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## **APPENDIX D: CONCEPTUAL STAGE RELOCATION PLAN**

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Michigan Department of Transportation  
Real Estate Division  
Conceptual Stage Relocation Plan  
US-31 from M-45 to M-104  
Control Section 70013, JN 339550

March 10, 2008

GENERAL AREA and PROJECT INFORMATION

The Michigan Department of Transportation (MDOT) is proposing a trunkline project in Ottawa County which runs from M-45 in Allendale, Michigan to M-104 in Grand Haven, Michigan. MDOT previously selected an alternative that included a new off-alignment freeway between I-96 and I-196, and existing route improvements in Holland and Grand Haven. Based on the current economic climate in Michigan, it became clear completion of the entire project was not economically feasible. In 2005, MDOT held a series of meetings with local agencies located in the corridor influence area, as well as the Holland and Muskegon Metropolitan Planning Organizations. The meetings were held to review local and state priorities and needs in the corridor. As a result of the meetings, a modified preferred alternative was selected, which includes constructing a new route between M-45 and I-96/M-104 just west of 120<sup>th</sup> Avenue, including a new river crossing and improvements to the I-96/M-104/112<sup>th</sup> Avenue interchange area.

The new route will initially be constructed as a 2-lane highway with property acquired as limited access right-of-way for future expansion to a 4-lane freeway. The project also includes improving strategic segments of US-31 in Grand Haven from south of the Washington Street intersection, north to the Jackson Street intersection vicinity; and from Lakewood Boulevard north to the Quincy Street vicinity in the Holland area. Improvements include adding through lanes and intersection modification, primarily within the existing right-of-way.

DISPLACEMENTS

Residential:	51
Business:	9
Farm:	6
Non-Profit:	0

DISPLACEMENT EFFECTS AND ANALYSIS

Acquisition of property for this project will allow for an orderly and timely relocation of all eligible displaced residents, businesses, farms and non-profit organizations (community facilities). The acquiring agency will ensure the availability of a sufficient number of replacement properties in the local area for all eligible displacees.

Residential: The project may cause the displacement of approximately 51 residential units. A study of the housing market in the project area indicates a sufficient number of replacement homes and rentals will be available throughout the relocation process. It is anticipated that the local residential real estate market will have the capacity to absorb the residential displacements impacted by this project.

Business: The project may cause the displacement of approximately 9 businesses. A review of the local commercial real estate market indicates there are a sufficient number of replacement sites available to relocate eligible displaced businesses. Displacement of these businesses is not expected to have a major economic or otherwise generally disruptive effect on the community impacted by this project.

Farms: The project may cause the displacement of approximately 6 farms. A review of the market for available agricultural properties indicates a sufficient supply of farm properties to which eligible owners may be relocated.

### ASSURANCES

The acquiring agency will offer assistance to all eligible residents, businesses, farms and non-profit organizations impacted by the project, including persons requiring special services and assistance. The agency's relocation program will provide such services in accordance with Act 31, Michigan P.A. 1970; Act 227, Michigan P.A. 1972; Act 87, Michigan P.A. 1980, as amended, and the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act), as amended. The acquiring agency's relocation program is realistic and will provide for the orderly, timely, and efficient relocation of all eligible displaced persons in compliance with state and federal guidelines.

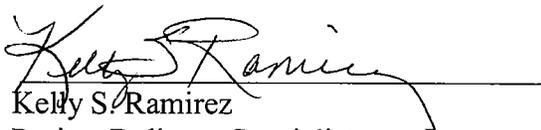
Prepared by:



Teresa R. Vanis  
Local Agency Coordinator

Date: 3/10/08

Approved by:



Kelly S. Ramirez  
Project Delivery Specialist

Date: 3/10/08

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## **APPENDIX E: METHODOLOGY FOR ENVIRONMENTAL JUSTICE**

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The Environmental Justice methodology that was used to conduct an Environmental Justice analysis of the Preferred Alternative followed MDOT and FHWA guidelines (US DOT Order 6640.23). That methodology has several steps that need to be followed along with a series of questions that need to be asked and answered in order to determine if there will be disproportionately high and adverse effects on minority populations groups within the Preferred Alternative.

- Step One:** Determine if a minority population group or low income population group is present within the Preferred Alternative.
- Step Two:** Determine whether project impacts associated with the identified low-income and minority populations are disproportionately high and adverse.
- Step Three:** Propose measures that will avoid, minimize, and/or mitigate disproportionately high and adverse impacts and provide offsetting benefits and opportunities to enhance communities, neighborhoods and individuals affected by the proposed project.
- Step Four:** If after further mitigation, enhancements, and off-setting benefits to the affected populations, there remains a high disproportionate adverse impact to minority populations or low income populations then the following questions must be considered:
- Are there further mitigation measures that could be implemented to avoid or reduce the adverse effect? If further mitigation measures exist, then those measures must be implemented unless they are “not practicable”.
  - Are there other additional alternatives to the proposed action that would avoid or reduce the impact to low income or minority populations? If such as alternatives exists, and it is “practicable”, then that alternative must be selected. If further mitigation or alternatives that avoid the impact are judged to be not practicable that conclusion must be documented, supported by evidence, and included in the NEPA document.
  - Considering the overall public interest is there a substantial need for the project?
  - Will alternatives that would still satisfy the need for the project and have less impact on the protected populations have other impacts that are more sever than the proposed action, or have increased the costs of extraordinary magnitude.
- Step Five:** Include all findings, determinations, or demonstrations in the environmental document prepared for the project.

Impacts of a No-Build Alternative: No impacts to Environmental Justice communities are expected for the No-Build Alternative.

Impacts of a Preferred Alternative: The Preferred Alternative will include minor improvements along the existing US-31 in Holland Township and the City of Grand Haven, and a new alignment bypass located in Robinson Township and Crockery Township. The small minority population in the study area is dispersed and no concentration of minorities groups will be disproportionately impacted by the Preferred Alternative. Although there are no disproportionate impacts to minority or low-income groups within the study area, these groups are impacted by the Preferred Alternative as part of the overall population.

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1 **APPENDIX F: US-31 DEIS RE-EVALUATION**

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

Michigan Division

315 W. Allegan, Room 201  
Lansing, Michigan 48933

March 16, 2009

Mr. David Wresinski, Administrator  
Project Planning Division (B340)  
Michigan Department of Transportation  
Lansing, Michigan

Dear Mr. Wresinski:

Re-evaluation of the Draft Environmental Impact Statement (DEIS) for  
US-31 Holland to Grand Haven, Ottawa County, Michigan

Enclosed you will find the approved Re-evaluation, signed by Mr. Steele, for the above referenced project.

FHWA anticipates that this will be included in the Final Environmental Impact Statement as an appendix and referenced in the document at the appropriate location.

If you have any question, please feel free to call me at 517/702-1847.

Sincerely,

Ruth E. Hepfer  
Area Engineer

For: James J. Steele  
Division Administrator

Enclosure

cc: David Calabrese, FHWA  
Dave Williams, FHWA  
Dennis Kent, MDOT Grand Region  
Mike O'Malley, MDOT

Profile No. P-24208

**MOVING THE  
AMERICAN  
ECONOMY**

**RE-EVALUATION OF  
THE US-31 HOLLAND TO GRAND HAVEN  
DRAFT ENVIRONMENTAL IMPACT STATEMENT  
OTTAWA COUNTY, MICHIGAN**

The Michigan Department of Transportation (MDOT) re-evaluated the US-31 Holland to Grand Haven Draft Environmental Impact Statement (DEIS) per the Code of Federal Regulations (see 23 CFR 771.129)<sup>1</sup> MDOT has determined that a supplemental EIS is not warranted as the analysis for the DEIS remains valid, and the evaluation of alternatives and impacts has kept pace with the regulatory changes.

The following discussion addresses each criterion that must be evaluated before a determination can be made on this project.

***Has an acceptable Final Environmental Statement (FEIS) been submitted to the Federal Highway Administration (FHWA) within three years from the date that the DEIS was approved and circulated?***

No, an acceptable FEIS was not submitted to FHWA within three years since October, 23, 1998 (the date that the DEIS was approved and circulated). The delay resulted from the need to address impacts and mitigation associated with the development of an initial Preferred Alternative. It was further delayed by the inability to fund the project.

The project history is as follows:

- 1993** MDOT began the NEPA process for the Holland to Grand Haven (I-196 to I-96) segment of the US-31 corridor.
- 1998/2000** The DEIS was released in 1998 without a Preferred Alternate.
- 2002/2003** At the request of EPA and local officials, MDOT initiated a land use study with Michigan State University to help quantify indirect impacts on land use from Alternative F/J-1. The study results indicated only minor changes in the type and location of developed land as a result of Alternative F/J-1, which was initially identified as the proposed Preferred Alternative.
- 2004/2005** MDOT determined that Alternative F/J-1 needed to be modified due to anticipated economic, social and environmental impacts. MDOT proceeded to modify Alternative F/J-1 to reduce impacts while still maintaining the Purpose and Need. Segments of Alternative F/J-1 were identified by MDOT, and local officials, which met the project's purpose and need, within the current financial resources available.

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<sup>1</sup> Per 23 CFR 771.129: A re-evaluation of the DEIS shall be prepared in cooperation with FHWA if an acceptable FEIS is not submitted to the FHWA within 3 years from the date of the DEIS circulation. The purpose of the reevaluation is to determine whether or not a supplement to the DEIS or a new DEIS is needed.

- 2006** MDOT identified the current Preferred Alternative (F-1a/Figure 3.4-1). The Preferred Alternative includes: a new two-lane roadway located primarily within the F/J-1 alignment, previously identified in the DEIS, between M-45 (Lake Michigan Drive) and the I-96/M-104/112 Avenue interchange area, including a new Grand River crossing, and improvements to key congested segments of existing US-31 in the Grand Haven and the Holland area.
- Nov. 2006** The Preferred Alternative (F-1a) was presented formally at a Public Meeting in November, 2006.
- 2007/2008** In 2007, Alternative F-1a was added to the approved 2035 Long Range Transportation Plans in the two affected Metropolitan Planning Organizations (MPOs). The design phase was also added to the MPO Transportation Improvement Programs (TIPs) in 2008. The preparation of the FEIS was underway and should be completed in 2009

***Have there been any substantial changes to the project's scope or proposed action that would require a Supplemental Environmental Impact Statement?***

No, the DEIS identified Practical Alternatives, but did not identify a Preferred Alternative. Since the DEIS, a Preferred Alternative (F-1a) has been developed. It is within the scope of the DEIS Practical Alternatives, but has a more confined footprint with reduced social, economic and environmental impacts. The FEIS will be completed based on the Alternative F-1a as described herein. With the alignment of the Preferred Alternative established, updates to traffic, noise and air quality analysis will be completed as part of the FEIS. The information contained in the FEIS is current and complies with existing federal and state regulations.

***Does the project still meet the originally identified purpose and need?***

Yes, the Preferred Alternative (F-1a) still meets the Purpose and Need for the proposed action from the DEIS. No changes to the Purpose and Need for the project are proposed.

***Have activities to advance this project occurred since the DEIS was approved and distributed?***

Yes, activities to advance this project have occurred since the approval of the DEIS and include the following:

1. A Preferred Alternative was selected that will be analyzed in the FEIS document.
2. The ongoing refinements to the Preferred Alternative are being developed in consultation with local officials.

3. An analysis of land use impacts was completed by Michigan State University, which addressed local, state and federal agency concerns over indirect and cumulative impacts of the proposed project.
4. The air quality analysis has been updated per changes in the federal regulations.
5. A Public Meeting was held in November 2006 to present the modified Preferred Alternative (F-1a).
6. An Indiana Bat Survey, in coordination with the US Fish and Wildlife Service, based on the recently expanded range of this species.
7. An above Ground Historic Resources Survey was completed along with additional tribal coordination efforts.
8. MDOT updated information related to wetland identification, delineation and mitigation, and addressed United States Coast Guard (USCG) and Army Corps of Engineers (USACE) bridge height requirements.
9. The project was added to the Holland and Muskegon MPO Long Range Transportation Plans in 2007, including determining Regional Conformity for Air Quality.
10. MDOT amended the MPO TIPs and initiated limited preliminary engineering activities for the bridge over the Grand River as needed to complete the FEIS.
11. Additional, stakeholder, public involvement and resource agency coordination has continued since the approval of the DEIS.

*Have there been any changes in laws or regulations (federal, state, or local) occurring in which protected resources are affected by the project?*

Yes, the following changes since the DEIS are being addressed in the FEIS:

- Since the DEIS was signed, the US EPA lowered the ozone standard and in 2004; Ottawa County was found to be in attainment for all pollutants, except Ozone, for both the 1-hour and 8-hour standard. The US EPA revoked the 1-hour standard for Ozone in 2005. In 2007, Ottawa County was re-designated to Attainment/Maintenance for Ozone. The Ozone level is addressed through the MPO regional conformity process and the project did not affect the regional conformity determination.
- Since the 2000 Census, the project is now within two MPO boundaries. The Preferred Alternative has been amended into the MPO Long Range Transportation Plans, and the regional air quality conformity determination was not negatively impacted.
- Since the DEIS, MDOT has coordinated with Tribes on three occasions. MDOT coordinated with the Tribal Historic Preservation Officer (THPO) from the Pokagon Band of Potawatomi Indians along with the other potentially impacted tribes.

- Since the range of the Indiana Bat was expanded to include the project area by the US Fish and Wildlife Service. As a result, additional analysis of the impacts of the project on this species will be included in the FEIS.

*Conclusion*

A Supplemental EIS is not warranted as the analysis for the DEIS Practical Alternatives remains valid for a Preferred Alternative with a reduced footprint. The analysis has kept pace with the regulatory changes which will be addressed in the FEIS.

*Recommendation*

Based on the proceeding analyses and conclusions, there are no significant changes that would warrant preparation of a Supplemental EIS. MDOT is ready to proceed with the FEIS and is requesting FHWA's concurrence with this finding.

Michigan Department of Transportation:



Project Planning Division Administrator

3/12/09

Date

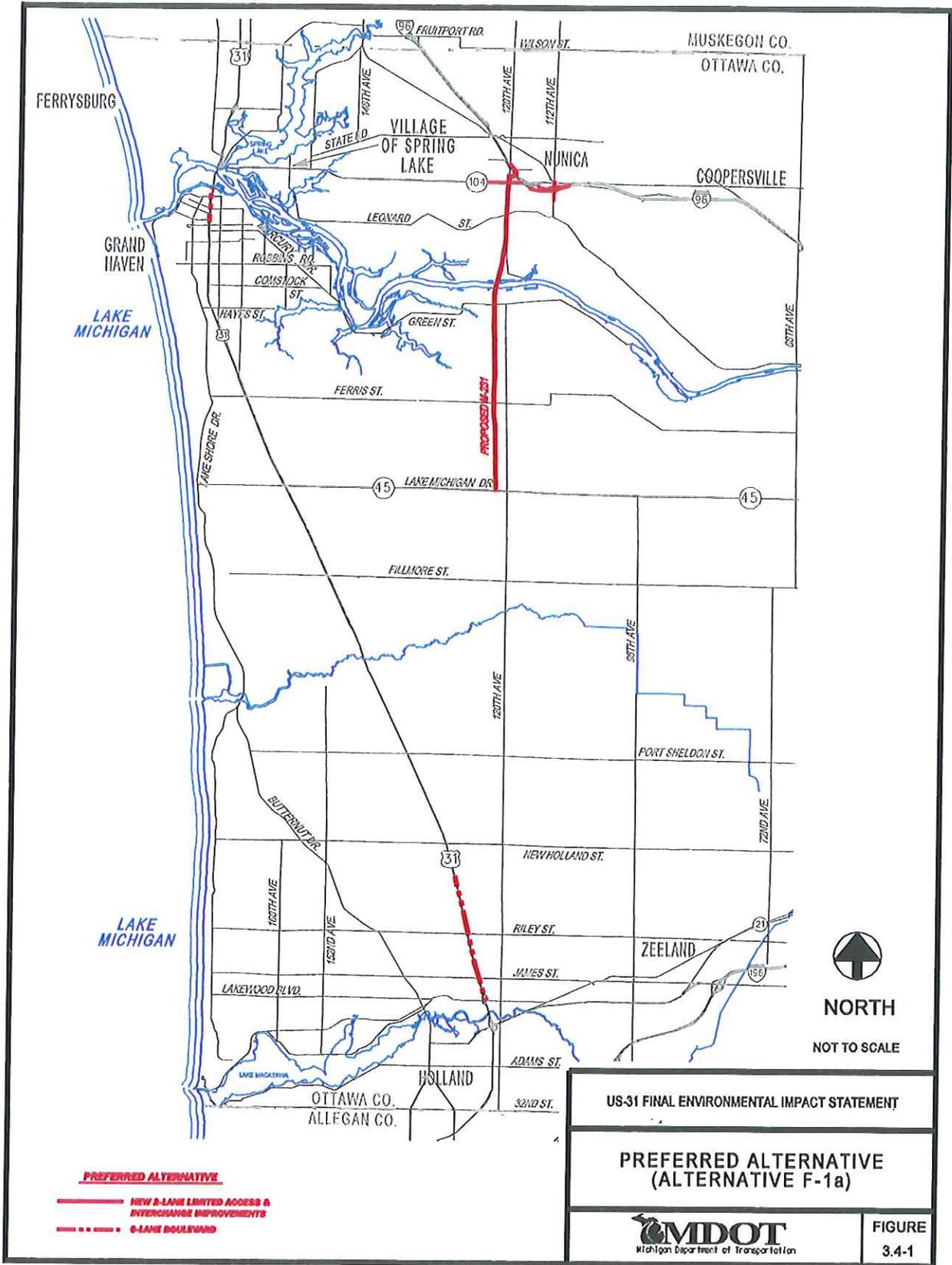
Federal Highway Administration:



Michigan Division Administrator

3/16/09

Date



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**APPENDIX G: WETLAND MITIGATION/PUBLIC INTEREST FINDING  
STATEMENT**

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JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF TRANSPORTATION  
LANSING

KIRK T. STEUDLE  
DIRECTOR

July 23, 2009

Mr. Ronald Krauss, Realty Officer and Special Programs Manager  
U.S. Department of Transportation  
Federal Highway Administration  
315 W. Allegan Street, Room 201  
Lansing, Michigan 48933

Early Right-of-Way Acquisition  
Wetland Mitigation Site  
CS 70900, JN 101327  
US-31 Bypass/M-231

Dear Mr. Krauss:

The Michigan Department of Transportation (MDOT) intends to acquire parcels located on 144th Avenue, at Garfield Road, adjacent to the Grand River, per the early acquisition provisions under 23 CFR 710.501. The early acquisition of this property will protect it from potential sale and development in the private real estate market.

The total area of the all the parcels is 63.45 acres. MDOT will request the value associated with the 4.71 acre portion--proposed to satisfy the wetland mitigation requirements for this project--to be applied as credit towards MDOT's Federal Aid match of the project's future construction costs.

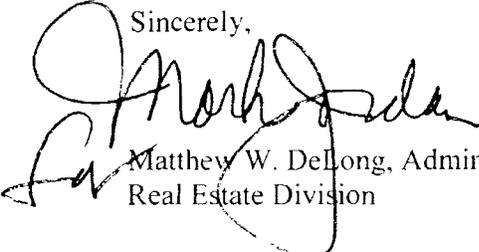
This proposed early acquisition meets the relevant federal regulatory and statutory requirements:

- Project environmental classification will be Categorical Exclusion. This action meets the Categorical Exclusion requirements referenced in 23 CFR 771.117, and does not trigger the requirements of historic preservation. Early acquisition of this parcel will not influence the environmental assessment of the project, including project need, alternative selection, or design selection.
- The Right-of-Way Phase of this project is included in the 2008-2011 State Transportation Improvement Plan and meets the public involvement requirement under 23 CFR 710.503.
- The parcel in question has been individually reviewed and cleared for acquisition by the Environmental Section. It has further been determined that this action does not have section 106 or section 4(f) implications under 23 U.S.C. 138 as they pertain to the preservation of park land.
- Acquisition of this parcel will be in accordance with the FHWA approved MDOT Procedure Manual.

Mr. Ronald Krauss  
Page 2  
July 23, 2009

MDOT is hereby requesting concurrence for eligibility of credit regarding this early acquisition under the provisions of 23 CFR Part 710, Subpart E, Sections 710.501(a) and 710.501(b), whereby the opportunity for corridor preservation and other project considerations - in this instance, wetland mitigation - can be realized as a result of purchasing the property early. If you have any questions, please feel free to contact me or Michael Christensen. Mr. Christensen can be reached at (517) 373-4139.

Sincerely,



Matthew W. DeLong, Administrator  
Real Estate Division

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# **PUBLIC INTEREST FINDING STATEMENT**

**Wetland Mitigation Site in the Grand River Watershed  
on 144<sup>th</sup> Avenue, in Section 36 of Spring Lake Township, Ottawa County**

**Control Section 70900, Job Number 101327  
July 10, 2009**

## **PROJECT BACKGROUND**

The above referenced project is programmed and scheduled to be let on June 4<sup>th</sup>, 2010. The project consists of design and construction for wetland mitigation needs, resulting from the construction of the M-231 project (portions of the US-31 Bypass), near 120<sup>th</sup> Avenue, in Robinson and Crockery Townships. The proposed wetland mitigation site is located on 144<sup>th</sup> Avenue, in Section 36 of Spring Lake Township, Ottawa County. The programmed construction cost for this project is \$667,013. This project will design and construct wetlands adjacent to the Michigan Department of Natural Resources (MDNR) owned and protected property, immediately west of this project. The wetland construction will involve earthwork grading (and removal), tree removal and plantings, as necessary for the desired type of wetland. The proposed wetland water source will be from the existing shallow groundwater on the site. Habitat structures will be proposed for the mitigation area, to assist in providing nesting and cover for the existing wildlife.

This project will serve as the proposed mitigation site for the M-231 (and possibly others) projects programmed for lettings starting in FY 2010 and continuing through FY 2013. The M-231 project will construct a new two lane roadway west of 120<sup>th</sup> Avenue, from M-45 north to M-104 and I-96. This new roadway will include several new bridges, including a new bridge over Stearns Creek, Little Robinson Creek and the Grand River.

M-231, along with improvements to the existing US-31 in the Holland and Grand Haven areas, will provide congestion relief, reduce delay, increase safety and enhance access for the Holland area, City of Grand Haven and the central Ottawa County area. In addition, it will provide capacity, geometric, operational and safety modifications, as well as an additional Grand River crossing, creating route redundancy, in the event of a long-term closure of the US-31 bascule bridge in Grand Haven. Currently, traffic detoured by routine closures of the US-31 bascule bridge, must either wait for the bridge to re-open or divert to the 68<sup>th</sup> Avenue crossing of the Grand River approximately 20 miles to the east (resulting in at least a 40 mile detour). The bridge operations and closures pose potential concerns for Emergency Medical Services (EMS) access to the North Ottawa Community Hospital 1.5 miles south of the bascule bridge, as well as major user delays and mobility issues.

As required, by the Michigan Department of Environmental Quality (MDEQ) and the US Army Corp of Engineers (USACE), the wetland impacts associated with the construction of the M-231 bridges over Stearns Creek, Little Robinson Creek and the Grand River, will require wetland mitigation to be constructed before or during the construction of the impacting project (M-231). The Record of Decision (ROD), for the US-31/M-231 Final Environmental Impact Statement (FEIS), is not expected to be approved by FHWA before October, 2009. The proposed wetland location is in conformity with the FEIS and does not influence the FEIS or the selection of alternatives within the document.

The M-231 project, as programmed, is scheduled to begin with the construction of the Grand River Bridge in FY 2010, followed by road and bridge segments north of the Grand River starting construction in FY 2012, and additional road and bridge segments south of the Grand River starting construction in FY 2013. The majority of the wetland mitigation needs are resulting from the

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construction of the Grand River Bridge beginning in FY 2010. The US-31/M-231 project is in the approved Holland and Muskegon 2035 Metropolitan Planning Organization (MPO) Long Range Transportation Plans, and project Preliminary Engineering and ROW Phases are in the FY 2008-2011 STIP, for the two MPOs. Construction Phases will be added to the STIP, upon approval of the ROD. Public Involvement requirements have been addressed as required through the FEIS and the MPO planning processes. It is understood that before MDOT can acquire this parcel, it will be environmentally classified.

## **PARCEL INFORMATION**

The parcel is the preferred alternative for the proposed wetland mitigation site. It is located on 144<sup>th</sup> Avenue, at Garfield Road, adjacent to the Grand River. The parcel is entirely owned by a single property owner. The total area is 63.45 acres. The entire wetland mitigation requirement for this project can be constructed within the boundaries of this site, and no other privately owned property would need to be acquired. The early acquisition of this property will be made with MDOT funds, and only the land costs associated with acquisition of the 4.71 acres of the site will be used as credit towards MDOT's Federal Aid match of the project's future construction costs. The appraisal value of the 4.71-acre parcel is \$225,000.

To maintain this schedule and design time required for the wetland mitigation site, this property will need to be obtained prior to the Plan Completion date of March 10, 2010. The property owner is very interested in selling to MDOT, to conserve the natural quality of the property, but further delays may jeopardize the sale.

MDOT supports the acquisition of a total take of this property. The owner(s) has indicated that if this sale is not concluded soon, they must consider offers from private developers, resulting in a significant lost mitigation opportunity for the US-31/M-231 project as well as future projects in the Grand River watershed. The property will be acquired in conformance with all Federal and State regulations, including 49 CFR, Part 24, of the Uniform Act; and Title VI of the Civil Rights Act of 1964. There are no physical structures to be demolished and no personal property is located on the property, therefore Relocation Assistance will not be necessary. Considering the difficulty in finding suitable parcels for wetland mitigation along the Grand River watershed, and also due to the schedule and mitigation needs of the M-231 project, it is important that the ROW be acquired prior to the normal design schedule, and approval of the FEIS/ROD.

The mitigation requirements for the proposed US-31/M-231 Bypass project are approximately five acres. The property owner has made it very clear to MDOT that he is only willing to accept the agreed to price, under the condition that MDOT purchases it as a total take, of the Rogers ownership (Mr. Rogers has consistently maintained that position during our discussions with him). Mr. Rogers does not want to split or subdivide land due to its environmentally sensitive features, and would like the parcel to be publicly owned. The ROD is not expected earlier than October, which would not allow an offer on the property to be made until the end of 2009. Mr. Rogers has expressed a timeline that includes closing a real estate transaction with MDOT, no later than the month of August. If Real Estate staff were to inform the property owner that closing would potentially not occur until December 2009 or later, it would likely terminate negotiations with MDOT and sell to a private buyer. Developers have made repeated contacts with the Rogers family over recent years, to acquire the site for splitting into waterfront residential home sites.

MDOT understands that wetland credit provided by the FHWA will be sequential. If five acres of wetland mitigation are required for the M-231 project, FHWA will only credit those five acres at this time. As additional projects with mitigation needs are identified, additional acreage will developed into wetlands for future credit on this site.

## JUSTIFICATION

Advanced acquisition for the above parcel is being requested for the following reasons:

MDOT has committed to local officials to begin construction of the bridge, over the Grand River, in FY 2010. Delays to the design and construction of the wetland mitigation project could in turn result in delays to the M-231 project. Delays of the M-231 projects could potentially cause deferred public benefits, by delaying congestion mitigation, safety improvements and route redundancy for US-31.

Failure to acquire the property in the near future could jeopardize the willingness of the seller to convey the property to MDOT, which could force MDOT to investigate other mitigation sites. This would result in delays in the design and construction of a viable mitigation site for the proposed M-231 project and could have the impacts as listed in #1 above.

MDOT currently has a consultant design contract for the proposed site. If MDOT was unable to acquire this property then the current design contract would have to be voided and a new Request for Proposal would have to be written and posted to obtain a design consultant for a different site. This would result in delays in the design and construction of a viable mitigation site for the proposed M-231 project and could have the impacts as listed in #1 above.

Construction of this wetland could create a contiguous ecological and biological reserve with the existing MDNR marshland to the west. This site gives MDOT a unique opportunity to create Great Lakes Coastal Marshland cooperatively with the MDNR. Great Lakes Marsh is a rare and imperiled community type, and approximately 5 acres could be created at this location. It is anticipated the site has the capacity to construct a minimum of 25 acres of wetland mitigation.

Both an Archeological and Project Area Contamination survey of the property have been performed and it was determined there was very little risk of archeological findings or contamination jeopardizing the design and construction of the proposed wetland. There are no above ground structures on the site.

The site location is consistent with the US-31 Holland to Grand Haven FEIS. The current projected schedule for obtaining the Record of Decision is late September or October, 2009. Waiting to obtain the property until after this date will jeopardize the acquisition of the property by MDOT, due to the sellers' situation and conditions (described above).

The site has the capacity to accommodate mitigation from other future projects that may impact the Grand River watershed. Having the availability of a wetland mitigation site in advance of those future projects will avoid delays to those projects and the improvements associated with them and will result in a net benefit for the motoring public, as well as the natural environment.



Vicki Weerstra, P.E.  
Associate Region Engineer



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

Michigan Division

315 W. Allegan Street, Room 201  
Lansing, MI 48933  
517-377-1844 (office)  
517-377-1804 (fax)  
Michigan.FHWA@dot.gov

July 27, 2009

Ms. Kimberly Moody Holmes  
Environmental Section (B340)  
Michigan Department of Transportation  
Lansing, Michigan

Dear Ms. Holmes:

JN: 101327  
Advance Acquisition of Wetland Mitigation Site  
Grand River Watershed (T8N, R15W & 16W, Section 31, 36)  
Spring Lake Township, Ottawa County, Grand Region

We received your July 23, 2009 letter and supporting documents, seeking FHWA approval to classify the subject project as a Class II Action (Categorical Exclusions). FHWA approves the classification of this project as a Categorical Exclusion per 23 CFR 771.117(d)(12).

Please feel free to call me at (517) 702-1847, for any additional information.

Sincerely,

Ruth E. Hepfer  
Area Engineer

For: James J. Steele  
Division Administrator

cc: Dave Williams, FHWA  
David Calabrese, FHWA  
Ron Krauss, FHWA

Profile No. P-24994





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

Michigan Division

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Michigan.FHWA@dot.gov

July 27, 2009

Mr. Matthew W. DeLong, Administrator  
Real Estate Division (E050)  
Michigan Department of Transportation  
Lansing, Michigan 48833

Dear Mr. DeLong:

Early Property Acquisition  
Federal-aid Credit Eligibility Concurrence  
Wetland Mitigation Site, US-31 Bypass/M-231

We received your July 23, 2009 letter and Public Interest Finding Statement, requesting FHWA concurrence for early property acquisition eligibility as credit toward a future federal-aid project. Our focus will pertain to the 4.71 acres required for wetland mitigation as identified in the Final Environmental Impact Statement (FEIS) for the proposed M-231 construction project.

It is FHWA's understanding that MDOT intends to purchase a number of abutting parcels owned by a single property owner with 100 percent MDOT funds and request credit for the value of 4.71 acres portion of this purchase toward MDOT's future federal aid match to construct M-231. Based on the information provided, we concur that MDOT's proposed action should not influence:

- the decision on need to construct M-231
- considerations of the alternatives noted in the FEIS
- the selection of the M-231 project design or location

Please consult with MDOT environmental staff regarding the selection of this location as the preferred wetland mitigation site and the need to incorporate this Public Interest Finding Statement and related correspondence into the US-31 Bypass/M-231 FEIS. After the Record of Decision (ROD) for the FEIS is signed by FHWA, MDOT may seek credit for the value of the 4.71 acres to be applied to the M-231 construction costs by submitting a formal request to FHWA in accordance with 23 CFR 710.501(b). Please include supporting documentation to verify that the acquisition process was conducted in conformity with MDOT's Procedure Manual (Uniform Act and Title VI of Civil Rights Act of 1964) and provide the value of the 4.71 acres.



The value shall only be equated to the unimproved property. All associated right-of-way acquisition costs—title searches, appraisals, deed recording, etc.—will be 100 percent MDOT costs with no federal participation.

Please feel free to contact me at (517) 702-1822 for additional information.

Sincerely,



Ronald L. Krauss, P.E.  
Realty Officer and Special Programs Manager

For: James J. Steele  
Division Administrator

cc: Mark Jordan, MDOT, Real Estate Division (E050)  
Michael Christensen, MDOT, Real Estate Division (E050)  
Vicki Weerstra, MDOT, Grand Region  
Pete Loftis, MDOT, Grand Region  
Dave Calabrese, FHWA  
Dave Williams, FHWA  
Ruth Hepfer, FHWA  
Profile No. S-100953

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