



April 30, 2014

Kristin Schuster, Manager  
Environmental Services Section  
Bureau of Development  
Michigan Department of Transportation

**Re: Michigan Environmental Council's Concerns Regarding the Michigan Department of Transportation's Proposed Project for US-23, between the M-14 West Interchange and Silver Lake Road Interchange**

Dear Ms. Schuster,

The Michigan Environmental Council is a coalition of over 65 environmental, conservation and faith-based organizations located across Michigan. These organizations place a high priority on transportation issues as key to Michigan's economic success, good quality of life, and environmental prosperity. The Michigan Environmental Council (MEC) has reviewed the Michigan Department of Transportation's (MDOT) decision to initiate an Environmental Assessment (EA) for its proposed project in the US-23 corridor between the US-23/M-14 west interchange and the Silver Lake Road interchange. We appreciate the department's decision to undertake an environmental assessment of the proposed US-23 project, and its efforts to include stakeholders in the process.

Based on our reading of public documents on the project, the department's April 3rd letter and other research, we strongly believe that the outcome of the EA should be a full Environmental Impact Statement (EIS). Our comments will focus on air quality and water quality concerns. We also strongly recommend considering the WALLY commuter rail service as a proposed alternative.

Air Quality

The air quality concerns we expressed in our November 26th letter remain unchanged. The 2009 feasibility study does address the potential induced demand that would accompany construction of a third general purpose lane in each direction. This study found that the largest impact on corridor travel demand occurs between North Territorial Road and the M-14 interchange, with an expected 1,325 additional vehicles travelling southbound in the morning peak hour and 1,025 more travelling northbound in the evening peak hour. The feasibility study states that, "Most of the induced US-23 demand under this scenario is due to local area trips that were previously using the local road system, but are now using US-23 due to the increase in capacity." While the scenario in the 2009 feasibility study is a third general purpose lane rather than the hard shoulder running (HSR) and Active Traffic Management (ATM) system, both scenarios would create an increase in capacity during peak hours, and thus will both see increased use to some degree. The extent to which induced demand will grow with the HSR and

ATM should be understood and its potential negative impacts on human health and the environment should be planned for.

### Water Quality

There is a serious concern regarding water quality within the project area. In the 2009 US-23 feasibility study, it is recorded that the potential impacts in the South Segment of that study – from the M-14 interchange to North Territorial Road – primarily concern the Huron River and its floodplain. The 2009 feasibility study also identified the abundance of wetlands in the Center Segment - from North Territorial Road to south of Silver Lake Road - as a water quality concern. There are also five inland lakes, and several smaller ponds and streams, within a two-thirds of a mile radius of US-23, between M-14 and Silver Lake Road. Slide 11 of MDOT's December 12, 2013, "US-23 Active Transportation Management 2016 Proposed Project" presentation displays a design concept which features a paved median. On top of the additional 22' of HSR pavement, this concept creates an additional 21.68' of pavement in the median plus the concrete barrier median. If this design is implemented over the 8.5 mile ATM project, approximately 1,960,358 square feet of new impermeable surface would be added between the north- and south-bound lanes. This is a significant potential increase in stormwater runoff activity from the freeway, and would likewise impact the surrounding wetlands. You note in your April 3rd letter, "The project is within existing MDOT right-of-way (ROW) except for potentially minor ROW acquisitions at N. Territorial Road." While we appreciate that the existing ROW is for the most part maintained, the variable that will impact water runoff activity is the increased footprint of impermeable pavement, not a change in ROW.

We also have questions surrounding the assessment of operational conditions at the North Territorial, 6 Mile, and 8 Mile interchanges and the extent to which these changes could increase impermeable pavement and lead to greater levels of stormwater runoff. This concern is especially pertinent regarding the potential realignment of 5 Mile Road at North Territorial, which runs close to a stream south of Horseshoe Lake.

Last, the proposed project will include widening bridges over the Great Lakes Central Railroad and Barker Road to accommodate the widened highway. Again, this increase in impermeable surface will increase stormwater runoff into surrounding wetlands and bodies of water. Combined with the effects of the widened highway and potential increases in impermeable surfaces due to operational improvements at several interchanges, impacts on water quality in the study area could be significant.

### Proposed Alternative

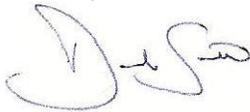
The Washtenaw and Livingston Line (WALLY) is a proposed commuter rail line that would provide significant congestion mitigation and travel improvements compared to the proposed US-23 project. Plans are well underway to develop a commuter train to connect Ann Arbor with communities to the north, providing a much-needed alternative to traffic on US-23. The train would run for 27 miles from Ann Arbor to Howell, initially running just during peak hours, as would the proposed ATM system<sup>(1)</sup>.

The Ann Arbor Area Transportation Authority was recently awarded an FHWA grant to conduct a full feasibility analysis of WALLY which will provide more exact cost estimates, ridership estimates, and station locations. The WALLY Coalition, an organization of government and business leaders, area residents and other community groups, has already developed a preliminary operating plan and budget<sup>(1)</sup>. The feasibility of this operating plan and budget were evaluated by R.L. Banks and Associates (RLBA). In 2008, RLBA reported an estimated ridership of 1300 roundtrips per day for weekday commuter service<sup>(1)</sup>.

MDOT contracted Great Lakes Central Railroad to refurbish 23 rail cars<sup>(2)</sup> for approximately \$310,000 each<sup>(3,4)</sup>. Great Lakes Central Railroad is an enthusiastic partner, ready to operate the service and provide the rail stock. With millions of dollars already spent on planning and rail stock for a service that would initially operate at approximately the same hours as the US-23 ATM system, it is an imminently sensible alternative to the proposed US-23 project, and one that should be fully established and operational before any plans to add highway lanes are carried out.

The Michigan Environmental Council believes these air and water quality concerns will merit a full Environmental Impact Statement. We appreciate the department's commitment to ensuring the correct level of environmental assessment for the proposed US-23 project and addressing these issues in a comprehensive manner. Further, we see the WALLY commuter service as a smart alternative to the proposed project. Thank you for the opportunity to provide comments on the Department's plan to initiate an Environmental Assessment for the proposed US-23 project. As always, we are available to you to answer any questions about our comments that you have.

Sincerely,



Dan Sommerville  
Policy Associate  
Michigan Environmental Council

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(1) – [Washtenaw Livingston Rail Line \(Wally\) Technical Review: Final Report and Revised Draft Business Plan, R.L. Banks & Associates, Inc., 2008](#)

(2) – [“Commuter Rail Showcase, John Dingell help kick off Ypsilanti Heritage Festival,” Tom Perkins, The Ann Arbor News, August 16, 2013](#)

(3) – [“Commuter rail cars slated for testing in southeast Michigan starting Monday,” Michigan Department of Transportation, November 9, 2012](#)

(4) – [“Double-Decker Rail Cars Ready for Business,” MJ Galbraith, Mode Shift: Move Together, February 19, 2013](#)