during operations of the Windsor-Essex Parkway are not likely to result in significant adverse effects or significant indirect effects on human health. Of particular note: • Quantitative modeling that has been undertaken for the Project and was assessed against relevant Federal and Provincial criteria and standards. • Localized air quality effects including increases in fine particulate matter ($PM_{2.5}$ and PM_{10}) are not likely to result in increases in the risk to human health. • It has been determined that localized air quality effects during operations of the Windsor-Essex Parkway are not likely to be significant.	Screening to be further clarified
132	Adverse Effects - Noise	DRIC Environmental Assessment for the Access Road Component is deficient in respect to a Comparative Sound Level Assessment.	Strategies and approaches to mitigation were developed at the conceptual level for each of the environmental factors identified in the Final Federal Environmental Assessment Guidelines (Feb 2009). This included, the identification of regulatory requirements, consideration for best management practices, commitments for the development of detailed environmental management planning, as well as, construction and post-construction monitoring and follow-up programs. Noise and vibration were assessed in accordance with Final Federal EA Guidelines (Feb 2009). Design mitigation has been developed to reduce or eliminate noise effects on adjacent sensitive receptors during the operation of the Windsor-Essex Parkway (WEP), the Plaza and the Bridge, particularly in areas where the alignment of the WEP has shifted traffic closer to residential communities. Specific design mitigation includes the construction of noise barrier walls (4 to 5 m tall), and earth berms. The design of the Parkway also includes below-grade segments and buffer areas separating traffic operations from sensitive receptors. In addition, the Plaza and Bridge components will be located in industrial areas removed from sensitive receptors.	• Section 7.2 of the Screening to be further clarified
133	Adverse	Detailed comments submitted to	Transport Canada has reviewed and considered each of the technical documents	• Section 7.1 of the

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
	Effects - Planning	the Ministry of Transportation were not referenced in the Environmental Assessment (EA). including "A Cascade of Errors: DRIC's Deficient Environmental Assessment of the Access Road Component of the Detroit-River Border Crossing". The report contained Peer Reviews in respect to Air Quality, Human Health Effects of Air Pollution Generated by the Access Road Compared to a Tunneled Alternative, a Comparative Sound Level Assessment, a Planning Analysis, an Economic Impact Review, etc. The City of Windsor's analysis concludes that without additional tunneling the Project will result in significant effects.	attached to the City of Windsor's public comments. It should be noted that these documents were previously submitted to the Province of Ontario, as a part of Provincial Environmental Assessment (EA) review. Transport Canada has also reviewed the prepared responses and correspondence by the Ministry of Transportation. Project technical studies were prepared in support of both the Federal and Provincial EA processes and are in accordance with the Provincial Terms of Reference and the Final Federal EA Guidelines (Feb 2009). Results of the studies indicate that air quality effects during operations of the Windsor-Essex Parkway are not likely to result in significant adverse effects or significant indirect effects on human health. Of particular note: • Quantitative modeling that has been undertaken for the Project and was assessed against relevant Federal and Provincial criteria and standards. • Localized air quality effects including increases in fine particulate matter ($PM_{2.5}$ and PM_{10}) are not likely to result in increases in the risk to human health. • It has been determined that localized air quality effects during operations of the Windsor-Essex Parkway are not likely to be significant. A careful review of the project documentation for air quality and human health and additional consultation with project experts was undertaken in response to the concerns raised by the City of Windsor. The following summarizes key results: • Air quality in Windsor is driven by trans-boundary pollution. • Both the Tunnel and the Parkway are slightly preferred over the other alternatives for receptors within 50 m and that all alternatives are preferred over No Build for air quality beyond 100 m. • None of the alternatives result in sufficient enough change to impact the Air Quality Index.	Screening to be further clarified

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			• All alternatives showed exceedances of the $PM_{2.5}$ criteria using very conservative silt loading factors and all alternatives showed similar improvements for NO_x concentrations. • The predicted modeled concentrations represent the maximum concentrations that occur once per year, and are not indicative of concentrations that occur most of the time, nor do the predicted maximum concentrations occur simultaneously at all receptors. • The predicted modeled concentrations that are presented in the reports use a conservative 90^{th} percentile background concentration (i.e., typical background is lower 90% of the time), which artificially elevates predicted concentrations and exceedances. • The human health risk assessment interpreted the potential for overall adverse effects of the proposed Windsor-Essex Parkway, and specifically considered the effects on people in the immediate project area. The study, which was done in concurrence with procedures outlined by regulatory agencies, concluded the Parkway is not likely to result in an increased health risk when compared with a Future "No Build" scenario. In consideration of the available studies and information, it has been concluded that the impacts of the proposed Detroit River International Crossing project, will not result in any likely significant adverse environmental effects on air quality or human health.	

Response 5 0f 10: Letter from N. Green of Detroit River Canadian Cleanup re: Canadian Environmental Assessment Act Screening Report CEAR No. 06-01-18170, to S. O'Keefe, Transport Canada. Dated August 6 2009, sent via Email.

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
3	Mitigation Measures – Detroit River Shoreline	Concern that the location of proposed potential loss of natural shoreline is not identified. Would like to ensure that any proposed mitigation is in parallel to the Detroit River Remedial Action Plan.	The use of the shoreline area adjacent to the proposed plaza site has been limited during construction and operations of the bridge and plaza. Construction work will be limited to the use of existing docking facilities in support of materials staging and transfer as well as for bridge construction activities. The Detroit River Remedial Action Plan will be further considered in the development of detailed management plans once it is available.	• Section 7.6 of the Screening to be updated • The Detroit River Remedial Action Plan will be considered in the development of EMPs for the plaza and bridge.
4	Mitigation Measures - Wetlands	The Ojibway Prairie Wetland Complex Compensation Plan should be linked to the objectives and priorities listed in the Detroit River Remedial Action Plan.	Transport Canada will ensure that the Wetland Compensation Plan for the Ojibway Prairie Wetland Complex is developed in accordance with the Federal Policy on Wetland Conservation (1991), which will ensure no net loss. The Detroit River Remedial Action Plan (RAP) will be taken into consideration in the development of the Wetland Compensation Plan.	• Section 7.7 of the Screening to be clarified
89	Environmental Effects – Northern Pike Spawning Areas	Concern about the connectivity and quality of proposed habitat compensation plans for the drains. Would like to be involved in the review of the plans.	Strategies and approaches to mitigation were developed at the conceptual level and documented in the Fish Compensation Strategy. This included, the identification of regulatory requirements, consideration for best management practices, and commitments for the development of detailed compensation plans. Any proposed Harmful Alteration, Destruction or Disruption of fish habitat will require authorization under the *Fisheries Act*, which will ensure that there is no net loss of fish habitat. Monitoring requirements will be developed as part of the DFO Authorization.	N/A
104	Environmental Effects - Wetlands	Concern regarding the lack of consideration for wetland loss as a result of groundwater quantity and pattern changes.	Initial subsurface investigations conducted by the DRIC study team conclude that ground water drawdown is unlikely due to the low permeability of the native soils. A monitoring program will be established prior to construction, to confirm existing groundwater levels in sensitive natural areas adjacent to the right-of-way. If problems are encountered during construction, suitable mitigating measures will be developed.	N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			Mitigation actions can be regulated through the Permit to Take Water approval.	
128	Adverse Effects - Wetlands	Concern that the loss of 9 ha of wetland, in an area where natural habitat is already limited is significant and must be properly compensated.	The anticipated loss of habitat within the Ojibway Prairie Complex is noteworthy; however, a Wetland Compensation Plan which achieves no net loss of area of function of the Provincially Significant Wetland will be developed prior to construction, in accordance with the Federal Policy on Wetland Conservation (1991) as well as Provincial wetland policies. In addition, approximately 120 ha of greenspace is being established using restoration and enhancement approaches. As a result, the proposed Project is expected to result in an overall net benefit to vegetation communities. The area for vegetation removals has been minimized to the extent possible based on the selection of the Project and the associated refinements. Areas that should be protected during construction will be delineated prior to construction start and no activities will be permitted in these areas. The detailed Landscape Plan will identify areas for protection, enhancement and restoration. Restoration and enhancement measures included in the landscaping will be designed to lessen the impacts of the Project on vegetation area, attributes or function as a result of this project. An array of restoration and enhancement techniques will be identified including establishing new sites, seeding, planting, transplanting or stripping topsoil.	• Section 7.7 of the Screening to be clarified
113	Design – Protection of Ojibway Shores	Would like to ensure that the adjacent Port Authority lands remain viable as a wildlife corridor to the other protected inland areas. Would like to ensure that noise and other activities will not affect wildlife and wildlife habitat in adjacent areas.	At this time, Transport Canada has not identified additional property requirements for the undertaking, or the implementation of mitigation associated with the Project. Detailed environmental management planning will be developed during future design stages to limit the potential for noise effects resulting from the operation of the Plaza. This plan will include consideration for potential effects on wildlife; however, given the location of the Plaza site within an industrial area, it is not anticipated that noise will adversely affect wildlife in the area.	N/A

Response 7 0f 10: Letter from J. McDonald of Luxlite. Re: Reference No. 06-01-18170 International Crossing Project to S. O'Keefe, Transport Canada. Dated July 24, 2009, sent via email.

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
111	Design Issues - Lighting	Would like consideration of induction lighting for the Project, which his company supplies.	Lighting design will be undertaken during future design stages of the Project. Your comments relating to lighting have been noted for future consideration. The design will be tendered through the P3 process.	Comments forwarded to S. O'Dell for action.

Response 8 0f 10: Letter from A. McKinnon of the Citizens Protection Ojibway Wilderness re: 06-01-18180 Detroit River International Crossing, to S. O'Keefe, Transport Canada. Dated August 7 2009, sent via email.

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
8	Mitigation Measures – Species at Risk	Mitigation plans are not reflective of the entire Project with respect to Species at Risk.	The partnership (Transport Canada and the Ontario Ministry of Transportation) as public funding and proponent agencies, along with Environment Canada and the Ontario Ministry of Natural Resources as regulating agencies under the Species at Risk Act and the Ontario Endangered Species Act, 2007 respectively), have committed to a collaborative approach to Species at Risk protection, mitigation, monitoring and follow-up during future design stages and project implementation. Collaboration will also ensure a consistent approach to adaptive management strategies and will consider the results of monitoring and follow-up from an overall Project perspective to include the potential for cumulative effects on Species at Risk within the scope of the monitoring and follow-up program.	• Section 7.6 of the Screening is to be further clarified with specific reference to the Supplemental Mitigation Strategy for Species at Risk
11 9	Monitoring – Lack of Commitment to Long-Term Monitoring for Species at Risk	Concern regarding the lack of a long-term monitoring plan. Lack of a specific commitment to mitigation and monitoring for Species at Risk. There are no commitments to monitoring throughout the operations phase of the Project.	The specific construction and post-construction monitoring requirements to ensure the effectiveness of mitigation and adaptive management will be further developed through both the Federal and Provincial Species at Risk permitting processes. The duration and extent of monitoring required to ensure the survivability, or recovery of the species will be determined by either Environment Canada or the Ontario Ministry of Natural Resources, respectively. Part of the Ojibway Prairie Wetland Complex will be removed for the construction of the Windsor-Essex Parkway portion of the Project. In accordance with the Federal Policy on Wetland Conservation (1991, a no net loss of wetland function objective will be incorporated into the Wetland Compensation Plan.	N/A
10	Mitigation Measures – Wetlands and Ecosystem Protection	Concern regarding the lack of mitigation plan for the protection of the ecosystem communities within the Ojibway Prairie Wetland Complex	Strategies and approaches for mitigation were developed at a conceptual level for each of the environmental factors identified in the Final Federal Environmental Assessment Guidelines (Feb. 2009). This included, the identification of regulatory requirements, consideration for best management practices, commitments for the development of detailed environmental management planning, as well as, construction and post-construction monitoring and follow-up programs.	• Section 7.6 of the Screening to be further clarified with reference to the future development of a

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			Part of the Ojibway Prairie Wetland Complex will be removed for the construction of the Windsor-Essex Parkway portion of the Project. In accordance with the Federal Policy on Wetland Conservation (1991), a no net loss of wetland function objective will be incorporated into the wetland compensation plan.	Wetland Compensation Plan
51	Ecosystems – Rare Communities	Concern regarding the lack of acknowledgement of the rare and globally significant ecosystems (Tallgrass Prairie and Black Oak Savannah) located in the Ojibway Prairie Wetland Complex. Proposes an ecosystem-based approach to the mitigation plan.	Both Transport Canada and the Ontario Ministry of Transportation acknowledge the importance of mitigation approaches at an overall Project level. To address this, both agencies have committed to a coordinated approach for mitigation, monitoring, follow-up and adaptive management. The general guidance for this collaborative approach has been outlined in the Supplementary Mitigation Approach for Species at Risk (2009). Restoration and enhancement measures will target provincially and federally rare vegetation communities, such as tallgrass prairie and black oak savannah.	• Section 7.6 of the Screening is to be further clarified with reference to the future development of a Wetland Compensation Plan
52	Species at Risk - Habitat	Concern over the lack of impact analysis relating to the removal of non-listed habitats, which also serve as habitat areas for Species at Risk. "The 'adjacent' impacts to protected natural features need to be considered in context of the direct impacts to unprotected natural features".	Strategies and approaches for mitigation were developed at a conceptual level for each of the environmental factors identified in the Final Federal Environmental Assessment Guidelines (Feb. 2009). This included, the identification of regulatory requirements, consideration for best management practices, commitments for the development of detailed environmental management planning, as well as, construction and post-construction monitoring and follow-up programs. Indirect effects on adjacent natural features were considered in the environmental assessment. These adjacent natural areas will be protected during construction and will be used for restoration and enhancement measures following construction and to establish ecological linkages. A conservative development envelope, which includes adjacent lands in many cases, was used to determine the effects of the project on species at risk.	• Section 7.6 of the Screening is to be further clarified with specific reference to the Supplemental Mitigation Strategy for Species at Risk
65	Mitigation Measures – Coordination	Concern about the separation of the mitigation plans for the Windsor-Essex Parkway and the	Both Transport Canada and the Ontario Ministry of Transportation have committed to the establishment of a Coordination Committee, specifically for Species at Risk, such that effects and mitigation can be considered from a holistic Project perspective	• Section 7.6 of the Screening is to be further clarified

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
	for Species at Risk	Plaza with regards to Species at Risk.	and to ensure a meaningful adaptive management approach. In addition, Transport Canada will also ensure the effective implementation of mitigation for Species at Risk through the identification of adaptive management strategies within the context of a formal monitoring and follow-up program.	with specific reference to the Supplemental Mitigation Strategy for Species at Risk
117 119	Design Issues – Ojibway Shores	Would like to see the protection of the Ojibway shores protected as a portion of the Ojibway Prairie Complex. Suggests the purchase and protection of the lands directly west of the Ojibway Prairie Provincial Reserve, which are slatted for development as a mitigation measure.	Currently the Windsor-Port Authority and other private property owners have committed to protecting a vegetative buffer adjacent to the proposed Plaza site and within the "Ojibway Shores" area. At this time, Transport Canada has not identified additional property requirements for the undertaking, or the implementation of mitigation associated with the Project.	N/A

Response 9 0f 10: Letter from A. Meloche re: 06-01-18180 Detroit River International Crossing, to S. O'Keefe, Transport Canada. Dated August 7 2009, sent via email.

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
1 99 108	Mitigation Measures – Air Quality Assessment	Potential mitigation of local air quality effects by the existing Ojibway area woodlands is not addressed. Concern about the potential for increased air quality effects after portions of existing vegetative areas are removed. Concern about the landscaping around the Plaza site. Suggests it should be designed to mitigate potential air quality effects and should primarily use local species	Approximately 120 ha of greenspace will be established using restoration and enhancement approaches. The Project is expected to result in an overall net benefit to vegetation communities. The area for vegetation removals has been minimized to the extent possible based on the selection of the Recommended Plan and the associated refinements. Areas that should be protected during construction will be delineated prior to construction start and no activities will be permitted in these areas. The detailed Landscape Plan will identify areas for protection, enhancement and restoration. Restoration and enhancement measures included in the landscaping will be designed to lessen the impacts of the Project on vegetation area, attributes or function as a result of this project. An array of restoration and enhancement techniques will be identified including establishing new sites, seeding, planting, transplanting or stripping topsoil. Landscaping on the Plaza site will include vegetative plantings using native species.	• Section 7.6 of the Screening to be clarified with specific reference to the future development of the Detailed Landscape Plan
77	Cumulative Effects – Air Quality Assessment	Concern over the location of the plaza next to the Brighton Beach lands and the LOU Romano sewage treatment plant.	Given the nature of the Windsor-Essex Region and the number of plants and industrial facilities that lie within the Cumulative Effects Assessment (CEA) Study Area, only ongoing, reasonably foreseeable future projects and recently completed projects within close proximity to the DRIC Project footprint, or those which were identified to potentially directly interact with the Project were considered. Although the Lou Romano Waste Water Treatment Facility is also located in proximity to the Project, it does not constitute a new development or one with residual effects, which are likely to interact with the Project. The treatment facility is designed to reduce suspended solids, biodegradable organics and pathogens, therefore improving the quality of the water before discharge into the environment. As a result, this existing facility was not considered in the Cumulative Effects Assessment.	N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			Vehicles at or near the plaza are occasionally anticipated to affect air quality during the operation phase and the potential for cumulative effects were considered in relation to the existing operation of the adjacent, Brighton Beach Power Plant. Although considered, the CEA concluded that based on the technical analysis, potential cumulative effects on air quality are not likely to be significant.	
98	Scientific Uncertainty – Air Quality Assessment	Concern about the scientific merit of the modeling when it's based on older monitoring data.	Analysis was conducted using predicted impacts over a period of five years, and comparisons made of predicted annual average concentrations to relevant Federal and Provincial criteria and standards. Historical air quality monitoring data from Environment Canada and the Ministry of the Environment (MOE) monitoring stations in close proximity to the Study Area were examined to establish baseline data. The change in total pollutant burden over baseline conditions was used, together with other criteria, including an assessment of the worst-case maximum (1 to 24 hour) conditions and were compared against the Ministry of Environment's Ambient Air Quality Criterion, and National Ambient Air Quality monitoring. 90th percentile concentrations for background were identified as suitable in the Air Quality Work Plan (March 2006), which was circulated to various agencies including the MOE and approved in 2006. Both the Practical Alternatives Report and the Technically and Environmentally Preferred Alternative (TEPA) Report relied on information obtained from computer modeling of future conditions, which in turn depends on a variety of input parameters. For a comparative analysis, it is important to have the input parameters remain constant with variations limited to traffic data and roadway geometry. The parameters, which were kept constant for the "No Build" alternative, the TEPA and all other alternatives included: meteorological data, emission factors for tailpipe emissions, U.S. Environmental Protection Agency road dust calculation methodology, receptor locations, vehicle weight and length, background ambient concentrations, and horizon years (2015, 2025, 2035).	• Section 7.1 of the Screening to be clarified with specific reference to the Air Quality Memo

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			Over 2400 modeled receptors were examined for impacts. These receptors were spaced to determine both near-distance and farther distance results from the roadways.	
100	Environmental Effect – Air Quality Assessment	Concern about the consideration of idling or slower moving truck pollution at the Plaza site.	Pollutant concentrations represent the maximum predicted concentrations (i.e. the worst pollutant levels). It is important to note that the maximums are not usual and are predicted to occur only once per year. Over 2400 modeled receptors were examined for impacts and were assessed against meteorological data, emission factors for tailpipe emissions, U.S. Environmental Protection Agency road dust calculation methodology, receptor locations, vehicle weight and length, background ambient concentrations, and took into consideration the horizon years (2015, 2025, 2035).	N/A
109	Design Issues – Wildlife Corridors	Concern about the design of the proposed wildlife crossings as being inadequate and not matching current wildlife corridors. Suggests access for wildlife to Black Oak Woods, crossing Highway 18 around the railway lands should be provided and access to the river shore.	Both local movement corridors (i.e. pathways, stream banks, culverts, vegetation expanses) and global movement corridors (i.e. bird flyways through Southern Ontario) are found within the Project area. The site preparation and construction activities may result in temporary and permanent removal of features and routes that form some of the wildlife movement corridors. Some movement corridors will re-establish following construction, while other will be permanently eliminated. Opportunities for new corridors will be established with the creation of new access points over the tunnel sections of the Windsor-Essex. The Windsor-Essex Parkway and Inspection Plaza will limit terrestrial wildlife movement as much of the area will be lined with noise barriers, fenced off, and /or depressed creating a 'moat' effect. However, currently much of the terrestrial wildlife does not cross the existing highways and roads along the proposed route, as limited suitable habitat exists on the other side and the roadways present a hazard to wildlife. To limit the interference with wildlife movement, construction activities will be staged and timing restriction windows will be applied. Wildlife movement peaks during the spring and summer, when many wildlife are breeding and foraging for food. Vegetation to be cleared for construction will be removed between November	N/A

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			1 and March 31, which falls outside of peak movement and breeding period. Hindrances to wildlife movement in areas of construction will be reduced, since the habitat will be removed from the site before construction begins..	
88	Environmental Effects - Habitat	Concern regarding the statement of "no net losses of habitat" and "lost greenspace will be offset with creation of new greenspace".	The anticipated loss of habitat within the Ojibway Prairie Complex is noteworthy; however, a Wetland Compensation Plan which achieves no net loss of area of function of the Provincially Significant Wetland will be developed prior to construction, in accordance with the Federal Policy on Wetland Conservation (1991) as well as Provincial wetland policies. In addition, approximately 120 ha of greenspace will be established using restoration and enhancement approaches. As a result, the proposed Project is expected to result in an overall net benefit to vegetation communities. The area for vegetation removals has been minimized to the extent possible based on the selection of the Recommended Plan and the associated refinements. Areas that should be protected during construction will be delineated prior to construction start and no activities will be permitted in these areas. The detailed Landscape Plan will identify areas for protection, enhancement and restoration. Restoration and enhancement measures included in the landscaping will be designed to lessen the impacts of the Project on vegetation area, attributes or function as a result of this project. An array of restoration and enhancement techniques will be identified including establishing new sites, seeding, planting, transplanting or stripping topsoil.	• Section 7.6 of the Screening to be clarified with specific reference to the future development of the Wetland Compensation Plan and the Detailed Landscape Plan
110	Design Issues - Wetlands	The Project should honour its wetland commitments and create or expropriate lands for such. Proposes the Coco site pond, which may be a denning site for coyote, grey and red fox.	The anticipated loss of habitat within the Ojibway Prairie Complex is noteworthy; however, a Wetland Compensation Plan, which achieves no net loss of area of function of the Provincially Significant Wetland, will be developed prior to construction, in accordance with the Federal Policy on Wetland Conservation (1991) as well as Provincial wetland policies. At this time, Transport Canada has not identified additional property requirements for the undertaking, or the implementation of mitigation associated with the Project.	

Response 10 of 10: Letter from L. Podolsky on behalf of the Save Ontario's Species Coalition re: CEAR Reference number 06-01-18170: Draft Federal Screening Report for the Detroit River International Crossing Project, Windsor, Ontario, to S. O'Keefe, Transport Canada. Dated August 7 2009, sent via email.

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
2	Mitigation Measures – Species at Risk	Permitting processes do not ensure that appropriate mitigation will be implemented for the Project.	The specific construction and post-construction monitoring requirements to ensure the effectiveness of mitigation and adaptive management will be further developed through both the Federal and Provincial species at risk permitting processes. The duration and extent of monitoring required to ensure the survivability or recovery of the species will be determined by either Environment Canada, or the Ontario Ministry of Natural Resources, respectively. Nonetheless, both Transport Canada and the Ontario Ministry of Transportation have committed to the establishment of a Coordination Committee, specifically for Species at Risk, such that effects and mitigation and monitoring can be considered from a holistic Project perspective and to ensure a meaningful adaptive management approach. In addition, Transport Canada will also ensure the effective implementation of mitigation for Species at Risk through an adaptive management approach within the context of a formal monitoring and follow-up program.	• Section 7.6 of the Screening to be further clarified with specific reference to the Supplementary Mitigation Strategy for Species at Risk through a Coordination Committee.
102	Mitigation Measures - Scientific Uncertainty	Concerns that proposed mitigation measures for Species at Risk have not been approved by experts and that the credibility of the proposed mitigation measures have not been substantiated. Concern that the mitigation measures proposed have not been demonstrated to be effective. Also no recovery strategies for many of the subject species.	The Project will require permit approvals under the *Species at Risk Act* (SARA) for work on federal lands and the *Endangered Species Act*, 2007 (ESA 2007) for work on the Windsor-Essex Parkway. Although the Federal Screening Report acknowledges the presence of Species at Risk and identifies general mitigation measures for their protection, seeding, transplanting, and relocations, the specific details will be developed throughout the permitting process. Although scientifically derived, recovery strategies have not been developed for all species, which could be affected by the Project, the best available resources and information will be used in the development of the anticipated SARA permit application. In addition, to address uncertainty, follow-up and monitoring will be undertaken in a manner consistent with adaptive management strategies.	• Section 7.6 of the Screening to be further clarified with specific reference to the Supplementary Mitigation Strategy for Species at Risk

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
47 127	Species at Risk - Mitigation	Concern that the Screening Report does not adequately demonstrate that the Project will not jeopardize the survival or recovery of Species at Risk (concerns over the application for a Species at Risk permit as a demonstration of not jeopardizing the survival or recovery). Concern that each section describes significant adverse impacts that proposed activities will have on the Species at Risk, yet it is concluded that, with the implementation of mitigation (described as best practices), significant adverse residual effects are not likely to occur.	Transport Canada and the Ontario Ministry of Transportation are required to obtain permit approval from Environment Canada and the Ontario Ministry of Natural Resources respectively (*Species at Risk Act* and the *Endangered Species Act*, 2007). The Federal Screening Report identifies general mitigation measures for the protection and relocations of species at risk. Detailed permitting and mitigation plans and monitoring and follow up requirements will ensure that the Project will not jeopardize the survival or recovery of any species at risk. In accordance with Section 73 of the SARA, a permit or authorization will likely be required for the construction of the border Plaza as construction will likely incidentally affect three listed Threatened species under Schedule 1 of SARA. Any decision under SARA is science-based and evaluates what, if any, risk the proposed activity poses to the recovery of the species and if it can be tolerated without compromising the survival or recovery of the species. Mitigation is required to ensure the protection of the species, minimize the impact and provide for its recovery.	• Section 7.6 of the Screening to be further clarified with specific reference to the Supplementary Mitigation Strategy for Species at Risk
48	Species at Risk - Densities	Concern over the number of Species at Risk in the area, which will be affected by construction, and operation of the Project and the comprehensiveness of the list of Species at Risk. Notes the massassauga, grey fox and Blanding's turtle are missing.	Extensive studies were conducted to ascertain the existing environmental conditions and to quantify the potential impacts of the Projects on the surrounding environment. Only those species, which were confirmed to be present within the Project footprint, were further considered. Although other Federally regulated species have been identified in proximity to the Project, their presence was not confirmed during the repeated field studies. Nonetheless, both Transport Canada and the Ontario Ministry of Transportation acknowledge that wildlife species are mobile and may be encountered within the Project footprint in the future. As a result, both agencies have committed to a series of actions, which will be undertaken should an unexpected Species at Risk be encountered. Details are outlined in the Supplemental Mitigation Approach for Species at Risk.	• Section 7.6 of the Screening to be further clarified with specific reference to the Supplementary Mitigation Strategy for Species at Risk

Tracking ID	Area of Concern	Input/Comment	Response and Consideration	Action
			Transport Canada and the Ontario Ministry of Transportation, along with Environment Canada and the Ontario Ministry of Natural Resources have committed to the establishment of a Coordination Committee, specifically for Species at Risk, such that effects and mitigation can be considered from a holistic Project perspective and to ensure a meaningful adaptive management approach. In addition, Transport Canada and MTO will also ensure the effective implementation of mitigation for Species at Risk through an adaptive management approach within the context of a formal monitoring and follow-up program.	
50	Species at Risk - Mussels	Concern regarding the lack of protection measures outlines with respect to protected mussel species if they are encountered.	Strategies and approaches to mitigation were developed at the conceptual level for each of the environmental factors identified in the Final Federal Environmental Assessment Guidelines (Feb 2009). This included, the identification of regulatory requirements, consideration for best management practices, commitments for the development of detailed environmental management planning, as well as, construction and post-construction monitoring and follow-up programs. Qualified individuals undertook an inland mussel survey in tributaries of the Detroit River the Spring of 2009. No mussel species were encountered and no likely habitat for mussel species was identified within the Project footprint. In terms of constructing the international crossing,Transport Canada will limit any future work to the use of existing docking facilities	• Section 7.6 of the Screening to be further clarified