

Detroit River International Crossing Study
Local Advisory Council
Meeting Notes
January 28, 2009, 7:00 p.m.
Southwestern High School

Purpose: To review the progress of the Detroit River International Crossing Project and discuss the process of moving forward into the design phase.

Attendance: See attached.

Discussion:

Introductions/Agenda/Meeting Conduct

Mohammed Alghurabi opened the meeting and asked for introductions. He then explained the meeting conduct procedures which would allow public comment at the beginning and the end of the meeting and the LAC to conduct its discussions uninterrupted in the core of the meeting. He asked for any changes to the agenda. There were none. He then entertained public comments.

Public Comments

Scott Brines introduced himself as member of the Community Benefits Coalition. He then asked a series of questions which are included in the attachment to these notes. Mohammed Alghurabi indicated that he would respond to those during the core of the meeting.

Tom Jay from MDOT indicated that on page 3 of the notes from the December 10th LAC meeting there was a comment attributable to Mohammed Alghurabi that right-of-way purchase would take 18 months. Tom Jay indicated that it is more likely to take up to 36 months from the time that funding is made available.

Simone Sagovac indicated that a comment was attributable to her on page 7 of the notes that MDOT is spending \$40 million on enhancements on the two projects (DIFT and DRIC). She noted her comment was that the DRIC enhancements are estimated to cost \$22 million.

Joe Gutierrez of the Latin American Baptist Church asked for a list of properties to be acquired. Mohammed Alghurabi responded that that list is not available for public dissemination. Nonetheless, if there are questions about a specific property, the MDOT team is prepared to answer them.

Mr. Rosen asked if property acquisition had to wait for final design to be completed before it would start. Mohammed Alghurabi responded, no, that property acquisition could proceed simultaneously with design.

Mr. Rosen also asked if property acquisition would likely hold up construction of the bridge. Mohammed Alghurabi responded that property acquisition for the bridge, per se, is limited to a very few parcels, but negotiation for acquisition is unknown at this time.

Mr. Rosen then asked if funds were available for property acquisition. Mohammed Alghurabi responded that they were not at this time.

The meeting then proceeded into the remaining agenda items.

Status of Record of Decision

Mohammed Alghurabi indicated that the Record of Decision was signed on January 14th. It had been made available to the Local Advisory Council, anyone who commented on the FEIS, and it is available on the project Web site (www.partnershipborderstudy.com). He indicated that if people in the meeting needed a copy, they should let it be known to a member of the MDOT team so that it could be provided. Mohammed Alghurabi stressed that the Record of Decision includes an executed Memorandum of Agreement to address how cultural resources would be handled. Stipulation 13, in respect to Fort Wayne, addresses additional parking at the Fort. He indicated that the Record of Decision calls for collaboration with the LAC through the project's construction. That collaboration will be monthly for the time being. An adjustment in the frequency in LAC meetings will occur, as appropriate.

Lisa Goldstein asked if considerations of EPA were included in the Green Sheet. Mohammed Alghurabi referred to Section 5.4 of the Record of Decision for EPA's considerations.

Mohammed Alghurabi then returned to the questions raised by Scott Brines. With respect to **improvements in the Record of Decision and the Green Sheet**, Mohammed noted that he had covered previously several of those items, including LAC involvement and Fort Wayne enhancements. With respect to the **legislation needed to advance the DRIC**, Mohammed noted that legislation is needed to: enter into a contract with Canada; toll the new bridge; and, enter into a public-private partnership. With respect to the **beginning of property acquisition**, he noted that property acquisition has not started.

However, MDOT is prepared to purchase properties in hardship cases. With respect to **notifying the community when property acquisition starts**, Mohammed Alghurabi stated that the community will be advised before property acquisition begins. Tom Jay commented that any owner/occupant of a home will receive 125 percent of its fair value. He indicated that a homeowner/occupant can work with anyone they want to relocate. For MDOT to buy a property, a homeowner does not have to have it listed for sale. Finally, he noted that meetings will occur with property owners at a time and location of their convenience.

With respect to the question on the **need for permits**, Mohammed Alghurabi noted that several permits are needed from the City of Detroit, and that they would continue to work with the City as the project proceeds through design to construction.

With respect to the issue raised by Scott Brines on **zoning**, Mohammed indicated that a meeting would be held tomorrow with the Detroit Planning and Development Department to further discuss how zoning, and other matters relevant to the City, would be handled. Mohammed noted that the Local Agency Group, which had been combined in meetings with the LAC, would now be on a separate track with its own set of meetings. The LAC would be advised of those. John Barron, of the City of Detroit's Planning and Development Department, indicated that the City will work with MDOT and coordinate its events through MDOT to the LAC as the project moves forward. Finally, with respect to the last question raised by Scott Brines on **acquisition of City-owned land**, Mohammed noted that there was no timetable yet. As soon as that is known, he will advise the LAC.

Next Steps

Mohammed Alghurabi indicated that work is ongoing to address the legislation discussed earlier. Work will continue to move forward on the project's design.

Lisa Goldstein asked the status of the Presidential permit that is needed to construct the new DRIC bridge. Mohammed Alghurabi responded that feedback is awaited from the United States State Department which must issue the permit.

Mohammed Alghurabi again stressed that there will be continued collaboration with the Local Advisory Council as well as the reconvened Local Agency Group. He asked if any rumors develop with respect to issues that affect the DRIC, that they be brought to his attention so they can be resolved. There was no other business to be taken up by the LAC.

Public Comments

Mr. Rosen asked if the Mackinaw Straits and/or Blue Water Bridge were public-private partnerships. Mohammed Alghurabi indicated they were not. Public-private partnerships were not as prevalent at the time those bridges were built. Today, the situation is different; there is an emphasis on engaging the private sector in major transportation projects. Joe Corradino then stated that a concession contract creates a public-private partnership in which the private partner agrees, for a specified amount of compensation, including the revenue stream created by tolls, to finance, design and build a project and, in some situations, to operate and maintain the project for a fixed period of years.

Mr. Rosen asked about the Ambassador Bridge's need for a Presidential permit. Joe Corradino responded that the Presidential permit was available for a second span as the result of the legal by the U.S. State Department.

Mohammed Alghurabi then asked Dave Wake of the Ontario Ministry of Transportation to update the group on the Canadian Environmental Assessment. Dave Wake indicated that the Environmental Assessment was completed on December 31st and is now under review. He noted that those who wish to comment can go to the "How to Comment" section of the project Web site to do so. He indicated that further steps would be taken over the next several months with respect to public and Canadian government review of the EA.

Next Meeting

Mohammed Alghurabi indicated that the next meeting of the LAC is scheduled for February 25th. With that, the meeting adjourned at 8:30 p.m.

Attachment A

LAC meeting, Jan. 28, 2009

- Comment: CBC submitted full comments on the FEIS acknowledging that the mitigations and benefits proposed are not adequate for the impacts that the DRIC will have.

Questions

- What improvements were made in the ROD to the Green Sheets?
- We know that various pieces of legislation will need to be pursued in order to move the DRIC project forward. What is the list of legislation? What is the timetable for these?
- When will property acquisition begin? How will residents be notified and when?
- Zoning and other permits with the City are needed, what are those and what is the timetable for these?
- What is the process for acquiring city-owned land and when will that begin?