



U.S. Department of Transportation
**Federal Highway
Administration**

RECORD OF DECISION

Proposed M-15 from I-75 to I-69 Oakland and Genesee Counties, Michigan
FHWA-MI-EIS-01-02-R

Decision

In accordance with 23 U.S.C. 109(h), the Federal Highway Administration (FHWA) concurs with the Michigan Department of Transportation (MDOT) in determining the Selected Alternative for the M-15 from I-75 to I-69, in Oakland and Genesee Counties, Michigan. The Selected Alternative is the No-Build Alternative with Transportation Systems Management (TSM).

The Selected Alternative is identified as the environmentally preferred alternative that best meets:

- The purpose and need for the transportation improvements. This includes the intent of Congress to make operational improvements on M-15 from I-75 to Genesee County Line, as part of the High Priority Projects Program (PL 105-178 Subtitle F-High Priority Projects); and
- Current financial constraints.

FHWA has based its decision on the:

- Transportation needs of the project study area,
- Draft Environmental Impact Statement (DEIS),
- Final Environmental Impact Statement (FEIS) and Final Section 4(f) Evaluation,
- Interagency coordination,
- Public comments received on the DEIS and FEIS, and
- Other information in the project record.

FHWA has reviewed and considered all comments received on the project during the 30-day review period after the Notice of Availability of the FEIS appeared in the Federal Register on April 15, 2011. Comments received on the FEIS are summarized and responded to in Section 7 of this Record of Decision (ROD).

7-25-11

Signature Date



Russell Jorgenson
Division Administrator,
Michigan Division
Federal Highway Administration



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RECORD OF DECISION

M-15 from I-75 to I-69 in Oakland and Genesee Counties, Michigan

FHWA-MI-EIS-01-02-R

1. BACKGROUND

This Record of Decision (ROD) sets forth the basis for choosing the Selected Alternative for the M-15 from I-75 to I-69 in Oakland and Genesee Counties, Michigan.

1.1 Project History

In 1991, MDOT began studying the corridor for the potential need of improvements. The “Northern Oakland County Corridor Study” was completed, but limited to Oakland County. MDOT completed a “Preliminary Project Statement” in 1995 that called for repaving the entire corridor and widening M-15 in Oakland County to 5 lanes. The M-15 Task Force was developed at this time.

The Task Force petitioned the U.S. Congress in 1997 to provide funds for improving M-15. Congress identified “operational improvements on M-15 from I-75 to Genesee County Line” as part of the High Priority Projects Program (PL 105-178 Subtitle F – High Priority Projects), and authorized \$500,000 in support of the project. In response, MDOT initiated the NEPA Process.

1.2 NEPA History

The project’s Notice of Intent (NOI) to prepare the Environmental Impact Statement (EIS) appeared in the *Federal Register* on June 25, 2001.

The Draft Environmental Impact Statement (DEIS) was signed January 22, 2002, and its Notice of Availability (NOA) was published in the *Federal Register* on February 1, 2002. Public Hearings were held February 26 and 27, 2002.

The DEIS was re-evaluated. On December 16, 2009 FHWA concurred with MDOT’s finding that: no substantial change had occurred in the project scope, the project still meets the originally identified purpose and need, and the project is not of air quality concerns.

In developing the Final Environmental Impact Statement (FEIS) and identifying the Preferred Alternative, full consideration was given to: public and agency comments on the DEIS, all alternatives considered and the respective environmental consequences, and issues related to the proposed action. The FEIS was signed April 4, 2011, and distributed. A NOA was published in the *Federal Register* on April 15, 2011. The 30-day wait period began on April 15 and ended on

May 16, 2011. The Selected Alternative is described in Section 2 of this ROD. See **APPENDIX A** for notable dates related to project development and the NEPA process.

Additionally, this project also used a NEPA/Section 404 merged process, wherein the consulting agencies (U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, and the Michigan Department of Environmental Quality) had concurrence points in the project development process. Based on the selection of the No-Build Alternative this project has been withdrawn from the 404-merge process. See **APPENDIX B** for the NEPA/404 concurrence withdrawal letters.

2. DECISION

The Selected Alternative for M-15 from I-75 to I-69 is the No-Build Alternative with Transportation Systems Management (TSM). In the event of any differences in wording, the ROD takes precedence over the FEIS.

2.1 Selection of Alternative

The “No-Build” Alternative with Transportation System Management (TSM) operational improvements is the selected alternative. TSM improvements include work such as pavement rehabilitation projects, intersection operation projects, safety improvement projects, and signalization upgrades.

While the FEIS did identify a “Technically and Environmentally Preferred Alternative” (TEPA), the decision to move forward with the No-Build Alternative is being made based on:

- The intent of the U.S. Congress to make operational improvements on M-15 from I-75 to the Genesee County Line, as part of the High Priority Projects Program (PL 105-178 Subtitle F- High Priority Projects);
- The lack of available funding to fiscally constrain the TEPA in Southeast Michigan Council of Governments (SEMCOG) Long Range Plan.

These future TSM improvements will be cleared environmentally as separate actions as funds become available.

Though the TEPA was not the selected alternative; local jurisdictions along the M-15 corridor, which include: the Village of Clarkston, Brandon Township, the Village of Ortonville, Independence Township, Groveland Township, the Village of Goodrich, Atlas Township and Davison Township, plan to use the FEIS and the TEPA as a planning tool to help them make future transportation and land use decisions in a manner which would not preclude future capacity improvements along the M-15 corridor. If money for the TEPA or other improvements is identified in the future, a new NEPA analysis must be done.

2.1.1 Location of the Selected Alternative

The Selected Alternative is proposed for an approximately 20-mile section of M-15 that runs from I-75 on the south end to I-69 on the north end and lies in Oakland and Genesee Counties. Please see **Figure 1** for a map identifying the location of the project area.

2.1.2 Description of the Selected Alternative

The Selected Alternative is the No-Build Alternative with Transportation System Management. TSM type improvements include such items as pavement rehabilitation projects, safety improvement projects, intersection operation projects, and signalization upgrades along the corridor as funds become available.

MDOT currently has a TSM project planned for the intersection of M-15 and Green Road. This project will include adding a center left turn lane on M-15 at Green Road to improve safety at this intersection. This project has been cleared environmentally as a categorical exclusion. Other TSM projects will be implemented when the need arises and funds are available.

2.1.3 Property Acquisition

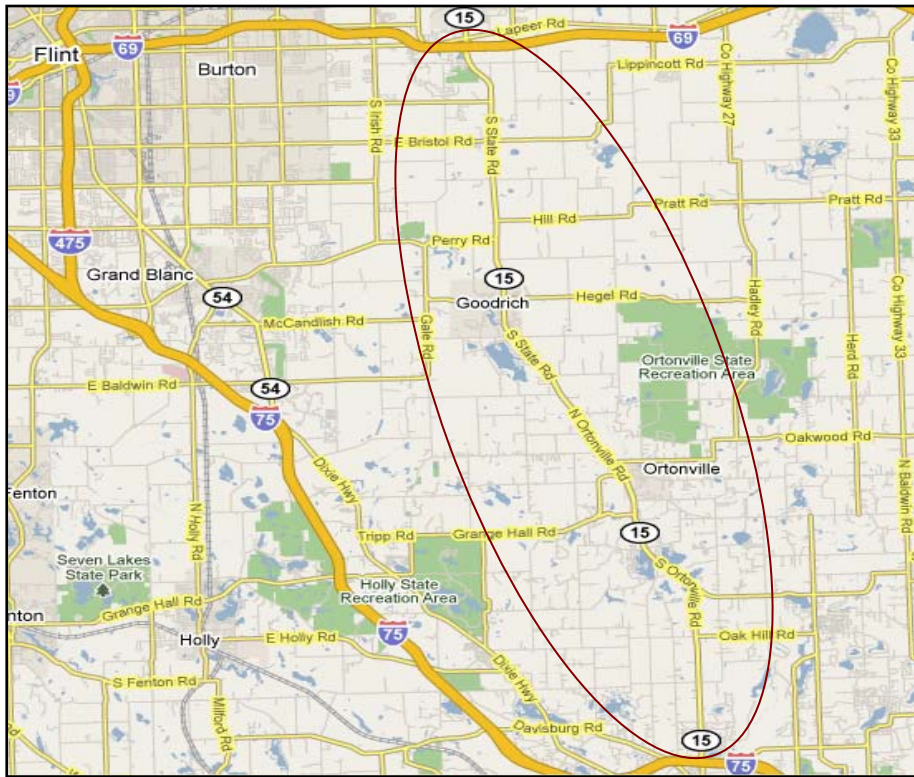
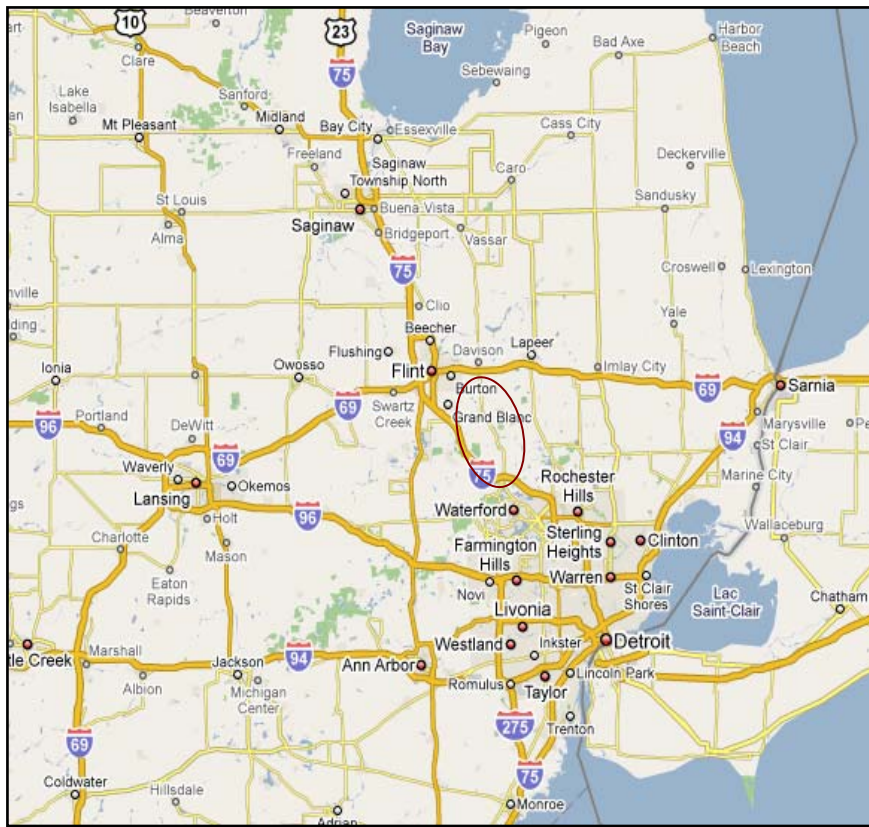
Property acquisition is not anticipated. If property is required for any of the TSM type improvements, the review/clearance will be done on an individual project basis and mitigated for as required by State and Federal regulations.

2.2 Environmental Commitments

Any environmental impacts that are a result of the TSM improvements will be identified, reviewed and mitigation commitments will be included at the time environmental clearance is sought for those actions.

As part of any future analysis, MDOT has committed to examine updated information regarding the following:

- environmental impacts,
- traffic counts,
- economic data,
- right-of-way needs,
- and census data.



**Figure 1:
Location Map**

3. ALTERNATIVES CONSIDERED

3.1 Purpose and Need

The purpose of the M-15 Study is to provide increase capacity and safety on M-15 between I-75 and I-69. The need is generated by rapid growth in Oakland and Genesee Counties. While the MDOT is selecting the No-Build Alternative with TSM, the purpose and need is still being met by the TSM projects that have and will occur on the corridor.

The TSM projects, while mostly safety related still lessen the capacity concerns on M-15. Since the project was initiated traffic counts have gone down due to the economic downturn in the 2000's resulting in fewer homes and new businesses being built in the suburban areas of metro Detroit. This has helped alleviate some of the congestion issues on the route. The TSM projects will continue to improve safety and operations with projects such as added turn lanes (center or right hand turns) by facilitating turning movements at those locations to allow more free flow and less back up.

3.2 Identification and Evaluation of Alternatives

Prior to NEPA three technical memoranda were developed to help determine impacts to the corridor and create alternatives with public input. In August of 2000 Technical Memorandum No. 1 investigated the study area conditions and illustrative alternatives. Public meetings were held and early coordination packets were sent out to the reviewing agencies. Technical Memorandum No. 2 was then developed. It provided the evaluation of the Illustrative Alternatives based on comments from the reviewing agencies and public meetings. The results of these comments created the basis for the Practical Alternatives. This in turn led to Technical Memorandum No. 3, which evaluated the Practical Alternatives. After the three technical memoranda were developed a Notice of Intent to prepare an EIS was published in the Federal Register in June of 2001. Background information on the Illustrative Alternatives that were developed and why they were eliminated can be found in Section 3.2 Alternatives Eliminated from Further study in the FEIS.

The narrow boulevard and five-lane section were considered practical alternatives and were evaluated further on a sector-by-sector basis. Generally, the narrow boulevard was found most effective, especially from the standpoint of safety and aesthetics. A "very narrow" boulevard concept was developed as a variation of the five-lane cross section. Where there is no need for turns, the center turn lane can become a very narrow median with no curb cuts. This preserves most of the aesthetics and safety advantages of the boulevard, while requiring less right-of-way. The presence of wetlands means there are few driveways in some locations, so the very narrow boulevard could be used to minimize right-of-way acquisition and, therefore, wetlands impacts in these areas. The alternative screening evaluation data and practical alternative scoring results can be found in Tables 3-2, 3-3 and 3-4 of the FEIS.

The full evaluation process that proceeded from illustrative alternatives, to practical alternatives, to the preferred alternative presented at the public hearing, is documented in the three technical memoranda mentioned previously.

During the evaluation process, a one-way pair through Goodrich was eliminated from further consideration because of planned development. The concept of the very narrow boulevard matured and was more closely defined for application in the developed segment north of Cranberry Lake Road and in a section with wetlands and a historic site north of Ortonville. The result was the TEPA which was included in the public hearing.

The key to development of the TEPA presented at the public hearing was the rigorous evaluation process that examined the corridor on a sector-by-sector basis. Historic and wetland resources were identified at an early stage in the study process, so optional alignments and cross sections could be evaluated with the goal of avoiding or minimizing the effects to these resources at the outset.

Comments received during the circulation of the DEIS have not resulted in any changes to the TEPA as presented at the public hearing. The TEPA incorporates the strengths of each roadway cross section examined in detail to maximize safety and traffic flow, while minimizing impacts to wetlands and historic resources.

3.2.1 Preliminary Alternatives

Several improvement alternatives were analyzed for this project, as were the No-Build Alternative and a Mass Transit Alternative. The three “build alternatives” were:

1. Low Cost Improvements / Transportation Systems Management;
2. New Alignments; and,
3. M-15 Reconstruction.

These alternatives were developed and vetted in the public involvement process. The background information and results of the scoring process can be found in Section 3.2 Alternatives Eliminated from Further Study in the FEIS. Documentation of the alternatives analysis process is found in the three technical memoranda prepared for the study. The Preferred Alternative was originally identified as the M-15 reconstruction to a combination of five-lane and boulevard cross sections in the DEIS, but has since has been changed to the No-Build Alternative with TSM due to funding constraints.

3.2.2 Alternatives Carried Forward - DEIS

No-Build Alternative

The No-Build Alternative would consist of continued regular maintenance of M-15. Additionally, it will also include some of the improvements mentioned below in the Low Cost Improvements/Transportation Systems Management Section. The four-lane section of M-15 through Goodrich was re-striped in 1999 as a safety project from four lanes to three (center turn-

lane configuration) with some curb added. M-15 was repaved in Genesee County in 1999 and in Oakland County in 2000. Minor improvements to shoulders and guard rails occurred at these times. Traffic signals have also been added as congestion has increased. The Recommended Alternative would continue this pattern of maintenance and minor adjustments. It would not require the acquisition of additional right-of-way.

Low-Cost Improvements / Transportation Systems Management

This alternative called for paving of gravel roads to provide alternative routes to M-15, upgrading intersections along M-15, improving incident management, improving access control, and encouraging reduced trips.

New Alignments

These options considered improving Irish Road (west of and parallel to M-15 in the north section of the corridor) and constructing bypasses of the Village of Goodrich or the Glass Road / Seymour Lake area.

M-15 Reconstruction and Widening (TEPA)

The current cross-section is a two-lane highway throughout the majority of the corridor. Reconstruction and widening options were analyzed. Because traffic forecasts show four through travel lanes are required to meet travel demand, the “super-2” and three-lane options were discarded. Given the need for turning movements through the length of the corridor, little application of a four-lane road was found, compared to a five-lane section, which allows for turn movements at all required locations. A narrow boulevard with a typical cross section of 172 feet was found to have merit from traffic and safety standpoints, while still allowing turns, as required. A wide boulevard, by comparison, was found to have substantially more impacts than the narrow boulevard as its proposed right-of-way was about 30 feet wider. The wide boulevard was eliminated from consideration when the narrow boulevard was found to be equal from a traffic standpoint and acceptable from a design standpoint.

From north to south the following mix of roadway types form the TEPA (see **Figure 2**):

- I-69 to Maple Rd. – Five-lane, with a transition to narrow boulevard north of Maple Rd.
- Maple Rd. to north side of Goodrich – Narrow Boulevard, with a transition to five-lane road north of East Hegel Rd.
- North side of the Village of Goodrich to Green Rd. – Five-lane, with a transition to narrow boulevard south of Green Rd..
- Green Rd. to south of Auten Rd. – Narrow Boulevard.
- South of Auten rd. to south of Groveland Rd. – Very Narrow Boulevard (this area includes a high-quality wetland and historic site) with transitions placed as needed. With little access needed on either side of the road, due to the presence of wetlands, a very narrow, unbroken median is possible.
- South of Groveland Rd. to Brandon High School access road (south of Wolfe Rd.) – Narrow Boulevard, with transition to a five-lane section south of the school access road.
- Brandon High School access road to Seymour Lake Rd. – Five-lane, with transition to narrow boulevard north of Seymour Lake Rd.

- Seymour Lake Rd to Hubbard Rd – Narrow Boulevard, with transition to very narrow boulevard just north of Hubbard Rd.
- Hubbard Rd. to Cranberry Lake Rd. – Very Narrow Boulevard, with transition to five-lane road at Cranberry Lake Rd.
- Cranberry Lake Rd. to I-75 – Five-lane with auxiliary lanes. A narrow boulevard configuration would necessitate additional right-of-way acquisition, so it was not chosen. And, access needs are such that a center turn lane configuration is the practical solution in this area.

3.3 Preferred Alternative - FEIS

The No-Build Alternative with TSM has been selected as the Preferred Alternative for this project.

3.3.1 Rationale for Selection

The No-Build with TSM was selected due to the lack of funding to include the TEPA in the fiscally constrained long-range plan. This alternative will make safety improvements when warranted and still meet the intent of the original earmark.

3.3.2 Potential Reasonably Foreseeable Impacts of Selected Alternative

Potential foreseeable impacts from the selection of the No-Build Alternative may include increased delay, if the traffic numbers begin to increase again. Other than the potential for increased delay, no other impacts are foreseeable at this time based on the selection of the No-Build Alternative.

3.3.3 Consistency with Established Statewide Transportation Planning Goals

Since there is no available funding and the project is not in the Southeastern Michigan Council of Government's (SEMCOG) TIP, 5-year or long-range plans, the selection of the No-Build Alternative is consistent with the current transportation planning goals of the Department and the SEMCOG.

3.3.4 Environmentally Preferred Alternative

As noted in Section 2.1.above, the Reconstruction and Widening of M-15 is considered the technically and environmentally preferred alternative (TEPA) because it incorporates the best features of the Practical Alternatives considered in the DEIS and FEIS, with the least harm if the build alternative was implemented.

4. FINAL SECTION 4(f)

There will be no impact to Section 4(f) properties with the selection of the No-Build Alternative. Any potential impacts from the TSM type improvements of the selected alternative will be reviewed and evaluated for on a project-by-project basis. If there are impacts from the potential associated TSM actions they will be mitigated in compliance with Federal and State regulations.

5. MEASURES TO MINIMIZE HARM

All practicable measures to minimize environmental harm were incorporated into the development of the TEPA. Major regulatory requirements applicable to any TSM improvements as part of this project include the following:

5.1 Section 4(f) (Department of Transportation Act)

The criteria of 23 CFR 771.135(a) have been met for the M-15 project and FHWA has determined that the project will not use identified resources protected under this regulation.

5.2 Section 7 (Endangered Species Act)

The Selected Alternative will not affect any threatened or endangered species of special concern due to the selection of the No-Build Alternative.

5.3 Section 106 (National Historic Preservation Act)

A Memorandum of Agreement (MOA) was drafted between the State Historic Preservation Officer (SHPO), MDOT, and FHWA, but has not been executed due to the selection of the No-Build Alternative. Any future actions that could have potential impacts to Section 106 properties will be evaluated and mitigated for at that time.

5.4 Environmental Justice and Title VI (Civil Rights Act)

The Selected Alternative will not have a disproportionately high and adverse effect on minority and low-income population groups in the study area. The FEIS complied with the National Environmental Policy Act (NEPA), Environmental Justice guidelines, and Title VI of the Civil Rights Act of 1964, and did not exclude participation or deny benefits of any program or activity while conducting the study.

To ensure compliance with Environmental Justice guidelines and Title VI of the Civil Rights Act of 1964 and related statutes:

1. An intensive community involvement effort was employed as part of the environmental justice analysis and cumulative impact analysis; and
2. A cumulative impact analysis was done as part of the DEIS and FEIS process to determine the cumulative impacts of the TEPA in addition to other study area projects on the adjacent communities.

5.5 Permitting

No other permits are required with the selection of the No-Build Alternative. If during TSM improvements for this corridor or any future action takes place, the scope of work and associated impacts will be reviewed again and the required permits will be obtained. A NEPA/404 concurrence agreement was in place for this project and has been withdrawn due to the selection of the No-Build Alternative.

6. MONITORING AND ENFORCEMENT

NEPA legislation and implementing regulations require implementation and monitoring of mitigation measures to reduce or eliminate adverse environmental impacts associated with a planned action. Per 23 CFR 771.109, "It shall be the responsibility of the applicant [MDOT], in cooperation with the Administration [FHWA] to implement those mitigation measures stated as commitments in the environmental documents prepared pursuant to this regulation." With the selection of the No-Build Alternative with TSM, these measures will be developed and enforced on an individual project basis.

7. COMMENTS ON THE FINAL ENVIRONMENTAL IMPACT STATEMENT

The FEIS was signed April 4, 2011, made available for agency and public review and sent to the U.S. EPA for filing the Notice of Availability, which appeared in the *Federal Register* on Friday, April 15, 2011. The wait period closed on May 16, 2011. All 12 comments that were submitted were reviewed and considered in the development of this Record of Decision.

The substantive comments on the FEIS are listed below. They are organized by either public comment, those that were received at the public meetings or by mail, or reviewing agency comment.

FHWA has reviewed all of the comments received and found that the proposed project was examined and the potential impacts are identified and addressed.

7.1 Public Comments

P1 Comment: The economic projections and population figures need to be updated to current year information. The information used in the FEIS is old and outdated and should not be used as a basis for decision-making.

P1 Response: Since the No-Build Alternative was selected as the Preferred Alternative this information was not updated. Even if the data were updated, the No-Build Alternative would still be the Recommended Alternative due to the lack of funding. If portions of this project do receive funding in the future, the project will be re-evaluated, likely with an Environmental Assessment, and the information will be updated to the most recent information available at that time.

P2 Comment: Please don't abandon the plan to do a 5 lane section on M-15. The traffic during rush hour is terrible. What should be a 20 min trip turns into a 35-55 minute trip.

P2 Response: The project is not abandoned completely. As part of the selection of the No-build Alternative with TSM, safety improvements will be made along the corridor as warranted. If the project receives funding in the future the TEPA would be the basis for the evaluation at that time.

7.2 Agency Comments

A1 Comment: We recommend the ROD clarify how the TEPA considerations in the FEIS relate to future NEPA documents.

A1 Response: The MDOT has identified how any future actions will require a new NEPA review process and that those actions will be done if any portion of the TEPA is considered for future construction.

A2 Comment: Although the mussel survey results and further species characterizations were provided in the FEIS, the ROD or future NEPA documents should clarify the specific mitigation measures to be taken to avoid impacting the water quality in this species habitat.

A2 Response: This information will be updated/included in the "Green Sheet" portion of any future environmental document that MDOT prepares for this corridor. Currently, there are no plans for doing any portions of the TEPA on this corridor.

A3 Comment: We recommend that FHWA/MDOT consider widening the boulevard in sector D near Duck Creek and relocate Duck Creek to the center median where perhaps the creek can be restored to a natural habitat with riffles, runs, bank enhancements and protections, and the accompanying aesthetic benefits.

A3 Response: If this sector of the project receives funding in the future it will be re-evaluated with an Environmental Assessment and your recommendations will be reviewed and evaluated in the document. Currently, there are no plans for doing any portions of the TEPA on this corridor.

A4 Comment: In paragraph 4 of the Preface it is stated “this document also serves as coordination documentation under Section 106 of the Nation Historic Preservation Act of 1966...” This statement alone can not make this document a legal coordination document”

A4 Response: This document acts as the coordination for Section 106, the MOA with the SHPO would be the legal portion of the document. Since the No-Build Alternative was selected no MOA is needed. If portions of this project do receive funding in the future, the project will be re-evaluated, likely with an Environmental Assessment, and a new MOA will be created.

A5 Comment: The population data is based on the 2000 census. Since there is a 2010 census the figures need updating.

A5 Response: Even if the 2010 census data were used, the No-Build Alternative would still be the Recommended Alternative due to the lack of funding. If portions of this project do receive funding in the future, the project will be re-evaluated, likely with an Environmental Assessment, and the information will be updated to the most recent information available at that time.

A6 Comment: Section 1.3.2 “the proposed project is expected to require the relocation of 38 dwelling units (all single family residential) and 40 businesses that provide about 200 jobs. Adequate relocation housing and commercial space is available in the corridor.” Where will the people be moved to and who will pay for this move? How will the loss of revenue from taxes and businesses be made up?

A6 Response: Since the No-Build Alternative was selected, no relocations or right-of-way is needed at this time. If portions of this project do receive funding in the future, the project will be re-evaluated. This will likely be done with an Environmental Assessment, and any new information and impacts will be updated and presented then. The MDOT Real-Estate Division would handle the agreements with the affected parties.

A7 Comment: The financial data in Tables 4.5 and 4.6 is based on year 2000 data and needs to be updated.

A7 Response: It is understood that this data is outdated. Due to the selection of the No-build Alternative it was not updated. As mentioned previously, if funding is received to build any portion of the project it will need to be re-evaluated, likely with an Environmental Assessment, and all impacts and data will be updated at that time.

A8 Comment: Page 1-15, the statement is made that surface water quality will be protected by erosion control and stormwater management. How will this be done?

A8 Response: This would be done by incorporating Best Management Practices (BMP's) and State and Federal requirements for protection of these resources during construction activities and after the project is finished. As mentioned previously, if funding is received to build any portion of the project it will need to be re-evaluated, likely with an Environmental Assessment, and all impacts and data will be updated at that time and would be found in the "Green Sheet" portion of the document. You can find what was proposed as protection/mitigation in the "Green Sheet" portion of the FEIS.

A9 Comment: Page 1-31, it is stated "As indicated in Section 7, Atlas Township and the Village of Goodrich have expressed opposition to the project. In response to coordination by MDOT..." Was the coordination completed and did it meet the requirements of the law?

A9 Response: This situation has been resolved and letters from Atlas Township and the Village of Goodrich can be found in Appendix C of the FEIS.

A10 Comment: The purpose and need was based on year 2000 data, this information must be updated.

A10 Response: It is understood that this data is outdated. Due to the selection of the No-build Alternative it was not updated. As mentioned previously, if funding is received to build any portion of the project it will need to be re-evaluated, likely with an Environmental Assessment, and all impacts and data will be updated at that time.

A11 Comment: Page 7-29, Section 7.4.4 "...the U.S. Fish and Wildlife Service concurs with the first and second decision points in the NEPS/404 decision process: 1) the purpose and need and 2) the alternatives carried forward. Although the DEIS describes only the Preferred and No-Build alternatives, the April 4, 2002 Interagency meeting and the Technical Memoranda supporting the DEIS provided sufficient information on which to base concurrence." Is this saying since Fish and Wildlife only saw two alternatives at the original meeting and agreed with them this will influence them to agree with any other alternatives that may be presented in the future? The Township would like to be made aware of any other alternatives that have appeared since the original meeting.

A11 Response: The letter is stating that sufficient data was presented at the meeting and in the Technical Memoranda to provide concurrence at that point in the project. The NEPA/404 concurrence is currently being closed out due to the selection of the No-build Alternative. As mentioned previously, if funding is received to build any portion of the project it will need to be re-evaluated, likely with an Environmental Assessment, and all impacts (including any potential new alternatives) and data will be updated at that time and presented again to the public for review and comment.

APPENDIX A

Project History

Notable dates related to project development and the preparation of the DEIS and FEIS are listed below:

1. 1991 – Northern Oakland County Corridor Study called for widening M-15 in Oakland County. (The study was limited to Oakland County).
2. September 1994 – Public meeting on a “Preliminary Project Statement,” for citizens to provide their input on the need to improve M-15.
3. 1995 – MDOT completed a “Preliminary Project Statement” that called for repaving the entire corridor and widening M-15 in Oakland County to five lanes (with consideration of a boulevard). Safety analysis performed at that time concluded that the crash experience reflected a roadway with capacity and turning movement deficiencies. It also found the need for vertical alignment improvements, improved drainage, bridge repair, improvements to side slopes and sight distances, and reconstruction of the entire roadbed.
4. 1998 – M-15 was listed as a “high priority project” in Section 1602 of the 1998 Transportation Equity Act for the 21st Century.
5. June 7 and 8, 2000 – Public kickoff meetings to introduce the project, discuss the schedule, and solicit initial ideas regarding solutions.
6. August 2000 – Technical Memorandum Number 1, Study Area Conditions and Illustrative Alternatives.
7. August 24, 2000 – Public meeting to display information on Illustrative Alternatives and traffic projections.
8. September 2000 - Early Coordination Packets sent to agencies and local officials.
9. September 20, 2000 – Scoping meetings to inform regulatory agencies about the project and to gain input from the agencies regarding avoidance and mitigation.
10. October 2000 – Technical Memorandum Number 2, Evaluation of Illustrative Alternatives.
11. October 25, 2000 – Public meeting to present the results of the evaluation of the Illustrative Alternatives.
12. November 15, 2000 – Public meeting devoted to historic (Section 106) resources to inform citizens about study process, make them aware of known resources, and solicit their comments.
13. January 24, 2001 – Public meeting to provide information on the Practical Alternatives and historic resources.

14. March 2001 – Technical Memorandum Number 3, Evaluation of Practical Alternatives.
15. April 3 and 4, 2001 – Public meetings to present the results of the evaluation of the Practical Alternatives and the Preferred Alternative, including historic resources.
16. June 25, 2001 - Notice of Intent to Prepare an Environmental Impact Statement published in Federal Register.
17. January 22, 2002 – FHWA-approved DEIS and Draft Section 4(f) Evaluation for circulation.
18. February 1, 2002 – Notice of Availability of DEIS (Federal Register).
19. February 26 and 27, 2002 – Public Hearings.
20. December 16, 2009 – Re-evaluation of the DEIS was signed by FHWA.
21. April 4, 2011– FHWA approved FEIS and Final Section 4(f) Evaluation for circulation.
22. April 15, 2011– Notice of Availability of FEIS (Federal Register).
23. May 4 and 5, 2011 – Public information meetings.
24. May 16, 2011 - FEIS wait period closed.

APPENDIX B

404 Concurrence Letters



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

FEDERAL HIGHWAY ADMIN.

JUN 22 2011

JUN 24 2011

MICHIGAN DIVISION
LANSING, MICHIGAN

REPLY TO THE ATTENTION OF:

E-19J

David T. Williams
Environmental Program Manager
Federal Highway Administration
315 West Allegan Street, Room 207
Lansing, Michigan 48933

Re: Concurrence with the No-Build Preferred Alternative and withdrawal from the NEPA/ Section 404 Merged process for the proposed MDOT/ FHWA M-15 Reconstruction from I-75 to I-69

Dear Mr. Williams:

Our comment letter is provided pursuant to the National Environmental Policy Act (NEPA), and Section 309 of the Clean Air Act. The M-15 Reconstruction project was being developed using a merged process of NEPA and Section 404 of the Clean Water Act. We previously concurred with the above project purpose and need and commented on the Draft and Final Environmental Impact Statements (DEIS and FEIS). We herewith affirm our concurrence with selection of the No-Build Alternative as the Preferred Alternative for the project at this time. We understand other alternatives considered in the DEIS and FEIS will provide information for future corridor planning considerations.

Because the No-Build Alternative does not require a Section 404 Individual Permit, we also concur with withdrawing this project from the Michigan Department of Transportation NEPA/ Section 404 Merged Process.

We appreciate this opportunity to further participate in the above project development. If you have any questions, or wish to discuss our comments further, please contact me or Norm West of my staff at (312)-353-5692 or at west.norman@epa.gov.

Sincerely,

for
Kenneth A. Westlake
Chief, NEPA Implementation Section
Office of Enforcement and Compliance Assurance



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:

June 29, 2011

Mr. Russell L. Jorgenson
Division Administrator
Federal Highway Administration
315 W. Allegan Street, Room 201
Lansing, MI 48933

Re: Request for NEPA/404 Concurrence on the selection of the No-Build Alternative -- M-15 Project, Oakland and Genesee Counties, Michigan

Dear Mr. Jorgenson:

We are responding to your June 8, 2011 letter requesting concurrence on the selection of the No-build Alternative and termination of the NEPA/404 Merger process for the M-15 Project in Oakland and Genesee Counties. We provide these comments under the authority of the Fish and Wildlife Coordination Act and in accordance with the National Environmental Policy Act of 1969, as amended.

We have reviewed the Final Environmental Impact Statement (FEIS) which accompanied your letter. The FEIS identifies the No-build Alternative as the recommended alternative. Pursuant to the March 1994 Federal Highway Administration NEPA/404 Merger Process, we agree to the third decision point and concur with the selection of the No-build Alternative as the recommended alternative.

We appreciate the opportunity to provide these comments. If you have any questions, please contact Chris Mensing, of this office, at 517-351-8316 or the above address.

Sincerely,

Action for

Scott Hicks
Field Supervisor

cc: ✓ Michigan Department of Transportation, Environmental Section, Lansing, MI (Attn: Richard Bayus)



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



DAN WYANT
DIRECTOR

July 21, 2011

Mr. David T. Williams
Environmental Program Manager
Federal Highway Administration
315 West Allegan Street, Room 201
Lansing, Michigan 48933

Dear Mr. Williams:

SUBJECT: NEPA/ Section 404 Concurrence
M-15 from I-75 to I-69 in Oakland and Genesee Counties, Michigan

The Michigan Department of Environmental Quality (MDEQ), Water Resources Division, has reviewed your June 8, 2011, letter requesting concurrence on the selection of the no-build alternative for this project. Your letter indicates that this decision was based on the following:

- Lack of funds to construct the preferred alternative
- Need to meet the intent of the Congressional earmark
- Desire to provide the local governments with a planning tool for any future development

Under the National Environmental Policy Act (NEPA) and Section 404 regulatory process for transportation projects, we agree on the third concurrence point as to the selection of the No Build Alternative as the Recommended Alternative.

If you have any questions, please contact me.

Sincerely,

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

cc: Mr. Norman West, U.S. Environmental Protection Agency
Mr. Chris Mensing, U.S. Fish and Wildlife Service
Mr. John Konick, U.S. Army Corps of Engineers
Mr. Richard Bayus, Michigan Department of Transportation
Mr. Andrew Hartz, MDEQ
Ms. Mary Vanderlaan, MDEQ
Mr. Alex Sanchez, MDEQ