

Appendix C

Correspondence Received in Response to DEIS Circulation

Appendix C

Correspondence Received in Response to DEIS Circulation

This section includes letters received in response to the circulation of the DEIS. A list of the letters received, with the date of receipt follows. Also included are letters that MDOT sent to the Village of Goodrich and Atlas Township in reply to letters received from these communities.

Federal Agencies

US Department of Commerce, National Oceanic & Atmospheric Administration	12-Mar-2002
Department of Health & Human Services, Centers for Disease Control	19-Mar-2002
US Department of Interior, US Fish & Wildlife Service	10-Apr-2002
US Department of Interior, Office of Environmental Policy and Compliance	24-Apr-2002
US Environmental Protection Agency, Region V	29-Apr-2002

State Agencies

Department of Natural Resources, Fisheries Division	12-Feb-2002
Department of State, State Historic Preservation Office	27-Feb-2002
Department of State, State Historic Preservation Office	31-May-2002
Department of Natural Resources, Resource Management	11-Mar-2002
Department of Environmental Quality, Land and Water Management Division	1-May-2002 25-Feb-2003

Local Jurisdictions and Agencies

Oakland County Development and Planning Services	1-Mar-2002
Road Commission for Oakland County	19-Mar-2002
Southeast Michigan Council of Governments	22-Mar-2002
Village of Goodrich	16-Jul-2001 12-Apr-2002 17-Feb-2003
Atlas Township	5-Feb-2002 22-Apr-2003

MDOT Responses to Village of Goodrich and Atlas Township

Response to Village of Goodrich	27-Jun-2002
Response to Atlas Township	27-Jun-2002



UNITED STATES DEPARTMENT OF
The Deputy Under Secretary for
Oceans and Atmosphere
Washington, D.C. 20230

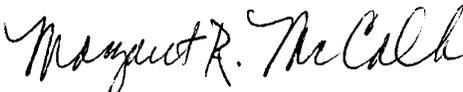
March 12, 2002

Mr. Ronald S. Kinney, Manager
Department of Transportation, Michigan
Murray D Van Wagoner (Transportation) Building
425 West Ottawa Street
Lansing, Michigan 48909

Dear Mr. Kinney:

Enclosed are comments on the Draft Environmental Impact Statement for M-15 from I-75 to Oakland and Genesee Counties, Michigan. We hope our comments will assist you. Thank you for giving the opportunity to review this document.

Sincerely,

for 
Scott B. Gudes
Deputy Under Secretary
for Oceans and Atmosphere

Enclosure

MEMORANDUM FOR: Margaret McCalla
Acting Director, Office of Policy and Strategic Planning

FROM: Charles W. Challstrom
Director, National Geodetic Survey

SUBJECT: DEIS-0201-04 M-15 from I-75 to I-69 Oakland and Genesee
Counties, Michigan

The subject statement has been reviewed within the areas of the National Ocean Service (NOS) responsibility and expertise and in terms of the impact of the proposed actions on NOS activities and projects.

All available geodetic control information about horizontal and vertical geodetic control monuments in the subject area is contained on the National Geodetic Survey's home page at the following Internet World Wide Web address: <http://www.ngs.noaa.gov> After entering the this home page, please access the topic "Products and Services" and then access the menu item "Data Sheet." This menu item will allow you to directly access geodetic control monument information from the National Geodetic Survey data base for the subject area project. This information should be reviewed for identifying the location and designation of any geodetic control monuments that may be affected by the proposed project.

If there are any planned activities which will disturb or destroy these monuments, NOS requires not less than 90 days' notification in advance of such activities in order to plan for their relocation. NOS recommends that funding for this project includes the cost of any relocation(s) required.

For further information about geodetic control monuments, please contact Rick Yorczyk; SSMC3 8636, NOAA, N/NGS; 1315 East West Highway; Silver Spring, Maryland 20910; telephone: 301-713-3230 x142; fax: 301-713-4175, Email: Rick.Yorczyk@noaa.gov.



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Centers for Disease Control
and Prevention (CDC)
Atlanta GA 30341-3724

March 19, 2002

Mr. Jose A. Lopez
Michigan Department of Transportation
PO Box 30050
Lansing, Michigan 48909

Dear Mr. Lopez:

Thank you for sending us a copy of the Draft Environmental Impact Statement for the proposed reconstruction of M-15 from I-75 to I-69, Oakland and Genesee Counties, Michigan. We are responding on behalf of the U.S. Public Health Service.

We have reviewed this document for potential health and safety effects on human populations. Overall, we believe that the project will have a positive effect with the improvements that are proposed. We believe that the document adequately addresses potential health and safety issues to the public. However, we do believe that the final document should also specifically address safety during the construction and should contain a statement of compliance with appropriate criteria and guidelines to ensure worker safety and health.

Thank you for the opportunity to review this DEIS. Please send us a copy of the Final DEIS when it becomes available.

Sincerely,

A handwritten signature in cursive script that reads "Paul Joe".

Paul Joe, DO, MPH
Medical Officer
Chemical Demilitarization Branch
National Center for Environmental Health (F16)



United States Department of the Interior

FISH AND WILDLIFE SERVICE

East Lansing Field Office (ES)
2651 Coolidge Road, Suite 101
East Lansing, Michigan 48823-6316

IN REPLY REFER TO:

April 10, 2002

Mr. James Kirschensteiner
Program and Environmental Engineer
Federal Highway Administration
315 West Allegan Street, Room 211
Lansing, Michigan 48933

Re: Request for NEPA/404 Concurrence on Purpose and Need and Alternatives Carried Forward for M-15 from I-75 to I-69, Oakland and Genesee Counties, Michigan

Dear Mr. Kirschensteiner:

This responds to your February 7, 2002 request for review and comment on the M-15 from I-75 to I-69 project and concurrence on the purpose and need, and alternatives carried forward decision points under the NEPA/404 Merging Process. These comments have been prepared under the authority of the Fish and Wildlife Coordination Act and are consistent with the National Environmental Policy Act (NEPA) of 1969, as amended.

Pursuant to the March 1994 Federal Highway Administration NEPA/Section 404 Merging Process, we agree to the first decision point, that of the purpose and need. We also concur with the second decision point, alternatives carried forward. Although, the Draft Environmental Impact Statement (DEIS) for the project describes and evaluates only the preferred and the "no action" alternative, the April 4, 2002 meeting and subsequent technical memorandums have provided our office with sufficient information to base our concurrence. We are forwarding our comments on the DEIS to our regional office for inclusion in the response from the Department of Interior.

We may conduct a separate and additional evaluation pursuant to the Fish and Wildlife Coordination Act if the project requires a permit from the Michigan Department of Environmental Quality and/or the Army Corps of Engineers. In the review of these permit applications, we may concur (with or without stipulations) or object to permit issuance, depending upon whether specific construction practices may impact public trust fish and wildlife resources of concern.

We appreciate the opportunity to provide these comments. If you have any questions, please call Jack Dingleline of this office at (517) 351-6320.

Sincerely,

Craig A. Czarnecki
Field Supervisor

cc: Michigan Department of Transportation, Environmental Section, Lansing, MI
(Attn: Ron Kinney)
Michigan Department of Environmental Quality, Land & Water Management
Division, Lansing, MI (Attn: Jerry Fulcher)
US Environmental Protection Agency, Chicago, IL (Attn: Newton Ellans)

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United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

ER-02/153

APR 24 2002

Mr. James J. Steele
Division Administrator
Federal Highway Administration – Michigan Division
Federal Building, Room 207
315 West Allegan Street
Lansing, Michigan 48933-1528

Dear Mr. Steele:

As requested, the Department of the Interior (Department) has reviewed the Draft Environmental Impact Statement (DEIS) and Section 4(f) Evaluation for **M-15 reconstruction, between I-75 and I-69, Oakland and Genesee Counties, Michigan**. The Department offers the following comments for your consideration.

SECTION 4(f) EVALUATION COMMENTS

We concur with the Federal Highway Administration (FHWA) and the Michigan Department of Transportation (MDOT) that there are no feasible and prudent alternatives to the proposal as presented that would result in impacts to the Section 4(f) property. However, we cannot concur that all possible planning needed to minimize potential harm to this resource has been employed.

There are several Section 4(f) properties under evaluation along M-15. The initial property surveys for the project were undertaken to identify sites and structures within the area of potential effect. This resulted in the recordation of 12 structures that were recommended as potentially eligible for the National Register of Historic Places and one historic archeological site that was recommended as potentially eligible. Of the 12 structures, four were determined to potentially suffer adverse effects from the project; the Ernest and Harriet Dawley Residence, the Michigan Milk Producers Receiving Station, the Henry Hawes Residence, and the Fredrick Sweers Farm/Louhelen Baháí School. The one archeological site was recommended as eligible for its information content and, as such, is exempt from 4(f) consideration.

Each will have a portion of the property impacted by the project. One property, the Dawley Residence, has pillars constructed of field stone at the edge of the right-of-way that will need to be removed for the project. The document correctly identifies the need

for further consultation for this adverse effect, and a memorandum of agreement would be necessary. (We note the draft agreement found in Appendix L of the document states the agreement will be initiated with the Michigan State Historic Preservation Officer (SHPO), but the document itself cites the Advisory Council as the primary party.) The Department would have no objection to the 4(f) approval of this project provided FHWA, the MDOT, the SHPO, and the Advisory Council on Historic Property, if necessary, agree on the proper treatment of these properties. We would also caution FHWA and MDOT, during mitigative treatment under section 106, the eligibility recommendation for the one historic archeological site might change. This site would no longer be exempt from Section 4(f) evaluation should it be determined eligible for more than just the information content at the site. The final Section 4(f) evaluation should reflect all consultation with the SHPO and include a copy of the executed agreement document.

ENVIRONMENTAL IMPACT STATEMENT COMMENTS

General Comments

The DEIS is generally clear in describing the affected environment and environmental impacts, and in outlining mitigation strategies; however, several components within the description of the hydrology need clarification. The Final EIS should also provide additional discussion on the project's potential impacts to wildlife, particularly wildlife associated with the wetlands and other waterbodies. The DEIS describes the results of ecological surveys, including the number of wetlands (as well as type and acreage) and other waterbodies impacted, but fails to discuss the wildlife associated with these habitats.

We appreciate the fact that considerable effort appears to have gone into a section-by-section design analysis of the Preferred Alternative in order to provide four full travel lanes along the project corridor while avoiding or minimizing impacts to features such as wetlands and historic resources. We recommend that compensatory mitigation be provided to fully offset unavoidable impacts to all wetlands, not just those regulated by the Michigan Department of Environmental Quality (MDEQ).

Specific Comments

Subsection 4.10, Waterways/Water Quality/Floodplains, Pages 4-22 to 4-25: The DEIS indicates improvements to M-15 would involve crossings of six intermittent and four perennial streams, including one designated trout stream. This subsection does not provide a description of the physical setting of these perennial and intermittent streams and rivers. Furthermore, the DEIS does not provide any discharge information for any of the streams crossed by M-15, nor does it discuss how many of these waterways will

be hydraulically connected by culverts or crossed by bridges. Additionally, the environmental consequences associated with these expanded stream-crossing structures are not discussed in the subsection.

The Department recommends the Final EIS provide more detailed descriptions of the streams and include summaries of available streamflow records. If streamflow records are not available, a discussion of criteria that will be used to determine bridge and culvert size should be added to this subsection.

More information on the aquatic life that inhabit these waterbodies and the potential impact of the project on them should also be provided. Potential impacts to aquatic species resulting from the project may include the direct loss of habitat, as well as indirect effects of increased volumes of salts and other constituents that may be carried in the runoff from road surfaces.

In addition, this portion of the DEIS does not include a discussion of groundwater. However, on page 5-5 of Section 5, groundwater quality, the DEIS provides a discussion of "... sealing of water wells, septic tank systems, and sewer lines for the protection of groundwater quality." The Department recommends the Final EIS include a discussion of the groundwater system in the affected area, the number and location of water wells that may be directly and indirectly impacted, and the number and location of septic tank systems that may be impacted by the highway improvement project. Additionally, the water quality of groundwater, as well as surface water, in chemical terms, should be described in the subsection.

Subsection 4.11, Wetlands, Pages 4-25 to 4-31: The highway corridor traverses several wetland areas. Expansion of the highway will not only have direct impact on 52 wetlands, but will influence the shallow ground-water system, which, in turn, will influence the hydrology and ecosystems of adjacent wetlands. The Department recommends the Final EIS provide:

1. a discussion of the shallow groundwater system in the highway corridor,
2. the possible modifications of the groundwater system caused by highway expansion,
3. the possible effects of the alteration of the shallow groundwater system on the surrounding wetland ecology, and
4. the mitigation measures that address potential environmental impacts on groundwater and wetlands in the project area.

The DEIS indicates that approximately 14.48 acres of wetlands would be directly impacted by the Preferred Alternative. Of these, 2.91 acres are characterized as palustrine forested and lake fringe, and 11.57 acres as palustrine emergent/scrub-shrub/open water. This subsection appears to indicate that only 41 of the 52 wetlands (13.4 of 14.48 acres) are regulated and are subject to mitigation requirements, although the note at the bottom of Table 4-7 indicates that "all wetland impacts will be mitigated because of the use of federal funds (E.O. 11990)." Table 4-8 shows estimated required compensatory mitigation acreages for both regulated wetlands and all wetlands. However, Subsection 5.12 (Wetland Mitigation) only discusses mitigation for the 13.4 acres of wetlands considered to be regulated.

Subsection 5.12, Wetland Mitigation, Pages 5-7 to 5-11: The DEIS addresses wetland mitigation through avoidance, minimization, and compensation. We believe that the section-by-section design of the Preferred Alternative, along with proposed construction-control practices, will accomplish most of the avoidance and minimization of direct wetland impact deemed to be feasible in light of other project constraints such as safety needs and avoidance of impacts to historic properties.

Subsection 5.12 fails to make any mention of Executive Order 11990. The entire discussion of mitigation of unavoidable impacts is limited to the 13.4 acres of wetlands considered to be subject to MDEQ regulation. Although the acreage of non-regulated wetland that would be potentially impacted is relatively small, we believe that compensatory mitigation should be provided to offset all unavoidable wetland impacts and that subsections 4.11 and 5.12 in the Final EIS should be revised accordingly.

For these unavoidable wetland losses, the DEIS does a good job of discussing compensatory mitigation objectives, including in-kind replacement of all wetland types and probable mitigation ratios. However, the DEIS indicates that the wetland acreage required for the mitigation to meet MDEQ guidance can be reduced by 20 percent, in accordance with a MDEQ letter of September 26, 2001 (see Appendix C). As a result of a recent meeting, the U.S. Fish and Wildlife Service (FWS) understands that there may have been some misinterpretation of this MDEQ letter regarding mitigation credit. Final mitigation acres values should be revised, if needed, following further coordination and clarification from MDEQ.

The DEIS identifies three preferred mitigation sites, one or more of which will be selected for final mitigation design. As previously indicated in its review of scoping documents, the FWS recommends that a wetland mitigation plan be prepared and that the plan include the following:

- a commitment to create replacement wetland habitat before highway construction begins;

- a commitment to monitor the success of created replacement wetland habitat following its construction for a minimum period of 5 years, including a specific timetable for monitoring that includes the time of year and frequency of sampling;
- identification of performance criteria for measuring the success of wetland habitat creation;
- identification of, and a commitment to correct or improve, the biological productivity of created wetland habitat based on the results of monitoring;
- a plan to control the establishment of invasive and/or non-native plant species;
- site plans that include a 100-foot-wide perimeter buffer zone adjacent to the wetland mitigation site(s);
- submittal of annual monitoring reports; and
- establishment of protection and management plans, to remain in force in perpetuity, for the wetland mitigation areas.

Subsection 4.9. Threatened and Endangered Species. Pages 4-21 and 4-22: The DEIS concludes that no federally listed threatened or endangered species would be adversely affected as a result of the Preferred Alternative. Surveys conducted in support of the project did not identify the presence of any federally listed species. Potential habitat for the federal candidate species, eastern massasauga rattlesnake (*Sistrurus catenatus catenatus*), was identified, however. While the Endangered Species Act (Act) does not extend protection to candidate species, we encourage avoidance of unnecessary impacts to candidate species in an effort to reduce the likelihood that they will require the protection of the Act in the future. The impact of the preferred alternative on potential eastern massasauga habitat was not described. In addition, although a number of wildlife and aquatic species were identified during surveys of the project corridor, no discussion of the potential impacts of the preferred alternative on these resources is given. Additional information on these topics would provide for a better understanding of the total environmental consequences of the action.

If new information about the project becomes available that indicates listed or proposed species may be present and/or affected or should other species occurring in the project area become federally listed or proposed, FHWA would be required to reevaluate its responsibilities under the Act. Because data on threatened and endangered species are updated continually, we recommend FHWA or its designee request annually from

the FWS an updated list of federally endangered, threatened or proposed species that may occur in the project vicinity.

Subsection 4.18. Secondary and Cumulative Impacts, Pages 4-40 and 4-41: The DEIS does not adequately address the potential secondary and cumulative impacts of the project on natural resources, particularly the impacts to wetlands and water quality. The DEIS indicates that there has been considerable growth in the area over the last ten years and will be additional growth even if no improvements of M-15 are implemented. However, no discussion is provided of the possible cumulative impacts of the highway project and other reasonably foreseeable additional growth. It should also be acknowledged that improved highway capacity often induces additional or accelerated growth. To the degree possible, the Final EIS should provide an analysis of the planned and potential development for the area influenced by the project over the life of the proposed improvements, including a discussion of the potential impacts of that development on the area's natural resources.

FISH AND WILDLIFE COORDINATION ACT COMMENTS

The Department's comments do not preclude separate evaluation and comments by the FWS pursuant to the Fish and Wildlife Coordination Act regarding any permits required from the MDEQ and/or the U.S. Army Corps of Engineers for work in wetlands and other waterbodies. In the review of these permit applications, the FWS may concur (with or without stipulations) or object to permit issuance, depending upon whether specific project-related actions may impact public trust fish and wildlife resources. The FWS advises that it would likely not oppose issuance of required permits provided that the project design and other measures described in the EIS to avoid impacts are incorporated into the final project plans and that the final plans also include adequate measures (including those described above) to offset unavoidable wetland impacts. Please continue to coordinate with the FWS during the refinement of the wetland mitigation plans.

SUMMARY COMMENTS

The Department of the Interior has no objection to section 4(f) approval of this project. This approval is contingent, however, upon resolution among the FHWA, MDOT, the SHPO, and the Advisory Council on Historic Preservation of all consultation issues for the historic structures. In addition, documentation must be provided in the final statement of the additional measures to minimize harm, as recommended under the Section 4(f) evaluation comments.

The Department has a continuing interest in working with the FHWA and MDOT to ensure impacts to resources of concern to the Department are adequately addressed.

Mr. James J. Steele

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For matters related to hydrology, please contact James F. Devine, U.S. Geological Survey, 12201 Sunrise Valley Drive, Reston, Virginia 20192. For matters related to Section 4(f), please contact the Regional Environmental Coordinator, National Park Service, Midwest Regional Office, 1709 Jackson Street, Omaha, Nebraska 68102. For matters related to fish and wildlife resources, please continue to coordinate with the Field Supervisor, U.S. Fish and Wildlife Service, 2651 Coolidge Road, Suite 101, East Lansing, Michigan 48823-6316, telephone (517) 351-2555.

We appreciate the opportunity to provide these comments.

Sincerely,



Willie R. Taylor
Director, Office of Environmental
Policy and Compliance

cc: Ronald Kinney, Manager
Environmental Section
Michigan Department of Transportation
P.O. Box 30050
Lansing, MI 48909





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

APR 29 2002

REPLY TO THE ATTENTION OF

B-19J

James Kirschensteiner, Assistant Division Administrator
Federal Highway Administration, Michigan Division
315 West Allegan Street, Room 207
Lansing, MI 48933-1528

Dear Mr. Kirschensteiner:

In accordance with the U.S. Environmental Protection Agency's (U.S. EPA's) responsibilities under both the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, we have reviewed the Draft Environmental Impact Statement (DEIS) for the proposed reconstruction of Route M-15 between Routes I-75 and I-69 in Oakland and Genesee Counties, Michigan. The stated purpose of the proposed project is to provide increased capacity and safety on Route M-15 between Routes I-75 and I-69. The need for the proposed project is related to the following issues: (1) land use and growth, (2) current road conditions, (3) transportation system linkages, (4) traffic and level of service, (5) crashes.

Per the NEPA/Clean Water Act Section 404 merger process agreement, the Federal Highway Administration (FHWA) requested us to review and concur with the "purpose and need" and "alternatives carried forward" sections of the DEIS. By this letter, we are concurring with the purpose and need of the proposed project, and with the Practical Alternatives advanced in the DEIS (the five-lane road, the narrow boulevard, the very narrow boulevard, and the one-way pair through the Village of Goodrich).

This letter reflects an April 24, 2002 site meeting between Newton Ellens of my staff, other resource agencies, and project proponents. Based on this meeting and our review of the DEIS, U.S. EPA has identified issues relating to: alternatives evaluation, wetland impacts, the wetland mitigation determination, characterization of existing surface water quality, impacts to Duck Creek, surface water quality impacts, the biological assessment, groundwater quality, and cumulative impacts. Our detailed comments on the DEIS are enclosed. Based upon our review of this project and its DEIS, we have assigned a rating of "EC-2" (environmental concerns, insufficient information). Please refer to the enclosed Summary of Rating Definitions Sheet. This rating will be published in the Federal Register.

We look forward to continued coordination on this project. We are open to working with you to resolve these issues in the spirit of cooperation. If you have any questions, please call Mr. Ellens at 312-353-5562.

Sincerely,



Kenneth A. Westlake
Chief, Environmental Planning and Evaluation Branch
Office of Strategic Environmental Analysis

Enclosures

cc: Jose Lopez, Michigan Department of Transportation
Christopher Burnell, Michigan Department of Transportation
Jack Dingedine, U.S. Fish and Wildlife Service
Jerry Fulcher, Michigan Department of Environmental Quality
Joseph Leonardi, Michigan Department of Environmental Quality
Ted Stone, The Corradino Group

**DETAILED COMMENTS BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY
(U.S. EPA) ON DRAFT ENVIRONMENTAL IMPACT STATEMENT (EIS) FOR
PROPOSED RECONSTRUCTION OF ROUTE M-15 BETWEEN ROUTES I-75 AND
I-69 IN OAKLAND AND GENESEE COUNTIES, MICHIGAN**

Alternative Evaluation

We are concerned about the method used to evaluate the practical alternatives. Two build alternatives, a five-lane road and a narrow boulevard, were advanced as practical alternatives in the DEIS. These Practical Alternatives were subjected to: (1) engineering and environmental analysis, and (2) citizen-weighted evaluation factors. This information was used to score two sections of Route M-15, for the five-lane and narrow boulevard alternatives. The DEIS provides the evaluation data used to score each section of M-15 for both alternatives, but it does not provide a determination showing how the evaluation data translated to the resulting scores. The DEIS states that this determination is a part of a separate document ("Technical Memorandum No. 3," The Corradino Group, March 2000). This determination must be included in the Final Environmental Impact Statement (FEIS), perhaps in summary form.

Wetland Impacts

We are concerned about the selection of certain roadway types for the preferred alternative because the reasons behind the selection are not clear, and the selection has the potential to increase wetland impacts. The Practical Alternative Scoring Results (listed in Table 3-4 of the DEIS and discussed above) indicate that a five-lane road is preferable to a narrow boulevard for two sub-sections of Route M-15 (Sections A2 and E2). A five-lane road is preferable to a narrow boulevard from a wetlands protection perspective (as shown in Figure 3-5 of the DEIS), since it requires 52 to 79 less feet of right-of-way. However, the narrow boulevard configuration was selected over the five-lane configuration for the two sub-sections in the preferred alternative. According to the DEIS, the narrow boulevard is preferred for safety reasons. However, the Practical Alternative Scoring Results includes safety as a factor, and it still gives a higher score to a five-lane road for these cases. Under Section 404 of the Clean Water Act, the project proponents are required to avoid wetland impacts where feasible. In addition, certain wetlands may provide groundwater recharge to cold water streams in the project area. Such streams are rare in the Flint River Watershed, and they support trout fisheries. Therefore, any wetland minimization strategy must consider the use of smaller rights-of-way in order to spare wetland acreage. The FEIS must justify why the wider roadway was chosen in spite of the extra impact to wetlands and the Practical Alternative Scoring Results.

The DEIS does not provide impact percentages for each wetland for the preferred alternative. Table 4-7 of the DEIS shows the amount of wetland impacts by the preferred alternative, but not the total size of each affected wetland. However, the DEIS does not include the total size of each affected wetland, so the impact percentage for each affected wetland. Wetland impacts may vary, depending on the wetland's original size. This may be significant in terms of the functions and values possessed by these wetlands. If a major portion of a wetland is impacted, then its functions and values will be compromised. The FEIS should include information to determine the impact percentage

each wetland.

Wetland Mitigation Determination

We are concerned about the wetland mitigation determination in the DEIS. The wetland mitigation plan includes a 20% reduction credit; according to the plan, this credit is allowed by the Michigan Department of Environmental Quality (MDEQ). According to Jerry Fulch of MDEQ, the reduction credit was incorrectly calculated in the DEIS. Therefore, the total mitigation acreage determined in the DEIS is incorrect, and we cannot determine if the wetland mitigation acreage is sufficient to compensate the impacted wetlands. We recommend that the project proponents continue to coordinate with MDEQ to determine the appropriate mitigation acreage for this project.

Characterization of Existing Surface Water Quality

We are concerned about the level of information included in the DEIS with respect to surface water quality. The DEIS does not provide quantitative water quality information from monitoring stations in the study area. Therefore, it is not possible to adequately assess the quality of waterways or to discern pollutant concentration trends. We recommend that the FEIS include current and historical pollutant loading concentration data for the waterways in the study area. In addition, the DEIS does not describe the uses of the different drainage basins in the study area. For example, the study area includes Duck Creek, in the Village of Ortonville. According to Leonard of MDEQ, Duck Creek is one of the few remaining cold water streams in the Flint River Watershed. It provides habitat for brown trout, brook trout, and mottled sculpin, three species of local concern. Without such information, it is not possible to forecast how the waterways will be affected by the Practical Alternatives. Therefore, we recommend that the FEIS include a description of the uses for each drainage basin in the study area.

Impacts to Duck Creek

We are concerned about the proposed project's implementation by Duck Creek near the Village of Ortonville. This was a major discussion topic at the April 24, 2002 site meeting between resource agencies and project proponents. Under the DEIS, a narrow boulevard will be constructed in this area. This construction can significantly impact the Duck Creek habitat area. As stated before, Duck Creek has a special significance, since it is one of the few remaining cold water streams in the Flint River Watershed, and it supports trout fisheries. According to the project proponents, a narrow boulevard was selected for this section for both functional and aesthetic reasons. We (along with the U.S. Fish and Wildlife Service and MDEQ) believe that the project proponents should place a higher priority on the adjacent habitat for this section. The proposed M-15 roadway should be narrowed as much as possible to spare the Duck Creek habitat. If this is not feasible, then Duck Creek should be relocated in a manner which would maintain the existing creek's habitat. Installing a culvert would be the least desirable solution since it would enclose the creek and significantly alter the creek's habitat. Impacts to Duck

Creek, such as loss of trout habitat, must be documented in the FEIS. Also, the FEIS should account for mitigation of such impacts.

Surface Water Quality Impacts

We are concerned about impacts of the proposed project's construction and operation on water quality. Impacts may include an increase in adjacent waterways' temperature, and additional deicing salt and other roadway runoff contaminants in surface runoff. The DEIS does not include an estimate of water quality impacts from the practical alternatives. We recommend that the FEIS supplement the water quality impact analysis section with estimated results and pollutant concentration data. In addition, the DEIS does not describe the practical alternatives or their effects on the uses of the different drainage basins in the study area. Therefore, it is not possible to compare the impacts of each alternative based upon each alternative's effect on the waterway characteristics. The FEIS should describe how each finalist alternative will affect the characteristics of the waterways within the study area.

Biological Assessment

We are concerned about the incomplete biological assessment conducted for the DEIS. In the April 24, 2002 site meeting, we learned that a mussel survey was being planned for the study area, yet it was not included in the DEIS. We believe that a description of mussel species in the study area may be a critical topic for this project. Due to the lack of this information, we cannot assess possible impacts to these species from project implementation. We look forward to reviewing the results of the mussel survey in the FEIS. Also, the FEIS should document project impacts to mussels, and commit to mitigating such impacts.

Groundwater Quality

We are concerned about the lack of a description of groundwater resources in the project area. The DEIS makes certain commitments to mitigate groundwater contamination. However, the DEIS does not describe the project sources of such contamination, or a description of the underlying geologic materials in the project area. Therefore, it is not possible to determine the potential for groundwater contamination (from project activities and subsequent highway runoff contaminants). The FEIS should include this information. Also, the DEIS does not include a description of individual and municipal groundwater wells within the study area. Therefore, it is not possible to determine which groundwater wells could be adversely affected by groundwater contamination from the project. The FEIS should include this information.

Cumulative Impacts

We are concerned about the cumulative impacts associated with the road expansion project. The DEIS does not include a cumulative impact assessment. Under 40 C.F.R. §1508.7, a cumulative impact:

“...is the impact on the environment which results from the incremental impact action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.”

According to the DEIS, part of the need for the proposed project is rapid growth in Oal Genesee Counties, reflecting rapid economic expansion. Under this scenario, the study would take on more urban characteristics, thus increasing its impervious surfaces and impacting its wetlands and natural habitat. The study area would likely experience an stormwater flow rates, petroleum-based spills and leaks, and air pollution sources. The project may not be the only cause of these environmental impacts, but it contributes to part of the urbanization of the study area. Therefore, the FEIS must include a cumulative analysis for the proposed project. Appropriate mitigation for cumulative impacts should be evaluated.

SUMMARY OF RATING DEFINITIONS AND FOLLOWUP ACTIONS*

ENVIRONMENTAL IMPACT OF THE ACTION

LO—Lack of Objections

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC—Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

EO—Environmental Objections

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU—Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

ADEQUACY OF THE IMPACT STATEMENT

Category 1—Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2—Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3—Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment.



STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING

JOHN ENGLER
GOVERNOR

K. L. COOL
DIRECTOR

February 12, 2002

Ronald Kinney, Manager
Michigan Department of Transportation
Environmental Section, Project Planning Division
P.O. Box 30050
Lansing, MI 48909

Dear Mr. Kinney:

Fisheries Division appreciates the opportunity to comment on the Draft Environmental Impact Statement and Statement and Draft Section 4(f) Evaluation (further referred to as DEIS) for the proposed M15 expansion project. After review, we find fisheries impacts are only minimally addressed and request greater consideration in the final document. Enclosed are the most recent biological surveys conducted by MDNR, Fisheries Division that describe existing fisheries and their future management. The proposed expansion project has potential to greatly affect the fisheries and water quality relevant to its existence.

Kearsley Creek and its tributaries, upstream of Goodrich, represent one of the few remaining cold/cool water thermal habitats in the Flint River watershed. Kearsley and Duck creeks support valuable recreational trout fisheries that are highly valued by local residents. Trout stocking and management dates back to the mid 1920's and has occurred annually on Kearsley Creek. Present day annual fish stocking costs accrued by MDNR, Fisheries Division is approximately \$3,650.00 (5000 yearling brown trout @ 0.73/fish).

In particular, Fisheries Division is concerned with potential fishery impacts resulting from the loss of ground water recharge areas (wetlands), expanded stream crossings, and increased surface water discharge to the stream. Since the DEIS makes no mention of stream relocation, we assume no activity of this type will occur. If incorrect, we would request the final document to address this issue.

The following comments pertain to the DEIS:

Pages 1-8-21, Section 1.3.6, Ecological Resources

Fisheries recommends the inclusion of the linear footage of stream bank fish habitat affected for the 4 perennial stream crossings, 6 intermittent stream crossings, and 5 county drain crossings. Expansion of the existing stream crossings will result in fish habitat loss having impact on the fishery.

C-20

Although no federal or state threatened and endangered fish species will likely be affected, Kearsley and Duck creek are the only known tributaries of Flint River where native mottled sculpin are found and should be mentioned for local concern. Additionally, brown trout (stocked) are known to inhabit Kearsley and Duck creeks and are of local concern.

Page 4-23, Section 4.10, Waterways/Water Quality/Floodplains

First sentence should be re-worded to state Kearsley and Duck creeks are designated trout streams.

Page 5-5, Section 5.6, Groundwater Quality

Paragraph 4. "Intercepted water will be discharged into an available roadside ditch, watercourse, or storm sewer". This statement is of great concern to Fisheries Division due to potential affects on thermal fish habitat in Kearsley and Duck creeks. Fisheries would recommend a statement of precaution against intercepted waters being discharged directly to Kearsley or Duck creeks or via storm drains that directly discharge to the creeks.

Page 5-7, Section 5.12, Wetland Mitigation

Throughout the DEIS the value of wetlands as groundwater recharge areas is under emphasized. Cool/cold water thermal fish habitat found in upper Kearsley Creek and its tributaries is directly related to groundwater inflow that is above lower Michigan average (see Flint River Assessment). Two of the proposed mitigation areas (REALM and Thayer Road sites) will serve no function to mitigate against impacts on the upper Kearsley Creek. The Oakwood site is an excellent mitigation area however only 9 acres have been identified as mitigation for the M15 expansion project. Fisheries Division recommends continued search for mitigation areas to be located in the upper Kearsley Creek watershed.

The following comment pertains to the Wetland Report:

Page 10, Section 2.4, Wetland Functions

Fisheries would recommend inclusion of the value of wetlands as groundwater recharge areas important for maintaining thermal fish habitat in the upper Kearsley Creek watershed.

The following comment pertains to the Threatened and Endangered Species Investigation Report:

Page 16, Section 2.1, Search Techniques by Taxonomic Class

The DEIS statement "Generally, all the aquatic species listed for Oakland and Genesee counties require sand or gravel bottoms in clear streams or lakes. Streams and lakes or ponds within the study area did not match these requirements, so no further investigation of streams and ponds or lakes was attempted." incorrectly identifies the dominant substrate of upper Kearsley Creek and its tributaries. In fact, sand is the dominant substrate of upper Kearsley Creek and its tributaries and a moderate amount of gravel exists. Water clarity in all water bodies discussed in the DEIS is considered clear. To cease investigation based on an inaccuracy is inappropriate and further investigation is warranted.

Again, enclosed are copies of the most recent fish community assessments. Attached is a listing of fish species documented in our files as being present in Kearsley and Duck creeks. Although no threatened and endangered fish species are known to exist, mottled sculpin, brown trout, and

brook trout are of local concern. Fisheries Division has no information on mussel communities. Given the number of mollusk species listed in Appendix A and suitable habitat present, Fisheries Division feels a more exhaustive search be conducted and discussed in the final document.

Fisheries Division thanks you for the opportunity to review the DEIS. We feel greater discussion on fisheries impacts will better inform the community and those involved in the decision making process. Fisheries will rely on the MDEQ permit process to address more specific concerns associated with this project. Feel free to contact me at 10650 Bennett Dr., Morrice, MI 48856 or 517-625-4659.

Sincerely,



Joseph M. Leonardi
Fisheries Management Biologist
Southern Lake Huron Management Unit
Shiawassee Office

cc: Jim Baker, Fisheries Division, Bay City w/o attachments/enclosures
Alex Sanchez, MDEQ, Land and Water Management Division, Lansing w/o
attachments/enclosures

ATTACHMENT 1

Documented Fish Species of Duck Creek, Oakland County (source: MDNR, Fisheries Division files)

Northern brook lamprey	<i>Ichthyomyzon fossor</i>
Common shiner	<i>Luxilus cornutus</i>
Golden shiner	<i>Notemigonus crysoleucas</i>
Blacknose dace	<i>Rhinichthys atratulus</i>
Creek chub	<i>Semotilus atromaculatus</i>
White sucker	<i>Catostomus commersoni</i>
Black bullhead	<i>Ameiurus melas</i>
Grass pickeral	<i>Esox americanus vermiculatus</i>
Northern pike	<i>Esox lucius</i>
Central mudminnow	<i>Umbra limi</i>
Brown trout	<i>Salmo trutta</i>
Brook trout	<i>Salvelinus fontinalis</i>
Brook stickleback	<i>Culaea inconstans</i>
Mottled sculpin	<i>Cottus bairdi</i>
Green sunfish	<i>Lepomis cyanellus</i>
Pumpkinseed	<i>Lepomis gibbosus</i>
Bluegill	<i>Lepomis macrochirus</i>
Largemouth bass	<i>Micropterus salmoides</i>
Johnny darter	<i>Etheostoma nigrum</i>

Documented fish species in upper Kearsley Creek (upstream of Goodrich), Genesee and Oakland counties. (source: MDNR, Fisheries Division files)

Northern brook lamprey	<i>Ichthyomyzon fossor</i>
American brook lamprey	<i>Lampetra appendix</i>
Hornyhead chub	<i>Nocomis biguttatus</i>
Bluntnose minnow	<i>Pimephales notatus</i>
Fathead minnow	<i>Pimephales promelas</i>
Blacknose dace	<i>Rhinichthys atratulus</i>
Creek chub	<i>Semotilus atromaculatus</i>
White sucker	<i>Catostomus commersoni</i>
Northern hog sucker	<i>Hypentelium nigricans</i>
Redhorse sucker (sp.?)	<i>Moxostoma sp.</i>
Black bullhead	<i>Ameiurus melas</i>
Yellow bullhead	<i>Ameiurus natalis</i>
Grass pickeral	<i>Esox americanus vermiculatus</i>
Northern pike	<i>Esox lucius</i>
Central mudminnow	<i>Umbra limi</i>
Brown trout	<i>Salmo trutta</i>
Brook stickleback	<i>Culaea inconstans</i>
Mottled sculpin	<i>Cottus bairdi</i>
Rock bass	<i>Ambloplites rupestris</i>
Green sunfish	<i>Lepomis cyanellus</i>
Pumpkinseed	<i>Lepomis gibbosus</i>
Bluegill	<i>Lepomis macrochirus</i>
Longear sunfish	<i>Lepomis megalotis</i>
Largemouth bass	<i>Micropterus salmoides</i>
Smallmouth bass	<i>Micropterus dolomieu</i>
Johnny darter	<i>Etheostoma nigrum</i>



State of Michigan
John Engler, Governor

Department of History, Arts and Libraries
Dr. William M. Anderson, Director

State Historic Preservation Office

Michigan Historical Center
717 W. Allegan Street
P.O. Box 30740
Lansing, MI 48909-8240
517/373-1630

February 27, 2002

MARGARET BARONDESS
MICHIGAN DEPARTMENT OF TRANSPORTATION
425 WEST OTTAWA
PO BOX 30050
LANSING, MI 48909

RE: ER-01-19 Draft EIS - M-15 Improvement Project, I-75 to I-69, Goodrich, Oakland and Genesee
Counties (FHWA)

Dear Ms. Barondess:

We have reviewed the *Draft Environmental Impact Statement and Draft Section 4(f) Evaluation* for the above cited project. We concur with the list of national register-eligible properties in the project area presented in Table 4-9 on page 4-33. We have not completed our review of the effect of the proposed project on these historic resources. We have the following questions relating to potential impacts on two of the eligible historic properties:

Rhodes-Green Farm Historic District, 10448 Green Road - The proposed acquisition of additional right of way will encroach upon this property's frontage along M-15. We note that the lane providing access to the property enters from the M-15/Green Road intersection. Will this entrance need to be relocated or otherwise altered? Are there historic features such as fencing or plantings that will be removed or altered to accommodate the right-of-way acquisition and road construction? Without this information it is impossible for us to comment on the effect of the project on the Rhodes-Green Farm district.

Goodenough-Townsend House, 2430 State Road - What is the house's distance from the current right of way and edge of pavement and what will be the house's distance from the right of way and pavement edge as proposed?

Once we have answers to these questions, we will provide summary comments on the draft EIS and Section 4(f) Evaluation.

Please note that the Section 106 review process cannot proceed until we are able to consider the information requested above. This letter does not clear the project. If you have any questions, please contact Martha MacFarlane Faes, Environmental Review Coordinator, at (517) 335-2721. **Please reference our project number in all communication with our office regarding this undertaking.** Thank you for your cooperation.

Sincerely,

Brian D. Conway
State Historic Preservation Officer

BDC:DLA:ROC:bgg

Copy: James Kirschensteiner, FHWA



To: Margaret Beronless, MD&T

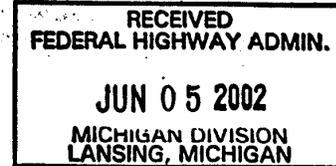
JOHN ENGLER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF HISTORY, ARTS AND LIBRARIES
LANSING

DR. WILLIAM ANDERSON
DIRECTOR

May 31, 2002

JAMES KIRSCHENSTEINER
FEDERAL HIGHWAY ADMINISTRATION
315 W ALLEGAN STREET
ROOM 207
LANSING MI 48933



RE: ER-01-19 M-15 Improvement Project, I-75 to I-69, Oakland and Genesee Counties (FHWA)

Dear Mr. Kirschensteiner:

Under the authority of Section 106 of the National Historic Preservation Act of 1966, as amended, we have reviewed the above-cited undertaking at the location noted above. Based on the information provided for our review, the State Historic Preservation Officer (SHPO) concurs with the determination of the FHWA that moving the driveway will have an adverse effect on the potential Rhodes-Green Historic District Farm, and the widening of M-15 will have an adverse effect on the Goodenough-Townsend House, both of which appear to meet the criteria for listing in the National Register of Historic Places.

This undertaking meets the criteria of adverse effect because: *the undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association [36 CFR § 800.5(a)(1)]* Specifically, the undertaking will result in:

- A change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance.

~~The finding of adverse effect will prompt the FHWA, hereinafter referred to as "Agency", to consult further to resolve the adverse effect pursuant to 36 CFR § 800.6 by proceeding with the following steps:~~

(1) Per 36 CFR § 800.6(a), the Agency shall continue consultation with the SHPO and other consulting parties to develop and evaluate alternatives or modifications to the undertaking that could avoid, minimize or mitigate adverse effects on historic properties. The Agency shall submit a case study outlining these efforts for review by the SHPO.

(2) In accordance with 36 CFR § 800.6(a)(4), the Agency shall make information regarding this finding available to the public, providing the public with an opportunity to express their views on resolving adverse effects of the undertaking. Pursuant to 36 CFR § 800.11(e), copies or summaries of any views provided by consulting parties and the public shall be made available to the SHPO as part of the case study outlined in (1).

(3) The Agency shall immediately notify the Advisory Council on Historic Preservation (Advisory Council), Old Post Office Building, 1100 Pennsylvania Avenue, NW, Suite 809, Washington, D.C.

C-25

STATE HISTORIC PRESERVATION OFFICE, MICHIGAN HISTORICAL CENTER
717 WEST ALLEGAN STREET • P.O. BOX 30740 • LANSING, MICHIGAN 48909-8240
(517) 373-1630
www.michigan.gov/hal

20004, of the adverse effect finding per 36 CFR § 800.6 (a)(1). The notification to the Advisory Council should be similar to the project information submitted to this office and should include the following documentation as outlined in 36 CFR § 800.11(e).

- A description of the undertaking, specifying the federal involvement, and its area of potential effects, including photographs, maps and drawings, as necessary.
- A description of the steps taken to identify historic properties.
- A description of the affected historic properties, including information on the characteristics that qualify them for inclusion in the National Register of Historic Places.
- A description of the undertaking's effects on historic properties.
- An explanation of why the criteria of adverse effect were found applicable or inapplicable, including any conditions or future actions to avoid, minimize or mitigate adverse effects.
- Copies or summaries of any views provided by consulting parties and the public.

(4) The Agency shall invite the Advisory Council to participate in consultation if the undertaking will affect a National Historic Landmark, if a Programmatic Agreement will be developed as a result of the finding of adverse effect, or if the Agency wants the Advisory Council to participate in consultation. The Advisory Council will advise of its decision to participate in consultation within fifteen (15) days of receipt of this notification or other request. If the Advisory Council chooses not to participate in consultation, the Agency shall resolve the adverse effect without Advisory Council participation and pursuant to 36 CFR § 800.6(b)(1).

(5) If the Agency, the SHPO and, if applicable, the Advisory Council agree on how the adverse effects will be resolved, they shall execute a Memorandum of Agreement (MOA) pursuant to 36 CFR § 800.6(c).

(6) If the Agency and the SHPO fail to agree on the terms of the MOA, the Agency shall request the Advisory Council to join the consultation. If the Advisory Council decides to join the consultation, the Agency shall proceed in accordance with 36 CFR § 800.6(b)(2). If the Advisory Council decides not to join the consultation, the Advisory Council will notify the Agency and proceed to comment in accordance with 36 CFR § 800.7.

The views of the public are essential to informed decision making in the Section 106 process. Federal Agency Officials or their delegated authorities must plan to involve the public in a manner that reflects the nature and complexity of the undertaking, its effects on historic properties and other provisions per 36 CFR § 800.2(d). We remind you that Federal Agency Officials or their delegated authorities are required to consult with the appropriate Indian tribe and/or Tribal Historic Preservation Officer (THPO) when the undertaking may occur on or affect any historic properties on tribal lands. **In all cases**, whether the project occurs on tribal lands or not, Federal Agency Officials or their delegated authorities are also required to make a reasonable and good faith effort to identify any Indian tribes or Native Hawaiian organizations that might attach religious and cultural significance to historic properties in the area of potential effects and invite them to be consulting parties per 36 CFR § 800.2(c).

Please note that the Section 106 process will not conclude according to 36 CFR § 800.6 "Resolution of Adverse Effects" until the consultation process is complete, an MOA is developed, executed and implemented, and, if applicable, the formal comments of the Advisory Council have been received.

The State Historic Preservation Office is not the office of record for this undertaking. You are therefore asked to maintain a copy of this letter with your environmental review record for this undertaking. If the scope of work changes in any way, or if artifacts or bones are discovered, please notify this office immediately.

If you have any questions, please contact Martha MacFarlane Faes, Environmental Review Coordinator, at (517) 335-2721. **Please reference our project number in all communication with this office regarding this undertaking.** Thank you for this opportunity to review and comment, and for your cooperation.

Sincerely,



Brian D. Conway
State Historic Preservation Officer

BDC:ROC:bgg

Enclosure(s)

copy: Margaret Baroondess, MDOT
Advisory Council on Historic Preservation



STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING

JOHN ENGLER
GOVERNOR

K. L. COOL
DIRECTOR

March 11, 2002

Mr. Ronald S. Kinney
Manager, Environmental Section
Project Planning Division
Department of Transportation
Murray D. VanWagoner Bldg.
P.O. Box 30050
Lansing, MI 48909

Dear Mr. Kinney:

Thank you for providing us with the opportunity to review the December, 2001, Draft Environmental Impact Statement for M-15 from I-75 to I-69.

We note that you have included the comments submitted by Ms. Lori Sargent, Endangered Species Specialist in Wildlife Division. Responding to the concerns and directions provided in her letters will help safeguard any endangered, threatened, or species of concern that may be impacted by this construction. We especially wish to commend you on the separate report which addresses threatened and endangered species. It provides the timing of the investigation and the names of reviewers which is very helpful in evaluating potential impacts.

Again, thank you and, we look forward to continuing our work with you on this important project.

Sincerely,

A handwritten signature in black ink, appearing to read "George E. Burgoyne, Jr.", written over a horizontal line.

George E. Burgoyne, Jr.
Resource Management Deputy
517-373-0046

cc: Dr. Gerald Thiede, MDNR
Ms. Lori Sargent, MDNR

C-28



JOHN ENGLER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING

DEQ
RUSSELL J. HARDING
DIRECTOR

May 1, 2002

Mr. Ronald S. Kinney, Manager
Environmental Section
Project Planning Division
Michigan Department of Transportation
P.O. Box 30050
Lansing, Michigan 48909

Dear Mr. Kinney:

**SUBJECT: M-15 from I-75 to I-69 in Oakland and Genesee Counties
Draft Environmental Impact Statement**

The Michigan Department of Environmental Quality (MDEQ), Land and Water Management Division, has completed review of the Draft Environmental Impact Statement (DEIS) for the M-15 reconstruction project between I-75 and I-69 in Oakland and Genesee counties, Michigan. We have the following comments:

- 1) Regarding concurrence as to purpose and need, Section 2.1 of the DEIS states, "The purpose of the proposed project is to provide increased capacity and safety on M-15 between I-75 and I-69. Need has been generated by rapid growth in Oakland and Genesee counties, reflecting rapid economic expansion. M-15 needs four through travel lanes for the entirety of the corridor, to serve existing and projected travel demand and provide a safe road for the expanding corridor population."
 - a) We suggest dropping the statement, "M-15 needs four through travel lanes for the entirety of the corridor". This is a conclusion that would normally come out in developing the alternatives to meet the purpose and need. It should be detailed in the DEIS why a three lane road will not work as one of the alternatives to provide increased capacity and safety along this stretch of road.
- 2) The DEIS lists the following alternatives as being analyzed for the project:
 - a) No Action Alternative
 - b) Mass Transit Alternative
 - c) Low Cost Improvements/Transportation Systems Management
 - d) New Alignments

e) M-15 Reconstruction

The DEIS states that alternatives a-d do not meet the purpose and need for the project. In addition, the DEIS concludes that only a five lane road or narrow boulevard section were considered practical alternatives to carry forward. We suggest that further detail be given in the DEIS as to why the super-2, three-lane, four lane sections do not meet the purpose and need. What is the expected carrying capacity and level of service for each of these alternatives at various locations along M-15? This information is apparently contained in separate documents and should be summarized in the DEIS.

- 3) The DEIS indicates that the preferred alternative is a combination of a five-lane, four-lane with a narrow boulevard and four-lane with a very narrow boulevard. Is it appropriate to list a preferred alternative in the DEIS? If not, another option would be to carry forward the following alternatives: no-build, five-lane, four-lane narrow and four-lane very narrow. Again what is the expected carrying capacity and level of service for each of these alternatives at various locations?
- 4) Pages 1-7, 1-17, 4-31 and 5-7 all use the term regulated wetlands. The DEIS mentions that there are 13.4 acres of regulated wetland and 14.48 acres of total wetland impact. The Michigan Department of Transportation must mitigate for all wetland impacts. The distinction between regulated and un-regulated should be dropped and only the total wetland impacts be listed.
- 5) Table 1-3a identifies two wetland locations, W-37 and W-36c as containing fen species. The proposed road section in this area is four-lane with a very narrow boulevard. The use of a four-lane section with no boulevard should be evaluated to reduce potential wetland impacts in these areas particularly if there are no turning movements required in this area.
- 6) The last paragraph on page 1-23 indicates that a permit is required from the U.S. Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act. This is not the case in Michigan where the State has assumed administration of the 404 program. A separate permit is required from the USACE only in section 10 waters which do not occur within this project.
- 7) At the top of page 1-24 and the last paragraph on page 4-25, the proper citation is Part 303, Wetlands Protection.
- 8) The third paragraph on page 1-24 states, "A Part 303 permit is required before placement of a bituminous or concrete proportioning plant in any wetland areas." While this is a correct statement, this type of temporary wetland impact should be avoided and these activities should be located in upland areas.
- 9) Figure 3-5 shows typical cross-section dimensions for the 5-lane and narrow boulevard alternatives. A similar cross-section including right-of-way widths should be shown for the very narrow alternative.
- 10) Section 4.10.3, page 4-23, implies that there will be no encroachment on any regulatory floodway, no floodway fringe encroachments in Oakland and only impacts to the floodplain on Kearsley Creek and Goodrich and Cartwright drain in Genesee county. These statements may be misleading in that the State of Michigan has floodplain regulatory authority in Part 31 for any stream or drain

that has a drainage area of 2 square miles or more regardless of whether the floodplain has been mapped. In addition, Part 31 states that a new or replacement bridge or culvert may not cause a harmful interference. A 1/10 foot increase is not a criteria listed in Part 31 and should be deleted from page 4-23. In some cases where there is potential for damage, no increase is allowed.

- 11) Table 5-1, page 5-7, should be modified to show 14.48 acres of wetland impacts with 23.2 acres of mitigation required. The third paragraph on this page should be changed to reflect this as well. The 20 percent reduction credit on table 5-1 should be changed to 2.2 acres as explained in item 13 below.
- 12) Section 2.6, page 10 of the Wetland report discusses wetlands contiguous to a lake or stream. It should be pointed out that a wetland is also defined under Part 303 as being contiguous if it is partially or entirely located within 500 feet of the ordinary high water mark of an inland lake, pond or stream.
- 13) Table 4, page 20 of the Wetland Report should be modified as such:

Oakwood Total Acreage Credits	21.7
Less M-24 need	<u>12.8</u>
Available Credits for M-15	8.9
Mitigation Needed for M-15	23.2
Less 20 Percent Reduction	2.2
Less amount mitigated at Oakwood	<u>8.9</u>
Amount needed to mitigate elsewhere	12.1

The 20% reduction in mitigation requirements is allowed for in Part 303, rule 5(f)(ii). The 20% reduction in mitigation requirements was only granted for the amount to be mitigated for at the Oakwood site. For M-15, this would be $11.1 \text{ acres} * 0.2 = 2.2 \text{ acres}$, $11.1 - 2.2 = 8.9 \text{ acres}$ to be mitigated at M-15.

- 14) The MDOT is encouraged to continue looking for other mitigation sites within the Kearsley Creek watershed.
- 15) Based on an April 24, 2002 site inspection with the various agencies, it was determined that Duck Creek should be relocated and not enclosed along the upstream (western) side of M-15 opposite the Brandon Middle School near the Village of Ortonville.
- 16) Once a final alternative is selected, efforts made to avoid and minimize wetland impacts should be properly documented in the planning and design phase. Once a final alternative is selected in the FEIS, efforts should be made to secure the mitigation sites. Mitigation shall give consideration to the replacement of the predominant wetland benefits lost within the impacted wetland areas. A mitigation plan, including the control of invasive species during the monitoring period, should be developed and approved by the MDEQ prior to the permit application process. Final mitigation plans will need to include a monitoring plan, performance criteria, and details as to how the created wetland will be protected in perpetuity with a conservation easement. The MDEQ requires that mitigation activities be completed before initiating other permitted activities, unless a

concurrent schedule is agreed upon between the department and the applicant,
and an adequate financial assurance mechanism is provided by the applicant.

If you have any questions, please feel free to contact me.

Sincerely,



Gerald W. Fulcher, Jr., P.E., Chief
Transportation and Flood Hazard Management Unit
Land and Water Management Division
517-335-3172

cc: Mr. James Kirschensteiner, U.S. Federal Highway Administration
Mr. Newton Ellens U.S. Environmental Protection Agency
Mr. Craig Czarnecki, U.S. Fish and Wildlife Service
Mr. Gary R. Mannesto, U.S. Army Corps of Engineers
Mr. Joseph Leonardi, MDNR
Mr. Barry Horney, MDEQ
Ms. Mary Vanderlaan, MDEQ
Mr. Alex Sanchez, MDEQ
Ms. Peg Bostwick, MDEQ

Ted Stone

From: Gerald Fulcher [fulcherg@michigan.gov]
Sent: Tuesday, February 25, 2003 2:19 PM
To: Michael Pennington
Cc: Geralyn Ayers; Alexander Sanchez
Subject: Oakwood Mitigation

Mike here are the revised mitigation numbers for the Oakwood site.
Sorry for the confusion

19 Acres Amount of restoration available at Oakwood
27 Acres of Forested wetland to be preserved /10= 2.7 acres of
preservation credit

M-24 impacts:	Mitigation Required
EM 1.9 acres * 1.5=	2.85
SS 4.97 acres *1.5=	7.45
F (3.1 acres -2.7) *2.0=	0.8
	Total 11.1 acres

11.1 *.8= 8.88 acres mitigation required at Oakwood with additional 20%
reduction.

19 acres
-8.88 acres
10.12 acres available for M-15

10.12/.8=12.65

12.65 acres of M-15 may be mitigated at Oakwood based on the 20%
reduction.

23.2 acres mitigation needed for M-15
-12.65 acres allowed at Oakwood

10.55 additional acres of mitigation needed for M-15

Jerry Fulcher
Geological and Land Management Div-MDEQ
fulcherg@michigan.gov
517-335-3172



L. BROOKS PATTERSON,
OAKLAND COUNTY EXECUTIVE

March 1, 2002

RECEIVED
MAR 11 2002
semcog

Mr. Richard W. Pfaff, Jr.
Regional Review Office Coordinator
SEMCOG
660 Plaza Drive, Suite 1900
Detroit, MI 48226

Re: Draft Environmental Impact Statement, M-15 from I-17 to I-69

SEMCOG Code No.: TR 020017
County Code No.: 16

Dear Mr. Pfaff:

Our office has received and reviewed the above project as submitted by the Michigan Department of Transportation. We appreciate the opportunity to submit the following comments.

The location of the proposed project is unique in Oakland County because the topography of uplands and lowlands, along with the headwaters of the Flint River, combine to form an area with distinctive natural landscapes. The Kearsley Creek, known as one of only a handful of designated trout streams in Southeast Michigan, in particular, is one such resource. This river system is critical to sustaining biodiversity along with wildlife/habitat corridors and offers a coldwater fishery otherwise limited in Southeast Michigan. Careful management of this resource will provide many recreational opportunities for both present and future generations. Techniques addressing threats associated with increased stormwater runoff that may adversely affect the quality of this stream and its tributaries should be given thoughtful consideration. Best design practices should be utilized in order to protect water quality and maintain the wildlife habitat associated with this sensitive resource.

This project does not conflict with the plans and/or the policies of Oakland County Planning and Economic Development Services and we recommend approval.

Sincerely,

Dan Hunter, Manager
Oakland County Development & Planning Services

cc: Bret Rasegan, Planning Supervisor

PLANNING & ECONOMIC
DEVELOPMENT SERVICES

DANIEL P. HUNTER, MANAGER

DEPARTMENT 412

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QUALITY LIFE THROUGH GOOD ROADS:
ROAD COMMISSION FOR OAKLAND COUNTY
"WE CARE"

March 19, 2002

M.D.O.T.
ATTN: Jose Lopez
P.O. Box 30050
Lansing, MI 48909

RE: PRELIMINARY REVIEW NO.: 02P0017
LOCATION: M-15, OAKLAND COUNTY
PROJECT NAME: M-15 IMPROVEMENTS

Dear Mr. Lopez:

At your request, the Road Commission for Oakland County has completed a preliminary geometric review for the above referenced project. We have the following comments regarding the proposed improvements:

- 1) The proposed boulevard is very narrow. The outside shoulders, as well as the "bullnose" of the median, should be paved to facilitate easy U-turn movements for truck traffic.
- 2) The current lane arrangement of Clarkston Road at the I-75 bridge, which causes traffic to weave to the left and then to the right, is awkward. M.D.O.T. may want to consider a change to carry the 2 southbound lanes through.
- 3) The boulevard should continue through Deer Ridge and Hubbard, instead of a conflicting center left turn lane.
- 4) The boulevard cross section should be extended past side streets to prevent illegal crossings.
- 5) South Street in downtown Ortonville should be curved directly into M-15, with Varsity intersecting South Street. Most of the downtown traffic uses South Street, and providing South Street direct access to M-15 would prevent the stacking of left turn traffic.
- 6) Due to the speed of traffic on M-15, a boulevard section with an indirect left turn onto Grange Hall Road would be safer than the proposed direct left turn.
- 7) Grave relocation at the cemetery should be avoided if at all possible. Perhaps the road could be moved to the east.

Board of Road Commissioners

Larry P. Crake
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Rudy D. Lozano
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Brent O. Bair
Managing Director

Gerald M. Holmberg
Deputy Managing Director
County Highway Engineer

**Permits & Environmental
Concerns Department**

2420 Pontiac Lk. Rd.
Waterford, MI
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- 8) A larger gap in the very narrow boulevard should be provided for deceleration near Groveland Road, where a direct, center left turn lane is shown.
- 9) The turnaround crossovers near Oakwood should be designed to accommodate heavy truck movement.
- 10) In general, we feel that a five-lane road is more practical than the very narrow boulevard alternative.
- 11) The price of right-of-way in Oakland County has risen drastically in recent years. The cost estimates for right-of-way that have been provided are likely too low.

Please contact this office at (248) 858-4835 if you have any questions, or if we may be of further assistance.

Respectfully,

Scott Sintkowski, CE II, Plan Review Engineer
Permits & Environmental Concerns Department

(Mydoc\pr2002\02p0017)

SEMCOG . . . Local Governments Advancing Southeast Michigan

Southeast Michigan Council of Governments • 535 Griswold Street, Suite 300 • Detroit, Michigan 48226-3602 • 313-961-4266 • Fax 313-961-4869
www.semco.org

March 22, 2002

Ronald S. Kinney, Manager
MDOT Environmental Section
Project Planning Division
P O Box 30050
Lansing, Michigan 48909

RE: Draft Environmental Impact Statement & Draft Section 4(f) Evaluation from the Michigan Department of Transportation for a project entitled "M-15 from I-75 to I-69, Oakland & Genesee Counties"
Regional Clearinghouse Code: TR 020017

Dear Mr. Kinney:

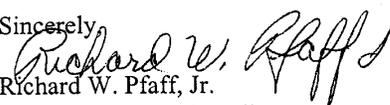
SEMCOG, the Southeast Michigan Council of Governments, has processed a review for the above Draft Environmental Impact Statement (DEIS) according to intergovernmental review procedures established in the National Environmental Protection Act and assumed in the U.S. Department of Transportation review and comment procedures.

As the designated Metropolitan Planning Organization and regional planning agency for southeast Michigan, we notified the following local government agencies of your project:

Oakland County Planning & Economic Development Services
City of Village of Clarkston Village of Ortonville
Independence, Springfield, Brandon & Groveland Townships
Clarkston & Brandon School Districts
Clinton River Watershed Council

As of this date, the Oakland County Planning & Economic Development Services has submitted written comments, which are attached. We will forward additional comments, if any, for your information and attention.

SEMCOG's staff has reviewed the DEIS which you submitted. Detailed comments from our Transportation Planning area staff [J. Tumidanski] are attached. We look forward to the Final EIS and responses to these comments.

Sincerely,

Richard W. Pfaff, Jr.
Regional Review Coordinator

RWP/bar

C-36

cc: Oakland County Planning & Economic Development Services

Dante J. Lanzetta, Jr.
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Commissioner
City of Birmingham

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Supervisor
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Immediate Past Chair
President, ISD of
St. Clair County
Board of Education

Paul E. Tait
Executive Director

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MEMO

Southeast Michigan Council of Governments
535 Griswold, Suite 300
Detroit, MI 48226
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March 14, 2002

TO: Richard W. Pfaff
Regional Review Coordinator

FROM: Jeffrey J. Tumidanski
Transportation Planner

SUBJECT: M-15 Draft Environmental Impact Statement
TR 020017

Staff from the transportation department reviewed the Draft Environmental Impact Statement (DEIS) against the 2025 Regional Transportation Plan (RTP), and the FY 2002-2004 Transportation Improvement Program (TIP). Below is a summary of staff comments.

2025 RTP Status

The M-15 project is programmed in the 2025 RTP as a study only. Because the project is considered regionally significant and will most likely be the recipient of federal-aid, the project will require amendment to the 2025 RTP or incorporation into the 2030 RTP (under development) before it can proceed. The DEIS recognizes this as an issue. When incorporated into the RTP, the project will be subject to a variety of regional level reviews – including an air quality conformity analysis, a public involvement review, and an assessment of how the project impacts environmental justice communities. The Michigan Department of Transportation (MDOT) should provide SEMCOG, the Southeast Michigan Council of Governments with enough documentation at that time for it to determine whether the project can be programmed into a financially constrained plan and enough detail to produce an air quality conformity analysis. This project also needs to be coordinated at the state level so that it also appears in Genesee County's Transportation Plan.

FY 2002-2004 TIP Status

The M-15 Study was funded under the previous TIP. Before any federal dollars can be spent on furthering this project beyond a study, it must be included in the TIP. The project sponsor should ensure that the study is coordinated with the engineering being done for intersection improvements at Glass Road.

General Comments

Safety initiatives of the 2025 RTP include the incorporation of access management and incident management into the transportation system. It is not clear if the preferred alternative will incorporate important aspects of Transportation System Management (TSM), as it was dismissed in alternative 2.2. TSM provides a framework which improves the flow of traffic and increases the safety along

the transportation system through an exhaustive list of options including access management, signalization, traffic calming, carpool lots, and rideshare programs. For example, some TSM elements currently exist in the study area including carpool lots at I-69 and I-75, and the DEIS does incorporate some into the overall project (non-motorized alternatives). Incorporating additional TSM concepts including an access management plan into the preferred alternative will reduce the number of turning points onto the roadway, enabling traffic to operate better and provide a safer environment.

SEMCOG has recently approved a transit plan for the region which would strengthen and elevate the importance of localized transit service in the region. Transit was considered as an alternative in the DEIS, but could not realistically meet all future needs in the corridor. The DEIS assumed a five percent modal split for transit. It found that if transit service was provided and used for five percent of the trips that the road would still require widening. However, public transportation should be reviewed on a regular basis and incorporated into the corridor if found to be a viable option.

The 2025 RTP encourages the development of non-motorized facilities as an alternative for those who have no other transportation options and for recreation purposes. M-15 is Michigan's first Heritage Recreation Route. It is encouraging that the DEIS incorporated the non-motorized plans of local governments and incorporates paved shoulders, and sidewalks which will be in compliance with the Americans with Disabilities Act of 1992.

M-15 is designated as a truck route but its overall usage is low. Less than five percent of all traffic along this route are trucks. Improvements along the corridor may increase the number of trucks using it as a bypass around the Flint urbanized area. It is not clear if an increase in truck traffic was considered in the analysis of future travel.

The DEIS states on page 1-24 that an unresolved issue is that this is not listed on MDOT's Build Michigan III Long-Range Plan. It is our understanding that Build Michigan III is a funding source to program specific projects and is independent of the State's Long Range Transportation Plan. The project does not appear in the Build Michigan III project list, but the study does appear in MDOT's Five Year Road and Bridge Program. This should be reviewed and clarified.

COUNCIL
Worth
Pro Tem
Kline
Adamec
Kechn
Bohlen



1836 - 1986


ADMINISTRATION
Village Manager
Jakki Sidge
Village Clerk
Gloria "Jeanie" Bradley
Village Treasurer
Norene Newton
DPW Supervisor &
Building Inspector
Gordon Bachmann

July 16, 2001

Mr. Chris Burnell, MDOT
Project Coordinator
Van Wagoner Building
425 W. Ottawa Street
PO Box 30050
Lansing MI 48909

Dear Mr. Burnell and others involved in the M-15 Corridor Study:

I have enclosed a resolution adopted by the Village of Goodrich Council at the regular meeting July 9, 2001. This resolution summarizes the concerns and current opinion the Village of Goodrich regarding the proposed long-range alternative for M-15 through our village.

We appreciate the effort to evaluate the M-15 corridor, and the time and resources spent to gain public input. We also appreciate the cooperative efforts between MDOT, The Corradino Group and village officials and hope we can continue to have an open dialogue in the future.

Please consider this resolution as you evaluate the final plans and make your recommendation for the project. We are available to discuss these options, as well as any you or your staff feels have merit.

Sincerely,



Jakki Sidge
Village Manager

C-39

**Village of Goodrich
Resolution 2001-19**

WHEREAS, the Michigan Department of Transportation (MDOT) is currently undergoing a study of the M-15 Corridor through Oakland and Genesee Counties to determine future road improvements based on projected traffic volumes and in consideration of environmental factors; and

WHEREAS, Village officials appreciate the effort to review the entire corridor and understand this is the first phase in a series of studies that may be undertaken prior to any construction; and

WHEREAS, Village officials understand a significant increase in actual traffic volumes that result in or a poor level of service or high crash rates may require improvements by MDOT; and

WHEREAS, MDOT and their consultant team have estimated that the forecasted traffic volumes on M-15 are at the threshold between supporting a three-lane road and a five-lane road; and

WHEREAS, Village officials understand and support the need for improvements along M-15 in Oakland County to address areas of poor level of service; and

WHEREAS, Village officials and staff participated in the series of public workshops conducted by MDOT and their consultant team to provide comment and stay informed; and

WHEREAS, the Village Council, Planning Commission and staff held several public meetings that also included representatives of MDOT or its consultants to discuss the issues and concerns specific to Goodrich regarding study recommendations; and

WHEREAS, Village officials are willing to accept a future level of service "D" and perhaps even "E" for certain movements at intersections along M-15 within the limits of the Village; and

WHEREAS, MDOT and their consultant team have recommended a five-lane roadway with a 120 foot wide public right-of-way through most of the Village limits; and

WHEREAS, Village officials and its consultants have evaluated available existing and projected traffic counts, and other analysis, provided in the *Traffic Analysis Report* prepared by MDOT to evaluate the necessity of the recommended improvements and to explore other alternatives; and

NOW THEREFORE, BE IT RESOLVED, the Council of the Village of Goodrich oppose the recommendation for a five-lane highway through the Village. The Village supports continuance of the three-lane design and endorses further coordination with MDOT to monitor actual traffic conditions to evaluate and implement select intersection improvements and access management techniques to maintain the overall safety and efficiency of the M-15 corridor within the Village. In addition to the statements listed above, this determination is based on the following findings:

1. A widening to five lanes will involve the removal, or "take" of 10 businesses or homes within the Village. The Village lacks land area to replace most of those lost businesses and thus will lose tax base to provide services to the community.
2. A widening to five lanes will increase noise, fumes, speeds and other traffic related impacts in close proximity to historic homes, as identified by the MDOT consultant team, and thereby make it exceeding difficult for the Village to retain those homes for residential use. Such a change in land use that is likely to occur with the five-lane highway is contrary to the Village's adopted Master Plan and adopted M-15 Corridor Plan.

3. A five-lane highway through the center of the community is not consistent with the traditional small town character desired in the Village.
4. A five-lane road would negatively impact the walkable, pedestrian environment that has been planned and is being implemented along M-15 through recent installation of a complete sidewalk system, ornamental lighting, driveway closures and other pedestrian amenities.
5. Evaluation of the available data indicates traffic operational problems along M-15 in the Village are generally isolated at the intersections with Green Road, East Hegel Road and West Hegel Road. The widening to five lanes is not justified as it would result in an unnecessarily high level of service of "A" and "B". This over design would create negative impacts and increase project costs beyond what is needed to provide acceptable traffic operations.
6. MDOT figures indicate the three-lane cross section, with intersection improvements and proper access management techniques will result in acceptable levels of service if traffic volumes are equal to, or less than, those projected.

Clerk Certification

I, Gloria Jean Bradley, the duly appointed Clerk of the Village of Goodrich, hereby certify that the foregoing is a true and accurate copy of Resolution 2001-18, that was adopted by the Village of Goodrich Council, Genesee County, Michigan at a regular meeting held in July 9, 2001, the original of which is on file in my office and available to the public.

Public notice of said meeting was given pursuant to and in compliance with the open Meetings Act number 267 of the Michigan Public Acts of 1976, including in the case of special or rescheduled meeting notices, by posting at least 18 hours prior to the time set for said meeting.

In testimony whereof, I have hereunto set my hand, and affixed the seal of the Village of Goodrich on this 9th day of July, 2001

Village of Goodrich Council

Resolution Number 2001-19

Clerk

Date Adopted: July 9, 2001

Gloria Jean Bradley
Gloria Jean Bradley, Village

VILLAGE COUNCIL

President

Keith Walworth

President Pro Tem

Adam Kline

Angela Adamec

Steven Keehn

Jayne D. Simmonds

Code Enforcement

William "Bill" Conley



VILLAGE OF GOODRICH

1836 - 1986

ADMINISTRATION

Village Manager

Jakki Sidge

Village Clerk

Gloria "Jeanie" Bradley

Village Treasurer

Norene Newton

DPW Supervisor &

Building Inspector

Gordon Bachmann

April 12, 2002

Mr. Chris Burnell, MDOT

Project Coordinator

Van Wagoner Building

425 W Ottawa Street

PO Box 30050

Lansing MI 48909

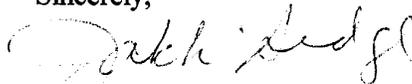
Dear Mr. Burnell:

I have enclosed a resolution adopted by the Village of Goodrich Council at the regular meeting April 8, 2002. This resolution summarizes the concerns and current opinion of the Village of Goodrich regarding the proposed long-range alternative for M-15 through our village.

As stated before we appreciate the effort to evaluate the M-15 corridor, and the time and resources spent to gain public input and the cooperative efforts between everyone involved.

Please consider this resolution as you evaluate the final plans and make your recommendation for the project. We are available to discuss these options, as well as any you or your staff feels have merit.

Sincerely,



Jakki Sidge

Village Manager

C MDOT Officials

Genesee County Officials

State Legislators

Federal Highway

Village of Goodrich Resolution 2002-15

This resolution is in response to the Michigan Department of Transportation (MDOT) draft Environmental Impact Statement and Section 4(f) Evaluation, and public hearing presentations of recommended improvements to the M-15 Corridor, which includes a segment through the Village of Goodrich. The current recommendation includes a combination of a "very narrow" and "narrow" median along much of the corridor, with a five-lane cross section through most of the Village of Goodrich. For reasons outlined in this Resolution, the Village Council is opposed to the recommendation. This Resolution is intended to ensure those concerns are documented and considered as the project proceeds. We look forward to a continued collaborative process.

Our position is based on an understanding of the process, review of the documents and discussions amongst our officials and the public at several meetings. We acknowledge the study includes a lengthy corridor with long range proposals. We support the more urgent improvements recommended, particularly in Oakland County. We also recognize that the Environmental Impact Study process requires an evaluation of the "worst case" and that the project could be scaled back with more detailed analysis in the future.

However, the five-lane road, within the village limits, will provide excess capacity over the projected need and will create significant negative impacts in our community. The reports state the Village Council has "expressed opposition to any improvements which they view as changing the rural character" of the area. This is a mis-representation of our position. We too desire safety and understand the need to maintain reasonable traffic flow through our community. Yet we believe the recommendation is too extreme and does not sufficiently consider our desired small town environment as distinct from the remainder of the corridor.

The five lanes will produce a level of service A-C instead of a D, which should be considered acceptable in our village setting. A five lane roadway can accommodate 40,000 or more vehicles per day, compared to the projected 18,400 vehicles per day in Goodrich in 2025. If the projections are correct, we believe the current three lane roadway, with some intersection improvements and continued application of sound access management can provide acceptable traffic operations without the severe negative impacts associated with the five lane cross section.

Findings. Our position is based on the following findings:

1. Current traffic volumes within the Village are well under the roadway's capacity. A widening to five lanes does not appear to be justified based on the projected volumes, and will result in excess capacity. While this excess capacity may be desirable from a traffic operations perspective, its negative impacts conflict with our community's land use and design objectives.
2. Costs for land acquisition, business relocation and construction to accommodate the five lanes is not justified based on the projected traffic conditions.
3. We believe the current three-lane cross section can provide acceptable levels of service with less drastic improvements more consistent with the community character. We acknowledge such detailed analysis may be beyond the scope of this study, but should be undertaken if the process proceeds. This may include select improvements to intersections or short segments in combination with sound access management techniques to reduce conflicts and retain capacity.
4. At a recent MDOT sponsored program attended by our Village Manager, it was noted that access management can preserve roadway capacity (up to 10%). Since the projected capacity deficiency is slight, perhaps access management can be a more instrumental element and

so noted in the recommendations. Service drives could help reduce number of project trips and conflicts along M-15. Funding assistance for service drive construction and driveway closures would seem to be more cost effective than land acquisition and construction of the five lanes.

5. The documents state that M-15 "skirts the business district, but actually it is penetrated. Right-of-way needed to accommodate five lanes will have a significant impact on local businesses. A number of businesses would lose 10-20 feet of their frontage. This will either eliminate their parking, render it nonconforming with Village zoning standards and/or eliminate the required greenbelt and streetscape. In some cases, there is little or no opportunity on the site to replace the parking required to meet zoning regulations nor needed to support a viable business. (Examples: Goodrich Auto Parts, RJ's Television Repair, New View Auto Glass, Area One Real Estate, Margie's Pizza and John's Steakhouse). Impacts on those businesses will negatively impact both the economic viability of the business district and a significant percentage of the Village's limited tax base.
6. The businesses along this corridor provide a significant amount of the Village's tax base. Table 3-3 indicates eleven businesses in the Village could be displaced, but does not evaluate the economic impacts of businesses that lose parking. The impacted businesses could rebuild in the Village, but they also may simply close or relocate elsewhere. The loss of this tax base (at least 16% of our limited tax base) could have a significant impact on the Village budget. It is difficult to fully determine this impact as there are some inconsistencies between the various documents in terms of how much additional land will be taken (example, the drawings illustrate 10 feet will be taken along the Post Office frontage, but page 4-7 states no additional right-of-way is needed).
7. Staff at the public hearing suggested that the Village could rewrite its regulations to deal with resultant setbacks and parking. However, this

could become complicated and costly, again impacting the Village's financial resources. We would appreciate financial assistance be provided by MDOT if this issue needs to be dealt with in the future.

8. The Village has expended considerable time and resources to develop an M-15 Corridor Plan and a Central Business District/Gateway zoning district. A five-lane highway through the center of the community is not consistent with the traditional small town character desired in the Village, and directly conflicts with the adopted Village Master Plan and M-15 Corridor Plan.
9. A five-lane road would be in conflict with the walkable, safe pedestrian environment planned and being implemented along M-15. An expensive sidewalk system with ornamental lighting and streetscape features has been underway for several years and is being completed in 2002. A widening of M-15 will cause the expensive reconstruction of those improvements or could eliminate them altogether.
10. Many homes will be directly impacted by the increased noise due to the higher speeds and proximity of travel lanes. These include several older homes that front on to M-15 and several new ones that back onto the roadway.
11. A facility that provides substantial excess capacity, as with the proposed five lane roadway, will have a greater potential to induce additional growth inconsistent with the local land use plans. While the impacts of induced growth and trip making is debated for roadway projects nationwide, a roadway constructed to serve twice the expected volumes will make it more difficult for local governments to adhere to their land use plans. Developers will argue the five lane road can support more intense development than planned, which will increase pressure for sprawl.

12. A significant number of single family homes front onto M-15. The Village Master Plan and Zoning Ordinance propose preservation of those homes, in part based on a finding that conditions are acceptable for continued residential use. A five lane roadway will increase the pressure to change the land use for those lots. If that occurs, the increased trip generation and conflicts created by turning movements will negate some of the operational improvements of the five lane roadway.
13. The five lanes through the south end of the Village will encroach unnecessarily into a "high value" wetland at the southern end of the Village. The proposed five lane cross section traverses a wetland and includes a center turn lane even though there will not be access on either side. The unwarranted center turn lane will impact the wetland, lead to increased speeds and reduce aesthetics.

Position. Based on the above findings, the Village Council has concluded that:

WHEREAS, MDOT and their consultant team have completed and issued a Draft Environmental Impact Statement for the M-15 Corridor, and;

WHEREAS, MDOT and their consultant team have recommended a five-lane roadway through most of the Village limits with a transition to four lanes with a median at both ends; and

WHEREAS, the Village Council, Planning Commission, Zoning Board of Appeals and Village staff attended numerous meetings and workshops on the MDOT project and conducted several local public meetings that also included representatives of MDOT or its consultants to discuss the issues and concerns specific to Goodrich regarding study recommendations; and

WHEREAS, Village officials are willing to accept a future level of service "D" at intersections along M-15 within the limits of the Village in

recognition of the distinct physical character of this segment of the corridor; and

WHEREAS, Village officials and its consultants have evaluated available existing and projected traffic counts, and other analysis, provided in the Environmental Impact Statement and the many supporting documents.

NOW THEREFORE, BE IT RESOLVED, based on the information provided, public input and the findings above, the Council of the Village of Goodrich opposes the recommendation for a five-lane highway through the Village.

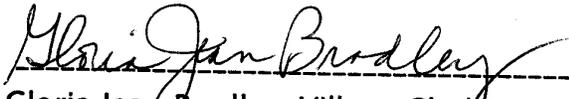
BE IT FURTHERE RESOLVED, the Village supports continuance of the three-lane design and endorses further coordination with MDOT to monitor actual traffic conditions to evaluate and implement select intersection improvements and access management techniques to maintain the overall safety and efficiency of the M-15 corridor within the Village. We request that MDOT continue to work with Village officials to evaluate alternatives as the process continues. If continued analysis demonstrates the three lane roadway will not meet the needs, less intrusive options should be considered. This may include, but not be limited to, intersection improvements, a very narrow median to retain the "community cohesion" (as noted for Ortonville), construction of rear access drives to reduce the number of access points, or other creative ideas.

Clerk Certification

I, Gloria Jean Bradley, the Clerk of the Village of Goodrich, certifies that the foregoing is a true and accurate copy of Resolution 2002-15, that was adopted by the Village of Goodrich Council, Genesee County, Michigan at a regular meeting held on April 8, 2002, at which a quorum was present. The original of which is on file in my office and available to the public.

In testimony whereof, I have hereunto set my hand on this 8th day of
April, 2002

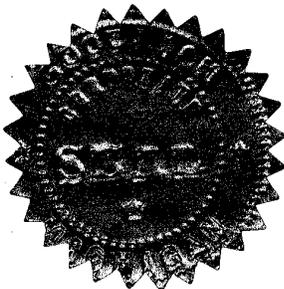
Village of Goodrich Council



Gloria Jean Bradley, Village Clerk

Resolution Number 2002-15

Date Adopted: April 8, 2002



VILLAGE OF GOODRICH

RESOLUTION NO 2003-01

M-15 Proposal of Michigan Department of Transportation

WHEREAS, the Village of Goodrich has made known their opposition to a proposed widening of M-15 to a five-lane roadway with a 120 foot wide public right-of-way through most of the Village limits; and

WHEREAS, the Michigan Department of Transportation has responded to our concerns in a manner consistent with an understanding of the concerns raised by Village officials; and

WHEREAS, Village officials continue to support the need for improvements in the M-15 corridor to address areas of poor levels of service and to improve overall safety in the corridor; and

WHEREAS, the Michigan Department of Transportation has established a track record of working with the communities in the M-15 corridor through the M-15 task force to make interim improvements to the corridor in response to concerns raised at task force meetings; and

WHEREAS, the Village officials recognize the need for the completion of an Environmental Impact Statement in order to proceed with a plan for addressing future traffic problems in the M-15 corridor; and

WHEREAS, the Michigan Department of Transportation has incorporated language into that environmental document to work with the Village and the other communities in the corridor to continue to look for opportunities to reduce the impacts of the recommended alternative for future improvements to M-15 wherever and whenever possible consistent with sound engineering practices.

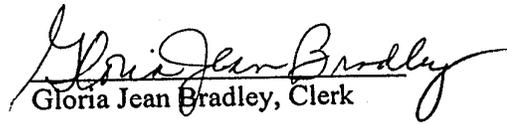
THEREFORE BE IT RESOLVED, that the Council of the Village of Goodrich withdraws its opposition to the recommended as described in the draft environmental impact statement;

BE IT ALSO RESOLVED, that the Village will continue to work with the Michigan Department of Transportation and the other communities in the corridor through the M-15 Task Force, the M-15 Heritage Route Committee, the M-15 Access Management Study, individual contacts, and other opportunities as they arise to find ways to improve the management of traffic without sacrificing the small town character of this community;

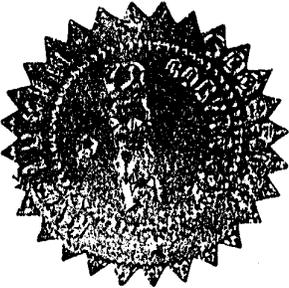
BE IT ALSO RESOLVED, that the Village of Goodrich continues to be concerned that the recommended alternative would create excessive and unacceptable impacts to the Village of Goodrich and that if the Michigan Department of Transportation does not honor the commitments made in their response to Resolution 2002-15, we reserve the right to reinstate our opposition to the recommended alternative.

I, Gloria Jean Bradley, the duly elected Clerk of the Village of Goodrich, do hereby CERTIFY that the foregoing is a true and accurate copy of Resolution 2003-01 that was adopted by the Village of Goodrich Council, Genesee County, Michigan at a regular meeting held February 17, 2003, the original of which is on file in my office and available to the public.

Village of Goodrich Council

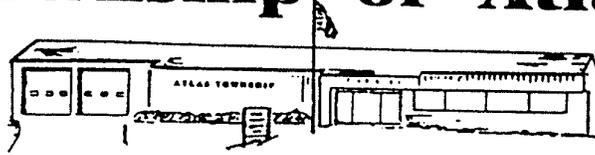

Gloria Jean Bradley, Clerk

Resolution Number: 2003-01
Presented: February 17, 2003
Adopted: February 17, 2003



Township of Atlas

Paul Amman, *Supervisor*
Teresa L. Onica, *Clerk*
Sara Bachmann, *Treasurer*
Emery Bennett, *Trustee*
Scott Statson, *Trustee*



P.O. Box 277
7386 Gale Road
Goodrich, MI 48438-0277
(810) 636-2548
(810) 636-6244 Fax

February 5, 2002

Mr. Jose Lopez, Public Hearing Officer
Bureau of Transportation Planning
P.O. Box 30050
Lansing, Michigan 48909

Mr. Lopez,

It has been some time since we last spoke. During our last meeting I tried without much success to convince you and your staff that the Corridino Study as it relates to Atlas Township was dated and somewhat flawed. I thought I'd take a few minutes to give you an update as to what is going on in Atlas Township.

As you well know the census was good to us we increased our population by quite a bit. If you study the data you'll discover that most of the changes occurred in the first part of the ten-year period between 1990 and 2000. If you track new residence building during the same period it supports my conclusions. (re: my letter of 2/6/01 to your office)

Allow me to provide an up date for the last few years.

In the year 2000 we issued 208 building permits for non-residential construction (Barns, Garages, Renovation etc.). We also issued 63 building permits for new homes and our Building Department took in \$70,327.00.

We now have all the numbers for 2001. We issued 146 building permits for non-residential construction, only 29 building permits were issued for new home construction (59% fewer than 2000) and our building Department took in \$36,476.00.

Quite a drastic change! One could draw some logical conclusions; maybe the increases in lot sizes are having an impact. Maybe our two-acre minimum with engineered septic systems is having an impact. I could go on, but I tried to point most of this out a year ago and it fell on deaf ears. I could make the same projections for 2002, but I'd be wasting my time again.

I have received the "DRAFT ENVIRONMENTAL IMPACT STATEMENT AND DRAFT SECTION 4(f) EVALUATION. I've reviewed it and have a few questions and comments.

- A. I disagree with the statement on page S-4 (1.3) "driven by predominate residential growth"
- B. On page S-6, if I am understanding and reading this table correctly you are telling me that by taking "No Action through 2025":
 1. The intersections at Hill, Perry & West Hegel Roads will all improve
 2. The intersections at Atherton & Bristol Roads are currently at a "Grid lock"

condition” and if no action is taken through 2025 one of the two will become almost free flowing perfect (F to A) and the other will improve slightly (F to D).

- C. On page *S-14* item 3.3, second paragraph. In the 2nd sentence you claim that the anticipated growth is that which was “predicted by the political jurisdictions in the corridor”. This is completely incorrect, I nor any member of the current or past township board agree with YOUR predictions. We submitted information from our Planner (Wade Trim) and our Planning Commission that disagreed with your predictions. We substantiated all of our reasons and the logic involved in our predictions. So please don’t attribute your information to this local Political Jurisdiction.

I reference you back to my letter of last February, as you can see I am still not convinced that the Corridino Group or MDOT is really paying attention to anyone. These public meetings still appear to be more of a charade to make people think someone actually cares about their input.

Sincerely,



Paul M. Amman
Supervisor, Atlas Township

Township of Atlas

Paul Amman, Supervisor
Teresa L. Onion, Clerk
Sara Bachmann, Treasure
Emery Bennett, Trustee
Scott Statson, Trustee



P.O. Box 277
7366 Gale Road
Goodrich, MI 48438-0277
(810) 636-2548
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April 22, 2003

Mr. Hugh McNichol
Bureau of Transportation Planning
Michigan Department of Transportation
P.O. Box 30050
Lansing, Mi. 48909

Mr. McNichol,

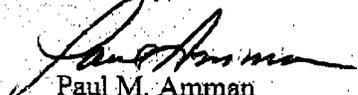
In February of 2001 I wrote a letter to Mr. Jose Lopez, Bureau of Transportation Planning expressing our concerns with the Corridino Study and the plans then being considered for the M-15 corridor. The letter was written on behalf of the Atlas Township Board and expressed our dissatisfaction with the response of both the Corridino Group and MDOT to concerns of local communities.

Since this time Mr. Emery Bennett, Trustee, Atlas Township has continued to represent our township at the M-15 Task Force Meetings. Mr. Bennett has reported progress in addressing concerns of local communities and a willingness of the Michigan Department of Transportation to make interim improvements to M-15 addressing concerns raised at task force meetings. Our Township Board recognizes the need to continue improvements to the M-15 corridor that address poor service and safety related issues.

During our board meeting of April 21, 2003 we voted unanimously to continue working with the Michigan Department of Transportation and other communities in the M-15 corridor seeking ways to improve traffic management and overall safety of this highway. It is our intention to continue support and involvement with the M-15 Task Force, the M-15 Heritage Route Committee and the M-15 Access Management Study Group. We believe that sound re-engineering of M-15 is possible without sacrificing our rural character in Atlas Township. As long as MDOT is willing to listen we are willing to participate in this joint effort. In the event the Michigan Department of Transportation does not honor their commitment of being responsive to local concerns we reserve the right to reinstate our opposition to the project.

Mr. Emery Bennett will continue to represent Atlas Township; any information regarding this project should be communicated through Mr. Bennett. Correspondence should be addressed to him at the address on our letterhead.

Sincerely,


Paul M. Amman
Supervisor, Atlas Township


Emery Bennett
Trustee, Atlas Township



STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
LANSING

JOHN ENGLER
GOVERNOR

GREGORY J. ROSINE
DIRECTOR

June 27, 2002

Ms Jakki Sidge, Village Manager
Village of Goodrich
10242 Hegel
P.O. Box 276
Goodrich, Michigan 48438-0276

Thank you for the two resolutions dated July 9, 2001 and April 8, 2002, expressing the Village of Goodrich's concerns about the proposed improvements for M-15.

Let me begin by apologizing for misstating the Village's opposition to the proposed improvement. Your resolution of July 9th included the phrase, "A five-lane highway through the center of the community is not consistent with the traditional small town character desired in the village." The consultant who wrote the language in the Draft EIS may have had that phrase in mind when they wrote "changing the rural character." Since several of the other items listed in the resolution appear to be just an enumeration of the specific types of inconsistent changes, the author of that section of the report may have been attempting to sum them all up in the one catch phrase. We will try to more accurately represent your concerns in the final document.

It would appear that there are several areas where the department and the village are in agreement, and perhaps that offers an opportunity for us to reach an agreement on a future solution.

As we have indicated at every public meeting, the department does not have funding allocated to subsequent phases of this project at this time. All of the department's expected revenues for the next five years have already been committed to the projects listed in the MDOT 5 Year Road and Bridge Program, Volume IV - 2002 to 2006. The department's first priority is the maintaining of the existing roadway system. Toward that end, the department has established the goal of having 95% of the freeway miles of roadway, and 85% of the non-freeway miles of roadway in "good" or better condition by 2007. Because of this commitment to maintaining and managing the existing system, there are relatively few dollars remaining for projects, such as the one proposed for M-15. Proposed capacity improvement projects from all over the state compete for this limited funding. In the interim, the corridor can continue to receive operational improvements, as they are warranted, and as funding becomes available for those operational improvements. It would appear from your resolutions, that we are in agreement on this approach.

C-57

During the past 5 or 6 years that the M-15 Task Force has been in existence, the subject of access management has been raised on a couple of occasions. As you pointed out in your letter, access management can extend the operational life of a roadway and change the threshold for the various Levels of Service. We will be happy to work with both the Village of Goodrich and Atlas Township, and any other communities in the corridor, to implement appropriate access management strategies. The department also intends to continue its relationship with the M-15 Task Force and to work with individual communities within the corridor to address specific operational problems as they develop. This would appear to be another area where we are in agreement.

As part of the alternatives analysis portion of the study, the consulting team examined the potential for signalization and intersection improvements alone to handle the forecast traffic volumes. This approach was found to be inadequate. Their analysis concluded that even with the widening, five additional traffic signals would likely be warranted in the Genesee County portion of the corridor by 2025. Those signals, and the accompanying intersection improvements, could be installed, as warranted, in advance of the widening, and would likely prolong the ability of the existing two-lane roadway to handle the expected growth in traffic volumes. In addition, they identified other intersections that might warrant signalization while M-15 remains a two-lane facility, but which would likely not warrant signals after the proposed improvements were constructed. We can certainly discuss following a course of action that calls for the installation of signals and intersection improvements in this corridor until such time as they are no longer effective in prolonging the existing road's ability to accommodate the forecast traffic.

As required by law, we will also periodically review this document to determine if the assumptions made in this document are still valid, and if the proposed improvements are still appropriate. Changes in any number of factors like; growth patterns in the greater Detroit/Pontiac/Flint area, technology, commuting patterns, or lifestyles can alter both the assumptions and the conclusions. If during one of those review periods it appears that the traffic growth in the corridor is falling below the projections, or that other significant changes in the corridor have occurred that were not accounted for in the document, then a supplemental document must be prepared. That supplemental document can also revisit the proposed action and modify the recommendations.

We are also in agreement that a Level of Service "D" within the Village limits is acceptable for trunkline operations, and that a five-lane road is capable of handling significantly more traffic than is forecast for the Goodrich area in 2025 in the Draft EIS.

Where we appear to disagree is on the ability to handle the forecasted traffic with three-lanes at an acceptable level of service. The analysis conducted by the consultant concluded that this section of roadway would not operate at acceptable levels of service in a three lane configuration. In addition, there are additional safety considerations for maintaining a consistent number of travel lanes in a corridor. As we indicated above, the department is willing to work with your community, and others in the corridor, on both access management strategies, and on specific operational improvements, like intersection upgrades, as they are warranted, and as funding is available, in advance of the proposed widening. The actual capacity of a roadway for any specific location depends on a number specific factors. These factors include: the numbers of signalized intersections, the signal timing and phasing, the numbers of unsignalized intersections, numbers of non-intersection access points

(driveway) on both sides of the road, the speed limit, sight distances, vertical and horizontal curvature of the roadway, the numbers of trucks and busses, and the percentage of turning vehicles during the peak hour periods. As we make various operational improvements in the corridor, and as the community develops and implements an access management plan, we will monitor the Levels of Service being experienced in this corridor. If, during this process of gradual improvement, this roadway demonstrates that it is capable of handling higher volumes of traffic at acceptable levels of service, then we can modify the recommendations in the EIS during one of the periodic reviews.

We noted early on in our study many of the impacts cited in your resolution that a five-lane roadway would have on the community. It was our opinion that the one way pair option, proposed at one point in the process, provided the throughput the department needed for trunkline operations and was more compatible with the Village's long range plan than the five-lane option. Unfortunately, we were unable to convince the community that such an approach was worth additional discussion and we were forced to drop this as an alternative. If traffic volumes continue to grow as forecast, and if the access management strategies employed in the corridor are inadequate to maintain acceptable levels of service, perhaps this concept can also be revisited and discussed during one of the periodic reviews of the EIS.

It is also likely that other new and innovative approaches to traffic handling will emerge during the coming years. We are willing to work with you and other communities in the corridor to explore the potential for those innovations to provide the necessary traffic handling capability, while further minimizing the impacts to the communities and the environment.

While the EIS document is a necessary precursor to solving the current problems in the south end of corridor, it should not be considered a static document for the whole corridor. It is our opinion that this document represents the best long term corridor solution available at this time, based on current trends and technology. Since funding for this project has not yet been identified, and since it is likely that when funding is identified, that this project will be constructed in phases over time, there will be ample opportunities to monitor the impacts of the early stages and modify the later stages of the project, if the assumptions made in the EIS do not hold up over time.

Thank you again for your comments and the resolution. They will become part of the official record. If you have any further comments or questions, please feel free to contact me.

Sincerely,



Chris Burnell, Project Manager
Project Development, Design Division

D/HM/CB/cjj

cc: J. Corradino
H. McNichol
files



STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
LANSING

JOHN ENGLER
GOVERNOR

GREGORY J. ROSINE
DIRECTOR

June 27, 2002

Mr. Paul M. Amman
Atlas Township Supervisor
7386 Gale Road
P.O. Box 277
Goodrich, Michigan 48438-0277

Dear Mr. Amman:

Thank you for your letter dated February 5, 2002 responding to the Draft EIS and expressing the Township of Atlas' concerns about the proposed improvements for M-15.

Let us begin by addressing your specific concerns with the published document.

You indicated that you disagreed with the statement: "The need for the project was driven by growth, predominantly residential growth in the area." You offered no other explanation for the observed increase in traffic. Census Data indicates that population in the communities along the corridor has grown 29% between 1990 and 2000, and the number of households has increased by 41% in the same period. There did not appear to be a similarly large increase in the number of commercial establishments in the corridor during the same period, so we stand by our statement. If you have data that indicates that the growth of traffic volumes on M-15 in the project area can be traced to some activity other than residential growth, we would be happy to review it.

You also questioned Table A-3, which showed levels of service at various intersections along the corridor, under current conditions and under future conditions, both with and without the proposed improvement. The text portion of the document near that table explains that the "no build" column assumes that the department would make less intrusive operational improvements, like installing signals and turn lanes, as they become warranted. We will modify the table to ensure that this is more clearly represented.

The last of your specific concerns regarded the phrasing that described future growth in the corridor. We will correct the document to indicate that the population growth estimates came from the counties and the metropolitan planning organizations. We will also include language to indicate that your township is not in agreement with those estimates.

It would appear that there are several areas where the department and the township are in agreement, and perhaps that offers an opportunity for us to reach an agreement on a future solution. As we have indicated at every public meeting, the department does not have funding allocated to subsequent phases of this project at this time. All of the department's expected revenues for the next five years have already been committed to the projects listed in the MDOT 5 Year Road and Bridge Program, Volume IV - 2002 to 2006. The department's first priority is the maintaining of the existing roadway system. Toward that end, the department has established the goal of having 95% of the freeway miles of roadway, and 85% of the non-freeway miles of roadway in "good" or better condition by 2007. Because of this commitment to maintaining and managing the existing system, there are relatively few dollars remaining for projects such as the one proposed for M-15. Proposed capacity improvement projects, from all over the state, compete for this limited funding. In the interim, the corridor can continue to receive operational improvements as they are warranted and as funding becomes available for those operational improvements.

During the past 5 or 6 years that the M-15 Task Force has been in existence, the subject of access management has been raised on a couple of occasions. Access management can extend the operational life of a roadway and change the threshold for the various Levels of Service. We will be happy to work with the Township of Atlas, and any other communities in the corridor, to implement appropriate access management strategies. We would hope that the affected communities can agree on a common consistent approach to access management within the M-15 corridor. The department also intends to continue its relationship with the M-15 Task Force and to work with individual communities within the corridor to address specific operational problems as they develop.

As part of the alternatives analysis portion of the study, the consulting team examined the potential for signalization and intersection improvements alone to handle the forecast traffic volumes. While this approach was found to be inadequate by itself, the projected future traffic volumes, signals, and the accompanying intersection improvements could be installed, as warranted, in advance of the widening, and would likely prolong the ability of the existing two-lane roadway to handle the expected growth in traffic volumes. We can certainly discuss following a course of action that calls for the installation of signals and intersection improvements in this corridor until such time as they are no longer effective in prolonging the existing road's ability to accommodate the forecast traffic.

As required by law, we will also periodically review this document to determine if the assumptions made in this document are still valid, and if the proposed improvements are still appropriate. Changes in any number of factors like; growth patterns in the greater Detroit/Pontiac/Flint area, technology, commuting patterns, or lifestyles can alter both the assumptions and the conclusions. If during one of those review periods it appears that the traffic growth in the corridor is falling below the projections, as you suggest might happen given the Township's recent changes in some of your land use ordinances, or that other significant changes in the corridor have occurred that were not accounted for in the document, then a supplemental document must be prepared. That supplemental document can also revisit the proposed action and modify the recommendations.

Paul M. Amman

3

June 27, 2002

It is also likely that other new and innovative approaches to traffic handling will emerge during the coming years. We are willing to work with your township and other communities in the corridor to explore the potential for those innovations to provide the necessary traffic handling capability while further minimizing the impacts to the communities and the environment.

While the EIS document is a necessary precursor to solving the current problems in the south end of corridor, it should not be considered a static document for the whole corridor. It is our opinion that this document represents the best long term corridor solution available at this time, based on current trends and technology. Since funding for this project has not yet been identified, and since it is likely that when funding is identified, that this project will be constructed in phases over time, there will be ample opportunities to monitor the impacts of the early stages and modify the later stages of the project, if the assumptions made in the EIS do not hold up over time.

Thank you again for your comments. They will become part of the official record. If you have any further comments or questions, please feel free to contact me.

Sincerely,



Chris Burnell, Project Manager
Project Development, Design Division

D/HM/CB/cjj

cc: J. Corradino
H. McNichol
files

