



# US-131 IMPROVEMENT STUDY

St. Joseph County, Michigan  
Elkhart County, Indiana

From the Indiana Toll Road (I-80/90) to a  
point one mile north of Cowling Road

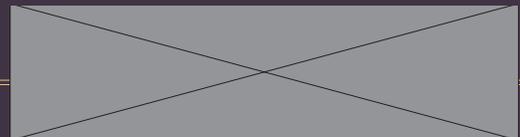


## Final Environmental Impact Statement



April 11, 2008

Prepared by the  
Michigan Department of Transportation  
In cooperation with the  
Federal Highway Administration



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US-131 Improvement Study  
St. Joseph County, Michigan  
and  
Elkhart County, Indiana  
From the Indiana Toll Road (I-80/90) to a point one mile north of Cowling Road

## **Final Environmental Impact Statement**

Submitted Pursuant to 42 U.S.C. 4332(2)(c) and 49 U.S.C. 303

by the

U.S. Department of Transportation  
Federal Highway Administration

and the

Michigan Department of Transportation

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Date of Approval

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FHWA Administrator

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This Final Environmental Impact Statement (FEIS) describes the reasons for the selection of, and impacts associated with, the Preferred Alternative (PA-5) for US-131 in St. Joseph County, Michigan and Elkhart County, Indiana from the Indiana Toll Road (I-80/90) to a point one mile north of Cowling Road near the City of Three Rivers, Michigan.

Comments on this FEIS should be received within 30 days of the date of publication of the notice of availability in the Federal Register, and should be sent to Mr. David Wresinski at the above address.

## PREFACE

This Final Environmental Impact Statement (FEIS) has been prepared in compliance with the National Environmental Policy Act (NEPA) federal regulations on procedures for preparing environmental documents, Section 4(f) of the U.S. Department of Transportation (DOT) Act, and Michigan and federal environmental laws and regulations.

NEPA, enacted in 1969, requires that an Environmental Impact Statement (EIS) be prepared for all major actions significantly affecting the quality of the human environment. The EIS must address the environmental effects of alternatives for the proposed federal action it describes. Such actions include federal projects, state and local programs funded by federal assistance, and private development authorized by federal permits.

Part 771 of 23 Code of Federal Regulations (Highways) states that alternative courses of action must be evaluated and decisions should be made in the best overall public interest. The decisions should be based upon a balanced consideration of the need for safe and efficient transportation, social, economic, and environmental impacts of the proposed transportation improvement, and national, state, and local environmental protection goals. In addition, the alternatives should connect logical termini and be of sufficient length to address environmental matters on a broad scope. Technical Advisory T 6640.8A of the Federal Highway Administration (FHWA) states that all reasonable alternatives under consideration must be developed to a comparable level of detail so that their comparative merits may be evaluated. The US-131 Improvement Study FEIS complies with these requirements.

In addition, in keeping with FHWA regulations and guidelines, an extensive public involvement program was developed and implemented for this project. Early coordination and scoping activities have informed the public and appropriate agencies about the proposed US-131 Improvement Study in St. Joseph County, Michigan and Elkhart County, Indiana. The public involvement program continues and affords the public and agencies opportunities for further review and comment.

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## EXECUTIVE SUMMARY

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### Description of the Proposed Project

This Final Environmental Impact Statement (FEIS) discusses and compares the No-Build Alternative and the Preferred Alternative (PA-5) for improving 17 miles of US-131 located in Elkhart County, Indiana and St. Joseph County, Michigan. US-131 begins at the Indiana Toll Road (I-80/I-90) located one-mile south of the Indiana/Michigan State Line and extends north approximately 270 miles to Petoskey, Michigan. A map of the Study Area showing the Preferred Alternative can be seen in **Figure 1 Preferred Alternative Details**. A map depicting the Study Area and the Practical Alternatives considered for improving US-131 is contained in **Appendix C** located at the back of this document. These maps can be folded out for easy reference. While much of US-131 to the north of the Study Area is limited access freeway, the segment under study consists of two-lane and four-lane roadway with uncontrolled access except for a short segment north of the City of Three Rivers where access is controlled. The Study Area consists of a one-mile wide corridor extending 17 miles north from the Indiana Toll Road to a logical terminus one-mile north of Cowling Road, which is located just north of the City of Three Rivers, Michigan. US-131 becomes a divided controlled access highway at this location. Existing US-131 serves as the eastern boundary for most of this study corridor. This FEIS identifies the Preferred Alternative (PA-5) as a two-lane bypass around the Village of Constantine, along with spot improvements along the existing US-131 alignment.

The Preferred Alternative includes a bypass of the Village of Constantine, at-grade intersections, a new two-lane bridge crossing of the St. Joseph River, two 12-foot wide truck climbing lanes in each direction south of Drummond Road and roadway improvements such as improving the intersections of Anderson and Eagle Roads with US-131.

### Project Timeline

Many aspects of the FEIS project process contributed to the extended 1999 to 2008 project timeline. First and foremost among these has been the change in the project's priorities. In 1999, MDOT began a study to evaluate options for constructing a US-131 bypass around the Village of Constantine in St. Joseph County. Traffic analysis and a desire to enhance system connectivity led to the extension of the bypass study to include all of US-131 between the Indiana Toll Road and M-60 in February, 2000. In response to resolutions passed by Fabius Township, the City of Three Rivers and Lockport Township the study was again extended further north, in March 2001, to north of the city limits of Three Rivers. The revised northern terminus is a point one mile north of Cowling Road in St. Joseph County, Michigan. At this location US-131 is a four-lane divided controlled access facility, providing a more logical terminus as US-131 is a four-lane facility from this point northward to Cadillac, Michigan.

In 2004 the first Draft Environmental Impact Statement (DEIS) draft document was completed that advocated a no build preferred alternative. The public hearing was held and the public and political calls for additional investigation of a bypass of the Village of Constantine resulted in revising the DEIS. The revised DEIS required additional threatened and endangered species, archaeological and cultural investigations which took two years (2004-2006) to complete due in part to weather constraints. The final document revision in

2007 kept the Study Area boundaries intact, but only looked at improvements for the Preferred Alternative in Michigan (no improvements in Indiana). Funding for a build alternative was an issue early in the project process. When project funding was identified, the project process moved forward with additional coordinated community involvement insuring the selection of a new preferred alternative.

## **Purpose of and Need for a Proposed Action**

**Section 1.0, Purpose of and Need for a Proposed Action** discusses the purpose for the US-131 Improvement Study and the corresponding needs that support improvements to US-131.

The purpose of this study is to identify potential alternatives that support the safe and efficient movement of goods and people and cost effectively support the economic growth of the region and the state by improving traffic operations within the study corridor.

The principal needs for the US-131 Improvement Study include:

- Assurance of sufficient capacity to accommodate future traffic growth.
- Improvement of roadway inefficiencies.
- Improvement of US-131 highway operations.

## **Alternatives Considered and Dismissed**

**Section 2.0, Alternatives Considered and Dismissed** discusses the six Practical Alternatives along with the No-Build Alternative. All Practical Alternatives are illustrated on the map contained in **Appendix C** at the back of this document. This map can be folded out for reference while reading the document. See **Table 2.2 Comparison of Impacts for Practical Alternatives** in **Section 2.0** for a graphical comparison of the alternatives. The following alternatives were considered and dismissed because they did not satisfy the purpose of and need for the proposed action due to the reasons listed below.

- **No-Build Alternative**  
The No-Build Alternative was dismissed because it does not remove truck traffic from the Village of Constantine and would not improve vehicular traffic or movement of goods in the US-131 corridor or address roadway inefficiencies as identified in **Section 1.0, Purpose of and Need for a Proposed Action**.
- **Practical Alternative 1 (PA-1) (freeway)**  
This alternative was dismissed because traffic volumes did not warrant a four lane divided freeway, there was substantial cost vs. benefit gained for mobility and because it would have significant environmental impacts.
- **Practical Alternative 2 (PA-2) (freeway)**  
This alternative was dismissed because traffic volumes did not warrant a four lane divided freeway, there was substantial cost vs. benefit gained for mobility, and it would require the most Right-of-Way takes of all the alternatives. It would also have significant environmental impacts.

- **Practical Alternative 3 (PA-3) (freeway)**  
This alternative was dismissed because traffic volumes did not warrant a four lane divided freeway, there was substantial significant cost vs. benefit gained for mobility and because it would have substantial environmental impacts.
- **Practical Alternative 4 (PA-4) (freeway)**  
This alternative was dismissed because traffic volumes did not warrant a four lane divided freeway, there was substantial cost vs. benefit gained for mobility, and because it would have significant environmental impacts, including the greatest floodplain crossing length at the St. Joseph River (approximately 1325').
- **Practical Alternative 5 Modified (PA-5 MOD) (two-lane non-freeway)**  
This alternative was dismissed because it did not satisfy the purpose of and need for a proposed action. PA-5 MOD would not completely remove through auto and truck traffic from downtown Constantine. It also has more signalized intersections than any of the other alternatives, hence the most travel time required to reach motorist destinations of any of the Build Alternatives, because of delays due to traffic flow interruptions.

### **Preferred Alternative (PA-5) (two-lane non-freeway bypass of the Village of Constantine)**

The Preferred Alternative begins as a two-lane facility at the Indiana/Michigan State Line and follows existing US-131 north to Dickinson Road as illustrated in **Figure 1 Preferred Alternative Details**. All existing roads that would cross the Preferred Alternative will have at-grade intersections with full access, with the exception of Stears Road (the eastern leg of the proposed intersection would “T” into the bypass, while the western leg of the proposed intersection would be terminated) and Millers Mill Road (cul-de-saced to the east of the bypass). Anderson Road would be realigned to achieve a more optimal intersecting angle, as would Eagley Road. While these two intersection improvements are cleared as part of this FEIS, the cost to improve these intersections is not included in the funding for the Preferred Alternative. The PA-5 alignment utilizes the existing US-131 crossing of the White Pigeon River. An at-grade crossing of the Norfolk & Southern Railroad north of Indian Prairie Road would also be maintained. North of Dickinson Road, PA-5 consists of a two-lane limited access roadway section and leaves the existing US-131 alignment, curving to the northwest in order to bypass the Village of Constantine. Existing US-131 would be realigned south of Stears Road to create a “T” intersection with the new US-131 bypass.

PA-5 follows the proposed new US-131 alignment northerly to Zerbe Road while maintaining at-grade intersections at Riverside Drive, North River Drive, Youngs Prairie, Quarterline Road and Zerbe Road. This alternative requires a new two-lane bridge crossing of the St. Joseph River east of Blue School Road. In this area, Quarterline Road would be realigned to “T” into the existing US-131 and Youngs Prairie intersection. Millers Mill Road would be cul-de-saced at the PA-5 alignment. Youngs Prairie northwest and southeast of Millers Mill would be realigned and remain open and intersect with PA-5. Zerbe Road would also be realigned and remain open and intersect with PA-5. North of Zerbe Road, PA-5 curves northeast merging with the existing US-131 alignment south of Garber Road. At this location, existing US-131 would be realigned to provide a more optimal intersecting angle with the new US-131/PA-5 alignment.

From this point north, PA-5 continues as a two-lane roadway and uses the existing US-131 alignment to north of Gleason Road. A single 12-foot wide truck climbing lane would be added in each direction north of Garber Road. The northbound lane would extend approximately 3,000-feet beginning south of Drummond Road to just north of King Road. The southbound truck climbing lane would extend approximately 3,800-feet starting midway between Gleason and King and extending to its terminus south of King Road. Just south of M-60 the roadway would transition from a two-lane to a five-lane section through M-60.

North of M-60, PA-5 follows the existing US-131 alignment from Broadway to Hoffman Road, with conversion of the existing four-lane median (dual turn lanes) section to a five-lane section at this location. North of Hoffman Road, PA-5 transitions back to a four-lane divided cross-section and continues on the existing US-131 alignment to the north project limits.

Where PA-5 utilizes the existing US-131 alignment, minor improvements will be implemented to bring the existing alignment up to current MDOT standards (i.e., 8-foot shoulders, 12-foot lanes). The ROW for PA-5 varies throughout the corridor. South of the bypass the ROW varies between 66 and 100 feet. Along the new bypass, the ROW is 200 feet and typical ROW north of the bypass to M-60 is 120 feet. North of M-60 the ROW is typically 200 feet.

## Affected Environment

The Study Area covers approximately 18 square miles, or approximately 11,500 acres. The Study Area is roughly one mile wide and begins at the Indiana Toll Road, approximately one mile south of the Michigan/Indiana State Border, extending north 17 miles to approximately one mile north of Cowling Road in Lockport Township. The Study Area is roughly bounded by the following roads:

- Southern Boundary: Indiana Toll Road
- Eastern Boundary: US-131
- Western Boundary: Blue School and Schaffer Roads
- Northern Boundary: Null Road

Land use within the Study Area is primarily agricultural, with scattered single-family homes, multi-family homes, community facilities and farmsteads in or surrounding the Village of Constantine and the City of Three Rivers. Light industrial and commercial development is found along US-131, primarily at its intersections with M-60 and US-12, and within the Village of Constantine and the City of Three Rivers. South of M-60 the area relies heavily upon agricultural business and light manufacturing production for economic stability.

## Environmental Consequences

**Section 4.0, Environmental Consequences** summarizes the social, economic and environmental impacts of the No-Build Alternative and the Preferred Alternative in the Study Area. **Table 1** provides a breakdown of the impacts of the Preferred Alternative and the No-Build Alternative. Key areas of impacts are summarized after Table 1.

## **Environmental Justice**

The Preferred Alternative will not have disproportionately high and adverse impacts to minority, low income or other potential Environmental Justice populations. The Study Area has an overall poverty rate comparable to the county and state averages and the percentage of minorities estimated to be living within the Study Area is lower than the state and county averages. A number of public involvement efforts were undertaken to ensure full and fair participation by all potentially affected communities and to identify any potential Environmental Justice concerns. Efforts included, holding public meetings, contacting local church leaders and meetings with local officials. Less than five percent of the Study Area consists of people who are limited in English proficiency (LEP). During the project development phase of this project, MDOT has not received any requests for an interpreter to be present at meetings, or to have any documents translated into another language other than English.

## **Relocations**

The Preferred Alternative will require 12 residential relocations, but no commercial relocations. The residential relocations consist of single family homes and farmsteads. See **Section 4.5 Relocation Impacts** for further discussion.

## **Economics**

Economic impacts of the Preferred Alternative include the economic benefits resulting from the bypass of the Village of Constantine, the reductions in local tax base as a result of right-of-way acquisition, and the spin-off economic benefits of the US-131 improvements to the local area and State of Michigan. The impacts are both direct and indirect and are discussed further below.

The Preferred Alternative will generally have minimal impacts on the tax bases of the communities in the Study Area. The ROW for PA-5 is estimated to result in the acquisition of less than 0.2% of the total taxable value for properties in each of the Study Area communities. The potential percent taxable value loss is less than the average annual increase in taxable value between 2003 and 2006 for St. Joseph County.

**Table 1 Summary of Impacts Matrix**

| <b>Summary of Impacts Matrix</b>                                                                                                                                                      |                             |                                     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------------------------|
| <b>Potential Impacts</b>                                                                                                                                                              | <b>No-Build Alternative</b> | <b>Preferred Alternative (PA-5)</b> |
| Residential Impacts                                                                                                                                                                   | 0                           | 36 acres                            |
| Farmland Impacts                                                                                                                                                                      | 0                           | 132 acres                           |
| Agricultural Parcel Splits (number)                                                                                                                                                   | 0                           | 6                                   |
| Community Facility Relocations                                                                                                                                                        | 0                           | 0                                   |
| Residential Relocations                                                                                                                                                               | 0                           | 12                                  |
| Commercial Relocations                                                                                                                                                                | 0                           | 0                                   |
| Wetland Sites                                                                                                                                                                         | 0                           | 2                                   |
| Total Wetland Impacts                                                                                                                                                                 | 0                           | 1.5 acres                           |
| Threatened and Endangered Species                                                                                                                                                     | 0                           | 0                                   |
| Potential Historic Sites                                                                                                                                                              | 0                           | 0                                   |
| Parks and Recreation                                                                                                                                                                  | 0                           | 0                                   |
| Potential Contaminated Sites                                                                                                                                                          | 0                           | 2                                   |
| <b>Total Estimated Cost* (\$2007 Millions)</b>                                                                                                                                        | <b>0</b>                    | <b>\$ 31 Million</b>                |
| *Cost Estimates include preliminary engineering, construction engineering, pavement, earthwork, structures and right-of-way for the Constantine bypass and truck climbing lanes only. |                             |                                     |

The direct and indirect economic benefits of the Preferred Alternative were also assessed. Direct economic benefits include savings on travel time for motorists and reductions in crash related costs. Indirect economic benefits include the short-term increase in economic activity, earnings and jobs as a result of the investment of construction dollars and the reinvestment of the travel time savings and crash cost reductions in the local and Michigan economies.

A survey of business operators and patrons at businesses located on US-131 was conducted to find out their perceptions of existing US-131 and the potential economic impacts of a bypass and determined that the majority of downtown business owners did not feel that a bypass would adversely affect their businesses. **Section 4.6, Economic Impacts** discusses each of these issues and the survey results in detail. PA-5 will offer the motorist the choice of travelling through or bypassing downtown Constantine. The effects of the bypass on businesses in downtown Constantine are discussed further in Section 4.6 Economic Impacts. For businesses in downtown Constantine that are destinations for local shoppers, the bypass will have the positive effect of reducing traffic, including heavy truck traffic, passing in front of stores. This will make the retail environment more attractive for local shoppers, especially pedestrians.

## Land Use and Zoning

In terms of land acquisition, the Preferred Alternative would not have a substantial impact on land use in the Study Area. The total acreage impacted (171 acres) would be a minimal percentage of the land use within the county and the new bypass will be limited access.

## Farmland

The Preferred Alternative will impact 132 acres of prime farmland, which is 0.25% of the farmland in St. Joseph County. Impacts will also include reduced access and viable use of farmland due to six agricultural parcel splits. See **Section 4.2 Farmland Impacts** for further discussion.

## Neighborhoods and Community Facilities

There are no community resources affected by the proposed project, and there will be no significant impacts on any community resources associated with the Preferred Alternative. See **Section 4.3, Social Impacts** for more information.

## Non-Motorized Facilities

The Preferred Alternative will have little adverse effect on non-motorized use in the corridor, since there is little existing use of the corridor by pedestrians or bicycles. In many cases the pedestrian and bicycling environment will be improved by removal of vehicular traffic from local roads, particularly in downtown Constantine.

## Air Quality

St. Joseph County is not within a designated air quality non-attainment area for any of the air pollutants for which the U.S. Environmental Protection Agency (USEPA) has established standards. A maximum and “worst case” air quality receptor analysis for carbon monoxide (CO) determined that the Preferred Alternative will not result in traffic volumes that cause the National Ambient Air Quality Standards (NAAQS) to be exceeded. Because the area is in attainment and the modeling determined that localized effects of the project would not exceed the NAAQS, no significant impacts on air quality will result from the Preferred Alternative. See **Section 4.8, Air Quality Impacts**, for the air quality evaluation.

## Noise

Under the Preferred Alternative it is projected that one residential unit would be impacted by noise levels that approach or exceed FHWA Noise Abatement Criteria (NAC) of 66 dBA by the year 2030. Traffic noise impacts are mitigated in accordance with FHWA’s *Highway Traffic Noise Analysis and Abatement Policy* (June 1995) and MDOT’s *Procedures and Rules for Implementation of State Transportation Commission Policy 10136 – Noise Abatement* (MDOT, 2003). The one impacted residential unit will be acquired for the ROW needs associated with this project, so no noise abatement was considered at this location. However, based on the traffic noise projection for the build year, noise abatement measures were evaluated for three other locations in the Study Area. The evaluation determined that a noise wall could not be constructed in these locations that would mitigate noise impacts (5dBA or greater decrease) at a cost of \$38,060 or less per benefitted dwelling unit per MDOT’s Feasibility and Reasonableness criteria. See **Section 4.9.3** for the evaluation of traffic noise.

## **Aquatic Impacts**

Efforts have been made in the conceptual design of surface water crossings to minimize effects on aquatic resources and Michigan Department of Transportation (MDOT) Best Management Practices will be used. These combined efforts will ensure that there are no significant impacts on aquatic resources under the Preferred Alternative.

The Preferred Alternative will continue to utilize the existing bridge spanning the White Pigeon River and the structure over the Rocky River. PA-5 will construct a new two-lane structure over the St. Joseph River. The St. Joseph River crossing will contain two waterway piers and three piers in the floodplain for the new structure.

The Preferred Alternative will result in additional storm water run-off that may contribute sediment and other pollutants to the St. Joseph River during major storm events. Construction activities may result in temporary impacts to surface water quality and aquatic habitat due to riverbank disturbance and the removal of adjacent vegetation.

## **Groundwater**

The Preferred Alternative would have minimal impacts on groundwater resources. The St. Joseph aquifer in the Indiana portion of the Study Area would not be impacted by the Preferred Alternative. There are no major aquifers within the Study Area in Michigan.

## **Wetlands**

The Preferred Alternative will impact 1.5 wetland acres. The impacts will be in two wetland complexes (**Figure 4.5**). In Wetland Complex 1, part of the larger delineated wetland #16, 0.3 acre of classified lower quality shrub scrub wetlands will be impacted. In Wetland Complex 2, part of the larger delineated wetland #8, 1.2 acres of classified higher quality forested wetland with an emergent wetland understory will be impacted.

MDOT provided funding to The Nature Conservancy (TNC) for the purchase of the Tamarack Fen complex through an agreement that TNC would provide wetland and habitat protection in perpetuity. At a 10:1 replacement ratio, 15 acres of the high quality wetlands in the fen will be credited for preservation against an estimated impact of 1.5 acres of wetland from this project. These wetlands are located within the same St. Joseph River Watershed as the impacted wetlands. See **Section 4.11, Wetland Impacts**, for a more detailed discussion.

## **Hydrological**

To ensure there are no obstructions to flood flow that would result in upstream impacts, a hydraulic study to address structure sizes and waterway openings was performed for the Preferred Alternative. The hydrological analysis considered existing and proposed conditions and the results determined the necessary and proper bridge types, openings and locations of abutments and piers to minimize impacts. Efforts have been made in the conceptual design of surface water crossings to minimize their effects on floodplains and their impacts will be mitigated through compensatory mitigation. Other surface waters not discussed in **Section 4.12 Aquatic Impacts** have been fully avoided.

PA-5 requires one new river crossing, a two-lane bridge over the St. Joseph River. PA-5 will result in a new structure with a greater flow area for flood conveyance than the existing

structure. The St. Joseph River is the only river located within the Study Area that has an associated floodplain and will be crossed by the Preferred Alternative.

### **Potential Contaminated Sites**

Although the Preferred Alternative has 42 potential contamination sites located within the ASTM recommended search distance, only those located on portions of the corridor where ground disturbance will occur are being considered, as much of PA-5 utilizes the existing US-131 ROW. There are two sites located within or immediately adjacent to the proposed ROW of the bypass portion of the alignment. These sites include one above ground storage tank AST site and one petroleum pipeline.

Both sites have been determined to be of low risk and have minimal probability to have impacted the soil or groundwater within the ROW. Risks to human health or the environment are not expected from these sites.

### **Aesthetic and Visual**

Much of the view from the roadway will continue to consist of open agricultural land. The overall view from the Constantine bypass will be more rural in nature than the current alignment. The view of the current landscape will change with the creation of the bypass as viewers will no longer observe farmland alone but will see farmland and the bypass. PA-5 requires a new crossing of the St. Joseph River. Canoeists using the river and residents living along or near the river west of Constantine will have a new bridge that will interrupt views of a currently unobstructed stretch of river.

### **Construction Impacts**

The Preferred Alternative will have associated temporary and short-term impacts due to construction activities. The transient time and location of construction impacts, along with mitigation that MDOT requires to minimize the disturbance, would avoid substantial construction impacts. Existing travel patterns will change due to road closures. While these impacts are considered unavoidable, lessening the temporary impacts to motorists, pedestrians and residents would be a fundamental component of the Maintaining Traffic Plan during construction. All access to homes and businesses will be maintained throughout the construction of the project. No detours are anticipated.

### **Indirect and Cumulative**

Potential indirect and cumulative impacts are identified within four categories; land use and development, agriculture, wetlands and natural areas and transportation patterns. Indirect and cumulative impacts resulting from the construction and subsequent improvements of US-131 would add to any impacts resulting from present and future infrastructure improvements within the Study Area. The Preferred Alternative would have minimal impact on existing development plans. Although the overall farmland impacts from the Preferred Alternative are not substantial from a countywide perspective, these impacts add to a cumulative pattern of conversion of farmland to other uses. PA-5 generally keeps the roadway alignment within the existing US-131 corridor, with the exception of the bypass of Constantine. Access control on this segment of roadway and the separation of the bypass from commercial development, will limit changes in land use. Improvements to US-131 may have an indirect impact on regional transportation patterns by rerouting some through traffic from local roads and other north-south arterials.

## Permits Required

Permits will be required from various resource agencies prior to the construction of the Preferred Alternative. Michigan rules governing permit requirements and issuance are regulated pursuant to the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. MDEQ regulates activities within a floodplain/floodway, wetland or below the ordinary high water mark, under the following Parts of the Act:

- Part 31, Floodplain Regulatory Authority and Water Quality
- Part 91 of the Soil Erosion and Sedimentation Control
- Part 301, Inland Lakes and Streams
- Part 303, Wetlands Protection

**Section 4.22, Permits and Permits by Rule** provides a summary of the permits required for each Practical Alternative along with the resource agencies that issue the permits.

## Mitigation Summary

Potential mitigation of adverse impacts resulting from the Preferred Alternative is discussed as a part of many of the sections located in **Section 4.0 Environmental Consequences. Section 4.25 Mitigation Summary** and **Project Mitigation Summary “Green Sheet”** provides a summary of mitigation measures that MDOT will take as part of implementing the Preferred Alternative.

## Final Section 4(f) Evaluation

The purpose of the Final Section 4(f) Evaluation is to analyze potential adverse impacts of the US-131 improvements on sites that are regulated by Section 4(f) of the Department of Transportation Act of 1966. Section 4(f) sites include public parks, recreation lands, wildlife and waterfowl refuges and archaeological and historic sites. Section 4(f) states that no highway project should be approved which requires the “use” of any publicly owned land from a public park, recreation area, wildlife and waterfowl refuge, or historic site unless there is no feasible or prudent alternative to the use of such land. The Preferred Alternative has no impacts on Section 4(f) properties.

## Public and Agency Coordination

In 1996, the US-131 Master Plan Committee began meeting to identify and discuss the feasibility of improving the US-131 Corridor within St. Joseph and Kalamazoo Counties, Michigan. One of the goals of this committee was to allow the local community and citizen groups the opportunity to plan for and identify future land uses, as they relate to future transportation needs in the corridor. This group, comprised of two representatives from each governmental agency located along US-131, assisted MDOT in identifying a corridor where improvement efforts would be focused. This committee continued to serve as an Advisory Committee during the evaluation of alternatives for this study. In July 2000, the Stakeholder Advisory Committee met with MDOT to identify and prioritize goals for the US-131 Improvement Study. The following summarizes the goals identified during these strategic goal-setting sessions:

- Use the existing US-131 Corridor as much as possible

- Minimize the loss of homes, businesses, farms, communities and environmental impacts
- Use overpasses for local roads if possible for freeway alternatives so that the community is not divided from east to west and access is provided for emergency vehicles, school traffic and industrial development
- Create an easily maintainable highway
- Minimize traffic noise
- Landscape the highway with trees, shrubs and wildflowers if possible without increasing the amount of right-of-way necessary
- Relieve congestion on US-131 within the study corridor
- Do not preclude future US-131 improvements north of Three Rivers

These goals serve as guiding principles in the development of the US-131 improvement alternatives and selection of a Preferred Alternative.

MDOT has conducted an extensive public involvement process to obtain input, identify local concerns and better understand the public's view of potential social, economic and environmental impacts. Public and agency comment were key parts of the refinement of the Practical Alternatives and selection of the Preferred Alternative. Five formal public meetings have been held in addition to several other meetings with small groups. Newspaper articles, a project website, a toll free phone number and newsletters were also used to provide information about the project and solicit public input. A Community Involvement Workshop was held to seek ideas from the local residents for reflecting community values and cohesion in the Preferred Alternative.

## **Comments and Responses**

The comment period for the Draft Environmental Impact Statement (DEIS) was open from February 11, 2005 to May 13, 2005. Various methods were available for those who wished to submit comments throughout the comment period. These methods included U.S. Mail, e-mail, telephone, or providing comments to a court reporter during the March 29, 2005 public hearing.