#### **Detroit River** Ontario Comments and Study Team Responses Canada Federal Highway INTERNATIONAL CROSSING STUDY **Comment Received** Response 1) CTC/DIBC respectfully requests that the Partnership, specifically the Ontario Ministry 1) The DRIC study team believes that it has conducted a fair and transparent EA process in of Transportation ("MTO") launch a fair, more meaningful environmental assessment compliance with the appropriate requirements and laws. Additional capacity was not the that meets the objectives of the federal/provincial coordinated environmental sole need that would be addressed by the proposed DRIC Project. The need for crossing assessment process. Such a process would include, but not be limited to, the following options (redundancy), improved connectivity, and improved processing are also addressed by the proposed DRIC project activities: "Re-visiting the purpose and need for the DRIC project to determine if existing traffic Specifically, section 1.3 of the DRIC EA states "The purpose of the undertaking is to levels warrant a future crossing taking into account existing capacity including the provide for the safe, efficient and secure movement of people and goods across the Ambassador Bridge Replacement Span." 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)."

Requesting that a new EA be launched to include "consideration of the additional As stated in the preface of the AB's own Enhancement Proposal (ABEP) EA (submitted in the USA, January 2009), "the ABEP is not designed to address regional transportation needs or traffic capacity across the border, but to move traffic from the existing structure to the proposed structure to maintain efficiency of the crossing." This point is reiterated throughout their EA on pages 3, 64, 129, and 131 of the main document.

capacity provided by the Ambassador Bridge Replacement Span".

### Ontario Company Comments and Study Team Responses

Comment Received	Response
2) That the Detroit River International Crossing (DRIC) Environmental Assessment (EA) fails to take into consideration the affects of the proposed DRIC crossing on the environment on the understanding that the Canadian Transit Company (CTC) has the right to construct the Ambassador Bridge replacement span. The Ambassador Bridge claims to have had this right for several years and that the approval was solidified when representatives of the Government of Canada and the Ambassador Bridge executed settlement agreements to resolve approximately 12-years of litigation.	
3) That the DRIC EA is completed on the incorrect assumption that the Ambassador Bridge Replacement Span represents an alternative as opposed to recognizing it as a project that has received the approvals and commitments required from both governments to be considered an imminent project providing additional capacity to the corridor.	end solution is needed and Huron Church Road/Ambassador Bridge was identified as a potential end-to-end corridor. Actions related to a replacement span are independent of
4) Both Canada and the Ontario governments participated in the United States' process in agreeing to the improvements of the American plaza, road and highway approaches to the existing Ambassador Bridge and to accommodate the Ambassador Bridge Replacement Span.	preparation, review, or approval of the Gateway Project Environmental Assessment.
5) Also, it appears from the DRIC EA that during the assessment of alternatives, the Ambassador Bridge twin span was treated as a public undertaking, notwithstanding that the proposed Ambassador Bridge Replacement Span is entirely a private undertaking utilizing no public monies.	
6) The proposed new span uses existing infrastructure to provide additional crossing capacity".	6) Not per the ABEP EA (see above).
7) "Replacement Span increases future crossing capacity at the AB corridor"	7) Not per the ABEP EA (see above).

U.S. Department of Transportation Federal Highway Administration

# Ontario Company Comments and Study Team Responses

Comment Received	Response
8) The future crossing capacity and reduced travel time at the Ambassador Bridge corridor is not addressed or considered in the DRIC EA.	8) In the ABEP EA, a reference has been added to the U.S. Final Environmental Impact Statement, page 3-218 and Table 3-30. These address the effects of a six-lane Ambassador Bridge and conclude that the difference in traffic between a six-lane versus four-lane Ambassador Bridge is very small. A six-lane bridge is forecast (using the same computer model used to forecast all the DRIC traffic) to attract only about 30 additional vehicles in the afternoon peak hour in 2035, compared to a four-lane bridge. So, there is essentially no difference between the two conditions.
9) DIBC/CTC has received the approvals necessary to construct the AB Replacement Span in the U.S"	<ul> <li>9) At the time of submission of the DRIC EA on December 31, 2008, and as of March 4, 2009, the U.S. Coast Guard has not issued a final Finding of No Significant Impact (FONSI) or a bridge permit.</li> </ul>
10) That the process has been biased by the fact that TC has the same representatives reviewing the replacement project and the DRIC EA and CEAA reports.	10) The DRIC study team is confident that the allegations of bias are unfounded.
11) That the DRIC EA failed to consider the Ambassador Bridge Replacement concept or the utilization of the ETR Corridor, particularly with partial tunneling.	<ul> <li>11) A summary of the assessment for this route can be found on page 6–34 of the DRIC EA. Further details can be found in the supplementary report Generation and Assessment of Illustrative Alternatives (November 2005) pg 105, which was included as part of the EA submission.</li> <li>During the Illustrative Alternatives stage, all access roads were considered to be at-grade. Tunnelling was considered during the Practical Alternatives stage as a potential mitigation measure.</li> <li>The DRIC EA submission considered a twinning of the Ambassador Bridge as one of the Illustrative Alternatives. This alternative assumed that a new 6-lane bridge would be built in addition to maintaining the existing facility in full operation. This would provide the same long-term bridge crossing capacity as the other Illustrative Alternatives, which located a new 6-lane bridge. While the Twinning option was not carried forward, the development and analysis of the Practical Alternatives assumed that the Ambassador Bridge would seem to be consistent with the Ambassador Bridge's proposed Replacement Span. Presumably it "replaces" the existing bridge. As stated in their submission "the purpose of the Ambassador Bridge Replacement Span is not to increase capacity", even though they</li> </ul>

U.S. Department of Transportation Federal Highway Administration



Comment Received	Response
	have chosen to propose a 6-lane bridge, which, as they state, has additional capacity. They propose to use 2-lanes for low risk traffic as part of the Fast and Secure Trade (FAST) Program.
12) That the DRIC EA fails to consider the Ontario Ministry of Transportation Statement of Environmental Values dated September 2008.	12) The DRIC EA study has been undertaken in accordance with the principles embodied in the <i>MTO Statement of Environmental Values (September 2008).</i> The decisions made by the DRIC study team have been based on a comprehensive knowledge of the existing environmental conditions within the study area, which provided the team with an in-depth understanding of the potential affects of the various alternatives considered on the surrounding natural, social, economic and cultural environments. An overview of the existing environmental conditions within the Preliminary Analysis Area (PAA) is provided in Chapter 4 of the EAR. An overview of the existing environmental conditions within the more refined Area of Continued Analysis (ACA) is provided in Chapter 7 of the EAR.
	The team's knowledge of existing environmental conditions was used to make the complex trade-offs between the numerous crossing, plaza and access road alternatives that were developed to arrive at the selection of the Technically and Environmentally Preferred Alternative (TEPA) and ultimately the Recommended Plan, which included the TEPA along with further refinements to minimize the environmental effects of the project. Chapter 6 of the EAR summarizes the team's assessment and evaluation of the illustrative crossing, plaza and access road alternatives. Chapter 8 of the EAR summarizes the team's assessment and evaluation of the practical crossing, plaza and access road alternatives.
	With regard to consideration of other modes of transportation, such as public transit, the DRIC study team undertook an in-depth review of the Alternatives to the Undertaking specified in the approved EA TOR for the DRIC study. Our assessment of the Alternatives to the Undertaking, which included consideration of "New and/or Improved Transit and Marine Services" is documented in Chapter 5 of the EAR Report. The findings of this assessment as documented in Section 5.2.1 on page 5-15 of the EAR included the following statement:
	"Although alternatives for travel demand management, rail, transit, ferries, etc., cannot independently address the diverse user needs, sufficiently alleviate traffic congestion on the transportation network or effectively provide reasonable options for

Comment Received	Response
	<ul> <li>maintaining the movement of people and goods in cases of disruptions at any of the existing border crossings, these alternatives should be included as part a multi-modal strategy to meet the medium and long-term needs of the transportation network in the area."</li> <li>With regard to consultation, the DRIC study team undertook an unprecedented consultation program which involved over 300 meetings with municipalities, agencies, stakeholder interest groups, First Nations, and the public. Chapter 3 provides an overview of the consultation program undertaken as part of the DRIC EA study. This program fully addressed the commitments of the TOR and went beyond those commitments. This consultation program facilitated the provision of feedback from stakeholders during all stages of the decision making process.</li> </ul>
13) That the DRIC crossing requires piers to be constructed in the Detroit River.	13) This is incorrect. Chapter 9 clearly states that the span lengths are 855m for a suspension bridge and 840m for a cable stayed bridge (see pages 9-3, 9-4). This will fully span the river; no piers in the water are required. Further details are available in the Bridge Conceptual Engineering Report dated February 2008, which was included with the EA submission.
14) That the DRIC EA fails to acknowledge that the Ambassador Bridge Replacement Span has received approval from the United States Government and a commitment in favour of the replacement span from the Canadian Government. The submission asserts that the replacement span was initially assessed as an alternative crossing but was eliminated from consideration despite its high marks in the U.S. as a reasonable alternative.	14) At the time of submission of the DRIC EA on December 31, 2008, and as recently as March 4, 2009, the U.S. Coast Guard has not issued such approval
15) CTC/DIBC's Replacement Span was initially assessed as an alternative crossing but was eliminated from consideration despite its high marks as a reasonable alternative.	15) While the twinning of the Ambassador Bridge scored highly in some of the evaluation criteria, it scored poorly in redundancy on both sides of the border and it scored poorly in terms of environmental impacts on the Canadian side of the border.
16) The DRIC EA failed to conduct a proper analysis on the cumulative affects the DRIC crossing would have on noise, air, and heritage resources at a level that will exist following completion of the replacement span.	16) A cumulative effects assessment is not required under the OEAA and was not included in the EA TOR. As such, a cumulative effects assessment was not documented within the Ontario Environmental Assessment Report.

U.S. Department of Transportation Federal Highway Administration



Comment Received	Response
	<ul><li>However, a cumulative effects assessment has been undertaken to support the federal Environmental Assessment process.</li><li>A draft screening report will be made available for public review and comment before the federal EA process is concluded.</li></ul>
17) The submission asserts that the Canadian and Ontario Governments have an obligation to fulfill their prior commitments, to allocate \$300M to fund immediate improvements, to assist in the management of traffic in the Highway 3 / Huron Church Road corridor and to facilitate the construction of the Ambassador Bridge replacement span.	<ul> <li>17) Improvements to Huron Church Road were included in the proposed Nine Point Plan, which was announced by Canada and Ontario in May 2003. This plan was rejected by the City of Windsor, and after considerable discussion, the Nine Point Plan was set aside. In March 2004, Canada, Ontario and the City of Windsor signed a Memorandum of Understanding for Phase One of the Let's Get Windsor Essex Moving Strategy (LGWEM). LGWEM is a \$300-million commitment for transportation infrastructure projects that will improve efficiency and reduce congestion in Windsor-Essex.</li> </ul>
18) "Replacement Span creates additional capacity that will meet the long term crossing needs of the Windsor-Detroit corridor and result in the DRIC proposal being moot."	18) Not per the ABEP EA (see above).
19) The report is critical of the EA in that it indicates that a separate Federal screening report will be prepared, and such report has not yet been posted nor have public comments been requested. In this regard, the Ambassador Bridge asserts that DRIC fails to meet the minimum requirements for the submission of a coordinated Federal / Provincial assessment by providing a single body of documentation on environmental affect. It is also critical of the report in that it alleges that it does not regard the replacement project as a reasonably foreseeable project.	19) A draft screening report will be circulated, and will be made available for public review and comment before the federal EA process is concluded. The CEAA Screening Report utilizes the provincial EA Report as an integral document, and as such, the two documents collectively represent one body of documentation.
20) That the DRIC EA is relying on outdated traffic information and that traffic has gone down considerably since the year 2000.	20) The best available data were used to develop the DRIC travel forecasting models. Refer to Section 6.1 of the EA supporting document entitled "Travel Demand Forecasts, 2005." The forecasts were reviewed by a peer group and found to be acceptable. The traffic forecasts show the combined effects of all the risk factors that could move forward or delay the time when a new or expanded crossing is required for capacity reasons. An Extreme High Scenario consists of a combination of High Trade Growth and High Passenger Car Demand Scenarios. The Extreme Low Scenario is a combination of the Low Trade Growth, Diversion to Intermodal Rail, High Diversion to St. Clair River crossing and Low Passenger Car Demand Scenarios. Such scenarios would advance the



Comment Received	Response
	year in which capacity is reached by five years to about 2015 or delay it by fourteen years to about 2034, respectively.
21) (a) Existing-Windsor Detroit Border Crossings relies on the outdated traffic information to justify its statement that the Ambassador Bridge will reach available capacity within five years.	21) The DRIC traffic forecast does not say the Ambassador Bridge will reach capacity within 5 years; it says the Canadian approach road to the bridge (Huron-Church Road) will likely reach capacity in 5 years if no improvements are made. Some of the environmental impacts that contributed to the rejection of the twin-span option at the Ambassador Bridge location were associated with the improvements that would be needed to address capacity issues on Huron-Church Road, especially at the northern end of the corridor.
22) That the proponent should have done more to optimize the existing infrastructure, as implied in the Terms of Reference.	22) As described in Section 5.2 of the EA Report, Alternatives to the Undertaking that would optimize existing infrastructure were considered. These included Transportation Demand Management (TDM), Transportation Systems Management (TSM), improvements to rail, improvements to transit as well as new/improved road alternatives accompanied by a new/improved crossing.
	The evaluation of the Alternatives to the Undertaking is summarized in Section 5.2 of the EA Report, as follows:
	"The only transportation planning alternative that can meet the identified needs is one that includes the provision of New and/or Improved Roads with a New or Improved Crossing. This alternative has been identified as the most effective at addressing the transportation network requirements, border processing requirements, and provides the highest overall level of support to planning and tourism objectives. This alternative has a comparable degree of environmental and technical feasibility as the other alternatives on the basis that impacts could be avoided, reduced or mitigated to the extent possible as with other infrastructure improvement alternatives. It is also recognized that improved and expanded border processing capacity is an integral component of this solution.
	In terms of addressing transportation network requirements for people and goods movement, a multimodal approach provides choice for travellers and offers viable mechanisms to reduce auto use.
	Although alternatives for travel demand management, rail, transit, ferries, etc., cannot independently address the diverse user needs, sufficiently alleviate traffic congestion on



Comment Received	Response
	the transportation network or effectively provide reasonable options for maintaining the movement of people and goods in cases of disruptions at any of the existing border crossings, these alternatives should be included as part a multi-modal strategy to meet the medium and long-term needs of the transportation network in the area."
	On this basis, the DRIC study team developed illustrative alternatives that incorporated new and/or improved roadways in combination with a new or improved crossing. Many of the illustrative alternatives incorporated existing road right-of-ways, including ETR and DRTP rail corridors, Huron Church Road, Talbot Road, Ojibway Parkway and E.C. Row Expressway.
	It should also be noted that the Recommended Plan utilizes portions of the Highway 3/Huron Church Road right-of-way as well as the E.C. Row Expressway right-of-way. In addition, the existing Ambassador Bridge is assumed to remain as an integral component of the future transportation system.
23) That the DRIC has failed to take into account additional crossing capacity provided by the replacement span, which the Ambassador Bridge asserts, will provide approximately 25-years of additional crossing capacity.	23) The ABEP EA indicates that the purpose of the AB Enhancement Project is not to increase capacity by 50%. This is also indicated on page 8 of the AB's submission on the DRIC EA. Regardless, the purpose of the undertaking as stated in Chapter 1.3 involves more than additional capacity.
	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 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:
	<ul> <li>Provide new border crossing capacity to meet increased long-term travel demand;</li> </ul>
	<ul><li>Improve system connectivity to enhance the continuous flow of people and goods;</li><li>Improve operations and processing capabilities at the border, and</li></ul>
	<ul> <li>Improve operations and processing capabilities at the border, and</li> <li>Provide reasonable and secure</li> </ul>
24) "increase of capacity of the AB from 4 to 6 lanes will increase the AB corridors	24) Not according to DIBC's ABEP EA (see above).

U.S. Department of Transportation Federal Highway Administration





Comment Received	Response
crossing capacity by 50%."	
25)the inclusion of the Ambassador Bridge Replacement Span as part of the baseline traffic capacity provides approximately twenty-five years of additional crossing capacity.	25) As noted previously, the first critical capacity to be exceeded will be on the Canadian access road (Huron-Church Road). Since the ABEP does not include any improvements to the roadway system, any additional capacity that the bridge may have would not be accessible/useable due to the congestion in the approach corridor. That is why the DRIC team used a comprehensive approach to look at all aspects of the border crossing, including approach roads and plaza layouts and operations.
26) The DRIC EA also fails to consider the aspects of the Replacement Span project implemented to enhance traffic flow. The Replacement Span will increase efficiency by implementing the FAST program, participating in the NEXUS program to simplify border crossing, employing pre-inspection and reverse inspection procedures.	26) During the travel demand modeling, processing times at all proposed crossings and for all modes of traffic were assigned identical wait times at border crossing plazas, acknowledging that FAST and NEXUS could be implemented at any of the proposed alternatives.
<ul><li>27) That it will be necessary and prudent for the Federal and Provincial Governments to revisit the purpose and need for the DRIC project. Traffic data disproves the claim that a new border crossing is necessary "to meet increased long-term demand."</li></ul>	27) The purpose of the undertaking as stated in Chapter 1.3 of the DRIC EA involves more than additional capacity. In order to meet the purpose, this study has addressed the following regional transportation and mobility needs:
	<ul> <li>Provide new border crossing capacity to meet increased long-term travel demand;</li> <li>Improve system connectivity to enhance the continuous flow of people and goods;</li> <li>Improve operations and processing capabilities at the border, and</li> <li>Provide reasonable and secure crossing options (i.e. network redundancy)</li> </ul>
28) That construction of a new DRIC crossing would threaten the viability of all existing crossings and create unnecessary and undue harm on the surrounding environment.	28) The traffic analysis undertaken by the DRIC study team is based on the assumption that all existing bridges and tunnels will remain an integral component of the future transportation system.
	With regard to environmental effects, the Recommended Plan was selected on the basis that it represents the best balance of impacts and benefits. In particular, it should be noted that the Recommended Plan avoids the high community impacts corresponding to an expansion of the existing Canadian plaza at the Ambassador Bridge (refer to Section 6.5.2 of the EA Report for further details) which would be associated with maintaining the Ambassador Bridge as the only crossing in the Windsor area, for the 2035 planning horizon.

### 

# Ontario Company Comments and Study Team Responses

Comment Received	Response
29) That recent statements from government officials indicate that a new traffic projection was completed but withheld from consideration in the DRIC EA because it would show substantially reduced traffic and would not support the need for a DRIC crossing.	<ul> <li>29) The purpose of the undertaking as stated in Chapter 1.3 of the DRIC EA involves more than additional capacity. In order to meet the purpose, this study has addressed the following regional transportation and mobility needs:</li> <li>Provide new border crossing capacity to meet increased long-term travel demand;</li> <li>Improve system connectivity to enhance the continuous flow of people and goods;</li> <li>Improve operations and processing capabilities at the border, and</li> <li>Provide reasonable and secure crossing options (i.e. network redundancy)</li> </ul>
30) It is clear that the continued decline in traffic levels is being experienced at all international crossings over the course of the past eight years (2000 to 2008) and represents almost a decade where there exists an ongoing decline in cross border traffic.	30) Commercial traffic at the Blue Water Bridge hit a historic high in 2004 and a historic high for commercial traffic was reached at the Ambassador Bridge in 2006. Five of the eleven border crossings that are members of the Public Bridge Operators Association (PBOA) showed increased in passenger car traffic in 2007. While overall traffic volumes are down since 2000, due in large part to increased border security requirements, and more recently to economic conditions, those are trends that are likely to be reversed as those issues are addressed.
31) That DRIC neglects to take into consideration the reduction in border crossing times that have recently occurred at the Ambassador Bridge.	31) Discussions were held with CBSA and DHS to determine appropriate border processing assumptions for this study. Border processing rates are influenced primarily by border agencies, and can be highly variable, as they are dependent on a number of factors, such as border security conditions.
<ul> <li>32) The submission is critical of the alternatives analysis, which is alleged to have been identified as one of the top overall performers in the U.S. side.</li> <li>P. 16, - paragraph 3 – "The U.S. team recommended that the AB crossing and the proposed Replacement Span be carried forward for consideration on the short list of practical alternatives.</li> </ul>	32) Although the twinning of the AB ranked high in the U.S., it scored poorly in redundancy on both sides of the border and it scored poorly in terms of environmental impacts on the Canadian side of the border. When the DRIC study team considered end-to-end solutions, it was determined that the alternative not be carried forward as a Practical Alternative.
33) That the DRIC EA completely misrepresents the requirements of CBSA as identified in the X12 Plaza CT1.	33) The DRIC study team evaluated all Illustrative Alternatives on a consistent basis, in light of the requirements for plaza and crossing and access road that would meet the needs throughout the planning period (i.e. to 2035). The plaza sizing requirements were based on discussions with CBSA at the illustrative alternatives stage of the project. Discussions with the CBSA indicated that an assumption of 30-40 ha was reasonable for sizing new plazas, and that a larger plaza would be required for the alternative which involved



Comment Received	Response
	twinning the Ambassador Bridge, as this plaza would be required to accommodate all crossing traffic. The plaza sizing requirements were further refined during the practical alternatives stage, and in developing the Recommended Plan.
34) "CTC/DIBC currently owns all of the land required for the Replacement Span, requires no expansion to the existing plazas and displaces no homes or businesses."	34) The DRIC study team takes issue with this characterization of its work. The team evaluated all Illustrative Alternatives on a consistent basis, in light of the requirements for plaza and crossing and access road that would meet the needs throughout the planning period (i.e. to 2035).
35) That the readily available traffic data, which has been systematically ignored by the Ontario Ministry of Transportation and Transport Canada completely disproves the claim in the DRIC EA that a new border crossing is needed "to meet increased long term demand"	35) 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 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:
	<ul> <li>Provide new border crossing capacity to meet increased long-term travel demand;</li> <li>Improve system connectivity to enhance the continuous flow of people and goods;</li> </ul>
	<ul> <li>Improve operations and processing capabilities at the border, and</li> <li>Provide reasonable and secure crossing options (i.e., network redundancy)."</li> </ul>
36) The DRIC EA fails to take into account that the U.S. Congress has initiated direct connections to the Ambassador Bridge from all three U.S. highways in Detroit.	36) In developing traffic projections, the DRIC study team assumed that the Ambassador Bridge would be connected directly to the U.S freeway system.
<ul><li>37) CTC/DIBC will pay for the entire \$1 billion structure and has already invested at least</li><li>\$500 million in undertaking the necessary review and technical studies.</li></ul>	37) Ownership and proponency were not factors in the rejection of this alternative.
38) Further, the United States study team recommended the Ambassador Bridge	38) Although the twinning of the Ambassador Bridge ranked high in the U.S., it scored



# Ontario Company Comments and Study Team Responses



Comment Received	Response
Replacement Span as a viable alternative for consideration on the short list of practical alternatives. The Environmental Impact Statement prepared by United States study	
team indicated that the proposed second span of the Ambassador Bridge "had begun	end solutions, it was determined that the alternative not be carried forward as a Practical
the process as a potential solution to the perceived need for a new border crossing, and that the Ambassador Replacement Span was eliminated because, in Canada, the plaza	
and freeway connection leading to a second span would have unacceptable impacts."	