



125 Sussex Drive
Ottawa, Ontario
K1A 0G2

December 9, 1998

Mr. Murray Clamen
Secretary
Canadian Section
International Joint Commission
100 Metcalfe Street
Ottawa, Ontario
K1P 5M1

Dear Mr. Clamen:

I herewith transmit an application by the Buffalo and Fort Erie Public Bridge Authority for an IJC order of approval for the Peace Bridge Capacity Expansion Project: the construction of a multi-span, multiple steel arch bridge over the Niagara River and Black Rock Canal, between Fort Erie, Ontario and Buffalo, New York. The letter of application is accompanied by a document entitled "Hydrotechnical Report for Second Peace Bridge".

The Department of Foreign Affairs and International Trade would appreciate receiving the Commission's response to this application at your earliest possible convenience.

It is my understanding that a similar letter is being sent the Secretary of the U.S. Section of the Commission by the Department of State.

Yours sincerely,

A handwritten signature in black ink, appearing to read "David Preston".

David Preston
Director
U.S. Transboundary Division

Attachments:

1. Letter of application
2. Hydrotechnical report

International Joint Commission (IJC)

Order of Approval

Letter of Application

for the

Peace Bridge Capacity Expansion Project (PBCEP)

On behalf of:

Buffalo and Fort Erie Public Bridge Authority
Peace Bridge Plaza
Buffalo, New York 14213
Phone: (716) 884-6744 | Fax: (716) 884-1973
Contacts: Stephen F. Mayer, P.E., Operations Manager
Clifford T. Elwood, Projects Manager

Prepared by:

De Leuw, Cather & Co. of New York, Inc.
300 Cathedral Park Tower
37 Franklin Street
Buffalo, New York 14202
Phone: (716) 853-6940 | Fax: (716) 853-6192
Contact: Keith J. Harlock, P.E., Project Manager

In conjunction with:

Watts Engineers
3826 Main Street
Buffalo, New York 14226
Phone: (716) 836-1540 | Fax: (716) 836-2402
Contact: Justin K. Kellogg, M.S., Project Manager

Submitted to:

Office of Canadian Affairs
Room 4511
U.S. Department of State
2201 C Street N.W.
Washington, D.C. 20520
Phone: (202) 647-2185
Contact: John Hall

**Department of Foreign Affairs and
International Trade**
US Trans Boundary Division
125 Sussex Drive
Ottawa, Ontario K1A 0G2
Phone: (613) 944-6909
Contact: David Preston, Director

October 1998

PARSONS

De Leuw, Cather & Company of New York, Inc. • A Unit of Parsons Transportation Group Inc.
300 Cathedral Park Tower • 37 Franklin Street • Buffalo, New York 14202 • (716) 853-6940 • Fax: (716) 853-6192

November 25, 1998

Department of Foreign Affairs and International Trade
US Trans Boundary Division
125 Sussex Drive
Ottawa, Ontario K1A 0G2

Attention: Mr. David Preston, Director

**RE: Peace Bridge Capacity Expansion Project (PBCEP)
Letter of Application for International Joint Commission Approval
Boundary Waters Treaty 1909**

Dear Sir:

Application is hereby made by the Buffalo and Fort Erie Public Bridge Authority (BFEPBA) for an International Joint Commission (IJC) Order of Approval to construct a multi-span, multiple steel arch bridge over the Niagara River and Black Rock Canal, between Fort Erie, Ontario (Canada) and Buffalo, New York (United States). The project will include five (5) new reinforced concrete piers in the Niagara River. This proposed bridge will be utilized (in conjunction with the existing Peace Bridge) to expand the traffic capacity of the border crossing.

De Leuw, Cather & Co., of New York, Inc. (De Leuw, Cather) is leading a bi-national team of consultants retained by the BFEPBA for this project. An owners authorization letter from the BFEPBA allowing De Leuw, Cather to prepare, submit and track applications on their behalf is attached, see ITEM 2 below.

This Letter of Application is comprised of 12 items, each of which are provided below.



International Joint Commission, Letter of Application

ITEM 1: Applicant

Buffalo and Fort Erie Public Bridge Authority
Peace Bridge Plaza
Buffalo, New York 14213

Ph.: (716) 884-6744 Fax: (716) 884-1973
Contacts: Stephen F. Mayer, P.E., Operations Manager
 Clifford T. Elwood, Projects Manager

ITEM 2: Applicant's Agent/Consulting Team

Applicant's Agent: De Leuw, Cather & Co. of New York, Inc.
 300 Cathedral Park Tower
 37 Franklin Street
 Buffalo, New York 14202

Ph.: (716) 853-6940 Fax: (716) 853-6192
Contact: Keith J. Harlock, P.E., Project Manager

Consulting Team: • De Leuw, Cather & Co. of New York, Inc. (Lead)
 • McCormick Rankin Corporation
 • BAC Killam, Inc.
 • Delcan Corporation
 • Golder Associates
 • Watts Engineers

An owners authorization letter from the BFEPBA allowing De Leuw, Cather to prepare, submit and track applications on their behalf is enclosed as **Attachment A**.

ITEM 3: Project Description

The project is located adjacent to the existing BFEPBA Peace Bridge located at the mouth of the Niagara River at the extreme eastern end of Lake Erie. The BFEPBA proposes to construct a multi-span, multiple steel arch bridge over the Niagara River and Black Rock Canal, between Fort Erie, Ontario (Canada) and Buffalo, New York (United States). The

project will include five (5) new reinforced concrete piers in the Niagara River. The purpose of the project is to expand the traffic capacity of the existing border crossing.

ITEM 4: IJC Application/Approval for the Existing Peace Bridge

A copy of the 1925 Application for IJC Approval and subsequent Order of Approval for the existing Peace Bridge are included as **Attachment B**.

ITEM 5: Site Layout

Enclosed in **Attachment C** are site location maps and general drawings depicting the proposed construction.

ITEM 6: Description of Existing Structure

The BFEPPA is the owner of the existing Peace Bridge structure. The structure is a fixed multiple arch steel plate girder bridge. The existing Peace Bridge is located at 1.5 miles north of the Buffalo Harbor Entrance, and has a vertical navigational clearance of 100 feet minimum above Mean Low Water Datum at Elevation 569.20 (IGLD 1985).

ITEM 7: Proposed Status of Existing Structure

The existing Peace Bridge structure will not be demolished and will continue to be open to traffic after completion of this project.

ITEM 8: Schedule/Funding

Construction activity is expected to commence March 1, 1999 with an approximate completion date of August 7, 2002. Federal, State, and Provincial funds will not be utilized and are not being applied for. The project will be 100% funded by the BFEPPA through toll revenues and bond sales.

ITEM 9: Environmental Impacts

The project is not believed to have a significant effect on the environment. The Draft and Final Environmental Assessment Documents have been submitted to the appropriate permitting and reviewing agencies prior to this Letter of Application. If further copies of the Draft and/or Final Environmental Assessments are required for your review, please indicate this to the applicant contacts.

ITEM 10: Associated Permits, Certifications, and Approvals

The following other Federal, State, Provincial, and local permits, certifications, and approvals will be required for this project:

United States:

- US Army Corps of Engineers (USACOE)/NY State Department of Environmental Conservation (NYSDEC)- Joint Application for Permit:
 - a) Section 10 - River and Harbor Act of 1899 (USACOE)
 - b) Section 404 - Clean Water Act (USACOE)
 - c) Section 401 - Clean Water Act, Water Quality Certification (NYSDEC)
 - d) Protection of Waters Permit (Article 15, Title 5 6NYCRR 608) (NYSDEC)
- US Coast Guard - Bridge Permit
- Coastal Zone Consistency Certification (NYS Dept. of State)

Canada:

- Canadian Coast Guard - Navigable Waters Protection Act
- Ontario Ministry of Environment and Energy - Storm Water Drainage System Certificate of Approval, Section 53, Ontario Water Resources Act
- Ontario Ministry of Natural Resources
 - a) Provincial Work Permit
 - b) Application (Part 1) - Part D, Work on Shorelands
 - c) Part F, Work within a Waterbody
 - d) Application for Crown Land
- Department of Fisheries and Oceans - Canadian Federal Destruction of Fish Habitat Authorization

ITEM 11: Hydraulic Modeling

A hydraulic modeling of the Niagara River covering the area surrounding the Peace Bridge Site has been performed. Modifications to the proposed piers as originally designed has resulted in no effect on permanent lake levels upstream from the proposed bridge. The complete hydraulic study is enclosed as **Attachment D**.

Mr. David Preston, Director
November 27, 1998
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ITEM 12: Filling/Dredging Requirements

No filling or dredging will take place for construction of the proposed project. However, some rock excavation within the Niagara River Pier Cofferdams is anticipated.

We trust that the information provided will be sufficient for your review. If there are any questions or you require additional information, please do not hesitate to contact this writer at the phone number noted above.

A similar letter and twenty-five copies has also been sent to Mr. John Hall, Office of Canadian Affairs - U.S. Department of State in Washington, D.C.

Very truly yours,

**DE LEUW, CATHER & CO. OF
NEW YORK, INC.**



Keith J. Harlock, P.E.
Project Manager

Attachments

cc: w/o Attachments
S. F. Mayer, P.E. (attn.: C.T. Elwood), PBA
D. Chadsey, Lippes Silverstein Mathias & Wexler
G. T. Creary, DCCo.