
6.0 PUBLIC AND AGENCY COORDINATION

This section provides a summary of the public involvement activities and coordination with government agencies undertaken as part of the preparation of this Draft Environmental Impact Statement (DEIS). Early coordination, scoping, the NEPA/404 process, and a public involvement program have been used to inform the public and pertinent agencies about proposals for US-131 improvements and to afford an opportunity for public participation. **Appendix D.1** of this document contains copies of letters received from government agencies during the early scoping phase for the project.

6.1 Early Coordination with Government Agencies

As a part of early project scoping, letters and project information were sent to all jurisdictional government agencies in April 2000, regarding the part of the project south of M-60. An additional set of coordination letters and updated scoping information was sent to these same agencies in June 2001, following the extension of the study area north of M-60. **Appendix D.2** contains a list of agencies that received scoping information and were invited to scoping meetings. The first scoping meeting was held on May 10, 2000, at the Constantine Township Hall and a project site visit was conducted. The Michigan Department of Transportation (MDOT) met with approximately 34 individuals including representatives from the United States Fish and Wildlife Service (USFWS), the Michigan Department of Environmental Quality (MDEQ), the United States Army Corps of Engineers (USACE), the Michigan Department of Natural Resources (MDNR), the Federal Emergency Management Agency (FEMA), the Federal Highway Administration (FHWA), the Indiana Department of Transportation (INDOT), the I-80/90 Toll Authority, the Family Independence Agency (FIA), the St. Joseph County Road Commission, and representatives from local municipal governments. A second scoping meeting was held for the extended portion of the study area (north of M-60) on August 7, 2001, at the MDOT Southwest Region Office in Kalamazoo. Representatives of many of the above agencies attended, along with those from the United States Environmental Protection Agency (USEPA). An additional meeting and site tour was held on May 23, 2002, to discuss wetland impacts and mitigation. Representatives from MDOT, MDEQ, USFWS, USACE, and USEPA attended.

On August 22, 2002, the project team and the State Historic Preservation Office (SHPO) visited the 15 potentially historic properties, one monument listed on the National Register of Historic Places (NRHP), and one historic district on the NRHP that could be affected by the proposed project, which were listed in the Reconnaissance Survey. The results of the field visit are shown in **Table 3.10** in **Section 3.21, Cultural Resources**.

6.1.1 Notice of Intent

To advise the public that preparation of a DEIS was to begin for the proposed project, a *Notice of Intent* was issued by the FHWA on June 13, 2000 and was published in the June 22, 2000, issue of the Federal Register (Vol. 65, No. 121, Pgs. 38876-38877). Following the extension of the study area north of M-60 a second *Notice of Intent* was issued by the FHWA and was published in the February 26, 2001, issue of the Federal Register (Vol. 66, No. 38, Pg. 11630). Copies of these notices are presented in **Appendix D.3**.

6.1.2 Early Comments from Agency Letters

The following text provides a brief summary of the comments received in early coordination letters with agencies (**Appendix D.1**).

United States Department of Agriculture - May 15, 2000; July 24, 2001.

- Identified wooded wetlands and prime farmland areas of concern for the project corridor
- Stated that prime farmland loss is a major concern for which mitigation is not possible

Michigan Department of Natural Resources, Wildlife Division - May 17, 2000.

- Provided a list of identified state threatened species and species of special concern.
- Provided habitat information for potentially affected species
- Stated that an endangered species permit would be required from the Wildlife Division if any threatened or endangered species has the potential to be taken or harmed
- Stated that clearance from the Wildlife Division would be needed in the form of a No Effect Statement, before work on the project can occur, and provided information on the steps required to obtain this clearance

Michigan Department of Environmental Quality, Land and Water Management Division - May 25, 2000; June 24, 2001.

- Stated that any alternative impacting a lake, stream, or wetland would require permits from MDEQ per relevant legislation
- Provided required mitigation ratios for impacted wetlands
- Stated that a mitigation site and monitoring plan must be submitted with an application for permits
- Identified that permits would be required for new structures over the St. Joseph and White Pigeon Rivers
- Stated that spanning of the river wildlife corridor on piers would be preferred
- Encouraged the project to stay on existing alignment where possible

St. Joseph County Family Independence Agency - June 2000; August 11, 2000; October 10, 2001.

- Provided the number of families in the study area receiving various types of assistance administered by the agency
- Stated that checks by the agency did not reveal the presence of any special or unusual groupings by address

Indiana Department of Natural Resources, Division of Fish and Wildlife - July 10, 2000.

- Stated that the proposal would not need approval from the agency for construction in a floodway
- Stated that no state or federal threatened or endangered species have been reported to occur in the project vicinities

Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology - July 11, 2000.

- Stated that no identified historic buildings, structures, districts or objects listed on or eligible for inclusion in the National Register were within the probable area of potential effect in Indiana

Michigan Department of Agriculture - July 16, 2001.

- Stated that their concerns would be with the direct loss of productive agricultural land, especially prime and unique farmland and lands enrolled under the Farmland and Open Space Preservation Program
- Expressed concern about reconstruction and/or relocation of established county and inter-county drains

Indiana Department of Transportation - July 17, 2001.

- Provided information on the development of the 2000-2025 Long Range Transportation Plan for the State of Indiana
- Stated that US-131 has been identified as a portion of a statewide mobility corridor
- Stated that current analysis suggested additional travel lanes be added to the section of US-131 between the Indiana Toll Road and the Michigan/Indiana State Line in 2010-2015
- Requested further information on the project when recommendations are developed

United States Fish and Wildlife Service - July 26, 2001.

- Stated that the endangered Indiana bat may occur in the project area, and that full impacts to potential bat habitat must be considered, and a report of survey findings presented before construction or site alteration takes place
- Stated that candidate species eastern massassauga rattlesnake may occur in the project area
- Provided habitat information on the Indiana bat and eastern massassauga rattlesnake
- Stated that if habitat for federally listed species may be affected, then a section seven consultation should be initiated with their office. If there is no effect on the habitat for the Indiana bat, then pertinent documentation should be forwarded for their records
- Stated that MDOT should avoid impacts to fen or bog habitats

Michigan United Conservation Clubs - August 8, 2001.

- Provided a copy of a memo requesting input of the local chapter on any critical resources that may be impacted.

Federal Emergency Management Agency - August 13, 2001.

- Stated that the agency does not have staff to do the reviews requested and that floodplain maps should be used to help meet regulations.

Michigan State Historic Preservation Office (SHPO) - June 17, 2002.

- Provided a letter confirming review of the report entitled *Reconnaissance Level Survey of Above-Ground Resources* and concurring with most of the report's conclusions
- Outlined disagreements with the report's conclusions and listed properties for which SHPO requested further research

Indiana Department of Transportation - July 11, 2002.

- Indicated concurrence on the selection of the four Practical Alternatives, logical termini, and roadway cross-sections included in the DEIS to be carried forward

Indiana Department of Transportation, Division of Environment, Planning and Engineering - July 16, 2002.

- Stated that in the Indiana long range plan, the corridor south of US-131 would be developed as a statewide (Indiana) mobility corridor, extending eastward on US-20 and swinging north on State Road 13 to connect to US-131
- Stated that they do not wish to take any actions which would preclude this US-131/State Road 13 connection from developing as freeway route in the long-term
- Stated that the proposed first phase connection of the Michigan and Indiana segments of US-131 with a five-lane arterial cross-section appears reasonable at this time, but recommended future consideration of extending a freeway cross-section to connect with State Road 13 in Indiana.

6.1.3 Concurrent NEPA/404 Process for Transportation Projects

This process provides for NEPA and Section 404 requirements to be completed concurrently, and serves as a consensus building tool for the agencies involved. As a part of this process, concurrence on the Statement of Purpose of and Need for the Proposed Action has been requested from the USFWS, USEPA, USACE, and MDEQ through letters and documentation.

As a part of the NEPA/404 process, MDOT also updated the above agencies on the status of the project during a regularly scheduled project coordination meeting conducted on October 30 and 31, 2001.

6.2 Public Involvement

Public involvement has been and will be an important part of the process for refining alternatives and developing this DEIS, the selection of a Recommended Alternative, and the preparation of the Final Environmental Impact Statement (FEIS). The following sections discuss the meetings held, the avenues of communication provided, and the comments received during the public involvement process for this project.

6.2.1 US-131 Stakeholders Committee

During the early project development process, a Stakeholders Advisory Committee was formed to provide input for the project team and help disseminate information to the community. Members of this committee were selected in consultation with staff from the local agricultural

extension office of Michigan State University who helped to identify interested parties. The Stakeholders Advisory Committee consisted primarily of local officials and representatives of community interests, although state and federal officials were also invited to the meetings. A list of people invited to Stakeholders Advisory Committee Meetings is found in **Appendix D.4**. Nine meetings have been held with this group, three in conjunction with the early development of alternatives for the project, one when the study area was extended north of M-60, one to discuss the freeway Build Alternatives, two to discuss the non-freeway Build Alternatives, and two to update the status of the project. New members were added to the Stakeholder Advisory Committee, based on further recommendations from committee members or requests from members of the general public to be included. Further meetings of this committee are anticipated.

6.2.2 Public Information Meetings

Four public information meetings have been held to provide the public with information on the project and to receive comments on the alternatives developed. Each of these meetings was held in an open forum format where members of the public could visit stations, discussing different aspects of the project (the process, traffic, engineering, environmental constraints, etc.) spread around a large hall. Members of the public had the opportunity to discuss issues on a one-on-one basis with members of the project team. All attendees were encouraged to fill out comment forms. Public meetings were promoted via local newspapers, individual mailings, and through advance notice to public officials and stakeholders. **Table 6.1** provides the details of each of the public information meetings held.

Table 6.1 Public Meetings Held

Meeting	Date	Location	Number of People who Signed In	General Purpose
Public Meeting # 1	June 15, 2000	Constantine High School Cafeteria	121	Present Illustrative Alternatives for South of M-60.
Public Meeting # 2	March 15, 2001	Constantine High School Cafeteria	135	Present Practical Alternatives for South of M-60.
Public Meeting # 3	August 1, 2001	Three Rivers Community Center	141	Present Illustrative Alternatives for North of M-60.
Public Meeting # 4	May 26, 2004	Three Rivers Community Center	61	Present All Practical Alternatives

6.2.3 Meetings with Specific Groups

As part of the public involvement process, members of the study team organized and/or attended several meetings with groups that had specific concerns or interests in the project. These meetings allowed for a focus on issues of special concern, without the context of a large overall public meeting. Among the meetings organized or attended were:

- Public officials meeting, March 1, 2000
- US-131 Access Management Meeting, March 27, 2000
- Historic Resources Public Meeting, July 12, 2000

- Meeting on Intersection Operations on US-131, October 10, 2000
- Farm Owners Coordination Meeting, April 17, 2001
- Constantine Planning and Downtown Development Agency Meeting, April 17, 2001
- Three Rivers Area Chamber of Commerce Meetings, September 14, 2001 and September 21, 2001
- City of Three Rivers Open Council Meeting to Discuss Business Route 131, October 1, 2001

6.2.4 Other Public Information Resources Provided

Several other means were used to provide the public with information on the project and to receive public comments. Two newsletters providing details of the project and information about upcoming meetings were distributed to a mailing list consisting of all previously identified interested parties or meeting attendees who had signed up to be on the mailing list. The mailing list consisted of approximately 415 names in February 2004. A toll-free project phone number was set up and promoted through local media and press releases, at public meetings, and through project newsletters. Approximately 55 calls were received on the toll-free number through May 2004.

A project web site (www.mdot.state.mi.us/US131stjoe/) was also created and updated throughout the course of the project. The web site contained information on the project, the alternatives developed, the process, and upcoming meetings. The web site provided a link for e-mail feedback from the public. The project web site and phone number would remain active through the review of the DEIS, the development of a preferred alternative, and the Record of Decision process for the FEIS.

While conducting the business operator/patron survey as discussed in **Section 4.6, Economic Impacts**, 136 businesses along or near existing US-131 were visited and the alternatives were presented with maps. More than 400 patrons were surveyed, the majority of which were local residents. This allowed additional opportunity to provide information and receive comments from members of the public who would be potentially affected by the project.

6.2.5 Public Hearing

Following the distribution and review of this DEIS, a formal public hearing will be held in the study area to receive public comment on this document and the Practical Alternatives. This hearing will be held at two locations within the study area to encourage attendance. Court reporters will be present to record comments for the public record. It is anticipated that the public hearing would take place during the fall of 2004 on two separate days.

6.2.6 Public Issues and Concerns

The following is a brief summary of comments received from the public at the four public meetings, through the project toll-free phone number, and the web site. As is the case with most projects, there was a wide divergence in the views of the public on many issues. The following only discusses themes that were often expressed by the public. A summary of all comments received at the public meetings is located in **Appendix D.5**.

Utilizing existing right-of-way as much as possible: Many members of the public supported using the existing US-131 right-of-way as much as possible, even if it meant building elevated or depressed freeways and using median barriers. Members of the public felt that this would avoid

a large number of relocations and impacts to farm properties. Members of the public also suggested that off-alignment alternatives should follow other existing roadways or property lines as much as possible to reduce impacts. Several comments were received in support of the PA-5 MOD, since this alternative uses the existing alignment more than any other except the No-Build. Other comments supported PA-5.

Concern over impacts to agricultural properties: Many members of the public, particularly those within the farm community, were concerned over impacts to agricultural land. Of specific concern was that alternatives should avoid dividing farmland parcels and rendering farming operations more difficult. Many farmers would rather see their whole property purchased than have it cut in half by a freeway. Several comments were received that supported the No-Build Alternative, while several more comments supported PA-5 MOD, because PA-5 MOD has the least impact on farmland among the Build Alternatives.

Complete the project as soon as possible: Many members of the public would like to see improvements made as soon as possible, particularly those with concerns about safety on the existing US-131 or busy traffic through Constantine. However, other members of the public felt that the whole project was unnecessary.

Would like to see a welcome center and rest stop: Several members of the public expressed a desire to have a welcome center and rest stop included as part of the project, as US-131 crosses the Michigan/Indiana State Line.

Effect of a bypass around Constantine: Some members of the public were concerned about the negative impact on Constantine businesses if the Village is bypassed. Others want to see the through truck traffic removed from downtown Constantine.

Natural surroundings: Several members of the public expressed the desire that impacts to the natural environment and the rural character of the area be minimized as much as possible.

Economic Benefit: Several members of the public supported one or more of the freeway options, because they felt that building a freeway would enhance the economic development of St. Joseph County and Southwest Michigan.