



# **Combined Final Supplemental Environmental Impact Statement and Record of Decision and Final Section 4(f) Evaluation**

June 2020

*Prepared for the*

***I-94 Modernization Project in Detroit from I-96 to Conner Avenue***



I-94 Modernization Project in the City of Detroit  
Wayne County, Michigan  
FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT  
Submitted Pursuant to 42 USC 4332(2)(C) and CEQ Regulations (40 CFR 1500 (et seq.)) by the:

**U.S. Department of Transportation  
Federal Highway Administration**

and

**Michigan Department of Transportation**

Cooperating Agency:

**U.S. Environmental Protection Agency**

June 30, 2020

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**Date of Approval**

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This document describes the social, economic and natural environmental impacts associated with the modernization of approximately 6.7 miles of Interstate freeway (I-94) in the city of Detroit, Michigan between I-96 and Conner Avenue (Project). Improvements include adding a travel lane in each direction, modernizing interchanges, reconstructing bridges crossing over the freeway, and changing existing service drives to maximize efficiencies of the connected local travel patterns. This document includes a summary of the planning basis and of the impacts associated with the proposed Project and the process involved in determining the preferred/selected alternative. Proposed mitigation measures are also included.

## FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT AND RECORD OF DECISION

The National Environmental Policy Act of 1969 (NEPA) establishes a national environmental policy and provides a framework for environmental planning and decision-making by federal agencies. NEPA directs federal agencies, when planning projects, to conduct environmental reviews to consider the potential impacts on the environment by their proposed actions. The Michigan Department of Transportation (MDOT) and Federal Highway Administration (FHWA) completed a Draft Supplemental Environmental Impact Statement (DSEIS) for the I-94 Detroit Modernization Project (Project) and, pursuant to the Code of Federal Regulations (CFR) 40 CFR Section 1502.15(e), identified the preferred alternative.

FHWA published the notice of availability for the DSEIS in the Federal Register on September 13, 2019 for a 45-day public review period. The review period closed on October 28, 2019. FHWA also circulated the DSEIS to federal, state and local agencies with jurisdiction by law or special expertise, as well as the general public for review and comment. FHWA and MDOT held two public hearings on the DSEIS on October 10, 2019.

At the close of the public review period, FHWA and MDOT reviewed and evaluated comments received and completed the Final Supplemental Environmental Impact Statement (FSEIS). The FSEIS includes the following:

1. Identification of the preferred course of action (Preferred Alternative) and the basis for its selection
2. The errata sheets containing the factual corrections made to the DSEIS with references to the relevant page numbers in the DSEIS
3. Summary of, and response to substantive comments received during the public hearing and the 45-day agency/public review period on the DSEIS.

Because of adverse and *de minimis* effects on historic resources and public parks/recreation areas, this document also serves as coordination documentation under Section 106 of the National Historic Preservation Act of 1966, as amended, and as the Final Section 4(f) Evaluation, under Section 4(f) of the Department of Transportation Act of 1966, which requires special consideration of these resources.

Pursuant to considerations identified in the U.S. DOT *Guidance on the Use of Combined Final Environmental Impact Statements/Records of Decision and Errata Sheets in National Environmental Policy Act Reviews* (April 25, 2019) for implementation of the provisions set forth in 49 U.S.C. 304(a) and 23 U.S.C. 139(n), *Accelerated decisionmaking in environmental reviews*, the FHWA finds that the comments received on the DSEIS were minor and responses are limited to factual corrections or explanations of why the comments do not warrant further response. Also, the FSEIS does not make substantial changes to the proposed action that are relevant to environmental or safety concerns and there are no significant new circumstances or information relevant to environmental concerns that bear on the proposed action or the impacts of the proposed action. Therefore, FHWA is issuing this single Final Supplemental Environmental Impact Statement and Record of Decision document (Combined FSEIS and ROD) using errata sheets in lieu of a traditional FEIS, pursuant to Pub. L. 112-141, 126 Stat. 405, Section 1319(b). As a result, the 30-day waiting period between the FSEIS and ROD, prescribed in 23 CFR 771-127(a), will not occur.

**FHWA intends to publish a notice in the *Federal Register*, pursuant to 23 USC §139(l), indicating that they have taken final action on approval of the I-94 Detroit Modernization Project. Claims seeking judicial review of FHWA's approval action must be filed within 150 days after the date of publication of the notice.**



## **STATEMENT OF DISCLOSURE**

HNTB Corporation has no interest, financial or otherwise, in the preparation of the I-94 Modernization Project in Detroit Supplemental Environmental Impact Statement and ROD and Section 4(f) Evaluation other than compensation for the services performed and the general enhancement of HNTB's professional reputation. The team of professionals which HNTB assembled to conduct field studies and analyses was selected based solely upon their qualifications. To the best of HNTB's knowledge, no person or firm contributing to the preparation of this document has any interest in the findings or outcome of the process.



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# 1. FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

## 1.1. Introduction

This Final Supplemental Environmental Impact Statement (FSEIS) summarizes comments the Michigan Department of Transportation (MDOT) received for the I-94 Detroit Modernization Project Draft Supplemental Environmental Impact Statement (DSEIS), and it documents the input MDOT collected at the Oct. 10, 2019, public hearing.

In accordance with federal requirements for expediting environmental review processes and project delivery,<sup>1</sup> this FSEIS also contains the Project Record of Decision (ROD), which identifies the Selected Alternative (which is the Preferred Alternative that the DSEIS identified). U.S. statutes<sup>2,3</sup> direct federal agencies to develop expeditiously, to the maximum practicable extent, a single document that comprises an FEIS and ROD for proposed actions that require such documentation. These laws apply to all actions that MDOT proposes.

As federal law requires,<sup>4</sup> FHWA has prepared this Combined FSEIS and ROD based on the following findings:

- This FSEIS does not make substantial changes to the proposed action (Project) relevant to environmental or safety concerns, and
- There are no significant new circumstances or information relevant to environmental concerns that bear on the proposed action (Project) or the impacts of the proposed action.

## 1.2. Supplemental Draft EIS Errata

The errata in **Table 1-1** include corrections to the Project's DSEIS published on Sept.13, 2019, and clarify topics as indicated. The table constitutes the "errata sheets" as provided for in the Council on Environmental Quality (CEQ) implementing regulations, which allow the use of errata sheets in lieu of a traditional FSEIS.<sup>5</sup> These errata are derived largely from and are in response to comments on the DSEIS. When reading the errata it may be helpful to refer to the DSEIS, which is available on the US EPA Environmental Impact Statement Database, EIS No. 21090219, at <https://cdxnodengn.epa.gov/cdx-enepa-ii/public/action/eis/details?eisId=280134>. Additions to text are underlined and deletions are in ~~strikethrough~~.

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<sup>1</sup> "Efficient environmental reviews for project decisionmaking," Title 23, USC, Sec. 139(b). Available at: <https://www.govinfo.gov/content/pkg/USCODE-2011-title23/html/USCODE-2011-title23-chap1-sec139.htm>. Accessed December 2019.

<sup>2</sup> "Accelerated decisionmaking in environmental reviews," Title 49, USC, Sec. 304a(b). Available at: <https://www.govinfo.gov/content/pkg/USCODE-2015-title49/html/USCODE-2015-title49-subtitle1-chap3-subchapl-sec304a.htm>. Accessed December 2019.

<sup>3</sup> "Efficient environmental reviews for project decisionmaking," Title 23, USC, Sec. 139(n)(2). Available at: <https://www.govinfo.gov/content/pkg/USCODE-2011-title23/html/USCODE-2011-title23-chap1-sec139.htm>. Accessed December 2019.

<sup>4</sup> "Final environmental impact statement/record of decision document." Title 23, CFR, Part 771.124(i)(ii). Available at [https://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=53d557efda087e7a5514dc356e125122&rgn=div5&view=text&node=23:1.0.1.8.43&idno=23#se23.1.771\\_1124](https://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=53d557efda087e7a5514dc356e125122&rgn=div5&view=text&node=23:1.0.1.8.43&idno=23#se23.1.771_1124). Accessed December 2019.

<sup>5</sup> "Response to comments." Title 40, CFR, Section 1503.4(c). Available at: <https://www.govinfo.gov/content/pkg/CFR-2012-title40-vol34/xml/CFR-2012-title40-vol34-part1503.xml>. Accessed December 2019.



**Table 1-1: Draft Supplemental Environmental Impact Statement Errata**

Chapter	Location	Errata	Reason for Change
Chapter 1. Purpose and Need	1.4.5. Multimodal Transportation	<p><i>Revise the last bullet point in this section to read:</i></p> <ul style="list-style-type: none"> <li>The Regional Transit Authority of Southeast Michigan’s (RTA) <del>Connect Southeast Michigan</del> <u>2016 Regional Master Transit Plan</u> is the current regional transit master plan update.</li> </ul>	The Connect Southeast Michigan plan was not adopted by the RTA board. The current approved plan is the <i>2016 Regional Master Transit Plan</i> .
Chapter 3. Alternatives	3.2.5. Transportation System Management	<p><i>Add the following after paragraph 1:</i></p> <p><u>There are several initiatives now underway to improve travel demand management in the region. Several congestion relief programs are already in place and can be found in SEMCOG’s TIP. These include:</u></p> <ul style="list-style-type: none"> <li><u>MichiVan – a ride-sharing opportunity for commuters using vans supplied to them</u></li> <li><u>The Freeway Courtesy Patrol – a program to assist travelers stopped on the roadside and get them on their way, resulting in better traffic flow</u></li> <li><u>SEMCOG Rideshare – a program to encourage private auto owners to share trips</u></li> </ul> <p><u>Active Transportation Demand Management (ATDM) is a separate MDOT project on I-94. The ATDM project is described in DSEIS Section 3.2.5. and involves the addition of technology along the I-94 corridor as well as on Michigan and Gratiot avenues.</u></p> <p><u>A new, multi-agency pilot effort called D2A2, which began in March 2020, was implemented through a partnership between the RTA, SEMCOG, MDOT, and TheRide in Ann Arbor-Ypsilanti. D2A2 is a commuter bus service providing 16 round trips a day between Detroit and Ann Arbor. The pilot has received funding commitments for three years. The partnership will be able to evaluate the effectiveness of the service in reducing some commuter congestion on I-94 before and after the start of construction.</u></p> <p><u>All of these initiatives are intended to provide more diverse options for travelers to reduce congestion. MDOT has a goal of evaluating the initiatives’ effectiveness as it coordinates with the transit providers and local road agencies to adaptively manage for maximum effectiveness of these congestion mitigation measures.</u></p>	This adds more detail to address questions and comments regarding how traffic flow will be affected and managed during construction and in the future.
	3.2.5. Figures 3-10, 3-11 and 3-12	<p><i>Replace the Illustrations of Proposed Modifications to Approved Selected Alternative on Pages 3-18 through 3-20 of the DSEIS.</i></p> <p>See FSEIS/ROD <b>Appendix G</b> for updated illustrations.</p>	These figures are associated with proposed additional text in Appendix L (see below errata regarding Appendix L) and provides further clarity to the ASA and the ASAM that results from modernization of the I-94 ramps.



Chapter	Location	Errata	Reason for Change
Chapter 4. Affected Environment and Social, Economic and Environmental Impacts	4.3.2.2. Right-of-Way Acquisition and Relocation Impacts	<i>The last two sentences in paragraph 1 are replaced as follows:</i> A revised CSRP prepared for a 2014 EIS Re-evaluation for right-of-way acquisition found the number of residential and business relocations were reduced by two and six properties, respectively. The CSRP was updated in 2019 (see Appendix E). A revised CSRP prepared for the Project found the estimated number of residential units needing to be relocated is 15. Thirty-three businesses will need to be relocated; 22 of which are billboards.	The Conceptual Stage Relocation Plan has been updated as Project design is refined. Additional investigation into the apartment building at 447-449 Antoinette St. indicates that it contains an estimated 12 residential units. This provided the opportunity to provide an estimated number of total units as opposed to the number of parcels affected, which was how it was reported in the DSEIS. Also, additional potentially affected billboards have been identified and added to the count of businesses.
	4.4.2.1. Table 4-4: Summary of Impacts of Noted concern to Environmental Justice Populations	<i>The Water Quality row of Table 4-4 is revised as follows:</i> To the extent feasible within the highly urbanized project corridor, water quality impacts are mitigated through implementation of stormwater management features that will be incorporated into the Project design.	Further clarifies this statement about mitigation related to stormwater management in urban areas.
	4.4.3. Mitigation of Impacts to Environmental Justice and Title VI Populations	<i>The second to last sentence of Paragraph 1 is revised as follows:</i> The CSRP will be updated, if necessary, for the Combined FSEIS and ROD. More mitigation measures may be developed, if additional impacts are identified during ongoing outreach activities throughout final design and construction.	The Conceptual Stage Relocation Plan (CSRP) has been updated. The CSRP dated March 4, 2020, is in FSEIS <b>Appendix A.</b>
	4.5.2. Impacts to the Economy	<i>The following sentence in Paragraph 2 is revised as follows:</i> The ASAM impacts <del>16 billboard structures</del> <u>22 billboard structures</u> .	Comments from a billboard company alerted MDOT to additional billboards that were not captured in the initial count. Further review identified additional affected billboard structures.  Text also revised to clarify that the count is of the number of billboard structures to be impacted. Some structures contain multiple billboards.
	4.5.2. Impacts to the Economy	<i>Text was added to Paragraph 2 as follows:</i> <u>Landscaping associated with the Project may, as it matures, block views of the billboards from their customers.</u>	Comments were received from billboard owners asking for MDOT to better account for impacts to their billboards. The added text clarifies impacts the Project may have to billboard structures, other than direct relocation or demolition. This addition identifies existing MDOT landscape design protocol to prevent blockage of billboards.



Chapter	Location	Errata	Reason for Change
	4.5.3. Mitigation of Impacts to Economic Conditions	<p><i>Text was added to the end of this section as follows:</i></p> <p><u>Any vegetation within 1,000 feet of a billboard face, excluding ground cover, that will be removed needs to be documented before removal. This documentation should include, vegetation type (tree or shrub), species (if known), approximate height, size (tree diameter or shrub square footage), and location relative to the billboard sign (face). Michigan’s billboard law allows in-kind replacement of vegetation removed for transportation purposes. The survey will document the presence of vegetation in relation to adjacent billboards to protect MDOT’s ability to replace that vegetation as part of the landscaping.</u></p> <p><u>Billboard relocations will be addressed in accordance with the Uniform Act and MDOT’s Right of Way Manual.</u></p>	This addition identifies existing MDOT landscape design protocol that may not have been fully institutionalized when the FEIS was prepared.
	4.7.1. Existing Visual Resource Conditions	<p><i>Text was added to this section as follows:</i></p> <p><u>MDOT guidelines for vegetation replacement is 2:1 for trees and 4:1 for shrubs provided that physical space is sufficient for the installation of new material that accounts for mature growth rates and healthy growing conditions per MDOT Standard Specifications for Construction 2012 Section 816 and 917. Care is also taken to avoid placing vegetation that would mature to block views of billboards (see Section 4.5.2 and Section 4.5.3).</u></p>	This addition identifies existing MDOT landscape design protocol that may not have been fully institutionalized when the FEIS was prepared.
	4.7.4. Impacts to Landscape Units	<p><i>Text was added to the end of this section as follows:</i></p> <p><u>MDOT guidelines per MDOT Standard Specifications for Construction 2012 Section 816 and 917 provide for vegetation replacements at 2:1 for trees and 4:1 for shrubs provided that physical space is sufficient for the installation of new material that accounts for mature growth rates and healthy growing conditions.</u></p>	This addition identifies existing MDOT landscape design protocol that may not have been fully institutionalized when the FEIS was prepared.
	4.11.1.1. Water Quality Programs and Policies	<p><i>Paragraph 1 is revised as follows:</i></p> <p><u>The Clean Water Act Section 402 (National Pollutant Discharge Elimination System (NPDES)) regulates discharge of stormwater runoff contaminants. An NPDES Municipal Separate Storm Sewer System (MS4) permit issued by the Department of Environment, Great Lakes and Energy (EGLE) is currently in effect statewide for MDOT facilities, including I-94 (No. MI0057364).</u></p> <p><u>Detroit Water and Sewage Department (DWSD) and Great Lakes Water Authority (GLWA) also have a joint NPDES permit (No. MI002802) that covers I-94 stormwater discharge into the municipal sewer system.</u></p>	Corrects information regarding the NPDES permits in the project limits.



Chapter	Location	Errata	Reason for Change
	4.11.1.1. Water Quality Programs and Policies	<p><i>The following text and citation are added to the end of this section:</i></p> <p><u>Additionally, the city of Detroit published a Stormwater Management Design Manual which includes stormwater management performance standards for stormwater draining to the DWSD or GLWA sewer systems. The city of Detroit has also adopted a stormwater management ordinance that requires private developers to implement stormwater controls to address their project’s runoff from new development and re-development projects.</u></p>	Comments from GLWA, DWSD, and EGLE provided clarification and requested greater detail on existing stormwater and drainage in the Project limits.
	4.11.1.2. Existing Stormwater and Drainage Conditions	<p><i>Replace this section with the following text:</i></p> <p><u>The majority of the stormwater from I-94 currently enters the Detroit Water and Sewerage Department’s (DWSD) combined sewer overflow system or GLWA’s Regional Collection System via gravity and pumped connections. The I-94 storm sewer also drains to MDOT’s I-96 storm-only system via one gravity connection. In June 2010, MDOT completed a conceptual drainage study, which is included in the I-94 Rehabilitation Detailed Engineering Report (Engineering Report). The existing conditions evaluation which discusses the existing I-94 drainage sewer routing, outlet locations, and discharge rates is included in Appendix O of the Engineering Report.</u></p> <p><u>After I-94 stormwater flow enters the DWSD/GLWA combined system, it is transported via the interceptor system to the Water Resource Recovery Facility (WRRF) for treatment then is discharged to the Detroit and the Rouge Rivers. During major storms when the combined system capacity is exceeded, a portion of the runoff is discharged to the Detroit River as combined sewer overflow. DWSD/GLWA are in the process of developing and evaluating various options to reduce and treat combined sewer overflows prior to discharge to the Detroit and Rouge Rivers as required by their NPDES permit.</u></p> <p><u>The city’s combined sewer system evolved over decades starting in the late 1800’s. Both DWSD and GLWA have capital improvement programs to address the issues relating to the aging infrastructure. More information is available via DWSD’s 2018-2022 Capital Improvements Program and GLWA’s 2020-2024 Capital Improvement Plan. In addition, DWSD and GLWA are developing / implementing a green infrastructure program to reduce stormwater entering the combined sewer system. The green infrastructure program has a goal to remove 2.8 million gallons of stormwater from the combined sewer system. DWSD and GLWA are also in the process of evaluating sewer separation within targeted areas of the combined system to reduce stormwater flow to the combined system.</u></p> <p><i>(errata continue)</i></p>	Comments from GLWA, DWSD, and EGLE provided clarification, corrections, and requested greater detail on existing stormwater and drainage in the Project limits.



Chapter	Location	Errata	Reason for Change
		<p><i>(errata continued from previous page)</i></p> <p><u>In the past several years Detroit has experienced some flooding along the depressed interstates after intense rainfall events. Factors such as the original I-94 sewer sizing, the difference in design storms for the interstate (50-year) versus the combined sewer system (10-year), and aging infrastructure are all likely factors contributing to flooding.</u></p>	
	4.11.2. Impacts to Water Resources	<p><i>The last sentence in Paragraph 1 is deleted:</i></p> <p><del>DWSD requires matching the existing discharge rates because their system is currently at full capacity.</del></p>	Comments from GLWA, DWSD, and EGLE provided clarification, corrections, and requested greater detail on existing stormwater and drainage in the Project limits.
	4.11.2. Impacts to Water Resources	<p><i>The last sentence in Paragraph 3 is replaced as follows:</i></p> <p><del>Preliminary plans for stormwater management are included in the I-94 Detroit Potential Stormwater Management and Landscaping Plan included in Appendix H.</del> Potential stormwater management opportunities are included in the I-94 Detroit Potential Stormwater Management and Landscaping Plan included in Appendix H. <u>Stormwater management opportunities shown in Appendix H that fall outside the proposed right-of-way footprint require additional evaluation for feasibility, coordination with affected property owners, and approval from FHWA.</u></p>	Provides additional clarity on the exhibits in Appendix H.
	4.11.3. Mitigation Measures to Address Water Resources Impacts	<p><i>Sentence 1 is revised as follows:</i></p> <p>MDOT will review the proposed improvements along the <u>interchange infields</u>, service drives and local street improvements to identify opportunities to incorporate green infrastructure to the extent feasible based on localized grading, soil conditions, available right-of-way, ground water elevation, and available outlet locations.</p> <p><i>Paragraph 2 is revised as follows:</i></p> <p><del>The Project's stormwater system will meet the city's criteria for allowable discharge rates into the DWSD combined sewer and will treat water that drains to the I-96 MDOT storm-only system to meet the requirements of MDOT's stormwater permit. MDOT will develop the Project's conceptual drainage system according to the MDOT drainage manual, which uses a 50-year design storm for depressed freeways. MDOT is planning to use design storm rainfall from NOAA Atlas 14 for the proposed drainage system evaluation as it reflects the recent changes in stormwater intensities and magnitudes due to changing weather patterns. MDOT will seek to reduce freeway stormwater flow into the combined sewer system to assist with limiting untreated overflow during large storm events and will collaborate with DWSD and GLWA to develop discharge criteria that are feasible and advance water quality goals. Stormwater that drains to the I-96 MDOT storm only system will be treated to meet the requirements of MDOT's NPDES permit.</del></p> <p><u>The Project's stormwater system will meet the city's criteria for allowable discharge rates into the DWSD combined sewer and will treat water that drains to the I-96 MDOT storm-only system to meet the requirements of MDOT's stormwater permit. MDOT will develop the Project's conceptual drainage system according to the MDOT drainage manual, which uses a 50-year design storm for depressed freeways. MDOT is planning to use design storm rainfall from NOAA Atlas 14 for the proposed drainage system evaluation as it reflects the recent changes in stormwater intensities and magnitudes due to changing weather patterns. MDOT will seek to reduce freeway stormwater flow into the combined sewer system to assist with limiting untreated overflow during large storm events and will collaborate with DWSD and GLWA to develop discharge criteria that are feasible and advance water quality goals. Stormwater that drains to the I-96 MDOT storm only system will be treated to meet the requirements of MDOT's NPDES permit.</u></p> <p><i>(errata continue)</i></p>	Comments from GLWA, DWSD, and EGLE provided clarification, corrections, and requested greater detail on existing stormwater and drainage in the Project limits. NOTE: Mitigation measures to address water resources impacts may trigger a re-evaluation or a supplemental EIS.



Chapter	Location	Errata	Reason for Change
		<p><i>(errata continued from previous page)</i></p> <p><i>Paragraph 3 is revised as follows:</i></p> <p><u>MDOT will further evaluate the stormwater collection system, underground storage, detailed pump station designs, and a pump switching plan during final engineering design. MDOT will coordinate as required with DWSD and EGLE or other applicable regulatory agencies. MDOT will evaluate a range of potential drainage system alternatives, including storage facilities, partial or complete disconnection from the combined sewer system, and green infrastructure solutions. These alternatives will be evaluated for performance, capital cost, operation/maintenance cost, constructability, impact on overflow, right-of-way impacts, permitting impacts, and utility impacts, among other factors. Considerations to DWSD/GLWA planned combined sewer system improvements and overflow control solutions, such as sewer separation, will be incorporated in the selection and evaluation of the potential drainage alternatives. The most cost effective and feasible alternative will be selected in coordination with DWSD/GLWA/EGLE.</u></p> <p><u>To the extent feasible within a highly urbanized area, the Project will conform to the procedures in MDOT’s Phase II Storm Water Management Plan (SWMP) and will incorporate installation and maintenance of appropriate best management practices (BMPs) as set forth under Chapter 9 of the MDOT drainage manual. MDOT will select permanent BMPs with input from DWSD, GLWA and EGLE or other applicable regulatory agencies.</u></p> <p><i>The last sentence of Paragraph 3 is revised as follows:</i></p> <p><u>Selection of permanent BMPs will be done with input from DWSD, GLWA and EGLE or other applicable regulatory agencies. Where feasible, the Project will also comply with the city of Detroit’s Stormwater Management Design Manual requirements.</u></p> <p><i>The first sentence of Paragraph 5 is revised as follows:</i></p> <p><u>During construction activities, the MDOT Phase II NPDES permit (No. MI0057364) will be implemented.</u></p>	



Chapter	Location	Errata	Reason for Change
	4.12.3.3. Vegetation and Wildlife	<p><i>The following text is added to the end of Paragraph 1:</i></p> <p>During final design, MDOT will consider additional landscaping consistent with the I-94 Rehabilitation Project Corridor Design Guidelines <u>and consistent with MDOT tree and shrub replacement guidelines. A replacement ratio of 2:1 for trees and 4:1 for shrubs shall be utilized, provided that physical space is sufficient for the installation of new material that accounts for mature growth rates, and healthy growing condition per the MDOT Standard Specifications for Construction 2012 Sections 816 and 917. Where replacements are required, but billboard viewing requirements or physical space prevent this ratio of replacement, plants will be replaced to the maximum that can meet the above defined standards. Remaining plants calculated to be required for replacement, will be relocated to another area of the project where space exists. At the discretion of the Resource Specialist, Landscape Architect, or Engineer, additional shrubs may be exchanged for a necessary tree removal in order to comply with billboard legislation or other site restriction at a ratio of 7:1 or as agreed upon by the Resource Specialist, Landscape Architect, or Engineer.</u></p>	<p>This addition identifies existing MDOT landscape design protocol that may not have been fully institutionalized when the FEIS was prepared.</p>
	4.13.3.1. Archaeological Sites and Traditional Cultural Properties	<p><i>Add the following text:</i></p> <p><u>For construction projects MDOT requires that if the contractor finds what appear to be items of potentially archaeological or historical significance (such as bones, artifacts, pit features, or buried foundations), the contractor must immediately stop operations in that location and notify the MDOT Construction Engineer. The Engineer will investigate, gather documentation and photographs of the finds, and contact the MDOT Archaeologist for consultation and direction. The contractor is required to cooperate in the recovery of archeological and historical items, as directed by the Engineer.</u></p> <p><u>If the MDOT Archaeologist believes the archaeological deposits are significant and cannot be avoided, they will consult with the State Historic Preservation Office (SHPO) and develop a recovery plan. If a Native American site is discovered, the MDOT Archaeologist will notify and consult with Michigan’s 12 federally recognized Indian Tribes. Once the recovery plan has been completed, the MDOT Archaeologist will notify the MDOT Construction Engineer to resume construction at the location of the finds.</u></p>	<p>The Pokagon Band of Potawatomi Indians commented on the DSEIS and requested that if archaeological resources are uncovered, MDOT would stop work immediately and contact the Tribe.</p>
	4.16.1.2. Traffic Flow Mitigation	<p><i>The following bullet is added before the last paragraph of this section:</i></p> <ul style="list-style-type: none"> <li>▪ <u>Improving park and ride lot availability to boost ride sharing.</u></li> </ul>	<p>This is an additional ATDM strategy that MDOT will commit to that can help address traffic flow during construction.</p>



Chapter	Location	Errata	Reason for Change
	4.16.12. Airports	<p><i>Add the following new sections:</i></p> <p><b>4.16.12. Airports</b></p> <p><u>The Project is located at least 3,500 feet from Coleman A. Young International Airport runways in Detroit.</u></p> <p><b>4.16.12.1. IMPACTS</b></p> <p><u>During construction, the use of equipment such as cranes can potentially interfere with air traffic if not properly coordinated with the airport and the FAA.</u></p> <p><u>In administering Title 14 of the Code of Federal Regulations (14 CFR) Part 77, the prime objectives of the FAA are to promote air safety and the efficient use of the navigable airspace. To accomplish this mission, aeronautical studies are conducted based on information provided by proponents on an FAA Form 7460-1, Notice of Proposed Construction or Alteration.</u></p> <p><b>4.16.12.2. MITIGATION</b></p> <p><u>During final design and prior to construction MDOT will coordinate with FAA and, if required, will file FA Form 7460-1 in a timely manner as required for construction near the Coleman A. Young International Airport. MDOT will follow FAA standards for marking and lighting any obstructions that have been deemed by FAA to be a hazard to air navigation.</u></p>	<p>Comments received from FAA requested coordination with them on Coleman A. Young international airport, which lies north of the Project limits.</p>
Chapter 5. Draft Section 4(f) Evaluation		<p>The Final Section 4(f) Evaluation is included in Section 3 of this Combined FSEIS and ROD. It includes updates to language to reflect the current status of the Section 106 process and includes the necessary findings as required under Section 4(f).</p>	<p>Incorporates the Final Section 4(f) Evaluation, which has now been adopted by FHWA.</p>
Chapter 6. Comprehensive List of Measures to Mitigate Impacts		<p><i>The mitigation measures presented in Chapter 6 are edited or added to as indicated in the following rows.</i></p>	<p>Chapter 6 is updated with changes to the mitigation measures to be incorporated into the Project. Mitigation measures presented as commitments in the FSEIS will be incorporated into the Project as specified in Paragraphs (b) and (d) of Title 23, Section 771.109 of the Code of Federal Regulations. The Project <b>Green Sheet</b> (see <b>Page GS-1</b>) has been updated and is appended to this Combined FSEIS and ROD.</p>
	6.2.3. Business and Nonprofit Organizations	<p><i>The first sentence in this section is revised as follows:</i></p> <p>The Project will relocate <del>2033</del> businesses (<u>22 of which are billboards</u>).</p>	<p>Comments from a billboard company alerted MDOT of additional billboards that were not captured in the initial count, prompting further review. Additional billboards were added to the count even though some may appear to be outside the mapped lines of the ASAM.</p>



Chapter	Location	Errata	Reason for Change
	6.4. Economic Conditions	<p><i>Add the following text to the end of this section:</i></p> <p><u>Any vegetation within 1,000 feet of a billboard face, excluding ground cover, that will be removed needs to be documented before removal. This documentation should include, vegetation type (tree or shrub), species (if known), approximate height, size (tree diameter or shrub square footage), and location relative to the billboard sign (face). Michigan’s billboard law allows in-kind replacement of vegetation removed for transportation purposes. The survey will document the presence of vegetation in relation to adjacent billboards to protect MDOT’s ability to replace that vegetation as part of the landscaping.</u></p>	This addition identifies existing MDOT landscape design protocol that may not have been fully institutionalized when the FEIS was prepared.
	6.5. Environmental Justice Aesthetics and Visual Resources	<p><i>Add the following to the end of this section:</i></p> <p><u>MDOT will apply landscape design protocol for the replacement of trees and shrubs.</u></p>	This addition identifies existing MDOT landscape design protocol that may not have been fully institutionalized when the FEIS was prepared.
	6.8. Water Quality	<p><i>Sentence 1 is revised as follows:</i></p> <p>MDOT will review the proposed improvements along the interchange infields, service drives and local street improvements to identify opportunities to incorporate green infrastructure to the extent feasible based on localized grading, soil conditions, available right-of-way, ground water elevation, and available outlet locations.</p> <p><i>Paragraphs 2 and 3 are replaced as follows:</i></p> <p>The collection system will be evaluated further during final design phases. MDOT will develop the Project’s conceptual drainage system according to MDOT’s drainage manual, which uses a 50-year design storm for depressed freeways.100 The Project’s stormwater system will meet the city’s criteria for allowable discharge rates into the Detroit Water and Sewerage Department (DWSD) combined sewer and will treat water that drains to the I96 MDOT storm-only system to meet the requirements of MDOT’s stormwater permit.</p> <p>The design of the stormwater collection system, underground storage, detailed pump station designs, and a pump switching plan, will be completed during final engineering design. MDOT will coordinate as required with DWSD and Michigan Department of Environment, Great Lakes, and Energy (EGLE) or other applicable regulatory agencies.</p> <p><i>(errata continue)</i></p>	In response to comments from GLWA and DWSD.



Chapter	Location	Errata	Reason for Change
		<p><i>(errata continued from previous page)</i></p> <p><u>MDOT will develop the Project’s conceptual drainage system according to the MDOT drainage manual, which uses a 50-year design storm for depressed freeways. MDOT is planning to use design storm rainfall from NOAA Atlas 14 for the proposed drainage system evaluation as it reflects the recent changes in stormwater intensities and magnitudes due to changing weather patterns. MDOT will seek to reduce freeway stormwater flow into the combined sewer system to assist with limiting untreated overflow during large storm events and will collaborate with DWSD and GLWA to develop discharge criteria that are feasible and advance water quality goals. Stormwater that drains to the I-96 MDOT storm-only system will be treated to meet the requirements of MDOT’s NPDES permit.</u></p> <p><u>MDOT will evaluate a range of potential drainage system alternatives, including storage facilities, partial or complete disconnection from the combined sewer system, and green infrastructure solutions. These alternatives will be evaluated for performance, capital cost, operation/maintenance cost, constructability, impact on overflow, right-of-way impacts, permitting impacts, and utility impacts, among other factors. Considerations to DWSD/GLWA planned combined sewer system improvements and overflow control solutions, such as sewer separation, will be incorporated in the selection and evaluation of the potential drainage alternatives. The most cost effective and feasible alternative will be selected in coordination with DWSD/GLWA/EGLE.</u></p> <p><u>To the extent feasible within a highly urbanized area, the Project will conform to the procedures in MDOT’s Phase II Storm Water Management Plan (SWMP) and will incorporate installation and maintenance of appropriate best management practices (BMPs) as set forth under Chapter 9 of the MDOT drainage manual. MDOT will select permanent BMPs with input from DWSD, GLWA and EGLE or other applicable regulatory agencies.</u></p> <p><i>The last sentence of Paragraph 3 is edited as follows:</i></p> <p><u>MDOT will select permanent BMPs with input from DWSD, GLWA and EGLE or other applicable regulatory agencies. Where feasible, the Project will also comply with the Detroit Stormwater Management Design Manual requirements.</u></p> <p><i>The first sentence of Paragraph 5 is edited as follows:</i></p> <p><u>During construction activities, the MDOT Phase II National Pollutant Discharge Elimination System (NPDES) permit (No. MIO057364) will be implemented.</u></p>	



Chapter	Location	Errata	Reason for Change
	6.9.1. Vegetation and Wildlife	<p><i>The following text is added to the end of Paragraph 1:</i></p> <p>During final design, MDOT will consider additional landscaping consistent with the I-94 Rehabilitation Project Corridor Design Guidelines <u>and consistent with MDOT tree and shrub replacement guidelines. A replacement ratio of 2:1 for trees and 4:1 for shrubs shall be utilized, provided that physical space is sufficient for the installation of new material that accounts for mature growth rates, and healthy growing condition per the MDOT Standard Specifications for Construction 2012 Sections 816 and 917. Where replacements are required, but billboard viewing requirements or physical space prevent this ratio of replacement, plants will be replaced to the maximum that can meet the above defined standards. Remaining plants calculated to be required for replacement, will be relocated to another area of the project where space exists. At the discretion of the Resource Specialist, Landscape Architect, or Engineer, additional shrubs may be exchanged for a necessary tree removal in order to comply with billboard legislation or other site restriction at a ratio of 7:1 or as agreed upon by the Resource Specialist, Landscape Architect, or Engineer.</u></p>	<p>This addition identifies existing MDOT landscape design protocol that may not have been fully institutionalized when the FEIS was prepared.</p>
	6.10.1. Archaeological Resources	<p><i>Add the following text:</i></p> <p><u>For construction projects MDOT requires that if the contractor finds what appear to be items of potentially archaeological or historical significance (such as bones, artifacts, pit features, or buried foundations), the contractor must immediately stop operations in that location and notify the MDOT Construction Engineer. The Engineer will investigate, gather documentation and photographs of the finds, and contact the MDOT Archaeologist for consultation and direction. The contractor is required to cooperate in the recovery of archeological and historical items, as directed by the Engineer.</u></p> <p><u>If the MDOT Archaeologist believes the archaeological deposits are significant and cannot be avoided, they will consult with the State Historic Preservation Office (SHPO) and develop a recovery plan. If a Native American site is discovered, the MDOT Archaeologist will notify and consult with Michigan’s 12 federally recognized Indian Tribes. Once the recovery plan has been completed, the MDOT Archaeologist will notify the MDOT Construction Engineer to resume construction at the location of the finds.</u></p>	<p>The Pokagon Band of Potawatomi Indians commented on the DSEIS and requested that if archaeological resources are uncovered, MDOT would stop work immediately and contact the Tribe.</p>
	6.12.10. Airports	<p>Add the following section:</p> <p><b>6.12.10. Airports</b></p> <p><u>During final design and prior to construction MDOT will coordinate with FAA and, if required, will file FA Form 7460-1 in a timely manner as required for construction near the Coleman A. Young International Airport. MDOT will follow FAA standards for marking and lighting any obstructions that have been deemed by FAA to be a hazard to air navigation.</u></p>	<p>Comments received from FAA requested coordination with them on Coleman A. Young International Airport, which lies north of the Project limits.</p>



Chapter	Location	Errata	Reason for Change
Green Sheet	IV. Cultural Environment	<p>Add the following to Item a. Historic.</p> <p><u>The mitigation commitments in the MOA in Appendix D are also part of project mitigation commitments.</u></p>	Additional mitigation measures were developed and adopted in the amended Memorandum of Agreement (MOA) included in <b>Appendix D</b> of the Combined FSEIS and ROD.
	IV. Cultural Environment	<p><i>Item a. Historic, second to last sentence is edited as follows:</i></p> <p><del>Comments on historic properties that are received will be considered and are reported in the Combined FSEIS and ROD.</del></p>	This sentence deleted because it is no longer necessary.
	IV. Cultural Environment	<p><i>Item b. Archaeological is replaced with the following:</i></p> <p>An unmarked cemetery is located in or near the I-94/Conner Avenue interchange. 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.</p> <p>If the Contractor finds what appear to be items of potentially archaeological or historical significance (such as bones, artifacts, pit features, or buried foundations), the Contractor must immediately stop operations in that location and notify the MDOT Construction Engineer. The Engineer will investigate, gather documentation and photographs of the finds, and contact the MDOT Archaeologist for consultation and direction. The Contractor must cooperate in the recovery of archeological and historical items, as directed by the Engineer. The Department will pay the Contractor and grant a time extension for any delay related to the recovery of archeological and historical items as extra work.</p> <p>If the MDOT Archaeologist believes the archaeological deposits are significant and cannot be avoided, they will consult with the State Historic Preservation Office (SHPO) and develop a recovery plan. If a Native American site is discovered, the MDOT Archaeologist will also notify and consult with Michigan’s 12 federally recognized Indian Tribes. Once the recovery plan has been completed, the MDOT Archaeologist will notify the MDOT Construction Engineer to resume construction at the location of the finds.</p>	The Pokagon Band of Potawatomi Indians commented on the DSEIS and requested that if archaeological resources are uncovered, MDOT would stop work immediately and contact the Tribe.
	V. Construction	<p><i>Item i. Airports is added as follows:</i></p> <p><u>During final design and prior to construction MDOT will coordinate with FAA and, if required, will file FA Form 7460-1 in a timely manner as required for construction near the Coleman A. Young International Airport. MDOT will follow FAA standards for marking and lighting any obstructions that have been deemed by FAA to be a hazard to air navigation.</u></p>	Comments received from FAA requested coordination with them on Coleman A. Young international airport, which lies north of the Project limits.



Chapter	Location	Errata	Reason for Change
	II. b) Water Quality	<p><i>The mitigation measure is replaced with the following:</i></p> <p>The ASAM will increase impervious area by 78.55 acres; a 28% increase over existing conditions. MDOT will review the proposed improvements along the interchange infields, service drives and local street improvements to identify opportunities to incorporate green infrastructure to the extent feasible. MDOT will develop the Project’s conceptual drainage system according to the MDOT drainage manual, which uses a 50-year design storm for depressed freeways. MDOT is planning to use design storm rainfall from NOAA Atlas 14 for the proposed drainage system evaluation as it reflects the recent changes in stormwater intensities and magnitudes due to changing weather patterns. MDOT will seek to reduce freeway stormwater flow into the combined sewer system to assist with limiting untreated overflow during large storm events and will collaborate with DWSD and GLWA to develop discharge criteria that are feasible and advance water quality goals. Stormwater that drains to the I-96 MDOT storm-only system will be treated to meet the requirements of MDOT’s NPDES permit. MDOT will evaluate a range of potential drainage system alternatives, including storage facilities, partial or complete disconnection from the combined sewer system, and green infrastructure solutions. These alternatives will be evaluated for performance, capital cost, operation/maintenance cost, constructability, impact on overflow, right-of-way impacts, permitting impacts, utility impacts, among other factors. Considerations to DWSD/GLWA planned combined sewer system improvements and overflow control solutions, such as sewer separation, will be incorporated in the selection and evaluation of the potential drainage alternatives. The most cost effective and feasible alternative will be selected in coordination with DWSD/GLWA/EGLE.</p> <p>To the extent feasible within a highly urbanized area, the Project will conform to the procedures in MDOT’s Phase II Storm Water Management Plan (SWMP) and will incorporate installation and maintenance of appropriate best management practices (BMPs) as set forth under Chapter 9 of the MDOT drainage manual. MDOT will select permanent BMPs with input from DWSD, GLWA and EGLE or other applicable regulatory agencies.</p>	In response to comments from GLWA, DWSD and EGLE.
Chapter 10. References		<p><i>The following reference is added:</i></p> <p><u>National Oceanic and Atmospheric Administration. (April 12, 2019) NOAA Atlas 14 Precipitation-Frequency Atlas of the United States, Volume 8 Version 2: Midwestern States, including Michigan. Retrieved from <a href="https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=mi">https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=mi</a>.</u></p>	This data was cited in the DSEIS’s Water Resources section errata.



Chapter	Location	Errata	Reason for Change
<b>Chapter 12.</b> Conceptual Design Plan	Pages 12-3, 12-4, 12-5, 12-7, 12-14, and 12-15	Edits are made to the ASAM maps to include additional billboard structures that will be affected by construction of the Project. The addresses and relative locations of billboard structures added to the exhibits are as follows: <ul style="list-style-type: none"> <li>▪ Two billboard structures, on the southwest and northeast sides of the railroad bridge between 14th Street and Rosa Parks Boulevard (Page 12-4)</li> <li>▪ One billboard structure on 5857 Cass Avenue (Page 12-5)</li> <li>▪ One billboard structure west of 1530 Trombly Street (Page 12-7)</li> <li>▪ One billboard structure on 11832 Harper Avenue (Page 12-14)</li> <li>▪ Two billboard structures, on the east and west sides of the railroad bridge in the middle of the tracks between Baltimore and Holden Avenue (Page 12-15)</li> <li>▪ One billboard structure on 6280 Hastings Street, on the northeast side of the railroad bridge over I-75, north of Piquette (Page 12-18)</li> </ul>	Comments from a billboard company alerted MDOT of additional billboard structures that were not captured in the initial count, prompting further review. See FSEIS <b>Appendix F.</b>
	Page 12-4	The arrow on Rosa Parks Blvd pointing south is deleted.	Correction. Rosa Parks Boulevard is one-way north.
	Page 12-13	Arrows are added to French Road and Lemay Street to indicate two-way traffic.	Correction. Arrows were not provided on the map at these locations.
	Page 12-16	The non-motorized bridge/path west of Warren Street bridge is changed to indicate it as a two-way local road.	Correction. This is an existing pedestrian bridge and is proposed to be a complete street bridge.
<b>Appendix B.</b> Traffic Analyses and Documentation	Pages B-12 through B-43	The watermark “DRAFT” on the indicated pages of Technical Memorandum No. MDOT-TM 8 <i>Existing (2014) Paramics Assessment and Model Calibration for I-94</i> is removed.	The “DRAFT” watermark on the Technical Memorandum No. 8 included in DSEIS Appendix B is incorrect. The report was actually in final form. No other edits were made to this technical memorandum.
<b>Appendix E.</b> Conceptual Stage Relocation Plan	Pages E-2 and E-3	The CSRP dated Feb. 6, 2019, is replaced with CSRP dated March 4, 2020, which is included in FSEIS <b>Appendix A.</b>	As the Project design is refined, additional opportunities to avoid residential relocations were found. Also, clarifications to the business relocations were made to account for updates to affected billboards. Additional research found that the apartment building at 447-449 Antoinette St. has an estimated 12 units, allowing the opportunity to provide a count of relocated units as opposed to parcels.



Chapter	Location	Errata	Reason for Change
<p><b>Appendix L.</b> Summary of Alternatives and Options</p>	<p><b>Page L-10:</b> M-10 Modifications Options</p>	<p><i>Add the following sentence to Alternatives O-1 and O-2 Option Descriptions:</i>  <u>The modernization of the I-94 ramp to northbound M-10 may require partial or full reconstruction of the Pallister Avenue bridge over M-10.</u></p> <p><i>Add the following sentence to Alternatives O-1 and O-2 Notes:</i>  <u>Additional engineering analysis would be required to determine if the Pallister Avenue bridge over M-10 requires partial or full replacement.</u></p>	<p>This additional text provides further clarity to the ASA and the ASAM and is the result of modernization of the I-94 ramps.</p>
	<p><b>Page L-12:</b> I-75 Modifications Options</p>	<p><i>Add the following sentence to Alternatives T-1 and T-2 Option Descriptions:</i>  <u>The modernization of the I-94 ramp to northbound I-75 may require partial or full reconstruction of the E. Grand Boulevard and the Conrail/CN bridges over I-75.</u></p> <p><i>Add the following sentence to Alternatives T-1 and T-2 Notes:</i>  <u>Additional engineering analysis would be required to determine if the E. Grand Boulevard bridge over I-75 and the Conrail/CN railroad bridge over I-75 require partial or full replacement. If work is required on the E. Grand Boulevard and/or Conrail/CN railroad bridges over I-75, NEPA compliance may be required.</u></p>	<p>This additional text provides further clarity to the ASA and the ASAM and is the result of modernization of the I-94 ramps.</p>



### 1.3. Public Input Since the Release of the DSEIS

#### 1.3.1. Additional Public Outreach

EPA published the DSEIS [EIS No. 20190219] in the *Federal Register* on Sept. 13, 2019. A 45-day public review and comment period was held in 2019 from Sept. 14 through Oct. 28. In addition, MDOT published legal notices announcing the Project’s public hearing purpose, locations, date and times, and locations where review copies of the DSEIS could be found. Also included was background information about the purpose of the project, NEPA process information and instructions on how and when to comment on the DSEIS. Information was provided on how to request accommodations for people who are disabled and who speak limited English.

**Table 1-2** lists the groups with whom MDOT has met to discuss the Project status and features since publishing the DSEIS.

**Table 1-2: Public Meetings Since Publication of the Draft Supplemental Environmental Impact Statement**

Group	Date(s)
City of Detroit	Sept. 24, Sept. 26 and Oct. 8, 2019
District 4 Community Meeting	Oct. 28, 2019
I-94 Local and Government Advisory Committees	Sept. 26, 2019
Motion Coalition	Oct. 24, 2019
Section 106 consulting party meeting	Jan. 30, 2020

#### 1.3.2. Public Hearings

MDOT hosted two public hearings on the I-94 Modernization Project in Detroit DSEIS in accordance with 23 CFR 771.111. The hearings were held on Thursday, Oct. 10, 2019, at two locations:

- Detroit Historical Museum, 5401 Woodward Ave., Detroit, 48202, from 9 a.m. to 1 p.m.
- Wayne County Community College District - Eastern Campus, 5901 Conner St., Detroit, 48213, from 4-8 p.m.

Public outreach to generate attendance at the Project’s public hearings included two press releases to local media, distribution of a project newsletter to community members, postcard invitations sent to residents and businesses within a half-mile of the project area; distribution of videos promoting the public hearing date, DSEIS community repository locations and select proposed modifications; two rounds of invitations sent via email to the project stakeholder list, and frequent posting of information on the Project website and social media. Media coverage of the meeting included interviews with news radio stations WJR and WWJ. Television stations Fox 2 and WXYZ were also provided coverage at the public hearing.

The public hearing format included an open house where MDOT representatives were available to discuss the features of the Project, the potential impacts, alternatives, purpose and need and to listen to comments and answer questions. Staff was also present to provide instruction on how to comment on the DSEIS and how to provide testimony during the public hearing. MDOT staff specializing in real estate, cultural resources, traffic, noise impacts, and air quality effects were also present at the hearing. American Sign Language (ASL), Spanish, and Arabic translators were present at all public hearings. The public hearing location was ADA accessible. Exhibits presented the features of the Project, the potential impacts, purpose and need, alternatives considered. A copy of the complete DSEIS and Appendices were available for public review.

**Appendix B** provides a full summary of the Project public hearings including information about attendance, presentations, exhibits, handouts, and the transcripts of the hearings.

Sixty-four people attended the morning meeting at Detroit Historical museum and 63 attended the evening hearing at Wayne County Community College District – Eastern Campus.

People could provide testimony at the hearing by giving private testimony to a court reporter, providing public testimony, or providing written comments. A total of 20 verbal comments were recorded by the court reporter and 16 written comments were received at the two events. A total of 127 people signed in and attended the two public hearing events.

## 1.4. Summary of Comments and Responses on the DSEIS

This Section summarizes the comments received during the public hearing and the DSEIS public comment period. MDOT received 77 written or verbal comments from private individuals, included is a petition circulated on Change.org, which received over 180 signatures during the public comment period; some people left comments on why they signed the petition. These supplementary comments on the petition were incorporated as individual comments on the DSEIS. Seventeen commenters identified themselves as representing stakeholder groups. One elected official provided a written comment, while nine agencies responded to the DSEIS circulation. Most comments received from the public concerned adding a lane to I-94 and potential associated impacts that may be caused by induced traffic.

The following pages provide a summary of substantive public and agency comments and responses. Standard responses are provided to common issues raised to reduce duplication. Responses include the following:

1. “Comment recorded” when the comment does not require a formal response
2. A reference to the location in the DSEIS where a comment is addressed
3. Discussion that clarifies the concern cited in the comment
4. Explanation if the comments resulted in corrections to the DSEIS

Copies of agency correspondence are included in **Appendix C**.



**Table 1-3: Public Comments on Draft Supplemental Environmental Impact Statement**

Topic	Comment	Response
General support	<ul style="list-style-type: none"> <li>• Bridges are a good idea.</li> <li>• Add a lane.</li> <li>• The outdated infrastructure cannot handle the existing capacity; traffic is horrible going to and from downtown.</li> <li>• MDOT listened to the community to keep expansion and to add local streets and complete streets.</li> <li>• Appreciate the outreach MDOT/FHWA conducted and the online resources.</li> <li>• Congresswoman Lawrence commented that they have heard a lot of positive feedback from the community about the project overall.</li> <li>• Traffic is horrible; the Project is long overdue.</li> <li>• Neighborhood connectivity is served through bridges and Complete Streets design.</li> <li>• Iron Belle Trail design enhances safety and encourages greater use of the trail. These things promote community health and well-being.</li> <li>• MDOT demonstrated sensitivity to alternative forms of transit, safety and community integrity.</li> </ul>	Comments recorded
General opposition	I have not heard any positive comments on this project, only negative	The DSEIS documents public outreach events and comments received. See DSEIS Appendix A for summaries of positive public input into the process
General opposition	<p>Several people oppose the addition of one lane in each direction of the mainline I-94. Reasons given for this opposition included:</p> <ul style="list-style-type: none"> <li>• It is not needed</li> <li>• It is not needed because the population is stagnant</li> <li>• It is not needed because trade capacity does not justify the project</li> </ul>	<p>MDOT and FHWA extensively evaluated data in the context of the project’s purpose and need, including most currently available projections and factors affecting traffic volumes at the time of the DSEIS publication. The Project’s Purpose and Need Statement is documented in DSEIS Chapter 1 (Purpose and Need). Section 1.4.3 discusses the existing and forecast traffic congestion and traffic studies that identified the need for an additional lane. See DSEIS Section 3.2.1 regarding the features of the ASAM, which satisfies the Purpose and Need for the Project.</p> <p>Traffic capacity was not the only justification for the added lane; safety was also an express purpose and need identified in the DSEIS. See Response to Comments regarding the Project’s safety assessment.</p> <p>See also the following response regarding the traffic analysis.</p>



Topic	Comment	Response
General opposition	<p>It will have an induced demand effect (cause more traffic) and more traffic will:</p> <ul style="list-style-type: none"> <li>• Produce longer commute times                             <ul style="list-style-type: none"> <li>▫ Worsen traffic jams</li> <li>▫ Result in more deaths and injuries from auto collisions</li> <li>▫ Contribute to climate change</li> </ul> </li> <li>• The data used for traffic studies (and therefore the air and noise studies) is outdated</li> </ul> <p>More traffic will impact safety</p>	<p><i>Regarding traffic analysis and data:</i></p> <p>MDOT conducted traffic analyses on the Preferred Alternative and the methodologies, findings, and conclusions are documented in the DSEIS in the Purpose and Need Chapter (Section 1.4.3), and in technical memoranda included in DSEIS Appendix B. The I-94 traffic analysis evaluated the existing traffic data, future-year 2040 no-build traffic data, and the future-year 2040 build traffic data.</p> <p>The traffic data and traffic analysis methodology were reviewed and approved by the Southeast Council of Governments (SEMCOG) and the Federal Highway Administration (FHWA). In 2014, MDOT obtained new traffic counts and completed a comprehensive update to the traffic analyses for the project. Additional traffic counts were also obtained in 2017 to account for the closure of John R Street ramps due to M-1 bridge construction in 2014, the GM Detroit-Hamtramck Assembly Plant shut down in 2014, and additional locations along the service drives to evaluate the proposed modifications as part of the ASAM. Future year traffic projections were developed using data from SEMCOG’s traffic model that incorporates current and projected population and employment growth within the southeast Michigan region. Their model is continuously improved and updated to incorporate the latest socioeconomic data including population, employment, and households to reflect current demographics, as well as traffic performance data collected throughout the region on an ongoing basis.</p> <p>The traffic modeling estimates there will be an additional 29% increase in traffic volume in the I-94 corridor by year 2040. Of the 29% increase in traffic volume, 23%-27% is estimated to be induced demand once the additional lane on I-94 is open in each direction, and 2%-6% is estimated growth in traffic volume from population and employment growth. Using this level of induced demand, the traffic study for the additional lane along I-94 estimates that the amount of congestion during the AM/PM peaks will go down and improve traffic operations from LOS F to LOS D or better in year 2040. The extra lane will modestly reduce congestion; however, it will also result in improved safety along I-94.</p> <p><i>Regarding Climate Change:</i></p> <p>For discussion related to climate change, see also comment responses to the Topics “<b>Prioritize transit and rail funding over road funding</b>” on <b>Page 1-25</b> and “<b>Air quality</b>” on <b>Page 1-27</b>.</p>
Freeway concerns	<p>There is a legacy of highways destroying communities in the city of Detroit that should be redressed.</p>	<p>Comment recorded</p>



Topic	Comment	Response
Freeway concerns	Highway expansion that makes it easier for people to live further outside of the city encourages sprawl.	Comment recorded
Freeway concerns	The proposed retaining walls are unpleasant and divide the city.	The retaining walls allow the addition of lanes without substantially changing the existing footprint, which reduces the number of properties that need to be acquired for the freeway improvement. Converting pedestrian-only bridges to Complete Streets bridges improves connections across the freeway. Improving neighborhood connectivity addresses a purpose and need for the project, which is addressed in Chapter 1 of the DSEIS.
Freeway concerns	Widening I-94 will hinder attempts to safely get around neighborhoods.	The proposed service drive configuration (two-way traffic vs. previously approved one-way traffic), along with bridge crossings came from community input and are designed to improve safety and local connectivity for neighborhoods.
Freeway concerns	The freeway should be removed.	Comment recorded
Project scope	Eliminate bike trails. Bikers can use the sidewalk. Many of the bikers on the "street bike trails" don't obey traffic signs!	Comment recorded
Project scope	More lanes on I-94 is more important than shoulders	Shoulders provide safe refuge for disabled vehicles, helping to keep traffic moving.
Project scope	Keep left lane exits if they are the most direct way.	Left lane exits cause drivers to merge when and where others least expect it. Most drivers expect right lane exits.
Project scope	Do a road diet on I-94.	Reducing the number of lanes on I-94 would lead to increased congestion on an already-congested corridor leading to more safety concerns and reduced capacity for interstate commerce and economic development.
Project scope	Please make bridges on the east side into the heart of Detroit like a gateway into the city, making them light up/turn them into art pieces to showcase city's comeback.	The DSEIS Section 4.3.1.6. <i>Neighborhood/Community Character and Cohesion</i> explains that the <i>I-94 Rehabilitation Project Corridor Design Guidelines</i> envision some of the Project's bridges as having more intensive landscaping and public art to highlight them as "community gateways" and improve the transition between the freeway and surrounding areas.
Project scope	Meter the ramps.	As indicated in DSEIS Section 3.2.5 regarding Transportation System Management, the Final Alignment ATDM system may include adaptive ramp metering system on the I-94 freeway on-ramps.



Topic	Comment	Response
Project scope	While they are at it, ensure maximum lane availability on parallel major streets.	MDOT is coordinating improvements with the city of Detroit to provide efficient transportation circulation. The Project proposes several local road improvements that will improve connections across I-94 among neighborhoods and along service drives to facilitate use of local roads for local traffic circulation. This is cited as a need in the Project’s Purpose and Need statement in DSEIS Chapter 1. Active Transportation Demand Management (ATDM) is a separate MDOT project on I-94. The ATDM project is described in DSEIS Section 3.2.5. and involves the addition of technology along the I-94 corridor as well as on Michigan and Gratiot avenues.
Project scope	The bridges seem to be the same dimensions as the existing bridges and the freeway seems to have no increase in lanes and no improvements in median and ramps.	DSEIS Section 3.1.4 and Chapter 12 provide a description and maps of the ASAM and the proposed changes to the highway geometries. The bridges will be wider and longer, and the freeway will be wider as well.
Project scope	<p>Comments regarding maintenance issues:</p> <ul style="list-style-type: none"> <li>• Against too much landscaping that would need a lot of maintenance. It is a waste of money. Don’t plant grass where it needs to be cut but is not easy to access.</li> <li>• We cannot maintain the existing system; added lanes will further increase maintenance budgets</li> <li>• Reconsider spending taxpayer funds at a time when we can’t maintain the thousands of miles of existing roadways</li> <li>• MDOT must fix, repair, and maintain the existing system.</li> </ul>	<p>The conceptual landscaping plan is included in DSEIS Appendix H. Some areas are designated for more intensive landscaping and public art to serve as community gateways (see Section 3.2.2 of the DSEIS for a description of these “community connector bridges”). Community outreach and the development of the I-94 Rehabilitation Project corridor Design Guidelines identified these areas. MDOT will seek agreements with the city to maintain planters, median plantings, street trees and landscaping.</p> <p>The Project is designed to replace aging infrastructure while also modernizing it. The bridges and pavement are at the end of their lives and require replacement even without modernization. The substantial portion of the cost for the project comes from the replacement of the bridges and the pavement.</p>
Project scope	<p>Comments regarding Complete Streets, including bicycle, pedestrian, and transit provisions</p> <ul style="list-style-type: none"> <li>• Bike lanes on bridges should be fully protected for safety</li> <li>• Support replacement of pedestrian bridges with at-grade complete streets bridges (typical section includes bike lanes)</li> <li>• A street isn’t a “complete street” without protected bike lanes</li> </ul>	<p>DSEIS Section 3.1.4 discusses the proposed Complete Street bridge concepts. DSEIS Figure 3-4 shows a typical section for the Complete Streets bridges proposed with the Project’s bridges over I-94. The concept and definition of Complete Streets does not include protected bike lanes. MDOT evaluated a wide range of multimodal provisions and community benefits as part of the ASAM development. Safety of multimodal transportation is a fundamental design criterion of the Complete Streets concepts and the ASAM.</p> <p>The Project converts on-street bike lanes to off-street bike lanes in the vicinity of the Conner Avenue interchange where the Iron Belle Trail intersects the Project corridor.</p>



Topic	Comment	Response
Project scope	The DSEIS focuses only on bicycles and pedestrians when addressing “non-motorized” travel.	MDOT’s current Long Range Transportation Plan goals provide for multimodal transportation, as discussed in Section 1.4.5 of the DSEIS. Improved access to transit and nonmotorized facilities is a goal of the Project. The Project design does not preclude local, state and regional plans for coordinated transit service improvements.  MDOT is also currently preparing a long range transportation plan update, which is designed to satisfy planning requirements for rail, road, transit and nonmotorized transportation.
Project scope	Consider including traffic calming on service drives at the beginning, rather than waiting until 2030.	The city of Detroit has jurisdiction over the existing service drives. As such, MDOT has provided this comment to the city of Detroit Department of Public Works – Traffic Engineering for review and consideration of installing interim traffic-calming measures. Based on MDOT discussions with city of Detroit and other stakeholders, traffic calming measures have been incorporated into the current ongoing construction of the I-94 advanced bridges and will also be included throughout the construction period beginning with the first segment of construction that could start as early as 2023.
Project scope	Keep Canfield Bridge over M-10	The Canfield Street pedestrian bridge is being replaced with a new crossing at Calumet/Four Tops.
Project scope	Ferry Street Bridge is/is not needed.	The Ferry Street bridge option is discussed in Table 3-1 and is called out under Option C5. The reconnection would meet the goals of the city of Detroit to reconnect the grid. It also meets traffic operational needs and FHWA interstate access requirements.
Project scope	Oppose conversion of so many service drives from one way to two way.	The proposed service drive configuration (two-way traffic vs. previously approved one-way traffic), came from community input and are designed to improve safety and local connectivity for neighborhoods.



Topic	Comment	Response
Alternatives (HOV Lanes)	<ul style="list-style-type: none"> <li>The alternative of using HOV lanes, shoulder-running buses or transit along I-94 should be considered.</li> </ul>	<p>In the 2001 Draft Environmental Impact Statement, MDOT considered an HOV alternative for I-94. MDOT also performed a region-wide analysis of HOV lane feasibility to understand the larger context for considering HOV lanes in the area. As a result, the 6.7 mile I-94 reconstruction corridor did not meet the criteria for HOV designation.</p> <p>In addition to not meeting the criteria at that time, other challenges within the corridor for HOV include the close spacing of interchanges. An HOV lane would potentially make freeway operations more difficult due to added lane changing. I-94 also has a significant number of trucks traveling long distance through the corridor. Long distance truck traffic could not use an HOV lane. I-94 needs a new, unrestricted freeway lane to help minimize congestion and allow more room for improved operations between the interchanges, which should result in a safer freeway.</p> <p>No further study of the HOV lane took place as part of the DSEIS because the conditions that existed in 2001 persist today. However, the DSEIS preferred alternative does not preclude the implementation of an HOV facility in the future. Any future consideration of HOV lanes on I-94 would need to extend beyond the study limits of the project to optimize the benefits and be most effective.</p> <p>MDOT is implementing an HOV lane for the 18-mile long I-75 reconstruction and widening in Oakland County where mid and long-distance commuters make the HOV lane more viable.</p>
Transit	<ul style="list-style-type: none"> <li>Work with SMART, DDOT and the RTA on implementing transit in the corridor.</li> </ul>	<p>DSEIS Sections 3.1.4.2 and 4.3.1.4 discuss transit considerations within the corridor and region. RTA has concluded that I-94 is not a high priority transit corridor and the agency’s transit planning is focused elsewhere. DDOT’s concerns for the residential areas in the study corridor include opportunities to increase frequency of existing transit and micro-transit.</p> <p>Regional transit does exist in the corridor. New commuter services (FAST routes) are operated by SMART. This service connects the suburbs to downtown with limited stops to provide access to destinations and transfer points.</p> <p>A new commuter express bus service from Ann Arbor to Detroit began operations in March 2020 and has a three years’ funding commitment. A commuter rail line is planned under the RTA and has been incorporated into their Master Plan (2016) and has been discussed for many years.</p> <p>DSEIS Sections 6.12.1 and 6.12.2 discuss transit service impacts and mitigation. MDOT continues coordination with RTA, SMART, and DDOT to detour transit away from construction activities. Possible alternate routes include Gratiot Avenue and Michigan Avenue to provide on-going service for residents within the Project area.</p>



Topic	Comment	Response
Prioritize transit and rail funding over road funding	<ul style="list-style-type: none"> <li>• Transit alternatives to widening need to be considered.</li> <li>• The alternative of using the funding for regional and/or local transit should be considered</li> <li>• It is time for a shift in priorities in infrastructure funding</li> <li>• Pair the Project with regional transit</li> <li>• For 3% of the price tag of this project, you could fund regional rail from Ann Arbor to Detroit</li> <li>• Investments should be made on other forms of transportation, which is more forward looking, modern and holistic; the project concept is outdated.</li> <li>• For this big of a project, MDOT should do something transformational rather than the same old, same old.</li> <li>• Focus on moving people, not cars.</li> <li>• Plan for the future when cars may be obsolete.</li> <li>• Continued road funding worsens climate change</li> </ul>	<p>Congress considers increases in surface transportation spending as part of broad infrastructure funding packages with formulas determined by Congress in surface transportation authorization acts. The last reauthorization act is known as the FAST Act (P.L. 114-94), which will fund federal highway and public transportation programs until September 2020.</p> <p>The Federal-Aid Highway Program is used for highway projects such as the I-94 Detroit Modernization Project. This funding is provided to the states using a formula established in the FAST Act. The Federal Public Transportation Program can be used for public transportation such as local rail, bus rapid transit, and the expansion of existing transit systems.</p> <p>MDOT’s long-range transportation plan goals seek to provide choices for users, so they can select the mode that provides the best service time, least cost, and highest reliability.</p> <p>The ASAM does not preclude transit and seeks to improve local traffic circulation. Bridges designed as complete streets accommodate transit and multimodal transportation.</p> <p>The I-94 Detroit Modernization Project is included in SEMCOG’s 2020-2023 Transportation Improvement Program (TIP) (planning activities and ROW). See the RTP: <a href="https://www.semcog.org/rtp">https://www.semcog.org/rtp</a>.</p> <p>Coordination with transit agencies indicated there are no plans to utilize I-94 as a dedicated transit route.</p> <p>The Michigan Mobility 2045 Plan, MDOT’s long-range transportation planning process now underway, provides opportunity for public input on transportation investment and funding priorities, as well as climate change. See also the plan web page at <a href="http://www.michiganmobility.org/">http://www.michiganmobility.org/</a>.</p> <p><i>(response continues)</i></p>



Topic	Comment	Response
<p>Prioritize transit and rail funding over road funding</p>		<p><i>(response continued from previous page)</i></p> <p>I-94 within the Project limits services no existing transit routes. I-94 was also not identified as a priority transit route in RTA’s <i>Regional Master Transit Plan</i> (August 2016); however, the plan does identify a new Macomb Airport Express bus route that utilizes I-94. The limits of this new route extend along I-94 from M-59 to the Detroit Metropolitan Airport, including a stop at Wayne State University. Airport Express is proposed to be a premium limited-stop express service from regional centers to the Detroit Metropolitan Airport. The Preferred Alternative for the Project is anticipated to reduce congestion and improve safety along I-94 within the Project limits. DSEIS Section 1.4.3 discusses traffic congestion.</p> <p>Reduced congestion and improved safety under the Preferred Alternative provide improved travel time reliability to existing and planned transit routes utilizing the I-94 corridor.</p> <p>Additionally, there are existing and planned transit routes that utilize the local system that interfaces with the I-94 freeway in the Project limits. Throughout the development of the Preferred Alternative, MDOT has been in coordination with regional transit providers including the RTA, DDOT, SMART, M-1 Rail, and others. As a result, the Preferred Alternative was designed to accommodate the existing and future planned transit services along the local system routes passing over or under I-94. For example, the Gratiot Avenue bridge was designed to accommodate the existing transportation needs as well as the potential future planned bus rapid transit (BRT) line identified in RTA’s 2016 Regional Master Transit Plan. Similar accommodations are provided in the Preferred Alternative for other local system routes passing over or under I-94 within the Project limits.</p>
<p>How will the Project affect traffic and transit during construction?</p>	<ul style="list-style-type: none"> <li>• Could MDOT provide a commuter rail service from Ann Arbor to Detroit to help alleviate congestion during construction?</li> <li>• There must be commitments to coordinate with the neighborhood and businesses on construction detours.</li> <li>• Detour routes for the freeway may lead to more congestion on transit routes and a potential for delay.</li> </ul>	<p>MDOT is developing a formal Active Traffic Demand Management (ATDM) plan to manage traffic during the 10-plus-years of I-94 construction. Part of MDOT’s traffic management strategy involves implementing transit operation improvements to provide incentives for travelers to choose transit over single occupancy vehicles. The plan will be completed in 2020 and will address relocation of bus stops and routes, and frequency of stops.</p> <p>DSEIS Section 4.3 discusses early coordination with SMART and DDOT regarding potential closures or major changes in the maintenance of traffic and detours. Mitigation measures are included in DSEIS Sections 4.3.3.2 and 4.16.1.2.</p>



Topic	Comment	Response
Mobility	The term Level of Service (LOS) prioritizes people who are able to afford and use a car. The definition of LOS should be broadened to include movement of all people and not movement of cars. I think once we start looking at the movement of people that that changes the equation a bit.	While no such measure exists now, MDOT has sought out stakeholders in other modes, such a non-motorized, pedestrian and transit areas to gain input on their priorities. Transit and non-motorized planners develop prioritization plans based on many factors, including the movement of people.
Public outreach	Social media posts should be placed in the official record and responded to	MDOT and FHWA have engaged the public in the NEPA process as reported in Chapter 7 of the DSEIS and FSEIS. Responses to substantive written comments received on the DSEIS analysis are reported in Chapter 7 of the FSEIS. All of the comments are used to inform the planning process. As such, MDOT has recorded Twitter and Facebook discussions and considered them in the preparation of the FSEIS.
Noise barriers	<ul style="list-style-type: none"> <li>• Why is only one noise barrier recommended now when the ASA recommended three?</li> <li>• Where will there be noise barriers?</li> </ul>	<p>Two of the three noise barriers were located in the southwest quadrant of the I-75/I-94 interchange. This interchange was redesigned for the ASAM to accommodate community connectivity via added local streets. This change moved the highway and ramps away from the noise sensitive areas where the two barriers were located, thus removing the need for them.</p> <p>Noise barriers are indicated where feasible and reasonable, consistent with FHWA and MDOT policies and procedures. FHWA and MDOT determined the need for and size of noise barriers based on an updated noise barrier analysis conducted for the DSEIS. The DSEIS reports on Noise modeling, impacts and mitigation measures in Section 4.9. Details about the assessment for noise barriers can be found in Section 4.9.8 and a comparison of the ASA barrier recommendation versus the ASAM recommendations is summarized in Table 4-10. The updated analysis of the ASAM shows the need for one barrier in the northeast quadrant of the I-94/M-10 interchange as shown in Figure 6-1.</p>
Air quality	<ul style="list-style-type: none"> <li>• Explain how adding 14 miles of lanes does not add “substantial new capacity” and therefore “no meaningful increase in MSAT emissions.</li> <li>• The project perpetuates dependency on automobiles, putting the environment in jeopardy.</li> <li>• Mitigation measures for air quality impacts are insufficient and seem to be non-committal.</li> </ul>	<p>The I-94 Detroit Modernization Project serves to improve highway operations. MDOT used accepted air quality methodologies (see DSEIS Section 4.8.2) to determine the Project’s effects on air quality. The assessment did not identify air quality impacts from carbon monoxide (CO), fine particulate matter (PM<sub>2.5</sub>), or Mobile Source Air Toxics (MSATs); therefore, no measures to mitigate air quality impacts are identified. DSEIS Section 4.8, which provides details of the analysis, states that MDOT assessed, in compliance with the Clean Air Act and 1990 Clean Air Act amendments, the Project’s potential to affect air quality. DSEIS Appendix F contains the Project’s Air Quality Technical Memorandum.</p> <p><i>(response continues)</i></p>



Topic	Comment	Response
Air quality		<p><i>(response continued from previous page)</i></p> <p>The air quality analysis is based on a region-wide assessment. Based on air quality monitoring, the air quality in the region has improved over the last decade. The Clean Air Act requires that transportation projects do not make the situation worse or delay reaching attainment and does not require that a project reduce pollutants. Several regionwide projects related to travel demand management keep traffic moving and reduce congestion. These include MichiVan, freeway courtesy patrols that help with incident management to keep traffic moving, the I-94 ATDM efforts, CMAQ projects such as Rideshare, and SEMTOC operations to manage congestion. Air toxics from mobile sources such as motor vehicles have the potential to impact human health. Traffic congestion increases vehicle emissions, so it is imperative to address existing and future traffic congestion along I-94 to help reduce emissions. As required, MDOT consulted with the Michigan Transportation Conformity Interagency Workgroup (MITC-IAWG) on the necessary level of analysis for MSATs and whether the project is one of local air quality concern for fine particulate matter (PM<sub>2.5</sub>) under Title 40, Section 93.123(b) of the Code of Federal Regulations. The required level of analysis is determined by whether a new or expanded highway project involves a significant number or increase in the number of diesel vehicles. Most trucks on I-94 are long-haul, originating and ending outside of the proposed improvement area, which is why the change in diesel vehicle percentage is small.</p> <p>The Michigan Mobility Plan, MDOT’s long range transportation planning process now underway, provides opportunity for public input on transportation investment and funding priorities, as well as climate change. See also the plan web page at <a href="http://www.michiganmobility.org/">http://www.michiganmobility.org/</a>.</p> <p>MDOT requires dust control measures and control of diesel emissions from construction equipment during construction. See <b>Green Sheet</b> Item V. g) <b>Construction Air Quality on Page GS-7</b>.</p> <p>MITC-IAWG determined the I-94 Detroit Modernization Project is not a project of air quality concern as it pertains to PM<sub>2.5</sub> because, based on the traffic analysis, the Project will not cause a meaningful increase in the number of diesel vehicles. The MITC-IAWG also determined that a qualitative MSAT analysis was adequate for the project based on the FHWA MSAT guidance on Projects with low potential MSAT effects.</p> <p>Based on the air quality analyses the Project will not contribute to any violation of the CO or PM<sub>2.5</sub>NAAQS.</p>



Topic	Comment	Response
Economic impacts	Not all of the billboards in the corridor are accounted for.	<p>As design refinements are made to the plans, eight additional billboards that may be impacted during construction have been identified adjacent to the direct area of impact. These billboard structures are pinpointed on the maps in DSEIS Chapter 12 and added potentially impacted billboards are included in the errata for the FSEIS. This change prompted an update to the Conceptual Stage Relocation Plan. The revised plan dated Dec. 6, 2019, is included in FSEIS <b>Appendix A</b>.</p>
Environmental justice	<ul style="list-style-type: none"> <li>• Explain the process for recruiting DBEs for the Project and how many will be working on this project.</li> <li>• The project disproportionately disadvantages vulnerable populations by creating further divides between neighborhoods and razing structures that could otherwise be used productively.</li> <li>• Climate change is an environmental justice issue</li> <li>• Low income residents face disproportionate impact from increased pollution due to widening.</li> <li>• Invest in public transit, which would benefit everyone.</li> <li>• Improve mobility for low-income people.</li> <li>• Pair the project with robust regional transit solutions that are free or otherwise accessible to people living below, at or near the poverty line.</li> </ul>	<p>MDOT, in accordance with the requirements of Title 49, Part 26, Section 26.39 of the Code of Federal Regulations, has developed a race- and gender-neutral Small Business Program (SBP) to ensure that Disadvantaged Business Enterprises (DBE) and SBP-owned businesses have opportunities to participate on federally assisted projects. Additional information on contractor opportunities can be found on MDOT’s website at <a href="https://www.michigan.gov/mdot/0,4616,7-151-9625_21539_85263--,00.html">https://www.michigan.gov/mdot/0,4616,7-151-9625_21539_85263--,00.html</a>.</p> <p>Section 4.4 of the DSEIS presents the Environmental Justice Analysis, including how MDOT involved the public and identified populations of concern, and the anticipated effects on environmental justice populations. Mitigation of impacts to environmental justice and Title VI populations is included in DSEIS Section 4.4.3. MDOT finds that the 2004 FEIS determination that there will be disproportionately high and adverse effects on minority and low-income populations in the Project area, is still valid. The DSEIS also documents that the ASAM will further reduce impacts to environmental justice populations, including a reduction in relocations and increases in community-vetted complete streets and local connectivity roadway design features including sidewalks and bike lanes.</p> <p>Based on community input, pedestrian bridges were replaced in some cases with complete streets bridges. See DSEIS Section 3.1.4 for a description of the ASAM bridges. Also see DSEIS Section 3.1.4.1 for information about bridge modifications. Close coordination with transit providers during construction will consider the needs of low income and minority populations and those without access to vehicles and reliant on public transportation. (See DSEIS Sections 4.4.3, 6.12.2. and Item V. b) <b>Maintenance of Traffic</b> of the <b>Green Sheet</b> regarding transit service mitigation measures incorporated into the Project). As part of the transit coordination plan and during implementation MDOT will continue to reach out to neighborhoods in the project area to seek input on proposed plans and their effectiveness.</p> <p><i>(response continues)</i></p>



Topic	Comment	Response
Environmental justice		<p><i>(response continued from previous page)</i></p> <p>Another task in the transit planning effort will include identifying gaps in, and providing links to, transit services for low-income and minority groups in the project area. This task will take place in partnership with the RTA, DDOT, SMART, SEMCOG, and other potential stakeholders. The plan will examine opportunities to pilot smart mobility initiatives.</p> <p><i>Regarding Climate Change:</i></p> <p>For discussion related to climate change, see also comment responses to the Topics “<b>Prioritize transit and rail funding over road funding</b>” on <b>Page 1-25</b> and “<b>Air quality</b>” on <b>Page 1-27</b>.</p>
Cultural resources	<ul style="list-style-type: none"> <li>• Promising to move United Sound System Studies isn’t enough.</li> <li>• The suggestion to move USSRS seemed non-committal.</li> <li>• The house adjacent to USSRS should remain as a sound buffer.</li> <li>• A marker should be placed at the former cemetery at Conner Street.</li> <li>• Adverse effects on historical properties are not described in the DSEIS.</li> </ul>	<p>MDOT is committed to marketing USSRS for relocation and plans to provide land next to the existing building for the relocation. Details of the mitigation commitments are listed in the updated MOA in this combined FSEIS and ROD <b>Appendix D</b>. The MOA was developed in consultation with SHPO, consulting parties and signed by the MDOT, FHWA and SHPO. The house between USSRS and I-94 is historically significant and cannot be avoided by freeway modification. The relocation of USSRS calls for it to be relocated for commercial purposes, so it would not warrant sound buffering based upon the proposed use.</p> <p>A monument exists at the former cemetery that is not within the proposed area of impact. Adverse effects on historic properties are described in DSEIS Section 4.13.2. and in the Final Section 4(f) Evaluation.</p>



**Table 1-4: Agency Comments on Draft Supplemental Environmental Impact Statement**

Comment	Response
<p><b>Advisory Council on Historic Preservation</b></p> <ul style="list-style-type: none"> <li>• ACHP involvement does not apply to the Project.</li> <li>• The filing of the MOA with ACHP is required to complete Section 106 requirements.</li> </ul>	<p>The ACHP declined to be involved in the resolution of adverse effects. The FHWA will file the MOA and any other related documentation with the Advisory Council at the conclusion of the consultation process to complete the Section 106 requirements. The executed Amended MOA is included in the Combined FSEIS and ROD <b>Appendix D</b>.</p>
<p><b>U.S. Environmental Protection Agency</b></p> <ul style="list-style-type: none"> <li>• USEPA is a cooperating agency, has participated in the document preparation and analysis and has no further comment.</li> </ul>	<p>Comment acknowledged</p>
<p><b>U.S. Department of Energy</b></p> <ul style="list-style-type: none"> <li>• DOE did not identify any impacts to its programs, or areas of DOE expertise related to the project. We have no comments on the Draft SEIS.</li> </ul>	<p>Comment acknowledged</p>



Comment	Response
<p><b>Federal Aviation Administration</b></p> <ul style="list-style-type: none"> <li>• FAA has no concerns with the project</li> <li>• Since the Project is located near Coleman A. Young International Airport, FAA Form 7460-1, Notice of Proposed Construction or Alternation must be completed.</li> </ul>	<p>Section 4.16.12 is added to the DSEIS (see Table 1-1 in Section 1.2 of the Combined FSEIS and ROD):</p> <p><b>4.16.12. Airports</b></p> <p>The Project is located approximately 3,500 feet or more southerly of Coleman A. Young International Airport runways in Detroit.</p> <p><b>4.16.12.1 IMPACTS</b></p> <p>During construction, the use of equipment such as cranes can potentially interfere with air traffic if not properly coordinated with the airport and the FAA.</p> <p>In administering Title 14 of the Code of Federal Regulations (14 CFR) Part 77, the prime objectives of the FAA are to promote air safety and the efficient use of the navigable airspace. To accomplish this mission, aeronautical studies are conducted based on information provided by proponents on an FAA Form 7460-1, Notice of Proposed Construction or Alteration.</p> <p><b>4.16.12.2 MITIGATION</b></p> <p>During final design and prior to construction MDOT will coordinate with FAA and, if required, will file FA Form 7460-1 in a timely manner as required for construction near the Coleman A. Young International Airport. MDOT will follow FAA standards for marking and lighting any obstructions that have been deemed by FAA to be a hazard to air navigation.</p>
<p><b>Great Lakes Water Authority (GLWA) &amp; Detroit Water &amp; Sewer Department</b></p> <ul style="list-style-type: none"> <li>• GLWA and DWSD prepared a letter with comments</li> </ul>	<p>MDOT recognizes that the I-94 reconstruction is in the Central Sewer District, which has untreated Combined Sewer Overflows or CSOs into the Detroit River. As a result, MDOT will seek to reduce stormwater flow into the combined sewer system to assist with limiting untreated overflows during large storm events. The sewer system in the area of the I-94 project is complex and any modifications need to be coordinated with DWSD and GLWA. MDOT will collaborate with DWSD and GLWA to develop discharge criteria that are feasible and advance water quality goals. As part of detailed design, MDOT will work with DWSD and GLWA on short- and long-term solutions that reduce the possibility of pollutants entering the Detroit River. MDOT will also evaluate using green infrastructure to the extent feasible to reduce stormwater impacts to the Detroit sewer system.</p>



Comment	Response
<p><b>The Pokagon Band of Potawatomi Indians</b></p> <ul style="list-style-type: none"> <li>The Pokagon Band of Potawatomi Indians has made a determination of no historic properties in the Area of Potential Effect that are significant to them. If archaeological resources are uncovered, stop work immediately and contact the Tribe.</li> </ul>	<p>MDOT consulted with Michigan’s 12 federally recognized Indian Tribes under the Section 106 Process. Consultation with the State Historic Preservation Officer (SHPO) and all consulting parties, including the Pokagon Band of Potawatomi Indians, will continue.</p> <p>MDOT’s standard procedure for addressing the discovery of archaeological and culturally significant resources inadvertently encountered during construction was added to this document. The procedure is as follows:</p> <ul style="list-style-type: none"> <li>If the Contractor finds what appear to be items of potentially archaeological or historical significance (such as bones, artifacts, pit features, or buried foundations), the Contractor must immediately stop operations in that location and notify the MDOT Construction Engineer. The Engineer will investigate, gather documentation and photographs of the finds, and contact the MDOT Archaeologist for consultation and direction. The Contractor must cooperate in the recovery of archeological and historical items, as directed by the Engineer. The Department will pay the Contractor and grant a time extension for any delay related to the recovery of archeological and historical items as extra work.</li> <li>If the MDOT Archaeologist believes the archaeological deposits are significant and cannot be avoided, they will consult with the State Historic Preservation Office (SHPO) and develop a recovery plan. If a Native American site is discovered, the MDOT Archaeologist will also notify and consult with Michigan’s 12 federally recognized Indian Tribes. Once the recovery plan has been completed, the MDOT Archaeologist will notify the MDOT Construction Engineer to resume construction at the location of the finds.</li> </ul>



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Comment	Response
<p data-bbox="155 289 982 313"><b>U.S. Department of the Interior Office of Environmental Policy and Compliance</b></p> <ul data-bbox="155 326 1026 557" style="list-style-type: none"><li data-bbox="155 326 1026 386">• The Department concurs that there is no feasible and prudent alternative to the use of land from the affected properties.</li><li data-bbox="155 399 1026 459">• The project includes all possible planning to minimize harm to historic and recreation (Section 4(f)) properties</li><li data-bbox="155 472 1026 557">• The Department will have no unresolved concerns as long as there is continued coordination with SHPO on amendments to the MOA between the Michigan SHPO and FHWA/MDOT and the MOA is signed.</li></ul>	<p data-bbox="1062 289 1919 349">The Final Section 4(f) Evaluation and an amended MOA is included in the Combined FSEIS and ROD.</p>

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## 1.5. Air Conformity Statement

The Air Quality Technical Memorandum is included in DSEIS Appendix F. The analysis therein addresses regional and project-level conformity in accordance with federal regulations.<sup>6</sup> The I-94 Detroit Modernization Project corridor is located within the Metropolitan Detroit-Port Huron Intrastate Air Quality Control Region (AQCR #123). As of July 30, 2019, Wayne County is in attainment status for four of the six criteria pollutants.<sup>7</sup> Although a portion of Wayne County has been classified as being in non-attainment for Sulfur Dioxide SO<sub>2</sub> (2010), the project is not located in this portion of the county.<sup>8</sup> Wayne County is considered a “Maintenance Area” for PM<sub>2.5</sub>. As such, the project is required to meet Transportation Conformity Rule requirements found in Title 40, Part 93 of the Code of Federal Regulations. The Project is included in Southeast Michigan Council of Governments’ (SEMCOG’s) FY 2020-2023 Transportation Improvement Program (TIP), adopted July 2019 (<https://semcog.org/transportation-improvement-program-tip>) and 2045 Regional Transportation Plan (RTP) for Southeast Michigan, which was adopted on March 14, 2019 ([www.semco.org/rtp](http://www.semco.org/rtp)). The 2045 RTP’s air quality conformity analysis shows that the 2045 RTP is in conformity.

The I-94 Detroit Modernization Project meets FHWA’s definition of a project with low potential MSAT effects because it is a project that serves to improve operations of highway, transit, or freight without adding substantial new capacity or without creating a facility that is likely to meaningfully increase MSAT emissions. The Michigan Transportation Conformity Interagency Workgroup (MITC-IAWG) determined that there would not be significant increase in the number of diesel trucks for this project. Therefore, the I-94 Detroit Modernization Project was determined to not be a project of air quality concern for PM<sub>2.5</sub>.<sup>9</sup>

Based on the air quality analyses completed for the proposed improvements, this project will not contribute to any violation of the CO nor PM<sub>2.5</sub> NAAQS.

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<sup>6</sup> “Determining conformity of federal actions to State or Federal implementation plans.” Title 40, CFR, Part 93. Available at: <https://www.ecfr.gov/cgi-bin/text-idx?SID=bee34f66b3cfcb2fcda1c333238370c5&mc=true&node=pt40.22.93&rgn=div5>. Accessed December 2019.

<sup>7</sup> MDOT and FHWA received a confirmation letter from USEPA on December 18, 2019 that the area is now in full attainment for CO as of July 30, 2019.

<sup>8</sup> <https://www.epa.gov/green-book/green-book-map-download>

<sup>9</sup> *Annual Work Program Completion Report*, SEMCOG, Pages 8 and 57, September 2018, *Summary of May 21, 2018 Conference Call*, Michigan Transportation Conformity Interagency Workgroup, May 2018. Summary of May 21, 2018 Conference Call, Michigan Transportation Conformity Interagency Workgroup, May 2018. <https://semcog.org/desktopmodules/SEMCOG.Publications/GetFile.ashx?filename=2017-2018AnnualWorkProgramCompletionReportSeptember2018.pdf>



## 2. RECORD OF DECISION

### 2.1. Decision

This Record of Decision (ROD) is issued by the Federal Highway Administration (FHWA) for the I-94 Detroit Supplemental Environmental Impact Statement.



I-94 Modernization Project in the City of Detroit  
Wayne County, Michigan  
RECORD OF DECISION

**U.S. Department of Transportation  
Federal Highway Administration**

and

**Michigan Department of Transportation**

Cooperating Agency:

**U.S. Environmental Protection Agency**

The Federal Highway Administration (FHWA) and the Michigan Department of Transportation (MDOT) have identified the Approved Selected Alternative as Modified (ASAM) as the Selected Alternative for the I-94 Detroit Modernization Project (Project). The Selected Alternative reconstructs approximately 6.7 miles of Interstate freeway (I-94) in the city of Detroit, Michigan between I-96 and Conner Avenue (Project). Improvements include adding a travel lane in each direction, modernizing interchanges, reconstructing bridges crossing over the freeway, and modifying the existing service drives in ways that improve local travel patterns, including converting some one-way service drives to two-way.

The Selected Alternative meets the Project's Purpose and Need to improve safety, capacity, local connectivity, and condition of the I-94 roadway, service drives, bridges, and interchanges in the project limits. The Selected Alternative will be context sensitive and support the mobility needs of local, regional and interstate commerce as well as national and civil defense in a way that integrates all modes of travel.

FHWA and MDOT identified the ASAM as the Environmentally Preferred Alternative because it avoids and minimizes impacts to historic and Section 4(f) properties and applies measures to minimize harm and minimizes right of way impacts. The mitigation measures included in the attached FSEIS will mitigate and minimize effects on environmental justice populations in the study area. Based on the air quality analyses completed for the proposed improvements and documented in the DSEIS and attached FSEIS, the Selected Alternative will not contribute to any violation of the CO nor PM<sub>2.5</sub> NAAQS.

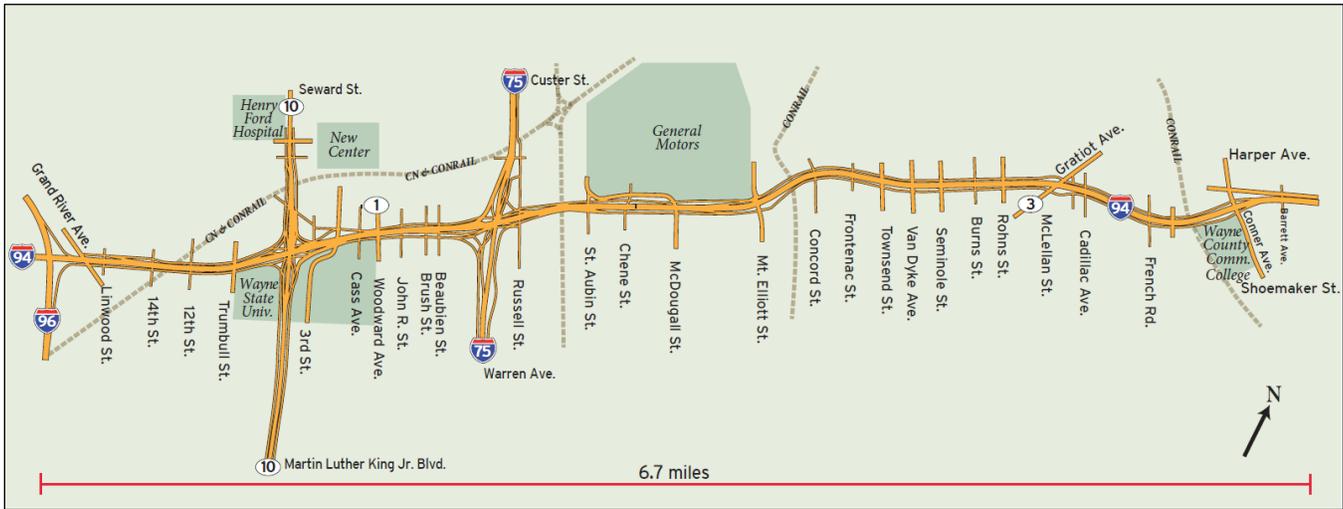
This decision is based on the studies and findings presented in the DSEIS, the attached FSEIS and the remainder of this ROD. The decision is also based upon input from state, federal and local agencies, Tribes, stakeholders and the public during project planning and throughout the preparation of and circulation of the DSEIS. Comments and responses during the 45-day DSEIS review period are documented in the attached FSEIS.

Proposed improvements will reconstruct more than 67 bridges, 13 local road interchanges, and two freeway to freeway interchanges at M-10 (Lodge) and I-75 (Chrysler). The proposed improvements avoid and minimize impacts to the natural, cultural and built environment to the extent feasible and practicable.

June 30, 2020

**Date of Approval**

**Russell Jorgenson  
Division Administrator  
Federal Highway Administration**



## 2.2. Alternatives Considered

Chapter 3 of the DSEIS provided detailed information on the No-Build Alternative and the broad range of build alternatives that were considered and evaluated in terms of their ability to address the Project purpose and need. The alternatives are summarized below.

### 2.2.1. The Approved Selected Alternative of the 2005 ROD

MDOT and FHWA adopted and documented the Approved Selected Alternative (ASA) in the 2005 ROD (see Section 4.5 of the 2004 FEIS and Section 2.0 of the 2005 ROD for details). The 2001 DEIS Build Alternative with Modification 1 was chosen as the ASA based on engineering and planning criteria and updated information obtained during the preparation of the 2004 FEIS. The ASA contained four through-traffic lanes in each direction on I-94 and improved geometrics including redesigned M-10 and I-75 interchanges; adequate acceleration-deceleration lanes and auxiliary lanes. The median included a 14-foot inside shoulder, a 12-foot outside shoulder and a six- to ten-foot variable median strip with concrete barriers. The ASA included changes to the service drives along I-94 to create a typical section with two 11-foot travel lanes and an eight-foot shoulder, except between M-10 and I-75 on the south side of I-94 where three lanes would be provided.

### 2.2.2. The Approved Selected Alternative with Modifications (ASAM)

The I-94 Detroit Modernization Project addresses the reconstruction of I-94 in Detroit from I-96 to Conner Avenue. The Project includes more than 67 bridges, 13 local road interchanges, and two freeway to freeway interchanges at M-10 (Lodge) and I-75 (Chrysler). More details can be seen in the Project conceptual design plan in Appendix F of the Combined FSEIS and ROD.

### 2.2.3. No-Build Alternative

In the DSEIS, MDOT evaluates the possibility of taking no action. The Project's original EIS evaluated an alternative to do nothing (the No-Build Alternative) and an alternative that would only make safety improvements without capacity improvements (the Enhanced No-Build Alternative). These alternatives did not meet the purpose and need for the Project, so the Project dismissed them from further evaluation.

### 2.2.4. Selected Alternative (Environmentally Preferred Alternative)

The Preferred Alternative (ASAM) presented in the DSEIS, Section 3.2, is the Selected Alternative. The factors that influenced this decision were identified through an evaluation of impacts and benefits to the human and natural environment, as well as through an extensive public participation and agency coordination process conducted during the development of the 2004 FEIS and following the 2005 ROD. This public participation process is documented in **Chapter 7 (Public Participation and Agency Coordination) of the DSEIS**. Public outreach since the release of the DSEIS is included in **Section 1.3** of the FSEIS. An updated conceptual design plan, including the edits indicated in the Supplemental Draft EIS Errata (see Section 1.2), is included in the Combined FSEIS and ROD **Appendix F**.



#### What are 'ASA' and 'ASAM'?

The “Approved Selected Alternative” or **ASA** is the selected alternative described in the Project’s 2005 ROD, which affirmed the 2004 FEIS recommended alternative.

The “Approved Selected Alternative with Modifications” or **ASAM** is a proposed modification to the ASA. MDOT selected the ASAM as described in the DSEIS and the Final SEIS (FSEIS)/Record of Decision (ROD) as the “Selected Alternative”.

### 2.3. Section 4(f) Evaluation

A Final Section 4(f) Evaluation is included as part of the Combined FSEIS and ROD.

### 2.4. Measures to Minimize Harm

Measures to minimize harm are included in **Chapter 3** (the Final Section 4(f) Evaluation).

### 2.5. List of Commitments for Mitigation Measures for the Selected Alternative

The mitigation measures adopted for the Project are included in the Combined FSEIS and ROD Project Mitigation Summary Final **Green Sheet** on **Page GS-1**.

**I-94 Detroit Modernization Project  
I-96 to Conner Avenue  
Final Supplemental Environmental Impact Statement  
Project Mitigation Summary (Green Sheet)  
for Selected Alternative (ASAM)**

Final May 14, 2020

This Project Mitigation Summary “Green Sheet” contains the Project-specific mitigation measures. These mitigation items and commitments may be modified during the final design, right-of-way acquisition or construction phases of this Project. The Project mitigation will be tracked and sign-off on the mitigation commitments will occur as the Project progresses through the various phases: design, right-of-way acquisition, construction, and maintenance. The mitigation commitments in the MOA in Appendix D of the Combined FSEIS and ROD are also part of Project mitigation commitments.

The Michigan Department of Transportation (MDOT) does not propose mitigation measures where certain resource areas are not impacted. These resources include stream crossings, floodplains, wetlands, and threatened and endangered species.

**Green Sheet: Project Mitigation Summary**

Impact Category	Mitigation Measures
<b>I. Social and Economic Environment</b>	
a) Visual Effects	MDOT will continue developing appropriate Project design themes consistent with the Department’s Context Sensitive Solutions policy and the I-94 Rehabilitation Project Corridor Design Guidelines. The design process will continue workshops initiated during this phase of the Project through subsequent design phases.  MDOT will seek agreements with the city to maintain planters, median plantings, street trees and landscaping. (See also Green Sheet Item II. a) <b>Tree Removal, Clearing and Landscaping</b> on <b>Page GS-4</b> ).
b) Relocations	Adequate replacement housing and industrial/commercial space is available to replace the 15 residential units and 33 businesses (22 of which are billboards) that will be relocated. MDOT will encourage displaced businesses and organizations to relocate within the same community and as set forth under the Uniform Act and the MDOT Real Estate Manual. The 2019 Conceptual Stage Relocation Plan (CSRP) was updated for the FSEIS (see <b>Appendix A</b> ).

c) Environmental  
Justice/Title VI

**Relocation**

To mitigate potential adverse impacts to Environmental Justice (EJ)/Title VI population groups, and other impacts that may have a disproportionately high and adverse effect on minority and low-income population groups, MDOT will implement a CSRP that outlines the expected relocations at this stage of the study and the availability of replacement residential and commercial properties, and relocation assistance as defined in the plan. The 2019 CSRP (see DSEIS Appendix E) was updated for this Final Supplemental Environmental Impact Statement (FSEIS) (see FSEIS **Appendix A**). The project design will follow the I-94 Rehabilitation Project Corridor Design Guidelines to further minimize Project impacts in local neighborhoods.

Regarding transient individuals, a Special Provision for “Relocation and Site Cleanup” will be included in the Project plan package to establish procedures for relocating unauthorized occupants of the Project site. During final design, MDOT and the city of Detroit will also explore methods for cooperating with local shelters and other community services to provide alternate housing for transient individuals.

**Maintenance of Traffic**

To minimize Project impacts to nearby businesses and residents resulting from construction activities, MDOT will implement the measures listed in Item V. b) **Maintenance of Traffic** on **Page GS-6** of this Green Sheet. See also DSEIS Section 6.12.2. of the DSEIS regarding transit service mitigation measures incorporated into the Project.

**Public Participation**

MDOT will continue the I-94 Project public participation program and work in close coordination with transit providers (including SMART, RTA and DDOT) and to reach out to neighborhoods in the project area to seek input on the needs of low income and minority populations and those without access to vehicles and reliant on public transportation on proposed and implemented mitigation to keep communication channels open during construction.

**Pilot Study**

MDOT and FHWA will provide funding to SEMCOG to conduct a Pilot Study to develop program(s) to be implemented prior to the start of and during the anticipated 13-years of construction of the Project mainline. The goal of the program(s) will be to assist transit users in reaching their places work, school, and health and human services.

The Pilot Study will address the following:

- Examine the locations of low-income and minority transit users and potential low-income and minority transit users
- Identify gaps in service where there are opportunities to implement pilot programs that may fill areas of identified need.
- Collect input from residents and businesses in the affected neighborhoods, including possible service providers, non-profit organizations, and transit agencies.
- Propose a process for evaluating transit services before, during, and after construction with a mechanism for adjustment of services during the time of construction, should it be needed.
- Identify programs that may have future value in this and other communities as a demonstration project.
- Identify potential partnership organizations to fill the identified areas of need.
- Pilot programs will be implemented in cooperation with partnership organizations.
- Any pilot programs must consider Americans with Disabilities Act (ADA) requirements.

*(Mitigation Measures continue)*

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Impact Category	Mitigation Measures
	<p><i>(Mitigation Measures continued from previous page)</i></p> <p><i>Pilot Project Implementation</i></p> <ul style="list-style-type: none"> <li>• FHWA and MDOT will identify funding for implementation of pilot programs and will work with SEMCOG and others in the community on more detailed implementation actions.</li> <li>• Pilot programs will be in place prior to the start of mainline I-94 construction.</li> </ul>
d) Parks	<p>The MDOT Frequently Used Special Provision for “Construction Staging Areas” must be included in the MDOT proposal. The contractor is prohibited from using public recreational property for construction staging or storage unless it is defined in the contract.</p> <p>During construction, the contractor must maintain access to all recreational properties at all times.</p> <ul style="list-style-type: none"> <li>• Wayne State University Athletic Campus <ul style="list-style-type: none"> <li>▫ MDOT will restore any vegetation disturbed on Wayne State University Athletic Campus property to its current condition, or better, upon completion of construction.</li> <li>▫ MDOT will replace any trees removed. If space does not permit for replacements along the service drive, replacement trees can be planted in other areas on WSU campus.</li> <li>▫ Should the chain-link fence surrounding the athletic complex be impacted, MDOT will move or replace it.</li> <li>▫ Where right-of-way is required, MDOT will maximize space for athletic facilities and minimize green space between the street and sidewalk.</li> <li>▫ MDOT will relocate the ground mounted kiosk at the corner of the John C. Lodge Service Drive and Warren Avenue. Where possible, MDOT will maximize sidewalk space in this area.</li> </ul> </li> <li>• City of Detroit Public Parks <ul style="list-style-type: none"> <li>▫ MDOT will restore any vegetation disturbed on city of Detroit park properties to its current condition, or better, upon completion of construction.</li> </ul> </li> <li>• Iron Belle Trail <ul style="list-style-type: none"> <li>▫ During construction, MDOT will maintain access on the Iron Belle Trail.</li> </ul> </li> </ul>
e) Traffic Noise	<p>MDOT completed a noise and vibration technical analysis (see DSEIS Appendix G). In some locations, Project noise levels exceed Federal Highway Administration (FHWA) Noise Abatement Criteria. One noise barrier (NB 4) is a feasible and reasonable barrier, which MDOT will evaluate in further detail during final design. The preliminary assessment is based on preliminary design for barrier costs and noise abatement. NB 4 is located on the north side of the I-94 off-ramp to northbound M-10 between Third Avenue and Holden Street. NB 4, designed to mitigate the noise impact for residences along Third Avenue and Fourth Street, is approximately 383 feet in length and 24 feet tall. If it subsequently develops during final design that these conditions have substantially changed, the noise impacts will be reanalyzed, and the abatement measures might not be provided if noise barrier criteria are no longer met. A public meeting will be held if the reanalysis recommends the removal or significant alteration of the abatement measure.</p>
f) Economic	<p>The 33 business properties (22 of which are billboards) displaced by the Project will be acquired in conformance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Federal Law 91-646). Businesses and nonprofit organizations are eligible for actual reasonable moving costs and related expenses. Displaced businesses may choose to relocate within the area to take advantage of development tax incentive programs and services offered in the city of Detroit.</p> <p><i>(Mitigation Measures continue)</i></p>

Impact Category	Mitigation Measures
<i>(Mitigation Measures continued from previous page)</i>	
<p>In addition, during final design, MDOT will contact local businesses and appropriate mitigation will be developed to assist businesses during and after construction.</p>	
<p>Any vegetation within 1,000 feet of a billboard face, excluding ground cover, that will be removed needs to be documented before removal. Impacts on remaining billboards will be considered in future landscape design. See also Green Sheet Item II. a) <b>Tree Removal, Clearing and Landscaping</b> on <b>Page GS-4</b>.</p>	
<p><b>II. Natural Environment</b></p>	
<p>a) Tree Removal, Clearing and Landscaping</p>	<p>Ornamental trees and plants removed for construction of the Project will be replaced with non-invasive species. A survey will be conducted that includes vegetation type (tree or shrub), species (if known), approximate height, size (tree diameter or shrub square footage). Tree mitigation will occur at a 2:1 ratio and shrub replacements will be up to a 4:1 ratio. During final design, MDOT will consider additional landscaping consistent with the I-94 Rehabilitation Project Corridor Design Guidelines adopted in 2010. No tree removal restriction dates apply to this project.</p>
<p>b) Water Quality</p>	<p>The Selected Alternative will increase impervious area by 78.55 acres; a 28% increase over existing conditions. MDOT will review the proposed improvements along the interchange infields, service drives and local street improvements to identify opportunities to incorporate green infrastructure to the extent feasible. MDOT will develop the Project’s conceptual drainage system according to the MDOT drainage manual, which uses a 50-year design storm for depressed freeways. MDOT is planning to use design storm rainfall from NOAA Atlas 14 for the proposed drainage system evaluation as it reflects the recent changes in stormwater intensities and magnitudes due to changing weather patterns. MDOT will seek to reduce freeway stormwater flow into the combined sewer system to assist with limiting untreated overflow during large storm events and will collaborate with DWSD and GLWA to develop discharge criteria that are feasible and advance water quality goals. Stormwater that drains to the I-96 MDOT storm-only system will be treated to meet the requirements of MDOT’s NPDES permit. MDOT will evaluate a range of potential drainage system alternatives, including storage facilities, partial or complete disconnection from the combined sewer system, and green infrastructure solutions. These alternatives will be evaluated for performance, capital cost, operation/maintenance cost, constructability, impact on overflow, right-of-way impacts, permitting impacts, utility impacts, among other factors. Considerations to DWSD/GLWA planned combined sewer system improvements and overflow control solutions, such as sewer separation, will be incorporated in the selection and evaluation of the potential drainage alternatives. The most cost effective and feasible alternative will be selected in coordination with DWSD/GLWA/EGLE.</p> <p>To the extent feasible within a highly urbanized area, the Project will conform to the procedures in MDOT’s Phase II Storm Water Management Plan (SWMP) and will incorporate installation and maintenance of appropriate best management practices (BMPs) as set forth under Chapter 9 of the MDOT drainage manual. MDOT will select permanent BMPs with input from DWSD, GLWA and EGLE or other applicable regulatory agencies.</p>
<p>c) Migratory Birds</p>	<p>The Special Provision for “Migratory Bird Protection” will be added to the final plans. The contractor is responsible for determining the presence of migratory birds and following prescribed actions depending on whether the work is to be done during nesting season, which is generally considered to be April 15 to Sept. 1.</p>

Impact Category	Mitigation Measures
<b>III. Hazardous / Contaminated Materials</b>	
a) Contaminated Sites	<p>A 2018 Project Area Contamination Survey (PACS) identified 195 properties with a low- or high-risk potential for contamination. One-hundred and twenty-nine properties are rated high-risk and 66 are rated low-risk. There are no properties rated as medium-risk. A Preliminary Site Investigation (PSI) is recommended for locations on-site that are related to on-site and off-site properties with medium and high environmental risk ratings.</p> <p>Following the ongoing collection and evaluation of chemical characteristics of soil, MDOT will coordinate with EGLE and a Due Care Plan will be prepared. The Due Care Plan may be prepared in the form of specifications to be part of construction contract documents. The Due Care Plan will address needs for worker safety, proper disposal of contaminated soil and sediment if present, and prescribe steps to prevent exacerbation of contamination. The Special Provision for "Non-Hazardous Contaminated Material Handling and Disposal" will be included in the Project Proposal.</p>
<b>IV. Cultural Environment</b>	
a) Historic	<p>The mitigation commitments in the MOA in Appendix D are also part of project mitigation commitments. See Section V. a) for additional measures to mitigate short-term vibration impacts during construction.</p>
b) Archaeological	<p>An unmarked cemetery is located in or near the I-94/Conner Avenue interchange. 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.</p> <p>If the Contractor finds what appear to be items of potentially archaeological or historical significance (such as bones, artifacts, pit features, or buried foundations), the Contractor must immediately stop operations in that location and notify the MDOT Construction Engineer. The Engineer will investigate, gather documentation and photographs of the finds, and contact the MDOT Archaeologist for consultation and direction. The Contractor must cooperate in the recovery of archeological and historical items, as directed by the Engineer. The Department will pay the Contractor and grant a time extension for any delay related to the recovery of archeological and historical items as extra work.</p> <p>If the MDOT Archaeologist believes the archaeological deposits are significant and cannot be avoided, they will consult with the State Historic Preservation Office (SHPO) and develop a recovery plan. If a Native American site is discovered, the MDOT Archaeologist will notify and consult with Michigan’s 12 federally recognized Indian Tribes. Once the recovery plan has been completed, the MDOT Archaeologist will notify the MDOT Construction Engineer to resume construction at the location of the finds.</p>

Impact Category	Mitigation Measures
<b>V. Construction</b>	
a) Vibration	<p>The primary means of mitigating short-term vibration impacts resulting from construction activities is to require the contractors to prepare a vibration control plan. MDOT will develop a vibration monitoring program during the design phase that will identify locations sensitive to vibration, (including but not limited to historic sites eligible for or listed on the National Register of Historic Places) conduct preliminary review of vibration sensitive structures and make reparations if construction-related damage occurs.</p> <p>Basement/foundation videotaping prior to construction will be offered for structures within 150 feet of areas where vibration effects from construction activities could occur; where pavement and/or bridges will be removed; or where piling and/or steel sheeting is planned. These areas will be identified during the project’s design phase and monitoring will occur before, during, and after the construction phase. The Special Provision for “Monitoring Vibrations” will be included in the project plan package.</p>
b) Maintenance of Traffic	<p>Disruption of traffic in the construction area will be minimized to the extent possible. A public awareness and information program will inform residents, businesses, trucking companies and other travelers about the I-94 construction schedules, ramp closings, alternative routes, and other matters affecting travel in and through the area. MDOT will implement Active Transportation and Demand Management (ATDM) strategies and will work with transit providers (SMART/RTA/DDOT) to determine if adding transit service will help alleviate congestion and improve safety. MDOT will coordinate with the city of Detroit, emergency responders (police, fire, and ambulance), and the school district prior to and during construction.</p> <p>Contractors will utilize appropriate signage and notifications of sidewalks and roadways closings and the associated detours. Pedestrian detours will conform to the Americans with Disabilities Act requirements for construction projects.</p> <p>See also Environmental Justice mitigation measures in <b>Green Sheet Item I. c) Environmental Justice/Title VI on Page GS 2</b> that call for development of additional mitigation measures to address transit impacts to low-income and minority populations during the construction period.</p>
c) Utilities	<p>Coordination will continue between MDOT and utilities to plan properly to minimize service interruption to the public</p>
d) Soil Erosion	<p>During construction activities, the Phase II National Pollutant Discharge Elimination System (NPDES) permit (No. MI0057364) will be implemented. Construction activities will be conducted under MDOT’s approved Soil Erosion and Sedimentation Control Plan and the State of Michigan’s Permit-by-Rule. NPDES soil erosion and sedimentation control measures will be reviewed every seven days (including weekends) or within 24 hours of a precipitation event that results in a stormwater discharge from the site.</p>
e) Lighting	<p>Lighting for night work will follow MDOT’s special provisions in effect at the time of construction. This will include the submittal of a “work area lighting plan.” Lighting levels should not fall below the minimum requirements and should not spill over to adjoining property and should not interfere with traffic, workers and inspection personnel. The MDOT Project Engineer will review and approve a lighting plan and layout prior to the start of construction and the construction contractor will be responsible to implement the lighting plan. Permanent freeway lighting plans will be developed to minimize disturbance to adjacent properties.</p>

Impact Category	Mitigation Measures
f) Permits	Permits under Michigan Public Act 451, Part 55 (Air Pollution Control), and Part 41 (for connection changes to DWSD or GLWA systems) may be required from the EGLE for this project. Coverage under the NPDES, which is administered by the EGLE, is also required.
g) Construction Air Quality	The project will be constructed in accordance with <i>MDOT Standard Specifications for Construction</i> provisions for control of construction equipment exhaust and dust control to minimize impacts to air quality during construction. Contractors will adhere to State and local regulations regarding dust control – MDOT’s Standard Construction Specification Sections 107.15(A) and 107.19 and MDOT’s anti-idling policy (Policy #10179).
h) Construction Noise	Construction noise will be minimized by measures such as requiring that construction equipment have mufflers as applicable, that portable compressors meet federal noise standards for that equipment, and that portable equipment be placed away from or shielded from sensitive noise receptors to the greatest extent possible. Temporary noise impacts from construction activities will be minimized through compliance with applicable local, state, and federal noise control and ordinance requirements.
i) Airports	During final design and prior to construction MDOT will coordinate with FAA and, if required, will file FA Form 7460-1 in a timely manner for construction near the Coleman A. Young International Airport. MDOT will follow FAA standards for marking and lighting any obstructions that have been deemed by FAA to be a hazard to air navigation.

## 3. FINAL SECTION 4(F) EVALUATION

### 3.1. Section 4(f) Requirements

Section 4(f) of the Department of Transportation Act of 1966 was set forth in U.S. Code (USC) 49 USC § 1653(f). A similar provision was added to 23 USC § 138, which applies only to FHWA's Federal-Aid Highway Program and states that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites. These laws are still commonly referred to as "Section 4(f)" and are implemented by FHWA regulations in the Code of Federal Regulations (CFR) 23 CFR § 774 – Parks, Recreation Areas, Wildlife and Waterfowl Refuges, and Historic Sites (Section 4(f)).

The U.S. Department of Transportation's (USDOT) Section 4(f) law states that federal funds may not be approved for transportation projects that use land from a significant publicly owned park, recreation area, wildlife or waterfowl refuge, or public or privately owned historic sites listed on or eligible for listing in the National Register of Historic Places (NRHP), unless it is determined that there is no feasible and prudent avoidance alternative to the use of land from such properties. If the property cannot be avoided, all possible planning to minimize harm to the property must be taken to reduce the impact to Section 4(f) properties. The least overall harm may be achieved through the implementation of reasonable mitigation measures and can include measures that result in benefits to the property.

In accordance with 23 CFR § 774, a *de minimis* impact to a Section 4(f) property is one that, after taking into account any measures to minimize harm such as avoidance, minimization, mitigation or enhancement measures, results in either:

- A determination that the Project would not adversely affect the activities, features, or attributes qualifying a park, recreation area, or refuge for protection under Section 4(f).
- A finding of no adverse effect or no historic properties affected under Section 106 of the National Historic Preservation Act (NHPA).

*De minimis* impact determination requires agency coordination and public involvement as specified in 23 CFR 774.5(b). The regulation has different requirements depending upon the type of Section 4(f) property that would be used. For historic sites, the consulting parties identified in the Section 106 process must be consulted. The official(s) with jurisdiction must be informed of the intent to make a *de minimis* impact determination and must concur in a finding of no adverse effect or no historic properties affected in accordance with 36 CFR Part 800. Compliance with 36 CFR Part 800 satisfies the public involvement and agency coordination requirement for *de minimis* impact findings for historic sites.

For parks, recreation areas, or wildlife and waterfowl refuges, the official(s) with jurisdiction over the property must be informed of the intent to make a *de minimis* impact determination, after which an opportunity for public review and comment must be provided. After considering any comments received from the public, if the officials with jurisdiction concur in writing that the Project will not adversely affect the activities, features, or attributes that make the property eligible for Section 4(f) protection, then FHWA may finalize the *de minimis* impact determination. The Project will have a *de minimis* impact on certain properties described in this Final Section 4(f) Evaluation. The following are conditions for use of Section 4(f) property:

Land is "permanently incorporated" into a transportation facility. Land is considered permanently incorporated when it has been purchased as right-of-way or sufficient property interests have otherwise been acquired for the

purpose of Project implementation. For example, a permanent easement for future construction or maintenance access would be considered a permanent incorporation.

There is a “temporary occupancy” of land that is adverse in terms of the Section 4(f) statute’s preservationist purposes. Examples of temporary occupancy include right of entry, temporary easement or other short-term arrangement involving a Section 4(f) property. A temporary occupancy will not constitute a Section 4(f) use when all the following five conditions are satisfied:

- Duration is temporary and there is no change in ownership of the land.
- Scope of work is minor and nature/magnitude of changes to Section 4(f) property is minimal.
- There will be no anticipated permanent adverse physical impacts or interference with the protected activities, features or attributes of the property on either a temporary or permanent basis.
- The land being used will be fully restored and returned to a condition which is at least as good as that which existed prior to the Project.
- There is documented agreement on the above conditions with officials having jurisdiction over the Section 4(f) resource.
- There is a “constructive use” of Section 4(f) property. Constructive use is only possible in the absence of permanent or temporary occupancy. Constructive use occurs when the proximity impacts on adjacent or nearby Section 4(f) property (after mitigation) are so severe that the activities, features, or attributes that qualify the property for Section 4(f) protection are substantially impaired (diminished). The degree of impact/impairment must be determined in consultation with officials having jurisdiction over the property. In cases where a potential constructive use can be reduced below a substantial impairment through mitigation, there will be no constructive use and Section 4(f) will not apply.

Section 4(f) applies only to the actions of agencies within the USDOT, including FHWA. While other agencies may have an interest in Section 4(f), FHWA is responsible for Section 4(f) applicability determinations, evaluations, findings and overall compliance for highway projects.

## 3.2. Summary of Project Evaluation and Findings

This chapter is the Final Section 4(f) Evaluation for the Approved Selected Alternative with Modifications or ASAM (Selected Alternative) for the modernization of approximately 6.7 miles of Interstate freeway (I-94) in the city of Detroit, Michigan, between I-96 and Conner Avenue (Project). The Draft Section 4(f) Evaluation was documented in the 2019 Draft Supplemental Environmental Impact Statement (DSEIS). This Final Section 4(f) Evaluation includes the information provided in the Draft Section 4(f) Evaluation and concludes that there are no feasible and prudent alternatives to the use of six Section 4(f) properties. The supporting information in this Final Section 4(f) evaluation demonstrates that there are unique problems or unusual factors involved in the use of alternatives that avoid these properties and the cost, social, economic, and environmental impacts, or community disruption resulting from such alternatives reach extraordinary magnitudes (23 CFR 771.135(a)(2)).

The Federal Highway Administration (FHWA) finds, based on considerations in the Project’s 2004 (Final Environmental Impact Statement) FEIS and as updated in the 2019 Draft Section 4(f) Evaluation, that there are no feasible and prudent alternative to the use of land from the following Section 4(f) properties:

- Historic Properties with an Adverse Effect
  - 1-94/M-10 Interchange
  - United Sound Systems Recording Studios
  - Square D/Detroit Fuse & Manufacturing Building
  - Woodbridge Neighborhood Historic District / 5287 Hecla St.
  - 5832 Second Ave. (Mrs. Emma Fox House)
  - 447-449 Antoinette St. (Elenora Apartments)
- Temporary Impact on Recreational Properties
  - Wayne State University Athletic Campus
  - Wigle Recreation Center (Wigle Park)
  - West Willis #2 Park
  - Vernor Park
  - Castador Park
  - Conner Playfield Park
  - Chandler Park
- De minimis Impact. FHWA has made a *de minimis* impact determination for some properties affected by the Selected Alternative as discussed in Subsection 3.5, below.
  - S.T. Gilbert Terminal (historic)
  - Gemmer Manufacturing Company (historic)
  - Wayne State University Athletic Campus (recreation)
  - Iron Belle Trail (Conner Creek Greenway) (recreation)

The Selected Alternative includes all possible planning to minimize harm.



### What are 'ASA' and 'ASAM'?

The “Approved Selected Alternative” or **ASA** is the selected alternative described in the Project’s 2005 ROD, which affirmed the 2004 FEIS recommended alternative.

The “Approved Selected Alternative with Modifications” or **ASAM** is a proposed modification to the ASA. MDOT selected the ASAM as described in the DSEIS and the Final SEIS (FSEIS)/Record of Decision (ROD) It is called the “Selected Alternative”.

### 3.3. Proposed Action and Need for the Project

Chapter 2 of the DSEIS discussed the purpose and need for the Project, which is to improve safety, capacity, local connectivity, and condition of the I-94 roadway, service drives, bridges, and interchanges between I-96 and Conner Avenue. The proposed Project improvements should be context sensitive and support the mobility needs of local, regional and interstate commerce as well as national and civil defense in a way that integrates all modes of travel.

The Combined FSEIS and ROD identifies the ASAM as the Selected Alternative (see **Section 2.2.4, above**).

### 3.4. Section 4(f) Property Descriptions

The Selected Alternative, described in detail in Chapter 3 of the DSEIS, and updated in the conceptual design plan included in FSEIS Appendix F, will require the purchase of temporary and permanent right-of-way. Some of this right-of-way is on properties protected under Section 4(f). Potentially impacted Section 4(f) properties include eight publicly owned park and recreation areas and seven historic sites of national, state, or local significance. Maps of these properties and the potential impacts to them are included in DSEIS Appendix I.

The following sections briefly describe each of the identified affected Section 4(f) properties, the anticipated impacts associated with the Selected Alternative, and a discussion of avoidance alternatives and measures to minimize harm. The Selected Alternative will not use publicly owned property from any wildlife or waterfowl refuge.

#### 3.4.1. Historic Properties

Impacted properties are summarized below. Detailed descriptions of the properties are found in DSEIS Section 4.13.1 as edited in the errata of the FSEIS (see **Section 1.2**). SHPO concurred with the eligibility of the following historic properties that are not yet listed on the NRHP.

##### 3.4.1.1. Woodbridge Neighborhood Historic District

The Woodbridge Neighborhood Historic District, listed in the NRHP in 1979, encompasses about 162 acres. The approximate boundaries are the West Edsel Ford Service Drive, Trumbull Avenue, Grand River Avenue, and the Grand Trunk Railroad tracks to the Service Drive. The district is an example of a middle-class, turn of the century residential area of one- and two-family dwellings with some apartment buildings as well. The architecture varies from elaborate Queen Anne structures to more humble cottages. Houses are located on narrow lots with shallow setbacks from the sidewalk.

Located at the north edge of the district is 5287 Hecla St., a one-and-one-half story frame worker's cottage built in circa 1888 by local carpenter/contractor Elisha B. Roy, who sold the house to Jane/Jennie Middleton, widow of James. Jane Middleton owned a millinery and notions business. Her mother (Harriet) and sister (Cornelia) were roomers and helped her keep the bills paid. The subject house was identified as a contributing property in the Woodbridge Neighborhood Historic District as a rare example of a worker cottage in the neighborhood.

The front porch of the house collapsed in the spring of 2019, the result of storm damage. MDOT is monitoring the condition of the house.

### 3.4.1.2. S.T. Gilbert Terminal

The S.T. Gilbert Terminal complex at 5600 Wabash Street was constructed in 1947-1948 by the Detroit Department of Street Railways, now Detroit Department of Transportation (DDOT). The facility houses repair, storage, and administrative operations for a portion of the DDOT fleet. It is of Mid-Century Modern architectural style and is representative of the evolving role of public transportation in Detroit. The complex was specifically designed to support the shift from fixed-rail streetcars to buses. The subject property is not listed in the NRHP and was not identified in the 2004 FEIS. The S.T. Gilbert Terminal complex is eligible for inclusion in the NRHP under Criterion A (association with changes in public transportation in post WWII) and Criterion C (architecture).

### 3.4.1.3. I-94/M-10 Interchange

This interchange is historic because of its association with Post-World War II freeway construction and for its unique design. It was designed in 1945, began construction in 1948 and was completed in 1955. The interchange was the first freeway-to-freeway interchange in the Midwest. The design was considered so unique by the engineering community that a small model of it was built and displayed at the “Conference of the Future” held in New York City in 1952. The interchange is NRHP-eligible under Criterion A for its association with Post-WWII freeway construction and under Criterion C for its unique design.

### 3.4.1.4. United Sound Systems Recording Studios

The United Sound Systems building at 5840 Second Ave. is eligible for inclusion in the NRHP for its association with some of the most influential musical artists of the 20th century. The recording studio was founded by James V. Siracuse in 1933 and moved to this location in 1939-1940. Besides recording popular music across many genres, the studio also recorded countless jingles used in radio and television commercials. The two-story brick building was originally a residence, built in 1916. The rear addition was added in circa 1960 when United Sound expanded its business. Artists who have recorded here include Miles Davis, John Lee Hooker, Isaac Hayes, Aretha Franklin, Keith Richards, George Clinton, and others. The studio closed in 2006 but was re-opened in 2014. It was listed as a city of Detroit Historic District in 2015. In 2017 a Michigan Historical Marker was erected on site by the United Sound System Recording Studios and the Detroit Sound Conservancy (Registered Site S0744).

### 3.4.1.5. 5832 Second Ave. House

The two-story Prairie Style house at 5832 Second Ave. was constructed in 1916 as a two-family dwelling. It retains integrity of location, design and materials, but is of a common type and design found throughout Detroit. Additional research indicates the house at 5832 Second Ave. is eligible under NRHP Criterion B because of its association with Mrs. Emma Fox, a locally prominent socialite and nationally recognized parliamentarian with a focus on helping improve the effectiveness of women’s organizations. Mrs. Fox lived in one unit from 1920 until her death in 1945 (her son Maurice and his family lived in the other unit). Her driving interests were the quality of public education and advancing the social and political work of women’s clubs. In 1962 the Detroit Public Schools dedicated the Emma Fox Primary School, which was closed in 2005 and demolished in 2015.

### 3.4.1.6. Elenora Apartments – 447-449 Antoinette St.

This property is a three-story apartment building built in 1913 by Stella Kaltz and is noted as illustrative of early 20th century small apartment building design. In its current condition it retains a good level of historic integrity. This historic property is not listed in the NRHP and was not identified in the 2004 FEIS. The building is considered

NRHP eligible (Criterion A, community development) based on the *Apartment Buildings in Detroit, 1892-1970 Multiple Property Documentation Form*.<sup>10</sup>

#### **3.4.1.7. Square D/Detroit Fuse & Manufacturing Building**

The manufacturing building at 6060 Rivard St. is located in the area bounded by Piquette Avenue, Harper Avenue, Rivard Street, and Russell Street, adjacent to the northeast quadrant of the I-94/I-75 interchange. Albert Kahn designed the reinforced concrete building, constructed in 1909. Detroit Fuse and Manufacturing Company was a leader in the development and manufacture of enclosed electrical safety switches. The company expanded, and in 1917 became known as Square D. The company became one of the largest manufacturers and distributors of electrical supplies in the United States. The property is also significant as the site of a 107-day strike by members of the United Electrical Workers union in 1954. The strike was marked with incidences of violence between strikers and non-union replacement workers. The building is significant under NRHP Criterion A for its association with the Square D Company and with labor history.

#### **3.4.1.8. Gemmer Manufacturing Company**

The Gemmer Manufacturing Company industrial complex at 6400 Mt. Elliott St. is significant for its role in the industrial growth of Detroit. Gemmer Manufacturing was founded in Wabash, Indiana but relocated to Detroit in 1907, operating from a factory at Merrick and Stanton streets. The company built the Mt. Elliott complex in 1926-1927 (with an addition in 1950). The company produced steering gears and transmissions. The company contributed to defense production in both world wars and the Korean Conflict. Gemmer employed between 1,000 and 1,200 workers, producing gears used in automobiles, trucks, and watercraft. The company moved to Lebanon, Tennessee, in 1962-1963. Gemmer Manufacturing Company industrial complex is eligible for listing on the National Register under National Register Criterion A for its association with the growth of the auto industry, in particular parts suppliers, in Detroit and Criterion C based on its excellent architectural design.

### **3.4.2. Public Parks and Recreation Areas**

#### **3.4.2.1. Wayne State University Athletic Campus Harwell Baseball Field (Acquisition Sites 1, 2 and 3)**

Wayne State University's Athletic Campus is in the southwest quadrant of the I-94/M-10 interchange. It is a Section 4(f) property due to its use as a publicly owned recreation area. The activities include college level baseball play, practice and spectating. The field also hosts numerous youth, high school, and city ball teams during the nonwinter seasons. Twenty-seven mature street trees line the perimeter of the athletic field. Block and chain-link fencing lines many of the sidewalks.

#### **3.4.2.2. Wigle Recreation Center (Wigle Park)**

This park is a 7.026-acre city-owned park in the Midtown neighborhood known as the Wigle Recreation Center site at 3650 John C. Lodge Service Drive. The park includes play areas, basketball, tennis courts, and baseball/softball and a parking lot that is accessed by two driveways off John C. Lodge Service Drive. Most of the site is mowed grass. Three street trees line John C. Lodge Service Drive.

<sup>10</sup> Quinn Evans Architects. National Register of Historic Places Multiple Property Documentation Form – Apartment Buildings in Detroit, 1892-1970, Wayne County, Michigan. Form prepared by Ruth E. Mills, Architectural Historian, et. al.

### 3.4.2.3. West Willis #2 Park

West Willis #2 Park is in the Midtown neighborhood on M-10, south of I-94 at 949 West Willis Street. It is comprised of 0.15 acres of mowed lawn surrounded by chain link fence with what appears to be a former sand box that is now grown over. There is one shade tree near the eastern property boundary.

### 3.4.2.4. Vernor Park

This park/playground, located at 5947 Grandy Street in the Poletown East neighborhood, is 3.26 acres with amenities including a basketball hoop, informal baseball/softball diamond, and picnic tables. The site is primarily mowed lawn with approximately eight trees near the perimeter. A chain link fence runs along the frontage of the Edsel Ford Service Drive.

### 3.4.2.5. Castador Park

Castador Park, at 5995 Hurlbut Street in the West End neighborhood, has 1.76 acres of open space with a play structure with shade trees, basketball court with benches, and a baseball/softball backstop at the corner of Cadillac and Edsel Ford Service Drive. There are three street trees along Edsel Ford Service Drive, one on Hurlbut Street, and two on Cadillac Avenue. The remainder of the site is mowed field.

### 3.4.2.6. Iron Belle Trail (Conner Creek Greenway)

The Iron Belle Trail is a 2,000-mile recreation trail beginning on the far western tip of Michigan's Upper Peninsula and ending at Belle Isle in Detroit. It traverses the Project limits at the Conner Avenue interchange using bike lanes on Conner Avenue and Harper Avenue, where it connects to an off-street, north/south-running path through Conner Playfield Park.

### 3.4.2.7. Conner Playfield Park

Conner Playfield is a publicly owned park located northwest of the interchange at 10644 Gratiot Avenue. Conner Playfield is a 21.68-acre park that includes a soccer field and a walking/biking path (Iron Belle Trail) that runs from Harper Avenue north, somewhat parallel to Conner Avenue. There is landscaping including shade trees near the path. The Conner Creek Greenway Master Plan describes the playfield as a prominent open space along Conner Avenue and it is part of the greater Conner Creek Greenway.<sup>11</sup>

### 3.4.2.8. Chandler Park

Chandler Park is located at 12831 Frankfort Street in the Chandler Park neighborhood. This 200.39-acre park includes play areas, basketball, baseball/softball, picnic facilities, tennis courts, horseshoes, a swimming pool, and a comfort station. There is an 18-hole public golf course at 12801 Chandler Park Drive that includes a pro shop and practice green.

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<sup>11</sup> Detroit Eastside Community Collaborative (DECC). (2003). Conner Creek Greenway Master Plan. Detroit: Detroit Eastside Community Collaborative.

## 3.5. Impacts to Section 4(f) Properties

### 3.5.1. Historic Properties

#### 3.5.1.1. S.T. Gilbert Terminal (No Adverse Effect)

The Selected Alternative will require 0.068 acres of permanent right-of-way along the southern boundary of the S.T. Gilbert Terminal site. This acquisition accommodates the extension of the Edsel Ford Service Drive from Wabash Street to Rosa Parks Avenue. There will also be 0.043 acres of temporary right-of-way impacts along the southern boundary for grading during construction (see DSEIS Appendix I, Page I-7). These impacts will not be an adverse effect because no structures will be affected, and the Selected Alternative will not alter, directly or indirectly, the characteristics of the property that qualify it for inclusion in the NRHP.

For the DSEIS, MDOT recommended FHWA make a determination of *de minimis* impact for the S.T. Gilbert Terminal. MDOT presented the proposed impact to the property at the November 2018 public meeting (see Section 3.8.1, below) and at the October 2019 public hearings. In addition, a consulting party meeting was held in January 2019. As part of the Determination of No Adverse Effect submittal the SHPO was notified of FHWA's intent to make a *de minimis* impact finding.

After considering the input received from SHPO and the public, and after selecting the ASAM as the Selected Alternative, FHWA has finalized its *de minimis* determination for the S.T. Gilbert Terminal.

#### 3.5.1.2. I-94/M-10 Interchange (Adverse Effect)

The Selected Alternative does not change the need to redesign the I-94/M-10 interchange and it continues to be an adverse effect, (see DSEIS Appendix I, Page I-6). The 2004 FEIS Section 4(f) Evaluation remains valid.

#### 3.5.1.3. United Sound Systems Recording Studios (Adverse Effect)

With the ASA, the USSRS building was proposed to be demolished and mitigation measures agreed to under the stipulations in the project Memorandum of Agreement (2005 MOA) (see DSEIS Appendix K). The Selected Alternative does not change the need to acquire the USSRS building. The impacts to the USSRS site are illustrated in DSEIS Appendix I, Page I-9. MDOT has purchased the property but is working on a plan to relocate rather than demolish the building.

#### 3.5.1.4. 5832 Second Ave. House (Adverse Effect)

The house at 5832 Second Ave. is located adjacent to USSRS and is also impacted by changes to the I-94/M-10 interchange ramp. During reevaluation, it was determined that 5832 Second Ave. is eligible for listing in the NRHP. The 0.10-acre site will be acquired and demolished. The impacts are illustrated in DSEIS Appendix I, Page I-9. Demolition of 5832 Second Avenue poses an adverse effect and suitable mitigation measures were developed in consultation with SHPO.

#### 3.5.1.5. Elenora Apartments – 447-449 Antoinette St. (Adverse Effect)

The Elenora apartment building is located near USSRS and is also impacted by changes to the I-94/M-10 interchange ramp. The 0.133-acre site will be acquired and the building demolished. The impacts are illustrated in DSEIS Appendix I, Page I-9. An adverse effect will occur with its removal. Mitigation measures have been developed in consultation with SHPO.

### 3.5.1.6. Square D/Detroit Fuse & Manufacturing Building (Adverse Effect)

The Selected Alternative does not change the need to acquire the site of Square D/Detroit Fuse and Manufacturing Company Building at 6060 Rivard St. in the northeast quadrant of the I-94/I-75 interchange and the related adverse effect. The site will continue to be impacted by the extension of Harper Avenue through the interchange and by the ramp from westbound I-94 to northbound I-75. Impacts are illustrated in DSEIS Appendix I, Page I-8, and they include 2.966 acres of permanent property acquisition. The 2004 FEIS Section 4(f) Evaluation remains valid.

### 3.5.1.7. Hendrie Street Historic District (No Adverse Effect)

Project improvements within the potential Hendrie Street Historic District include changes to Hendrie Street that will result from the design of the Brush Street interchange, just west of I-75. This interchange is close enough to the potential Hendrie Street Historic District that the ramp improvements need to extend west toward the potential historic district. The ASA would have eliminated Hendrie Street between Woodward Avenue and St. Antoine Street and replace it with continuous one-way westbound service drives. The ASA was strongly opposed by the city of Detroit because it eliminated existing connections.

The Selected Alternative reconnects Hastings Street from Ferry Street to Harper Avenue with a new bridge crossing over I-94; extends Hendrie Street to a new Hastings Street extension; and converts Hendrie Street to two-way traffic flow. These design changes reestablish the street grid pattern improving local connectivity. To meet FHWA interstate access requirements, this alternative proposes a one-way eastbound Service Drive that connects the eastbound I-94 exit and entrance ramps and parallels Hendrie Street to the north. The Selected Alternative is the avoidance alternative recommended by SHPO because it closely matches the existing roadway configuration adjacent to the potential Hendrie Street Historic District. The proposed improvements pose no adverse effect because there will be no permanent right-of-way acquired from the affected properties.

### 3.5.1.8. Gemmer Manufacturing Company (No Adverse Effect)

The Selected Alternative will acquire 0.689 acres of permanent right-of-way at the Gemmer Manufacturing Company complex. An additional 0.064 acres of temporary right-of-way impacts will occur for grading during construction. These impacts are located on the southeast portion of the site as shown in DSEIS Appendix I, Page I-5. No structures will be affected, and the impacts will be limited to the parking and transportation related areas of the site. The Selected Alternative will not alter, directly or indirectly, the characteristics of the property that qualify it for inclusion in the NRHP.

For the DSEIS, MDOT recommended FHWA make a determination of *de minimis* impact for the Gemmer Manufacturing Company. MDOT presented the proposed impact to the property at the November 2018 public meeting (see Section 3.8.1) and at the October 2019 public hearings. In addition, a consulting party meeting was held in January 2019. As part of the Determination of No Adverse Effect submittal the SHPO was notified of FHWA's intent to make a *de minimis* impact finding.

After considering the input received from SHPO and the public, and after selecting the ASAM as the Selected Alternative, FHWA has finalized its *de minimis* determination for the Gemmer Manufacturing Company.

## 3.5.2. Public Parks and Recreation Areas

### 3.5.2.1. Wayne State University Athletic Campus Harwell Baseball Field (*de minimis* Impact)

The Selected Alternative will require permanent property acquisitions for sidewalk reconstruction from the Wayne State University Athletic Campus southwest of the I-94/M-10 Interchange. Acquisitions include 0.095 acres at the

corner of Edsel Ford Service Drive and John C. Lodge Service Drive next to Harwell Baseball Field and 0.003 acre from the northwest quadrant of the intersection of M-10 and Warren Avenue. The chain link fence surrounding the athletic facilities and a ground-mounted Wayne State University monument sign may be relocated. This minor, or *de minimis*, use will not affect occupancy, facilities, or functions, or create substantial noise or visual effects. Grading and roadway and sidewalk construction along the service drive frontages will temporarily impact 0.128 acres of the property (see DSEIS Section 5.5.2.3). Street trees between the sidewalk and street will likely be removed during replacement of the sidewalk and roadway. Access to the parking lots may be affected during construction but access will be provided during construction.

For the DSEIS, MDOT recommended FHWA make a determination of *de minimis* impact for Wayne State University Athletic Campus. MDOT presented the proposed impact to the property at the November 2018 public meeting (see Section 3.8.1) and at the October 2019 public hearings. MDOT coordinated with the officials with jurisdiction and received a letter of concurrence. Letters from the officials with jurisdiction concurring with the impacts are included in **Appendix E**.

After considering the input received from officials with jurisdiction and the public, and after selecting the ASAM as the Selected Alternative, FHWA has determined that the impacts to Wayne State University Athletic Campus are *de minimis*.

### 3.5.2.2. Iron Belle Trail (Conner Creek Greenway) (de minimis Impact)

The Conner Avenue interchange will be redesigned and reconstructed as part of the Selected Alternative, creating an opportunity to reroute the Iron Belle Trail off the street to a separate shared-use path and bridge. Changes proposed within Conner Playfield include vacating the southbound separated right-turn lane from Conner Avenue to Harper Avenue. This traffic movement will be shifted to the mainline of Conner Avenue. This change will create additional land at Conner Playfield to move the trail path and align it with the crossing at Harper Avenue. The alignment will improve safety for bikes and pedestrians crossing Harper Avenue. The impacts are illustrated in DSEIS Appendix I.

Moving the Iron Belle Trail onto a separate bridge over I-94 freeway and exit/entrance ramps preserves and enhances safety by separating it from vehicular traffic. For this reason, it was preferred by the officials with jurisdiction (city of Detroit Parks and Recreation Department and the Michigan Department of Natural Resources) who were informed of the plans at a meeting with MDOT on Jan. 29, 2018 (see DSEIS Appendix I). MDOT prepared concept plans for improvements to the trail including aesthetics of the bicycle/pedestrian bridge, and further enhancing and improving the design of the trail through this location.

For the DSEIS, MDOT recommended FHWA make a determination of *de minimis* impact for Iron Belle Trail (Conner Creek Greenway). MDOT presented the proposed impact to the property at the November 2018 public meeting (see Section 3.8.1) and at the October 2019 public hearings. MDOT coordinated with the officials with jurisdiction and received a letter of concurrence. Letters from the officials with jurisdiction concurring with the impacts are included in **Appendix E**.

After considering the input received from officials with jurisdiction and the public, and after selecting the ASAM as the Selected Alternative, FHWA has determined that the impacts to Iron Belle Trail (Conner Creek Greenway) are *de minimis*.

### 3.5.2.3. Parks with Temporary Impacts

Construction for grading for sidewalk replacements will temporarily impact parks. No recreation facilities or functions will be impacted by construction activities. Parks with temporary construction impacts are listed in **Table 3-1**. Letters from the officials with jurisdiction concurring with the impacts are included in **Appendix E**.

**Table 3-1: Temporary Construction Impacts to Parks**

Park Name	Temporary Impact (in Acres)
Chandler Park	0.027
Vernor Park	0.030
Wayne State University Athletic Campus*	0.128
West Willis #2 Park	0.010
Wigle Recreation Center (Wigle Park)	0.031
Castador Park	0.015
Conner Playfield	0.156

\* There will also be de minimis impacts to Wayne State University Athletic Campus. See Section 5.5.2.1.\*

## 3.6. Avoidance Alternatives

MDOT developed and evaluated avoidance alternatives for historic resources adversely affected by the Selected Alternative. The *de minimis* use of properties does not require avoidance alternatives. Properties with anticipated *de minimis* use include Wayne State University and the Iron Belle Trail.

### 3.6.1. Historic Properties

#### 3.6.1.1. I-94/M10 Interchange

As discussed in the 2004 FEIS, MDOT evaluated several alternatives to improve I-94 without improving M-10. The alternatives were not prudent because they do not eliminate left-hand exits and entrances. Also, additional through-lanes cannot be added without modifying the interchange. No additional avoidance alternatives were investigated under the current study.

#### 3.6.1.2. United Sound Systems Recording Studios

MDOT studied design alternatives to the ASA that avoid the USSRS building. Avoidance alternatives are described in the matrix in DSEIS Appendix I, Page I-9. MDOT presented the alternatives to SHPO in a meeting on May 7, 2018. Due to the elevated risk of damage during construction, the alternatives are not feasible or prudent. MDOT and SHPO agreed impacts cannot be avoided. Therefore, there are no proposed modifications to the ASA freeway design at the USSRS property.

#### 3.6.1.3. 5832 Second Ave. House

The house at 5832 Second Ave. is situated between USSRS and I-94. The ASA alignment in this area was selected because there is no prudent and feasible avoidance alternative.

#### 3.6.1.4. Elenora Apartments – 447-449 Antoinette St.

Avoidance alternatives presented for USSRS in **Section 3.6.1.2** are applicable to the Elenora Apartments because the building is situated along the alignment of the I-94 to M-10 ramp. The ASA alignment in this area was incorporated into the Selected Alternative because the avoidance alternatives do not mitigate the adverse effects to the building, and they created reduced safety conditions on the freeway.

#### 3.6.1.5. Square D/Detroit Fuse & Manufacturing Building

Section 6.4.4 of the 2004 FEIS discusses avoidance alternatives. No additional avoidance alternatives were investigated under the current study. Alternative locations for the proposed action were considered and were found not practical because the Project involves the reconstruction of an existing roadway with minimal need for additional right-of-way. The only alternatives under consideration were variations in cross-section and interchange design on the existing alignment. Other locations outside the immediate area will not provide necessary system connections and will require significant new rights-of-way that will result in substantially greater impacts to the natural and built environment.

The 2004 FEIS Section 4(f) evaluation reports the study team considered a narrower cross-section to reduce impacts on neighboring properties and minimize displacements but found it will not accommodate current and future traffic volumes nor will it improve operations and safety. Without these elements, the purpose and need would not be met. No additional avoidance alternatives were investigated for the current study.

### 3.7. Measures to Minimize Harm

The Section 4(f) approval process requires the consideration of “all possible planning to minimize harm” on Section 4(f) resources. Minimization includes design modifications that reduce impacts and mitigation measures for unavoidable impacts. MDOT developed minimization and mitigation measures through consultation with the officials with jurisdiction over the affected resources.

#### 3.7.1. Historic Properties

MDOT consulted with SHPO to discuss avoidance alternatives and measures to minimize harm. A consulting parties meeting was held on January 30, 2020. Based on this consultation MDOT, SHPO and FHWA amended the 2005 MOA to formally document mitigation measures for adverse impacts to historic resources. The amended MOA is included in **Appendix D**.

##### 3.7.1.1. I-94/M10 Interchange

MDOT will prepare photographic documentation and a historical overview of the historic property according to SHPO Documentation Guidelines. MDOT shall ensure that all documentation is completed and accepted by the SHPO for deposit in the State Archives of Michigan, and any appropriate local repositories designated by the SHPO prior to the initiation of any construction activities (Stipulation I., I-94 Rehabilitation MOA, Jan. 10, 2005).

MDOT will compile copies of the original design plans and other materials relating to the design and construction of the I-94/M10 Interchange. MDOT will provide the SHPO and any other repository as directed by the SHPO, with the compiled information. MDOT will ensure that the SHPO copy will meet the requirements for housing in the State Archives of Michigan (Stipulation IV. A. 1).

MDOT will produce a small-scale exhibit of the I-94 Interchange and coordinate the exhibit display with the SHPO (Stipulation IV. B. 1).

### 3.7.1.2. United Sound Systems Recording Studios

MDOT and SHPO discussed the potential of relocating the USSRS as an option to maintain the building. The suggested location for the relocation would be a parking lot that is part of the USSRS property at the southeast corner of Second Avenue and Antoinette Street.

MDOT is consulting with SHPO regarding existing mitigation stipulations and amendments to the MOA related to relocation rather than demolition of the building.

### 3.7.1.3. 5832 Second Ave.

This house was determined to be eligible for listing in the NRHP during the DSEIS process. In Consultation with SHPO, MDOT has developed mitigation measures that are included in the project MOA Amendments.

### 3.7.1.4. Elenora Apartments – 447-449 Antoinette St.

Since this building has been determined eligible for the NRHP, MDOT has developed suitable mitigation measures in consultation with SHPO that are included in the project MOA Amendments.

### 3.7.1.5. Square D/Detroit Fuse & Manufacturing Building

The following mitigation measures from the 2005 MOA are retained.

MDOT will prepare photographic documentation and a historical overview of the historic property according to SHPO Documentation Guidelines. MDOT shall ensure that all documentation is completed and accepted by the SHPO for deposit in the State Archives of Michigan, and any appropriate local repositories designated by the SHPO prior to the initiation of any construction activities (Stipulation I., I-94 Rehabilitation MOA, Jan. 10, 2005).

MDOT will produce a physical and/or internet-based exhibit of the events surrounding the 1954 Square D strike and will coordinate the exhibit display with the SHPO.

## 3.7.2. Public Parks and Recreation Areas

### 3.7.2.1. City of Detroit Public Parks

MDOT will restore any vegetation disturbed on city of Detroit park properties to its current condition, or better, upon completion of construction.

### 3.7.2.2. Wayne State University Athletic Campus

The following mitigation measures will be applied to work within the Wayne State University Athletic Campus.

- MDOT will restore any vegetation disturbed on Wayne State University Athletic Campus property to its current condition, or better, upon completion of construction.
- MDOT will replace any trees removed. If space does not permit for replacements along the service drive, replacement trees can be planted in other areas on WSU campus.
- Should the chain-link fence surrounding the athletic complex be impacted, MDOT will move or replace it.
- Where right-of-way is required, MDOT will maximize space for athletic facilities and minimize green space between the street and sidewalk.

- MDOT will relocate the ground mounted kiosk at the corner of the John C. Lodge Service Drive and Warren Avenue. Where possible, MDOT will maximize sidewalk space in this area.
- During construction, MDOT will maintain access to the recreational facilities.

### 3.7.2.3. Iron Belle Trail

During construction, MDOT will maintain access on the Iron Belle Trail.

## 3.8. Coordination

### 3.8.1. Public Meetings, Consulting Party Meeting, and Hearings

FHWA and MDOT hosted four public meetings in November 2018 that presented information on Section 4(f) properties and potential impacts. FHWA and MDOT solicited public and agency comment and allowed the public opportunity to discuss the affected properties with MDOT and consultant specialists. A meeting summary is included in DSEIS Appendix A. At the November public meetings and at other meetings held throughout the planning process (see DSEIS Chapter 7) comments were received about the USSRS. These comments indicated concern about the location of the building within the footprint of the off-ramp and that moving the structure would be an acceptable mitigation measure to minimize impacts of the I-94/M-10 realignment. Positive comments were also received from members of the public regarding the planned improvements to bring the Iron Belle Trail onto a separate structure crossing I-94 at Conner Avenue.

Public hearings were held where information on the effects to Section 4(f) properties were exhibited. This allowed another opportunity to discuss the affected properties with MDOT and consultant specialists and to provide testimony. The following is a summary of the comments on Section 4(f) properties were received during the DSEIS public review period and at the Public Hearing meetings.

- The Iron Belle Trail design enhances safety and encourages greater use of the trail. These things promote community health and well-being.
- Promising to move United Sound System Studies isn't enough.
- The suggestion to move USSRS seemed non-committal.
- The house adjacent to USSRS should remain as a sound buffer.
- A marker should be placed at the former cemetery at Conner Street.
- Adverse effects on historical properties are not described in the DSEIS.

Responses to these comments are included in the FSEIS Section 1.4.

FHWA and MDOT held a Section 106 consulting party meeting on January 30, 2020. Interested parties were invited to discuss potential effects to historic resources and to discuss mitigation. Meeting minutes are included in **Appendix D**. Representatives were in attendance from SHPO, the City of Detroit Historic Designation Advisory Board, City of Detroit Housing and Revitalization Department, Michigan Historic Preservation Network, Detroit Sound Conservancy, and Detroit Mercy Law. Feedback from attendees was used to development amendments to the Project's Section 106 Memorandum of Agreement.

### 3.8.2. Local and Agency Coordination

MDOT initiated consultation with the SHPO and other consulting parties and coordination with the officials with jurisdiction of the Section 4(f) properties, and other interested parties to determine whether there were any additional actions available that would avoid, minimize and mitigate harm to impacted Section 4(f) properties. MDOT and FHWA also consulted with the City of Detroit Historic Designation Advisory Board, the City of Detroit Housing and Revitalization Department, Michigan Historic Preservation Network (see Section 3.8.1, above). See Appendix D for meeting minutes and correspondence.

### 3.8.3. Historic Properties

For historic properties, MDOT coordinated with SHPO and other consulting parties to determine the significance of the surveyed properties and to identify those that are eligible for the NRHP. SHPO concurred with MDOT's Determination of Effects. See FSEIS Appendix D for copies of correspondence and the minutes of the Section 106 Consulting Party Meeting. For properties where adverse effects will occur, the 2005 MOA was amended to include any additional adverse effects that were identified. The MOA has also been amended to reflect changes in mitigation commitments for the United Sound Systems Recording Studio building. SHPO agreed to the selection of avoidance alternatives for the Brush Street interchange within the potential Hendrie Street Historic District. SHPO concurred impacts at the USSRS, 5832 Second Ave., and the Elenora Apartments could not be avoided. They also agreed the 2005 MOA is valid for the other properties that were previously identified, the amended MOA is included in FSEIS **Appendix D**.

### 3.8.4. Parks and Recreation Areas

MDOT met and corresponded with the officials with jurisdiction, including officials from Michigan DNR Iron Belle Trail, Wayne State University, and the city of Detroit Department of Parks and Recreation to determine the purposes and significance of the Section 4(f) parks and recreation areas. MDOT provided the city and DNR conceptual design plans for the Iron Belle Trail crossing over I-94 at Conner Avenue including the proposed trail location and access points where it transitions from on-street bike lanes to off-street paths and relocation through Conner Playfield. Options for the cross-section of the trail were discussed. The city of Detroit was also provided plans for each affected public park location. Likewise, plans for the affected areas within the Wayne State University Athletic Campus were shared with Wayne State University officials at a site visit.

MDOT and the officials with jurisdiction discussed the potential temporary impacts to parks and recreation areas, potential minimization, and mitigation measures, and preliminary *de minimis* impact determinations. See DSEIS Sections 3.5 and 3.7 for details about impacts and mitigation measures. DSEIS Appendix I includes correspondence documenting agreement by the officials with jurisdiction that the Project will have no significant impacts to the Section 4(f) park and recreation areas under their jurisdiction and that the amount and location of land to be used does not impair the use of the Section 4(f) property for its intended purpose. Officials with jurisdiction also agreed that the Project will not result in any temporary or permanent adverse change to the current activities, features, or attributes that are important to the purposes or functions that qualify the sites in question for protection under Section 4(f).

## 3.9. Section 4(f) Summary

### 3.9.1. No Feasible and Prudent Alternatives

The 2004 Final Section 4(f) Evaluation of prudent and feasible alternatives remains valid, and no substantive changes to the determination are proposed. The age and physical condition of existing I-94 between I-96 and Conner Avenue in Detroit requires action to keep the facility in serviceable condition. The congestion, capacity, safety, operational, and other problems identified in the 2004 FEIS require rehabilitating I-94 to current standards with added capacity. The existing right-of-way is used in its entirety to maximize the utilization of resources already committed to I-94 and to reduce impacts. The Selected Alternative minimizes impacts while still accomplishing the Project purpose and need. As a result, there are no prudent and feasible alternatives to the Selected Alternative.

### 3.9.2. Planning to Minimize Harm

The 2004 Final Section 4(f) Evaluation remains valid, with changes to account for newly reported Section 4(f) properties. The revised determination is as follows:

Since there is no prudent and feasible alternative to using the existing alignment and the use of adjacent Section 4(f) properties, the Project must include all possible planning to minimize harm.

The I-94 cross-section was reduced to eliminate as many impacts as possible. The encroachments at USSRS, 5832 Second Ave. and at the Elenora apartment building cannot be avoided. These structures are impacted by the proposed I-94 westbound to M-10 northbound ramps. Numerous ramp configurations and lane widths and alignments were studied; however, the area is constrained by urban development that other locations for the ramps were not viable.

The left-hand entrances and exits on the I-94/M-10 interchange require replacement to bring the design into a standard, safe geometry. Moving the interchange to a new location to preserve the existing interchange is not feasible or prudent because of the increased environmental and community impact it would cause at any new location. The redesign of the I-94/I-75 interchange to current design standards results in the ramp from westbound I-94 to northbound I-75 directly impacting the Square D/Detroit Fuse and Manufacturing Company Building. Moving this ramp is not feasible if it is to meet current design standards.

To mitigate the unavoidable adverse impacts to historic resources, MDOT will record the properties in accordance with SHPO standards prior to their demolition or moving. Amendments to the Project MOA reflect updated measures to mitigate and minimize harm (see **Appendix D**).

Park properties were not discussed in the original Section 4(f) Evaluation so are added to this Final Section 4(f) Evaluation update. In coordination with the city of Detroit, Iron Belle Trail staff and Wayne State University, MDOT identified park properties that may be impacted by the project and identified measures to minimize harm (see correspondence with the officials with jurisdiction in DSEIS Appendix I).

### 3.9.3. Conclusion and Findings

The conclusion of the 2004 Final Section 4(f) Evaluation remains valid for the properties affected by the Selected Alternative.

Based on the considerations discussed above, there is no feasible and prudent alternative to the use of land from the affected properties. The Selected Alternative includes all possible planning to minimize harm to the following historic properties, parks, and recreation area.

### 3.9.3.1. Historic Properties

- 1-94/M-10 Interchange (adverse effect)
- United Sound Systems Recording Studios (adverse effect)
- Square D/Detroit Fuse & Manufacturing Building (adverse effect)
- 5832 Second Ave. House (adverse effect)
- Elenora Apartments – 447-449 Antoinette St. (adverse effect)
- S.T. Gilbert Terminal (no adverse effect/de minimis impact)
- Gemmer Manufacturing Company (no adverse effect/de minimis impact)

### 3.9.3.2. Park Properties

- Wayne State University Athletic Campus (temporary and de minimis impact)
- Iron Belle Trail (Conner Creek Greenway) (de minimis impact)
- Wigle Recreation Center (Wigle Park) (temporary impact)
- West Willis #2 Park (temporary impact)
- Vernor Park (temporary impact)
- Castador Park (temporary impact)
- Conner Playfield Park (temporary impact)
- Chandler Park (temporary impact)



## 4. ACRONYMS AND ABBREVIATIONS

**Table 4-1: Acronyms and Abbreviations**

<b>Acronym or Abbreviation</b>	<b>Expansion</b>
I-94	Interstate Highway 94 (Edsel Ford Freeway)
I-75	Interstate Highway 75 (Chrysler Freeway)
I-96	Interstate Highway 96 (Jeffries Freeway)
M-10	Michigan State Highway 10 (Aretha L. Franklin Memorial Freeway/Lodge Freeway)
ACS	American Community Survey
ASA	Approved Selected Alternative
ASAM	Approved Selected Alternative with Modifications
ATDM	Active Transportation Demand Management
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CSRP	Conceptual Stage Relocation Plan
CSS	context sensitive solutions
DEIS	draft environmental impact statement
DDOT	Detroit Department of Transportation
DNR	Michigan Department of Natural Resources
DSEIS	draft supplemental environmental impact statement
DWSD	Detroit Water and Sewerage Department
EGLE	Michigan Department of Environment, Great Lakes, and Energy
EIS	environmental impact statement
EPA	U.S. Environmental Protection Agency
FAST (Act)	Fixing America’s Surface Transportation Act
FEIS	final environmental impact statement
FHWA	Federal Highway Administration
FSEIS	Final Supplemental Environmental Impact Statement
GAC	I-94 Government Advisory Committee
GLWA	Great Lakes Water Authority
LAC	I-94 Local Advisory Committee
LOS	Level of Service
MAP-21	Moving Ahead for Progress in the 21st Century Act (P.L. 112-141)
MDEQ	Michigan Department of Environmental Quality
MDOT	Michigan Department of Transportation
MOA	Memorandum of Agreement



<b>Acronym or Abbreviation</b>	<b>Expansion</b>
MITC/IAWG	Michigan Transportation Conformity Interagency Workgroup
MSATs	mobile source air toxics
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act of 1969
NHPA	National Historic Preservation Act
NOI	Notice of Intent
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
ROD	Record of Decision
RTA	Regional Transit Authority
RTP	Regional Transportation Plan
SEIS	Supplemental Environmental Impact Statement
SEMCOG	Southeast Michigan Council of Governments
SHPO	State Historic Preservation Officer
SMART	Suburban Mobility Authority for Regional Transportation
SWMP	Storm Water Management Plan
TDM	Travel or traffic demand management, Travel or traffic demand measures
TIP	Transportation Improvement Program
USC	U.S. Code
USDOT	U.S. Department of Transportation
USSRS	United Sound Systems Recording Studios