



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

Michigan Division

October 2, 2013

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

In Reply Refer To:
HDA-MI

Ms. Kristin Schuster
Manager, Environmental Service Section (B220)
Bureau of Highway Development
Michigan Department of Transportation
Lansing, MI

Finding of No Significant Impact
I-75 from Bridgeport North to the I-675 South Junction

Dear Ms. Schuster:

Reference is made to your letter dated July 17, 2013 (JN 73111-107497) which requested a Finding of No Significant Impact (FONSI) for the above referenced project. We completed our final review of the Environmental Assessment document and concluded the preferred alternative will have no significant impacts to the environment. Accordingly, our signed FONSI determination is enclosed. Please transmit a notice to the affected federal, state and local government units informing them the FONSI document will be available from your department, or your office, upon request from the public.

By our adoption of the FONSI and completion of the public comment/hearing requirements of 23 U.S.C. 128, MDOT is authorized to proceed with further project development. Should you have questions please contact me at 517-702-1841.

Sincerely,

Robert Fijol, P.E.
Area Engineer

For: Russell L. Jorgenson, P.E.
Division Administrator



US Department of Transportation

**Federal Highway
Administration**

Contact: Michigan Division
315 W. Allegan Street, Room 201
Lansing, MI
Email: Michigan.FHWA@dot.gov
Phone: (517) 377-1844

Finding of No Significant Impact

Proposed widening of I-75 from Bridgeport (Dixie Highway)
North to the I-675 South Junction
Bridgeport and Buena Vista Townships
Saginaw County, Michigan

FINDING

In accordance with 23 CFR 771, the Federal Highway Administration (FHWA) has determined that the selected alternative will not have any significant impacts on the human or natural environment. This Finding of No Significant Impact (FONSI) is based on the May 2013 Environmental Assessment (EA) and the July 2013, supplemental material. FHWA independently evaluated this information and determined the documentation to adequately and accurately discuss the purpose & need, environmental issues, and impacts of the proposed project and appropriate mitigation measures. It provides sufficient evidence and analysis to determining an EIS is not required.

In addition, the ROW phase of this project is listed in the FY 2011-2014 STIP in the Saginaw TIP per 23 U.S.C. § 135(g)(4)(E) and § 134(j)(3)(D). The construction phase is currently slated to in the next STIP (2014 – 2017).

DESCRIPTION OF THE PROPOSED ACTION

The action was proposed by the Michigan Department of Transportation's (MDOT). The selected alternative (Preferred alternative widen to eight lanes) is to:

- Widen the existing cross-section from six to eight lanes. Five bridges will also be replaced at Baker, King, Hess, a railroad bridge and M-46.
- Convert the existing interchange into partial clover leaf with loop ramps in the southeast and southwest quadrants with free flow ramps remaining in all four quadrants; with the potential for traffic signals at the left turn movements introduced by the elimination of the loop ramps. This portion of the project

The project will be built in two phases. Phase one will consist of widening the portion of I-75 from Dixie Highway to just north of Hess Rd. This work will include the replacement of the bridges at Baker, King, and Hess Roads.

Project costs (in 2015 dollars) include:

- \$41.4 million Widening of the mainline in 2015 dollars.
- \$12.2 million Replacement of the three bridges in this Phase I
- \$48.2 million Phase 2 -- widening of I-75 and M-46 interchange and replacement of the Huron & Eastern Railway structure. (construction anticipated in 2020 or later).

ANTICIPATED ENVIRONMENTAL EFFECTS & MITIGATION

The EA contains the anticipated environmental impacts, required mitigation, and any environmental enhancements. Environmental enhancements are those activities above and beyond what is required by law, and developed in cooperation with the local community.

For clarification:

- Agricultural land - There are nine Act 451, Part 361 farmland and open space preservation properties adjacent to the project. These properties are not expected to be impacted. No borrow shall be taken from these properties.
- Air Quality – the project is located in an attainment area for all NAAQS criteria pollutants and exempt from macro- and micro-scale air quality analysis. To reduce the impact of diesel exhaust, construction equipment should be kept clean, tuned up, and in good operating condition. MDOT's Standard Construction Specification Sections 107.15(A) and 107.19 would apply to control fugitive dust during construction and cleaning of haul roads. All MDOT vehicles and equipment must follow MDOT Guidance #10179 (2/15/2009) Vehicle and Equipment Engine Idling.
- Fisheries Resources – No Work will be allowed in project stream channels from March 1 through May 31. Work may occur during this time if done inside an enclosed cofferdam installed prior to March 1.
- Floodplains – Culvert sizes will be evaluated during design to ensure they meet the current 100 year storm event standard. Where they do not meet, culverts will be replaced.
- Historic resources – No impacts anticipated to above ground or archaeological resources.
- Noise Impacts- Noise impacts have been identified. To mitigate for this, the Michigan Department of Transportation noise abatement analysis has identified a location for noise barrier on the west side of I-75 at the Hess Street overpass. The barrier will have an average height of 16 feet and will be 2700 feet long. Context sensitive design of the barrier wall will take place during the project's final design phase.
- Noise and Vibration (Construction) – Construction noise will be minimized by measures such as requiring construction equipment to have mufflers, that portable compressors meet federal noise-level standards and all portable equipment be placed away from or shielded from sensitive noise receptors if possible, All local noise ordinances will be adhered to unless an exception is granted by the local municipality.

To document potential vibration damage from construction activities, residential structure foundation surveys will be offered. Structures within 150 feet of construction operations such as bridge / pavement removal or piling / steel sheeting installation will be identified during design. Vibration impacts are not anticipated.

- Maintaining Traffic – Traffic on I-75 and ramps will be maintained by part-width construction. Traffic on local roads where bridges will be replaced will be detoured over local roads to adjacent bridges crossing I-75. All lane closures, traffic shifts, and changed travel patterns will be clearly marked. MDOT will coordinate with local officials to provide updated project information to assist all motorists including emergency vehicles, school busses, and public transit.
- Permits – Permits under Act 451, Parts 31 (Water Quality) and 301 (Inland Lakes and Streams) are required from the MDEQ for this project. Coverage under the National Pollutant Discharge Elimination System (NPDES) is required.
- Railway Coordination – During design and construction of segment 2 of this project; MDOT will coordinate with the Huron and Eastern Railway regarding the new I-75 structure replacement over the railway.

- Recreational Properties – there are not anticipated impact to Section 49f) properties. The Contractor shall not park any vehicles or store any equipment or materials on any public recreational properties. Access to recreational properties must be maintained at all times during construction.
- Relocations and access to Residential and Commercial Properties- This project will require a maximum of eight residential displacements. A Conceptual Stage Relocation Plan has been prepared. The purchase of property will be conducted in accordance and compliance with the Federal Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended; Act 149, Michigan P.A. 1911 as amended; and Act 87, Michigan P.A. 1980, as amended.
- Removal of Residential Structures – Structures acquired will be tested for asbestos and lead prior to demolition. The MDEQ notification procedures for demolition will be followed. Conditions stipulated in the Supplemental Specifications for Asbestos Removal and Disposal are met. All contaminated materials will be properly disposed of.
- Soil Erosion / Sedimentation Control – Strict soil erosion and sedimentation controls will be set up and maintained during construction.
- Stream Crossings – The three stream culverts on this project are in good condition and will not be replaced. Minor culvert extensions and replacement of culvert wing walls may be required. Disturbed stream channel areas will have streambed protection stone placed. Construction staging plans will be set up during design to address the need to maintain uninterrupted water flow.
- Threatened and Endangered Species – None have been documented within the project limits.
- Water Quality – Best Management Practices (BMP's) will be used to treat storm water when designing the I-75 drainage systems. BMPs such as routing road and bridge runoff through vegetated swales prior to discharge into project water courses will be included in this project.
- Wetlands – There are wetlands in the SE quadrant of the I-75 / M-46 interchange but they will not be impacted by the project. Soil erosion and sedimentation controls will be implemented to protect the wetlands.
- Wildlife Resources – The “Special Provision for Migratory Bird Protection” will be set up on this project and be implemented during construction to avoid impacts to nesting barn swallows at the railroad overpass south of Hess Road and bridge replacements at Baker, King, and Hess Roads.
- Three Contaminated Properties – If excavation will occur within the vicinity of the noted two railroad and one MDOT potentially contaminated sites, an estimate for contaminated soil removal should be included as a pay item, and the special provision for Non-Hazardous Contaminated Material Handling and Disposal will be included in the final design package.
- Freeway “Wrong Way” Entry – Per the MDOT Office Memorandum: Implementation of Countermeasures to Deter Wrong-Way Movements onto Freeways, some of the proposed mitigation countermeasures include installation of “wrong way” entry signs at approximately 20 degrees from the cross road to face the paths of possible wrong way vehicle movements.

COMMENTS AND COORDINATION

The FHWA verified MDOT conducted the Public Involvement Process in accordance with 23 CFR 771.119. Appendix F of the EA contains documentation of public meetings and Resource Agency comments received during the development of the EA. In 2013 FONSI submitted by MDOT, Appendix A contains the notice, mailing list, etc.; and Appendix B contains the Public Comments and MDOT's responses.

Comments were received from the EPA after the close of the public comment period (See Appendix A). EPA expressed concerns regarding the checklist EA format and the adequacy of the impact discussions for public review. MDOT and FHWA followed up with EPA on their comments and following those discussions, MDOT and FHWA will discontinue the use of the checklist EA format. However, based on:

- FHWA's knowledge of the project impacts,
- Ample public involvement opportunities during project development,
- No requests for a public hearing,
- No public or substantive agency comments received during the comment period,

FHWA has determined that no additional public review is warranted and the FONSI can be issued. There will be additional public involvement on the context sensitive design of the noise wall during the design process as committed to in the project green sheet. FHWA consulted with EPA on this determination.

REVISIONS TO THE ENVIRONMENTAL ASSESSMENT

No revisions were made to the May 2013 EA as a result of public comment. Prior to finalization of the final EA, FHWA Michigan Division staff reviewed it and provided comments. All of the Division's comments have been addressed. The revised Environmental Assessment is attached to this FONSI and is hereby incorporated by reference into this rationale supporting the FONSI.

FEDERAL-AID PARTICIPATION IN PROPOSED MITIGATION MEASURES.

The proposed mitigation measures described in the document are eligible for Federal-aid participation.

DETERMINATION THAT AN ENVIRONMENTAL IMPACT STATEMENT IS NOT NECESSARY

Per 40 CFR 1508.27 – Council on Environmental Quality's regulations requiring consideration of a project's context and intensity in determining whether the project will have a significant impact -- the EA provides sufficient evidence and analysis for determining that an environmental impact statement is not required. The FONSI will be reevaluated as appropriate pursuant to 23 C.F.R. 771.129(c).

Date:

Responsible Official:



Engineering and Operations Manager
FHWA-Michigan Division

Project Mitigation Summary (Green Sheet)
For the Preferred Alternative

March 13, 2013

Abbreviated Environmental Assessment

Proposed Reconstruction and Widening on I-75
From Bridgeport (Dixie Highway) North 4.7 Miles to
I-675 South Junction (Janes Road)
Bridgeport and Buena Vista Townships
In Saginaw County, Michigan

This Project Mitigation Summary “Green Sheet” contains project specific mitigation measures being considered at this time. An updated “Green Sheet” will be prepared and included in the Finding of No Significant Impact (FONSI) for this project. These mitigation items may be modified during the final design, right-of-way acquisition, or construction phases of this project.

I. Social and Economic Environment

- A. *Relocations and Access to Residential and Commercial Properties*- This project will require a maximum of eight residential displacements. A Conceptual Stage Relocation Plan has been prepared and is included in Appendix A. Adequate replacement housing is available in the area. Access to adjacent properties will be maintained during construction. Minor amounts of additional fee right-of-way and grading permits will also be required for this project.
- B. *Noise Impacts* – The Michigan Department of Transportation noise abatement analysis has identified a feasible and reasonable noise barrier located on the west side of I-75 at the Hess Street overpass and is primarily adjacent to Mysylvia Drive and Yauck Road. The noise barrier will be approximately 2700 feet long with an average height of 16 feet. The noise barrier is projected to provide noise abatement for 67 residences, including minority and low income populations. An engineering level noise abatement analysis will be completed on the warranted abatement measure to ensure it meets final design phase feasibility and reasonableness criteria. If during final design these conditions have substantially changed, the abatement measures might not be provided. A final decision of the installation and aesthetics of the abatement measures(s) will be made upon completion of the project’s final design and the Context Sensitive Design process. A meeting to discuss the noise wall aesthetics will be offered to all affected property owners.

- C. *Recreational Properties* – The Contractor shall not park any vehicles or store any equipment or materials on any public recreational property. Access to the recreational properties must be maintained at all times during construction.
- D. *Air Quality Impacts* – Exposure to diesel exhaust by construction workers and those nearby a construction site can have serious health implications. The construction period is of short duration and construction mitigation is not required. However, several measures may be implemented to reduce engine activity or reduce emissions per unit of operating time. Construction equipment should be kept clean, tuned-up, and in good operating condition. MDOT's Standard Construction Specification Sections 107.15(A) and 107.19 would apply to control fugitive dust during construction and cleaning of haul roads. All MDOT vehicles and equipment must follow MDOT Guidance #10179 (2/15/2009) Vehicle and Equipment Engine Idling.

II. Natural Environment

- A. *Stream Crossings* – The three stream culverts on this project are in good condition and will not be replaced. Minor culvert extensions and replacement of the culvert wing walls may be required. Disturbed stream channel areas will have streambed protection stone placed to stabilize them and provide spawning areas. Construction staging plans will be set up during the design of the proposed culvert wing wall replacement and culvert extensions to address the need to maintain uninterrupted water flow.
- B. *Agricultural Land* – There are nine parcels of land enrolled in the Act 451, Part 361, Farmland and Open Space Preservation (old PA 116), adjacent to the project limits. These properties are not expected to be impacted by any type of ROW acquisition or grading permits. A note will be placed on the design plans that states “No borrow shall be taken from the PA 116 enrolled properties and no disposal of excess or unsuitable material will be allowed”
- C. *Wetlands* – There are wetlands in the SE quadrant of the I-75/M-46 interchange but they will not be impacted by this project. Soil erosion and sedimentation controls will be implemented to protect these wetlands.
- D. *Floodplains* - Culvert sizes will be reviewed (and increased if necessary) in the design phase following completion of the hydraulic and scour analysis's to ensure that culverts are able to pass the 100 year storm event without increasing backwater elevations.
- E. *Water Quality* - Best Management Practices (BMP's) will be used to treat storm water when designing the I-75 drainage systems. BMP's such as routing road and bridge runoff through vegetated swales prior to discharge into project water courses will be included in this project.

- F. *Wildlife Resources* - The "Special Provision for Migratory Bird Protection" will be set up on this project and be implemented during construction to avoid impacts to nesting barn swallows at the railroad overpass south of Hess Road and bridge replacements at Baker, King, and Hess Roads.
- G. *Fisheries Resources* - No work will be allowed in project stream channels from March 1 through May 31 to protect spawning activities of native species. Work may occur during this time frame if done inside an enclosed cofferdam installed prior to the March 1 date. Stream flow will be maintained during construction except for short periods of time necessary to place new culvert sections.

III. Hazardous/Contaminated Materials

- A. *Removal of Residential Structures* - Structures acquired for this project will be tested for asbestos and lead containing materials before demolition. The MDEQ notification procedures for demolition will be followed. Conditions stipulated in the Supplemental Specification for Asbestos Removal and Disposal will be met. All contaminated materials will be properly disposed of.
- B. *Three Contaminated Properties* - If excavation will occur within the vicinity of the noted two railroad (one active and one abandoned) and one MDOT potential contaminated sites, an estimate for contaminated soil removal should be included as a pay item and the Special Provision for Non-Hazardous Contaminated Material Handling and Disposal will be included in the final plan package. Conditions stipulated in this Special Provision include laboratory testing to solicit landfill approval, temporary storage requirements, and restrictions for reusing contaminated media as fill should be met during construction.

Contaminated soils containing PNA's (Poly Nuclear Aromatics) and metals may be encountered if excavation activities occur at both an active and abandoned railroad crossings. Solid waste materials, petroleum contaminated soils, and fly ash and/or foundry sand may be encountered if excavation activities occur in the old MDOT construction staging and storage area.

IV. Construction

- A. *Maintaining Traffic* - Traffic on I-75 and ramps will be maintained by part-width construction. Traffic on local roads where bridges (Baker, King, and Hess) will be replaced will be detoured over local roads to adjacent bridges crossing I-75. All lane closures, traffic shifts, and changed travel patterns will be clearly marked. MDOT will coordinate with local officials to provide updated project information to assist all motorists including emergency vehicles, school buses, and public transit.
- B. *Soil Erosion/Sedimentation Control* - Strict soil erosion and sedimentation controls will be set up and maintained during construction.

- C. *Construction Noise and Vibration*- Construction noise will be minimized by measures such as requiring construction equipment to have mufflers, that portable compressors meet federal noise-level standards for that equipment, and that all portable equipment be placed away from or shielded from sensitive noise receptors if at all possible. All local noise ordinances will be adhered to unless otherwise granted exception by the responsible municipality.

To document potential vibration damage from construction activities, residential structure foundation surveys will be offered in areas where vibration impacts could occur. Structures within 150 to 200 feet of construction operations such as bridge/pavement removal or piling/steel sheeting installation will be identified during final design. Vibration impacts are not anticipated at this time.

- D. *Construction Permits* - Permits under Act 451, Parts 31 (Water Quality) and 301 (Inland Lakes and Streams) are required from the MDEQ for this project. Coverage under the National Pollutant Discharge Elimination System (NPDES), which is administered by the MDEQ, is also required.

Work in Water Restriction Dates - No work will be allowed in project stream channels from March 1 through May 31, unless done inside an enclosed cofferdam installed prior to the March 1 date.

- E. *Railway Coordination* - During design and construction of segment 2 of this project; MDOT will coordinate with the Huron & Eastern Railway regarding the new I-75 structure replacement over the railway.
- F. *Freeway "Wrong Way" Entry* - Per the MDOT Office Memorandum: Implementation of Countermeasures to Deter Wrong-Way Movements onto Freeways, Dated August 8, 2011, some of the proposed mitigation measures include installation of "wrong way" entry signs at approximately 20 degrees from the cross road to face the paths of possible wrong way vehicle movements. The "wrong way" sign heights were recently lowered from 7' to 4' to improve visibility for lower vehicles and a three foot red reflective strip was added to the sign posts to reduce the potential for "wrong way" vehicles. Additional, mitigation measures in the above referenced Memorandum will be used as necessary.

Appendix A



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

AUG 13 2013

REPLY TO THE ATTENTION OF:

FEDERAL HIGHWAY ADMIN.

AUG 19 2013

E-19J

David Williams
Federal Highway Administration
315 West Allegan Street, Room 201
Lansing, Michigan 48933

MICHIGAN DIVISION
LANSING, MICHIGAN

**RE: Comments on the Draft Environmental Assessment for a Proposed
I-75 Project from Dixie Highway to I-675 in Saginaw County, Michigan**

Dear Mr. Williams:

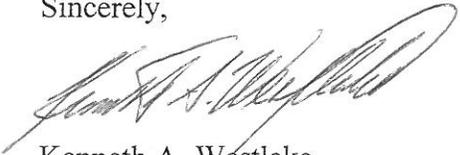
Under the National Environmental Policy Act (NEPA), the Council on Environmental Quality regulations, and Section 309 of the Clean Air Act, U.S. Environmental Protection Agency (EPA) reviews and comments on major federal actions. Typically, these reviews focus on Environmental Impact Statements (EIS), but we also have the discretion to review and comment on other environmental documents prepared under NEPA as interest and resources permit. EPA has received and reviewed the Draft Environmental Assessment (EA) of May 21, 2013, regarding the above project in Saginaw County, Michigan. We have had no involvement in this project beyond attending a brief presentation at our February 9, 2012 Resource Agency Meeting. Our following comments are based upon our review of the document received.

The Preface called this an abbreviated Environmental Assessment, as evidenced by the use of headings, followed by a set of check-off boxes, and sometimes followed up with a brief discussion of the heading topic. We found the topic "Effect on Threatened and Endangered Species" (T&E) to be a good partial use of this format. More often however, the discussions are less than adequate for informing the public concerning the topic discussed. In this T&E instance, the statement clearly states what was done to reach the "No" box being checked off. While it is not surprising that no state or federal T&E species have been documented within the project limits, i.e. the existing I-75 roadway shown as an orange line in Figure 3, the question of T&E species within the Environmental Constraints Study Area, Figure 3 grey-lined area, where construction impacts could occur, remains unanswered.

A second example of inadequate answers to unasked questions is in the Environmental Justice section. Based upon the page of discussion following the three question boxes, we conclude the determination of no disproportional impact is based on the township low income and/ or minority populations are below 50%. There is no discussion whether the 8 residences being displaced or the 67 residences being impacted by noise are households within these populations.

Thank you for the opportunity to comment on this EA document. If you have any questions on our comments, please contact me or my staff member Norm West by phone at (312) 353-5692 or by e-mail at: west.norman@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth A. Westlake". The signature is written in a cursive style with a large, looping initial "K".

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

Cc: Kristin Schuster, Manager
Environmental Services Section
Michigan Department of Transportation
P.O. Box 30050
Lansing, Michigan 48909