
Appendix K – Re-evaluation Letter



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October 5, 2004

Mr. James J. Steele
Division Administrator
Federal Highway Administration
315 W. Allegan Street, Room 207
Lansing, Michigan 48933

Dear Mr. Steele:

**Re-Evaluation of Draft Environmental Impact Statement (DEIS)
I-94 Rehabilitation Project
6.7 Miles from East of I-96 to East of Conner Avenue**

This letter is to fulfill the Federal Highway Administration (FHWA) regulation 771.129(a) Re-evaluations for a DEIS. The I-94 Rehabilitation Project would provide transportation improvements to 6.7 miles of I-94 (Edsel Ford Freeway) in the city of Detroit from just east of I-96 to east of the Conner Avenue interchange. The improvements would preserve and enhance a vital component of Michigan's transportation infrastructure, a backbone of the state's economy. The rehabilitation of I-94 would address current and future capacity, safety, pavement, and bridge needs along I-94. The rehabilitation would also enhance local traffic circulation by separating local traffic from freeway traffic.

The I-94 Rehabilitation Project DEIS was completed in January 2001. It has been three years since the DEIS was published and the project is now in the final stages of the Final Environmental Impact Statement (FEIS). This letter will justify that there have not been any significant changes to the corridor, the alternatives, or the purpose and need, and supports the Michigan Department of Transportation's (MDOT) position that a supplemental DEIS or new DEIS is not required. MDOT has continued coordination, since the publication of the DEIS, with the city of Detroit, Wayne County, and SEMCOG to ensure that the project data is current.

The DEIS documented potential social, economic, and environmental impacts that would result from the I-94 Rehabilitation Project and identified mitigation measures for the impacts. It also stated that implementation of the Build Alternative, as described in that document, will require the acquisition of additional right-of-way and reconstruction of the roadway.

The FEIS, delivered to FHWA on September 16, 2004, discusses several modifications to the DEIS Build Alternative that were considered as a result of comments received on the DEIS. The FEIS also describes the Recommended Alternative for the project, its basis for selection, and any changes in the project, its setting, technical analysis, mitigation measures, and impacts that have occurred since circulation of the DEIS. Also included are the coordination efforts that have occurred since circulation of the DEIS, agency and public comments received on the DEIS, and responses to those comments.

Since the publication of the DEIS, field reviews, agency coordination, and the following technical analyses were newly conducted or updated for this FEIS, to the year 2025, to document the impacts of the Recommended Alternative and identify mitigation measures:

- Environmental Justice
- Air Quality
- Noise
- Contamination
- Vibration
- Water Quality/Drainage
- Traffic
- Indirect and Cumulative Effects

The Recommended Alternative will reduce impacts compared to the DEIS Build Alternative. The reduced impacts are due to a narrower cross-section (no wide median and predominantly a two lane service drive) that allows the I-94 Recommended Alternative to precisely follow the existing I-94 alignment and the use of existing service drives, where available.

Validation of Project Limits (see enclosed map)

The Project Limits for the I-94 Rehabilitation Project were evaluated according to FHWA Regulation 23 CFR 771.111 (f). This regulation outlines three principles ensuring the meaningful evaluation of alternatives and avoiding commitments to transportation improvements before they are evaluated fully.

- Logical Termini - The I-94 Rehabilitation Project connects rational endpoints for transportation improvements and is of sufficient length to address environmental matters on a broad scope.
- Independent Utility - The I-94 Rehabilitation Project is self-sufficient and has independent significance. That is, the length proposed for improvement is usable, and the project involves a reasonable expenditure of funds even if no additional transportation improvements in the area are made.
- Other Improvements - The project does not restrict consideration of alternatives for other reasonably foreseeable transportation improvements.

The Project Limits (Figure 1-1) for the I-94 Rehabilitation Project are logical and appropriate due to:

- The poor condition of the pavement and bridges in this section of I-94.
- The identification of this section of I-94 in statewide and regional plans as the Michigan roadway section most needing action.
- The presence of unique problems and circumstances; for example: highest I-94 traffic volumes and congestion and closely spaced interchanges and ramps.
- The extensive reconstruction completed east of Conner Avenue.
- The connection to I-96, I-75, M-10 (Lodge Freeway), M-53 (Van Dyke), M-3 (Gratiot Avenue), and three international border crossings.
- The above-average crash rate.
- The outdated design of left-hand exits and entrances.
- The inadequate acceleration and deceleration lengths for ramps.

Purpose and Need for the Proposed Project

The purpose and need for this project has not changed. However, as a result of continued coordination, various elements of the purpose and need have been clarified. The purpose of the I-94 Rehabilitation Project (from east of I-96 to east of Conner Avenue) continues to be the improvement of the condition and capacity of the existing I-94 roadway. The deteriorating condition of the existing facility is the primary need for action.

This improvement will enable I-94 to continue to fulfill its intended functions of providing for the national and civil defense, and meeting the needs of local and interstate commerce. The DEIS described a number of problems associated with this portion of I-94 in addition to its aging roadways and bridges. The problems include:

- A lack of capacity indicated by frequent congestion with stop-and-go conditions.
- Safety issues related to the lack of acceleration-deceleration lanes for merging and weaving traffic based on crash data.
- Poor local traffic circulation due to the lack of continuous service drives.
- Limited accommodation of non-motorized (pedestrian and bicycle) transportation.
- Outdated design including the M-10/I-94 interchange having left- and right-hand entrance ramps.

These shortcomings are magnified by the location of I-94 within the city of Detroit. This section of I-94 connects two routes with high traffic volumes at the United States-Canadian border crossings (Ambassador Bridge and Blue Water Bridge), three major freeways (I-96, I-75, and M-10), and two state-marked routes (M-53 and M-3).

I-94 also provides access to the Detroit Cultural Center, major industries (including General Motors Cadillac plant and Ford River Rouge plant), Wayne State University, Detroit Metro Airport, medical complexes, major league sports stadiums, and downtown Detroit. It is a key link to Detroit and southeast Michigan. The central location of the project area makes its condition and design important, not only to the image of the adjacent neighborhoods but also to the overall image of Detroit.

DEIS Build Alternative

The DEIS Build Alternative included the refined design of improvements to the M-10 and I-75 interchanges with design elements of continuous service drives and braided ramps. The DEIS Build Alternative included:

- A general-purpose driving lane in each direction (four lanes in each direction).
- A reserved space in the median to accommodate future transportation needs.
- Auxiliary and acceleration-deceleration lanes.
- New pavement, bridges, retaining walls, and ramps.
- Three-lane continuous service drives on each side of I-94. The continuous three-lane service drives would consist of two 12-foot lanes and one 16-foot lane. The 16-foot lane could be used for transit, buses, bicycles, or for other transportation purposes.
- Reconstruct the M-10 and I-75 interchanges. This included new continuous service drives that would continue through the interchanges and, thus, contribute to better access and circulation in the interchange areas. The reconstructed interchanges would 1) eliminate left-hand exits and entrances, and 2) improve access to and from the adjacent street network.
- Enhanced pedestrian mobility with continuous sidewalks adjacent to the continuous service drives throughout the project and new pedestrian crossings over I-94, either on pedestrian-only bridges or in combination with vehicular bridges.

Modifications to DEIS Build Alternative

Three modifications to the DEIS Build Alternative were developed as a design response to comments received on the DEIS. The comments indicated that a narrower cross-section was desired to reduce impacts on neighboring properties and minimize displacements to the extent practical. Comments also were received about the three-lane service drives being too wide and encouraging high speeds.

The DEIS Build Alternative with the three modifications represents all possible combinations of wide and narrow medians as well as two- and three-lane service drives.

- Modification 1 includes a narrower median (no reserved space for future transportation needs) and reduces the service drives to a continuous two-lane configuration.
- Modification 2 retains the reserved space in the median; however, it reduces the service drives to a continuous two-lane configuration.
- Modification 3 eliminates the reserved space in the median, while it retains the three-lane service drive configuration.

The practical alternatives and modifications were compared by evaluating each of the three alternatives (No-Build, Enhanced No-Build, and the DEIS Build) and the three DEIS Build Alternative modifications relative to a series of factors grouped into the following categories: engineering, community access and circulation, environment, and social and economic.

Description of the Recommended Alternative

The DEIS Build Alternative Modification 1 with three refinements was chosen as the Recommended Alternative. It contains four through-traffic lanes in each direction and improved geometrics including:

- Redesigned interchanges with M-10 and I-75.
- Adequate acceleration-deceleration lanes.
- Auxiliary lanes for weaving.

The median will include a 14-foot inside shoulder, a 12-foot outside shoulder, and a 6- to 10-foot variable median strip in which to place a concrete barrier. The service drives will include two 11-foot travel lanes and an 8-foot shoulder, except in the location between M-10 and I-75 on the south side of the I-94 freeway where three lanes will be provided. It will not include a reserved space on the I-94 mainline. The Recommended Alternative:

- Satisfies the purpose and need for the project.
- Most effectively addresses public, stakeholder, and agency concerns among all alternatives considered.
- Is the least costly and has the least impact to construct compared to the DEIS Build Alternative and Modifications 2 and 3.
- Allows independent projects to be constructed separate from, and prior to, the mainline to maintain local traffic during mainline construction.

Environmental Justice

The analysis described in Section 5.1.5 of the DEIS was updated for the Recommended Alternative. The FEIS documents the environmental justice impacts of the Recommended Alternative according to:

- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, issued in February 11, 1994; and
- The U.S. Department of Transportation and FHWA orders outlining how Environmental Justice analyses should be performed, and how transportation project decisions should be made to minimize or mitigate disproportionately high and adverse effects on minority and low-income populations.

Approximately 35 percent of the population in the project area has an income below the federal poverty level, compared to 11 percent of the population of the city of Detroit and approximately 8 percent of the population of the state of Michigan. Approximately 90 percent of the project area population is classified as minorities.

Environmental Justice Conclusions

The I-94 Rehabilitation Project Recommended Alternative will address national, regional, and local mobility needs. It has the least amount of impacts of all the alternatives studied on the low-income and minority populations in the proposed project area, and is the most preferred alternative when compared to the DEIS Build Alternative or other modifications alternatives. It will have the least impact on the Environmental Justice population, displacing fewer residents and businesses, and providing better local circulation during mainline construction. The Recommended Alternative will allow independent, advanced service drive construction and interchange improvements not available with the DEIS Build Alternative or other modifications.

Although the No-Build Alternative will not require any additional right-of-way, it does not have the benefits that the Recommended Alternative has. It will not provide continuous service drives and sidewalks, reduce congestion, improve safety and traffic operations, or improve design. These service drives have the potential to connect the community, provide for development, and facilitate bus service. The pedestrian-only crossings will be safer than those that exist today, since they will go over the continuous service drives and the I-94 freeway mainline. Implementing the Recommended Alternative creates opportunities to create partnerships as the project progresses through the developmental stages. Corporations, schools, and local businesses can all participate in identifying and implementing desirable aesthetic features, neighborhood enhancements, and economic development programs. Efforts to minimize impacts will include collaboration with community committees throughout the duration of the project to address such issues as noise, air quality, community impacts, aesthetic design (including service roads), and landscaping.

Adverse impacts also will occur during project construction. This issue exists in all alternatives and modifications, including the No-Build Alternative, since the freeway and bridges in the corridor are in poor condition and need to be rehabilitated. A number of mitigation measures to address impacts such as air, noise, and vibration are discussed in FEIS Section 5.1.5.2. Some of the mitigation measures identified how to handle the construction phasing, the need for an effective traffic management plan, and the building of three noise barriers in the locations where the state criteria is satisfied. The three noise barrier locations include one barrier in the northwest quadrant of the M-10/I-94 interchange and the other two barriers are in the southwest quadrant of the I-75/I-94 interchange.

The I-94 Rehabilitation Project impacts the Environmental Justice population, which is predominant in the study area. The effects, such as displacements, have been minimized as a result of the extensive feedback provided during the public and stakeholder involvement meetings.

Economic Development

Employment data was updated based on the 2000 Census. The 2000 Census indicates that there are approximately 11,527 people employed within the Census tracts in the project area, a decline of approximately 3,570 from the 1990 Census. The highest numbers of employees are in manufacturing, health care, and social assistance.

Impacts to the Economy

The Recommended Alternative would result in enhanced access to businesses in the project area, primarily due to the continuous service drives. In addition, construction will add jobs and money to the local economy. The Recommended Alternative would result in the acquisition of property and displacement of residents and businesses of 39 parcels containing 42 structures.

No Major Changes Requiring a Supplemental or New DEIS

Additional areas that have had data updated, but have had no significant change requiring a supplemental or new DEIS, include the following (all updated information is contained in its respective section of the FEIS):

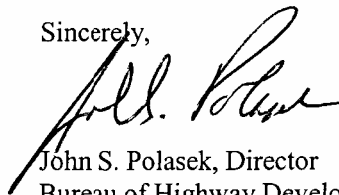
- Land Use - Updated, no significant change.
- Aesthetics and Visual Resources - Updated, no significant change.
- Air Quality - For the year 2025, the Recommended Alternative carbon monoxide levels are higher than the No-Build Alternative carbon monoxide levels at all of the sites analyzed. Since the DEIS publication in January 2001, the project area was designated as a non-attainment area for ozone. The air quality analysis sites were chosen to demonstrate the worst-case impact the project is expected to have on local air quality levels. Though the Recommended Alternative levels are higher than the No-Build Alternative, all predicted concentrations are below applicable federal and state standards. The project is not predicted to cause or exacerbate a violation of the carbon monoxide standards.
- Noise - Noise-barrier feasibility and reasonableness were evaluated at 19 impacted locations. All investigated noise barriers satisfy MDOT acoustic requirements and achieve the required minimum 6-decibel-or-more noise reduction. Three locations within the corridor meet both the cost and acoustic requirements for constructing noise barriers. Approximately the same barrier locations were identified for the I-94/I-75 interchange area in the DEIS and FEIS. The FEIS identifies an additional barrier location in the I-94/M-10 interchange area. This location just missed meeting the per unit cost criteria used in the DEIS analysis.
- Contaminated Sites - For the DEIS, a contamination assessment was conducted using data acquired in 1998. For this FEIS, a Project Area Contamination Survey of the project corridor was conducted to determine the potential for contamination of the I-94 right-of-way from adjacent properties and business operations. Forty-nine sites were researched for evidence of documented contamination and evaluated for potential contamination with respect to the anticipated construction impacts. Of the 49 sites researched, 15 were rated LOW, 15 were rated MEDIUM, and 19 were rated HIGH. (See FEIS Section 5.8.1 for a definition of Low, Medium, and High.)

- Drainage and Water Quality - Updated, no significant change.
- Cultural Resources - In June 2004, an additional historic resource, the Square D/Detroit Fuse and Manufacturing Company Building, was identified as an adverse impact. The Square D/Detroit Fuse and Manufacturing Company Building was designed by Albert Kahn and built in 1909. At the December 11, 2003, Historic Workshop, it was noted that the building was under study due to recent designations of the Piquette Avenue Industrial Historic District and historic factories in the Milwaukee Junction area. No additional comments were received. Research was provided to the State Historic Preservation Office (SHPO) attached to a July 21, 2004, concurrence letter that was subsequently signed by the SHPO on August 4, 2004. A memorandum of agreement has been prepared in accordance with SHPO guidelines and discussion of the property and mitigation measures will be documented in the FEIS.
- Construction Impacts - Updated, no significant change.
- Indirect and Cumulative Impacts Analysis - Updated, no significant change.
- Public Involvement - On-going since the DEIS. Met with county, city, and public organizations to discuss the project and obtain feedback on the project. A public information meeting was held in October 2003.

All other impacts from the DEIS remain the same and are not called out within this re-evaluation.

The I-94 Rehabilitation Project had an extensive review with the city of Detroit and a Detroit City Council Resolution was passed unanimously on August 1, 2003, in support of the Recommended Alternative. The updates for a 2025 analysis year, as well as the continued coordination, have kept the Recommended Alternative current. Based on the information furnished in this re-evaluation, MDOT contends the information or evaluation presented in the DEIS is still valid and there are no significant changes in the project, its surroundings, impacts or issues that would warrant a Supplemental EIS. MDOT requests FHWA's concurrence that a supplemental DEIS is not required, and that this letter satisfies the federal requirements for a DEIS Re-evaluation.

Sincerely,



John S. Polasek, Director
Bureau of Highway Development

Enclosure

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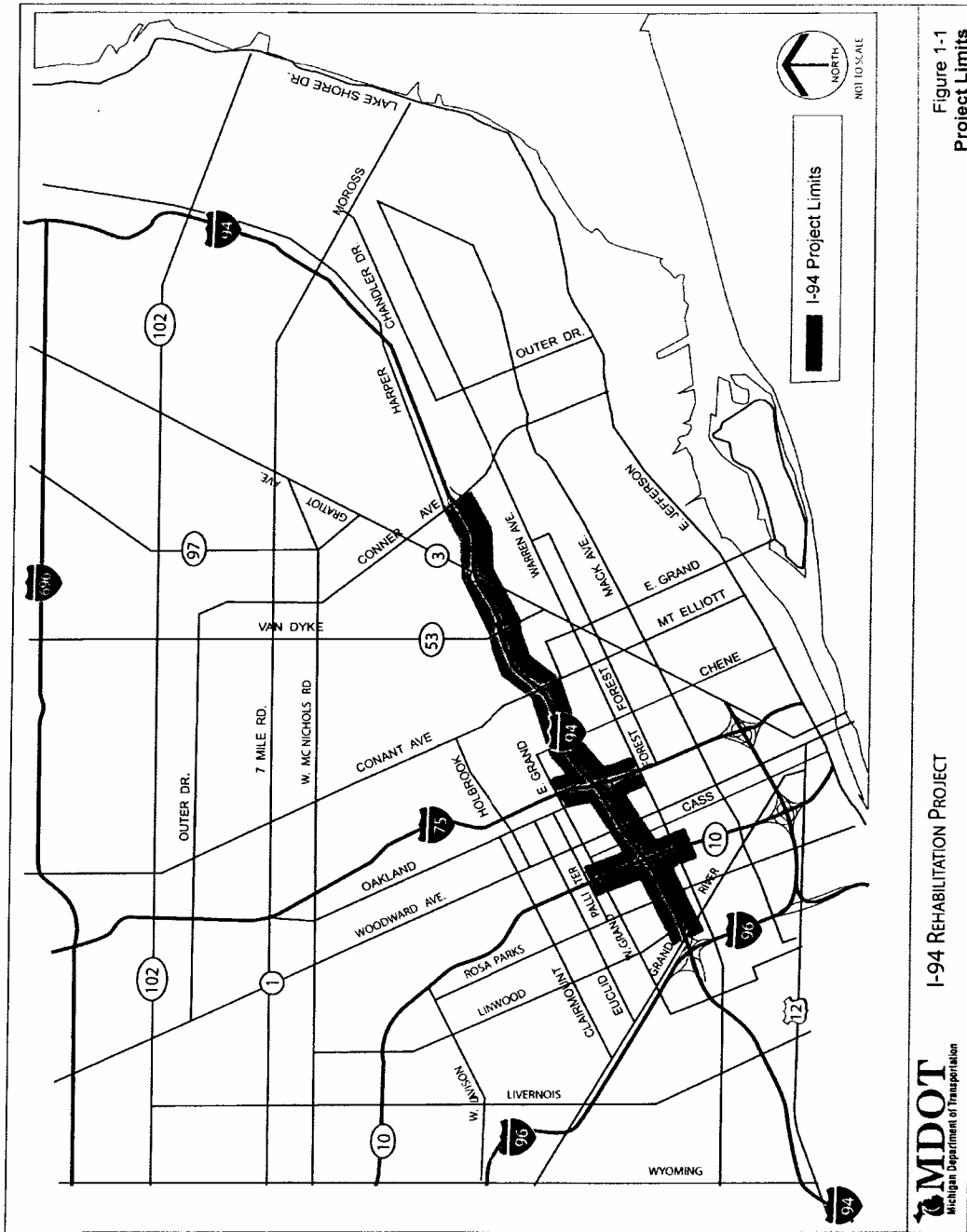


Figure 1-1
Project Limits

I-94 REHABILITATION PROJECT



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