



Why the public has lost confidence in the DRIC

A presentation to:

The Joint Michigan House and Senate Transportation
Committees

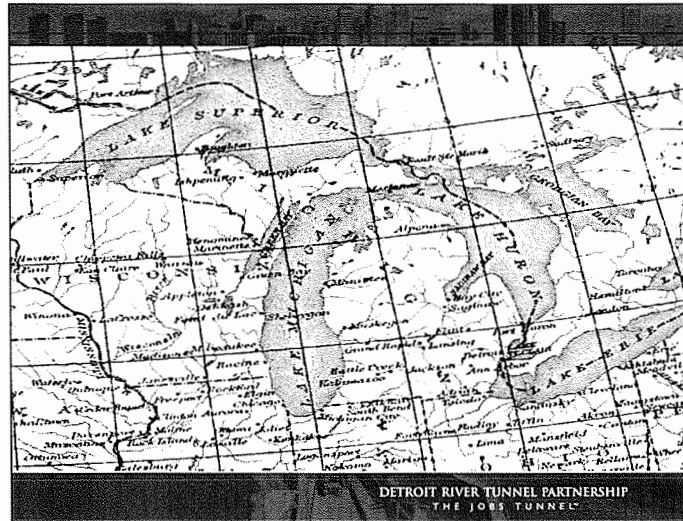
By

The Detroit River Tunnel Partnership

March 30, 2006



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THE JOBS TUNNEL



Good afternoon.

My name is Marge Byington and I am Director of Communications and Government Relations for the Detroit River Tunnel Partnership (DRTP), the proponent of a Detroit/Windsor border-crossing project known as The Jobs Tunnel.

We want to thank all of you for allowing us to speak. We have given several presentations to various agencies including the DRIC, MDOT, FHWA, and SEMCOG. But, we may not have always been heard.

I also want to thank Chairman LaJoy, Chairman Gilbert and the other committee members from the Michigan House and Senate for holding these hearing on the Detroit River International Crossing (DRIC) study.

The integrity of the DRIC process is in question. And, when billions of taxpayer's dollars are at stake, it is important that the public be assured that those dollars are being well spent.

This committee is doing a great service for Michigan. The decisions the DRIC makes will affect this region for the next 100 years. So it's important that we get this right. We applaud your efforts.

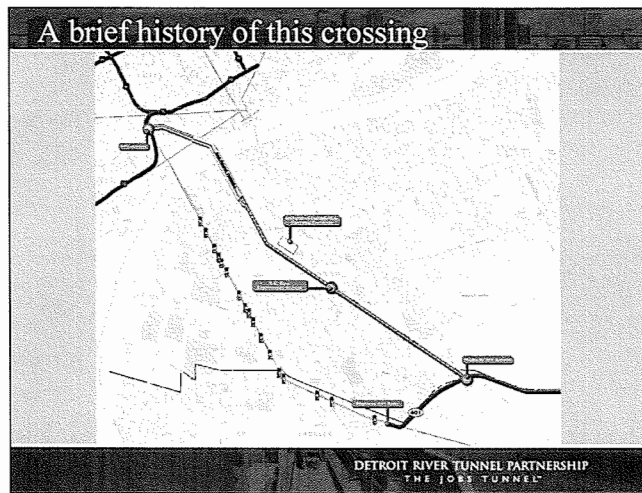
What we will cover today

- A brief history of the Detroit/Windsor transportation corridor
- The importance of all border crossings
- Loss of public confidence in the DRIC process
- Conclusions
- Suggested actions

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What we will cover today

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2. The importance of all border crossings
3. Loss of public confidence in the DRIC process
4. Conclusions
5. Suggested actions



What you are looking at here is a map of the Detroit/Windsor border crossing system. It includes the Detroit/Windsor car tunnel, the DRTP rail tunnels and the Ambassador Bridge.

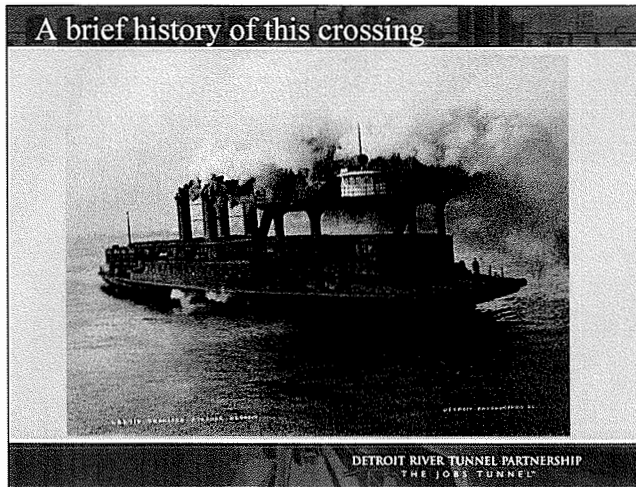
Everyone agrees that this system is inadequate to meet the economic needs of the region.

If this vital system is not addressed, thousands more jobs will be lost, economic growth will shrink and the economic outlook for the region will be bleak at best. We need to build another crossing, fast.

But, it has to be the right crossing in the right place. That's what the DRIC is all about.

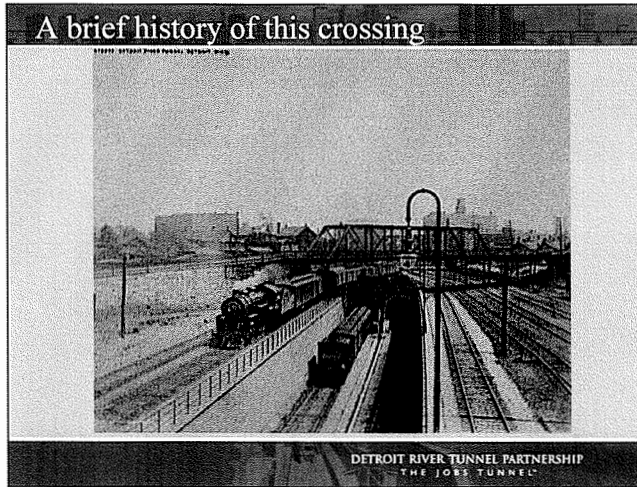
We believe that the DRIC has failed to look at history for guidance and has selected a crossing at the wrong place. There are a lot of reasons for this and I will get to those in a minute. But first, I'd like to walk you through some of the history of this crossing and our role in it.

A brief history of this crossing

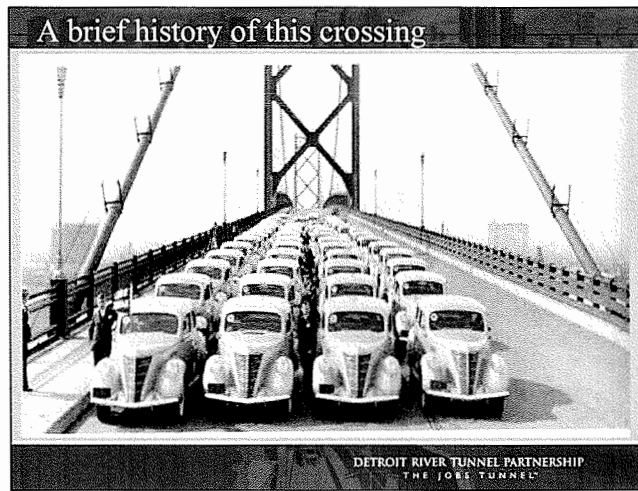


Rail has been a part of this crossing for well over a hundred years. The DRTP corridor carried railroad traffic on both sides of the river and the rail cars were exchanged between the two countries using steam barges.

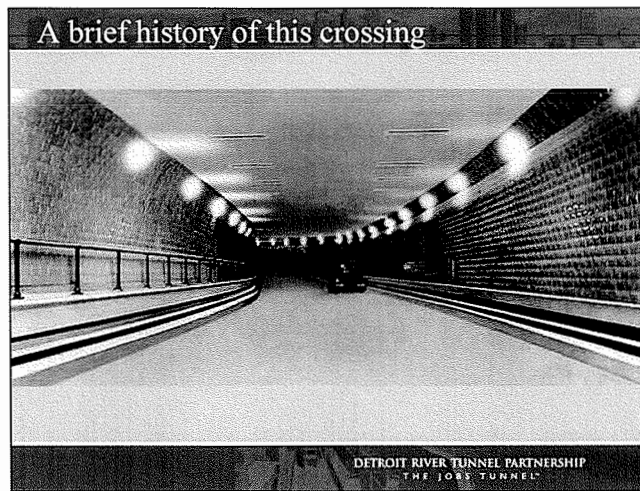
A brief history of this crossing



Next came the rail tunnel under the Detroit River which opened in 1910. This is what the DRTP corridor looked like in Detroit at that grand opening.

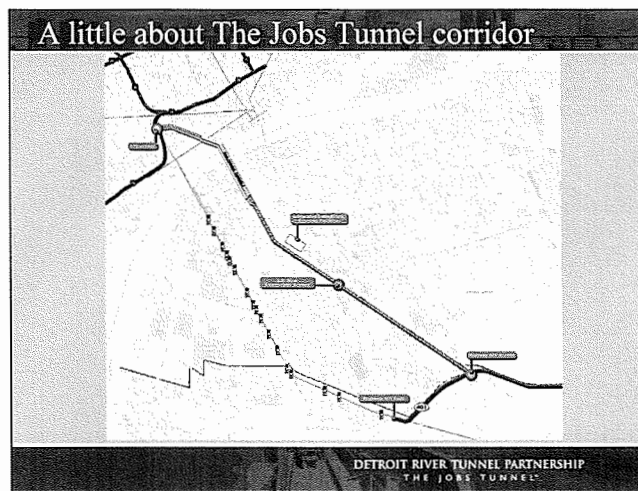


And next, the Ambassador Bridge was completed in 1929, allowing cars and trucks to move freely between the U.S. and Canada.



Finally, the Detroit/Windsor car tunnel was opened in 1930.

No new infrastructure has been built in the Detroit/Windsor corridor in over 76 years!



Now, let me talk a little about The Jobs Tunnel corridor.

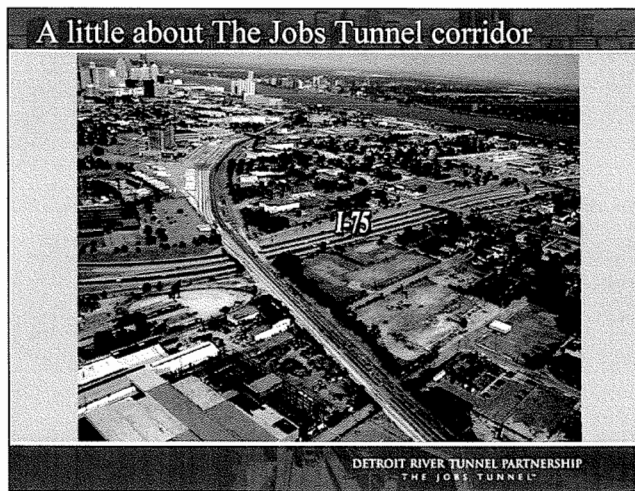
The DRTP transportation corridor runs from Highway 401 in Canada to I-75 in Detroit.

It has been an operating transportation corridor in Windsor and Detroit for over 100 years.

This corridor presently carries approximately 500,000 rail cars a year.

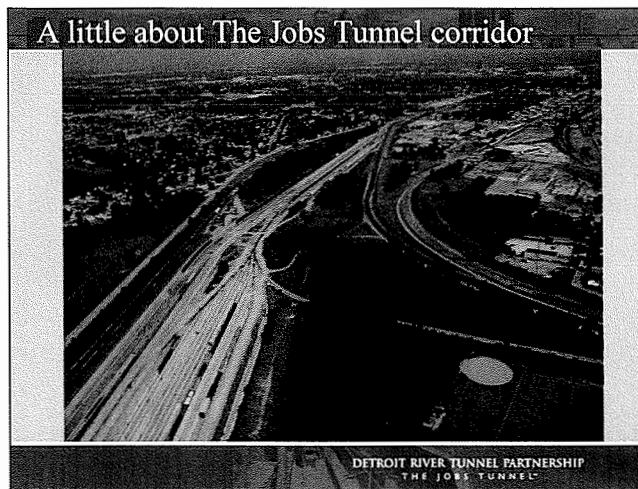
In addition, a VACIS system has been installed to X-ray every single rail car. This significantly increases the security of rail service at this crossing.

And, the best part is that the Detroit River Tunnel Partnership owns the whole corridor from the 401 to I-75.

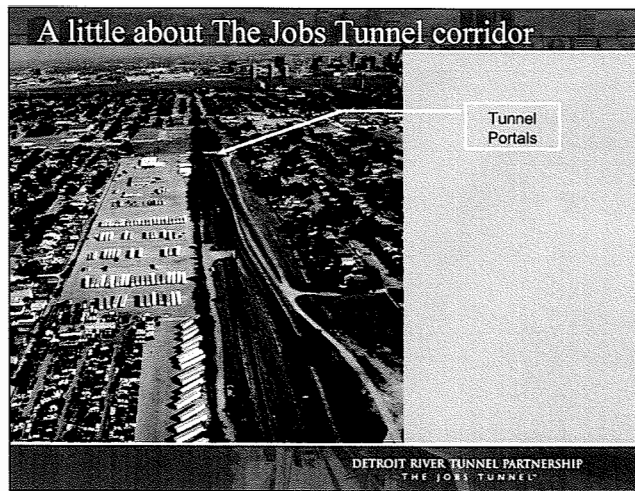


Here is a photo of the DRTP corridor at I-75.

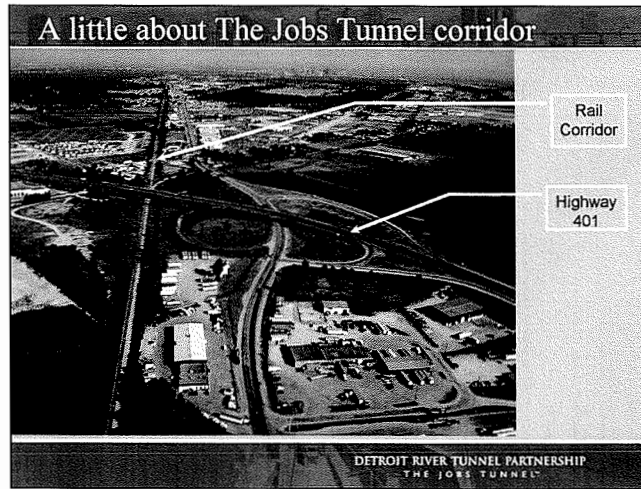
Let me show you the lands the DRTP owns in the area.



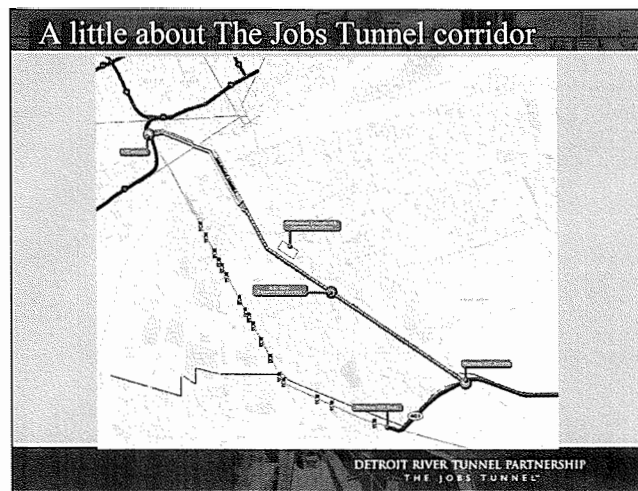
This is a photo of the DRTP corridor at the Vanderwater rail yard.
There are over 150 acres available at this location.



This is a photo of the DRTP corridor looking from Canada toward the U.S. The arrow shows the Canadian rail tunnel portals. Note the industrial nature of this area.



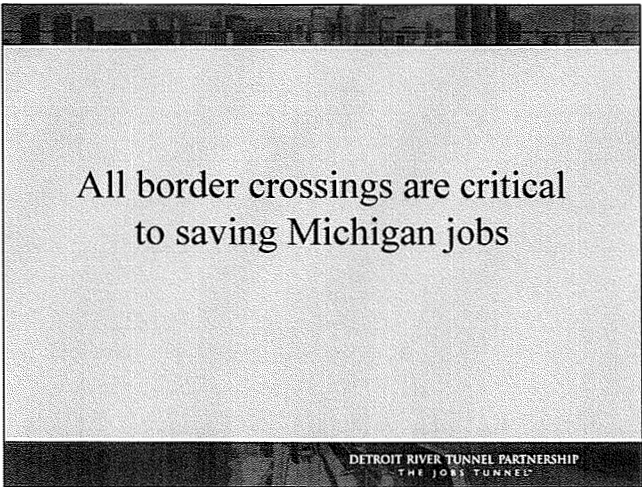
This is a photo of the DRTP corridor where it intersects Highway 401.



The DRTP corridor offers great flexibility.

While including a new, high-capacity rail tunnel, the corridor can also support 6 lanes of expressway leading to a set of tunnels or a bridge to accommodate cars and trucks. In addition, the corridor lends itself to utilizing the soon to be completed Gateway project, thus maximizing the taxpayer investment in this project.

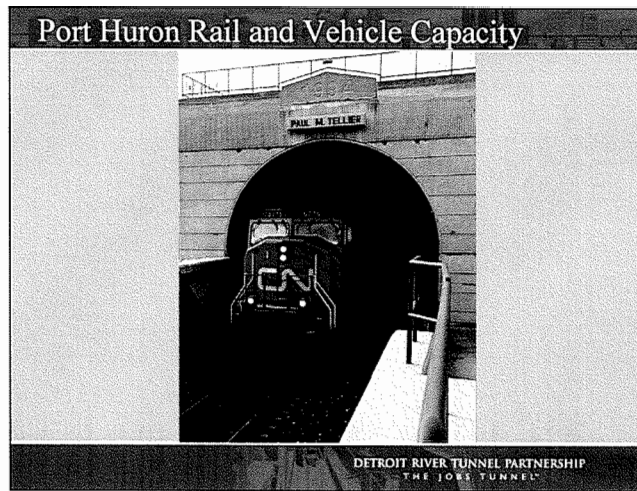
One of the best parts is that construction within this corridor would NOT disrupt traffic flow in Windsor and Detroit because it is currently a rail corridor and carries no vehicles.



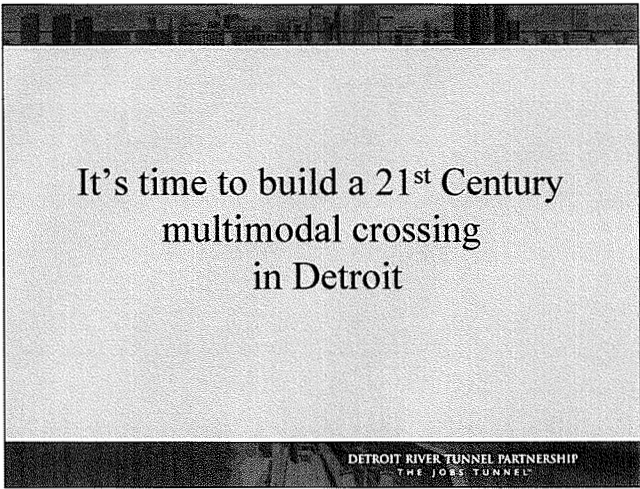
All border crossings are critical
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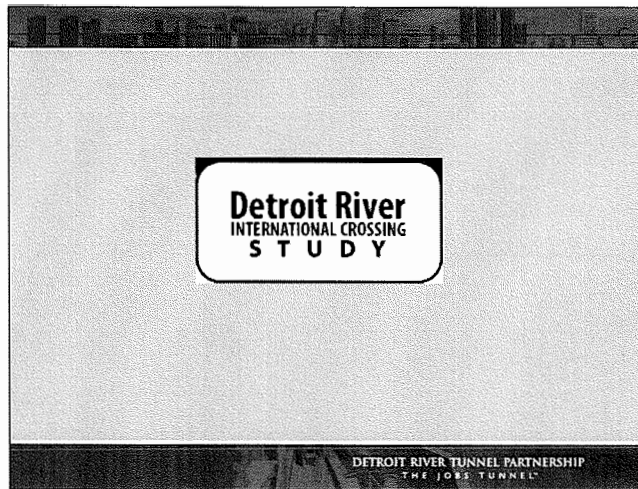
However, all border crossings are critical to saving Michigan jobs. And Detroit/Windsor is just a part of a larger transportation system which includes Port Huron. And the state has already improved the crossings at Port Huron.



A new high-capacity rail tunnel and added bridge capacity have been built in Port Huron. Just-in-time deliveries require that the same capacity be built in Detroit.

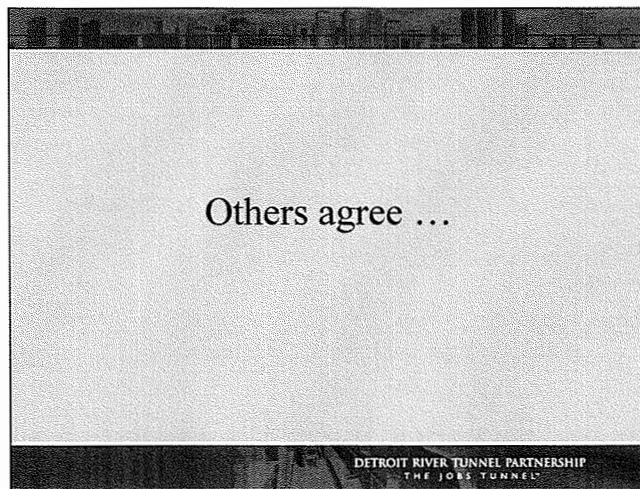


It's time to build a 21st Century multimodal crossing
in Detroit



The DRIC was entrusted with developing the next crossing, but instead they have prematurely become an advocate for a single crossing.

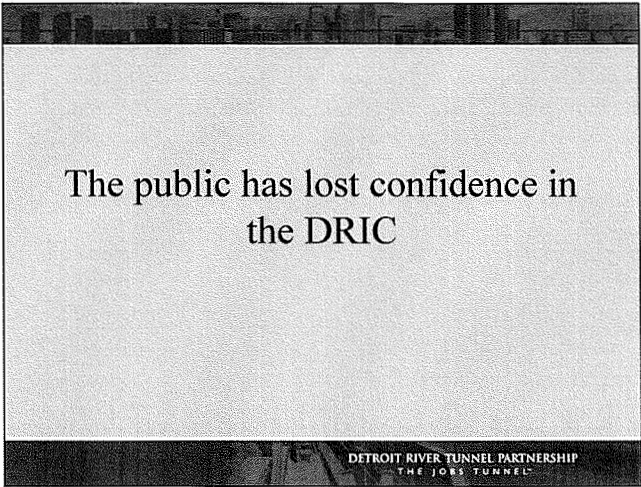
The DRIC is required by NEPA to consider all reasonable alternatives and to take a rigorous look at each. And, the analysis must be in EA form and not just part of the administrative record. The reason for doing this is so that another reviewer could make an informed choice between the reasonable alternatives.



Others agree ...

The Windsor City Council and Windsor residents are up in arms over the route DRIC selected in Windsor and the location of the plaza.

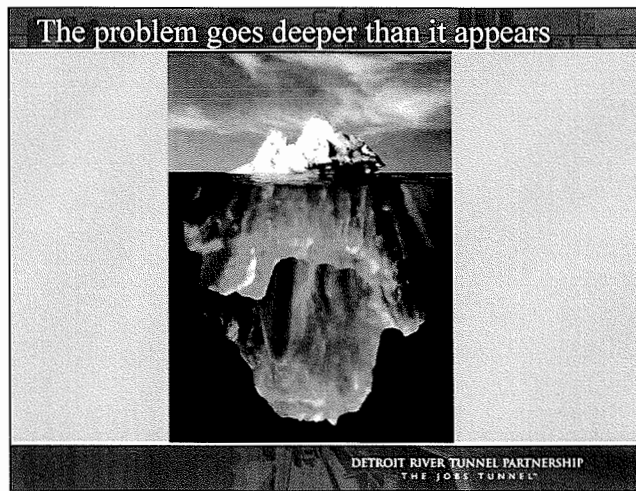
The Detroit mayor has informed the governor by letter of his displeasure with the DRIC process and that the location in Delray is not an acceptable alternative.



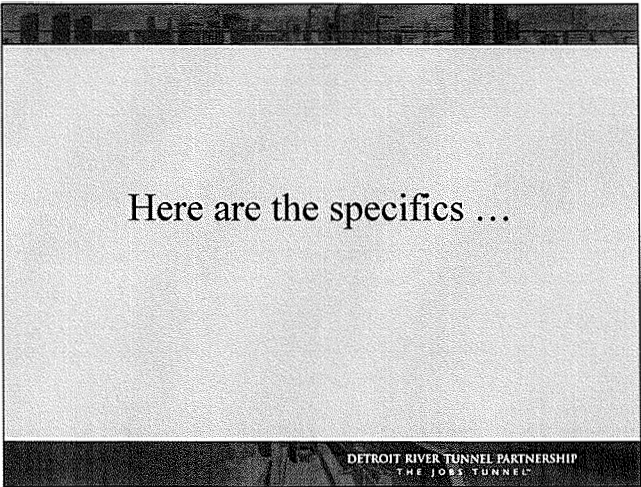
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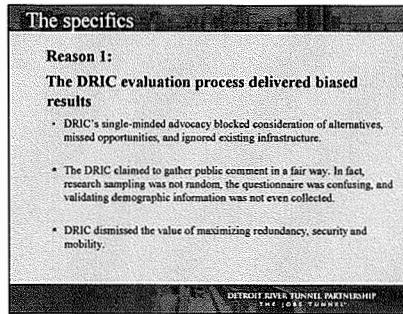
Let me explain why.



Let me show you just four reasons why the public has lost confidence in the DRIC ... and these are just the tip of the iceberg.



Here are the specifics ...



Reason 1: The DRIC border-crossing evaluation process failed to deliver an unbiased result as required by federal laws and the NEPA process.

1. DRIC's single-minded advocacy – of an expressway to a connecting road to a plaza to a bridge to a plaza on the other side to a connecting road to an expressway — blocked thoughtful consideration of practical alternatives as required by federal laws. It caused DRIC to miss the opportunity of combining existing infrastructure for a possible solution. And, it shut the door on maximizing the value of investments at the Gateway project.
2. The DRIC claimed to gather public comment in a fair way. In fact, research sampling was not random, the questionnaire was confusing, and validating demographic information was not even collected. And this flawed research was used as the foundation of a formula that killed viable corridors, crossings and plazas.
3. DRIC dismissed the value of using two kinds of crossings (such as bridge plus tunnel) to improve redundancy, security and mobility.

The specifics

Reason 2:

The DRIC dismissed public-private partnerships as a way of saving taxpayer dollars and eliminated the only two private proponents.

- DRIC cost analysis did not consider the value of private funds
- Not considering private funds means billions in state funds are not available for other important transportation projects
- The DRTP twice offered the DRIC the idea of public-private partnership funding, public oversight and eventual public ownership of the next crossing. There is no evidence these offers were ever considered.

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Reason 2: The DRIC dismissed public-private partnerships as a way of saving taxpayer dollars and eliminated the only two private proponents.

1. The cost analysis used to compare and eliminate crossings in the November 2005 DRIC documents (volumes 1 and 2) did not take into consideration the value of available private funds.
2. On November 14, 2005, the DRIC eliminated both private proponents from further consideration in the DRIC process. By not leveraging private dollars, the DRIC cost the state billions that could have been spent on other transportation projects.
3. The DRTP twice offered DRIC the idea of public private-partnership funding, public oversight and eventual public ownership of the next crossing. There is no evidence these offers were ever considered.

The specifics

Reason 3:

The DRIC dismissed tunnelling without rigorously exploring and objectively evaluating that alternative as required by federal laws.

- The DRIC ignored independent data about tunnelling
- During the process, the public exposed the DRIC's resistance to tunnelling time and time again.

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Reason 3:

The DRIC dismissed tunnelling without rigorously exploring and objectively evaluating that alternative as required by federal laws.

1. DRIC ignored independent technical data that they requested from a world-renowned tunnelling engineer, who incidentally built the Sarnia-Port Huron rail tunnel. This data concluded that various tunnelling options could be built in the DRTP corridor.
2. During the process, the public exposed the DRIC's resistance to tunnelling time and time again. For example, a Southgate city council member complained, "...the [DRIC] presentation did not include any [mention] of The Jobs Tunnel. MDOT should take advantage of existing resources like the existing tunnels."

The specifics

Reason 3 (continued):

The DRIC dismissed tunnelling without rigorously exploring and objectively evaluating that alternative as required by federal laws.

- DRTP delivered 26 Gigabytes of tunnelling data to DRIC on November 3, 2005 – DRTP and twinning bridge eliminated on November 4, 2005
- A March 28, 2006 report in *The Windsor Star* states that tunnelling to the border for international truck was not even considered when the DRIC narrowed the field in November

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3. On November 3, 2005, the DRTP delivered 26 Gigabytes of tunnelling data to the DRIC in response to their request. Less than 24 hours later, the DRIC rejected the DRTP, claiming they had made their decision based on the data and technical feasibility.
4. And, on Tuesday, March 28, 2006 in *The Windsor Star*, Mark Butler, Transport Canada's DRIC spokesperson, conceded that, "A tunnel to the border for international truck traffic wasn't even a consideration when DRIC publicized a narrowed-down list of corridor options in November."

The specifics

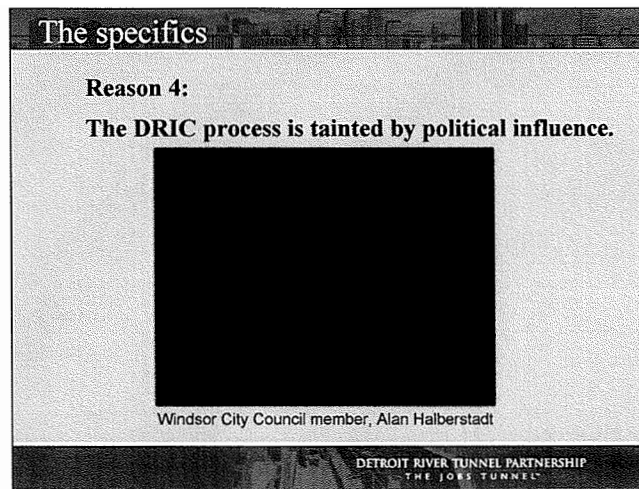
Reason 3 (continued):

The DRIC dismissed tunnelling without rigorously exploring and objectively evaluating that alternative as required by federal laws.

- In November 2005, the DRIC indicated that the DRTP corridor would not meet Windsor's city plans and would have high community impact.
- However, the DRIC never investigated ways to mitigate these concerns as required by Canadian federal laws.
- To this point, the DRIC's is considering tunnelling the freeway in its selected corridor to mitigate community concerns. They never considered tunnelling the freeway in the DRTP corridor. Even though the DRTP sent two news releases to the DRIC expressing willingness to explore freeway tunnelling within the DRTP corridor.

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5. In November 2005, the DRIC indicated that the DRTP corridor would not meet Windsor's city plans and would have high community impact.
6. However, the DRIC never investigated ways to mitigate these concerns as required by Canadian federal laws.
7. Now the DRIC is considering tunnelling the freeway in its selected corridor to mitigate community concerns. They never considered tunnelling the freeway in the DRTP corridor. Even though the DRTP sent two news releases to the DRIC expressing willingness to explore freeway tunneling within the DRTP corridor.

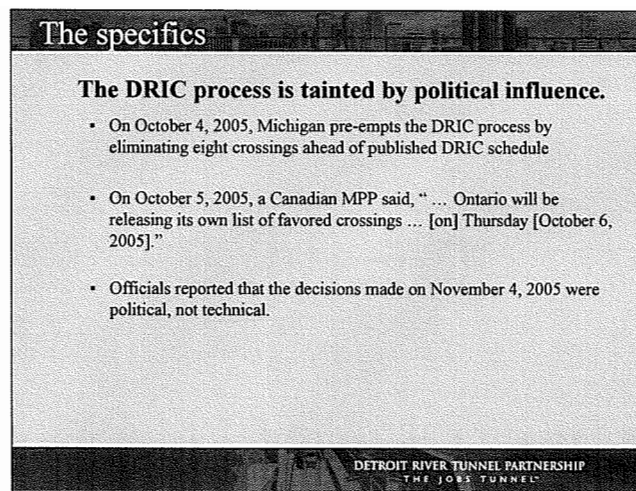


Reason 4:

The DRIC process is tainted by political influence.

Here is a video clip from an TV interview with Windsor City Council member, Alan Halberstadt.

I think you will find it interesting.



Reason 4:

- The DRIC devised a study costing over \$21.3M to evaluate crossing alternatives. The study started in 2002 and its timeline called for developing a list of several alternatives by November 28, 2005. On October 4, 2005, Michigan unilaterally moved to eliminate eight crossings from further consideration, undermining the integrity of the DRIC process.
- In reaction to this, on October 5, 2005, Ontario MPP, Sandra Pupatello, said, "... Ontario will be releasing its own list of favored crossings after holding its own steering committee meeting [on October 6, 2005]."
- On November 4, 2005, the DRIC's four levels of government met and eliminated the DRTP and the twinning of the Ambassador Bridge from further consideration. Reports from this meeting confirmed that it was a political not a technical decision.

No wonder the public has lost
faith in the DRIC process

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No wonder the public has lost faith in the DRIC process

Conclusions and Suggested Actions

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Conclusions

- Michigan taxpayers have lost confidence in the DRIC process because it is driven by politics, not engineering.
- Also, there is a huge risk: If you let DRIC move forward for the next two years without correcting these flaws, it is inevitable that the whole process will be challenged and may have to start over. Where would Michigan's economy be then?
- But, we can avoid this risk.
- We must take actions designed to reestablish the public trust in the final DRIC decision.

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Conclusions

1. Michigan taxpayers have lost confidence in the DRIC process because it is driven by politics, not engineering.
2. Also, there is a huge risk:
If you let DRIC move forward for the next two years without correcting these flaws, it is inevitable that the whole process will be challenged and may have to start over. Where would Michigan's economy be then?
3. But, we can avoid this risk.
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Suggested actions

The committees should direct state government to undertake a complete engineering analysis of tunnelling in the Central Corridor. This should include a peer review of the DRIC data on tunnelling.

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The committees should direct state government to insist that DRIC analyze the benefits of a multimodal transportation solution that combines the existing infrastructure of the Ambassador Bridge and the Detroit River Tunnel Partnership. This is a solution that meets the DRIC demand for six lanes, takes advantage of the Gateway investments, and leverages private dollars for the benefit of Michigan taxpayers.

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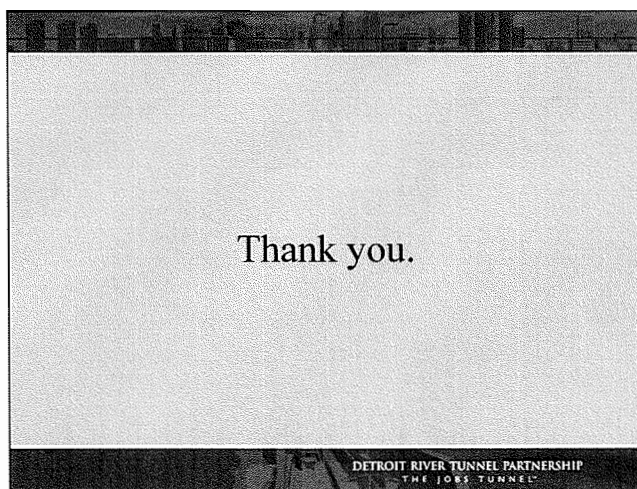
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Finally, there should be continued legislative oversight of DRIC to ensure that DRIC's conclusions are transparent and in the best interest of Michigan taxpayers.

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Thank you.

I would like to mention that the binders in front of you contain additional background and specifics regarding the four reasons the DRIC has lost the confidence of Michigan taxpayers.

It also contains a synopsis of the DRIC materials from their Web site from 2001 to 2006. I believe you or your staff will find it an interesting read.

Again, thank you so much for allowing us to testify.