



1.0 DECISION

1.1 SUMMARY OF DECISION

This Record of Decision (ROD) documents the Selected Alternative for the US 31 Improvement Project from Plymouth to South Bend in Marshall and St. Joseph counties in Indiana, as described in the Final Environmental Impact Statement (FEIS). The FEIS was signed by the Federal Highway Administration (FHWA) and by the Indiana Department of Transportation (INDOT) on April 3, 2006, and made available for public and agency review on April 13, 2006. The notice of the availability of the FEIS was published in the *Federal Register* on April 21, 2006. The FEIS studied the proposed improvement of the existing US 31 Corridor to a divided freeway facility that will have full access control, and is approximately 20 miles in length, extending from US 30 in Plymouth to the southern junction of US 31 and US 20 in South Bend, Indiana. Control of access refers to the regulation of public access rights to and from properties abutting the highway. With full control of access, preference is given to through traffic on US 31 by providing access connections with selected public roads only at interchanges, thereby prohibiting crossings at grade utilizing stop controlled or traffic signalized intersections, and by prohibiting direct private and commercial driveway connections.

For the US 31 Improvement Project from Plymouth to South Bend, the Selected Alternative is Alternative G-Es (see Exhibit 1). Alternative G-Es was identified as the Preferred Alternative in the FEIS. Continued coordination between federal and state agencies; local elected and appointed officials; the public and the Project Management Team, consisting of representatives of the INDOT, the FHWA, the MACOG and the consulting engineering firm; as well as analysis contained in the Draft Environmental Impact Statement (DEIS) and the FEIS led to the identification of the Selected Alternative.

The Selected Alternative (G-Es) is a better traffic performer and does not exhibit operational problems associated with its interchange at US 20. It also has lower environmental impacts to wetlands and forests and avoids impacts to several wetland complexes located north of Roosevelt Road, south of US 20 and west of existing US 31. The Selected Alternative (G-Es) also meets the Section 404(b)(1) Guidelines that require selection of the “least environmentally damaging practicable alternative” (See Appendix T in the FEIS for Section 404(b)(1) LEDPA analysis). The Selected Alternative (G-Es) has a higher associated total project cost and higher residential and business impacts than some of the other alternatives under consideration.

This ROD is executed in conformance with the Council on Environmental Quality (CEQ) regulations implementing the National Environmental Policy Act (NEPA) and documents FHWA compliance with NEPA and all other applicable federal statutes, regulations, and requirements. The sections that follow will explain the reasons for the project decision and discuss the values and basis of the decision; will identify alternatives considered; will discuss important factors in the decision-making process (i.e. social, economic, environmental, cost-effectiveness, safety, traffic, service, community planning, etc.), the balancing of these factors and a justification as why some values were considered more important than others; will identify the environmentally preferred alternative that caused the least damage to the biological and physical environment; will document any Section 4(f) lands that influenced the selection; will describe measures utilized to minimize harm to the biological and physical environment; will describe and summarize any mitigation measures; will discuss a monitoring and enforcement program; will address substantive comments received on the FEIS; and will provide additional information that was relevant to the decision-making process. This project decision is based on analysis contained in the



DEIS, notice of which appeared in the *Federal Register* on March 5, 2004; the FEIS, the comments of federal and state agencies, members of the public, local elected and appointed officials and other information in the project record.

1.2 BACKGROUND

The existing US 31 is functionally classified as a principal arterial on the National Highway System (NHS). The NHS consists of about 155,000 miles of Interstate and principal arterial highways nationwide, designated by the United States Congress as having national significance. For statewide planning purposes, the INDOT 2000-2025 Long Range Transportation Plan establishes a corridor hierarchy of three levels: Statewide Mobility Corridors, Regional Corridors and Local Access Corridors. US 31 from Indianapolis (I-465) to South Bend (US 20) is among the Statewide Mobility Corridors which consists of the highest level of highway facilities such as Interstates and most principal arterials. Such corridors have upper level design standards, high speeds, minimal travel delay, free-flowing conditions, and desirably no less than partial access control.

US 31 is also among Indiana's Commerce Corridors, which consist of the major commercial routes supporting the state's economy. A Commerce Corridor connects major population concentrations to the NHS, and provides good connectivity to major manufacturing and trade service concentrations. It also improves access to tourism and recreation areas, economic concentrations, and those areas with demonstrated and anticipated potential growth. The Commerce Corridor designation is more restrictive than the Statewide Mobility Corridor designation. The Commerce Corridor designation consists of Interstates plus select arterials that are identified as having significant importance to statewide and national transportation.

Along with the establishment of Commerce Corridors, the 1991 Indiana General Assembly directed INDOT to "undertake, as soon as possible, studies that will be required to improve the transportation corridor between St. Joseph and Marion counties. The department will conduct an origin-destination study and may address the following:

- any changes needed in the location of transportation facilities to improve the corridor, and
- the environmental impact of changes in the corridor."

In response to Indiana's Commerce Corridor legislation, INDOT initiated, in 1992 and 1993, three US 31 Major Investment Studies (MIS). Pursuant to the 1991 Intermodal Surface Transportation Efficiency Act (ISTEA), major investment studies were required in urbanized areas along the 122-mile US 31 Corridor from Indianapolis to South Bend to examine transportation improvement options in corridors, and were intended to determine the preferred course of action. Completed in 1995, 1997, and 1998, respectively, these three studies focused on how best to improve US 31 through the urbanized areas along the 122-mile corridor:

- Howard County, in the greater Kokomo area, from south of SR 26 to north of US 35 (north junction with US 31)
- Hamilton County between I-465 and SR 38
- Marshall and St. Joseph counties from US 30 to US 20



In 1998, INDOT also completed a study examining the economic impacts of improving US 31 from Indianapolis to South Bend. Following further legislative action by the Indiana General Assembly, INDOT completed the Indianapolis to South Bend Toll Road Feasibility Study in 1999 assessing the viability of funding US 31 improvements as a toll facility. This study found a toll road to be infeasible.

The INDOT 2000-2025 Long Range Transportation Plan proposes the “US 31 Freeway Upgrade from Indianapolis to South Bend.” In particular, the Plan identifies the need to improve US 31 in St. Joseph and Marshall counties, and the associated statewide Travel Demand Model (TDM) shows unacceptable congestion along portions of US 31 for the years 1998 and 2025 in these counties. In addition to being a part of the INDOT 2000-2025 Long Range Transportation Plan, the need for improving existing US 31 has also been identified in the regional transportation plan. The transportation plan of the Michiana Area Council of Governments (MACOG), identifies the need to improve existing US 31 south of US 20 to a new “limited access road with interchanges at several locations that would continue to US 30 in Marshall County.”

On March 26, 2002, FHWA published a Notice of Intent (NOI) in the *Federal Register* advertising to the public that an EIS would be prepared for the proposed improvement of the existing US 31 Corridor from US 30 to US 20. It should be noted that in addition to this EIS for US 31 from US 30 to US 20, in Marshall and St. Joseph counties, there are two other segments along the US 31 Corridor between Indianapolis and South Bend that are currently being studied. Environmental Impact Statements are currently underway for US 31 improvement projects from I-465 to SR 38 in Hamilton County (US 31 Improvement Project) and also from approximately two miles south of SR 26 to approximately one mile north of US 35 in the City of Kokomo in Howard County (US 31 Kokomo Corridor Project).

FHWA and INDOT approved the DEIS for the US 31 Corridor from US 30 to US 20 and it was made available for review and comment on February 27, 2004, with the No-Build Alternative and Freeway Alternatives Cs, Es and G-C still under consideration. The formal DEIS Public Comment Period began on March 5, 2004, with the *Federal Register* notice of the availability of the DEIS. The public comment period extended 52 days (regulations require a minimum 45-day comment period) and concluded on April 26, 2004. Approximately 2,300 comments were received during this comment period and all substantive comments were addressed in the FEIS. A Public Hearing, held in two separate but identical sessions, to discuss the findings of the DEIS was held on March 18, 2004, with a total of approximately 1,000 people attending both sessions.

As the project continued to progress, the study team continually investigated potential modifications to the alternatives that would avoid and/or minimize impacts to both the natural and human environment. Often these modifications, further described in detail in Chapter 3 of the FEIS, were initiated by comments received from the public, local elected and appointed officials and/or resource agencies. The modifications ranged from slight shifts in the alignment to the combination of portions of alternatives and the development of “hybrid” alternatives. The goal of all alternative modifications was to avoid and/or minimize environmental and socio-economic impacts while still meeting the project’s purpose and need. Several public comments and resource agency comments following the Public Hearing suggested the investigation of the combination of Alternatives Es and G-C north of Roosevelt Road. In response to these requests, a “hybrid” alternative, Alternative G-E, was developed that consisted of a combination of the southern portion of Alternative G-C and the northern portion of Alternative Es. This expanded the range of reasonable alternatives in the decision-making process to include the No-Build Alternative and Freeway Alternatives Cs, Es, G-C and G-E.

On September 23, 2004, INDOT announced its recommendation that Alternative G-Es (a modified version of Alternative G-E that had been shifted to avoid a wetland complex) had been identified as the



Preferred Alternative for the proposed improvements to US 31 between US 30 and US 20 and would be advanced to the Final Environmental Impact Statement (FEIS). Alternative G-Es (Selected Alternative) was selected because it satisfies the project's Purpose and Need performance measures, was among the best traffic performers of all alternatives under consideration, and was identified as the "least environmentally damaging practicable alternative" or "LEDPA." The FEIS, which identified Alternative G-Es as the Preferred Alternative, was signed by FHWA and INDOT on April 3, 2006, and the notice of the document's availability was published in the *Federal Register* on April 21, 2006.

1.3 PURPOSE AND NEED

The Purpose and Need Statement for the US 31 Improvement from Plymouth to South Bend in Marshall and St. Joseph counties, Indiana, was drafted in March, 2003. It was presented at a Community Advisory Committee (CAC) and Public Information Meeting on April 10, 2003, and at an Interagency Review Meeting on May 15, 2003. The Purpose and Need Statement was subsequently revised based on projections for the year 2030 and comments received from the public and resource agencies and is described in detail in Chapter 2 of the FEIS. As detailed in the project's Purpose and Need, transportation improvements to US 31 between US 30 and its southern junction with US 20 are needed for the following reasons:

- To reduce traffic congestion
- To improve safety
- Determine consistency with Transportation Plans

Based on the identified transportation needs, three overall purposes (goals) have been established for the US 31 Improvement Project:

- **Purpose 1 (Congestion):** Reduce congestion on US 31 by providing the capacity to meet the forecasted travel demand for 2030 at an acceptable Level of Service (LOS).
- **Purpose 2 (Safety):** Improve safety on US 31 between US 30 and US 20.
- **Purpose 3 (Consistency with Transportation Plans):** Determine consistency with statewide (INDOT) and regional (MACOG) transportation plans. MACOG is the South Bend Area Metropolitan Planning Organization (MPO). Project Alternatives were not required to meet the third item in order to satisfy purpose and need.

Specific objectives and performance measures were developed for each of the three identified purposes and each alternative considered was evaluated for its ability to meet the project's Purpose and Need. All three build alternatives carried forward for detailed analysis in the DEIS (Alternatives Cs, Es, and G-C) met the project's Purpose and Need. Even though the No-Build Alternative would not address the purpose and need for this project, it was carried forward for evaluation throughout the development of the EIS and served as a baseline when comparing the effectiveness and potential impacts of other alternatives. The inclusion of the No-Build Alternative throughout the course of the EIS as an alternative is required by the National Environmental Policy Act of 1969 (NEPA). The performance measures and the process used to evaluate alternatives and select the Preferred Alternative are summarized in Section 2.0 of this document and discussed in detail in Chapter 3 of the FEIS.



1.4 LOGICAL TERMINI

The US 31 Improvement Project extends through Marshall and St. Joseph Counties, Indiana and is approximately 20 miles in length, running from the southern terminus at US 30, near Plymouth, to the northern terminus at the south junction with US 20, near South Bend. The communities of LaPaz, Lakeville, and the south edge of South Bend are within the limits of the project study area. Between Plymouth and South Bend, US 31 is the primary north-south facility in the regional transportation network of north-central Indiana. Existing US 31 links the South Bend Metropolitan Area to Indianapolis and connects other communities (such as Lakeville, LaPaz, and Plymouth) in southern St. Joseph County and Marshall County.

The primary east-west transportation facilities in the corridor are US 30 (running from Ft. Wayne through Plymouth to northwest Indiana), US 6 (running from Kendallville, to LaPaz, to northwest Indiana), and US 20 (running from Angola through Elkhart, Mishawaka and South Bend, to northwest Indiana). I-80/I-90 (Indiana Toll Road) is located just north of the corridor, and runs across northern Indiana from Chicago, Illinois to Toledo, Ohio.

Due to the fact that US 30 and US 20 are both functionally classified as principal arterials on the National Highway System (NHS) and Statewide Mobility Corridors in the INDOT 2000-2025 Long Range Plan, they serve as logical termini for examining a need to improve this portion of US 31. Additionally, US 30 represents a major carrier of east-west traffic, and is a logical origin and destination point for through traffic on US 31. US 20 represents the last major east-west arterial within the study corridor, and US 31 follows the US 20 Bypass to the west, while Old US 31 continues northward from the US 31 and US 20 interchange into the South Bend Metropolitan Area.