



U.S. Department
of Transportation

**Federal Highway
Administration**

Michigan Division

315 W. Allegan St., Room 207
Lansing, Michigan 48933

August 31, 2004

Ms. Susan Mortel, Director
Bureau of Transportation Planning (B340)
Michigan Department of Transportation
Lansing, Michigan

Dear Ms. Mortel:

Record of Decision
Final Supplemental Environmental Impact Statement
FHWA-MI-EIS-78-02-FS
Proposed US-31 Freeway Connection to I-94
Berrien County, Michigan

The Federal Highway Administration has completed its review of the environmental documentation, comments received from the public, and comments received from interested agencies for the US-31 Freeway Connection to I-94. The selected alternative (PA-2) would have a lower environmental impacts, lower cost, fewer relocations, and less community impacts than other build alternatives. We have accordingly issued the attached Record of Decision (ROD) for the project documenting this decision. This action completes the environmental review process for the project.

Sincerely,

Abdelmoez A. Abdalla
Environmental Program Manager

For: James J. Steele
Division Administrator

Attachment

cc: Doug Proper, Project Planning, MDOT (B340)

Record of Decision

RECORD OF DECISION

PROPOSED US-31 FREEWAY CONNECTION TO I-94 BERRIEN COUNTY, MICHIGAN FHWA-MI-EIS-78-02-FS

I. DECISION

The following sets forth the basis for selection of a new US-31 freeway connection to I-94 just south of the existing I-94/Business Loop I-94 (BL-94) in Berrien County, Michigan (Figure 1). The new US-31 freeway would provide a direct connection to BL-94 as well as I-94. Auxiliary lanes are proposed on I-94 between the proposed US-31 interchange with I-94/BL-94 and the existing I-94/I-196/US-31 interchange. A detailed description of the proposed action can be found in Section 3.0 Alternatives Considered of the Condensed Final Supplemental Environmental Impact Statement (FSEIS).

This decision is based on the full consideration of the information contained in the Draft Supplemental Environmental Impact Statement (DSEIS) approved October 10, 2002, a public hearing held October 30, 2002, the Condensed FSEIS approved April 21, 2004, and public and agency comments pertaining to the proposed action. These documents are available for review at the Michigan Department of Transportation (MDOT) Bureau of Transportation Planning in Lansing, Michigan, the MDOT Southwest Region's office in Kalamazoo, Michigan, the Coloma Transportation Service Center in Benton Harbor, Michigan and the Federal Highway Administration's office in Lansing, Michigan.

The US-31 freeway project in Berrien County, Michigan has been under development for over 30 years. The objective has been to provide a freeway connection from the I-80/90 toll road in northern Indiana to the US-31/I-196 connection at I-94. In 1981, the Federal Highway Administration approved a Final Environmental Impact Statement (FEIS) for the relocation of 18.4 miles of primarily two lane existing US-31 highway between Matthew Road near Niles, Michigan and I-94 near Benton Harbor, Michigan. Since 1981, the US-31 freeway north of Niles has been constructed in stages and was opened to Napier Avenue in August 2003. Napier Avenue is the southern boundary of the study area as described in the approved Condensed FSEIS.

Subsequent to the 1981 FEIS, MDOT concluded there was potential for considerable reductions in construction costs and environmental impacts if the final segment of the US-31 freeway was realigned to avoid the environmentally sensitive Blue Creek Fen. As a result, a supplement to the 1981 FEIS was initiated in 2001 to analyze the costs and impacts of alternatives that avoided the Blue Creek Fen, and to compare those costs and impacts to the costs and impacts of a No-Build Alternative and the 1981 FEIS approved alignment. Analysis of alternatives led to the development of an alternative (PA-2) that provided a western connection of the US-31 freeway to I-94 south of the existing I-94/BL-94 interchange.

II. ALTERNATIVES CONSIDERED

All alternative modes of transportation were originally considered as part of the evaluation process. Analysis of the area's transportation characteristics indicated that only an auto-oriented solution would fully satisfy the Purpose of and Need for the proposed project. Early in the development process, four preliminary Build Alternatives were evaluated within the study area north of Napier Avenue. As a result of public comments and further analysis, these preliminary alternatives were refined to provide three "Practical" Build Alternatives and were included in the DSEIS.

In addition to the three freeway Build Alternatives (PA-2, PA-3, and PA-4) a Transportation System Management (TSM) Alternative (PA-1) and a No-Build Alternative were also assessed to determine how well they met the project goals and the Purpose of and Need for the project. Section 3.0 Alternatives Considered of the Condensed FSEIS provides an in-depth analysis of each alternative and a history of the alternatives development process.

No-Build

The No-Build Alternative served as the basis for evaluation of the other alternatives. The No-Build Alternative would have the US-31 freeway end at Napier Avenue. Traffic would use Napier Avenue to connect to I-94 and use I-94 to reach I-196/US-31 north. At the existing I-94/BL-94 interchange an eastbound I-94 to westbound BL-94 loop ramp would be constructed to provide the missing movement.

Traffic projections indicate that the No-Build Alternative would result in a decreasing level-of-service and heavy congestion at some locations by 2025. As the No-Build Alternative does not provide a free flow traffic movement for vehicles using US-31 and does not provide a US-31/I-94 freeway-to-freeway connection, it does not meet the Purpose of and Need for the project. The No-Build total project costs are estimated to be \$1.9 million (2005 dollars).

Practical Alternative One (PA-1)

PA-1 involves low cost Transportation System Management improvements. Like the No-Build Alternative, the US-31 freeway would end at Napier Avenue and traffic would use the existing five-lane Napier Avenue to access I-94. PA-1 would involve minor upgrades to and around the Napier Avenue interchanges, including improvements to the existing eastbound I-94 and southbound US-31 on-ramps and dedicated right-turn lanes on Napier Avenue at both of these locations. At the existing I-94/BL-94 interchange the missing eastbound I-94 to westbound BL-94 movement would also be constructed as a loop ramp within existing right-of-way.

PA-1 is projected to result in considerable traffic congestion on Napier Avenue by 2025, including traffic backups and delay at the I-94/Napier Avenue interchange. As PA-1 does not achieve free flow freeway system connectivity and a freeway linkage to I-94 for US-31 traffic, it does not meet the Purpose of and Need for the project. PA-1 improvements are estimated to be \$5 million (2005 dollars).

Selected Alternative (PA-2)

Through a comparison of the costs, geometric design, social, economic, and environmental impacts, traffic operations, and public and agency comments, PA-2 has been chosen as the Selected Alternative. The Selected Alternative (described as Preferred Alternative PA-2 in the DSEIS and Recommended Alternative PA-2 in the Condensed FSEIS) would have a lower cost and fewer environmental impacts than the original 1981 FEIS alignment (PA-4). The Selected Alternative would require fewer relocations, have less community impacts, less difficulty

maintaining traffic during construction, and a lower cost than the other western connection, PA-3. The Selected Alternative also best meets the Purpose of and Need for the project.

The Selected Alternative would result in a US-31 freeway connection to I-94 just south of the existing I-94/BL-94 interchange. The BL-94 interchange would be a reconstructed full access interchange to include all movements. Traffic on the US-31 freeway would also have a direct connection to BL-94 as well as I-94. The Selected Alternative would reduce the congestion problems forecasted with a No-Build Alternative and would achieve free flow system connectivity between US-31, I-94, BL-94, and I-196/US-31 to the north. Auxiliary lanes are proposed on I-94 between the proposed US-31 interchange with I-94/BL-94 and the existing I-94/I-196/US-31 interchange. These lanes will allow through traffic on US-31 to remain in the auxiliary lane provided and will not require traffic to merge onto I-94. As a result, safety and level-of-service along I-94 will not be compromised. The Selected Alternative is forecasted to have a total project cost of \$80.1 million (2005 dollars).

Practical Alternative Three (PA-3)

PA-3 would result in a US-31 freeway connection to I-94 at the existing I-94/BL-94 interchange. PA-3 would involve the reconstruction of the I-94/BL-94 interchange to include the missing eastbound I-94 to westbound BL-94 movement. Like the Selected Alternative, PA-3 would also achieve free flow system connectivity between US-31, I-94, BL-94, and I-196/US-31 north. PA-3 would also feature auxiliary lanes on I-94 between the proposed US-31 interchange with I-94/BL-94 and the existing I-94/I-196/US-31 interchange. As with the Selected Alternative, these lanes would allow through traffic on US-31 to remain in the auxiliary lanes and not merge onto I-94 so that safety and level-of-service along I-94 would not be compromised.

However, PA-3 is more costly than the Selected Alternative and the closer proximity of the proposed PA-3 interchange to the existing I-94/I-196/US-31 interchange makes traffic operations more difficult. PA-3 reduces the merge distance for northbound US-31 traffic entering I-94 by 1,800 feet and requires the northbound US-31 exit ramp to eastbound I-94 to be located on a horizontal curve. Construction staging for PA-3 would be much more complicated than for the Selected Alternative due to the location of the PA-3 US-31/I-94 connection that is in approximately the same location as the existing I-94/BL-94 interchange. To maintain the existing BL-94/I-94 access, complex detours or temporary ramps would be required to maintain traffic during the construction of ramps A, D, E and H of the proposed US-31 interchange with I-94/BL-94. Maintenance of traffic issues associated with PA-3 will result in increased costs and/or user delays. PA-3 also impacts the Butler-East Euclid Subdivision, which is identified as a low-income residential area. PA-3 is forecasted to have a total project cost of \$85.7 million (2005 dollars).

Practical Alternative Four (PA-4)

PA-4 was the alignment chosen in the original 1981 FEIS with minor modifications. PA-4 would extend the US-31 freeway from Napier Avenue north to I-94 at the existing I-196/US-31 interchange. The missing eastbound I-94 to westbound BL-94 movement would also be constructed at the I-94/BL-94 interchange. PA-4 would achieve free flow system connectivity between the existing US-31 freeway segments north and south of the study area and a freeway linkage to I-94 and I-196/US-31 north of I-94.

PA-4 is the most costly of all the alternatives and has significant environmental impacts. PA-4 would cross Blue Creek, Yellow Creek, and the environmentally sensitive Blue Creek Fen on two costly structures (northbound and southbound) and would result in significant impacts to the

Blue Creek Fen and associated habitat of the federally endangered Mitchell's satyr butterfly. PA-4 would not reduce overall environmental impacts or costs compared to the 1981 FEIS alignment which was part of the purpose of the project. PA-4 is estimated to have a total project cost of \$104 million (2005 dollars).

III. SECTION 4(f)

There are no Section 4(f) impacts associated with the Selected Alternative.

IV. MEASURES TO MINIMIZE HARM

The proposed mitigation measures to minimize the adverse effects of the undertaking are described in Section 5.0 Environmental Consequences of the Condensed FSEIS. Standard construction practices for the control of soil erosion and sedimentation; control of excavation and disposal of materials; maintaining access and detouring traffic; control of air pollution; and continuance of public utility services will be employed. Permits required from resource agencies for stream crossings, floodplains, and wetlands will be acquired, and the conditions of the permits will be met during construction.

Special mitigation measures as described in the Mitigation Summary "Green Sheet" are found at the beginning of Section 5.24 Mitigation Summary of the Condensed FSEIS. These measures will minimize the effects of the proposed project on the surrounding environment. These special mitigation measures, specific to the implementation of the Selected Alternative, are summarized below.

Right-of-Way Acquisition and Relocation Assistance

Due to the relocations required by the concurrent Southwest Michigan Regional Airport expansion project, MDOT will be sensitive to any difficulties arising from temporary fluctuations in the housing market. No significant problems are anticipated.

In May 2003, a Finding of No Significant Impact (FONSI) was approved for the Southwest Michigan Regional Airport for the extension of one runway and the creation of several runway safety areas that meet Federal Aviation Administration (FAA) standards. The airport expansion project will result in one commercial and 225 residential relocations. The airport relocations will take place in stages with the first 50 acquisitions and relocations already in progress. Phase II of the airport acquisition plan is tentatively scheduled to begin just after the start of the Selected Alternative acquisitions and relocations. As a result, some of the airport relocations could occur at approximately the same time as the 14 residential relocations required for the Selected Alternative. The average State Equalized Value (SEV) for residences impacted by the Selected Alternative is approximately 4 times higher than the average SEV of residences requiring relocation from the airport improvements. Due to the large difference in market values, it is not anticipated that relocations from both projects will compete for similar housing and no problems are expected in finding suitable housing for the 14 relocations associated with the Selected Alternative.

The provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, will be followed for the acquisition of right-of-way and relocation of persons. For more information on relocation impacts see Section 5.6 Relocation Impacts and Appendix D Relocation Plan – Conceptual Stage of the Condensed FSEIS.

Wetlands

In response to agency DSEIS comments requesting the reduction of wetland impacts, new design modifications to the Selected Alternative were implemented. As a part of the new design modifications, loop ramps F and G and the associated outer ramps B and C of the I-94/BL-94/US-31 interchange were pulled in to reduce overall wetland impacts by one acre (7.6%) and high quality wetland impacts by one acre (16.4%). In addition to the interchange modifications, an equalizer culvert will be utilized where the US-31 alignment crosses wetland complex 9 to maintain hydrological connectivity. Culvert specifications will be determined during final design. Section 3.0 Alternatives Considered of the Condensed FSEIS provides a description of design details of the Selected Alternative.

The Selected Alternative impacts 12.2 acres of wetlands (4.0 acres of emergent, scrub shrub and wet meadow, and 8.2 acres of forested) located in 17 wetland complexes, including 5.1 acres of high quality wetlands. The majority of wetland complexes impacted by this alternative are associated with drains or isolated pockets surrounded by agricultural lands.

Prior constructed segments of the overall US-31 freeway project had wetland impacts of 41.7 acres (excluding the current project) and required 59.2 acres of wetland mitigation. Entering into the last segment of the current project (Napier Avenue to I-94), MDOT had already constructed 63.1 acres of replacement wetlands to satisfy 59.2 acres of mitigation requirements, leaving a credit of 3.9 acres for the project to date. This results in “no net loss” of wetlands for the project as a whole. Wetland mitigation ratios have varied over the life of the project.

Current mitigation requirements for the Napier Avenue to I-94 segment of US-31 will be accomplished by preserving in perpetuity 222.5 acres of high quality wetlands located within three fen complexes: the Blue Creek Fen (18.5 acres), the Tamarack Fen (118 acres), and the Liberty Fen (86 acres). At a 10:1 replacement ratio, the proposed 222.5 acres of high quality wetlands will generate a preservation credit of 22.25 acres. Of the 22.25 acres, 13.65 acres are located within the same watershed as the impacted wetland complexes.

The proposed 22.25 acres of preservation credits combined with 3.9 acres of previously created wetland give MDOT 26.15 acres of wetland available for mitigation purposes. Required mitigation of 12.2 acres subtracted from 26.15 acres of available mitigation leaves a surplus of 13.95 acres of wetland available to MDOT to be used for mitigation on this project and future MDOT projects.

To mitigate potential endangered species impacts of the original 1981 FEIS alignment, MDOT provided funding to The Nature Conservancy (TNC) for the purchase of the two fen complexes (Tamarack Fen and the Liberty Fen) through an agreement that the TNC would provide wetland and habitat protection in perpetuity. The Tamarack Fen and the Liberty Fen will include a perimeter buffer zone of existing vegetation adjacent to the wetland. A deed restriction or conservation easement prohibiting development will be placed over the wetland areas and the associated perimeter buffer zones of the Tamarack and Liberty Fen. MDOT currently owns 113 acres of the Blue Creek Fen. A conservation easement prohibiting development will be placed over the entire Blue Creek Fen property including the 18.5 acre wetland complex to ensure permanent protection. Both TNC and the US Fish and Wildlife Service (USFWS) identified each of the fen properties proposed to be preserved as potential habitat for the endangered Mitchell's satyr butterfly.

This mitigation plan has been reviewed and is acceptable to the resource agencies. Section 5.12 Wetland Impacts of the Condensed FSEIS provides details on wetland impacts and the proposed mitigation plan.

In accordance with EO11990, the Federal Highway Administration has made a wetland finding (Appendix A.2 of the Condensed FSEIS) that there is no practicable alternative to the proposed new construction in wetlands and that the proposed action includes all practicable measures to minimize harm to wetlands that may result from such use.

Threatened and Endangered Species

Areas within the Selected Alternative showed no past records or sightings of any species listed as threatened, endangered, or special concern. However, the Eastern box turtle, a state species of special concern, appeared throughout northern portions of the project area and may migrate into wetland complexes associated with the Selected Alternative.

At the request of the MDNR, if Eastern box turtles are encountered during construction, special care must be taken to remove them from the construction zone. At the preconstruction meeting, construction crews will be required to undergo Eastern box turtle identification and removal procedures with qualified MDOT personnel prior to start of work. The Region Resource Analyst shall be contacted if Eastern box turtles are found.

The Selected Alternative would impact one site (approximately 32 acres) with moderate potential to provide roosting habitat for the federally endangered Indiana bat. Loss of potential habitat would occur from the removal of older or dead trees that could possibly serve as roosting cover for this species. There are no records of the Indiana bat in the study area and no sighting records of the Indiana bat in Berrien County, Michigan. The Indiana bat is a migratory species that is known to migrate through and roost in lower Michigan during the summer months. Any tree removal within identified potential habitat areas will be prohibited between April 1st and October 1st to avoid any possibility of directly impacting the species.

Hazardous and Contaminated Materials

An identified oil well will be evaluated for compliance with current abandonment requirements and the oil well pit will be assessed for impacts from brine. Due to high groundwater recharge rates within the study area any inadvertent spills of contaminated materials will immediately be contained and removed by trained emergency response personnel.

Water Body Impacts

The detention basin drainage system proposed to accommodate drainage from the enclosed median storm system in the DSEIS was changed to address comments from regulatory agencies that the previously proposed open water detention facilities might compromise the cold-water temperature of Blue Creek. It is now proposed that the enclosed median storm system would discharge to a new outside open ditch system a minimum of 300 feet east and west of Blue Creek. This will allow for adequate filtration of sedimentation and prevent detained water from warming prior to release into Blue Creek.

Discharge of runoff into Blue Creek would occur downstream from the Blue Creek Fen to avoid any potential adverse impacts to the fen habitat. This discharge would be regulated to ensure that the level of discharge into Blue Creek is not significantly altered and the backwater elevation is not impacted by more than 0.01 feet upstream of the existing Blue Creek structure.

Landscaping to shade discharge areas adjacent to Blue Creek will be determined during the final design phase.

A storm water management plan and a detailed drainage plan will be developed and incorporated into the final design. The existing Blue Creek structure will not be replaced or extended as part of the I-94 improvements.

V. COMMENTS ON THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

The FSEIS was made available for agency and public review and sent to the EPA for filing. The comment period closed July 6, 2004. No public comments were received on the FSEIS. The following is a summary of the comments received from state and federal review agencies. The agency letters can be found at the end of this attachment.

Michigan Department of Environmental Quality (MDEQ): The MDEQ agreed on the third and final NEPA/404 concurrence point for the selection of PA-2 as the Recommended Alternative.

Comment: In several sections of the FSEIS, statements are made that agency comments from the review of the DSEIS concurred with the selection of PA-2 as the Preferred Alternative. MDEQ disagrees that the four agencies involved in the NEPA process (USEPA, MDEQ, USFWS, and USACE) concurred with the selection of PA-2 as the Preferred Alternative, but rather only concurred as to the alternatives being carried forward.

Response: MDOT agrees with the MDEQ that the NEPA/404 agencies did not concur with the selection of PA-2 as the Preferred Alternative, but rather favored the selection of PA-2 or PA-3 over PA-4. Although many agencies concurred with the selection of PA-2 as the Preferred Alternative in the DSEIS, NEPA/404 agencies concurred with the request for alternatives to be carried forward and not to the selection of a Preferred Alternative.

Comment: The control and discharge of storm water to Blue Creek has been identified by the MDEQ's Water Division as a key issue in protecting this high quality coldwater designated trout stream. The FSEIS indicates that proposed widening of I-94 will increase the impervious area along I-94 in the vicinity of Blue Creek. MDEQ requests early coordination with MDOT during the preliminary design phase of the project.

Response: MDOT will coordinate with the MDEQ early in the preliminary design phase to address and implement appropriate stormwater and soil erosion control measures.

Comment: The FSEIS states that Recommended Alternative PA-2 is more desirable from an environmental perspective than PA-3 and PA-4. The MDEQ questioned the criteria used in making this statement since PA-2 impacts 1.4 acres more wetlands than PA-3.

Response: MDOT agrees with the MDEQ that in terms of environmental analysis PA-3 can be viewed as having fewer impacts from an environmental perspective than PA-2. Recommended Alternative PA-2 and PA-3 are very similar in terms of environmental impacts with wetlands being the exceptions. However, when analyzing the overall benefits and impacts of each alternative from a social, environmental, geometrics, safety, construction, traffic, and cost perspective PA-2 best satisfies the Purpose of and Need for the project and is the Recommended Alternative.

Comment: The FSEIS indicates that the Build Alternatives will impact the headwaters of Ox Creek and the location of Ox Creek is not clearly shown on any map found in the FSEIS.

Response: Ox Creek is also known as the Wright and Woodley County Drain. This drain is located in the southwest quadrant of the study area. All drains are shown on the fold out map located in Appendix F of the FSEIS.

Comment: Table 5.7 of section 5.12 Wetland Impacts indicates that prior segments of the US-31 project had wetland impacts of 41.7 acres requiring 59.2 acres of mitigation. To date 63.1 acres of wetland have been created leaving a surplus of 3.9 acres. According to the MDEQ, if the 63.1 acres of created wetland have not been verified and accepted by appropriate regulatory agencies, there may not be 3.9 acres of excess wetland available.

Response: During the permitting stage, all previous wetland mitigation will be reviewed for agency verification and acceptance. Any adjustments to the available excess wetland acreages will be made at that time.

Comment: To ensure permanent protection, the MDEQ requests that a conservation easement be placed over the 222.5 acres of high quality wetland proposed as mitigation in the FSEIS. MDOT should also continue to investigate ways to minimize wetland impacts throughout the design process.

Response: A conservation easement will be placed over the entire 222.5 acres of wetland habitat to ensure protection in perpetuity. MDOT will continuously look for ways to further minimize wetland impacts throughout the design process.

Comment: On streams or drains with drainage areas of two square miles or more, the MDEQ requests compensating excavation if more than 300 cubic yards of fill are placed below the 100-year floodplain elevation.

Response: No potentially impacted drain or stream within the study area has a drainage area of two square miles or more except Blue Creek. However, it is not anticipated that any excavation or fill will occur at Blue Creek.

Comment: The MDEQ in response to an USEPA comment that requested MDOT bridge wetland 9 to reduce indirect wetland impacts and mitigate for wildlife impacts, questions the ability of the proposed equalizer culvert to successfully maintain hydrologic connectivity and mitigate wildlife impacts. The MDEQ requests early coordination with MDOT and the USFWS in the preliminary design of this crossing.

Response: MDOT will coordinate with the MDEQ and the USFWS during the preliminary design of this wetland crossing.

United States Environmental Protection Agency (USEPA): The USEPA agreed on the third and final NEPA/404 concurrence point for the selection of PA-2 as the Recommended Alternative.

Comment: Although the USEPA stated they had no concerns with the FSEIS and commended MDOT for reconfiguring ramps to avoid and decrease wetland impacts, a recommendation was made to implement a three-year program to monitor hydrology changes in the five partially impacted wetland complexes identified in the FSEIS. If harmful changes are detected, USEPA recommends mitigation using existing wetland preservation/enhancement and/or off-site wetland banking within the same watershed.

The USEPA also recommends that MDOT consider using a barrier to discourage Eastern box turtles from entering adjacent roadways if encountered during hydrologic monitoring at the five partially impacted wetland complexes. Consultation with the MDNR to determine appropriate barrier and/or methods is also recommended.

Response: MDOT will implement a three-year hydrologic monitoring program for the above mentioned wetland complexes. If harmful hydrology changes are detected, MDOT will consult with the MDEQ to implement appropriate mitigation measures. If Eastern box turtles are encountered adjacent to any roadway during the monitoring of the wetland complexes, the MDOT Region Resource Analyst and the Environmental Section in Lansing shall be contacted along with the MDNR to determine suitable barrier and/or mitigation options.

United States Army Corps of Engineers (USACE): The USACE agreed on the third and final NEPA/404 concurrence point for the selection of PA-2 as the Recommended Alternative.

Comment: In review of the proposed wetland mitigation, which includes preserving in perpetuity three fen complexes (Blue Creek Fen, Tamarack Fen, and the Liberty Fen), the USACE requested additional information, including site maps and supporting documentation as to the quality of the physical, chemical, or biological functions in regards to the Tamarack Fen and the Liberty Fen.

Response: MDOT will provide the USACE the additional information as requested.

United States Fish and Wildlife Service (USFWS): The USFWS agreed on the third and final NEPA/404 concurrence point for the selection of PA-2 as the Recommended Alternative. No additional comments were received.

Date

for Federal Highway Administration



Figure 1 Selected Alternative