APPENDIX D.  SECTION 106 DOCUMENTS


D.2. Section 106 Memorandum of Agreement – June 16, 2020 .............................................................. D-7

D.3. Section 106 Correspondence ............................................................................................................. D-12
MEETING MINUTES

Project Title: I-94 Modernization
MDOT JNs.: 122117
Ctrl Section: 82023, 82024, 82025 (I-94); 82111, 82112 (M-10); 82251, 82252 (I-75)
Meeting: I-94 Section 106 Consulting Parties Meeting
Date/Time: January 30, 2020; 1:00 pm to 3:00 pm EST
Location: MDOT Central Office – Lansing, MI and WebEx
Purpose: Consult with interested parties to assess the effects to historic resources and discuss proposed mitigation that balances project needs and historic preservation.
Attendees: Chris Young (FHWA)
Terry Stepanski, Lloyd Baldwin, Tom Jay* (MDOT)
Brian Grennell, Robbert McKay, Martha MacFarlane Faes (SHPO)
John Baldauf, Connie White (HNTB)
Mallory Bower (Michigan Historic Preservation Network)
Janese Chapman, Jennifer Reinhardt (City of Detroit Historic Designation Advisory Board)
Tiffany Rakotz (City of Detroit Housing and Revitalization Department)
Carleton Ghoulz (Detroit Sound Conservancy)
Nick Schroek (Detroit Mercy Law)
Jack Thomas (Deadline Detroit)
*via WebEx

1. Welcome & Introductions

Handouts were distributed to all in attendance. All in-person attendees signed in. Each attendee introduced themselves. Tom Jay, MDOT real estate specialist, called in via WebEx.

The purpose of the meeting was to review impacts to identified historic properties and to solicit input from consulting parties about the impacts and mitigation measures.

2. Project Overview

Project began with development of a conceptual plan in the 1990s. A record of decision (ROD) was approved in 2005 for an older version of the project. After the 2005 ROD, MDOT developed a detailed engineering report. MDOT has started addressing several bridges in poor condition that needed repair ahead of the corridor improvements.

In addition, since 2015 MDOT has been meeting with stakeholders regarding the project and have made several changes to the design to address their feedback. Due to the proposed design changes and the changes in the City of Detroit since the 2005 ROD, MDOT is completing a Supplemental Environmental Impact Statement (SEIS). As part of the SEIS, MDOT updated the environmental studies including completing an updated historical resources survey and analysis. This consulting parties meeting is a component of the Section 106 consultation portion of the SEIS process.

I-94 Modernization SEIS - Consulting Party Meeting Minutes
I-94 Modernization Project  |  Combined FSEIS/ROD and Section 4(f) Evaluation
Appendix D. Section 106 Documents

I-94 MODERNIZATION

a. SEIS Schedule
MDOT provided an overview of the Project schedule (See Presentation Slide #4).

b. Public Hearing Summary
MDOT and FHWA hosted public hearings in October 2019 to present the Draft SEIS (DSEIS) and had a 45-day comment period on the DSEIS that ran from September 14th to October 28th. MDOT also held public meetings in 2018 to present impacts to the Section 4(f) resources. MDOT took feedback from that meeting and incorporated it into the DSEIS.

3. Ferry Street Bridge
The DSEIS proposes replacement of Ferry Street Bridge as part of the project. The bridge was originally proposed to be removed as part of the 2005 ROD but was reinstated in the proposed design due to feedback from stakeholders noting the importance of the bridge providing neighborhood connectivity. However, after the design was updated to reinstate the Ferry Street bridge, it was announced that a new jail development was being constructed on the east side of I-75 at Ferry Street. After the announcement of this development some stakeholders commented they no longer wanted the bridge to be reinstated. The City of Detroit has noted in project coordination meetings that they remain in support of reinstating the Ferry Street bridge as well as other stakeholders.

Since the bridge is near the City’s East Ferry Avenue Historic District, MDOT requested feedback from the Consulting Parties if there were any concerns regarding impacts to the historic district if the bridge was removed. No meeting attendees commented on the Ferry Street Bridge.

4. Historic Resources Impacts & Mitigation
MDOT and SHPO reviewed and determined the existing Memorandum of Agreement (MOA) remains valid but will be amending the MOA to account for new historic resources identified in the SEIS report. In addition, the existing MOA will be amended to account for changes to the United Sound System Recording Studios (USSRS). The 2005 ROD had identified the USSRS to be acquired and demolished, however, MDOT reviewed the project design near USSRS to look for ways to avoid impacting the building. This evaluation reviewed several avoidance alternatives that considered changing the design of the freeway, retaining walls, construction methods, and other factors. However, the results of the evaluation showed that the USSRS could not be avoided without a high risk of damage to the building. As such, MDOT and SHPO are seeking to relocate the USSRS to the parking lot to the north of the existing building which will be reflected in the amended MOA.

MDOT also found some additional properties that were previously indicated as not eligible, but now have been determined to be eligible (for listing in the National Register of Historic Places (NRHP)).

a) 447 – 449 Antoine Street (Apartment Building)
   i. Project impacts are the same as for USSRS as far as constructability.
   ii. Historic significance is that it is a good example of an early 20th Century small apartment building.

b) 5832 Second Avenue

I-94 Modernization SEIS - Consulting Party Meeting Minutes
I-94 MODERNIZATION

1. The building is directly impacted by the proposed I-94 improvements. There are no prudent and feasible avoidance alternative.
2. Additional research (conducted for SEIS) showed that it is historic given its association with Emma Fox who lived there from 1920-1945.
3. United Sound Systems Recording Studio
   a) Relocation
      1. Proposed site – MDOT has acquired the property and it is currently operating as a recording studio. The intent is to relocate the building to the adjacent parking lot. MDOT will market it to someone else to move it. There would be covenants attached to the deed. It is NRHP-eligible and MDOT will do the NRHP nomination prior to selling/moving it.
      2. Secretary of Interior Standards would be followed for work performed on the building. The owner would have to consult closely with SHPO on the plans to be sure work on the building is appropriate.
      3. Covenants/Restrictions/Easements are being developed in consultation with SHPO and will be attached to the building’s deed.
      4. MDOT will market the building for relocation by the new owner. If no interest, then a second round of marketing would occur, where MDOT would relocate the building. If still no takers, then MDOT would demolish it. (see Slide #15).

MDOT received permission to purchase USSRS from FHWA and acquired the property in 2019 when the owner placed it on the market. This streamlined the process and reduced the risk of issues with acquisition later down the line.

The move would provide a new basement for USSRS and relocate the building; however, the block addition at back would need to be rebuilt and replicated.

5. DISCUSSION:

Dr. Janese Chapman noted that the sound quality needs to be addressed if impacted by the relocation. It is locally-designated so it has restrictions and guidelines: city has not signed off on it yet. Provenance of the building is important.

MDOT explained that there is a month-to-month lease from MDOT with the former owner of USSRS. Once the current tenant moves out, MDOT will provide security to protect the property. MDOT is also considering using it for a project office space as another option to keep the building from being vacant until the building will be moved.

Dr. Janese Chapman reiterated concern about the future of building damage if it is moved and how that will impact the quality of sound. MDOT stated that vibration analyses will be conducted and monitored during construction. It is a short move so there would be less risk of damage during the move. Preliminary investigation into moving the building indicated a need for five feet all around the building for moving equipment; 5632 Second Avenue is less than five feet from the USSRS, so it anticipated to be demolished prior to relocating the USSRS.

A question was asked, if a purchaser is not be found then will the USSRS be demolished?

Construction for this segment of I-94 is anticipated to start in 2025, at the earliest. This is based on the current plan and is subject to change. The USSRS building will need to be relocated before 2025 to allow construction to proceed according to schedule. If a viable purchaser is not
found for the USSRS, it is subject to demolition. However, there has already been a lot of interest in the USSRS. It is MDOT’s goal to identify a viable purchaser in the near future and is working on plans to market it for sale.

Jennifer Reinhardt (City of Detroit) asked what the cost is to relocate the USSRS? At this time MDOT does not have a relocation cost to share as additional detail is needed of the structure and soil conditions. MDOT is obtaining soil borings now to investigate soil conditions of the proposed relocation site and completing additional analyses to develop an estimated cost for relocation.

At this time Detroit Sound Conservancy asked for five-minute break. Tom Jay (MDOT) left the meeting at this time indicating he could be emailed with any further questions.

After reconvening, the Detroit Sound Conservancy provided an overview of the history of the USSRS and their interest in helping preserve its historical significance. Detroit Sound Conservancy is committed to preserving Detroit’s music history. When the (I-94) project got restarted, Detroit Sound Conservancy started to speak up for the owner (of USSRS). It was unclear (at that time) as to the status of who would advocate for USSRS; so, they helped with establishing the Detroit historic district status; and raised funds for the historical marker (erected in 2017). Detroit Sound Conservancy feels they were why the building is being saved. They think that MDOT should take into consideration the extent of the historical impact.

It is an Independent recording studio. Of the independent recording studios in the world, the USSRS retains much of its original integrity and is still operating as an independent studio.

USSRS is buffeted by the building next door which saves the sound from the highway at the moment.

Detroit Sound Conservancy stands ready to support SHPO and the City to encourage them to come together now that historic survey is done, but the depth of the story wasn’t fully done at that point. There is an opportunity for the state and city to decide about what is best moving forward and sign off on it. Detroit Sound Conservancy wants to help make the best argument to decide. Not convinced that the governor and mayor really understand what they have. They have not been presented with what asset they have. The building moved is not the same building.

It was stated that the basement was essential to the history of the building as it housed the original lathe. The basement floor actually has a mark from the original lathe. The big room in the back is the heart and soul of 20th Century American music. Replicating it is a serious thing and needs to be thought of very thoroughly.

The Michigan Historic Preservation Network asked if the Emma Fox building (5832 Second Avenue) can be marketed for moving as well? Or does the five-foot proximity limit it? MDOT had not originally planned to relocate the building.

Dr. Janese Chapman stated she is concerned about demolishing the Emma Fox house due the historical significance of Emma Fox on civil rights and the feminist movement. We need to be cognizant of the importance and is inquired if there is a way to protect the building as well.
I-94 Modernization Project

Appendix D. Section 106 Documents

I-94 MODERNIZATION

SHPO asked if the no-build alternative impacts the USSRS and the Emma Fox house? The freeway needs to be modernized which will result in widening shoulders and extending exit and entrance ramps to the freeway. These design changes will result in widening of the freeway footprint at this location. In addition, the added lanes are needed to address capacity and safety and therefore the no-build alternative does not address the purpose and need of the project.

There are historic resources on both the north and south side of I-94 at this location as well as other development. As part of the SEIS, MDOT evaluated several avoidance alternatives that considered shifting the I-94 alignment, reducing shoulder widths, lane widths, alternative retaining wall types, construction methods, and other factors. However, there were no feasible and prudent alternatives identified to protect the USSRS, 5832 Second Avenue, or 447-449 Antoinette Street.

Mr. Schroek asked if without adding capacity, is it possible to avoid USSRS? The widened footprint isn't just a result of the added lane, but modernizing the freeway and interchanges requires wider shoulders and longer entrance and exit ramps to meet current design standards. Increased congestion is also a contributing factor to increasing crashes if additional capacity is not provided.

MDOT asked the consulting parties if there was anything that could mitigate their concern regarding potential impacts to the building acoustics as a result of the relocation? No response from meeting attendees.

Dr. Janese Chapman stated that it is of concern for the African American community and asked that they take demolition off as an option.

Dr. Janese Chapman asked if other properties are also looking at the same schedule? MDOT responded yes, it is based on current construction plan. It depends on funding and how it moves forward.

The apartment building does not have outstanding history regarding the builder or occupants. Lloyd will continue to research Emma Fox.

6. Next Steps

MDOT thanked all for providing additional information that MDOT will use to move forward.

Attachments: Meeting invitation, sign in sheet, agenda, presentation slides
Submitted by: Connie White, AICP
Minutes Reviewed By: John Baldauf, P.E.
CC: Meeting attendees, Margaret Barondess, I-94 Administrative Record, File

This meeting summary is the understanding of items discussed, decisions reached and proposed actions. Please contact the Meeting Facilitator if there are changes or additions within five working days. If no changes or additions are received, this will be considered an accurate account of the meeting.

I-94 Modernization SEIS - Consulting Party Meeting Minutes
AMENDMENT TO
THE MEMORANDUM OF AGREEMENT BETWEEN
THE FEDERAL HIGHWAY ADMINISTRATION AND
THE MICHIGAN STATE HISTORIC PRESERVATION OFFICER
REGARDING
THE REHABILITATION OF I-94 BETWEEN I-96 AND EAST OF CONNER AVENUE
CITY OF DETROIT, WAYNE COUNTY, MICHIGAN
SUBMITTED TO THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
PURSUANT TO 36 CFR PART 800.6(b)(1)

WHEREAS, the subject Memorandum of Agreement (Agreement) was executed on January 10, 2005 by the Federal Highway Administration (FHWA) and the State Historic Preservation Officer (SHPO), with the Michigan Department of Transportation (MDOT) concurring;

WHEREAS, none of the stipulations have been carried out to date;

WHEREAS, the following amendments to the Agreement are necessitated based on changes to the project and potential impacts to National Register of Historic Places (NRHP) eligible properties identified during the Supplemental Environmental Impact Statement (SEIS) process, and on changes in NRHP eligibility based on reevaluation of certain properties identified as not eligible for inclusion in the NRHP in the 2004-2005 Environmental Impact Statement and Record of Decision, and changes to mitigation stipulations relative to the NRHP eligible United Sound Systems Recording Studio (5840 Second Ave.);

WHEREAS, the Federal Highway Administration (FHWA) will send a copy of this executed amendment to the Advisory Council on Historic Preservation (ACHP);

NOW, THEREFORE, in accordance with Stipulation V of the Agreement, the FHWA, SHPO, and MDOT, (the Parties) agree to amend the Agreement as follows:

1. The first Whereas in the original Agreement is hereby amended to read:

   “WHEREAS, the Federal Highway Administration (FHWA) has determined that the Rehabilitation of I-94 between I-96 and east of Conner Avenue (Project) will have an adverse effect upon the following six historic properties (Historic Properties), which either are listed in the National Register of Historic Places (NRHP) or appear to meet the criteria for listing in the NRHP:
   • Woodbridge Neighborhood Historic District, listed in the NRHP (Woodbridge District)
   • 1-94 Interchange with Michigan Route 10/John C. Lodge Freeway (1-94 Interchange)
   • United Sound Systems Recording Studio located at 5840 Second Street (United Sound)
• Square D/Detroit Fuse and Manufacturing Company Building at 6060 Rivard Street (Square D)

• 5832 Second Avenue (Mrs. Emma Fox House). See Amended Stipulation III, below.
• 447-449 Antoinette Street (Elenora Apartments)

2. The remaining original Whereas and Now Therefore (Preamble) statements remain valid.

3. Stipulation I, General Recordation, remains valid for all Historic Properties identified in the Agreement and these amendments.


5. Existing Stipulation III is hereby deleted in whole and replaced to read:

   “III. Building Relocation

   Two historic buildings, the house at 5832 Second Ave. (Mrs. Emma A. Fox House) and the NRHP eligible United Sound Systems Recording Studio at 5840 Second Avenue, will face adverse effects by the Project and have been identified for potential relocation, contingent upon the structural conditions. The residence at 5287 Hecla Street, formerly determined to be a contributing building within the NRHP listed Woodbridge Neighborhood Historic District and previously identified for potential relocation has been determined, by mutual consent of the Signatories to this agreement, to have lost sufficient integrity of design and materials to justify its demolition rather than relocation. As mitigation, MDOT will implement the following measures for these three buildings.

   A. United Sound Systems Recording Studio, 5840 Second Avenue

   1. National Register Nomination
      Prior to carrying out the following stipulations (III. A.1-6.), MDOT shall prepare and submit a National Register of Historic Places nomination for the United Sound Systems Recording Studios.

   2. Measured Drawings
      Prior to carrying out the following stipulations (III. A. 3-6), MDOT shall prepare and submit HABS compliant drawings and photographs of the United Sound Systems Recording Studios.

   3. Relocation of main building
      MDOT [or MDOT shall guarantee that the new owner] shall relocate the original brick building from 5840 Second Avenue (Parcel 02002426) to an adjacent parcel (Parcel 02002427) associated with the building’s parking lot. Relocation includes construction of a basement and providing utility connections. The owner (MDOT or other) shall repair structural and cosmetic damages that occur as a result of the building relocation.

   4. Relocation or Reconstruction of rear addition
      MDOT [or MDOT shall guarantee that the new owner] shall relocate, or
if infeasible, reconstruct the concrete block addition at the rear of the relocated main building, matching the original dimensions of the addition. The relocated or reconstructed block addition shall be placed on a new concrete slab. If relocated: any damage that occurs during relocation shall be repaired by the owner (MDOT or other).

5. Parking
Owner (MDOT or other) shall provide at least the minimum off-street parking spaces as required by the City of Detroit.

6. Marketing Plan
MDOT will prepare a marketing plan in conjunction with SHPO to market the United Sound Systems Recording Studio building. MDOT may offer the relocated property through the department’s public auction program. Easements, covenants, and restrictions for the property shall be advertised as non-negotiable when the property is offered for sale.

1) Option 1, market for relocation by the purchaser.

2) Option 2, if Option 1 does not result in sale of the building. MDOT shall offer the building at auction with the stipulation that MDOT relocate the building. Up to two attempts will be made to market the building under Option 2.

3) Option 3, if Options 1 and 2 are unsuccessful, and with agreement by FHWA, SHPO, and MDOT, the building will be demolished.

B. Mrs. Emma A. Fox House, 5832 Second Avenue

1. Relocation
MDOT will attempt to find a party to relocate 5832 Second Ave. via electronic auction.

2. National Register Nomination
If Option 1 in III.B.4 (below) is successful, and prior to the commencement of relocation activities, MDOT shall prepare and submit a National Register of Historic Places nomination for the Emma Fox House (5832 Second Ave.).

3. Measured Drawings
Prior to carrying out stipulations (III. B. 1 through 2), MDOT shall prepare and submit HABS compliant drawings and photographs of the Mrs. Emma A. Fox House.

4. Marketing Plan
MDOT will prepare a marketing plan in conjunction with SHPO to market the Mrs. Emma A. Fox House. Easements, covenants, and restrictions for the property shall be advertised as non-negotiable when the property is offered for sale.

1) Option 1, market for relocation by the purchaser. Up to two attempts will be made to market the building under Option 1.

2) Option 2, if Option 1 is unsuccessful, and with agreement by FHWA, SHPO, and MDOT, the building will be demolished.
C. 5287 Hecla Street

1. Recordation
   MDOT shall document the house through photographs and narrative prior to demolition in accordance with SHPO Documentation Guidelines (Attached)

2. Additional Mitigation
   MDOT shall apply an amount equal to 25 percent of the purchase price of 5287 Hecla St. (based on the of the fair market value of similar but occupiable properties in the area) or on the demolition cost for the house, whichever is greater. These funds will be applied toward other mitigation (to be determined) within the project limits.”


7. Stipulation IV, Resource Development and Interpretation, A 2 is hereby amended to read:

   “If in accordance with the provision of Stipulation III.1 above, if United Sound is demolished, MDOT shall, in accordance with a publication and dissemination plan generated in consultation with the SHPO, fund the development and publication of a historical context and survey of popular music-related sites in the Detroit area. Developed in coordination with the SHPO, the study will provide a broad historic context for the importance of Detroit in the twentieth-century American popular music industry (approximately 1900 to 1975). The study will also identify extant sites associated with popular music in Detroit (including residences of performers, composers and publishers; places where the music was performed, including theaters, bars, clubs, or any other entertainment venues; and recording studios), evaluate the significance of extant sites in terms of the NRHP criteria, and place the sites within the broader context.

   A. As part of the study, a published report shall be produced that documents the historic context and provides an inventory of extant sites.
   B. MDOT shall work with the SHPO to develop and implement a plan for the publication and distribution of the study.”

8. Stipulation IV, Resource Development and Interpretation, A3, is hereby terminated by mutual consent of the Parties.


10. Stipulation IV, Resource Development and Interpretation, B 3, is hereby amended to read:

    “If in accordance with the provision of Stipulation III.1 above, if United Sound is demolished, MDOT shall, fund the research and production of a documentary film, in cooperation with the SHPO, which will document the history of United Sound Studios and explore the role of United Sound Studios in the Detroit recording industry.

11. Stipulation V, Amendment remains valid.
12. Stipulation VI, Dispute Resolution remains valid.

13. Add Stipulation VII to read:

“VII. Termination

1. If the FHWA determines that it cannot implement the terms of this Agreement, or if SHPO determines that the Agreement is not being properly implemented, the FHWA or SHPO may propose to the other parties to this Agreement that it be terminated.

2. The Party proposing termination shall so notify the other Parties to this Agreement, explaining the reasons for termination and affording them at least sixty (60) days to consult and seek alternatives to termination. The Parties shall then consult.

3. Should such consultation fail, the FHWA or SHPO may terminate this Agreement by notifying all Parties in writing.

4. Should this Agreement be terminated, the FHWA shall:
   a. Consult in accordance with 36 CFR Part 800.6 to develop a new MOA or if unsuccessful;
   b. Request the comments of the Council pursuant to 36 CFR 800.7”

Execution and implementation of this Amendment to the Agreement and submission to the Council evidences that FHWA has afforded the Council a reasonable opportunity to comment on the Project and that the FHWA has taken into account the effects of the Project on historic properties.

**FEDERAL HIGHWAY ADMINISTRATION**

By: JORGENSON  
Date: 6/16/20  
Russell Jorgenson, Division Administrator

**MICHIGAN STATE HISTORIC PRESERVATION OFFICE**

By: Martha L. MacFarlane-Faes  
Date: 5/28/20  
Martha L. MacFarlane-Faes, Deputy State Historic Preservation Officer

Concur:

**MICHIGAN DEPARTMENT OF TRANSPORTATION**

By: Carol R. Rademacher  
Date: 6/1/20  
For Paul Ajegba, Director, Michigan Department of Transportation

I-94 Modernization Project, MOA Amendments  
Page 5 of 5
August 22, 2019

LLOYD BALDWIN
MICHIGAN DEPARTMENT OF TRANSPORTATION
425 WEST OTTAWA
PO BOX 30050
LANSing MI 48909

RE: ER-940325  I-94 Modernization Project, Detroit, Wayne County (FHWA)

Dear Mr. Baldwin:

We have reviewed the survey entitled I-94 MODERNIZATION PROJECT: ABOVE-GROUND RECONNAISSANCE AND INTENSIVE LEVEL SURVEY, CITY OF DETROIT, WAYNE COUNTY, MICHIGAN, which was prepared by Commonwealth Heritage Group. After reviewing the documentation provided in the above-ground survey and addendum, the SHPO concurs with all eligibility recommendations except for 5646 Lawton Street. This property is recommended as not eligible but the SHPO feels that we do not have enough information to make an eligibility determination on this building and request additional documentation including a brief history, discussion of any changes made to the building, and more extensive statement of significance regarding the proposed eligibility recommendation.

As a general note, as previously discussed, future above-ground surveys should always include an inventory form for each property surveyed and the consultant should reach out to the Survey Coordinator to ensure that the document meets the current survey standards and guidelines. If you have any questions, please contact Brian Grennell Cultural Resource Management Specialist, at [517] 335-2721 or by email at grennellb@michigan.gov. Thank you for this opportunity to review and comment, and for your cooperation.

Sincerely,

[Signature]
Brian G. Grennell
Cultural Resource Management Coordinator

for Brian D. Conway
State Historic Preservation Officer

KAK: BGG

Copy: Elaine Robinson, CHG

STATE HISTORIC PRESERVATION OFFICE
300 North Washington Square | Lansing, MI 48913 | 888.522.0103
August 30, 2019

Mr. Brian Grennell, Cultural Resource Management Coordinator
State Historic Preservation Office
Michigan Historical Center
702 West Kalamazoo Street
Lansing, Michigan 48909-8240

Dear Mr. Grennell:

Subject: ER 940325, I-94 Modernization Project, Detroit, Wayne County, Michigan, National Register of Historic Places Determination of Eligibility

The Michigan Department of Transportation (MDOT), on behalf of itself and the Federal Highway Administration, is submitting this National Register of Historic Places Determination of Eligibility (DOE) letter as part of the Section 106 consultation process and is based on the I-94 Modernization Project Above-Ground Reconnaissance and Intensive Level Survey (main) and Addendum reports (Commonwealth Heritage Group (CHG)). Your office, in a letter dated August 22, 2019, accepted the findings of these reports, excepting one property (5646 Lawton, discussed below).

In addition to the newly surveyed properties, several properties are carried over from the 2005 I-94 Improvement Project Record of Decision (ROD) and associated Memorandum of Agreement (MOA). Several properties have been discussed with your office over the last couple of years as the project team has refined the Approved Selected Alternative (ASA), resulting in the ASA Modified (ASAM).

Project Limits and APE: The I-94 Modernization Project runs from the I-94 / I-96 interchange to east of Conner Avenue. Improvements to the M-10 and I-75 interchanges include work on the M-10 and I-75 mainlines in the vicinity of the affected interchanges.

The project APE runs 7.09 miles west to east and 2.00 miles south to north (M-10 and I-75 legs), comprising 1,108.9 acres of land. The APE encompasses properties that may face direct impacts by the project (i.e., properties immediately adjacent to I-94 and associated interchanges, and properties that are in proximity that may encounter indirect impacts (such as changes in viewedash). APE maps can be found in Appendix A of the main report.

Properties Proposed or Previously Identified as NRHP Eligible: Commonwealth recommended 84 properties in the main report and an additional 20 in the addendum as NRHP.
eligible. In addition, MDOT identified two additional NRHP eligible properties (see below), for a total of 106 properties. This total includes properties from the 2004-2005 I-94 Improvement Project EIS.

Note: MDOT is reassessing the eligibility of 5287 Hecla St. (see below), which is included in the 2005 project MOA.

**Properties Proposed Not NRHP Eligible:** Commonwealth recommended a total of 299 buildings as not NR eligible (241 from the main report). The majority of these properties were considered as lacking historical associations, architectural distinction, or historical integrity, although 62 total properties (55 from the main report) were considered ineligible based on being less than 45 years old at the time of survey. At this writing five of the not eligible properties have been demolished, with six others scheduled or proposed for demolition. (Detroit Demolitions database)

**5646 Lawton:** The building at 5646 Lawton Ave., (at Grand River Ave.) was recommended as not eligible for listing in the NRHP based on integrity issues. Your office has requested additional information, which will be provided under a separate cover. In the interim, the building has a modern stucco finish over the original brick and limestone. The original building was erected in 1906 for the Diamond Lodge IOOF (designed by W. D. Butterfield). Architect George V Potte designed the 1921 expansion and remodeling for Diamond Lodge. The current owners, Morning View Baptist Church have been in the premises since at least 1968.

**2005 ROD / MOA Properties:** the I-94 Improvement Project identified four NRHP eligible resources where Adverse Effects would occur with the ASA.

- I-94 / M-10 Interchange
- Square D / Detroit Fuse Manufacturing Company
- United Sound Systems Recording Studio (USSRS)
- Woodbridge Neighborhood HD / 5287 Hecla St.

The Interchange, Square D plant, and USSRS properties continue to be NRHP eligible. The MOA stipulations for the Interchange and Square D plant remain valid. MDOT is now proposing to relocate rather than demolish the USSRS Building. MDOT is consulting with your office on this matter (logistics, covenants, and MOA amendments). MDOT is also monitoring structural issues with 5287 Hecla St. and may recommend amendments to the MOA.

**Properties Re-evaluated by MDOT and Determined NRHP Eligible:** MDOT researched three properties determined ineligible in 2005 and which CHG recommended remained ineligible. Two properties were determined eligible, a third was considered potentially eligible
but was demolished prior to completion of the eligibility process because it was deemed an imminent public safety hazard.

- 447-449 Antionette St. (Elenora Apts): NRHP eligible based on findings of the Apartment Buildings in Detroit, 1892-1970 Multiple Property Documentation Form (SHPO, 2018)
- 5832 Second Ave. (Duplex): NRHP eligible (Criterion B) for its association with Emma Fox, noted parliamentarian, socialist, and suffragette.
- 5821 Second (Duplex) – demolished / not NRHP eligible.

447-449 Antoinette St. and 5862 Second Ave. are proposed for acquisition and removal based on impacts from the ASA and ASAM. MDOT will consult with your office to develop appropriate mitigation measures for inclusion in amendments to the project MOA.

5287 Hecla St (Woodbridge Neighborhood Historic District): As has been reported to your office in a separate email communication (August 16, 2019), the house at 5287 Hecla St (Woodbridge HD) lost its front porch in recent months, likely due to a storm in spring 2019. The house, owned by the Detroit Land Bank Authority, is open to intrusion and the elements and has lost and is losing historic integrity. MDOT may propose to remove 5287 Hecla St from the list of NRHP eligible properties.

Parcel Ownership: MDOT has acquired the USSRS property (5840 Second Ave and associated parking lot), and 5921 Second Ave. MDOT has begun the acquisition process for 5832 Second Ave and are considering requesting approval from FITWA to advance acquisition of 5827 Hecla St. MDOT will acquire portions of vacant lots along the Edsel Ford Service Drive in the vicinity of the Hecla St property. MDOT will also need to acquire portions of parcels associated with the St Gilbert Terminal (5600 Wabash St.) and Gemmer Manufacturing Company (6400 Mt Elliott St).

Archaeological Sites, Traditional Cultural Properties, and Tribal Consultation:
Commonwealth Heritage Group Inc., in 2018, conducted an assessment of archaeological potential resulting in the report titled I-94 Modernization Project: Land Use History and Assessment of Archaeological Potential, City of Detroit, Wayne County, Michigan. This study employed the new Area of Potential Effect (APE) developed by FITWA and MDOT to account for the modified construction limits that are being studied in the Supplemental Environmental Impact Statement for the I-94 Modernization Project in Detroit from I-96 to Conner Avenue. CHG incorporated comments provided by Dr. Dean Anderson, former State Archaeologist, in his letter dated November 11, 2018, and comments provided by Dr. James A. Robertson, MDOT Archaeologist into their final report. They concluded that no archaeological sites listed on or eligible for listing in the NRHP are located within the APE nor are any archaeologically sensitive
locations, with one exception, located within the new APE that warrant additional investigation. In addition, MDOT consulted with Michigan Indian Tribes and no cultural sites of concern have been identified.

The exception referenced above is an unmarked cemetery near the I-94/Conner Avenue interchange. This site was previously determined not eligible for listing in the NRHP by the SHPO, though it is listed on the State Register of Historic Sites. While not subject to further investigation under the regulations of Section 106, MDOT conducted ground-penetrating radar survey of MDOT right-of-way at the I-94/Conner Avenue interchange in 2013 but found no evidence of graves. However, MDOT is committed to pursuing due diligence given the possibility that human remains may be present. Once design plans are sufficiently detailed to determine where project impacts will take place in the vicinity of the unmarked cemetery, MDOT will take appropriate measures to ensure that any human remains, if present, are treated appropriately and in accordance with Michigan law and legal mandates. Dr. Dean Anderson concurred with this recommendation in his letter referenced above.

Excepting 5287 Hecla St. and 5646 Lawton St. (eligibility to be determined), MDOT and SHPO are in concurrence regarding eligibility for resources within the APE for the subject project. MDOT is the process of determination of effects letter; MDOT will treat the Hecla and Lawton properties as NRHP eligible for impact evaluation purposes. Please contact me at 517 241-2702, or baldwin3@michigan.gov if you have any questions.

Sincerely,

Lloyd E. Baldwin
Historian Environmental Services Section
January 10, 2020

LLOYD BALDWIN
MICHIGAN DEPARTMENT OF TRANSPORTATION
425 WEST OTTAWA
PO BOX 30050
LANSONG MI 48909

RE: ER-940325 I-94 Modernization Project, Detroit, Wayne County (FHWA)

Dear Mr. Baldwin:

Under the authority of Section 106 of the National Historic Preservation Act of 1966, as amended, we have reviewed the updated Area of Potential Effects (APE), determinations of eligibility and effects and supporting documentation for the I-94 Modernization Project. We agree with the revised APE as well as the determinations of eligibility and effects detailed in your letter dated October 16, 2019 (enclosed). Therefore, based on the information provided for our review, the State Historic Preservation Officer (SHPO) concurs with the determination that the proposed undertaking will have an adverse effect on the four properties previously identified in the 2005 Record of Decision (ROD) document for this project, as well as the properties at 5832 Second Avenue and 447-449 Antoinette Street. We will continue to consult on amendments to the existing Memorandum of Agreement (MOA) which was drafted in 2004.

The opinion of the SHPO is based on the materials provided for our review. If you believe that there is material that we should consider that might affect our finding, or if you have questions, please contact Martha MacFarlane Faes, Deputy State Historic Preservation Officer, at (517) 335-2721 or by email at FaesM@michigan.gov. Please reference our project number in all communication with this office regarding this undertaking.

Finally, the State Historic Preservation Office is not the office of record for this undertaking. You are therefore asked to maintain a copy of this letter with your environmental review record for this undertaking. Thank you for this opportunity to review and comment, and for your cooperation.

Sincerely,

[Signature]

Brian D. Conway
State Historic Preservation Officer

BDC:AK:8GG

Enclosures
October 16, 2019

Mr. Brian Grennell, Cultural Resource Management Coordinator
State Historic Preservation Office
Michigan Economic Development Corporation
300 N Washington Square
Lansing, MI 48913

Dear Mr. Grennell:

Subject: ER 940325, I-94 Modernization Project, Detroit, Wayne County, Michigan
Determination of Effects for Above Ground and Archaeological Resources

Your office has previously received and accepted the technical reports for above-ground and
archaeological resources (prepared by Commonwealth Heritage Group (CHG)) and will have recently
received hard copies and electronic versions of the Draft Supplemental Environmental Impact Statement
and Section 4(f) Evaluation (DSEIS) for the I-94 Modernization Project. This letter will discuss impacts
that are identified and anticipated by the project. The focus will be on properties where adverse effects
are known, where the project will have visual or physical changes, and/or are higher profile resources.

The I-94 Modernization Project is based on a reevaluation of the earlier I-94 Improvement Project,
whose Record of Decision (ROD) was issued in 2005. Refinements to the Approved Selected Alternative
(ASA), presented as the Approved Selected Alternative Modified (ASAM) provide the needed mainline
improvements to I-94 but with enhanced cross connectivity, improved interchange design, and reduced
right-of-way needs. In the following paragraphs MDOT will present the project limits, scope, Area of
Potential Effect, and the determination of effects for above ground and archaeological properties
identified as listed or eligible for listing in the National Register of Historic Places (NRHP). Four above-
ground resources identified in the 2005 ROD and addressed in the 2005 Memorandum of Agreement
(MOA) are carried forward in the following discussion.

Project Limits, APE, and Scope: The I-94 Modernization Project runs from the I-94 / I-96 interchange
east of the I-94 / Conner Avenue interchange. Corollary improvements will be made on M-10 from
Martin Luther King Jr. Blvd. to Seward Ave.; on I-75 from Warren Ave. to Custer St.; and on Conner Ave.
from Shoemaker St. to Harper Ave.

The project APE runs 7.09 miles west to east and 2.00 miles south to north (M-10 and I-75 legs),
comprising 1,108.9 acres of land. The APE encompasses properties that may face direct impacts by the
project (i.e., properties immediately adjacent to I-94 and associated interchanges, and properties that
are in proximity that may encounter indirect impacts (such as changes in viewshecd). APE maps can be found in Appendix A of the main report.

The I-94 mainline will be reconstructed and widened one-lane on each direction (from three-to four lanes), with short segments carrying five lanes through the addition of auxiliary lanes. Impacts from widening are reduced in the ASAM by specifying retaining walls instead of the traditional grassy slopes present with the current I-94 mainline. Service Drives will be improved to accommodate bicycle lanes (where practical) and in select segments, two-way traffic. (See Attachment 1).

Our focus has been on replacing bridges throughout the corridor, which must occur prior to mainline widening work. In several cases pedestrian bridges have been or will be replaced with Complete Streets structures that can accommodate motorized, non-motorized, and pedestrian traffic. In cooperation with the City of Detroit, the Second Ave and Cass Ave. bridges will be treated to enhanced aesthetics. The Second Ave. Bridge will be a longer structure and will feature steel arches, landscaped median and approaches, and decorative lighting (discussed below in connection with the United Sound Systems Recording Studio and University Motel). The Cass St. Bridge will feature a landscaping on the bridge and approaches. The Second Ave. Bridge is scheduled for replacement in 2020, the Cass St structure in 2021. (See Attachment 2)

The Cass St. bridge is in proximity to but will not impact the Cass Motors/Carhartt Building or the building at 5911 Cass (former Firestone Tire Store/Big Book Store). The Third St. Bridge, one-way southbound, will be removed and not replaced (to accommodate the improved I-94/M-10 Interchange). The Fourth St. HD is in proximity but will not be impacted other than a minor increase in driving distance to cross I-94 via southbound Second Ave. (See Attachment 2)

With the exception of the structures associated with the I-94 and M-10 interchange (discussed below), no portion of the mainline nor associated bridges or ramps are listed in or eligible for listing in the NRHP (in part based on the 2005 Interstate Exemption by FHWA and ACHP).

2005 MOA Adverse Effect Properties: four properties from the Improvement Project are carried forward:
- I-94 / M-10 Interchange
- Square D / Detroit Fuse Manufacturing Company
- United Sound Systems Recording Studio (USSRS)
- Woodbridge Neighborhood HD / 5287 Hecla St.

There is no change in the status of the Interchange or Square D property; they will be removed by the project under the ASAM and MDOT believes the current MOA stipulations remain valid. The adverse effect determination for the Woodbridge neighborhood and 5287 Hecla remains valid under the ASAM. The MOA stipulations related to landscaping to mitigate encroachment along the northern boundary of the historic district also remains valid. However, as has been reported to your office, the condition of 5287 Hecla St., a contributing resource within the historic district, has declined
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considerably between late 2018 and early 2019 and may no longer be a viable candidate for relocation. (see below)

It has been determined, through consultation with your office, that MDOT will explore moving the USSRS Building rather than demolish it as is stipulated in the 2005 project MOA. MDOT is consulting with your office on this matter (planning, logistics, easements/covenants, consulting parties, and MOA amendments). (See Attachment 5)

Adverse Effects, ASAM: Two additional NRHP eligible above-ground properties will be removed by the project’s ASAM, resulting in Adverse Effects through their removal. Both properties were assessed for the 2005 ROD and determined not eligible. They were re-evaluated by MDOT and it was determined that both properties appeared to be eligible for inclusion in the NRHP.

- 5832 Second Ave.: eligible based on its association with Mrs. Emma Fox, a noted suffragette and parliamentarian.

Both properties will be adversely impacted by I-94 mainline improvements and the replacement of the I-94 / M-10 Interchange.

Refrains to the ASAM to avoid the USSRS and 447-449 Antoinette St properties were made but issues with constructability that included high risk of damage to the buildings during construction and a reduction in safety on the expressway (due to reduced lane and shoulder widths) made them undesirable. Impacts to 5832 Second Ave. are unavoidable, in part due to the need to install tiebacks to support the I-94 retaining walls. (See Attachment 5)

No Adverse Effect / De Minimis Impact, ASAM: Two NRHP properties identified in this iteration of the project will face no adverse effects but will encounter minor impacts. Permanent right-of-way is needed at both properties. MDOT, with your concurrence on the No Adverse Effect determination, will request a finding of De Minimis Impact from FHWA.

- S. T. Gilbert Terminal (5600 Wabash St.): As part of the ASAM, the project will fill a gap in the westbound I-94 Service Drive that exists between Rosa Parks Blvd. and Wabash St. The work will include sidewalk construction. The project will acquire 0.054 acres of permanent fee right-of-way and 0.058 acres of permanent easement from the facility, impacting the lawn on the south elevation of the Administration Building. Adjustments to the proposed plan allow Wabash St to link with the reconstructed service drive (the original concept, due to grade, would have closed Wabash north of the service drive. The railroad bridge crossing I-94 at the east end of the parcel will be replaced, but design adjustments allow avoidance of the terminal’s Power Plant Building. Based on previous consultation with your office, the proposed work poses No Adverse Effect to the NRHP eligible S.T. Gilbert Terminal. MDOT, with your concurrence, will request a finding of de minimis impact from FHWA.
Brian Grennell  
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- **Gemmer Manufacturing (6400 Mt. Elliott):** Replacement of the existing railroad grade separation, reconstruction of the westbound I-94 exit ramp to Mt Elliott, and associated improvements to the westbound I-94 Service Drive will primarily impact vacant land formerly associated with Chrysler Corporation. There will be 0.064 acres of temporary construction impacts and 0.08 acres of permanent easement along the southeast edge of the Gemmer property, and 0.689 acres of permanent fee right of way acquired from the vacant parcel south of the Gemmer parcel and from the southeast and east edges of the Gemmer parcel itself, adjacent to the railroad right of way. The proposed improvements will be limited to a small portion of land used informally for vehicle turning, parking, and storage and will pose **No Adverse Effect.** MDOT, with your concurrence, will request a finding of **de minimis** impact from FHWA.  
(See Attachment 3)

**University Motel (5841 Second Ave.):** The motel, now closed and awaiting redevelopment through owners Midtown Detroit, will receive a new driveway apron. There will be no direct impact to the NRHP eligible building. MDOT notes that the south end of the building partially collapsed in 2018 but has been stabilized. The replacement of the Second Avenue Bridge, discussed above, will alter the viewshed to the south but will pose no adverse effect to the motel. (See Attachment 2)

**Hendrie St. Historic District – No Adverse Effect:** The proposed Hendrie St Historic district includes properties fronting Hendrie St. between John R and Brush St., a one block area south of the I-94 Eastbound Service Drive. Under current conditions, Hendrie St. is a 25’ roadway carrying one-way traffic (westbound). The NRHP eligible residential historic consists of single- and multi-family dwellings with one three-story, on raised basement, apartment building (Belcord Apts) at the southwest corner of Hendrie St. at Brush St.

Three options were developed for the ASAM to address deficiencies between the eastbound I-94 exit ramp to John R St., and the eastbound I-94 Service Drive ramp to eastbound I-94, north of Hendrie St. Your office reviewed the three options and felt that none of them appeared to pose an adverse effect. In the interim the City of Detroit expressed a preference for Option 3. All options would remove a Wayne County Public Service Department road division garage and yard (5831 Brush St., not NRHP eligible). Option 3 would bring the I-94 exit ramp to grade west of Brush St. The service, which starts at John R as three lanes, would briefly pick up a fourth lane at the ramps junction with the service drive and drop back to three lanes after Brush St. John R, Brush, and Beaubien would cross over the reconfigured service drive, which will be realigned a little to the south. The service drive will provide access to eastbound I-94 and southbound I-75 at the I-94/I-75 interchange.

Hendrie St would be widened approximately five feet to the north to accommodate two-way traffic. Landscaped medians would separate Hendrie St from the service drive and expressway. (See Attachment 3)
Fourth St. Historic District – No Adverse Effect: The proposed Fourth St. Historic District, determined NRHP eligible, consists of single-family dwellings, duplexes, and apartment buildings on both sides of Fourth St. and the west side of Third St. south of Holden St. and north of the MDOT right of way north of the westbound I-94 ramp to northbound M-10.

The ASAM will install a sound wall along the I-94 westbound ramp to northbound M-10. The wall will be built within the former ramp footprint and will be separated from the proposed historic district by existing trees and business access drive. Work will be within existing MDOT right of way. (See Attachment 3)

5646 Lawton (Diamond Lodge 488 IODF / Morning View Baptist Church – No Effect: Your office requested additional information on this property, which CHG recommended as not eligible for inclusion in the NRHP based on integrity issues. MDOT is working on the Addendum to address the building but for the purposes of this letter, MDOT believes the building may be NRHP eligible (Criterion A) for its 50-plus year association with the social and fraternal life in west Detroit and for its 50-plus year association with Morning View Baptist Church.

5646 Lawton was included in the above-ground resources survey primarily for its proximity to the project APE. Improvements to Grand River Ave. (M-5), associated with work on the I-94 mainline and service drives, ends at the south end of the Hudson St. intersection, south of the subject building. The ASAM will have no effect on the building.

5287 Hecia – Adverse Effect: As was reported to your office previously, the front porch on 5287 Hecia Street collapsed between October 2018 and May 2019 and the house is open to intrusion and the elements. Previously, in 2012-2013 a fire that destroyed an adjacent garage gutted the house’s kitchen ell. That said, the body of the house remains intact and restoration of the porch and kitchen ell appear feasible. MDOT is reluctant to change the building’s status as a contributing property but will monitor the building’s condition to determine the prudence and feasibility of relocating it as is proposed in the project MOA.

No Adverse Effect: MDOT believes the project will pose no Adverse Effect or No Effect to 88 properties eligible for or listed in the NRHP. These properties are presented in tabular form, including the two de minimis impact properties that are discussed above. (See Attachment 4)

Archaeological Sites, Traditional Cultural Properties, and Tribal Consultation: Commonwealth Heritage Group Inc., in 2018, conducted an assessment of archaeological potential resulting in the report titled I-94 Modernization Project: Land Use History and Assessment of Archaeological Potential, City of Detroit, Wayne County, Michigan. This study employed the new Area of Potential Effect (APE) developed by FHWA and MDOT to account for the modified construction limits that are being studied in the Supplemental Environmental Impact Statement for the I-94 Modernization Project in Detroit from I-96 to Conner Avenue. CHG incorporated comments provided by Dr. Dean Anderson, former State Archaeologist, in his letter dated November 11, 2018, and comments provided by Dr. James A.
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Robertson, MDOT Archaeologist into their final report. They concluded that no archaeological sites listed on or eligible for listing in the NRHP are located within the APE nor are any archaeologically sensitive locations, with one exception, located within the new APE that warrant additional investigation. In addition, MDOT consulted with Michigan Indian Tribes and no cultural sites of concern have been identified.

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Conclusion: Attachments are included to aid in your review. MDOT believes the project will adversely impact six properties in total, the four properties identified in the 2005 ROD and MOA, as well as the properties at 5832 Second Ave. and 447-449 Antoinette St. MDOT will, under separate cover, provide draft amendments for the project MOA. In addition, also under separate cover, MDOT will provide draft easements/encumbrances and draft discussions related to the relocation and marketing of USSRS. Please contact me at 517 241-2702, or baldwinB@michigan.gov if you have any questions.

Sincerely,

Lloyd E. Baldwin, Historian  
Environmental Services Section

Attachments