



Legislation Details (With Text)

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Title: Storm Water Connection Agreement for the Gordie Howe International Bridge Project

Sponsors: Randal Brown

Indexes: General Counsel

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Attachments:

Date	Ver.	Action By	Action	Result
5/25/2022	1	Board of Directors	Approved	Pass
5/25/2022	1	Legal Committee	Recommended for Approval	Pass

Storm Water Connection Agreement for the Gordie Howe International Bridge Project

Agenda of: May 25, 2022
Item No.: **2022-194**
Amount: N/A

TO: The Honorable
Board of Directors
Great Lakes Water Authority

FROM: Suzanne R. Coffey, P.E.
Interim Chief Executive Officer
Great Lakes Water Authority

DATE: May 20, 2022

RE: Storm Water Connection Agreement for the Gordie Howe International Bridge Project

MOTION

Upon recommendation and opinion of Suzanne R. Coffey, P.E., Interim Chief Executive Officer, and Randal M. Brown, General Counsel, the Board of Directors (Board) for the Great Lakes Water Authority (GLWA):

- (1) Approves the Storm Water Connection Agreement for the Gordie Howe International Bridge Project between between MDOT, GLWA and Detroit; and

- (2) Authorizes the Interim Chief Executive Officer to take such other action as may be necessary to accomplish the intent of this vote, including the execution of the Purchase Agreement and closing documents.

JUSTIFICATION

MDOT desires to assist the Windsor-Detroit Bridge Authority (“WDBA”) to develop, construct and operate a new international bridge crossing between Detroit, Michigan and Windsor, Ontario, Canada, the related port of entry, and the related interchange and interconnection with I-75 and surface streets (collectively, the “GHIB Project”). The City and MDOT are parties to an Agreement - Transfers of Properties, Assets, Interests and Jurisdiction dated June 19, 2017 (“Transfer Agreement”) relating to the GHIB Project, and this Agreement is a “Storm Water Connection Agreement” contemplated by Article VII, Section E, of the Transfer Agreement. Exhibit J to the Transfer Agreement set forth the anticipated way in which the storm water drainage from a portion of the GHIB Project (“GHIB POE Drainage Area”) would be retained and subsequently discharged into the Detroit River.

As permitted by the Transfer Agreement, the City and MDOT have agreed (and GLWA has concurred with such agreement) to instead drain the storm water from the GHIB POE Drainage Area located between the GHIB POE Drainage Area boundaries and the existing combined sewer outfall system that discharges into the Detroit River. For the purposes of this Agreement, the combined sewer outfalls shall include the existing outfalls that discharge combined sewage into the Detroit River and any modifications or future expansion or replacement of those outfalls consistent with the terms of this Agreement. The combined sewer outfalls are defined as the portion of the combined sewer system downstream of a CSO regulator. A CSO regulator only allows combined sewage to enter the combined sewer outfall when a certain depth is exceeded.

It is anticipated the storm water connection will reduce peak flow to the combined local and regional system. MDOT funding will be provided to construct the storm water connection. Pursuant to the Leases, GLWA will still be responsible for maintaining the combined sewer outfall. MDOT will be responsible for all connections upstream of the connection of the CSO regulator.

BUDGET IMPACT

Once constructed, stormwater drainage from approximately 81 acres of impervious surfaces will be captured and delivered directly to the Detroit River. This will reduce the amount of stormwater entering the regional system and the costs associated with treating and disinfecting the same at the Water Resource Recovery Facility.

COMMITTEE REVIEW

This matter is being presented directly to the Legal Committee at its meeting on May 25, 2022.

SHARED SERVICES IMPACT

This request does not impact the Shared Services Agreement.