



## INFORMATION BULLETIN

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**DATE: June 30, 2009**

**SUBJECT: Detroit International Crossing**

**SOURCE: Detroit Free Press**

The protracted dispute between the Detroit International Bridge Co. and the Michigan Department of Transportation over whether to build another crossing over the Detroit River has gone far enough.

It's time for Gov. Jennifer Granholm and Detroit Mayor Dave Bing to step into the arena and referee this brawl before the next round of lawsuits and accusations inflicts further damage. The battle of the bridges is already delaying the completion of the state's \$230-million Gateway Project, which will tie I-75 and I-96 directly into the Ambassador Bridge. It could even prevent the construction of both a replacement span for the Ambassador and a second crossing downriver.

### **Unauthorized changes**

The Gateway Project is the most immediate casualty. Nearly two miles of I-75 in southwest Detroit, which has been closed for more than a year, will open before the July 4 holiday, five months ahead of schedule. But ramps connecting the interstate system directly to the bridge plaza will remain closed until fall. Trucks will continue to use temporary exits at Clark and Rosa Parks, slowing border traffic and pushing truck traffic onto residential streets.

Some of those ramps could have opened as early as this week, but MDOT won't allow them to be used now and has dumped construction fill and materials along a service drive that joins a ramp leading to the Ambassador Bridge.

MDOT said it had to delay opening some ramps because the bridge company made unauthorized and illegal changes to the plaza design that was earlier approved by the Federal Highway Administration as part of an environmental clearance. The unauthorized changes include illegally closing part of 23rd Street, instead of building a bridge over it, and changing the location of toll booths and the duty free shop.

Dan Stamper, president of the Detroit International Bridge Co., insists the changes were insignificant. He called a press conference on Tuesday, accusing MDOT of retaliating against his company for opposing efforts to build a publicly funded bridge about two miles south of the Ambassador. Stamper said MDOT wants to blame the bridge company for the department's failure to complete work.

Last month, the bridge company, along with a coalition of community groups, filed an environmental justice lawsuit in federal court against the U.S. Department of Transportation, challenging the study for a second bridge crossing. The Ambassador filed another lawsuit against MDOT on June 15, the same day the U.S. Coast Guard delayed granting the company permission to build a \$1-billion replacement span next to its bridge connecting Detroit to Windsor. In that suit, the bridge company asserted that the state violated its partnership agreement on the Gateway Project, which accommodates the proposed twin span, by seeking to build another crossing downriver.

Tony Kratofil, MDOT's metro Detroit region engineer, denied that the state is retaliating for lawsuits filed by the Ambassador. "We're trying to protect public property and the public interest," he told the Free Press.

Opening the ramps, Kratofil said, would validate unauthorized changes made by the bridge company. The changes could jeopardize \$145 million in federal funds if the federal government determines that the changes negate previous environmental clearances. Any loss of federal funding would have an enormous impact on a state that is already set to lose hundreds of millions of dollars because the state lacks the money to put up the required 20% local match for federal transportation aid.

On Wednesday, the state filed a lawsuit against the bridge company, asking the court to order it to comply with the original plaza design.

But the bridge company, too, must become a better transportation partner. It's a private company that, in operating an international border crossing, has assumed very public responsibilities. Too often, its owners have taken a my-way-or-the-highway approach to issues that involve multiple governments and two sovereign nations.

The Ambassador hopes to quell enthusiasm for a publicly owned bridge two miles down the Detroit River by building a twin span. But Canada generally opposes the Ambassador's plan, and the bridge company can't peremptorily dismiss our northern neighbor's objections. So far, though, parochial posturing by the bridge company has mostly engendered doubts about its role as a major player on an international border.

The issue of whether and when a downriver border crossing should be built must be decided by public agencies acting in the broadest public interest, not according to the druthers of one private company. Nor should that dispute affect the timely completion of Gateway, a project that is vital to the economic interests of the entire state.

Unfortunately, the two sides appear unable, or unwilling, to move forward and are now locked in a protracted legal battle. It's time for the governor and mayor to give them a nudge -- or push -- and get this thing worked out. Petty bickering and prolonged litigation should not be allowed to obstruct the progress of North America's busiest international crossing.