APPENDIX C

CORRESPONDENCE AND COMMENTS

C-1 Agency Comments:
Coordination Plan and
Impact Analysis Methodology C-1

C-2 Agency Comments:
Coordination Point 1 –
Purpose and Need Statement..... C-12

C-3 Agency Comments:
Coordination Point 2 –
Range of Alternatives..... C-23

C-4 Agency Comments:
Coordination point 3 –
Preferred Alternative C-36

C-5 Agency Comments:
Other Correspondence C-61

C-6 Section 106 Coordination..... C-70

C-7 Section 4(f) Coordination C-91

C-8 $PM_{2.5}$ Conformity Hot Spot Analysis Project Summary Form for Interagency Consultation.... C-95

C-9 Agency Comments:
Draft Environmental Impact Statement C-111

C-10 Public Comments:
Summary of Public Comments
from Draft Environmental Impact Statement
Comment Period and Public Hearings..... C-135

C-1 AGENCY COMMENTS: COORDINATION PLAN AND IMPACT ANALYSIS METHODOLOGY

I-43 North-South Freeway Corridor Study
(Silver Spring Drive—WIS 60)
Milwaukee and Ozaukee Counties
Project I.D. 1229-04-01

Responses to Agency Comments on Coordination Plan (CP) and Impact Analysis Methodology (IAM)
September 17, 2012

Agency	Comments	Responses
USACE	Add a project specific methodology to address ADID wetlands in Section 11 of the IAM.	Information on ADID wetlands in the project area has been added to Section 11.3 of the IAM.
USEPA	1. Include project specific methodologies to address ADID wetlands and coordinate with DNR, EPA and Corps on ADID wetland issues.	Information on ADID wetlands in the project area has been added to Section 11.3 of the IAM. If ADID wetlands are affected, the EIS will include a discussion of such impacts and WisDOT and FHWA will coordinate with DNR, EPA and the USACE on any ADID wetland issues.
	2. Potential utility or railroad relocation should be included as impact causing activities in the indirect and cumulative effects analyses. Utility and/or railroad relocations and resulting impacts and mitigation should be considered in the DEIS	The indirect and cumulative effects (ICE) analysis for the I-43 project will evaluate potential utility and railroad relocations, as well as other potential impact-causing activities associated with the alternatives evaluated in the EIS. The EIS will include a discussion of direct impacts for any railroad relocations and major utility relocations that can be reasonably identified in the EIS phase.
	3. Analyze the induced growth and the resultant impacts of the proposed Highland Road interchange. Include discussion of mitigation, best management plans and regional development plans	If a new interchange at Highland Road is retained as part of the alternatives to be carried forward for detailed evaluation in the EIS, potential effects and mitigation measures will be included in the ICE analysis.
DATCP	Consider adding discussion of agricultural issues/laws to the IAM. Notify DATCP if farmland acquisition is required for the project.	An Agricultural Impact Methodology has been added to the IAM (Section 15) and DATCP will be notified about any potential farmland acquisitions.
DNR	1. Consider the Milwaukee Metropolitan Sewerage District (MMSD) forthcoming implementation plan that will include TMDL requirements and Municipal Separate Storm Sewer System (MS4) guidance for analyzing the potential impact of proposed highway improvements on existing water quality conditions.	The stormwater evaluation in the EIS for the I-43 project will consider the MMSD water quality requirements and potential impacts on water quality. The EIS will also document the status of any TMDL and MS4 guidance developed by DNR and WisDOT.
	2. Conceptual storm water management plan should evaluate the impact of highway facilities runoff release rates during the 100-year and 2-year storm events.	WisDOT will continue to coordinate with DNR to determine the appropriate level of stormwater analysis to be included in the I-43 EIS, consistent with TRANS 401 requirements.

1

I-43 North-South Freeway Corridor Study
(Silver Spring Drive—WIS 60)
Milwaukee and Ozaukee Counties
Project I.D. 1229-04-01

DNR	3. Fisheries evaluation should consider aquatic organism passage, stream stability and potential impact of highway improvements on existing aquatic habitat.	The I-43 EIS will include the requested information on fishery aspects as well as citations and summaries of applicable information from the SEWRPC and Ozaukee County fish passage and stream stability programs and policies.
	4. Agencies should begin using MOVES2010a and EMFAC2007 for air quality modeling.	As noted in Section 16.2 of the IAM, if a CO analysis is ultimately determined to be required for the I-43 project, the analysis will be done using MOVES2010a. EMFAC2007 is only applicable in California.
City of Mequon DPW	Noted that the Milwaukee Metropolitan Sewerage District (MMSD) is not on participating agency list in CP; assumes they would have interest in IAM Section 12, Water Resources Impact Methodology	9/12/12 E-mail response from WisDOT stating MMSD has been invited to participate on the project's Technical Advisory Committee (TAC) and that WisDOT will coordinate with them throughout the project.
Lac Courte Oreilles Band of Lake Superior Chippewa	WisDOT received a voice message from Russell (Rusty) Barber noting the Lac Courte Oreilles would defer to the Menominee Nation for comments on the I-43 project.	WisDOT sent a follow up e-mail acknowledging Mr. Barber's voice mail and noted that while no response was received from the Menominee Tribe regarding the invitation to become a participating agency in the environmental review process for the I-43 project, both the Lac Courte Oreilles and Menominee Tribes would have an opportunity to be involved in Section 106 aspects of the project (see attached e-mail).

2

DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
180 FIFTH STREET EAST, SUITE 700
ST. PAUL MN 55101-1678

August 30, 2012

REPLY TO
ATTENTION OF
Operations
Regulatory (2010-05252-ADJ)

Ms. Carrie Cooper
WisDOT Southeast Region
1001 W. St. Paul Avenue
Milwaukee, Wisconsin 53203

Dear Ms. Cooper:

Thank you for the information submitted regarding the proposed Interstate 43 North-South Freeway Corridor Study (Project ID # 1229-04-01) National Environmental Policy Act (NEPA) document. The North-South Freeway Corridor project area includes approximately 14 miles of freeway corridor leading from Silver Spring Drive (south limit) to WIS 60 (north limit). We received the draft Coordination Plan and the draft Impact Analysis Methodology Documents on August 2, 2012.

Please accept the following comment on the information provided. Based on the corridor proposed for study, it appears that two areas of Primary Environmental Corridor lie within the study area (south of the Pioneer Road interchange and north of the Silver Spring Drive interchange). All wetlands within these areas are considered to be Advanced Identification wetlands (ADID) deemed generally unsuitable for the discharge of fill material. We request that Project Specific Methodology be added to Section 11 of the draft Impact Analysis Methodology Document to address ADID wetlands.

If you have any questions, contact Anthony Jernigan in our Waukesha field office at (262) 717-9544. In any correspondence or inquiries, please refer to the Regulatory number shown above.

Sincerely,

Tamara E. Cameron
Chief, Regulatory Branch

Copy furnished:
Kenneth Westlake, US Environmental Protection Agency;
Bethaney Bacher-Gresock, FHWA Wisconsin Division;
Mike Thompson, WDNR;
Sherman Banker, Wisconsin State Historical Society.

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

SEP 04 2012

REPLY TO THE ATTENTION OF: E-19J

Carrie Cooper
Wisconsin Department of Transportation
Southeast Region
1001 West St. Paul Avenue
Milwaukee, Wisconsin 53203

Re: Draft Agency Coordination Plan and Impact Analysis Methodology for I-43 North-South Freeway Corridor Study (Silver Spring to WIS 60), Milwaukee and Ozaukee Counties, Wisconsin

Dear Ms. Cooper:

The United States Environmental Protection Agency has reviewed the draft Agency Coordination Plan (CP) and the draft Impact Analysis Methodology (IAM) for the above-mentioned project. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508) and Section 309 of the Clean Air Act.

The Federal Highway Administration (FHWA) and the Wisconsin Department of Transportation (WisDOT) are developing alternatives to address deficiencies along 14-miles of I-43 from Silver Spring Drive to WIS 60 in Milwaukee and Ozaukee Counties, Wisconsin. An Environmental Impact Statement (EIS) will be prepared. EPA agreed to be a participating agency for this project on July 10, 2012.

Draft Agency Coordination Plan

EPA has no comments on the proposed CP and confirms our status as a participating agency.

Draft Impact Analysis Methodology

Section 11 includes a description of the general methodology to analyze wetlands. EPA agrees that the U.S. Army Corps of Engineers (Corps) recommendation to included project-specific methodologies should address Advanced Identification (ADID) wetlands. These areas were selected due to their importance in protecting the Region's surface water quality, floodplains, and overall high environmental quality. If ADID wetlands are affected, the EIS should include a thorough and dedicated discussion of any impacts. WisDOT and FHWA should coordinate with (1)

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the Wisconsin Department of Natural Resource, EPA and the Corps on any ADJD wetland issues.

Section 5.2 of the IAM includes describes the general methodologies to assess indirect and cumulative effects. EPA notes the included language to identify impact-causing activities as a result of the proposed project alternatives. If utility or railroad lines will require relocation as a result of the proposed alternatives, this will be considered a connected action. We remind WisDOT and FHWA that any utility or railroad line relocations, resultant impacts, and mitigation measures should be disclosed in the Draft EIS. (2)

Should the Highland Road interchange be analyzed as a proposed alternative any potential induced growth and resultant impacts at that interchange should be disclosed. Proposed mitigation, best management plans, and regional development plans should also be discussed. (3)

Thank you in advance for your consideration of our comments. We look forward to reviewing the final CP and IAM and all future NEPA documentation.

Sincerely,

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

cc: Bethaney Bacher-Gresock, Federal Highway Administration, Wisconsin Division
Jay Waldschmidt, Wisconsin Department of Transportation
Anthony Jernigan, U.S. Army Corps of Engineers
Craig Webster, Wisconsin Department of Natural Resources

State of Wisconsin
Scott Walker, Governor

Department of Agriculture, Trade and Consumer Protection
Ben Brancel, Secretary

September 4, 2012

Ms. Carrie Cooper
Environmental Planner
Wisconsin Department of Transportation
1001 W. St. Paul Avenue
Milwaukee, WI 53203

Dear Ms. Cooper:

Re: I-43 North-South Freeway Corridor Study
(Silver Spring Drive to WIS 60)
Milwaukee and Ozaukee Counties
WisDOT Project I.D. 1229-04-01

Thank you for the opportunity to comment on the Coordination Plan (CP) and Impact Analysis Methodology (IAM) that have been prepared as part of the environmental review process for the I-43 North-South Freeway Corridor Study in Milwaukee and Ozaukee Counties. I have reviewed both documents and have a few comments.

The CP seems consistent with previous plans that I have reviewed and I have no comment on the CP.

Farmland is located adjacent to I-43 on the northern two-thirds of the project. Some of this farmland is zoned for exclusive agricultural use. It may be instructive to identify in the *Laws, Regulations, Guidelines, and Methodology* section of the IAM, the agricultural issues/laws that could include:

- The Farmland Protection Policy Act of 1981(7 USC 4201-4209).
- FHWA's Technical Advisory 6640.8 A, Guidance for Preparing and Processing Environmental and Section 4(f) Documents (1987).
- WisDOT's Facilities Development Manual (FDM), Chapter 24, Section 10, Agricultural Lands, and Chapter 32.035, Wisconsin Statutes (Agricultural Impact Statement).

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These documents are intended to identify, estimate and possibly mitigate the impacts of highway projects on agricultural resources.

If the project proceeds and requires the acquisition of farmland, the Department of Agriculture, Trade and Consumer Protection should be notified in order to determine whether an Agricultural Impact Statement will be prepared for the proposed project. If you have any questions regarding this letter, please contact me at 608.224.4650.

Sincerely,

Peter Nauth

Peter Nauth
Agricultural Impact Program
Wisconsin Department of Agriculture,
Trade and Consumer Protection

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
2300 N. Dr. Martin Luther King, Jr. Drive
Milwaukee WI 53212-3128

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711

WISCONSIN DEPT. OF NATURAL RESOURCES

September 4, 2012

Ms. Carrie Cooper
WisDOT Southeast Region
1001 W. St. Paul Ave.
Milwaukee WI 53203

Dear Ms. Cooper:

Thank you for the opportunity to review and comment on the *Coordination Plan* and *Impact Analysis Methodology* for the I-43 North-South Freeway Corridor Study (Study), Silver Spring to STH 60, Milwaukee and Ozaukee Counties. The collaborative *Cooperative Agreement between the Wisconsin Department of Natural Resources and Wisconsin Department of Transportation* is described in the *Coordination Plan*. The Department shares the commitment to coordination and planning that protects public health and safety, maximizes the use of existing infrastructure, and conserves resources that support a sustainable high quality of life.

The Department offers the following *Impact Analysis Methodology* comments:

Section 12.3 Water Resources Impact Methodology

Clean Water Act, Section 303(d), impaired water bodies are present within the Milwaukee River Basin and Study area[1]. The Environmental Protection Agency requires a Total Maximum Daily Load (TMDL) analysis for impaired water bodies to establish the pollutant reductions needed to meet water quality goals. The Milwaukee Metropolitan Sewerage District is developing TMDLs as a third party on behalf of the Wisconsin Department of Natural Resources for the Menomonee River, Kinnickinnic River, and Milwaukee River Watersheds, and for the Milwaukee Harbor Estuary. Fecal coliform bacteria, phosphorous, and sediment are the pollutants of interest. Draft Waste Load Allocations will be prepared October 2012. A Draft Implementation Plan is anticipated January 2013. A Final Implementation Plan is expected September 2013. Municipal Separate Storm Sewer System (MS4) permits will incorporate TMDL requirements. The Departments of Natural Resources and Transportation are developing TMDL and MS4 guidance. The Department recommends that the conceptual storm water quality evaluation consider TMDL and MS4 requirements and analyze the potential impact of proposed highway improvements on existing water quality conditions. (1)

Flooding concerns are present in the Study area. The Department suggests the conceptual storm water management plan evaluate the potential impact of proposed highway facilities runoff release rates during 100-year and 2-year storm events. This information may assist Milwaukee Metropolitan Sewerage District and adjacent communities' management of flood control infrastructure. The Department acknowledges *TRANS 401 Construction Site Erosion Control and Storm Water Management Procedures for Department of Transportation Actions* and *Facilities Development Manual* requirements. (2)

[1] Milwaukee Metropolitan Sewerage District *Map of Milwaukee River Basin and Impaired Water Bodies* http://v3.mmsd.com/AssetsClient/documents/waterqualityresearch/TMDL/ImpairedWaterBodies_MilwBasinTMDL.pdf

Southeastern Wisconsin Regional Planning Commission Planning Report No. 50, *A REGIONAL WATER QUALITY MANAGEMENT PLAN UPDATE FOR THE GREATER MILWAUKEE WATERSHEDS, Appendix P, Criteria and Guidelines for Stream Crossings to Allow Fish Passage and Maintain Stream Stability within the Regional Water Quality Management Plan Update Study Area,* provides resource considerations for bridge and culvert design. Ozaukee County's Milwaukee River Watershed Fish Passage Program has used the design considerations to reconnect 158 stream miles of aquatic habitat in the Study area.[2] The Department suggests that the fishery resources evaluation consider aquatic organism passage, stream stability, and the potential impact of proposed highway improvements on existing aquatic habitat. 3

Section 15: Air Quality Impact Methodology

The Environmental Protection Agency recommends that agencies begin using MOVES2010a (Motor Vehicle Emission Simulator) and EMFAC2007 (California Emission Factor) air quality models at the earliest practicable time for transportation conformity, general conformity, and National Environmental Policy Act purposes although the two-year grace period ends March 2, 2013[3]. 4

Closing

Thanks again for the opportunity to comment. I look forward to reviewing the Study's *Draft Purpose and Need* statement. Please contact me by telephone (414) 303-3408 or email MichaelC.Thompson@Wisconsin.gov if I can provide further assistance. I'd be glad to meet or speak with you.

Sincerely,

Michael C. Thompson
Environmental Analysis and Review Team Supervisor
Northeast and Southeast Regions

Cc: Rebecca Graser, USACE
Michael Leslie, USEPA
Tom Slawski, SEWRPC
Andrew Struck, Ozaukee Co. Planning and Parks Dept.
Sharon Gayan, DNR
Randy Schumacher, DNR
Lloyd Eagan, DNR
Joe Hoch, DNR
Mike Halsted, DNR
Dave Siebert, DNR

[2] Ozaukee County – Fish Passage Program Map http://www.co.ozaukee.wi.us/planningparks/PlanningParks_FP_Updates.asp
[3] EPA, *Using the MOVES and EMFAC Emission Models in NEPA Evaluations*, February 8, 2011, Memorandum http://www.epa.gov/compliance/resources/policies/nepa/using-the-MOVES-and-EMFAC-emissions-models-in-NEPA-evaluations-pg.pdf

From: Nathan Check <NCheck@ci.mequon.wi.us>
Sent: Thursday, September 06, 2012 7:21 AM
To: Cooper, Carrie - DOT
Cc: Hoff, Steve - DOT; 'Caron Kloser'; 'Mary O'Brien'
Subject: RE: Proj ID: 1229-04-01, I-43 North-South Corridor Impact Analysis Methodology and Coordination Plan

Carrie,
I do not see MMSD on the list as an participating agency. I would assume that they would have a significant interest, particularly in Section 12: Water Resources Impact Methodology?

It is good to see that Section 12 includes both Quantity and Quality considerations.

Thank you,
Nathan

Nathan Check, PE
Director of Public Works/City Engineer
City of Mequon
262-236-2937

From: Cooper, Carrie - DOT <Carrie.Cooper@dot.wi.gov>
Sent: Wednesday, September 12, 2012 3:10 PM
To: 'Nathan Check'
Cc: Hoff, Steve - DOT; 'Caron Kloser'; 'Mary O'Brien'
Subject: RE: Proj ID: 1229-04-01, I-43 North-South Corridor Impact Analysis Methodology and Coordination Plan

Hi Nathan—

Thank you for your comments on the Impact Analysis Methodology and Coordination Plan . MMSD has been invited to participate on our Technical Advisory Committee (TAC) and we will be coordinating with them throughout the project.
Thanks,

Carrie

Carrie Cooper
Wisconsin Department of Transportation
1001 W. St. Paul Avenue
Milwaukee, WI 53203
MOBILE: (414) 750-0753
EMAIL : carrie.cooper@dot.wi.gov

C-2 AGENCY COMMENTS: COORDINATION POINT 1 – PURPOSE AND NEED STATEMENT

I-43 North-South Freeway Corridor
I.D. 1229-04-01

Draft Purpose and Need Statement
Summary of Agency Comments and Responses

Agency	Date	Comment	Response
U.S. Army Corps of Engineers	12/20/2012	Prefer that the main headings in the need section be reorganized to directly correlate to each of the seven purpose bullet points	The bullet points in the purpose discussion were meant to illustrate anticipated outcomes based on addressing the needs. However, to avoid confusion, we removed the bullet points in the purpose discussion. The preceding paragraph provides a summary of the project purpose.
SEWRPC	12/21/2012	On page 1, the second to last sentence in the last paragraph which reads, "*Also, the Southeast Regional Planning Commission (SEWRPC) originally defined the limits of the I-43 North-South Freeway Corridor in its study, A Regional Freeway System Reconstruction Plan for Southeastern Wisconsin, Planning Report #47*" should be removed from the text. The segments described in the regional freeway reconstruction study were developed to conduct conceptual design analyses and were not intended to be used as justification for the logical termini for subsequent projects.	Removed
		On page 5, provide additional detail with regard to interchange spacing within the study corridor	Added text
		On page 8, remove second sentence	Removed
		On page 31, it is suggested that the color scheme used to show level-of-service in Exhibit 1-12 be the same as the color scheme used in Exhibit 1-13	Retained existing colors based on previous internal review comments
		Beginning on page 36 and continuing through page 37, it is suggested that the text related to the regional freeway reconstruction plan, 2035 land use plan , and 2035 transportation system plan be replaced with the text from the IH 94 East-West study draft purpose and need statement.	Retained existing text to focus on key conclusions that I-43 North-South Freeway project is supported by regional plans.
		On page 1-7, it was suggested that the first two sentences of the second paragraph under the heading "1.3.1 Land Use and Transportation Planning" be changed to read: *SEWRPC's principal responsibility is to prepare an advisory comprehensive plan for the physical development of the region, including a regional land use plan, which is the basis of all other plan elements, including transportation.*	Inserted text

		On page 1-9, it was suggested that the last paragraph on this page be changed to read: *The 2035 regional transportation system plan recognizes that the 127 miles of freeway widening proposed in the plan, and in particular the 19 miles of widening in the City of Milwaukee (including IH 94 between the Zoo and Marquette interchanges), will undergo preliminary engineering and environmental impact studies by WisDOT. The plan acknowledged that during preliminary engineering, alternatives will be considered, including rebuild-as-is, various options of rebuild to modern design standards, compromises to rebuilding to modern design standards, rebuilding with additional lanes, and rebuilding with the existing number of lanes. The plan further acknowledged that only at the conclusion of preliminary engineering would a determination be made as to how the freeway would be reconstructed.*	Incorporated text with appropriate references to I-43.
Wisconsin Historical Society (SHPO)	12/27/2012	No comment at this time, will provide comment with submission of Section 106 materials	
U.S. EPA	12/31/2012	No comments at this time	
Wisconsin DNR	1/4/2013	Concur on purpose and need	

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
2300 N. Dr. Martin Luther King, Jr. Drive
Milwaukee WI 53212-3128

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711

WISCONSIN DEPT. OF NATURAL RESOURCES

January 4, 2013

Ms. Carrie Cooper
Wisconsin Department of Transportation
1001 W. St. Paul Avenue
Milwaukee WI 53203

Subject: WDNR Concurrence with Purpose and Need, I-43 Corridor Study, State ID: 1229-04-01

Dear Ms. Cooper:

Thank you for the opportunity to comment on the Draft Purpose and Need for the IH-43 North-South Corridor Study, Silver Spring Drive to State Highway 60, Milwaukee and Ozaukee Counties. The Department concurs with the Purpose and Need for the project and that safety, deteriorating bridges and pavement, obsolete design, traffic demand and efficient regional transportation system operations must be addressed. The project will also accommodate future traffic volumes at an acceptable level of service, provide safe and reasonable local access and accommodate local and existing and planned bicycle and pedestrian facilities. I have attached an agency letter of initial review dated November 6th, 2012, which details environmental factors that should be taken into consideration during the design and construction phases of the project.

The Departments of Natural Resources and Transportation collaborate during transportation planning to develop projects that meet transportation needs, minimize adverse environmental impacts, maximize use of existing infrastructure, and consider stakeholder input and public opinion. The Department is committed to cooperation and planning to protect public health, safety, and the environment while conserving resources that support a sustainable, high quality of life.

Please contact me at (414) 263-8517 or Kristina.betzold@Wisconsin.gov if I can provide further information or assistance. I would be glad to meet or speak with you.

Sincerely,

Kristina Betzold

Kristina Betzold
Environmental Analysis and Review Specialist

DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
190 FIFTH STREET EAST, Suite 700
ST. PAUL, MN 55101-1678

DEC 2 0 2012

REPLY TO
Operations - Regulatory (2010-05252-ADJ)

Ms. Carrie Cooper
WisDOT Southeast Region
1001 W. St. Paul Avenue
Milwaukee, Wisconsin 53203

Dear Ms. Cooper:

We have completed our review of the Draft Purpose and Need Statement prepared for the Interstate 43 North - South Corridor Environmental Impact Statement (WisDOT Project I.D. 1229-04-01), received November 20, 2012. The study area is between Silver Spring Drive (south limit) to State Trunk Highway 60 (north limit) in Milwaukee and Ozaukee Counties, Wisconsin.

We concur with the November 2012 Draft Purpose and Need Statement. However, we would prefer that each main heading in the need section be reorganized to directly correlate to each of the seven purpose bullet points. The overall project purpose drafted for inclusion in the proposed I-43 North – South Corridor Environmental Impact Statement is to:

- Provide a facility that meets modern design standards;
- Replace deteriorated concrete;
- Improve safety and traffic operations on the I-43 freeway mainline and its interchanges;
- Accommodate future traffic volumes at an acceptable level of service;
- Maintain a vital link in the state and regional transportation network;
- Provide safe and reasonable local access while preserving freeway operations and safety; and
- Accommodate local existing and planned bicycle and pedestrian facilities.

Please continue to coordinate with our agency as you proceed with drafting the Environmental Impact Statement. If you have any questions, contact Anthony Jernigan in our Waukesha office at (262) 717-9544. In any correspondence or inquiries, please refer to the Regulatory number shown above.

Sincerely,

Tamara E. Cameron
Chief, Regulatory Branch

Copy Furnished:
Kenneth Westlake, US Environmental Protection Agency;
Bethaney Bacher-Gresock, FHWA Wisconsin Division;
Mike Thompson, WDNR.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

DEC 31 2012

REPLY TO THE ATTENTION OF:

E-19J

Bethaney Bacher-Gresock
Federal Highway Administration – Wisconsin
525 Junction Road
Madison, Wisconsin 53717

Re: **Draft Purpose and Need Statement, I-43 North-South Corridor Project, Milwaukee and Ozaukee Counties, Wisconsin**

Dear Ms. Bacher-Gresock:

The U.S. Environmental Protection Agency has received the request for comments on the draft Purpose and Need for the above-mentioned project. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

The Wisconsin Department of Transportation (WisDOT) and the Federal Highway Administration (FHWA) are proposing to address structural and system deficiencies along I-43 between Silver Spring Drive in the City of Glendale and WIS 60 in the Village of Grafton. Proposed improvements aim to improve safety and traffic operations, accommodate future traffic volumes at an appropriate level of service, and design a facility that meets modern standards.

At this time, EPA has no comments on the draft Purpose and Need Statement. We appreciate the opportunity to provide comments related to the proposed project throughout the entire process. We look forward to receiving future NEPA documents.

Should you have any questions, please do not hesitate to contact me or Elizabeth Poole of my staff at (312) 353-2087 or poole.elizabeth@epa.gov.

Sincerely,

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

cc: Carrie Cooper, WisDOT
Anthony Jernigan, USACE
Michael Thompson, WDNR
Kimberly Cook, WHS

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Wauck, Monica T - DOT

From: Cooper, Carrie - DOT [Carrie.Cooper@dot.wi.gov]
Sent: Friday, December 28, 2012 8:28 AM
To: Wauck, Monica T - DOT; Mary O'Brien (tem@tds.net); Caron Kloser
Cc: Hoff, Steve - DOT
Subject: FW: I-43 North-South Agency Meeting

FYI...

Carrie Cooper
Wisconsin Department of Transportation
1001 W. St. Paul Avenue
Milwaukee, WI 53203
MOBILE: (414) 750-0753
EMAIL : carrie.cooper@dot.wi.gov

From: Cook, Kimberly A - WHS
Sent: Thursday, December 27, 2012 3:41 PM
To: Cooper, Carrie - DOT
Subject: RE: I-43 North-South Agency Meeting

Hello Ms. Cooper,

I've been following along with the materials you've been providing - thank you for those. To date, I've had no questions or concerns. The 106 segment in the Impact Analysis Methodology document (Section 7) did a fine job of summarizing what needs to be done. SHPO is eager to see the 106 materials and the results of the surveys. It appears from the agenda that it might be a little early for our participation, unless you feel I would need to be there to answer questions regarding the Section 106 process. I see that there are several experienced WisDOT regional people as well as Ms. Bacher-Gresock from FHWA who were also invited and are familiar with the process.

I will certainly attend if you feel it would be helpful. Otherwise, I would very much like to attend a meeting after the architecture/history and archaeological surveys have been completed.

It's nice to meet you and again, thank you for the materials you've been providing. The Cultural Resources Team at WisDOT will also be proving some of the materials when they submit their 106 packet to us for review, but I do appreciate the early look.

Kim

Kimberly Zunker Cook
Wisconsin Historical Society
Division of Historic Preservation and Public History
Room 300
816 State Street
Madison, WI 53706
608-264-6493

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-----Original Appointment-----
From: Cooper, Carrie - DOT
Sent: Friday, December 21, 2012 2:24 PM
To: apederson@bayside-wi.gov; Betzold, Kristina A - DNR; Cook, Kimberly A - WHS; Elizabeth Poole; Hiebert, Christopher; jbrunnquell@village.grafton.wi.us; 'Jernigan, Anthony D MVP'; Kenneth Westlake; Maslowski, Richard; Nauth, Peter L - DATCP; ncheck@ci.mequon.wi.us; Rebecca M MVP Graser (Rebecca.M.Graser@usace.army.mil); srobertson@vil.fox-point.wi.us; Thomas Meaux; Thompson, Michael C - DNR; Yunker, Ken; Mary O'Brien (tem@tds.net); CKloser@HNTB. com; Hoff, Steve - DOT; Wauck, Monica T - DOT; Stankevich, Paul; Nag, Manojoy - DOT; Bethaney Bacher-Gresock (Bethaney.Bacher-Gresock@dot.gov); Waldschmidt, Jay - DOT; Lee, Scott - DOT
Subject: I-43 North-South Agency Meeting
When: Wednesday, January 30, 2013 10:00 AM-12:00 PM (GMT-06:00) Central Time (US & Canada).
Where: 1001 West St. Paul Avenue, Milwaukee, WI, Wisconsin Room, Conference line 1-888-557-8511 Access 7110423 Host 1748

When: Wednesday, January 30, 2013 10:00 AM-12:00 PM (UTC-06:00) Central Time (US & Canada).
Where: 1001 West St. Paul Avenue, Milwaukee, WI, Wisconsin Room, Conference line 1-888-557-8511 Access 7110423 Host 1748

Note: The GMT offset above does not reflect daylight saving time adjustments.

~~*~*~*~*~*~*~*~*~*

Season's Greetings and Happy New Year! The next I-43 North-South Corridor Agency meeting has been scheduled for Wednesday, January 30th from 10:00am to noon in our WisDOT Milwaukee Office at:

1001 West St. Paul Avenue, Milwaukee, WI
2nd floor, Wisconsin Room
There is plenty of free parking in the lot.
Conference call number:
1-888-557-8511
Access 7110423
Host 1748

At the meeting we will discuss:

- Comments on the Purpose and Need
- Initial alternatives for I-43 and Interchanges in the corridor
- Next steps in the Environmental process for the I-43 North-South Corridor Study

Just a reminder to please send me your comments on the draft Purpose and Need. Also, a Public Information Meeting (PIM) will be held on the evening of our agency meeting. Here are the PIM details:

I-43 North-South Corridor Study Public Information Meeting #2
January, 30th from 5:00pm to 8:00pm
Nicolet High School - 6701 N. Jean Nicolet Rd. Glendale, WI – Cafeteria
Project website: http://www.dot.wisconsin.gov/projects/seregion/43/index.htm

2

Wauck, Monica T - DOT

From: Hiebert, Christopher T. [CHIEBERT@SEWRPC.org]
Sent: Friday, December 21, 2012 10:27 AM
To: 'Cooper, Carrie - DOT'
Cc: Cox, Carrie L - DOT; Waldschmidt, Jay - DOT; Lee, Scott - DOT; Berghammer, Donald - DOT; Nag, Manojoy - DOT; Hoff, Steve - DOT; Becherer, Mark; Caron Kloser; Mary O'Brien (tem@tds.net); Wauck, Monica T - DOT; Bethaney Bacher-Gresock (Bethaney.Bacher-Gresock@dot.gov); Shemwell, Wesley; Blankenship, Tracey; Nguyen, David - DOT; apederson@bayside-wi.gov; Betzold, Kristina A - DNR; Cook, Kimberly A - WHS; Elizabeth Poole; jbrunnquell@village.grafton.wi.us; 'Jernigan, Anthony D MVP'; Kenneth Westlake; Maslowski, Richard; Nauth, Peter L - DATCP; ncheck@ci.mequon.wi.us; Rebecca M MVP Graser (Rebecca.M.Graser@usace.army.mil); srobertson@vil.fox-point.wi.us; Thomas Meaux; Thompson, Michael C - DNR; Yunker, Ken; Hoel, Ryan W.
Subject: RE: I-43 North-South Corridor Study DRAFT Purpose and Need Statement, Proj ID: 1229-04-01
Attachments: Comments on IH 43 N-S Corridor Study (00208830).pdf

Carrie,

Commission staff appreciates the opportunity to comment on the draft purpose and need statement for the IH 43 North-South study. We have reviewed the document and have the following suggested changes to the draft document:

On page 1, the second to last sentence in the last paragraph which reads, *"Also, the Southeast Regional Planning Commission (SEWRPC) originally defined the limits of the I-43 North-South Freeway Corridor in its study, A Regional Freeway System Reconstruction Plan for Southeastern Wisconsin, Planning Report #47"* should be removed from the text. The segments described in the regional freeway reconstruction study were developed to conduct conceptual design analyses and were not intended to be used as justification for the logical termini for subsequent projects.

On page 5, it is suggested that additional detail be provided with regard to interchange spacing within the study corridor beyond that of the spacing of Highland Road, which has no interchange, between the Mequon Road and Pioneer Road Interchanges.

On page 8, it is suggested that the second sentence be removed, as the first sentence, which we would assume is based on the current condition of the roadway, already states that the pavement has exceeded its life expectancy. In addition, the freeway reconstruction study, completed in 2003, *projected* that this segment of freeway would likely need reconstruction between 2006 and 2010. The report can't be used to make the statement that the pavement *reached* the end of its useful life between 2006 and 2010, this can only be determined through a field inspection, which the first sentence already addresses.

On page 31, it is suggested that the color scheme used to show level-of-service in Exhibit 1-12 be the same as the color scheme used in Exhibit 1-13.

Beginning on page 36 and continuing through page 37, it is suggested that the text related to the regional freeway reconstruction plan, 2035 land use plan , and 2035 transportation system plan be replaced with the text from the IH 94 East-West study draft purpose and need statement. The text from the IH 94 draft purpose and need statement begins on page 1-7 with the text under 1.3.1 and continues through page 1-10 and does not include the discussion of the 2013-2016 transportation improvement program. This text would need to be modified to address IH 43 rather than IH 94. I have included an excerpt from the draft we received as an attachment to this e-mail. This section of text should be modified to include comments we provided on the IH 94 draft purpose and need:

> On page 1-7, it was suggested that the first two sentences of the second paragraph under the heading "1.3.1 Land Use and Transportation Planning" be changed to read:

1

SEWRPC's principal responsibility is to prepare an advisory comprehensive plan for the physical development of the region, including a regional land use plan, which is the basis of all other plan elements, including transportation.

On page 1-9, it was suggested that the last paragraph on this page be changed to read:

The 2035 regional transportation system plan recognizes that the 127 miles of freeway widening proposed in the plan, and in particular the 19 miles of widening in the City of Milwaukee (including IH 94 between the Zoo and Marquette interchanges), will undergo preliminary engineering and environmental impact studies by WisDOT. The plan acknowledged that during preliminary engineering, alternatives will be considered, including rebuild-as-is, various options of rebuild to modern design standards, compromises to rebuilding to modern design standards, rebuilding with additional lanes, and rebuilding with the existing number of lanes. The plan further acknowledged that only at the conclusion of preliminary engineering would a determination be made as to how the freeway would be reconstructed.

Please contact our office with any questions regarding our suggested changes to the draft purpose and need statement.

Sincerely,

Christopher T. Hiebert, P.E.
Chief Transportation Engineer
Southeastern Wisconsin Regional Planning Commission
W239 N1812 Rockwood Drive
P.O. Box 1607
Waukesha, WI 53187-1607
Phone: (262)547-6722 x 227
Fax: (262)547-1103
chiebert@sewrpc.org

From: Cooper, Carrie - DOT [mailto:Carrie.Cooper@dot.wi.gov]
Sent: Tuesday, November 20, 2012 1:20 PM
To: apederson@bayside-wi.gov; Betzold, Kristina A - DNR; Cook, Kimberly A - WHS; Elizabeth Poole; Hiebert, Christopher T.; jbrunnquell@village.grafton.wi.us; 'Jernigan, Anthony D MVP'; Kenneth Westlake; Maslowski, Richard; Nauth, Peter L - DATCP; ncheck@ci.mequon.wi.us; Rebecca M MVP Graser (Rebecca.M.Graser@usace.army.mil); srobertson@vil.fox-point.wi.us; Thomas Meaux; Thompson, Michael C - DNR; Yunker, Kenneth R.
Cc: Cox, Carrie L - DOT; Waldschmidt, Jay - DOT; Lee, Scott - DOT; Berghammer, Donald - DOT; Nag, Manojoy - DOT; Hoff, Steve - DOT; Becherer, Mark; CKloser@HNTB. com; Mary O'Brien (tem@tds.net); Wauck, Monica T - DOT; Bethaney Bacher-Gresock (Bethaney.Bacher-Gresock@dot.gov); Shemwell, Wesley; Blankenship, Tracey; Nguyen, David - DOT
Subject: I-43 North-South Corridor Study DRAFT Purpose and Need Statement, Proj ID: 1229-04-01

Good Afternoon—

Attached you will find the DRAFT I-43 North-South Corridor Purpose and Need statement. As a Cooperating or Participating agency for the study, please review the DRAFT Purpose and Need statement and provide comments back to me on or before **Friday, December 21st**. A revised Purpose and Need statement, incorporating changes based on your comments we receive, will be sent back to you in early January. The Purpose and Need statement will become Section 1 of the Environmental Impact Statement (EIS) for the corridor study. Also, the Purpose and Need will shape the range of alternatives developed and evaluated for the I-43 North-South Freeway Corridor study, ultimately leading to the preferred alternative for the corridor.

Other upcoming activities:

2

Our next Public information Meetings (PIMs) are scheduled for the late afternoon of **Wednesday, January 30th at Nicolet High School and Thursday, January 31st**(location in Ozaukee County to be determined).

The next agency meeting is scheduled **for January 30th** (the same date as a PIM) at WisDOT's downtown office at 1001 West St. Paul Avenue in Milwaukee, in the Wisconsin Room. I will be sending you an outlook appointment with more information. At that meeting, you will have an opportunity to further discuss the Purpose and Need, review the initial alternatives for I-43 and Interchanges in the corridor, and the plan for the next steps in the Environmental process for the I-43 North-South Corridor study.

Feel free to contact me if you have any questions or comments on the I-43 North-South Corridor Study.
Thank you for your continued participation in the study.
Sincerely,

Carrie

Carrie Cooper
Wisconsin Department of Transportation
1001 W. St. Paul Avenue
Milwaukee, WI 53203
MOBILE: (414) 750-0753
EMAIL : carrie.cooper@dot.wi.gov

3

C-3 AGENCY COMMENTS: COORDINATION POINT 2 – RANGE OF ALTERNATIVES

I-43 Corridor Study
I.D. 1229-04-01

Draft Alternatives Section
Summary of Agency Comments and Responses

Agency	Comment	Responses
EPA	Carry forward alternatives with the least impacts to wetlands; avoid ADID wetlands and primary environmental corridors; minimize impacts to Ulao Creek and fish passages	Section 3 of the EIS describes efforts to avoid and minimize impacts to these resources.
Army Corp of Engineers	Please consider and annotate whether alternatives would require stormwater management features	All alternatives would require stormwater management features. Stormwater management is discussed in Subsection 3.10 of the EIS.
	Clarify wetland impacts at Highland Road if interchange is constructed	Wetland impacts are included in Tables 2-1 and 2-2, the alternatives screening summary, in Section 2 of the EIS.
City of Mequon	Mequon suggested changes to sentence in Section 2.4.5 regarding the Highland Road interchange. The sentence in the draft section reads as follows: *Since the Highland Road interchange would be a new interchange that primarily benefits the surrounding community, WisDOT would require an agreement with the City of Mequon to provide funding for 50 percent of the interchange construction cost. If the city chooses to not provide a local share of funding, the interchange would not be built.*	WisDOT coordinated with Mequon, and agreed on the following: *Since the Highland Road interchange would be a new interchange that benefits the surrounding community, WisDOT would require an agreement with the City of Mequon to provide funding for a portion of the interchange construction cost. If the city chooses to not provide a local share of funding, the interchange would not be built.*
SEWRPC	p. 2-5: Edit footnote to show 10% decrease in transit use between 2006-2012.	Text updated
	p. 2-7: Expand and clarify how transit is funded in Wisconsin and WisDOT role in funding transit. *Recommends following text: The regional transportation plan notes that implementation of the recommended public transit expansion would be dependent upon the continued commitment of the State to be a partner in the maintenance, improvement and expansion, and attendant funding of public transit. The State has historically funded 40 to 45 percent of transit operating costs, and has increased funding to address inflation in the cost of providing public transit, and to provide for transit improvement and expansion.*	Text updated

	Implementation of the recommended expansion of public transit in Southeastern Wisconsin would also be dependent upon attaining dedicated local funding for public transit. The local share of funding of public transit in Southeastern Wisconsin is provided through county or municipal budgets, and represents about 15 percent of the total operating costs and 20 percent of total capital costs of public transit. Thus, the local share of funding public transit is largely provided by property taxes, and public transit must annually compete with mandated services and projects. Increasingly, due to the constraints in property tax based funding, counties and municipalities have found it difficult to provide funding to address transit needs, and to respond to shortfalls in Federal and State funding. Most public transit systems nationwide have dedicated local funding, typically a sales tax of 0.25 to 1.0 percent, and are not nearly as dependent upon Federal and State funding.	
	p. 2-8: Clarify section on Regional Transportation Plan 2035's recommendations. Recommends following text: *WisDOT should consider the recommendations in the regional plan, but if at the conclusion of PE the recommendations are different then those included in the regional transportation plan, the plan would be amended to reflect the conclusions of this more detailed level of study. The Regional Plan recommends full implementation of all of the elements of the regional transportation plan, which include public transit, bicycle and pedestrian, TSM, TDM and highway improvements.*	Text updated
	p.2-31: Check dimensions on mainline typical sections.	Exhibit corrected
	p.2-36: Correct arrow direction on Diverging Diamond Interchange exhibit.	Exhibit corrected
	p. 2-37: Clean up dash lines on Single-Point Interchange exhibit.	Exhibit corrected

Wauck, Monica T - DOT

From: Jernigan, Anthony D MVP [Anthony.D.Jernigan@usace.army.mil]
Sent: Thursday, August 15, 2013 7:34 AM
To: Wauck, Monica T - DOT
Cc: 'Bethaney Bacher-Gresock (Bethaney.Bacher-Gresock@dot.gov)'; Webb, Charlie
Subject: comments on draft Section 2 of the EIS (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

We have reviewed the alternatives presented in the "draft Section 2 of the EIS". Please accept the following comments on the information provided.

-Please consider and annotate whether alternatives would require stormwater management features that would impact waters of the US (WOUS) and incorporate the generalized area into WOUS impacts.

-Table 2-2 indicates there will be wetland impacts associated with the Highland Road interchange while the text in Section 2.4.5 indicates the Tight Diamond will avoid wetland impacts. Please clarify the impacts. Also, if there are impacts to WOUS, are there any other designs that would eliminate or minimize the impacts?

-Thank you for depicting the alternatives and the categories used to compare alternatives in a tabular format that is reader-friendly. Going forward, I recommend indicating whether ADID wetlands are impacted when screening for a preferred alternative.

Thank you again for the opportunity to comment on the draft Section 2 of the EIS. Please contact us should you have any questions. We look forward to continuing to work with you on development of the EIS for this proposal.

Anthony Jernigan, CHMM, PG
Physical Scientist/ Project Manager
US Army Corps of Engineers
St. Paul District
Regulatory Branch
20711 Watertown Rd., Suite F
Waukesha, WI 53186
Phone: 651-290-5729
Fax: 262-717-9549

Classification: UNCLASSIFIED
Caveats: NONE

1

Wauck, Monica T - DOT

From: Poole, Elizabeth [Poole.Elizabeth@epa.gov]
Sent: Thursday, August 08, 2013 4:19 PM
To: Wauck, Monica T - DOT
Cc: Bethaney.Bacher-Gresock@dot.gov
Subject: RE: I-43 North-South Corridor Study (Silver Spring Drive-STH 60): Draft Alternatives Section for Review (Proj ID: 1229-04-01)

Monica –

We have no comments on the Draft Alternatives.

Thanks,
Elizabeth

Elizabeth Poole
Environmental Scientist
NEPA Implementation Section
U.S. Environmental Protection Agency
77 W Jackson Blvd. E-19J
Chicago, IL 60604
phone: 312-353-2087

From: Wauck, Monica T - DOT [mailto:Monica.Wauck@dot.wi.gov]
Sent: Thursday, August 08, 2013 7:22 AM
To: 'apederson@bayside-wi.gov'; Betzold, Kristina A - DNR; Cook, Kimberly A - WHS; Poole, Elizabeth; Hiebert, Christopher; 'jbrunnquell@village.grafton.wi.us'; 'Jernigan, Anthony D MVP'; Westlake, Kenneth; 'Maslowski, Richard'; Nauth, Peter L - DATCP; 'ncheck@ci.mequon.wi.us'; 'Rebecca M MVP Graser (Rebecca.M.Graser@usace.army.mil)'; 'srobertson@vil.fox-point.wi.us'; 'Thomas Meaux'; Thompson, Michael C - DNR; Yunker, Ken
Cc: 'Chief Tom Czaja'; 'Alex Henderson'; 'Eastman, Dave'; Kitchel, Lisie - DNR; 'Mary O'Brien (tem@tds.net)'; 'CKloser@HNTB. com'; Hoff, Steve - DOT; Stankevich, Paul; Nag, Manojoy - DOT; 'Bethaney Bacher-Gresock ()'; Waldschmidt, Jay - DOT; Lee, Scott - DOT; Becherer, Mark; 'pat.allen@ch2m.com'; Berghammer, Donald - DOT; Treazise, Michael - DOT; Nguyen, David - DOT; DOT DTSD SE SEF I43NS Doc Control
Subject: RE: I-43 North-South Corridor Study (Silver Spring Drive-STH 60): Draft Alternatives Section for Review (Proj ID: 1229-04-01)
Importance: High

Good morning—

This is a reminder that comments on the draft Alternatives section for the I-43 Corridor Study are due a week from today, on Thursday, August 15th. Please email any comments your agency may have on or before that date. A few agencies have already submitted comments, and I thank you for your prompt responses.

Also, please consider attending one of the upcoming Public Involvement Meetings. An invitation was sent to you recently. We will be holding two meetings on the study, one on Tuesday, August 20th at St. Eugene's in Fox Point and the other on Thursday, August 22nd at Christ Church in Mequon. The meeting is from 4pm-7pm each night, and each will cover the same information.

Thank you for your continued participation in this important study. We look forward to receiving you comments. If you have any questions, please do not hesitate to call or email.

1

Thank you--

Monica Wauck
Environmental Planner, I-43 Corridor Study

Wisconsin Department of Transportation
1001 W. St. Paul Avenue, Milwaukee, WI 53233

monica.wauck@dot.wi.gov | *414-750-4742*

http://www.dot.wisconsin.gov/projects/seregion/43/

From: Wauck, Monica T - DOT
Sent: Monday, July 15, 2013 1:06 PM
To: 'apederson@bayside-wi.gov'; Betzold, Kristina A - DNR; Cook, Kimberly A - WHS; 'Elizabeth Poole'; Hiebert, Christopher; 'jbrunnquell@village.grafton.wi.us'; 'Jernigan, Anthony D MVP'; 'Kenneth Westlake'; 'Maslowski, Richard'; Nauth, Peter L - DATCP; 'ncheck@ci.mequon.wi.us'; 'Rebecca M MVP Graser (Rebecca.M.Graser@usace.army.mil)'; 'srobertson@vil.fox-point.wi.us'; 'Thomas Meaux'; Thompson, Michael C - DNR; Yunker, Ken
Cc: 'Chief Tom Czaja'; 'Alex Henderson'; 'Eastman, Dave'; Kitchel, Lisie - DNR; 'Mary O'Brien (tem@tds.net)'; 'CKloser@HNTB. com'; Hoff, Steve - DOT; Stankevich, Paul; Nag, Manojoy - DOT; 'Bethaney Bacher-Gresock (Bethaney.Bacher-Gresock@dot.gov)'; Waldschmidt, Jay - DOT; Lee, Scott - DOT; Becherer, Mark; 'pat.allen@ch2m.com'; Berghammer, Donald - DOT; Treazise, Michael - DOT; Nguyen, David - DOT; DOT DTSD SE SEF I43NS Doc Control
Subject: I-43 North-South Corridor Study (Silver Spring Drive-STH 60): Draft Alternatives Section for Review (Proj ID: 1229-04-01)
Importance: High

Good afternoon--

Attached is a description of the range of alternatives considered by FHWA and WisDOT for the I-43 North-South (Silver Spring Drive – WIS 60) Study Corridor. This document is the draft Section 2 of the EIS. As noted in the document, some alternatives considered have been dropped, while others may be dropped as the study continues forward. If you would like to reference the project purpose and need statement, you can find it on WisDOT's website: http://www.dot.wisconsin.gov/projects/seregion/43/need.htm

As discussed at the January 30th Agency Meeting, we plan on addressing any comments via email. If you would like to schedule a meeting to discuss the alternatives, please let me know, and we will gladly accommodate that request. **Please email your comments to me by August 15th.** Please note also that the third Public Involvement Meeting is scheduled for August 20th and 22nd. You will receive an invite to that meeting separately.

Also attached is an updated copy of the Coordination Plan. A few minor changes have been made to the schedule, and those have been highlighted. Additionally, a complete summary to date of meetings the study team has had with agencies and the public is included in Section 7.

We look forward to receiving your comments. If you have any questions, please contact me at 414-750-4742 or monica.wauck@dot.wi.gov.

Thank you--

Monica Wauck
Environmental Planner, I-43 Corridor Study

Wisconsin Department of Transportation
1001 W. St. Paul Avenue, Milwaukee, WI 53233

monica.wauck@dot.wi.gov | *414-750-4742*

2

Wauck, Monica T - DOT

From: Hoff, Steve - DOT
Sent: Friday, August 02, 2013 2:57 PM
To: 'Nathan Check'
Cc: Lee Szymborski; Nuernberg, Christine; Wauck, Monica T - DOT
Subject: RE: I-43 North-South Corridor Study (Silver Spring Drive-STH 60): Draft Alternatives Section for Review (Proj ID: 1229-04-01)
Attachments: image001.png; image002.png

Good afternoon, Nathan-

As you and I talked at our meeting on Wednesday, we at the DOT will require a project cost share agreement with the City of Mequon in order to proceed with an interchange at Highland Rd. Since this would be a new interchange, our policy is for the City to pay 50% of the cost of the interchange. We are certainly willing to have further discussions about that.

With that being said, we can modify the language in Section 2.4.5 to this:

Since the Highland Road interchange would be a new interchange that benefits the surrounding community, WisDOT would require an agreement with the City of Mequon to provide funding for a portion of the interchange construction cost. If the city chooses to not provide a local share of funding, the interchange would not be built.

Please let me know if you'd like to discuss this further.

Thanks.

Steve Hoff, P.E.

Project Manager, Major Projects
WisDOT Southeast Region
Phone: (262)548-6718
email: steve.hoff@dot.wi.gov

From: Nathan Check [mailto:NCheck@ci.mequon.wi.us]
Sent: Tuesday, July 30, 2013 1:24 PM
To: Wauck, Monica T - DOT; Hoff, Steve - DOT
Cc: Lee Szymborski; Nuernberg, Christine
Subject: RE: I-43 North-South Corridor Study (Silver Spring Drive-STH 60): Draft Alternatives Section for Review (Proj ID: 1229-04-01)

Monica and Steve,
Please let me know if you need a formal letter, but I wanted to get these important comments out regarding the language in Section 2.4.5.
Since the Highland Road interchange would be a new interchange that primarily benefits the surrounding community, WisDOT would require an agreement with the City of Mequon to provide funding for 50 percent of the interchange construction cost. If the city chooses to not provide a local share of funding, the interchange would not be built.

The City of Mequon particularly has concerns and objects to the language as it is written. My recommendation would be to reword the portion of the EIS to read:

1

Since the Highland Road interchange would be a new interchange that ~~primarily~~ benefits the surrounding community, WisDOT **may** require an agreement with the City of Mequon to provide funding for **a portion** of the interchange construction cost. If the **city or other local agencies choose** to not provide a local share of funding, the interchange **may** not be built.

Below is a brief summary of my reasoning which I can follow up with a formal letter if you wish.

1. "...primarily benefits the surrounding community...."
While I anticipate that additional information on traffic and the benefits are forthcoming, the City has not received an analysis on who is actually receiving the benefits. I anticipate that it is not only the City of Mequon, but also the City of Cedarburg, Village of Germantown, Village of Thiensville as well as the DOT and Ozaukee County. As shown in the preliminary analysis, there will be significant changes needed at STH 167 and CTH W if an interchange at Highland is not built. I assume that the regional benefit and benefits to the interstate system are further defined in the IJR in the eight policy requirements.

2. "WisDOT would require an agreement with the City of Mequon to provide funding for 50% of the interchange construction cost."
Based on our previous discussions, this requirement arises from the DOT's cost share policy from the Program Management Manual. I have a copy of Document No. 03-25-05 for the Local Participation Policy for State Improvement Programs which primarily deals with access to State Trunk Highways. The document includes language that the DOT "may require" and that they "may consider requests to reduce the local share of the costs." Since the local versus regional benefit has not been fully vetted, I would recommend the changes as above.

Please let me know if these changes are possible and we can discuss further at Wednesday's traffic meeting.

Also, one item on the Coordination Plan – our Mayor has changed to Mayor Dan Abendroth.
Thank you,
Nathan

Nathan Check, PE
Director of Public Works/City Engineer
City of Mequon
262-236-2937

From: Wauck, Monica T - DOT [mailto:Monica.Wauck@dot.wi.gov]
Sent: Monday, July 15, 2013 1:06 PM
To: 'apederson@bayside-wi.gov'; Betzold, Kristina A - DNR; Cook, Kimberly A - WHS; 'Elizabeth Poole'; Hiebert, Christopher; 'jbrunnquell@village.grafton.wi.us'; 'Jernigan, Anthony D MVP'; 'Kenneth Westlake'; 'Maslowski, Richard'; Nauth, Peter L - DATCP; Nathan Check; 'Rebecca M MVP Graser (Rebecca.M.Graser@usace.army.mil)'; 'srobertson@vil.fox-point.wi.us'; 'Thomas Meaux'; Thompson, Michael C - DNR; Yunker, Ken
Cc: 'Chief Tom Czaja'; 'Alex Henderson'; 'Eastman, Dave'; Kitchel, Lisie - DNR; 'Mary O'Brien (tem@tds.net)'; 'CKloser@HNTB. com'; Hoff, Steve - DOT; Stankevich, Paul; Nag, Manojoy - DOT; 'Bethaney Bacher-Gresock (Bethaney.Bacher-Gresock@dot.gov)'; Waldschmidt, Jay - DOT; Lee, Scott - DOT; Becherer, Mark; 'pat.allen@ch2m.com'; Berghammer, Donald - DOT; Treazise, Michael - DOT; Nguyen, David - DOT; DOT DTSD SE SEF I43NS Doc Control
Subject: I-43 North-South Corridor Study (Silver Spring Drive-STH 60): Draft Alternatives Section for Review (Proj ID: 1229-04-01)
Importance: High

Good afternoon--

Attached is a description of the range of alternatives considered by FHWA and WisDOT for the I-43 North-South (Silver Spring Drive – WIS 60) Study Corridor. This document is the draft Section 2 of the EIS. As noted in the document, some alternatives considered

2

have been dropped, while others may be dropped as the study continues forward. If you would like to reference the project purpose and need statement, you can find it on WisDOT's website: http://www.dot.wisconsin.gov/projects/seregion/43/need.htm

As discussed at the January 30th Agency Meeting, we plan on addressing any comments via email. If you would like to schedule a meeting to discuss the alternatives, please let me know, and we will gladly accommodate that request. **Please email your comments to me by August 15th.** Please note also that the third Public Involvement Meeting is scheduled for August 20th and 22nd. You will receive an invite to that meeting separately.

Also attached is an updated copy of the Coordination Plan. A few minor changes have been made to the schedule, and those have been highlighted. Additionally, a complete summary to date of meetings the study team has had with agencies and the public is included in Section 7.

We look forward to receiving your comments. If you have any questions, please contact me at 414-750-4742 or monica.wauck@dot.wi.gov.

Thank you--

Monica Wauck
Environmental Planner, I-43 Corridor Study

Wisconsin Department of Transportation
1001 W. St. Paul Avenue, Milwaukee, WI 53233

monica.wauck@dot.wi.gov | 414-750-4742

http://www.dot.wisconsin.gov/projects/seregion/43/

3

Wauck, Monica T - DOT

From: Cook, Kimberly A - WHS
Sent: Wednesday, August 07, 2013 11:17 AM
To: Wauck, Monica T - DOT
Subject: RE: I-43 North-South Corridor Study (Silver Spring Drive-STH 60): Draft Alternatives Section for Review (Proj ID: 1229-04-01)

Thank you for the early look at a portion of the draft EIS. We will reserve comment until we get the archaeology and historic structures survey reports. Please continue to coordinate with WisDOT's Cultural Resources Team; they are our single point of contact with your agency and will ensure that we receive everything we need to complete the 106 review.

Two changes to the Coordination Plan – you can switch the State Historic Preservation Office's Project Role to "cooperating agency" since our participation is required by law. Also, please update your SHPO contact. Michael Stevens has retired; the State Historic Preservation Officer is now Jim Draeger (jim.draeger@wisconsinhistory.org 608-264-6511).

Thank you,

Kimberly Zunker Cook
Wisconsin Historical Society
Division of Historic Preservation and Public History
Room 300
816 State Street
Madison, WI 53706
608-264-6493

Collecting, Preserving and Sharing Stories Since 1846

From: Wauck, Monica T - DOT
Sent: Monday, July 15, 2013 1:06 PM
To: 'apederson@bayside-wi.gov'; Betzold, Kristina A - DNR; Cook, Kimberly A - WHS; 'Elizabeth Poole'; Hiebert, Christopher; 'jbrunnquell@village.grafton.wi.us'; 'Jernigan, Anthony D MVP'; 'Kenneth Westlake'; 'Maslowski, Richard'; Nauth, Peter L - DATCP; 'ncheck@ci.mequon.wi.us'; 'Rebecca M MVP Graser (Rebecca.M.Graser@usace.army.mil)'; 'srobertson@vil.fox-point.wi.us'; 'Thomas Meaux'; Thompson, Michael C - DNR; Yunker, Ken
Cc: 'Chief Tom Czaja'; 'Alex Henderson'; 'Eastman, Dave'; Kitchel, Lisie - DNR; 'Mary O'Brien (tem@tds.net)'; 'CKloser@HNTB. com'; Hoff, Steve - DOT; Stankevich, Paul; Nag, Manojoy - DOT; 'Bethaney Bacher-Gresock (Bethaney.Bacher-Gresock@dot.gov)'; Waldschmidt, Jay - DOT; Lee, Scott - DOT; Becherer, Mark; 'pat.allen@ch2m.com'; Berghammer, Donald - DOT; Treazise, Michael - DOT; Nguyen, David - DOT; DOT DTSD SE SEF I43NS Doc Control
Subject: I-43 North-South Corridor Study (Silver Spring Drive-STH 60): Draft Alternatives Section for Review (Proj ID: 1229-04-01)
Importance: High

Good afternoon--

Attached is a description of the range of alternatives considered by FHWA and WisDOT for the I-43 North-South (Silver Spring Drive – WIS 60) Study Corridor. This document is the draft Section 2 of the EIS. As noted in the document, some alternatives considered have been dropped, while others may be dropped as the study continues forward. If you would like to reference the project purpose and need statement, you can find it on WisDOT's website: http://www.dot.wisconsin.gov/projects/seregion/43/need.htm

1

As discussed at the January 30th Agency Meeting, we plan on addressing any comments via email. If you would like to schedule a meeting to discuss the alternatives, please let me know, and we will gladly accommodate that request. **Please email your comments to me by August 15th.** Please note also that the third Public Involvement Meeting is scheduled for August 20th and 22nd. You will receive an invite to that meeting separately.

Also attached is an updated copy of the Coordination Plan. A few minor changes have been made to the schedule, and those have been highlighted. Additionally, a complete summary to date of meetings the study team has had with agencies and the public is included in Section 7.

We look forward to receiving your comments. If you have any questions, please contact me at 414-750-4742 or monica.wauck@dot.wi.gov.

Thank you--

Monica Wauck
Environmental Planner, I-43 Corridor Study

Wisconsin Department of Transportation
1001 W. St. Paul Avenue, Milwaukee, WI 53233

monica.wauck@dot.wi.gov | *414-750-4742*

http://www.dot.wisconsin.gov/projects/seregion/43/

<< File: I-43 North-South Corridor Project Map.pdf >> << File: I-43 North-South Coordination Plan 07_2013.pdf >> << File: Draft I-43 North-South Corridor_EIS_Section2_07152013 (2).pdf >>

2

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAR 25 2013

REPLY TO THE ATTENTION OF:

E-19J

Bethaney Bacher-Gresock
Federal Highway Administration – Wisconsin Division
525 Junction Road, Suite 8000
Madison, Wisconsin 53717-2157

Re: **Comments on the Range of Alternatives for I-43 North-South Freeway Corridor Study, Silver Spring Drive to WIS 60, Milwaukee and Ozaukee Counties, Wisconsin**

Dear Ms. Bacher-Gresock:

The U.S. Environmental Protection Agency has received the February 27, 2013 email in which the Federal Highway Administration (FHWA), in cooperation with the Wisconsin Department of Transportation (WisDOT), requested comments on the proposed range of alternatives for the above-mentioned project. EPA also participated in the January 30, 2013 call to discuss the range of alternatives. Concurrence on the alternatives carried forward will be requested later.

The approximate 14-mile study area along I-43 extends from Silver Spring Drive in the City of Glendale to WIS 60 in the Village of Grafton. The scope of proposed improvements includes alternatives that would provide additional capacity along I-43 and upgrading the existing interchanges at Silver Spring Drive, Good Hope Road, Brown Deer Road, Port Washington Road, Mequon Road, County C, and WIS 60. A possible new interchange at Highland Road in the City of Mequon is also presented.

At this time, EPA reiterates our comments made during the January 30, 2013 call that alternatives carried forward should be those with the least impact to wetlands. Advance identified (ADID) wetlands and primary environmental corridors should be avoided. EPA also commented that impacts to Ulao Creek and the newly established fish passages should be minimized.

We are committed to continue to work with FHWA and WisDOT on this project to reduce impacts to the environment. Thank you for providing us this opportunity. Should you have any questions, please do not hesitate to contact me or Elizabeth Poole of my staff at (312) 353-2087 or poole.elizabeth@epa.gov.

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Sincerely,

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

Cc: Carrie Cooper, Wisconsin Department of Transportation
Monica Wauck, Wisconsin Department of Transportation
Steve Hoff, Wisconsin Department of Transportation
Anthony Jernigan, US Army Corps of Engineers
Michael Thompson, Wisconsin Department of Natural Resources

C-4 AGENCY COMMENTS: COORDINATION POINT 3 – PREFERRED ALTERNATIVE

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAR 03 2014

REPLY TO THE ATTENTION OF:

E-19J

Bethaney Bacher-Gresock
Federal Highway Administration – Wisconsin Division
525 Junction Road, Suite 8000
Madison, Wisconsin 53717-2157

Re: **Comments on the Preferred Alternative for I-43 North-South Freeway Corridor Study, Silver Spring Drive to WIS 60, Milwaukee and Ozaukee Counties, Wisconsin**

Dear Ms. Bacher-Gresock:

The U.S. Environmental Protection Agency has reviewed the administrative Draft Environmental Impact Statement provided on February 3, 2014 by the Federal Highway Administration (FHWA) and the Wisconsin Department of Transportation (WisDOT). The purpose of this agency review period was to solicit comments and concurrence on the preferred alternative prior to issuance of the public Draft EIS. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

The study area extends approximately 14-miles along I-43, from Silver Spring Drive in the City of Glendale in Milwaukee County to WIS 60 in the Village of Grafton in Ozaukee County, Wisconsin. The proposed project includes changes to the mainline and several interchanges. Therefore, the lead agencies have identified the following as part of the preferred alternative:

- **I-43 Mainline South Segment (Silver Spring Drive to Green Tree Road):** Modernization – 6 Lanes; Mainline shifted east; includes reconstructing the Jean Nicolet Road and widening Port Washington Road from two to four lanes.
- **I-43 Mainline North Segment (Green Tree Road to WIS 60):** Modernization – 6 lanes; additional lanes added inside the median.
- **Good Hope Road interchange:** Tight Diamond.
- **Brown Deer Road interchange:** Diverging Diamond or Tight Diamond.
- **County Line Road interchange:** No Access, Partial Diamond (added per email from Monica Wauck on February 28, 2014), or Split Diamond Hybrid (grade separation or without grade separation sub-alternatives).

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- **Mequon Road interchange:** Tight Diamond.
- **Highland Road interchange:** No Access or Tight Diamond.
- **Count C interchange:** Diamond.

Based on conversations between you and Elizabeth Poole of my staff, EPA understands that per Moving Ahead for Progress in the 21st Century (MAP-21), in order for FHWA to prepare a combined Final EIS and Record of Decision (ROD), the preferred alternative should be identified in the Draft EIS, among other criteria. At this time, because the proposed improvements to the I-43 corridor appear to meet the criteria, FHWA and WisDOT propose to prepare a combined Final EIS/ROD.

EPA notes that the administrative Draft EIS does not identify a preferred alternative for the interchanges at Brown Deer Road, Highland Road, and County Line Road. Therefore, EPA cannot concur with the preferred alternative for these three interchanges. When the preferred alternative for these interchanges is identified, EPA will review those elements of the project for comments and possible concurrence.

EPA concurs with the preferred alternatives for the mainline north and south segments, Good Hope Road interchange, Mequon Road interchange, and County C interchange. However, we have several recommendations that should be incorporated into Draft EIS before it is made publicly available. These recommendations are as follows:

- The Draft EIS should clarify how the No Access alternative at Highland Road impacts performance at Highland Road, adjacent interchanges, and surrounding mainline segments. EPA is concerned about the amount of wetland impacts, 5.42 acres, at Highland Road if the Tight Diamond interchange is selected. If the No Access alternative for Highland Road does not adversely impact traffic performance, EPA strongly recommends WisDOT and FHWA pursue the No Access alternative. Because the corridor is largely in an urban area, the impacts to wetlands in each of various segments (both mainline and interchanges) is small, but cumulatively large. Where feasible, EPA recommends impacts to wetlands be avoided. Therefore, we encourage FHWA and WisDOT pursue the No Access alternative for the Highland Road interchange.
- Advance Identification of Wetland Areas (ADID) and primary environmental corridors will be impacted by the preferred alternative. We recommend that wetland losses be mitigated for within the primary environmental corridor. A watershed-based approach to mitigation should be used to ensure that the wetland mitigation is ecologically appropriate and will compensate for unavoidable wetland losses.
- EPA appreciates the detailed wetland maps provided in Appendix A. However, it is difficult to interpret a comprehensive picture of wetland impacts along the corridor without one map of the entire corridor. EPA recommends a single map with all wetlands impacts be provided in order to enhance the reviewer's understanding of the total wetland impacts. Because some interchanges still have multiple alternatives, EPA recommends one map for each of the possible scenarios (e.g., Map 1: identified preferred alternative

2

plus diverging diamond at Brown Deer Road, No Access at County Line Road, and No Access at Highland Road; Map 2: identified preferred alternative plus tight diamond at Brown Deer Road, No Access at County Line Road, and No Access at Highland Road, etc.) be provided.

Please be aware that EPA may provide additional comments on the preferred alternatives and supporting sections of the Draft EIS when it is released for public review. Thank you in advance for your consideration of our comments. We are committed to continue to work with FHWA and WisDOT on this project to reduce impacts to the environment. Should you have any questions, please do not hesitate to contact me or Elizabeth Poole of my staff at (312) 353-2087 or poole.elizabeth@epa.gov.

Sincerely,

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

Cc: Monica Wauck, Wisconsin Department of Transportation
Anthony Jernigan, US Army Corps of Engineers
Michael Thompson, Wisconsin Department of Natural Resources

3

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAR 06 2014

REPLY TO THE ATTENTION OF:

E-19J

Bethaney Bacher-Gresock
Federal Highway Administration – Wisconsin Division
525 Junction Road, Suite 8000
Madison, Wisconsin 53717-2157

Re: **Additional Comments and Concurrence on the Preferred Alternative for I-43 North-South Freeway Corridor Study, Silver Spring Drive to WIS 60, Milwaukee and Ozaukee Counties, Wisconsin**

Dear Ms. Bacher-Gresock:

The U.S. Environmental Protection Agency has reviewed the administrative Draft Environmental Impacts Statement (EIS) for the I-43 corridor study between Silver Spring Drive and WIS 60 in Milwaukee and Ozaukee Counties, Wisconsin. The Federal Highway Administration (FHWA) in conjunction with the Wisconsin Department of Transportation (WisDOT), proposes several changes along the corridor that will improve overall safety and performance. The purpose of this agency review period was to solicit comments and concurrence on the preferred alternative prior to issuance of the public Draft EIS. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act

EPA provided an initial concurrence letter on the preferred alternatives on March 3, 2014 (enclosed). In addition to providing some recommendations regarding wetland mitigation and provided maps, EPA concurred on the following elements of the project.

- **I-43 Mainline South Segment (Silver Spring Drive to Green Tree Road):** Modernization – 6 Lanes; Mainline shifted east; includes reconstructing the Jean Nicolet Road and widening Port Washington Road from two to four lanes.
- **I-43 Mainline North Segment (Green Tree Road to WIS 60):** Modernization – 6 lanes; additional lanes added inside the median.
- **Good Hope Road interchange:** Tight Diamond.
- **Mequon Road interchange:** Tight Diamond.
- **County C interchange:** Diamond.

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Subsequently, Elizabeth Poole of my staff participated in a phone call with you, Monica Wauck of WisDOT, and Caron Kloser of HNTB, consultant to WisDOT, on March 4, 2014. Based on the March 4 conversation, we now understand the following:

- The administrative Draft EIS identified preferred alternatives for all of the interchanges along the corridor. However, for Brown Deer Road, County Line Road, and Highland Road, in addition to the preferred alternative, several additional alternatives were carried forward due to extenuating circumstances for each of the interchanges. The alternatives are detailed below:
    - **Brown Deer Road**: Diverging Diamond or Tight Diamond; WisDOT's preferred alternative is the Diverging Diamond. Because the diverging diamond type of interchange is a new type of configuration that will require public education, WisDOT will also carry forward the Tight Diamond interchange for analysis as a reasonable alternative.
    - **County Line Road**: No Access, Partial Diamond (added per email from Monica Wauck on February 28, 2014), or Split Diamond Hybrid (grade separation or without grade separation sub-alternatives); WisDOT's preferred alternative is the Split Diamond Hybrid.
    - **Highland Road**: No Access or Tight Diamond; the Tight Diamond is the preferred alternative. However, a new interchange will require a local funding match. FHWA and WisDOT have decided to analyze both the No Access and the Tight Diamond alternatives so that in the event that local funding match is not procured, all alternatives have been appropriately considered. In our March 3, 2014 letter, EPA encouraged FHWA and WisDOT to pursue the No Access alternative. However, because this is not the preferred alternative, we continue to encourage the lead agencies to minimize impacts to wetlands at the Highland Road interchange, if the Tight Diamond alternative is ultimate selected.

The administrative Draft EIS is not clear. Currently, the identification of the preferred alternative gets lost in the discussion of the alternatives at each of the interchanges and along the mainline, particularly where multiple alternatives are carried forward. At this time, EPA recommends that the Draft EIS include a list of the preferred alternatives, separate from the discussion of the alternatives at each of the interchanges and along the mainline. For example Sections 2.8 or 2.9 would be improved if a simple, bulleted list of the preferred alternatives is included.

Based on the information provided during the March 4, 2014 phone call, we concur with the remaining preferred alternatives presented in the administrative Draft EIS for Brown Deer Road, County Line Road, and Highland Road.

This letter is intended to supplement the information and comments provided in our March 3, 2014 letter. Please be aware that EPA may provide additional comments on the preferred alternatives and supporting sections of the Draft EIS when it is released for public review. Thank you in advance for your consideration of our comments. We are committed to continue to work with FHWA and WisDOT on this project to reduce impacts to the environment. Should you have

2

any questions, please do not hesitate to contact me or Elizabeth Poole of my staff at (312) 353-2087 or poole.elizabeth@epa.gov.

Sincerely,

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

Enclosure: March 3, 2014 Letter to FHWA and WisDOT on the Selection of the Prefered Alternatives

Cc: Monica Wauck, Wisconsin Department of Transportation
Anthony Jernigan, US Army Corps of Engineers
Michael Thompson, Wisconsin Department of Natural Resources

3

DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
180 FIFTH STREET EAST, SUITE 700
ST. PAUL MN 55101-1678

REPLY TO
ATTENTION OF
Operations
Regulatory (2010-05252-ADJ)

MAR 06 2014

Ms. Monica Wauck
WisDOT Southeast Region
1001 W. St. Paul Avenue
Milwaukee, Wisconsin 53203

Dear Ms. Wauck:

We have completed our review of the administrative Draft Environmental Impact Statement (aDEIS) prepared for the Interstate 43 North - South Corridor (WisDOT Project I.D. 1229-04-01), received February 3, 2014. As part of this review, you requested we provide concurrence with the range of alternatives presented and the selection of preferred alternatives. The study area is between Silver Spring Drive (south limit) and State Trunk Highway 60 (north limit) in Milwaukee and Ozaukee Counties, Wisconsin.

Concurrence Point 2: Alternatives Carried Forward for Additional Study

We agree with the array of alternatives dismissed from further study. With the exception of the 8-lane modernization and tunnel alternatives, the alternatives dismissed are shown on the enclosed tables 2-1 and 2-2 for the mainline and interchanges, respectively. The alternatives dismissed would not meet the project purpose and need, are not practicable, or would be more damaging to the aquatic environment compared to those carried forward.

We concur with the range of alternatives carried forward for additional study. These alternatives are compared against the "no build" alternative in the aDEIS and include those alternatives with a "YES" in the final column of tables 2-1 and 2-2.

Concurrence Point 3: Selection of a Preferred Alternative

We have evaluated the preferred alternatives identified in the aDEIS. We concur with the following alternatives selected for each interchange and half of the mainline:

1. Mainline South Segment: Modernization alternative with 6-lanes shifted east;
2. Mainline North Segment: Modernization alternative with 6-lanes widened to the inside;
3. Good Hope Road Interchange: Tight Diamond;
4. Brown Deer Road Interchange: Diverging Diamond;
5. County Line Road Interchange: Split Diamond Hybrid;
6. Mequon Road Interchange: Diamond; and
7. County Trunk Highway C Interchange: Diamond.

Operations
Regulatory (2010-05252-ADJ) -2-

Based on information provided in Section 3.12 of the aDEIS, the seven preferred alternatives above appear to make up the least environmentally damaging practicable alternative (LEDPA) for the proposed project. This preliminary determination has been made on a corridor level and we expect that further efforts to avoid, minimize, and mitigate impacts to waters of the United States would take place during the design phase of the project. If there are any substantial changes or if new information is brought forward, we may reconsider our determination.

We do not concur with the selection of the tight diamond interchange as the preferred alternative at Highland Road. The no interchange alternative carried forward appears to have less than half the impact to waters of the United States compared to the tight diamond interchange at Highland Road. If practicable, our agency cannot consider the tight diamond interchange alternative the LEDPA unless you clearly demonstrate that the no interchange alternative at Highland Road would result in other significantly adverse environmental consequences.

General Comments

In addition to the information provided in Section 3.12 of the aDEIS regarding compensatory mitigation, the project sponsor must also take all practicable and appropriate steps to ensure that compensatory mitigation is located in the same watershed as impacted waters of the United States.

Please remove the information suggesting the limits of federal authority from Appendix D. Determinations of federal jurisdiction are made by our agency through a formal process. Our agency has not made any jurisdictional determinations for the resources within the proposed project area.

Applicability of Section 404 is not limited to wetlands, but includes most aquatic systems such as rivers and lakes. The impacts proposed to other aquatic resources along the proposed project are likely to require authorization from the Corps. Please disclose any proposed impacts to tributaries associated with the alternatives in the DEIS.

The information in the aDEIS suggests that stormwater features will be a necessary part of any build alternative pursued. At this time, we presume that stormwater features will not be sited within waters of the United States. If stormwater features are proposed to be located in waters of the United States, this may warrant a re-evaluation our LEDPA determination.

Finally, it is our understanding that the FEIS and Record of Decision may be concurrently issued for this proposed project. Should the FEIS include substantial changes to the proposed action relevant to environmental concerns or otherwise address significant new circumstances or information, we may re-evaluate the concurrences previously provided, including our LEDPA determination.

Operations
Regulatory (2010-05252-ADJ) -3-

We look forward to continued coordination on this project. If you have any questions, contact Anthony Jernigan in our Waukesha office at (651) 290-5729. In any correspondence or inquiries, please refer to the Regulatory number shown above.

Sincerely,

Tamara E. Cameron
Chief, Regulatory Branch

Enclosures: Tables 2-1 and 2-2.

Copy Furnished:
Kenneth Westlake, US Environmental Protection Agency;
Bethaney Bacher-Gresock, FHWA Wisconsin Division; and
Mike Thompson, WDNR.

Table 2-1: Alternatives Screening Summary – I-43 Mainline

Alternatives	Key Purpose and Need Factors				Other Factors		Retain Alternative for Detailed Study?
	Addresses Design Deficiencies?	Improves Safety?	Addresses Future Traffic Demand?	Consistent with Regional Plan?	Relative Total Cost (construction, right of way acquisition)	Magnitude of Environmental Impacts	
SOUTH SEGMENT: SILVER SPRING DRIVE to GREEN TREE ROAD							
Spot Improvements	NO Deteriorated pavement not replaced. Substandard curves, bridge clearances, stopping site distance, decision site distance and shoulders not improved	YES (limited) Ramp improvements create safer entrance/exit operations. Does not address congestion-related safety issues. Safety issues related to mainline design deficiencies not improved	NO About 60% of the corridor operates unacceptably during peak hours in year 2040; About 20% of entire corridor operating at LOS F	NO SEWRPC recommends added lanes, and interchange improvements	LOW No right of way (R/W) impacts	LOW No impacts	NO Does not address design deficiencies or future traffic demand; limited improvement of safety issues; not consistent with regional transportation plans
Modernization – 4 Lanes (Centered)	YES Pavement replaced; substandard curves, bridge clearances and shoulders replaced	YES (limited) Safety issues related to design deficiencies addressed; but congestion related safety issues not addressed	NO See comment above	NO SEWRPC recommends added lanes,	LOW Limited widening and R/W impacts	LOW Minimal impact	NO Does not address future traffic demand; not consistent with regional transportation plans
Modernization – 6 Lanes (Centered)	YES See comments above	YES Safety issues related to design deficiencies and congestion addressed	YES Entire corridor operates acceptably	YES Consistent with SEWRPC long range plan recommending 6-lanes	MODERATE R/W on Jean Nicolet Road and Port Washington Road	MODERATE/HIGH 11 residential and 1 business relocations; wetlands impact, R/W impact to potential historic properties and Nicolet High School athletic field and east playfields similar to shift east and shift west alternatives	NO R/W and relocation impacts to both sides of highway with no added benefit
Modernization – 6 Lanes (Shifted East)	YES See comments above	YES See comments above	YES See comments above	YES See comments above	MODERATE R/W on Port Washington Road	MODERATE/HIGH 11 residential and 1 business relocations; 0.07 acre wetland impact; 0.22-acre impact to Nicolet High School east playfields, 0.16 acre impact to historic water treatment plant; 0.08 acre impact to Craig Counsell Park; avoids Clovernook Historic District.	YES Maintains Jean Nicolet Road; minimizes R/W and relocation impacts on west side; profile depressed to minimize visual impacts; avoids impact to Clovernook Historic District compared to centered and shifted west alternatives; city of Glendale supports this alternative
Modernization – 6 Lanes (Shifted West)	YES See comments above	YES See comments above	YES See comments above	YES See comments above	MODERATE R/W on Jean Nicolet Road	MODERATE/HIGH 9 residential and 1 business relocations; 0.05 acre wetland impact; 0.22 acre-impact to Nicolet High School athletic field and parking area; 0.16 acre impact to historic water treatment plant; 0.08 acre impact to Craig Counsell Park; impact to Clovernook Historic District (4 relocations).	NO Maintains continuous Jean Nicolet Road; minimizes R/W and relocation impacts on east side; profile depressed to minimize visual impacts; impacts Clovernook Historic District
Modernization – 6 Lanes (Elevated over UP Railroad)	YES See comments above	YES See comments above	YES See comments above	YES See comments above	HIGH Substantial structures required and retaining walls	MODERATE/HIGH 2 residential relocations; impacts to potential historic properties; R/W impacts to Nicolet High School east playfield; changed travel patterns; visual impacts	NO Limits R/W and relocation impacts; substantial visual impacts; no added benefit for cost of alternative

2010-05252-ADJ,
Page 1 of 8
ENCLOSURE

Alternatives	Key Purpose and Need Factors				Other Factors		Retain Alternative for Detailed Study?
	Addresses Design Deficiencies?	Improves Safety?	Addresses Future Traffic Demand?	Consistent with Regional Plan?	Relative Total Cost (construction, right of way acquisition)	Magnitude of Environmental Impacts	
Modernization – 6 Lanes (Raised)	YES See comments above	YES See comments above	YES See comments above	YES See comments above	HIGH Retaining walls along I-43; additional bridges at new underpass locations	MODERATE/HIGH 11 residential and 1 business relocations; impacts to wetlands, potential historic properties; R/W impact to Nicolet High School east playfields similar to shift east alternative; visual impacts; changed travel patterns	NO See access options below
Raised – Jean Nicolet Access Option 1	*See Raised Alternative Evaluation Factors above*					MODERATE/HIGH See Raised Alternative Magnitude of Environmental Impacts above	NO Discontinuous Jean Nicolet Road did not substantially reduce impacts compared to the shift east or shift west alternatives; Substantial disruption to neighborhood access
Raised – Jean Nicolet Access Option 2	*See Raised Alternative Evaluation Factors above*					MODERATE/HIGH See Raised Alternative Magnitude of Environmental Impacts above	NO Discontinuous Jean Nicolet Road did not substantially reduce impacts compared to the shift east or shift west alternatives; Substantial disruption to neighborhood access
Modernization – 6 Lanes (Depressed)	YES See comments above; but drainage issues introduced	YES See comments above; but drainage problems may create safety issues	YES See comments above	YES See comments above	HIGH Retaining walls along I-43	MODERATE/HIGH 11 residential and 1 business relocations; impacts to wetlands, potential historic properties and Nicolet High School east playfields similar to shift east alternative; changed travel patterns; drainage issues	NO Lowering I-43 creates drainage difficulties, as well as increasing construction complexity; minimal profile difference in area of concern with shift east or shift west alternatives
NORTH SEGMENT: GREEN TREE ROAD to WIS 60							
Modernization – 4 Lanes	YES Pavement replaced; substandard curves, bridge clearances and shoulders replaced	YES (limited) Safety issues related to design deficiencies addressed; but congestion related safety issues not addressed	NO More than 60% of the corridor operates unacceptably during peak hour or worse in year 2040; 20% operates at LOS F	NO SEWRPC recommends added lanes	LOW Limited widening and R/W impacts	LOW No relocations; minimal wetland impacts	NO Does not address future traffic demand; not consistent with regional transportation plans
Modernization – 6 Lanes	YES See comments above	YES Safety issues related to design deficiencies and congestion addressed	YES Entire corridor operates acceptably	YES Consistent with SEWRPC long range plan recommending 6-lanes	MODERATE R/W impacts	See Magnitude of Environmental Impacts below	See widening options below
Milwaukee County Option – Inside widening	*See Capacity Expansion Alternative Evaluation Factors above*					MODERATE 1.2 acres wetland impacts	YES Addresses design deficiencies, improves safety concerns, future traffic demand and is consistent with regional plans
Ozaukee County Option1 – Inside widening	*See Capacity Expansion Alternative Evaluation Factors above*					MODERATE 8.0 acres wetlands impacts, includes 2.1 acres ADID wetland impacts in Ozaukee County	YES Addresses design deficiencies, improves safety concerns, future traffic demand and is consistent with regional plans

2010-05252-ADJ,
Page 2 of 8
ENCLOSURE

Table 2-1: Alternatives Screening Summary – I-43 Mainline

Alternatives	Key Purpose and Need Factors				Other Factors		Retain Alternative for Detailed Study?
	Addresses Design Deficiencies?	Improves Safety?	Addresses Future Traffic Demand?	Consistent with Regional Plan?	Relative Total Cost (construction, right of way acquisition)	Magnitude of Environmental Impacts	
Ozaukee County Option 2 – Outside widening	*See Capacity Expansion Alternative Evaluation Factors above*				MODERATE/HIGH R/W impacts	MODERATE/HIGH 15.6 acres impacts to wetlands, includes 4.7 acres ADID wetlands impacts. Greater farmland impacts compared to inside widening; stream relocation	NO Higher magnitude of impacts to wetlands, streams and farmland compared to widening to inside
CORRIDORWIDE LOWER LEVEL IMPROVEMENTS							
TSM and TDM Measures Only	NO Deteriorated pavement not replaced. Substandard curves, bridge clearances, stopping site distance, decision site distance and shoulders not improved	NO Safety issues related to design deficiencies addressed and congestion not addressed	NO About 60% of the corridor operates unacceptably during peak hours in year 2040; About 20% of entire corridor operating at LOS F	NO SEWRPC recommends TSM and TDM measures along with added lanes, and interchange improvements	LOW Little to no R/W impacts	LOW No impacts	NO As stand-alone alternative, does not address design deficiencies, safety issues or future traffic demand; not consistent with regional transportation plans
TSM/TDM Plus Spot Improvements	NO Deteriorated pavement not replaced. Substandard curves, bridge clearances, stopping site distance, decision site distance and shoulders not improved	YES (limited locations) Ramp improvements create safer entrance/exit operations. Does not address congestion-related safety issues. Safety issues related to mainline design deficiencies and congestion not improved	NO See comment above	NO SEWRPC recommends TSM and TDM measures along with added lanes, and interchange improvements	LOW Limited to no R/W impacts	LOW No impacts	NO Does not address design deficiencies or future traffic demand; limited improvement of safety issues; not consistent with regional transportation plans
TSM/TDM Plus Reconstruction without Capacity Expansion	YES Pavement replaced; substandard curves, bridge clearances and shoulders replaced	YES (limited) Safety issues related to design deficiencies addressed; but congestion related safety issues not addressed	NO See comment above	NO SEWRPC recommends TSM and TDM measures along with added lanes, and interchange improvements	LOW Limited R/W impacts	LOW/MODERATE Minimal Impact	NO Does not address future traffic demand; not consistent with regional transportation plans

2010-05252-ADJ,
Page 3 of 8
ENCLOSURE

Table 2-2: Alternatives Screening Summary – Interchanges

	Key Purpose and Need Factors				Other Factors		
Alternatives	**Addresses Design Deficiencies?**	**Improves Safety?**	**Addresses Future Traffic Demand?**	**Consistent with Regional Plan?**	**Relative Total Cost (construction, right of way acquisition)**	**Magnitude of Environmental Impacts**	**Retain Alternative for Detailed Study?**
GOOD HOPE ROAD INTERCHANGE							
Spot Improvements	NO Deteriorated pavement not replaced; Substandard design and shoulders not improved	YES (spot locations) Ramp improvements create safer entrance/exit operations	NO Does not address operational problems between ramp terminal and Port Washington/ Good Hope intersection	NO SEWRPC recommends Interchange reconstruction to improve ramp geometry and traffic operations	LOW No right of way (R/W) impacts	LOW 1 residential relocation; no wetland impacts	NO Does not address design deficiencies or future traffic demand; limited improvement of safety issues; not consistent with regional transportation plans
Tight Diamond	YES Addresses design deficiencies	YES Addresses safety issues related to design deficiencies and traffic operations	YES Interchange operates acceptably	YES Addresses geometry deficiencies and traffic operations problems	LOW/MODERATE Relatively low construction cost; retains Good Hope Road bridges; R/W impacts	MODERATE 1 residential relocation; 0.10 acre wetland impacts	YES Maximizes distance between northbound ramp terminal intersection with Good Hope Road and the Good Hope Road/ Port Washington Road intersection; retains existing Good Hope Road bridges
Tight Diamond (Mainline Shifted West)	YES See comment above	YES See comment above	YES See comment above	YES See comment above	LOW/MODERATE Relatively low construction cost; replaces Good Hope Road bridges; R/W impacts	MODERATE 2 residential relocations; 0.12 acre wetland impacts	NO Further increases distance between northbound ramp terminal intersection with Good Hope Road and the Good Hope Road/ Port Washington Road intersection; additional relocation impacts with minimal added benefit compared to the Tight Diamond alternative
Tight Diamond with Northbound Ramp Split (Hook Ramp)	YES See comment above	YES See comment above	YES See comment above	YES See comment above	LOW Relatively low cost to construct; retains Good Hope Road bridges; R/W acquisition	MODERATE 1 residential relocation and 1 commercial relocation; wetland impacts similar to Tight Diamond	NO Local concerns about commercial relocation and neighborhood impacts of hook ramp
Split Diamond	YES See comment above	YES See comment above	NA (Alternative eliminated; analysis not done)	YES See comment above	MODERATE/HIGH Multiple structures; high R/W acquisition; retains Good Hope Road bridges	MODERATE/HIGH 3 residential relocations; wetland impacts similar to tight diamond (Mainline Shifted West); increases traffic volume on Green Tree Road	NO High cost; high R/W acquisition and relocation impacts; potential traffic increase in residential area
Diverging Diamond	YES See comment above	YES See comment above	NO Does not provide sufficient distance between ramps and Port Washington/ Good Hope intersection	NO Does not address traffic operations problems	LOW Relatively low cost to construct; retains Good Hope Road bridges; lower R/W acquisition	MODERATE 1 residential relocation; wetland impacts similar to tight diamond	NO Does not address future traffic demand; short weaving distance between ramp terminals and Port Washington Road; creates lane continuity issues at Port Washington Road
Single-Point	YES See comment above	YES See comment above	YES with modification (tight right turn)	YES Addresses geometry deficiencies and traffic operations problems	LOW/MODERATE Relatively low cost to construct; widens existing Good Hope Road bridge; R/W acquisition	MODERATE 1 residential relocation; wetland impacts similar to tight diamond	NO Substantial widening of Good Hope Road bridges needed to accommodate ramps; No added benefit compared to tight diamond alternatives

Note: All build alternatives include TSM/TDM measures.

2010-05252-ADJ,
Page 4 of 8
ENCLOSURE

	Key Purpose and Need Factors				Other Factors		
Alternatives	**Addresses Design Deficiencies?**	**Improves Safety?**	**Addresses Future Traffic Demand?**	**Consistent with Regional Plan?**	**Relative Total Cost (construction, right of way acquisition)**	**Magnitude of Environmental Impacts**	**Retain Alternative for Detailed Study?**
Single-Point with Northbound Ramp Split (Hook Ramp)	YES See comment above	YES See comment above	YES Slightly better traffic operations compared to Single Point alternative	YES See comment above	LOW/MODERATE Similar to Single-Point, but slightly higher R/W impact	MODERATE 1 residential and 1 commercial relocation; wetland impacts similar to tight diamond	NO Similar to Single Point, but traffic operations improved with separate northbound hook. Local concerns about commercial relocation and neighborhood impacts of hook ramp
Horseshoe	YES Addresses design deficiencies; but more complex bridge structures	YES Addresses safety issues related to design deficiencies and traffic operations	NA (Alternative eliminated; analysis not done)	YES See comment above	MODERATE/HIGH Multiple structures that present high maintenance cost compared to other alternatives; R/W impacts; replaces Good Hope Road bridges	MODERATE 2 residential relocations; wetland impacts similar to tight diamond	NO Alternative has highest cost, R/W acquisition and relocations compared to other lower impact alternatives that address design deficiencies, safety issues and future traffic demand
BROWN DEER ROAD/WIS 100 INTERCHANGE							
Spot Improvements	NO Deteriorated pavement not replaced. Substandard design and shoulders not improved	YES (spot locations) Ramp improvements create safer entrance/exit operations	NO Does not address operational problems between ramp terminal and Port Washington/ Good Hope intersection	NO SEWRPC recommends interchange reconstruction to improve ramp geometry and traffic operations	LOW Minimal structures and R/W impacts	LOW Wetland impacts not calculated, but lower than build alternatives	NO Does not address design deficiencies or future traffic demand; limited improvement of safety issues; not consistent with regional transportation plans
Diamond	YES Addresses design deficiencies	YES Addresses safety issues related to design deficiencies and traffic operations	YES Interchange operates acceptably	YES Addresses geometry deficiencies and traffic operations problems	LOW/MODERATE Minimal structures and R/W impacts; retains but widens Brown Deer Road bridges	LOW/MODERATE 0.75 acre wetland impacts; no relocations, impacts earth berm in residential area	YES Increases distance between ramp terminal and Brown Deer Road/Port Washington Road intersection; cost, traffic operations and R/W acquisition comparable to other alternatives
Diverging Diamond	YES See comment above	YES See comment above	YES See comment above	YES See comment above	LOW/MODERATE Low R/W impacts; retains Brown Deer Road bridges	LOW/MODERATE 0.72 acre wetland impacts; no relocations; impacts earth berm in residential area	YES Increases distance between ramp terminal and Brown Deer Road/Port Washington Road intersection; cost, traffic operations and R/W acquisition comparable to other alternatives
Single-Point	YES See comment above	NO Skewed angles not desirable	YES See comment above	YES See comment above	LOW Minimal structures and R/W acquisition; retains Brown Deer Road bridges	LOW No relocations; impacts earth berm in residential area; wetland impacts not calculated, but greater than Diamond interchange	NO Skewed angle between I-43 and Brown Deer Road creates traffic safety concerns with this interchange configuration
Horseshoe	YES Addresses design deficiencies; but more complex bridge structures	YES Addresses safety issues related to design deficiencies and traffic operations	NA (Alternative eliminated; analysis not done)	YES See comment above	MODERATE/HIGH Multiple structures that present high maintenance cost compared to other alternatives; R/W impacts; replaces Brown Deer Road bridges	MODERATE 1 commercial relocation; impacts earth berm in residential area; wetland impacts not calculated, but greater than Diamond interchange	NO Alternative has highest cost, R/W acquisition and relocations compared to other lower impact alternatives that address design deficiencies, safety issues and future traffic demand

2010-05252-ADJ,
Page 5 of 8
ENCLOSURE

Note: All build alternatives include TSM/TDM measures.

Table 2-2: Alternatives Screening Summary – Interchanges

	Key Purpose and Need Factors				Other Factors		
Alternatives	**Addresses Design Deficiencies?**	**Improves Safety?**	**Addresses Future Traffic Demand?**	**Consistent with Regional Plan?**	**Relative Total Cost (construction, right of way acquisition)**	**Magnitude of Environmental Impacts**	**Retain Alternative for Detailed Study?**
COUNTY LINE ROAD INTERCHANGE							
Spot Improvements	NO Deteriorated pavement not replaced. Substandard design and shoulders not improved	YES (spot locations) Ramp improvements create safer entrance/exit operations	NO Does not address future traffic demand; does not resolve ramp spacing deficiency with Brown Deer Road interchange	NO SEWRPC recommends interchange reconstruction to improve ramp geometry and traffic operations	LOW Two ramps constructed; limited R/W required	LOW No relocations; no wetland impacts	NO Does not address design deficiencies or future traffic demand; limited improvement of safety issues; not consistent with regional transportation plans; does not provide for all traffic movements per federal policy
No Access (Access Removed)	YES Eliminates interchange and existing deficiencies	YES Eliminates close ramp spacing with northbound Brown Deer interchange entrance ramp	NA	NO SEWRPC would need to update the long range plan to account for no access	LOW Two ramps removed; new structures	LOW/MODERATE No relocations; 1 acre wetland impacts; travel pattern changes for surrounding community; traffic diverted to other interchanges;	YES Alternative would eliminate all access but does not adversely affect design deficiencies, safety issues or future traffic demand; consistent with federal policy to avoid partial traffic movements at interchanges; greater indirection for emergency services and local traffic
Partial Diamond	YES Addresses design deficiencies	YES Addresses close ramp spacing with Brown Deer Road interchange	YES Interchange operates acceptably	YES Addresses deficiencies and traffic operations problems; does not meet FHWA requirement for full access	LOW	MODERATE No relocations; 1 acre wetland impacts	YES Does not provide for all traffic movements per federal policy; addresses design deficiency of exit ramp weave movement with Brown Deer Road interchange northbound exit ramp; serves the surrounding land use and community
Split Diamond (with Katherine Drive Grade Separation)	YES Addresses design deficiencies	YES Addresses close ramp spacing with Brown Deer Road interchange	YES Interchange operates acceptably	NO SEWRPC would need to update long range plan to include a full access interchange	MODERATE Constructs new full interchange; limited R/W required	LOW/MODERATE No relocations; 1 acre wetland impacts; travel pattern and local access changes	NO Provides for all traffic movements consistent with federal policy; minimizes impacts to surrounding homes and businesses; greater indirection for local traffic
Split Diamond	YES Addresses design deficiencies	YES Addresses close ramp spacing with Brown Deer Road interchange	YES Interchange operates acceptably	NO SEWRPC would need to update long range plan to include a full access interchange	MODERATE Constructs new full interchange; limited R/W required	LOW/MODERATE No relocations; 1 acre wetland impacts; travel pattern and local access changes	NO Provides for all traffic movements consistent with federal policy; minimizes impacts to surrounding homes and businesses; increased indirection for local traffic
Split Diamond Hybrid	YES Addresses design deficiencies	YES Addresses close ramp spacing with Brown Deer Road interchange	YES Interchange operates acceptably	NO SEWRPC would need to update long range plan to include a full access interchange	MODERATE Constructs new full interchange; limited R/W required	LOW/MODERATE No relocations; 1 acre wetland impacts; travel pattern changes; maintains local access	YES Provides for all traffic movements consistent with federal policy; minimizes impacts to surrounding homes and businesses; maintains access for local traffic compared to grade separated split diamond alternative

Note: All build alternatives include TSM/TDM measures.

2010-05252-ADJ,
Page 6 of 8
ENCLOSURE

Table 2-2: Alternatives Screening Summary – Interchanges

Alternatives	Key Purpose and Need Factors				Other Factors		Retain Alternative for Detailed Study?
	Addresses Design Deficiencies?	Improves Safety?	Addresses Future Traffic Demand?	Consistent with Regional Plan?	Relative Total Cost (construction, right of way acquisition)	Magnitude of Environmental Impacts	
Full Diamond (with Katherine Drive Grade Separation)	YES Addresses design deficiencies	YES Addresses close ramp spacing with Brown Deer Road interchange	YES Interchange operates acceptably	NO SEWRPC would need to update long range plan to include a full access interchange	MODERATE Constructs new full interchange; R/W required	LOW/MODERATE No relocations; 1 acre wetland impacts; travel pattern and local access changes	NO Provides for all traffic movements consistent with federal policy; minimizes impacts to surrounding homes and businesses; greater indirection for local traffic
Full Diamond	YES Addresses design deficiencies	YES Addresses close ramp spacing with Brown Deer Road interchange	YES Interchange operates acceptably	NO SEWRPC would need to update long range plan to include a full access interchange	MODERATE/HIGH Constructs new full interchange; new overpass bridge; R/W impacts	MODERATE/HIGH 6 to 9 residential relocations for new overpass; 1.2 acre wetland impacts; changed travel pattern and access changes	NO Provides standard full diamond interchange that provides for all traffic movements consistent with federal policy; substantial relocation impacts and relative costs with no added benefit
MEQUON ROAD/WIS 167 INTERCHANGE							
Spot Improvements	NO Deteriorated pavement not replaced. Substandard design and shoulders not improved	YES (spot locations) Ramp improvements create safer entrance/exit operations	NO Does not address operational problems between ramp terminal and Port Washington/ Mequon Road intersection	NO SEWRPC recommends interchange reconstruction to improve ramp geometry and traffic operations	LOW No structure or R/W impacts	LOW No wetland impact; no relocations	NO Does not address design deficiencies or future traffic demand; limited improvement of safety issues; not consistent with regional transportation plans
Tight Diamond (Mainline Shifted East)	YES Addresses design deficiencies	YES Addresses safety issues related to design deficiencies and traffic operations	YES Interchange operates acceptably	YES Addresses geometry deficiencies and traffic operations problems	LOW/MODERATE Minimal structures and R/W required	LOW/MODERATE 1 business and 1 residential tenant relocation; 0.9 acre wetland impacts	YES Improves traffic operations by increasing distance between Port Washing Road/ Mequon Road intersection and SB ramps; requires improvements to Port Washington Road/Mequon Road intersection
Partial Offset Diamond	YES Addresses design deficiencies	YES Addresses safety issues related to design deficiencies and traffic operations	YES Interchange operates acceptably	YES Addresses geometry deficiencies and traffic operations problems	MODERATE More structures required; R/W required	LOW/MODERATE 1 business and 1 residential tenant relocation; 0.8 acre wetland impacts	NO Improves traffic operations by further increasing distance between Port Washing Road/Mequon Road intersection and SB exit ramp; additional cost of new structures with no added benefit to traffic operations
Single-Point	YES Addresses design deficiencies	YES Addresses safety issues related to design deficiencies and traffic operations	NO Insufficient distance between SB ramps and Port Washington Road/ Mequon Road intersection	YES Meets interchange reconstruction recommendation, but does not resolve traffic operation problems	MODERATE Larger overpass structures required	LOW No relocations; wetland impact not calculated, but similar to Tight Diamond and Partial Offset Diamond	NO Does not address traffic operations problems; highest cost alternative; eastbound to southbound turning movements are not improved

2010-05252-ADJ,
Page 7 of 8
ENCLOSURE

Note: All build alternatives include TSM/TDM measures.

	Key Purpose and Need Factors				Other Factors		
Alternatives	**Addresses Design Deficiencies?**	**Improves Safety?**	**Addresses Future Traffic Demand?**	**Consistent with Regional Plan?**	**Relative Total Cost (construction, right of way acquisition)**	**Magnitude of Environmental Impacts**	**Retain Alternative for Detailed Study?**
HIGHLAND ROAD (no existing interchange at this location)							
No Access	NA	NA	YES Increased R/W impacts to Port Washington/ Mequon intersection to accommodate travel demand; improvements required at County C/Port Washington intersection	NO SEWRPC would need to update the long range plan to account for no access	LOW No interchange constructed	LOW/MODERATE No relocations; 1.9 acres wetland impacts associated with I-43 mainline reconstruction	YES No interchange would be constructed without a local cost share agreement
Tight Diamond	YES Would meet current design standards	YES Building to current design standards maintains safety	YES Interchange operates acceptably; accommodates travel demand	YES	MODERATE Retaining walls required; R/W impacts	LOW/MODERATE No relocations; 3.9 acres wetland impacts	YES Alternative conforms to regional plans by creating a full interchange at this location; helps manage future traffic demand at Port Washington Road intersections with Mequon Road and County C
PIONEER ROAD/COUNTY C INTERCHANGE							
Spot Improvements	NO Deteriorated pavement not replaced. Substandard design and shoulders not improved	YES (spot locations) Ramp improvements create safer entrance/exit operations	NO Does not address operational problems at ramp terminals	NO SEWRPC recommends interchange reconstruction to improve ramp geometry and traffic operations	LOW Structure replacement likely due to age	LOW No relocations; wetland impacts not calculated, but lower than Diamond interchange	NO Does not address design deficiencies or future traffic demand; limited improvement of safety issues; not consistent with regional transportation plans
Diamond	YES Addresses design deficiencies	YES Addresses safety issues related to design deficiencies and traffic operations	YES Interchange operates acceptably	YES Addresses geometry deficiencies and traffic operations problems	LOW Structure replacement and R/W impacts	MODERATE No relocations; 4.8 acres wetland impacts	YES Maintains existing interchange configuration but improves traffic operations at ramp terminals

2010-05252-ADJ,
Page 8 of 8
ENCLOSURE

DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
180 FIFTH STREET EAST, SUITE 700
ST. PAUL MN 55101-1678

REPLY TO
ATTENTION OF
Operations
Regulatory (2010-05252-ADJ)

MAY 0 7 2014

Ms. Monica Wauck
WisDOT Southeast Region
1001 W. St. Paul Avenue
Milwaukee, Wisconsin 53203

Dear Ms. Wauck:

This is in response to your request for concurrence with the preferred alternative at Highland Road described in the Interstate 43 North – South Corridor draft Environmental Impact Statement (EIS), WDOT Project I.D. 1229-04-01. Your request was received April 15, 2014, and included the *404(b)1 Analysis - Highland Road Interchange* (analysis). The study area is between Silver Spring Drive and State Trunk Highway 60 in Milwaukee and Ozaukee Counties, Wisconsin.

The Corps concurs with selection of the "Tight Diamond Interchange" as the preferred alternative at Highland Road. Based on the information provided in the analysis, the "No Access" alternative at Highland Road would not meet the safety and traffic needs identified as part of the project purpose. The "Tight Diamond Interchange" appears to impact the least amount of aquatic resources of the practicable alternatives and would satisfy CWA Section 404 requirements in this regard. We recommend the information presented in the analysis be included in the final EIS.

Please note that our determinations are based on a corridor-level analysis. We expect that further efforts to avoid, minimize, and mitigate for impacts to waters of the United States will take place during the design phase of the project. Further, we understand the final EIS and Record of Decision may be concurrently issued for the proposed project. If there are any substantial changes or if new information is brought forward, we may reconsider our determinations.

We look forward to continued coordination on this project. If you have any questions, contact Anthony Jernigan in our Waukesha office at (651) 290-5729. In any correspondence or inquiries, please refer to the Regulatory number shown above.

Sincerely,

Tamara E. Cameron
Chief, Regulatory Branch

Operations
Regulatory (2010-05252-ADJ) -2-

Copy Furnished:
Kenneth Westlake, US Environmental Protection Agency;
Bethaney Bacher-Gresock, FHWA Wisconsin Division; and
Mike Thompson, WDNR.

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
Southeast Region Headquarters
2300 N. Dr. Martin Luther King Jr. Dr.
Milwaukee, WI 53212

Scott Walker, Governor
Cathy Stepp, Secretary
Eric Nitschke, Regional Director
Telephone 414-263-8570

WISCONSIN
DEPT. OF NATURAL RESOURCES

March 6, 2014

Monica Wauck
Project Manager
Wisconsin Department of Transportation
1001 W. St. Paul Avenue
Milwaukee, WI 53203

Subject: **WDNR Preliminary Concurrence on Preferred Alternative**
Project I.D. 1229-04-01
USH I-43 Corridor Study
Bender Drive to STH 60
Milwaukee and Ozaukee Counties

Dear Ms. Wauck:

The Department has received the information you provided for the proposed above referenced project. According to your proposal, the purpose of this project is to study the corridor, including the service interchanges and adjacent arterial roads in Milwaukee and Ozaukee Counties to identify safety concerns, assess physical condition and configuration of the roadways and identify potential environmental concerns and socioeconomic factors that may be affected by reconstruction of the corridor. This is a long-range study with no construction planned at this time.

Preliminary information has been reviewed by DNR staff for the project under the DOT/DNR Cooperative Agreement. Initial comments on the resources in the corridor were provided by the Department in November of 2012. Resources that will be potentially impacted by this project include, but are not limited to, wetlands, waterways, floodplains, environmental corridors, state threatened and endangered species, federally and internationally protected species, air quality, water quality, public lands and recreational trails. In addition, the project has the potential to affect other environmental factors including, but not limited to, noise levels, disturbance of contaminated soil or groundwater, invasive species and impacts to historic or archeological sites.

This letter serves as Preliminary Concurrence on the Preferred Alternative for the study that has been developed by WisDOT for the I-43 Corridor in Milwaukee and Ozaukee Counties, as outlined in the Draft Environmental Impact Statement submitted to the Department in February 2014. Preliminary Concurrence is granted with the condition that WisDOT will make all efforts to avoid and minimize impacts to resources to the extent practicable and will compensate for unavoidable impacts to resources through, but not limited to, mitigation, restoration, preservation and creation of similar habitat in accordance with all state and federal regulations and requirements..

Thank you for the opportunity to contribute to this project. I look forward to continued coordination throughout the progression of the study. Please contact me with any questions or if the Department can assist further.

Sincerely,

Kristina Betzold

Kristina Betzold

Environmental Analysis & Review Specialist
Southeast Region

CC: Steve Hoff, WisDOT
Caron Closer, HNTB
Scott Lee, WisDOT
Mike Thompson, WDNR

State of Wisconsin
Governor Scott Walker

Department of Agriculture, Trade and Consumer Protection
Ben Brancel, Secretary

February 28, 2014

Ms. Monica Wauck
Wisconsin Department of Transportation
1001 West St. Paul Avenue
Milwaukee, WI 53203

Re: I-43 North South-Freeway Corridor Study: Silver Spring Dr. to STH 60
WisDOT ID# 1229-04-01
Milwaukee and Ozaukee Counties

Dear Ms. Wauck:

Thank you for allowing the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) the opportunity to comment on the selection of a preferred alternative for the proposed I-43 Corridor Study from Silver Spring Drive to State Trunk Highway 60.

The preferred alternative identified in the DEIS does not appear to have significant impacts on individual farm operations or agriculture in general. All of the proposed acquisitions of farmland would be in strips along existing right-of-way, all but one acquisition of farmland would be less than one acre in size, the largest acquisition of farmland would be just over 2 acres in size, no farm buildings would be affected, and no access to farmland would change. Access between farm parcels may be affected if the proposed changes to any of the interchanges interferes with existing travel patterns. However, this impact, if it occurs, is likely to be isolated. DATCP concurs with WisDOT's selection of the Preferred Alternative identified in the draft Environmental Impact Statement.

Please feel free to contact me if you have any questions.

Sincerely,

Alice Halpin

Alice Halpin
Agricultural Impact Analyst

Agriculture generates $59 billion for Wisconsin

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Wauck, Monica T - DOT

Subject: RE: I-43 North-South Corridor Study: DEIS Update and Reminder

From: Cook, Kimberly A - WHS
Sent: Wednesday, March 05, 2014 1:36 PM
To: Wauck, Monica T - DOT
Cc: Greg Rainka (Greg.Rainka@meadhunt.com)
Subject: RE: I-43 North-South Corridor Study: DEIS Update and Reminder

Thank you for the opportunity to review the draft EIS for the above project. I have two comments:

Page 3-145 in the section regarding cumulative effects and encroachment, the final sentence on this page acknowledges the historic resources within the project area but does not discuss the indirect effects. Please add a statement that explains that one aspect of significance for these historic properties is derived from their setting, which is an area much larger than their recorded historic boundary. This larger setting provides the context from which to interpret the historic resource, and the ever-widening footprint of these transportation systems is altering their setting, altering the context.

Page G-4 of the appendix show exhibits that were prepared for SHPO in response to questions I had during my review. The exhibits were supposed to have photos inset onto the maps to show the current relationship between the road and the historic boundaries. The first attempt to send these to me did not have the photos, and these appear to be the same incomplete graphics that you have in the draft EIS. Please track down the actual exhibits, which include the photos. They are very helpful and were worth the trouble. If you do not already have them, I believe Greg Rainka at the WIsDOT's Cultural Resources Team should be able to get a copy for you. I've cc'd him here just in case you need to contact him.

Thank you,

Kimberly Zunker Cook
Wisconsin Historical Society
Division of Historic Preservation and Public History
Room 300
816 State Street
Madison, WI 53706
608-264-6493

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CITY OF GLENDALE
ADMINISTRATIVE OFFICES

5909 North Milwaukee River Parkway
Glendale, Wisconsin 53209-3815
(414) 228-1705

February 12, 2014

Mr. Steve Hoff, P.E., Project Manager
Wisconsin Department of Transportation
141 NW Barstow Street
P. O. Box 798
Waukesha, WI 53187-0798

Re: I-43/North Port Washington Road

Dear Mr. Hoff:

As you know, the Glendale Common Council, on September 23, 2013, has unanimously recommended to the Wisconsin Department of Transportation the proposed redesign and reconstruction of I-43, as it bisects the City of Glendale, be shifted east with a four lane (no median) North Port Washington Road from West Bender Road north to West Daphne Road.

The City of Glendale continues to support this design option for I-43 and North Port Washington Road.

If you have any questions, please advise.

Sincerely,

CITY OF GLENDALE

Richard E. Maslowski

Richard E. Maslowski
City Administrator

mw

cc: Dave Eastman, City Services Director

C-5 AGENCY COMMENTS: OTHER CORRESPONDENCE

U.S. Fish and Wildlife Service C-62

Wisconsin Department of Natural Resources C-63

Wisconsin Department of Agriculture, Trade and Consumer Protection C-67

USDA – Farmland Conversion Impact Rating..... C-68

City of Glendale C-69

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Green Bay ES Field Office
2661 Scott Tower Drive
New Franken, Wisconsin 54229-9565
Telephone 920/866-1717 FAX 920/866-1710
http://www.fws.gov/midwest/GreenBay/

To: Carrie Cooper **USFWS Project ID:** 13-SL-0062

Regarding your: ☐ Letter ☑ E-mail ☐ FAX **Dated:** December 03, 2012

RE: WisDOT I-43 NS Freeway Corridor Study, T&E Species, Ozaukee and Milwaukee Counties, Wisconsin

Pursuant to the **Endangered Species Act of 1973,** the **Fish and Wildlife Coordination Act,** and the **Migratory Bird Treaty Act**, the U.S. Fish and Wildlife Service (Service) has reviewed the information provided for the project noted above. Our comments follow (see checked boxes below).

☑ Due to the project location, no federally-listed, proposed, or candidate species, or designated critical habitat occurs within the project area. We recommend checking our website (http://www.fws.gov/midwest/GreenBay/) every 6 months from the date of this letter to ensure that listed species presence/absence information for the proposed project is current.

☐ If migratory birds are known to nest on any structures (*e.g.*, bridges) which may be disturbed by project construction, activities should begin (and be concluded) before the initiation of the breeding season for those species or after the breeding has concluded. Alternatively, the structures can be *tightly screened* before the breeding season (May 1 through August 30) to prevent nesting. If you will not be able to begin construction prior to or after the breeding season, please contact our office.

☐ Under the Migratory Bird Treaty Act of 1918, as amended, it is unlawful to take, capture, kill, or possess migratory birds, their nests, eggs, and young. If migratory birds are known to nest on any structures or habitat which may be disturbed by project construction, activities (e.g., tree removal) should begin and be completed before the initiation of the breeding season for those species or after breeding has concluded. Generally, we recommend that any habitat disturbance occur before May 1 or after August 30 to minimize potential impacts to migratory birds, but please be aware that some species may initiate nesting before May 1.

☐ We recommend, when possible, that bridges and abutments be designed and constructed in such a way as to allow terrestrial wildlife to pass under the bridge without entering the river during normal flow conditions. This may require lengthening the bridge, limitations on the use of exposed riprap, modifications to the surface of the riprap (e.g., grouting the surface or filling with soil or other natural materials), or modifications in the substrate and/or slope at the base of the abutments, as some wildlife species cannot or prefer not to traverse areas of riprap.

☐ The Service supports and encourages the maintenance or creation of habitat connectivity wherever possible. As such, we recommend installing bridges or culverts that do not impede the movement of water, sediments, or aquatic species along existing waterways. Specifically, we strongly recommend replacing failing culverts with bridges or bottomless culverts where possible. At minimum, we recommend new culverts be set at a zero slope, with a width that matches bank flow.

☑ We note that the project area includes wetlands. In refining and selecting project alternatives, efforts should be made to select an alternative that does not adversely impact wetlands. If no other alternative is feasible and it is clearly demonstrated that project construction resulting in wetland disturbance or loss cannot be avoided, a wetland mitigation plan should be developed that identifies measures proposed to minimize adverse impacts and replace lost wetland habitat values and other wetland functions and values.

USFWS Contact(s): Peter Fasbender **Phone Number:** 920-866-1725

Date: January 23, 2013

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
Southeast Region Headquarters
2300 N. Dr. Martin Luther King Jr. Dr.
Milwaukee, WI 53212

Scott Walker, Governor
Cathy Stepp, Secretary
Eric Nitschke, Regional Director
Telephone 414-263-8570

WISCONSIN DEPT. OF NATURAL RESOURCES

November 6, 2012

Carrie Cooper
Project Manager
Wisconsin Department of Transportation
1001 W. St. Paul Avenue
Milwaukee, WI 53203

Subject: **DNR Initial Project Review**
Project I.D. 1229-04-01
USH I-43 Corridor Study
Silver Spring Drive to STH 60
Milwaukee and Ozaukee Counties

Dear Ms. Cooper:

The Department has received the information you provided for the proposed above referenced project. According to your proposal, the purpose of this project is to study the corridor, including the service interchanges and adjacent arterial roads in Milwaukee and Ozaukee Counties to identify safety concerns, assess physical condition and configuration of the roadways and identify potential environmental concern and socioeconomic factors that may be affected by the corridor. This is a long-range study with no construction planned at this time.

Preliminary information has been reviewed by DNR staff for the project under the DOT/DNR Cooperative Agreement. Initial comments on the resources in the corridor are included below and assume that additional information will be provided that addresses all resource concerns identified.

Project-Specific Resource Concerns

Public Lands

Section 6(f) of the federal Land and Water Conservation Act requires that special steps be taken when land acquired with funds using LWCF (*aka* LAWCON) funding is converted from a recreational use to any other use (e.g., highway right-of-way). These lands must be replaced with property of equal market value as well as equivalent usefulness and location. The Department, together with the National Park Service, administers this program.

Efforts should be taken to avoid impacts to these lands. If it is determined that avoidance is not practicable, then the department will begin the 6(f) process with WisDOT and the National Park Service. This is a lengthy process, which can take one year or longer to complete, so adequate planning will be necessary. The process is coordinated by the DNR Liaison, working with the DNR's State LWCF Grants Manager.

There is an additional U.S. Dept. of Transportation "Section 4(f)" process for federally funded transportation projects that impact various types of public parks, wildlife refuges, and recreation areas. This requirement is coordinated by state and federal transportation departments. Please be aware that while both the 4(f) and 6(f)

processes may be initiated concurrently, DNR must have final 4(f) approval from the Federal Highways Administration before we may send 6(f) materials to the National Park Service for their approval.

Wetlands & Waterways

There is potential for wetland impacts to occur as a result of this project and therefore wetland impacts must be avoided and/or minimized to the greatest extent possible. Unavoidable wetland impacts must be mitigated in accordance with the DOT/DNR Cooperative Agreement and the Wisconsin Department of Transportation Wetland Mitigation Banking Technical Guideline. The Department requests information regarding the amount and type of unavoidable wetland impacts that will result as an effect of the project alternatives.

The Milwaukee River and all know tributaries in the project corridor are navigable waterways. In addition the Milwaukee River and Ulao Creek have been designated as Areas of Special Natural Resource Interest (ASNRI) waters. Impacts to these waterways and associated wetland complexes should be minimized. Construction impacts in the Milwaukee River and the known tributaries will be prohibited between March 1st and June 15th to protect endemic fish spawning.

Endangered Resources (ER)

Endangered Resources are present: Based upon a review of the Natural Heritage Inventory (NHI) and other Department records on November 6, 2012 the following Endangered Resources have been recently observed in the project area or its vicinity and could be impacted by this project.

Striped Shiner (Luxilus chrysocephalus)	Fish	Endangered
Redfin Shiner (Lythrurus umbratilis)	Fish	Threatened
Greater Redhorse (Moxostoma valenciennesi)	Fish	Threatened
Forked Aster (Aster furcatus)	Plant	Threatened
Hairy Beardtongue (Penstemon hirsutus)	Plant	Threatened

The Department will initiate coordination with the Bureau of Endangered Resources.

Culverts/Aquatic organism passage

Road stream crossing bridges and culverts should be assessed as part of the study. If bridges or culverts are to be replaced as a part of the project they should be set in such a manner that it does not cause stream fragmentation and allows fish and other aquatic organisms to migrate upstream and downstream during low-flow conditions. This requires that the invert be set an adequate distance below the final streambed elevation to allow a natural and continuous streambed condition to occur. A gravel bed substrate may be installed in the culvert to obtain this condition. The desired end-result is that during high-flow conditions, the stream does not cause a large pool (scour hole) to develop at the downstream edge of the structure. Such a pool can act as an impassable barrier to aquatic organisms during low-flow conditions.

Migratory birds

Based on the information provided/based on site review, there is evidence of migratory bird nesting on existing structures in the corridor. Under the U.S. Migratory Bird Treaty Act, destruction of swallows and other migratory birds or their nests is unlawful unless a permit has been obtained from the U.S. Fish & Wildlife Service.

Therefore, the project should either utilize measures to prevent nesting *(e.g., remove unoccupied nests during the non-nesting season and install barrier netting prior to May 1)*, or should occur only between August 30th and May 1st (non-nesting season). If netting is used, ensure it is properly maintained, then removed as soon as the nesting period is over. If neither of these options is practicable then the U.S. Fish & Wildlife Service must be contacted to apply for a depredation permit.

Invasive species & VHS

For work involving water bodies:

All equipment must be properly cleaned and disinfected to address the spread of invasive species and viruses. Special provisions should require contractors to implement the following measures before and after mobilizing in-water equipment to prevent the spread of Viral Hemorrhagic Septicemia (VHS), Zebra Mussel, and other invasive species. Follow **STSP 107-055** Environmental Protection – Aquatic Exotic Species Control, which includes the protocol found here: http://dnr.wi.gov/fish/documents/disinfection_protocols.pdf

For up to date information on invasive species and infested waters go to:
http://dnr.wi.gov/lakes/invasives/AISByWaterbody.aspx

Floodplains

A determination must be made as to what portions of the project lie within a mapped/zoned floodplain. In order to meet the standards of NR 116, Floodplain Management, a hydraulic and hydrologic analysis must be conducted for the 100-year flood event for any new structure or existing structure that is not being replaced "in-kind" within a mapped floodplain. These results must be submitted to the Department and the plans for the structure must comply with the provisions of the local community's floodplain zoning ordinance. For areas lying outside mapped/zoned floodplain, DNR may request the results of DOT flow and backwater calculations.

Dredging

The width and depth of the Milwaukee River and all tributaries to the Milwaukee River must not be altered. However, a minor amount of dredging necessary to place structure elements is permissible.

Emerald Ash Borer

This project has the potential for spreading the Emerald Ask Borer (EAB) beetle. It is illegal to move or transport ash material, the emerald ash borer, and hardwood debris (i.e. firewood) from EAB quarantined areas to a non-quarantined area without a compliance agreement issued by WI Department of Agriculture, Trade and Consumer Protection. Regulated items include cut hardwood (non-coniferous) firewood, ash logs, ash mulch or bark fragments larger than on inch in diameter, or ash nursery stock (DATCP statute 21).

For more information regarding the EAB and quarantine areas please follow the links below:

http://datcpservices.wisconsin.gov/eab/articleassets/WI_EAB_Quarantines_and_Locations.pdf
http://datcpservices.wisconsin.gov/eab/index.jsp

Asbestos

Structural demolition of the existing roadway may expose asbestos. The environmental document should include an asbestos assessment and if necessary an asbestos abatement plan A Notification of Demolition and/or Renovation and Application for Permit Exemption, DNR form 4500-113 (NR 406, 410, and 447 Wis. Adm. Code) may be required. Please refer to DOT FDM 21-35-45 and the DNR's notification requirements web page: http://www.dnr.state.wi.us/air/compenf/asbestos/reqfees.htm for further guidance on asbestos inspections and notifications.

Contact Mark Davis, Air Management Specialist 608-266-3658, with questions on the form. The DNR's online notification system is available at http://www.dnr.state.wi.us/air/compenf/asbestos/notify.htm . The notification must be submitted 10 working days in advance of demolition projects.

Air Quality

DNR recommends that the environmental analysis assess existing and projected air pollutant emissions, health risks, identify sensitive receptors, and alternatives to minimize temporary construction and long term air quality impacts.

Contaminated / Hazardous Materials

Properties with documented soil and/or groundwater contamination are present in the in the project area. An assessment of these properties should be included in the environmental study. The Department Solid and Hazardous Waste Information Management System (SHWIMS) provides an on-line database of landfills, waste transporters, hazardous waste generation, and waste processing facilities. The database has links to information about spills, leaks, Superfund cleanups and other contaminated sites that have been discovered and reported. The web address is http://sotw.dnr.state.wi.us/sotw/Welcome.do . Additional information is available at http://dnr.wi.gov/org/aw/rr/gis/index.htm .

Thank you for the opportunity to contribute to this project. I look forward to continued coordination throughout the progression of the study. Please contact me with any questions or if the Department can assist further.

Sincerely,

Kristina Betzold

Kristina Betzold
Environmental Analysis & Review Specialist
Southeast Region

CC: Steve Hoff, WisDOT
Caron Closer, HNTB
Scott Lee, WisDOT
Karla Liethoff, WisDOT
Joanne Kline, WDNR
Mike Thompson, WDNR

State of Wisconsin
Governor Scott Walker

Department of Agriculture, Trade and Consumer Protection
Ben Brancel, Secretary

August 9, 2013

Monica Wauck
WISDOT
1001 W St. Paul Avenue
Milwaukee, WI 53203

Dear Monica Wauck:

Re: Project ID: 1229-04-01
Project Name: I-43 Freeway Conversion Study
County: Milwaukee
Ozaukee

The Department of Agriculture, Trade, and Consumer Protection (DATCP) has reviewed the notification and any supplemental information you have provided concerning the potential need for an agricultural impact statement (AIS) for the above project. We have determined that an AIS will not be prepared for this project.

Please note that if the proposed project or project specifications are altered in any way which could be construed as increasing the potential adverse effects of the project on agriculture or on any farm operation, the DATCP should be renotified. Questions on the AIS program can be directed to me at the above address or by dialing 608/224-4650.

Peter Nauth

Peter Nauth
Agricultural Impact Program

DATCP ID: #3840

Agriculture generates $59 billion for Wisconsin
2811 Agriculture Drive • PO Box 8911 • Madison, WI 53708-8911 • Wisconsin.gov
An equal opportunity employer

U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I *(To be completed by Federal Agency)*	Date Of Land Evaluation Request 7/23/13
Name Of Project I-43 North-South Freeway Corridor Study	Federal Agency Involved Federal Highway Administration
Proposed Land Use Freeway improvement and expansion	County And State Project: Milwaukee and Ozaukee counties, WI
PART II *(To be completed by NRCS)*	Date Request Received By NRCS

Does the site contain prime, unique, statewide or local important farmland? *(If no, the FPPA does not apply -- do not complete additional parts of this form).*	Yes ☐	No ☐	Acres Irrigated / Average Farm Size
Major Crop*(s)*	Farmable Land In Govt. Jurisdiction Acres: %		Amount Of Farmland As Defined in FPPA Acres: %
Name Of Land Evaluation System Used	Name Of Local Site Assessment System		Date Land Evaluation Returned By NRCS

PART III *(To be completed by Federal Agency)*	Alternative w/ or w/o Highland I/C			
A. Total Acres To Be Converted Directly	9.6			
B. Total Acres To Be Converted Indirectly	0.0			
C. Total Acres In Site	9.6	0.0	0.0	0.0
PART IV *(To be completed by NRCS)* Land Evaluation Information				
A. Total Acres Prime And Unique Farmland				
B. Total Acres Statewide And Local Important Farmland				
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted				
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value				
PART V *(To be completed by NRCS)* Land Evaluation Criterion Relative Value Of Farmland To Be Converted *(Scale of 0 to 100 Points)*	100	0	0	0

PART VI *(To be completed by Federal Agency)* Site Assessment Criteria *(These criteria are explained in 7 CFR 658.5(b)*	Maximum Points				
1. Area In Nonurban Use		4			
2. Perimeter In Nonurban Use		3			
3. Percent Of Site Being Farmed		3			
4. Protection Provided By State And Local Government		20			
5. Distance From Urban Builtup Area NOT APPLICABLE					
6. Distance To Urban Support Services NOT APPLICABLE					
7. Size Of Present Farm Unit Compared To Average		0			
8. Creation Of Nonfarmable Farmland		0			
9. Availability Of Farm Support Services		3			
10. On-Farm Investments		3			
11. Effects Of Conversion On Farm Support Services		0			
12. Compatibility With Existing Agricultural Use		0			
TOTAL SITE ASSESSMENT POINTS	160	36	0	0	0
PART VII *(To be completed by Federal Agency)*					
Relative Value Of Farmland *(From Part V)*	100	100	0	0	0
Total Site Assessment *(From Part VI above or a local site assessment)*	160	36	0	0	0
TOTAL POINTS *(Total of above 2 lines)*	260	136	0	0	0

Site Selected:	Date Of Selection	Was A Local Site Assessment Used? Yes ☐ No ☒

Reason For Selection:

B-44

(See Instructions on reverse side) **Form AD-1006 (10-83)**

This form was electronically produced by National Production Services Staff

CITY OF GLENDALE
ADMINISTRATIVE OFFICES

5909 North Milwaukee River Parkway
Glendale, Wisconsin 53209-3815
(414)228-1705

September 24, 2013

Mr. Steve Hoff, P.E., Project Manager
Wisconsin Department of Transportation
141 NW Barstow Street
P. O. Box 798
Waukesha, WI 53187-0798

Re: I-43/North Port Washington Road

Dear Mr. Hoff:

Please be advised that the Glendale Common Council, on September 23, 2013, has unanimously recommended to the Wisconsin Department of Transportation the proposed redesign and reconstruction of I-43, as it bisects the City of Glendale, be shifted east with a four lane (no median) North Port Washington Road from West Bender Road north to West Daphne Road.

If you require any additional information, please advise.

Sincerely,

CITY OF GLENDALE

Richard E. Maslowski

Richard E. Maslowski
City Administrator

mw

C-6 SECTION 106 COORDINATION

Ho-Chunk Nation C-71

Forest County Potawatomi C-73

Section 106 Review Form C-74

Determination of Eligibility Forms ..... C-77 – C-87

Correspondence: Village of Whitefish Bay on behalf of North Shore Water Commission C-88

Meeting Minutes: Elderwood House Property Owners C-89

SHPO Concurrence on Effect and Section 4(f) *de minimis* Finding C-90

Wauck, Monica T - DOT

From: Bill L. Quackenbush [Bill.Quackenbush@ho-chunk.com]
Sent: Tuesday, April 23, 2013 7:58 AM
To: Hoff, Steve - DOT
Cc: Burkel, Rebecca - DOT; 'Bethaney.Bacher-Gresock@dot.gov'; Waldschmidt, Jay - DOT; Becker, James - DOT; Becherer, Mark; Wauck, Monica T - DOT; Caron Kloser
Subject: RE: Continued section 106 coordination, I-43 Corridor Study

Good morning Steve Hoff,

The Ho-Chunk Nation has no section 106 questions or concerns regarding any known archeological sites within the Area of Potential Effects of your proposed undertaking known as the I-43 corridor project, that we can disclose to you at this time.
Please consider us as an interested party throughout the duration of your proposed project.

Thank you for your time in this regard,

William Quackenbush
Tribal Historic Preservation Officer
Ho-Chunk Nation

From: Hoff, Steve - DOT [mailto:Steve.Hoff@dot.wi.gov]
Sent: Tuesday, April 23, 2013 7:44 AM
To: Bill L. Quackenbush
Cc: Burkel, Rebecca - DOT; 'Bethaney.Bacher-Gresock@dot.gov'; Waldschmidt, Jay - DOT; Becker, James - DOT; Becherer, Mark; Wauck, Monica T - DOT; Caron Kloser
Subject: Continued section 106 coordination, I-43 Corridor Study

Dear Mr. Quackenbush:

In a continued effort to coordinate and seek participation in the project development process, Section 106 coordination, the Wisconsin Department of Transportation (WisDOT), in cooperation with the Federal Highway Administration, are requesting any comments your tribe wishes to share regarding potential impacts to historic properties (which may include archaeological sites, burial sites, traditional cultural properties, historic buildings/structures) and/or culturally sensitive areas. We recognize the challenges inherent in consulting with geographically dispersed parties with varying work schedules and travel options. To foster and maintain communication through the consultation process, alternatives to in-person, government-to-government meetings will be made upon request. Alternative consultation/coordination arrangements may include, but are not limited to, tele-conferencing, video-conferencing, and sharing/exchange of information via email or standard mail. Comments and/or requests for additional information may be directed to any of the following representatives:

FHWA	WisDOT Cultural Resources	WisDOT Region
Bethaney Bacher-Gresock Wisconsin Division 525 Junction Road, Suite 8000 Madison, Wisconsin 53717 Phone (608) 662-2119 Email: Bethaney.Bacher-Gresock@dot.gov	James J. Becker III WisDOT BTS – Cultural Resources 4802 Sheboygan Ave. P.O. Box 7965 Madison, WI 53707-7965 Phone (608)261-01373 Email: James.Becker@dot.state.wi.us	Steve Hoff, Project Manager WisDOT SE Region 141 N.W. Barstow Street, P.O. Box 7 Waukesha, WI 53187-0798 Phone (262) 548-6718 Email: steve.hoff@dot.wi.gov

Additional Background reference information:

1

- In July of 2012, a project notification letter of this undertaking was sent to your tribe requesting comments, and participation as a consulting party (*enclosed)*
- In October 2012; WisDOT (Ms. Carrie Cooper) provided a project overview and addressed questions at the WisDOT/THPO meeting held in Bad River
- Most recently, a meeting was held on April 12, 2013 to provide an update on project status. (*Meeting minutes will be sent separately)*

Project Information:

The department is currently preparing an EIS (Environmental Impact Statement) for the I-43 North-South Freeway Corridor between Silver Spring Drive and WIS 60, a distance of about 14 miles, in Milwaukee and Ozaukee counties (see attached project location map). The scope of the project would reconstruct the freeway to replace deteriorated pavement, meet current design standards and accommodate future travel demand. The project includes alternatives that provide additional capacity on I-43 and upgrade existing interchanges at Good Hope Road, Brown Deer Road, County Line Road, Mequon Road, and County C. A possible new interchange at Highland Road in the City of Mequon will also be evaluated. Additional information is also available at the project website: http://www.dot.wisconsin.gov/projects/seregion/43/index.htm

Sincerely,

Steve Hoff, PE
WisDOT Project Manager

Important Notice:
This email message and any files or other information transmitted with it are confidential and intended solely for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, you should not review, disclose, distribute or copy this e-mail or take any action in reliance upon its contents. Please notify the sender immediately if you have received this e-mail by mistake and delete this e-mail from your system. Please note that any views or opinions presented in this e-mail are solely those of the author and do not necessarily represent those of the Ho-Chunk Nation. The Ho-Chunk Nation specifically disclaims liability for any damage caused by any virus transmitted by this e-mail.

Forest County Potawatomi

Cultural Center and Museum

POTAWATOMI
(Keeper of the Fire)

July 31, 2012

Lynn Cloud
Wisconsin Department of Transportation
4802 Sheboygan Avenue
Room 451
Madison, Wisconsin 53707

Re: Project ID: 1229-04-01 1-43 North-South Freeway Corridor Study, Milwaukee and Ozaukee Counties

Dear Lynn Cloud,

Thank you for the notice of intent for the proposed project references above, as provided in the letter from Steve Hoff dated July 13, 2012. As this project occurs within Potawatomi ancestral and previously occupied lands, we would like to express our concerns with any impacts to historic and cultural properties located within the project area of potential effect for the project mentioned above.

We appreciate receiving results of an archival review, cultural resource investigation studies, and archaeological reports. Should there be an impact or effect to historic properties as a result of this project, we will request consultation pursuant to Section 106 of the National Historic Preservation Act, as amended.

If you have any questions or concerns, please contact me at 715-478-7248 or email at Melissa.Cook@fcpotawatomi-nsn.gov. You may send the results of the archival review and archaeological report to:

Forest County Potawatomi Community
Melissa Cook
Tribal Historic Preservation Officer
8130 Mish ko swen Drive
P.O. Box 340
Crandon, WI 54520
Melissa.Cook@fcpotawatomi-nsn.gov (for digital format)

Your interest in protecting Wisconsin's and Forest County Potawatomi Community's cultural and historic properties is appreciated.

Respectfully,

Melissa Cook

Melissa Cook
Tribal Historic Preservation Officer

5460 Everybody's Road • Crandon, Wisconsin 54520
Telephone (715) 478-7471 • (800) 960-5479 • Fax (715) 478-7482

WisDOT ID 1229-04-01 Section 106 Correspondence 9

SECTION 106 REVIEW
ARCHAEOLOGICAL/HISTORICAL INFORMATION

Wisconsin Department of Transportation
DT1635 11/2006

SHPO

For instructions, see FDM Chapter 26

I. PROJECT INFORMATION

Project ID 1229-04-01	Highway - Street Interstate Highway 43 (I-43)	County Ozaukee, Milwaukee
Project Termini Silver Spring Drive, State Trunk Highway (STH) 60		Region - Office Southeast Region
Regional Project Engineer - Project Manager Steve Hoff, WisDOT SER	RECEIVED	Area Code - Telephone Number (262) 548-6718
Consultant Project Engineer - Project Manager Mark Becherer, HNTB Corporation	AUG 21 2013	Area Code - Telephone Number (414) 359-2300
Archaeological Consultant Allen Van Dyke, AVD Archaeological Services, Inc.	DIV HIST PRES	Area Code - Telephone Number (262) 878-0510
Architecture/History Consultant Emily Pettis, Mead & Hunt, Inc and John Vogel, Heritage Research LTD		Area Code - Telephone Number (608) 273-6380 and (262) 251-7792
Date of Need		SHSW # 12-0649/MI/02
Return a signed copy of this form to:		pg 1/3

II. PROJECT DESCRIPTION

Project Length approx. 14 miles	Land to be Acquired: Fee Simple to be determined acres	Land to be Acquired: Easement to be determined acres

Distance as measured from existing centerline	Existing	Proposed	Other Factors	Existing	Proposed
Right-of-Way Width See continuation sheets			Terrace Width		
Shoulder			Sidewalk Width		
Slope Intercept			Number of Lanes		
Edge of Pavement			Grade Separated Crossing		
Back of Curb Line			Vision Triangle acres		
Realignment			Temporary Bypass acres		
Other - List:			Stream Channel Change	☐ Yes	☐ No
Attach Map(s) that depict "maximum" impacts.	☒ Yes	☐ No	Tree topping and/or grubbing	☐ Yes	☐ No

Brief Narrative Project Description - Include all ground disturbing activities. For archaeology, include plan view map indicating the maximum area of ground disturbance and/or new right-of-way, whichever is greater. Include all temporary, limited and permanent easements.

See continuation sheet for description of potential ground-disturbing activities and maps

☒ Add continuation sheet, if needed.

CONTINUATION SHEET

SECTION 106 REVIEW
ARCHAEOLOGICAL/HISTORICAL INFORMATION
WisDOT Form DT 1635
I-43, Silver Spring Drive to WIS 60
WisDOT ID 1229-04-01

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12-0649/MI/02
pg 2/3

II. PROJECT DESCRIPTION

Brief Narrative Project Description:

The project includes proposed improvements to the I-43 corridor between Silver Spring Drive and WIS 60 in Milwaukee and Ozaukee Counties. The corridor passes through the communities of Grafton, Mequon, River Hills, Fox Point, Bayside, Glendale, and Whitefish Bay. Various alternatives will be investigated, including widening the road from four to six lanes, alignment shifts, reconstructing and realigning a railroad overpass, and a potential new interchange at Highland Road. Intersection improvements will also be considered at specific locations along the adjacent Port Washington Road corridor.

In lieu of the Project Description Chart on page 1 of the Section 106 Review Form, the attached maps indicate the proposed project plans adjacent to each historic site. These historic site exhibits include only those identified as eligible.

III. CONSULTATION

How has notification of the project been provided to:

- ☒ Property Owners
  - ☒ Public Information Meeting Notice
  - ☒ Letter - Required for Archaeology
  - ☐ Telephone Call
  - ☐ Other:
- ☒ Historical Societies/Organizations
  - ☒ Public Information Meeting Notice
  - ☒ Letter
  - ☐ Telephone Call
  - ☐ Other:
- ☒ Native American Tribes
  - ☒ Public Info. Mtg. Notice
  - ☒ Letter
  - ☐ Telephone Call
  - ☒ Other: Emails and project updates

*Attach one copy of the base letter, list of addresses and comments received. For history include telephone memos as appropriate.

IV. AREA OF POTENTIAL EFFECTS - APE

ARCHAEOLOGY: Area of potential effect for archaeology is the existing and proposed ROW, temporary and permanent easements. Agricultural practices do not constitute a ground disturbance exemption.

RECEIVED

HISTORY: Describe the area of potential effects for buildings/structures.
The APE includes a variable buffer of 100 to 500 feet from I-43 including all parcels within or abutting the buffer zone, as well as most properties along Port Washington Road. See Map.

AUG 21 2013

V. PHASE I ARCHEOLOGICAL OR RECONNAISSANCE HISTORY SURVEY NEEDED

DIV HIST PRES

ARCHAEOLOGY	HISTORY
☒ Archaeological survey is needed	☒ Architecture/History survey is needed
☐ Archaeological survey is not needed - Provide justification ☐ Screening list (date).	☐ Architecture/History survey is not needed ☐ No structures or buildings of any kind within APE ☐ Screening list (date).

VI. SURVEY COMPLETED

ARCHAEOLOGY	HISTORY
☒ NO archaeological sites(s) identified - ASFR attached	☐ NO buildings/structures identified - A/HSF attached
☐ NO potentially eligible site(s) in project area - Phase I Report attached	☒ Potentially eligible buildings/structures identified in the APE - A/HSF attached
☐ Potentially eligible site(s) identified-Phase I Report attached ☐ Avoided through redesign ☐ Phase II conducted – go to VII (Evaluation).	☐ Potentially eligible buildings/structures avoided – documentation attached
☐ Phase I Report attached - Cemetery/cataloged burial documentation	

VII. DETERMINATION OF ELIGIBILITY (EVALUATION) COMPLETED

☐ No arch site(s) eligible for NRHP - Phase II Report attached	☐ No building/structure(s) eligible for NRHP - DOE attached
☐ Arch site(s) eligible for NRHP - Phase II Report attached ☐ Site(s) eligible for NRHP - DOE attached	☒ Building/structure(s) eligible for NRHP - DOE attached

VIII. COMMITMENTS/SPECIAL PROVISIONS – must be included with special provisions language

To be determined through consultation
Per Wis. Stat. 157.70, within one year from start of construction activities, WisDOT (coordinate w/ CRT) must request the WHS-HP for authorization to work w/in the boundaries of burial sites: BOZ-0021 (Lakefield Cemetery) & BMI-0018 (Union Cemetery).

IX. PROJECT DECISION

12-0649/MI/02
Pg 3/3

- ☐ No historic properties (historical or archaeological) in the APE.
- ☐ No historic properties (historical or archaeological) affected.
- ☒ Historic properties (historical and/or archaeological) may be affected by project;
  - ☒ Go to Step 4: Assess affects and begin consultation on affects
  - ☐ Documentation for Determination of No Adverse Effects is included with this form. WIDOT has concluded that this project will have No Adverse Effect on historic properties. Signature by SHPO below indicates SHPO concurrence in the DNAE and concludes the Section 106 Review process for this project.

(Regional Project Manager) 7/29/13 (Date)	(WIDOT Historic Preservation Officer) 8/15/2013 (Date)	(State Historic Preservation Officer) Sept 13 2013 (Date)
(Consultant Project Manager) 7/29/13 (Date)		

Wisconsin Department of Transportation (May 2013)

Determination of Eligibility Form for Historic Districts

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AUG 21 2013
DIV HIST PRES

Agency #: 1229-04-01

WHS #: 12-0649/MI/02

District Name: Clovernook Estates Residential Historic District

Location: 400-909 W. Acacia Road; 405, 614, 630, 700, 910 & 918 W. Apple Tree Road; 406 W. Clovernook Lane; 837 & 919 W. Daphne Road; 6530, 6585 & 6615-6660 N. Elm Tree Road; 6544-6588 & 6660 N. River Road

City & County: City of Glendale, Milwaukee County **Zip Code:** 53217

Town: _____ **Range:** _____ **Section:** _____

Dates of Construction: 1903, 1937-43, 1945

WisDOT Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this request for Determination of Eligibility:

_X_Meets the National Register of Historic Places criteria.
___Does not meet the National Register of Historic Places criteria.

Rebecca Burkel 8/15/13

Rebecca Burkel, WisDOT Historic Preservation Officer **Date**

State Historic Preservation Office

In my opinion, the property:

X Meets the National Register of Historic Places criteria.
___Does not meet the National Register of Historic Places criteria.

Jim Draeger 9/5/13

Jim Draeger, State Historic Preservation Officer **Date**

Comments (FOR AGENCY USE ONLY):

Period of significance is 1937-1945

Division of Historic Preservation/Public History
Wisconsin Historical Society
816 State Street
Madison, WI 53706

(Revised May 2013)

Wisconsin Historical Society
Determination of Eligibility Form

RECEIVED
AUG 21 2013
DIV HIST PRES

WisDOT Project ID #: 1229-04-01

WHS #: 12-0649/MI/02

Property Name(s): North Shore Water Filtration Plant
Address/Location: 400 W. Bender Road
City & County: City of Glendale, Milwaukee County **Zip Code:** 53217
Town: _____ **Range:** _____ **Section:** _____
Date of Construction: 1961-1963, 1972

WisDOT Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this request for Determination of Eligibility:

X Meets the National Register of Historic Places criteria.
___Does not meet the National Register of Historic Places criteria.

Rebecca Burkel 8/15/13
Rebecca Burkel, WisDOT Historic Preservation Officer **Date**

State Historic Preservation Office

In my opinion, the property:

X Meets the National Register of Historic Places criteria.
___Does not meet the National Register of Historic Places criteria.

Jim Draeger 9/5/13
Jim Draeger, State Historic Preservation Officer **Date**

Comments (FOR AGENCY USE ONLY):
Period of significance should be 1963 to 1972. It begins with the completion of the plant and ends with the construction of the originally planned expansion.

Division of Historic Preservation
Wisconsin Historical Society
816 State Street
Madison, WI 53706

Wisconsin Historical Society
Determination of Eligibility Form

(Revised May 2013)

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AUG 21 2013
DIV HIST PRES

WisDOT Project ID #: 1229-04-01

WHS #: 12-0649/MI/02

Property Name(s): Louis & Sophia Hovener House
Address/Location: 308 N. Port Washington Road
City & County: Town of Grafton, Ozaukee County **Zip Code:** 53024
Town: 10N **Range:** 22E **Section:** 32
Date of Construction: 1890, 1939, 2006

WisDOT Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this request for Determination of Eligibility:

X Meets the National Register of Historic Places criteria.
___Does not meet the National Register of Historic Places criteria.

Rebecca Burkel 8/15/13
Rebecca Burkel, WisDOT Historic Preservation Officer **Date**

State Historic Preservation Office

In my opinion, the property:

Meets the National Register of Historic Places criteria.
X Does not meet the National Register of Historic Places criteria.

Jim Draeger 9/12/13
Jim Draeger, State Historic Preservation Officer **Date**

Comments (FOR AGENCY USE ONLY):
Not eligible. The addition of a hipped roof is a significant loss of integrity that changed the massing, scale, form and design of the original.

Division of Historic Preservation
Wisconsin Historical Society
816 State Street
Madison, WI 53706

Wisconsin Historical Society
Determination of Eligibility Form

(Revised May 2013)

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WisDOT Project ID #: 1229-04-01

WHS #: 12-0649/MI/02

Property Name(s): Notre Dame of the Lake
Address/Location: 12800 North Lake Shore Drive
City & County: City of Mequon, Ozaukee County **Zip Code:** 53097
Town: _____ **Range:** _____ **Section:** _____
Date of Construction: 1958-59, 1961, circa 1962, 1989, 1994, 1996, 1999, 2002, 2005-2007, 2008, 2009-10, 2010-11, 2012, 2013

WisDOT Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this request for Determination of Eligibility:

___Meets the National Register of Historic Places criteria.
_X_Does not meet the National Register of Historic Places criteria.

Rebecca Burkel 9/5/2013
Rebecca Burkel, WisDOT Historic Preservation Officer **Date**

State Historic Preservation Office

In my opinion, the property:

___Meets the National Register of Historic Places criteria.
_X_Does not meet the National Register of Historic Places criteria.

Jim Draeger 9/5/13
Jim Draeger, State Historic Preservation Officer **Date**

Comments (FOR AGENCY USE ONLY):
Concur that complex is not eligible. The Chapel, however, may be potentially eligible as an individual property. If there are any changes to the project, the Chapel should be reevaluated separately.

Division of Historic Preservation
Wisconsin Historical Society
816 State Street
Madison, WI 53706

Wisconsin Historical Society
Determination of Eligibility Form

(Revised May 2013)

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AUG 21 2013
DIV HIST PRES

WisDOT Project ID #: 1229-04-01

WHS #: 12-0649/MI/02

Property Name(s): River Hills Department of Public Works Building
Address/Location: 7650 N. Pheasant Lane
City & County: Village of River Hills, Milwaukee County **Zip Code:** 53217-3012
Town: _____ **Range:** _____ **Section:** _____
Date of Construction: 1962

WisDOT Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this request for Determination of Eligibility:

X Meets the National Register of Historic Places criteria.
___Does not meet the National Register of Historic Places criteria.

8/15/13

Rebecca Burkel, WisDOT Historic Preservation Officer **Date**

State Historic Preservation Office

In my opinion, the property:

___Meets the National Register of Historic Places criteria.
✓ Does not meet the National Register of Historic Places criteria.

8/29/13

Jim Draeger, State Historic Preservation Officer **Date**

Comments (FOR AGENCY USE ONLY):

Not eligible

Division of Historic Preservation
Wisconsin Historical Society
816 State Street
Madison, WI 53706

(Revised May 2013)

Wisconsin Historical Society
Determination of Eligibility Form

RECEIVED
AUG 21 2013
DIV HIST PRES

WisDOT Project ID #: 1229-04-01

WHS #: 12-0649/MI/02

Property Name(s): District #6/Lakefield School
Address/Location: 1206 Lakefield Road
City & County: Town of Grafton, Ozaukee County **Zip Code:** 53024
Town: 10N **Range:** 22E **Section:** 30
Date of Construction: 1907, circa 1940, circa 1971

WisDOT Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this request for Determination of Eligibility:

X Meets the National Register of Historic Places criteria.
___ Does not meet the National Register of Historic Places criteria.

Rebecca Burkel 8/15/2013
Rebecca Burkel, WisDOT Historic Preservation Officer **Date**

State Historic Preservation Office

In my opinion, the property:

___ Meets the National Register of Historic Places criteria.
X Does not meet the National Register of Historic Places criteria.

Jim Draeger 8/29/13
Jim Draeger, State Historic Preservation Officer **Date**

Comments (FOR AGENCY USE ONLY):
Not eligible - substantial addition is not in keeping with the historic character of the schoolhouse.

Division of Historic Preservation
Wisconsin Historical Society
816 State Street
Madison, WI 53706

Wisconsin Historical Society
Determination of Eligibility Form

(Revised May 2013)

RECEIVED
AUG 21 2013
DIV HIST PRES

WisDOT Project ID #: 1229-04-01

WHS #: 12-0649/MI/02

Property Name(s): Congregation Sinai Synagogue
Address/Location: 8223 N. Port Washington Road
City & County: Village of Fox Point, Milwaukee County **Zip Code:** 53217
Town: _____ **Range:** _____ **Section:** _____
Date of Construction: 1961-62, 2006

WisDOT Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this request for Determination of Eligibility:

___Meets the National Register of Historic Places criteria.
_X_Does not meet the National Register of Historic Places criteria.

Rebecca Burkel 8/15/13
Rebecca Burkel, WisDOT Historic Preservation Officer **Date**

State Historic Preservation Office

In my opinion, the property:

___Meets the National Register of Historic Places criteria.
_X_Does not meet the National Register of Historic Places criteria.

Jim Draeger 8/29/13
Jim Draeger, State Historic Preservation Officer **Date**

Comments (FOR AGENCY USE ONLY):
Concur that the Synagogue should be reevaluated when the addition is older

Division of Historic Preservation
Wisconsin Historical Society
816 State Street
Madison, WI 53706

Wisconsin Historical Society
Determination of Eligibility Form

(Revised May 2013)

RECEIVED
AUG 21 2013
DIV HIST PRES

WisDOT Project ID #: 1229-04-01

WHS #: 12-0649/MI/02

Property Name(s): Phillips Petroleum Company Service Station
Address/Location: 7575 N. Port Washington Road
City & County: City of Glendale, Milwaukee County **Zip Code:** 53217-3420
Town: _____ **Range:** _____ **Section:** _____
Date of Construction: 1966-67

WisDOT Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this request for Determination of Eligibility:

_X_ Meets the National Register of Historic Places criteria.
___ Does not meet the National Register of Historic Places criteria.

8/15/13

Rebecca Burkel, WisDOT Historic Preservation Officer **Date**

State Historic Preservation Office

In my opinion, the property:

X Meets the National Register of Historic Places criteria.
___ Does not meet the National Register of Historic Places criteria.

8/29/13

Jim Draeger, State Historic Preservation Officer **Date**

Comments (FOR AGENCY USE ONLY):

Division of Historic Preservation
Wisconsin Historical Society
816 State Street
Madison, WI 53706

Wisconsin Historical Society
Determination of Eligibility Form

(Revised May 2013)

RECEIVED
AUG 21 2013
DIV HIST PRES

WisDOT Project ID #: 1229-04-01

WHS #: 12-0649/MT/02

Property Name(s): Johann Friederich & Catherine Hennings Farmstead
Address/Location: 1143 Lakefield Road
City & County: Town of Grafton, Ozaukee County **Zip Code:** 53024
Town: 10N **Range:** 22E **Section:** 32
Date of Construction: 1872 – 1949

WisDOT Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this request for Determination of Eligibility:

X Meets the National Register of Historic Places criteria.
___Does not meet the National Register of Historic Places criteria.

Rebecca Burkel 8/15/2013
Rebecca Burkel, WisDOT Historic Preservation Officer **Date**

State Historic Preservation Office

In my opinion, the property:

X Meets the National Register of Historic Places criteria.
___Does not meet the National Register of Historic Places criteria.

Jim Draeger 8/29/13
Jim Draeger, State Historic Preservation Officer **Date**

Comments (FOR AGENCY USE ONLY):

Division of Historic Preservation
Wisconsin Historical Society
816 State Street
Madison, WI 53706

Wisconsin Historical Society
Determination of Eligibility Form

(Revised May 2013)

RECEIVED
AUG 21 2013
DIV HIST PRES

WisDOT Project ID #: 1229-04-01

WHS #: 12-0649/MI/02

Property Name(s): Henry & Mary Hennings House
Address/Location: 754 N. Port Washington Road
City & County: Town of Grafton, Ozaukee County **Zip Code:** 53024
Town: 10N **Range:** 22E **Section:** 29
Date of Construction: 1884, circa 2000

WisDOT Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this request for Determination of Eligibility:

_X_ Meets the National Register of Historic Places criteria.
___ Does not meet the National Register of Historic Places criteria.

8/15/2013

Rebecca Burkel, WisDOT Historic Preservation Officer **Date**

State Historic Preservation Office

In my opinion, the property:

_X_ Meets the National Register of Historic Places criteria.
___ Does not meet the National Register of Historic Places criteria.

8/29/13

Jim Draeger, State Historic Preservation Officer **Date**

Comments (FOR AGENCY USE ONLY):
The foundations of the barn and mill house are contributing.

Division of Historic Preservation
Wisconsin Historical Society
816 State Street
Madison, WI 53706

Wisconsin Historical Society
Determination of Eligibility Form

(Revised May 2013)

RECEIVED
AUG 21 2013
DIV HIST PRES

WisDOT Project ID #: 1229-04-01

WHS #: 12-0649/MI/02

Property Name(s): Chalet Motel
Address/Location: 10401 N. Port Washington Road
City & County: City of Mequon, Ozaukee County **Zip Code:** 53092
Town: _____ **Range:** _____ **Section:** _____
Date of Construction: 1958, 2000-01

WisDOT Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this request for Determination of Eligibility:

X Meets the National Register of Historic Places criteria.
___Does not meet the National Register of Historic Places criteria.

Rebecca Burkel 8/15/2013
Rebecca Burkel, WisDOT Historic Preservation Officer **Date**

State Historic Preservation Office

In my opinion, the property:

___Meets the National Register of Historic Places criteria.
X Does not meet the National Register of Historic Places criteria.

Jim Draeger 8/29/13
Jim Draeger, State Historic Preservation Officer **Date**

Comments (FOR AGENCY USE ONLY):
Not Eligible as an example of a 2-story motel property type, nor as a Swiss Chalet. Period of Significance is 1958. Major additions to 2 of the motel buildings in 2000/2001.

Division of Historic Preservation
Wisconsin Historical Society
816 State Street
Madison, WI 53706

Village of Whitefish Bay
5300 N. Marlborough Drive
Whitefish Bay, Wisconsin 53217

Phone: 414-962-6690
Fax: 414-962-5651

Steve Hoff, PE
WisDOT Project Manager
Wisconsin Department of Transportation
141 N W Barstow Street
Waukesha, WI 53187-0798

September 12, 2013

Subject: **Potential Effects of I-43 Reconstruction on North Shore Water Treatment Plant 400 West Bender Road, Glendale**

WisDOT Project I.D. 1229-04-01
I-43 North South Corridor Study
(Silver Spring Drive to WIS 60)
Milwaukee and Ozaukee Counties

Dear Mr. Hoff:

It is our understanding that Wisconsin Department of Transportation (WisDOT) is considering alternatives for widening I-43. Both remaining options would result in the reconstruction of Jean Nicolet Road which would require about 0.2 acres of right-of-way acquisition from the northeast edge of the water treatment plant. After reviewing WisDOT drawings at the September 11, 2013 Commission Meeting and conferring with the Plant Manager, the North Shore Water Commission representing Glendale, Fox Point, and Whitefish Bay, does not believe the contemplated alternatives would adversely affect the operation and maintenance of our facilities. It is also our opinion that the contemplated right-of-way acquisition will not impair the property's historic significance.

Please contact me if you have any questions.

Best Regards,

Daniel J. Naze, P.E.
Chairman
North Shore Water Commission

I-43 North-South Freeway Corridor Study

MEETING SUMMARY

Project ID: 1229-04-01

Date of Meeting:	May 22, 2013
Location:	Elderwood House, 6789 Elm Tree Road, Milwaukee
Meeting Purpose:	Meeting with property owners to discuss potential project effects
Prepared by:	Caron Kloser, HNTB Corp.
Attendees:	Jim Morrisey, WisDOT Tom and Virginia Jenkins, homeowners Caron Kloser, HNTB Corp.

Jim Morrisey and Caron Kloser met with Mr. and Mrs. Jenkins to discuss the I-43 North-South Freeway project and to ask their views on potential effects to their home, which is listed on the National Register of Historic Places. The property is also a Milwaukee County Landmark. WisDOT currently has a 30-foot easement for a storm sewer pipe that outfalls to the Milwaukee River. The Department is still in the early engineering phase and anticipates that the storm sewer may need to be replaced, but it is undetermined at this time, pending more detailed engineering. However, the Department's goal is to maintain any needed improvements within the existing easement. The Jenkins' noted that Nicolet High School (NHS) recently purchased a 10-foot easement to the south of WisDOT's easement to install a storm sewer pipe to serve the high school campus immediately east of the home.

The Jenkins noted that as long as improvements stay within existing easements, they do not have concerns about the project impacting their property. Mrs. Jenkins noted there are apple trees and lilac bushes at the entrance to their property that they would like to keep undisturbed should there be future work on the property. As part of high school's storm sewer project, NHS is also replacing the asphalt driveway with gravel, which the Jenkins indicated is more consistent with the historic character of the property.

Action: Jim provided certified survey map of the property that indicates location of storm sewer easement to the Jenkins.

Determination of No Adverse Effect
WisDOT Project I.D. 1229-04-01
WHS No. 12-0649/MI/OZ
I-43 North-South Freeway Corridor Study
Silver Spring Drive – WIS 60
Milwaukee and Ozaukee Counties

RECEIVED
OCT 29 2013
DIV HIST PRES

The proposed undertaking is the reconstruction of 14 miles of Interstate Highway 43 (I-43) between Silver Spring Drive in the city of Glendale and Wisconsin Highway (WIS) 60 in the village of Grafton. The project includes providing additional travel capacity on I-43; reconstructing or replacing existing structures over/under I-43; reconstructing and modernizing numerous interchanges; constructing a new interchange at Highland Road; reconstructing adjacent local streets; and enhancing freeway aesthetics. The Area of Potential Effects (APE) was defined to include all properties abutting I-43, adjacent to interchange areas, and along local roads where construction could occur. The following historic properties were identified in the APE:

- North Shore Water Treatment Plant, National Register-eligible
- Clovernook Estates Residential Historic District, National Register-eligible
- Elderwood/The House in the Woods, National Register-listed
- Phillips Petroleum Company Service Station, National Register-eligible
- Johann Friederich and Catherine Hennings Farmstead, National Register-eligible
- Henry and Mary Hennings House, National Register-eligible

As supported in the enclosed Documentation for Determination of No Adverse Effect (DNAE), WisDOT recommends that there will be no adverse effect to historic properties as a result of the project. In accordance with 23 USC 138(b), WisDOT, on behalf of FHWA, hereby informs SHPO that the DNAE may be used in considering whether a de minimis Section 4(f) finding is appropriate and SHPO concurrence with the DNAE serves as acknowledgement of this official notification.

Jason Kennedy 10/28/13

Jason Kennedy, WisDOT Date
Environmental Analysis & Review Specialist

We concur with your current finding of "no adverse effect" for this project.

Kimberly Cook Dec 13 2013

Kimberly Zunker Cook, SHPO Date

C-7 SECTION 4(F) COORDINATION

Village of Whitefish Bay –
Craig Counsell Park C-92

Nicolet High School
District School Board..... C-93

North Shore
Water Commission..... (see Page C-88 for Section 106 coordination correspondence from village of Whitefish Bay)

Village of Whitefish Bay
5300 N. Marlborough Drive • Whitefish Bay, Wisconsin 53217 • (414) 962-6690

Steve Hoff, PE
WisDOT Project Manager
Wisconsin Department of Transportation
141 NW Barstow Street
Waukesha, WI 53187-0798

September 13, 2013

Subject: **Potential Effects of I-43 Reconstruction on Craig Counsell Park and Port Washington Road, Glendale**

WisDOT Project I.D. 1229-04-01
I-43 North South Corridor Study
(Silver Spring Drive to WIS 60)
Milwaukee and Ozaukee Counties

Dear Mr. Hoff:

Thank you for keeping us informed about the above I-43 reconstruction project. This responds to your request for input regarding the proposed I-43 reconstruction and potential impacts to Craig Counsell Park, located on the east side of Port Washington Road, immediately south of the Union Pacific Railroad, in Glendale. Most recently, I have discussed this request with you and Monica Wauck from WisDOT. As we discussed, Craig Counsell Park is a public park owned by the Village of Whitefish Bay and located within the City of Glendale.

Monica explained that the park was evaluated as a 4f property during the environmental review process for the I-43 study. Previous conversations with Whitefish Bay Engineering staff indicated that this parcel may be used by the public for recreational purposes. Monica went on to explain that the impacts were eligible for a *de minimis* finding by the Federal Highway Administration (FHWA) because the impacts would not affect the use of the property. Monica also explained that the alternative to doing a *de minimis* was a more involved 4f process that would look at a broad range of avoidance and mitigation measures.

Further, it is our understanding that I-43 may be expanded from four lanes to six lanes at this location, with design options for widening to the east or west of the existing freeway. Under both options, Port Washington Road may be reconstructed from two to four lanes from Devon Street to Daphne Road. Because this section of Port Washington Road is a City of Glendale street, the City will make this decision due to its close proximity to the I-43 corridor, though, WisDOT is coordinating with the City of Glendale to evaluate impacts of Port Washington Road expansion as part of the I-43 Corridor Study's Environmental Impact Statement. This expansion would require about 0.05 acres of right-of-way acquisition where Karl Campus Drive intersects Port Washington Road in order for the new driveway to better match into Karl Campus Drive, which primarily provides access to the Jewish Community Center.

At this time, the Village of Whitefish Bay has no objections to the proposed reconstruction of I-43 and Port Washington Road, including the acquisition of right-of-way at the vicinity of the intersection with Karl Campus Drive. Further, it is our opinion that the right-of-way acquisition will not adversely affect the park's function. We understand that the public had an opportunity to comment on the potential impacts to the park at the most recent public informational meetings, held August 20th and 22nd of this year. Based on all of these considerations, the Village of Whitefish Bay concurs with the *de minimis* finding.

Please contact me if you have any questions.

Best Regards,

Patrick DeGrave
Village Manager
Village of Whitefish Bay

Date of Meeting:	July 11, 2013
Location:	Nicolet High School Library
Meeting Purpose:	To discuss potential 4f impacts and process at Nicolet High School
Prepared by:	Monica Wauck
Attendees:	Mike Treazise (WisDOT), Mark Becherer (HNTB), Caron Kloser (HNTB), Monica Wauck (WisDOT), and Nicolet High School District School Board

Caron Kloser explained the purpose for meeting: to discuss the 4f process, the potential impacts to Nicolet's playing fields, and whether the Board would consider a de minimis finding instead of a full 4f process.

Caron began by reviewing the potential R/W impacts. In the worst case scenario, the south end of the playing fields on the east side would have .14 acres of impact. On the west side, there would be approximately .08 acres of impact. It was explained that WisDOT would do more engineering work to further minimize impacts.

Caron went on to explain that the impacts were eligible for a de minimis finding by FHWA because the impacts would not affect the use of the property. Caron further explained to the School Board that the alternative to doing a de minimis was a more involved 4f process that would look at a broad range of avoidance and mitigation measures. If the Board determined that a de minimis was appropriate, then they would need to review public comments received at the August 20th and 22nd Public Involvement Meetings. Then, the Board would submit a letter concurring with the de minimis finding.

There was also a brief discussion of the potential pedestrian access alternatives: tunnel, pedestrian bridge, or pathway.

Below is a summary of the questions and answers:

How deep would the impact be in terms of feet on the west side?

About 10 feet maximum. That would be the worst case scenario, and WisDOT will continue to work to reduce impacts.

Why would Nicolet agree to a de minimis?

Caron explained that Nicolet did not have to agree to the de minimis finding. Rather, the de minimis is a streamlined 4f process that requires less documentation.

What are the impacts to the house at Green Tree and Nicolet?

Mike Treazise explained that all the build alternatives relocate that house since that segment of Jean Nicolet Road is shifted west to accommodate a longer Green Tree structure.

Nicolet is considering reconfiguring their tennis courts and football field (west side) to make it an official collegiate field that they could rent.

DRAFT

WisDOT asked if there were any preliminary drawings or dimensions available. Nicolet is still in the conceptual stage. WisDOT reiterated that they would sit down with Nicolet and figure out how to minimize impacts and how to accommodate Nicolet's plans. WisDOT offered to place stakes out in the field so that Nicolet could see exactly what the impacts would be.

In all the build alternatives, the level of the tennis fields becomes more level with highway. Won't that create more noise?

Caron explained that we are just getting into noise analysis and that we should have those results soon. Noise walls would not require more R/W.

Who would pay for the new tunnel or pedestrian bridge?

Mike explained that WisDOT would work with Nicolet to arrive at an agreement.

When would construction take place?

Mike explained that given the funding process, 2020 would probably be the earliest.

Is there an opportunity to talk about retaining walls to maximize space? Nicolet needs ability to have input on design. Nicolet is already below national standards for design and needs every square foot.

WisDOT welcomes the opportunity. We want to design a freeway that accommodates Nicolet's future plans.

Meeting Outcomes:

- WisDOT and the Nicolet High School Facilities Manager will coordinate to minimize impacts and to discuss field reconfiguration.
- WisDOT will put stakes out so that Nicolet can see maximum impacts.
- WisDOT will meet with the Nicolet School Board again in September.
- Nicolet will include WIsDOT in their upcoming Facilities Master Plan.

DRAFT

C-8 $PM_{2.5}$ CONFORMITY HOT SPOT ANALYSIS PROJECT SUMMARY FORM FOR INTERAGENCY CONSULTATION

EPA/FHWA Concurrence..... C-96

FTA Comments C-98

PM Conformity Hot Spot Analysis Project Summary Form for Interagency Consultation C-100

Wauck, Monica T - DOT

From: Trainer, Patricia - DOT
Sent: Monday, March 03, 2014 8:52 AM
To: Wauck, Monica T - DOT; Nag, Manojoy - DOT
Cc: 'Bethaney.Bacher-Gresock@dot.gov'; McComb, Dwight; Trainer, Patricia - DOT
Subject: FW: Final I-43 PM 2.5 Conformity Hot Spot Analysis Project Summary Form

---

From: Leslie, Michael [mailto:leslie.michael@epa.gov]
Sent: Monday, March 03, 2014 8:48 AM
To: Trainer, Patricia - DOT
Subject: FW: Final I-43 PM 2.5 Conformity Hot Spot Analysis Project Summary Form

USEPA concurs with FHWA-WI's assessment of the information presented in the Final I-43 PM 2.5 Conformity Hot Spot Analysis Project Summary Form that this project is not a "Project of Air Quality Concern" for transportation conformity purposes. We recommend that this project continues to be tracked through the NEPA process ensure that the assumptions in the summary form remain valid. This information needs to presented to Wisconsin's interagency consultation group for a final determination.

Michael Leslie, P.E.
U.S. EPA - Region 5 (AR-18J)
77 W. Jackson Blvd.
Chicago, IL 60604
Phone: (312) 353-6680
Fax: (312) 408-2266

From: dwight.mccomb@dot.gov [mailto:dwight.mccomb@dot.gov]
Sent: Thursday, January 30, 2014 11:30 AM
To: Patricia.Trainer@dot.wi.gov
Cc: Leslie, Michael; christopher.bertch@dot.gov
Subject: RE: Final I-43 PM 2.5 Conformity Hot Spot Analysis Project Summary Form

Based on the information and analysis presented in the PM2.5 Project Summary Form it is FHWA's opinion that the I-43 North-South Freeway Corridor Project in Milwaukee and Ozaukee Counties could be determined to be a project not of local air quality concern for purposes of project level transportation conformity.

FHWA's preliminary opinion is based on the limited conceptual project information available early in the NEPA process as presented in this analysis. When the major design features have been established for the project alternatives this analysis should be reviewed, updated and evaluated through the interagency consultation process to support a final determination. The conformity rule also requires a proactive public involvement process that provides opportunity for public review and comment. Public comments pertaining to project air quality concerns must also be considered by the interagency group in making a final determination. This analysis and any ultimate determination is only for purposes of addressing transportation air quality conformity requirements under 40 CFR Part 93. The environmental process may identify project impacts that otherwise warrant a quantitative PM2.5 hot spot analysis.

Please contact me should you have any questions.

Dwight McComb
Systems Planning & Performance Manager

1

FHWA Wisconsin Division
525 Junction Rd, Suite 8000
Madison, WI 53717
608.829.7518

From: Trainer, Patricia - DOT [mailto:Patricia.Trainer@dot.wi.gov]
Sent: Wednesday, November 27, 2013 10:26 AM
To: McComb, Dwight (FHWA); Michael Leslie (leslie.michael@epa.gov); Bertch, Christopher (FTA)
Cc: Trainer, Patricia - DOT
Subject: Final I-43 PM 2.5 Conformity Hot Spot Analysis Project Summary Form

Dwight, Michael and Christopher,

Attached please find the final PM 2.5 Conformity Hot Spot Analysis Project Summary form for Interagency Consultation for the proposed I-43 project.

The project team has made revisions to the report to incorporate changes based on your comments.

Please take a look and let me know if this meets your needs. I will then distribute the report to the entire interagency group.
Thanks for your earlier comments and continued participation.

Have a Happy Holiday.

Pat

<< File: I-43_PM25Project Summary Form for Interagency Consultation_20131125 (2).pdf >>

Wauck, Monica T - DOT

From:	Trainer, Patricia - DOT
Sent:	Monday, February 10, 2014 10:54 AM
To:	Nag, Manojoy - DOT; Wauck, Monica T - DOT
Cc:	Waldschmidt, Jay - DOT
Subject:	FW: Final I-43 PM 2.5 Conformity Hot Spot Analysis Project Summary Form

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From: christopher.bertch@dot.gov [mailto:christopher.bertch@dot.gov]
Sent: Monday, February 10, 2014 10:23 AM
To: Trainer, Patricia - DOT
Subject: RE: Final I-43 PM 2.5 Conformity Hot Spot Analysis Project Summary Form

Thanks Pat. FTA doesn't have any comments at this time.

Chris

Chris Bertch AICP | **Community Planner**
US DOT | Federal Transit Administration
200 West Adams #320 | Chicago IL 60606
312.353.3853

From: Trainer, Patricia - DOT [mailto:Patricia.Trainer@dot.wi.gov]
Sent: Monday, February 10, 2014 7:30 AM
Cc: leslie.michael@epa.gov; Bertch, Christopher (FTA); Trainer, Patricia - DOT
Subject: RE: Final I-43 PM 2.5 Conformity Hot Spot Analysis Project Summary Form

Good Morning:

Just checking in to see if based on Interagency Consultation your agency is planning to send something similar to FHWA's on the proposed I-43 PM 2.5 Conformity Hot Spot Analysis.

If you have any questions or need additional information please let me know. If there is anything we can do to help with the process, let me know that as well.

Hope to hear from you soon.

Regards,

Pat

From: dwight.mccomb@dot.gov [mailto:dwight.mccomb@dot.gov]
Sent: Thursday, January 30, 2014 11:30 AM
To: Trainer, Patricia - DOT
Cc: leslie.michael@epa.gov; christopher.bertch@dot.gov
Subject: RE: Final I-43 PM 2.5 Conformity Hot Spot Analysis Project Summary Form

Based on the information and analysis presented in the PM2.5 Project Summary Form it is FHWA's opinion that the I-43 North-South Freeway Corridor Project in Milwaukee and Ozaukee Counties could be determined to be a project not of local air quality concern for purposes of project level transportation conformity.

1

FHWA's preliminary opinion is based on the limited conceptual project information available early in the NEPA process as presented in this analysis. When the major design features have been established for the project alternatives this analysis should be reviewed, updated and evaluated through the interagency consultation process to support a final determination. The conformity rule also requires a proactive public involvement process that provides opportunity for public review and comment. Public comments pertaining to project air quality concerns must also be considered by the interagency group in making a final determination. This analysis and any ultimate determination is only for purposes of addressing transportation air quality conformity requirements under 40 CFR Part 93. The environmental process may identify project impacts that otherwise warrant a quantitative PM2.5 hot spot analysis.

Please contact me should you have any questions.

Dwight McComb
Systems Planning & Performance Manager
FHWA Wisconsin Division
525 Junction Rd, Suite 8000
Madison, WI 53717
608.829.7518

From: Trainer, Patricia - DOT [mailto:Patricia.Trainer@dot.wi.gov]
Sent: Wednesday, November 27, 2013 10:26 AM
To: McComb, Dwight (FHWA); Michael Leslie (leslie.michael@epa.gov); Bertch, Christopher (FTA)
Cc: Trainer, Patricia - DOT
Subject: Final I-43 PM 2.5 Conformity Hot Spot Analysis Project Summary Form

Dwight, Michael and Christopher,

Attached please find the final PM 2.5 Conformity Hot Spot Analysis Project Summary form for Interagency Consultation for the proposed I-43 project.

The project team has made revisions to the report to incorporate changes based on your comments.

Please take a look and let me know if this meets your needs. I will then distribute the report to the entire interagency group. Thanks for your earlier comments and continued participation.

Have a Happy Holiday.

Pat

<< File: I-43_PM25Project Summary Form for Interagency Consultation_20131125 (2).pdf >>

PM Conformity Hot Spot Analysis
Project Summary Form for Interagency Consultation

REFERENCE

Criteria for Projects of Air Quality Concern (40 CFR 93.123(b)) – $PM_{2.5}$ Hot Spots

(i) New highway projects that have a significant number of diesel vehicles, and expanded highway projects that have a significant increase in the number of diesel vehicles;
(ii) Projects affecting intersections that are at Level-of-Service D, E, or F with a significant number of diesel vehicles, or those that will change to Level-of-Service D, E, or F because of increased traffic volumes from a significant number of diesel vehicles related to the project;
(iii) New bus and rail terminals and transfer points that have a significant number of diesel vehicles congregating at a single location;
(iv) Expanded bus and rail terminals and transfer points that significantly increase the number of diesel vehicles congregating at a single location; and
(v) Projects in or affecting locations, areas, or categories of sites which are identified in the PM10 or PM2.5 applicable implementation plan or implementation plan submission, as appropriate, as sites of violation or possible violation.

Links to more information:

http://www.fhwa.dot.gov/environment/conform.htm

http://www.epa.gov/otaq/stateresources/transconf/index.htm

PM Conformity Hot Spot Analysis – Project Summary for Interagency Consultation Page 1 of 8

Project ID# *(required)* 1229-04-01

Interagency Workgroup Meeting Date September 26, 2013

Project Description *(clearly describe project)*

The Federal Highway Administration (FHWA) and the Wisconsin Department of Transportation (WisDOT) will prepare an Environmental Impact Statement (EIS) for the I-43 North-South Freeway Corridor Study in Milwaukee and Ozaukee counties. The study area includes approximately 14 miles of the I-43 freeway from Silver Spring Drive in the City of Glendale (south limit) to WIS 60 in the Village of Grafton (north limit). Existing service interchanges in the I-43 corridor include Good Hope Road, Brown Deer Road, Port Washington Road, Mequon Road, and County C. A possible new service interchange at Highland Road in the City of Mequon is also being considered as well as full access at Port Washington Road.

This segment of I-43 has high traffic volumes and outdated freeway mainline and interchange design. Improvements are being proposed to accommodate existing and future traffic demand, improve traffic flow and operations, and to address safety concerns. The 2035 Regional Transportation System Plan (Planning Report No. 49, Southeastern Wisconsin Regional Planning Commission, June 2006) calls for widening and/or other improvements to provide additional capacity in the I-43 corridor through Milwaukee and Ozaukee Counties.

Milwaukee County is in non-attainment PM2.5, while Ozaukee County is in attainment.

WisDOT has determined that the I-43 North-South Freeway Corridor is not a project of local air quality concern as the project will not create a significant increase in the number of diesel trucks. This conclusion is based on a review of anticipated land use patterns and future truck traffic volumes. The proposed build alternatives that alter access to and from I-43 may increase the pace of development, but land use type and intensity are expected to be consistent with planned land use in the study corridor. Other land use patterns along the corridor are expected to be consistent with patterns identified in SEWRPC's 2035 Regional Land Use Plan. Traffic forecasts indicate that the build alternatives are expected to re-direct diverted traffic currently using local streets back to I-43. The percent of truck traffic on I-43 would decline relative to increased volumes of other vehicles returning to I-43.

Type of Project

Freeway Capacity Expansion study

County	**Narrative Location/Route & Postmiles**
Milwaukee & Ozaukee	The I-43 North-South Freeway Corridor study-area encompasses approximately 14 miles of I-43 from Silver Spring Drive in the City of Glendale (south limit) to WIS 60 in the Village of Grafton (north limit). (See Exhibit 1.) Other municipalities in the study area include the Villages of River Hills, Fox Point, and Bayside; the City of Mequon; and the Town of Grafton.

Lead Agency: Wisconsin Department of Transportation

Contact Person	**Phone#**	**Fax#**	**Email**
Steve Hoff, P.E. Project Manager	262-548-6718	262-521-5357	steve.hoff@dot.wi.gov

Hot Spot Pollutant of Concern **PM2.5**

Federal Action for which Project-Level PM Conformity is Needed *(check appropriate box)*

Categorical Exclusion (NEPA)	**EA or Draft EIS**	X	**FONSI or Final EIS**	**PS&E or Construction**	**Other**

Anticipated Date of Federal Action: Final EIS – June 2014; Record of Decision (ROD) August 2014

Project Purpose and Need (Summary): *(attach additional sheets as necessary)*

The purpose of the proposed project is to address needed improvements to the study-area freeway corridor, consistent with local and regional transportation and land use planning objectives. The proposed I-43 North-South Freeway Corridor project will provide a safe and efficient transportation system to serve existing and future traffic demand while minimizing impacts to the natural, cultural and built environment to the extent feasible and practicable.

The need for the transportation improvements in the I-43 North-South Freeway Corridor is demonstrated through a combination of factors, including:

- Pavement, freeway design and geometric deficiencies – the freeway pavement has exceeded its life expectancy, freeway design and geometry do not meet modern design standards
- Safety – congestion and design deficiencies contribute to crashes. Crash rates in some portions of the corridor approach or exceed the statewide average crash rate for freeways
- Existing and future traffic volumes – Congestion exists today and is expected to continue to decrease traffic operations in the future.
- System linkage and route importance – The I-43 North-South Freeway Corridor is an important link south-central and eastern Wisconsin.

Surrounding Land Use/Traffic Generators *(especially effect on diesel traffic)*

Note: the study area includes developments north and south of the I-43 North-South Freeway corridor to account for other influencing land uses. The description below is based on WisDOT's review of existing and planned land uses at the regional, county and local level. WisDOT also interviewed local planning staff to supplement information on land use trends in the primary study area that includes the surrounding study corridor communities. A copy of the Ozaukee County future land use map (Exhibit 2) is attached for reference.

Milwaukee County. The commercial areas within the Milwaukee County portion of the study area are located along the east-west arterials, Port Washington Road and at interchanges. Major generators are described below:

- Commercial uses in Milwaukee County include the Bayshore Town Center near I-43 and Silver Spring Drive, and community scale commercial districts, including the Brown Deer Shopping Center, River Point Shopping Center, Capitol Drive, Midtown and the former Northridge Mall/Granville Station area.
- Industrial uses on the southern end of the study area include the 30th Street Industrial corridor, Estabrook Corporate Park, Glendale Technology Center and the Riverworks area on the east side of the freeway. Other industrial clusters include the Teutonia Avenue and Mill Road areas and the Milwaukee Industrial Park on the city's northwest side. The Village of Brown Deer also contains several industrial businesses.

The Milwaukee County portion of the primary study area contains mature communities that are fully developed. Residential land uses will continue to comprise a large portion of land within the Milwaukee County portion of the primary study area.

According to local plans in Milwaukee County, no new commercial districts are planned and the existing commercial districts are not expected to change land use types. Local efforts are focused on maintaining and improving the existing commercial areas and filling vacant spaces where needed. The Milwaukee County portion of the primary study area has extensive existing industrial areas. Some infill industrial development is expected on Milwaukee's north and northwest side and in the village of Brown Deer.

Ozaukee County. The Ozaukee County portion of the study area can be characterized by established urban areas with adjacent tracts of undeveloped land. While several large lot subdivisions have been built in this area, a large portion of the area remains undeveloped or used for agricultural purposes. The most intense development occurs south of Bonniwell Road and around the WIS 60 interchange.

In Mequon, the commercial areas are located along Port Washington Road between County Line Road and Highland Road, in the town center area near Mequon Road and Cedarburg Road and the Thiensville Main Street district that extends north from the Mequon town center. Mequon is encouraging redevelopment in existing commercial uses along Port Washington Road south of Mequon Road. Mequon is in the process of evaluating the East Growth Area located west of I-43, east of the Milwaukee River, north of Highland Road and south of County C. The area is currently zoned for residential homes with a minimum of 5-acre lots and much of the land has remained undeveloped. The plan calls for single-family residential homes on ¾-acre lots to the west of Port Washington Road. To the east of Port Washington Road the city envisions a mixture of multifamily and commercial uses to the south of Bonniwell Road and a mixture of commercial and industrial uses to the north. To the west of the Milwaukee River between Highland Road and Pioneer Road, the city does not anticipate any changes to the existing five-acre residential zoning classification.

The Town of Grafton has some residential areas mostly located along Lake Michigan, but currently remains largely undeveloped with large tracts of land used for farming or open space. Open space is preserved by a conservation overlay zone, which is intended to protect natural resources, watercourses and flood-prone areas. According to local officials, the town has taken measures to prepare itself for development, although the intensity of development will be limited by a lack of sewer and water services now and in the future. The town does not have an agricultural preservation policy and its future 2035 land use plan does not show agricultural land uses. Although small scale farming is likely to continue, the town anticipates a large portion of land will transition to residential uses with a minimum of 1-acre lots. The town is also planning for some commercial districts near the I-43 corridor. The town's land use plan anticipates smaller scale commercial uses along the Port Washington Road corridor between County C and Lakefield Road. The land use plan also shows additional commercial development around the WIS 60

business district that has been established in the village of Grafton. This includes some commercial and business park uses on the east side of I-43 and a large area planned for medium and large scale commercial users in the northwest quadrant of I-43 and County V/WIS 32. A light industrial/warehousing area is planned on the west side of I-43 north of the planned commercial area. The town's land use plan shows a large industrial area to the east of I-43 and south of WIS 32. This area is mostly owned by the We Energies and is a fly ash disposal site. According to town officials, it is not likely that this area's land use will change within the 2040 timeframe. Other planned uses along the WIS 32 corridor to the east of I-43 include planned multifamily housing and a neighborhood serving commercial node.

The village of Grafton's population and business base has been expanding over the past decade. The residential areas include older neighborhoods and newer subdivisions. The main commercial districts in the village include:

- WIS 60 district – This is a fairly new commercial district that has established itself as the county's primary commercial shopping center. The WIS 60 business district contains a mixture of medium and large scale commercial uses including an Aurora Hospital, Costco and Target. This commercial district is likely to continue to attract new commercial developments over time. Some annexations of adjacent town lands, such as those noted above in the town of Grafton, are possible in this area if the village is petitioned by private developers.
- South Commercial District - This is a redevelopment district to encourage more residential development, including multi-family developments. The village has also been working to revitalize the downtown Grafton area which now contains a mixture of commercial uses and public amenities.

The village of Saukville is a fairly small community located to the north of Grafton. It currently contains a fairly compact residential land use pattern on the south and east sides of the community. A subdivision on the west side of the village has been platted, but only one lot has been sold. A business park and an industrial park are located on the north end of town. About 20 acres of land remain within the existing parks. The village's land use plan anticipates the business park could be extended to the west, although the extent of this would be limited by an environmental corridor. The industrial area could also be extended to the west and north in the future. The village's commercial area is located on the east and west sides of I-43 along the WIS 33 corridor. Several national retailers have located in this location including a Wal-Mart. Additional land is available for commercial uses along WIS 33, and the village zoning ordinance permits medium and large retailers. An office park is planned on the east side near the split between I-43 and WIS 57.

The city of Port Washington, which is east of Saukville, is an older community with a downtown area that attracts tourism. The city has been experiencing growth in recent decades. According to the city's 2035 Comprehensive Plan, urban land uses increased by about 386 acres between 2000 and 2007, which is a 21 percent increase. Residential growth is planned to the south and north and to some extent to the west side of the community. Allen Edmonds is located on the north side of the city and it has been expanding. The city has an existing industrial area on the south side. About 60 to 70 acres of new industrial land could be added to the park on the south in the future when sewer and water services are extended. About 100 acres of industrial land could be added on the north side, but this area would also require an extension of sewer and water.

Further north of Saukville and Port Washington, are the villages of Fredonia and Belgium, which are small rural communities with a stable residential base. Both communities have existing business/industrial parks that have available land for future development. Business development in these communities occurs at a slower pace compared to communities south of WIS 60. The slower business development trend in these communities is due, in part, to further distance to available labor pools and less direct access to I-43.

Base Year: 2010
The Base year annual average weekday traffic (AWDT) for year 2010 is 75,000. The average annual daily traffic (AADT) is 70,600.

Opening Year: Build and No Build LOS, AADT, % and # trucks, truck AADT of proposed facility

Year: 2025*	No-Build	Build	Delta
LOS	E-F	C-D	
AADT	91,600	104,650	13,050
% Trucks	16.0%	14.7%	-1.3%
Truck AADT	14,656	15,381	725

*Data shown for the section of I-43 between the Good Hope (County PP) and Brown Deer Road (WIS 100) interchanges. This section was chosen to represent the corridor as it has the greatest change in truck volumes.

This analysis includes full-access at County Line Road and Highland Road.

Sources: Southeast Wisconsin Regional Planning Commission, WisDOT.

RTP Horizon Year / Design Year: Build and No Build LOS, AADT, % and # trucks, truck AADT of proposed facility

Year 2040*	No-Build	Build	Delta
LOS	F	C-D	
AADT	97,900	113,900	16,000
% Trucks	16.0%	14.7%	-1.3%
Truck AADT	15,664	16,741	1,077

*Data shown for the section of I-43 between the Good Hope (County PP) and Brown Deer Road (WIS 100) interchanges. This section was chosen to represent the corridor as it has the greatest change in truck volumes.

This analysis includes full-access at County Line Road and Highland Road.

Sources: Southeast Wisconsin Regional Planning Commission, WisDOT. See Exhibit 3 for summary of 2025 data.

It has been shown that historical truck percentages vary little from year to year in Southeast Wisconsin corridors. Given that no new known industrial land uses are planned in the study area, it was decided to maintain the same truck percentages for the estimation of 2040 truck volumes based on this data.

Describe potential traffic redistribution effects of congestion relief *(impact on other facilities)*

The Southeastern Wisconsin Regional Planning Commission, or SEWRPC, completed an analysis of traffic diversion based on the 2035 Regional Transportation System Plan. SEWRPC utilized their travel demand model to track the volume of vehicles diverted from adjacent facilities to I-43. Impacted facilities include: US 45, US 41, WIS 145, and WIS 57. In the study area, approximately 3,500 to 13,000 vehicles per day (300 to 725 trucks per day) would redistribute to I-43. See the attached exhibit diagraming the diversion in year 2025 volumes of total vehicles and trucks. The same percentage of diverted trucks was carried forward to the year 2040 to generate the data shown in the table above. In both the Opening year and Horizon year, the analysis compared vehicle and truck data between the build and no-build scenarios. The trucks utilizing the I-43 corridor typically are “long-haul” trips that have origins and destinations beyond the study area. Therefore, they typically do not to leave the corridor under congested conditions compared to other vehicles that have origins and/or destinations in the study area vicinity. As a result, when capacity is added to the I-43 facility, the resulting vehicle mix utilizing that capacity in the build scenario has a greater number of non-truck vehicles, thereby reducing the overall truck percentage.

Comments/Explanation/Details *(attach additional sheets as necessary)*

Indirect Land Use Effects

WisDOT conducted a detailed indirect effects analysis for the I-43 North-South Corridor study, which included review of local land use plans and policies, interviews with local planning staff and stakeholders, and hosting a focus group of public and private stakeholders to confirm and comment on study findings. Key findings of the indirect effects analysis on land use are summarized below.

The I-43 North-South Corridor build alternatives are expected to improve travel reliability and facilitate existing and planned development within the study area by improving the main transportation gateway to the communities and business districts it serves. The extent of this effect is expected to be much smaller in comparison to the original construction of I-43 in the 1960s because the transportation system that serves the study area is mature and already provides a great deal of transportation accessibility. Furthermore, annual population growth in the region is expected to remain stable at around 1 percent annually within the current 20-year planning horizon, which indicates that land use changes beyond what is planned at the local and regional level are not expected to occur. Indirect land use effects are also moderated by local land use plans and policies as noted below.

While Milwaukee County land use patterns are generally established, Ozaukee County land use in the study area has large tracts of undeveloped land. However, all communities in the Ozaukee portion of the primary study area have comprehensive plans and supporting development policies, community development departments, plan commissions and zoning regulations in place to promote an efficient growth pattern that is consistent with existing and planned public services and Ozaukee County's long range land use plan[1]. Lack of sewer and water limits the intensity of development in several areas including the town of Grafton and other townships in Ozaukee County.

Local communities in Ozaukee County also coordinate their land uses with SEWRPC's regional land use plans. Consistency among the local, county and regional plans is an effective way for governments to promote coordinated transportation and land use polices that will promote the most efficient land use patterns and preserve natural resources. SEWRPC considers local plans as part of its ongoing travel demand modeling efforts in the context of regional growth projections. According to SEWRPC, "the regional transportation plan is designed to serve the regional land use plan and is not a projection of current land use development trends toward further decentralization of population, employment, and urban land uses. Thus, implementation of the transportation system plan should promote implementation of the land use plan, which recommends a desirable pattern of future land use with respect to travel requirements"[2].

WisDOT is considering constructing a new interchange at Highland Road in Ozaukee County, pending FHWA approval and local funding agreements with the city of Mequon. New interchange access would help facilitate the city of Mequon's plans for the East Growth Area described above. To implement the plan, the city would need to amend their land use plan and zoning code and extend sewer and water services. According to interviews with Mequon, a new interchange at Highland Road is not expected to change the density or the type of planned development within the East Growth Area. However, it is likely to speed up the pace of planned development. Planned uses would be controlled by local zoning and the city's development review process. In addition, the East Growth Area would occur even if the Highland Road interchange is not built because the area already has transportation access to the Port Washington Road corridor, which connects to the Mequon Road interchange on the south and the

1 In 2008, the *Multi-Jurisdictional Comprehensive Plan for Ozaukee County: 2035* was approved. The plan was undertaken by Ozaukee County, 14 participating local governments, SEWRPC and University of Wisconsin-Extension.

2 SEWRPC Planning Report No. 49: *A Regional Transportation System Plan for Southeastern Wisconsin: 2035*. June 21, 2006.

County C interchange on the north. This was confirmed with local planning staff. Most of the land to the west of the East Growth Area, and within close proximity to the new Highland Road interchange is already committed for existing residential subdivisions, preserved as public parks or owned by the Ozaukee Washington Land Trust. Therefore, the influence of the interchange is likely to be limited to the East Growth Area.

WisDOT is also considering a full access interchange to replace the existing partial interchange at County Line Road. A full access interchange is consistent with FHWA's regulations and policy to provide for all traffic movements at interchanges. A full access interchange would increase access to Port Washington Road and this would support the existing commercial areas and planned commercial redevelopment areas in Mequon and Bayside. However, this land use effect is not expected to be substantial because these commercial corridors already have nearby freeway access via the Mequon Road and Brown Deer Road interchanges. Plus, the land surrounding the interchange is fully developed primarily with residential land uses that are not subject to change.

Based on review of existing and future land use and transportation plans and WisDOT's indirect effects analysis, the I-43 North-South Corridor build alternatives could increase the pace of development planned in Ozaukee County, but are not expected to substantially change the type and intensity of land use that is currently planned in the study area. The traffic forecast is based on the long-range projection of land use identified in the SEWRPC 2035 Regional Land Use Plan. If the pace of development occurs at a faster rate than what is anticipated in the plan, the traffic forecast would still account the land use type and intensity, regardless of timing, and would thus be unchanged from what is presented in this summary.

Similar to the indirect effects, the I-43 North-South Corridor alternatives are expected to have a much smaller cumulative effect on land use patterns. The original construction of I-43 in Milwaukee and Ozaukee counties played a large cumulative role in the decentralization of development and jobs in the past. The land use patterns in Milwaukee and Ozaukee counties have developed around a mature transportation system that already has a great deal of transportation accessibility. Local comprehensive plans and supporting development policies are in place to promote an efficient growth pattern consistent with existing and planned public services and regional growth plans.

Exhibit 1: I-43 North-South Freeway Corridor Project Limits

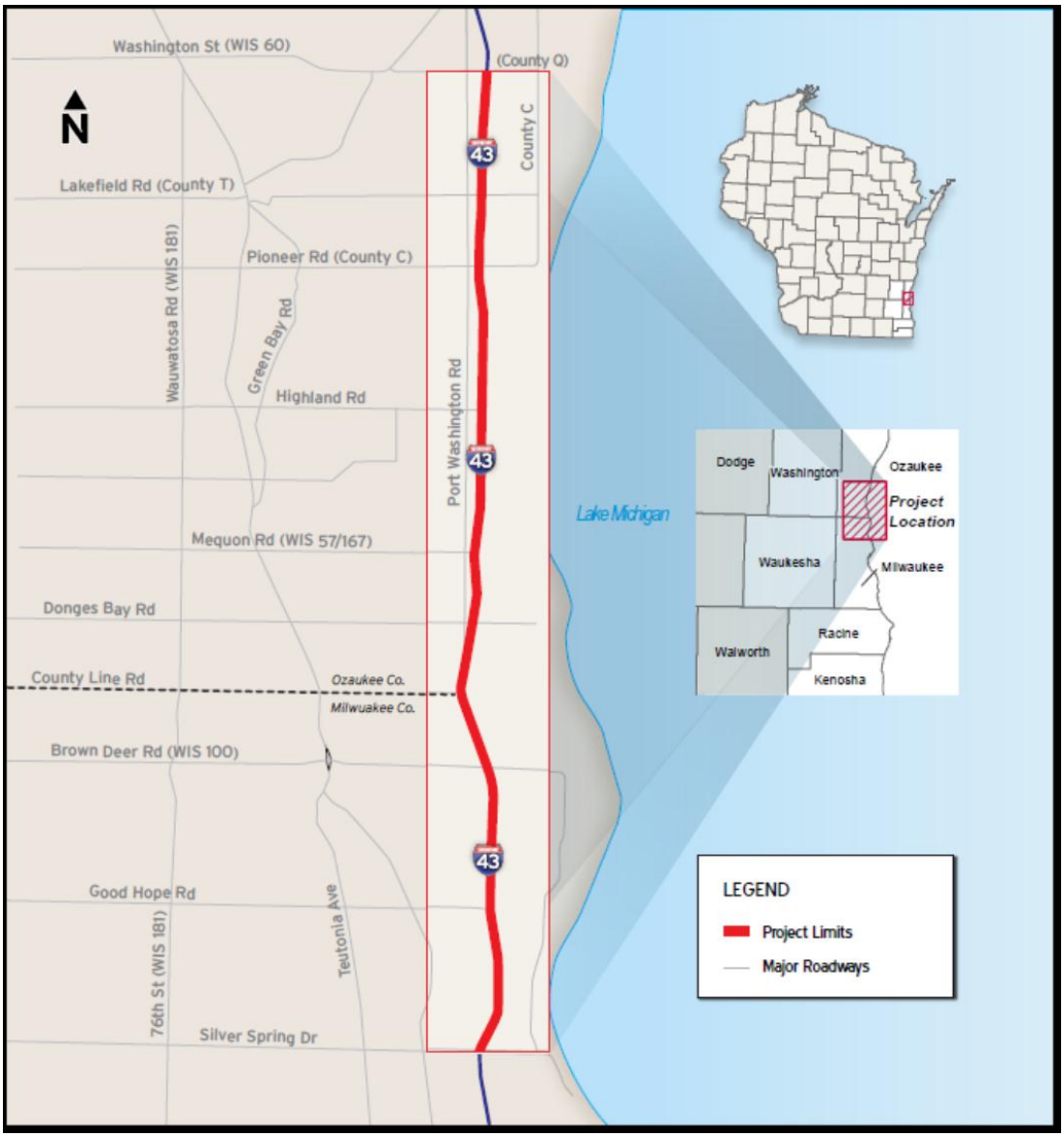
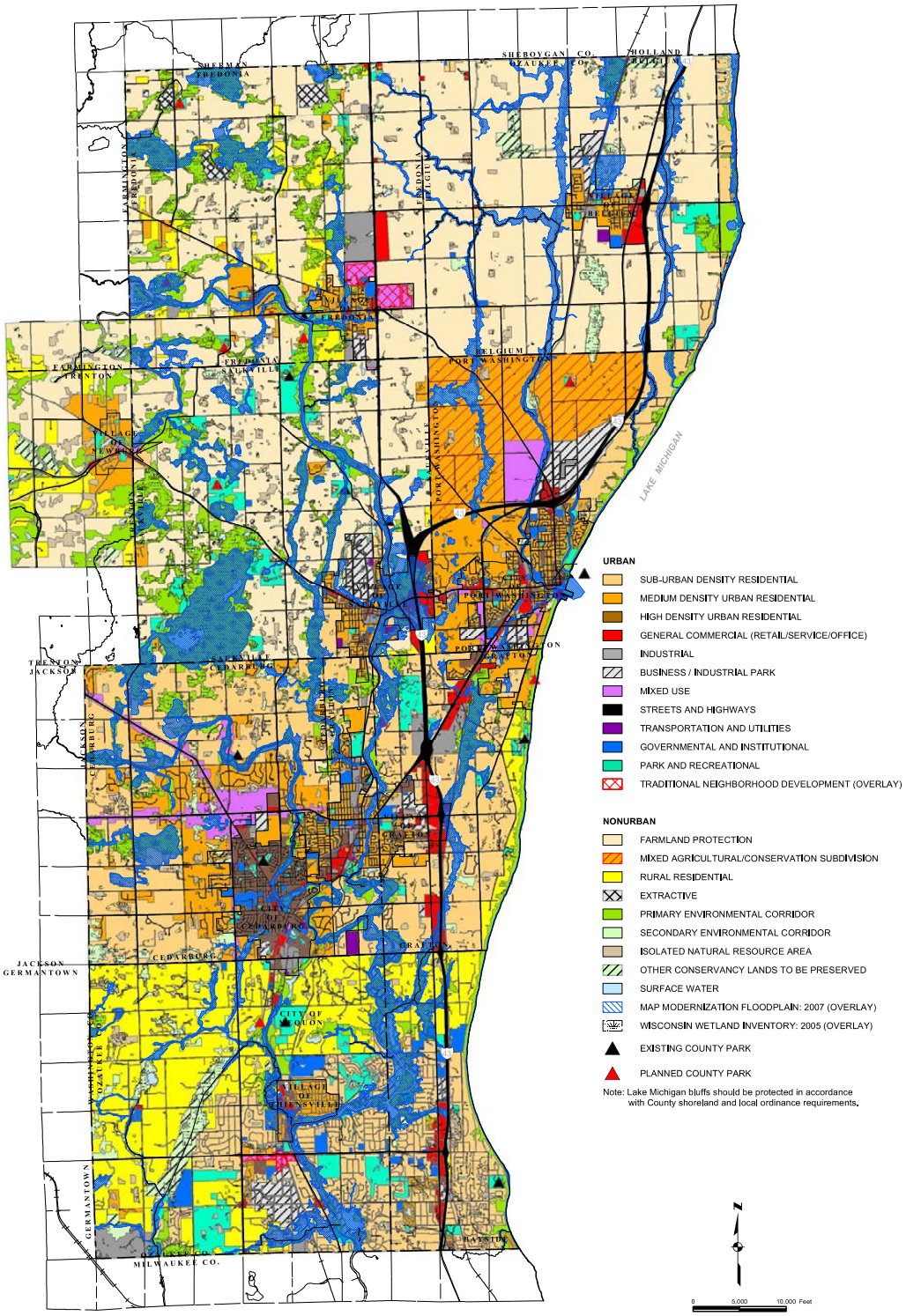


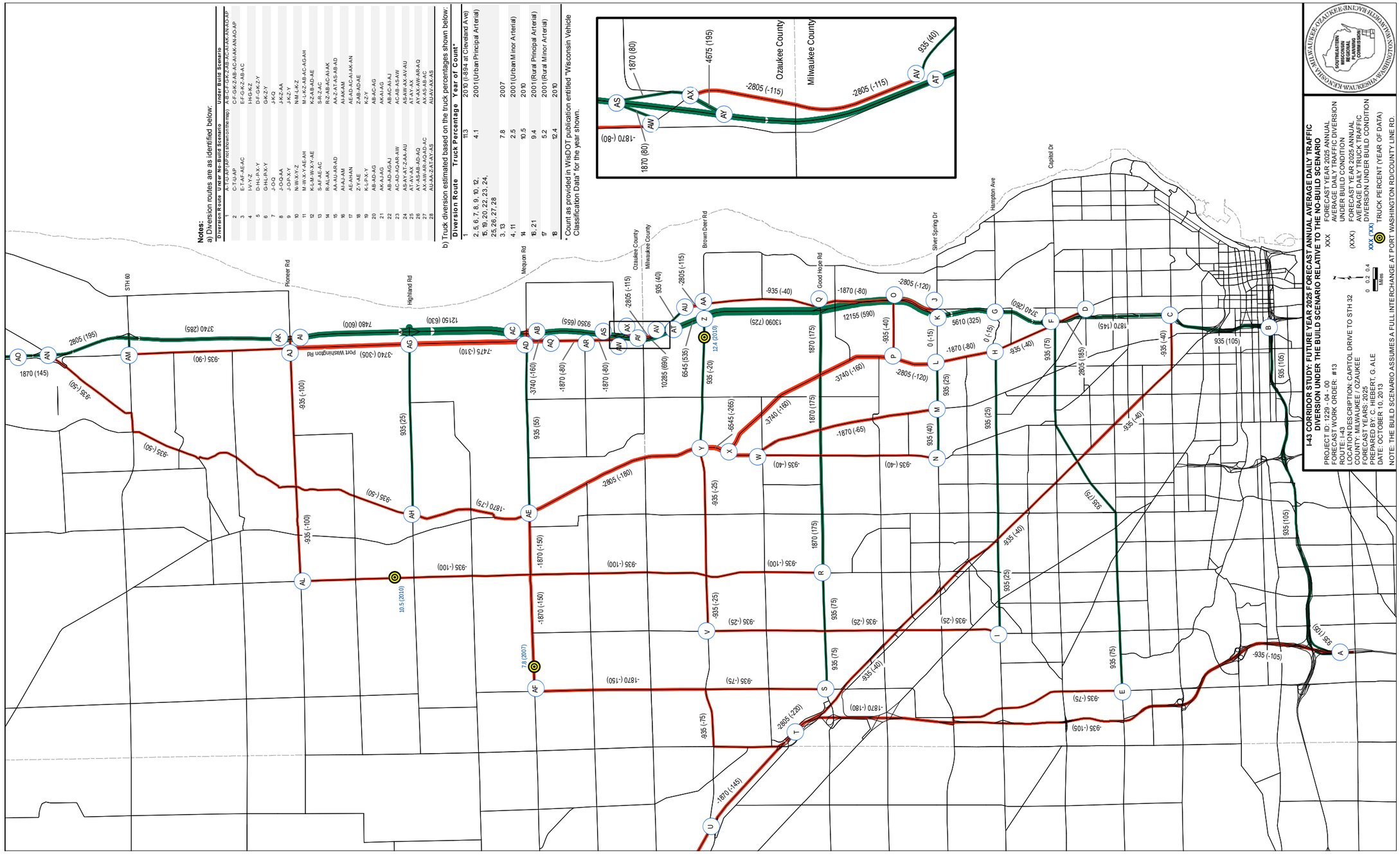
Exhibit 2

Map 96 (AMENDMENT 2013-01)

PLANNED LAND USES IN THE OZAUKEE COUNTY PLANNING AREA: 2035



Source: Local Governments, Ozaukee County, and SEWRPC.


Notes:
a) Diversion routes are as identified below:
Diversion Route Under No-Build Scenario Under Build Scenario
1 A-T-U-AP (AP not shown on the map) AB-AS-AQ-AC-AK-AR-AQ-AP
2 C-U-AP C-GK-ZAB-AL-AK-AR-AQ-AP
3 E-T-AF-AE-AC E-F-GK-ZAB-AC
4 I-V-Y-Z I-HG-KZ
5 D-HL-P-X-Y D-F-GK-ZY
6 G-HL-P-X-Y GK-ZY
7 J-OQ J-KQ
8 J-OQ-AA J-KZ-AA
9 G-U-AP G-GK-ZY
10 N-W-X-Y-Z N-M-LK-Z
11 M-W-X-Y-AE-AH M-L-KZ-AB-AC-AGAH
12 K-LM-W-X-Y-AE KZ-AB-AD-AE
13 S-AF-AE-AC S-R-Z-AC
14 R-AL-AK R-Z-AB-AC-AI-AK
15 AA-AU-AK-AD AA-Z-AT-AS-AB-AD
16 AA-AU-AK-AM AA-AK-AM
17 AE-AH-AN AE-AD-AC-AI-AK-AN
18 Z-Y-AE Z-AB-AD-AE
19 K-LI-P-X-Y KZ-Y
20 AB-AD-AG AB-AC-AG
21 AK-AJ-AG AK-AI-AG
22 AB-AD-AGAJ AB-AC-AI-AJ
23 AF-AE-AB-AW AF-AC-AB-AW
24 AS-AY-AT-ZAA-AU AS-AW-AX-AY-AU
25 AT-AV-AX AT-AY-AX
26 AY-AS-AB-AD-AQ AY-AX-AW-ARAQ
27 AY-AS-AB-AD-AQ-AC AY-AX-AW-AC
28 AU-AA-ZAT-AY-AS AU-AV-AX-AS
b) Truck diversion estimated based on the truck percentages shown below:
Diversion Route Truck Percentage Year of Count*
1 11.3 2010 (1-894 at Cleveland Ave)
2, 5, 6, 7, 8, 9, 10, 12, 15, 19, 20, 22, 23, 24, 25, 26, 27, 28 4.1 2001 (Urban Principal Arterial)
3, 13 7.8 2007
4, 11 2.5 2001 (Urban Minor Arterial)
14 10.5 2010
16, 21 9.4 2001 (Rural Principal Arterial)
17 5.2 2001 (Rural Minor Arterial)
18 12.4 2010
* Count as provided in WisDOT publication entitled "Wisconsin Vehicle Classification Data" for the year shown.
Ozaukee County
Milwaukee County
I-43 CORRIDOR STUDY: FUTURE YEAR 2025 FORECAST ANNUAL AVERAGE DAILY TRAFFIC DIVERSION UNDER THE BUILD SCENARIO RELATIVE TO THE NO-BUILD SCENARIO
PROJECT ID: 1229 - 04 - 00
FORECAST WORK ORDER: #13
ROUTE: I-43
LOCATION DESCRIPTION: CAPITOL DRIVE TO STH 32
COUNTY: MILWAUKEE / OZAUKEE
FORECAST YEARS: 2025
PREPARED BY: C. HIEBERT, G. ALE
DATE: OCTOBER 10, 2013
NOTE: THE BUILD SCENARIO ASSUMES A FULL INTERCHANGE AT PORT WASHINGTON RD/COUNTY LINE RD.
XXX FORECAST YEAR 2025 ANNUAL AVERAGE DAILY TRAFFIC DIVERSION UNDER BUILD CONDITION
(XXX) FORECAST YEAR 2025 ANNUAL AVERAGE DAILY TRUCK TRAFFIC DIVERSION UNDER BUILD CONDITION
XX (XX) TRUCK PERCENT (YEAR OF DATA)
0 0.2 0.4 Miles
SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION
MILWAUKEE OZAUKEE WASHINGTON WAUKESHA KENOSHA COUNTIES

C-9 AGENCY COMMENTS: DRAFT ENVIRONMENTAL IMPACT STATEMENT

U.S. Environmental Protection Agency.... C-112

U.S. Department of the Interior C-118

U.S. Fish & Wildlife Service..... C-121

Wisconsin Department of Agriculture, Trade and Consumer Protection..... C-123

Village of River Hills..... C-125

City of Mequon C-127

Federal Highway Administration..... C-129

Milwaukee Metropolitan Sewerage District C-133

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAY 08 2014

REPLY TO THE ATTENTION OF:

E-19J

Bethaney Bacher-Gresock
Federal Highway Administration – Wisconsin Division
525 Junction Road, Suite 8000
Madison, Wisconsin 53717-2157

Re: **I-43 North-South Freeway Corridor Study, Silver Spring Drive to WIS 60, Milwaukee and Ozaukee Counties, Wisconsin, Draft Environmental Impact Statement, CEQ #20140095**

Dear Ms. Bacher-Gresock:

The U.S. Environmental Protection Agency has reviewed the Draft Environmental Impact Statement submitted the Federal Highway Administration (FHWA) and the Wisconsin Department of Transportation (WisDOT). Our comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

The study area extends approximately 14 miles along I-43, from Silver Spring Drive in the City of Glendale in Milwaukee County to WIS 60 in the Village of Grafton in Ozaukee County, Wisconsin. The proposed project includes changes to the mainline and several interchanges. Therefore, the lead agencies have identified the following as the preferred alternative:

- **I-43 Mainline South Segment (Silver Spring Drive to Green Tree Road):** Modernization – 6 Lanes; Mainline shifted east with additional lanes added; includes reconstructing the Jean Nicolet Road and widening Port Washington Road from two to four lanes;
- **I-43 Mainline North Segment (Green Tree Road to WIS 60):** Modernization – 6 lanes; additional lanes added inside the median;
- **Good Hope Road interchange:** Tight Diamond;
- **Brown Deer Road interchange:** Diverging Diamond (Tight Diamond also carried forward for analysis);
- **County Line Road interchange:** Split Diamond Hybrid (No Access and Partial Diamond also carried forward for analysis);

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- **Mequon Road interchange:** Tight Diamond;
- **Highland Road interchange:** Tight Diamond;
- **County Highway C interchange:** Diamond.

Per the Moving Ahead for Progress in the 21st Century Act (MAP 21), FHWA has elected to issue the Final EIS and Record of Decision (ROD) concurrently. Therefore, the Draft EIS has identified a preferred alternative. EPA provided concurrence on the preferred alternative in March 2014. EPA will still review and provide comments on the Final EIS/ROD.

Based on the information provided, EPA has rated the document **EC-1, Environmental Concerns - Adequate**. This rating is primarily based on potential impacts to aquatic resources within the corridor study area. EPA has the following recommendations to improve the quality of the document and reduce environmental impacts as a result of the proposed project. A summary of our ratings definitions is enclosed.

Concurrence on the Preferred Alternative – Highland Road Interchange

As discussed above, per MAP 21, FHWA has identified a preferred alternative for the corridor study. EPA reviewed the administrative Draft EIS in March 2014 and provided concurrence on the preferred alternative. Since then, WisDOT and FHWA have eliminated the no-access alternative at Highland Road and requested EPA's concurrence on this decision. Based on the information provided regarding indirect impacts to traffic patterns under the no-action alternative, EPA concurs with the elimination of the no-access alternative and the selection of the tight diamond as the preferred alternative.

Aquatic Resources

The discussion under *Water Quantity* on page 3-78 includes descriptions of "subwatersheds," without identifying to which hydrologic unit code (HUC) level these refer. Further, this section compares some of the subwatersheds quantitatively, but others qualitatively. For instance, the Ulao Creek watershed is described as being much "smaller" and "less" developed than other areas. EPA suggests that actual quantitative units are used, rather than generic descriptions, such as "small" and "less." Finally, this section should provide a conclusion about whether a 9.8% increase in impervious surface in the Ulao Creek watershed will have a significant adverse impact on water quality, considering it is "less" developed than other subwatersheds in the Milwaukee River watershed.

> **Recommendations:** The Final EIS/ROD should be updated to: clarify to which HUCs the term subwatershed refers; include quantitative descriptions of impacts to subwatersheds; and document whether the increase of 9.8% of impervious surfaces in the Ulao Creek watershed in the I-43 project area is significant.

2

EPA acknowledges the discussion throughout section 3.10 regarding the fish passage within the watershed. We understand that local community groups have been active in the development and maintenance of the fish passage management projects. The Draft EIS does not state whether the community groups will be coordinated with as the design stage continues.

> **Recommendation:** The Final EIS/ROD should clarify the extent to which the community has been involved in the development and maintenance of fish passage measures for stream crossings within the project corridor. Where the community has been actively involved, EPA recommends continued coordination with them to ensure valuable efforts will not be undone by the proposed project.

EPA appreciates that the culvert design criteria would allow for aquatic organisms passage; we remind WisDOT and FHWA to include these criteria at the Clean Water Act Section 404 permitting stage, where appropriate. The Draft EIS does not include specific measures to ensure appropriate design and accounting of current and future flow patterns through culverts or pipes. While we prefer bottomless culverts, we have identified some additional measures for box culverts or pipes that should be considered to reduce impacts to stream habitat impacted by stream crossings.

> **Recommendation:** EPA recommends the Final EIS/ROD include specific design measures to accommodate current and future flow patterns through culverts and pipes within the corridor study area. Culverts or pipes should:
>
> - Be single span, where feasible;
> - Be appropriately sized to ensure that stable channel morphology can be maintained and baseflow is accommodated;
> - Be bottomless, where feasible, or at minimum, lowered into the substrate to allow accumulation of a natural stream bottom;
> - Span the width of the floodplain;
> - Be constructed during low-flow conditions, which may include a dam and pump-around to ensure construction is completed in dry conditions.

The discussion under *Stream Crossings* on page 3-81 states that all creeks and tributaries under I-43 are conveyed via pipes or box culverts. The section goes on to state, "culvert design would incorporate features to maintain low flow conditions." The Draft EIS does not clarify if this statement applies to pipes, as well as box culverts.

> **Recommendation:** The Final EIS/ROD should clarify whether design measures would incorporate low flow conditions for pipes as well as culverts.

The Draft EIS includes several tables and narrative discussion that would benefit from representation in a map, particularly tables 3-24 and 3-25 which describe crossings and impacts

from alternatives to the 100-Year Floodplain. If the EIS already includes these maps, the Final EIS/ROD should identify them.

> **Recommendation:** The Final EIS/ROD should at least identify where in the document maps related to tables 3-24 and 3-25 are located. If they are not included, EPA recommends adding maps that depict crossing and potential impacts from alternatives to the 100-Year Floodplain.

Finally, please note that EPA may make additional design-level comments on the preferred alternative during the Clean Water Act Section 404 permitting stage.

Community Involvement and Agency Coordination

Because the proposed diverging diamond interchange configuration at Brown Deer Road could be the first interchange of its type in the state of Wisconsin, EPA strongly encourages public outreach efforts to educate drivers. EPA acknowledges the summary of comments regarding the diverging diamond interchange on page 5-10, particularly since commenters were more supportive of this alternative once they saw a driving simulation of it. Other than this instance, the Draft EIS does not mention whether other outreach efforts were taken, if any, to ensure adequate public understanding of a new interchange configuration.

> **Recommendation:** The Final EIS/ROD should document whether a public education campaign was deployed to ensure adequate understanding of the new interchange configuration, including whether fact sheets, websites, signage, or other media were, are, or will be used to relay information and how members of the public responded to the new interchange type. If no public outreach campaign has been pursued, EPA strongly encourages WisDOT and FHWA to begin education efforts.

Air Quality

The National Institute for Occupational Safety and Health (NIOSH) has determined that diesel exhaust is a potential occupational carcinogen, based on a combination of chemical, genotoxicity, and carcinogenicity data. In addition, acute exposures to diesel exhaust have been linked to health problems such as eye and nose irritation, headaches, nausea, asthma, and other respiratory system issues.

> **Recommendations:** Although every construction site is unique, common actions can reduce exposure to diesel exhaust. EPA recommends that FHWA and WisDOT commit to the following actions during construction in the Final EIS:

- Using low-sulfur diesel fuel (15 parts per million sulfur maximum) in construction vehicles and equipment.

- Retrofitting engines with an exhaust filtration device to capture diesel particulate matter before it enters the construction site.
- Positioning the exhaust pipe so that diesel fumes are directed away from the operator and nearby workers, thereby reducing the fume concentration to which personnel are exposed.
- Using catalytic converters to reduce carbon monoxide, aldehydes, and hydrocarbons in diesel fumes. These devices must be used with low sulfur fuels.
- Using enclosed, climate-controlled cabs pressurized and equipped with high efficiency particulate air (HEPA) filters to reduce the operators' exposure to diesel fumes. Pressurization ensures that air moves from inside to outside. HEPA filters ensure that any incoming air is filtered first.
- Regularly maintaining diesel engines, which is essential to keep exhaust emissions low. Follow the manufacturer's recommended maintenance schedule and procedures. Smoke color can signal the need for maintenance. For example, blue/black smoke indicates that an engine requires servicing or tuning.
- Reducing exposure through work practices and training, such as turning off engines when vehicles are stopped for more than a few minutes, training diesel-equipment operators to perform routine inspection, and maintaining filtration devices.
- Purchasing new vehicles that are equipped with the most advanced emission control systems available.
- Using electric starting aids such as block heaters with older vehicles to warm the engine reduces diesel emissions.
- Using respirators, which are only an interim measure to control exposure to diesel emissions. In most cases, an N95 respirator is adequate. Workers must be trained and fit-tested before they wear respirators. Depending on work being conducted, and if oil is present, concentrations of particulates present will determine the efficiency and type of mask and respirator. Personnel familiar with the selection, care, and use of respirators must perform the fit testing. Respirators must bear a NIOSH approval number. Never use paper masks or surgical masks without NIOSH approval numbers.

Reiterating our email sent to WisDOT on March 3, 2014, EPA concurs with FHWA's assessment of the information presented in the I-43 PM2.5 Conformity Hot Spot Analysis Project Summary Form that this project is not a "Project of Air Quality Concern" for transportation conformity purposes.

Editorial

EPA commends WisDOT and FHWA for incorporating recommendations made during correspondence on the preferred alternative, including highlighting the project elements within the text. Incorporation of these comments enhanced the readability of the document.

5

Thank you in advance for your consideration of our comments. We are committed to continue to work with FHWA and WisDOT on this project to reduce impacts to human health and the environment. We look forward to reviewing the Final EIS and ROD. Should you have any questions, please do not hesitate to contact me or Elizabeth Poole of my staff at (312) 353-2087 or poole.elizabeth@epa.gov.

Sincerely,

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

Cc: Monica Wauck, Wisconsin Department of Transportation
Anthony Jernigan, US Army Corps of Engineers
Michael Thompson, Wisconsin Department of Natural Resources

6

United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
Custom House, Room 244
200 Chestnut Street
Philadelphia, Pennsylvania 19106-2904

IN REPLY REFER TO:

May 7, 2014

9043.1
ER 14/0185

Ms. Bethaney Bacher-Gresock
Federal Highway Administration
525 Junction Road, Suite 8000
Madison, WI 53717

Dear Ms. Bacher-Gresock:

The Department of the Interior (Department) has reviewed the Draft Environmental Impact Statement (EIS) and Section 4(f) Evaluation for the I-43 North-South Freeway Corridor Study, Silver Spring Drive to Wisconsin Highway 60 (WIS 60), Milwaukee and Ozaukee Counties, Wisconsin. The Department offers the following comments and recommendations for your consideration.

Section 4(f) Evaluation Comments

This document considers effects to properties identified in the project study area as eligible to be considered under Section 4(f) of the Department of Transportation Act of 1966 (codified at 49 U.S.C. 303§ 771.135) associated with the I-43 North-South Freeway Corridor Study, from Silver Spring Drive to WIS 60, Milwaukee and Ozaukee Counties, Wisconsin (Project). The Project intends to reconstruct I-43 between Silver Spring Drive in the city of Glendale and WIS 60 in the village of Grafton, a distance of about 14 miles. The proposed action includes rebuilding the mainline roadway, bridges, and interchanges; either replacing or removing the existing partial interchange at County Line; constructing a new interchange at Highland Road; reconstructing local streets affected by the freeway reconstruction; and enhancing the aesthetic appearance of the reconstructed freeway.

The project considered a no action alternative, transportation system management and travel demand management elements, and several build alternatives. The preliminary preferred alternatives would expand the driving surface from four lanes to six, and selects specific exchange designs for five existing exchanges and one new exchange.

This evaluation, prepared by the Federal Highway Administration (FHWA) and the Wisconsin Department of Transportation (WisDOT), considered the impacts to properties eligible for the National Register of Historic Places (NRHP) and recreational areas. The North Shore Water Treatment Plant is eligible for the NRHP under Criterion C (Architecture/Engineering) It is co-owned and operated by the city of Glendale and villages of Whitefish Bay and Fox Point. The recreational properties include the Craig Counsell Park, owned by the village of Whitefish Bay; and the 46-acre Nicolet High School campus owned and administered by the Nicolet High School District.

The FHWA and the WisDOT have determined that the build alternatives will have a section 4(f) direct use of the three resources listed above. For the North Shore Water Treatment Plant, the project will result in a no adverse effect on the values that make the property eligible, but the project will use a portion of the historic site. Therefore the FHWA and the WisDOT have proposed the project will likely have *de minimis* impacts on this property, but they will wait until a preferred alternative is selected to make a determination. For the recreational properties, the project will likely have a *de minimis* impact on the Craig Counsell Park, and the FHWA and the WisDOT will wait until a preferred alternative is selected to make a determination. As a preliminary finding for use of the Nicolet High School campus, the FHWA believes there are no feasible and prudent alternatives to use of the section 4(f) land from the Nicolet High School athletic fields. The final section 4(f) finding will be based on selection of a preferred alternative and will be provided in the Final EIS.

The Department would tend to concur with the FHWA and the WisDOT on their *de minimis* determinations listed above, and that there are no feasible or prudent alternatives to the build alternatives that result in impacts to the Nicolet High School campus. However, at this point the Department cannot fully concur with those determinations until they are finalized in the Final EIS, and until there is a finding that all measures to minimize harm to the properties have been taken. We will reserve our concurrence with the hope that the Final EIS will resolve these issues.

Fish and Wildlife Comments

These comments from U.S. Fish and Wildlife Service refer to the Threatened and Endangered Species discussion (3.13.2). The northern long-eared bat (*Myotis septentrionalis*) (NLEB) is currently proposed for listing under the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16U.S.C. 1531 et seq.). The final listing decision for the NLEB is expected in October 2014. At this time, no critical habitat has been proposed for the NLEB. The State of Wisconsin is within the known range of the NLEB.

During the winter, the species predominately hibernates in caves and abandoned mine portals. In Wisconsin, it is estimated that the hibernation period for the species ranges from October 1 to May 15. During the summer, the NLEB summer habitat consists of a wide variety of forested/wooded habitats where they roost, forage, and travel and may also include some adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, old fields, and pastures. The NLEB's typically roost singly or in colonies in cavities, underneath bark, crevices, or hollows of both live and dead trees (typically trees that are

at least 3-inches diameter at breast height or larger). Individual trees may be considered suitable habitat when they exhibit characteristics of suitable roost trees and are within 1,000 feet of other forested/wooded habitat. Males and non-reproductive females may also roost in cooler places, such as caves and mines. This species appears to be opportunistic in selecting roosts, using tree species based on presence of cavities or crevices or presence of peeling bark. Also, it is found (rarely) roosting in structures such as barns and sheds (particularly when suitable tree roosts are unavailable).

The estimated time frame that the NLEB may be occupying summer habitat in Wisconsin is April 1 to September 30. Species proposed for listing are not afforded protection under the ESA; however as soon as a listing becomes effective, the prohibition against jeopardizing its continued existence and "take" applies regardless of an action's stage of completion. If the project proponent retains any discretionary involvement or control over on-the-ground actions that may affect the species after listing, section 9 (prohibition against taking a listed species) of the Endangered Species Act applies. Therefore, if suitable habitat for the NLEB is present within the proposed project area and the project will be completed after October 2014, we recommend further coordination with our office to avoid potential project delays should the species be listed. If the project will be completed prior to October 2014 and you determine that proposed action will not jeopardize the continued existence of the species, no further consultation with regard to the NLEB is needed. Additionally, if the project will involve tree clearing, we recommend this occur October 1 to March 31. Additional information regarding the NLEB and conference procedures can be found at: http://www.fws.gov/midwest/endangered/mammals/nlba/index.html.

The Department has a continuing interest in working with the FTA and the WisDOT to ensure impacts to resources of concern to the Department are adequately addressed. For issues concerning Section 4(f) resources, please contact Regional Environmental Coordinator Nick Chevance, Midwest Region, National Park Service, 601 Riverfront Drive, Omaha, Nebraska 68102, telephone 402-661-1844. Questions about the Fish and Wildlife Service comments can be directed to Jill S. Utrup, U.S. Fish and Wildlife Service, Wisconsin-Minnesota Ecological Services Field Office, 4101 American Boulevard East, Bloomington, Minnesota 55425, telephone 612-725-3548 ext. 2207, email: jill_utrup@fws.gov

We appreciate the opportunity to provide these comments.

Sincerely,

Lindy Nelson
Regional Environmental Officer

cc:
SHPO-WI (chip.brown@wisconsinhistory.org)
WisDOT (steve.hoff@dot.wi.gov)

3

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Green Bay ES Field Office
2661 Scott Tower Drive
New Franken, Wisconsin 54229-9565
Telephone 920/866-1717
FAX 920/866-1710

April 4, 2014

Mr. Steve Hoff
Division of Transportation
141 NW Barstow Street
Waukesha, Wisconsin 53187-0798

re: Project ID 1229-04-01
I-43 North-South Freeway Corridor Study
Milwaukee & Ozaukee Counties, Wisconsin

Dear Mr. Hoff:

The U.S. Fish and Wildlife Service (Service) has received your letter dated March 21, 2014, requesting comments on the subject project. The project involves a study of the I-43 North-South Freeway Corridor located in Milwaukee and Ozaukee Counties, Wisconsin. We have reviewed the information provided in your letter and our comments follow.

Federally-Listed Species, Proposed and Candidate Species, and Critical Habitat

Due to the project location, no federally-listed, proposed, or candidate species would be expected within the project area. No critical habitat is present. This precludes the need for further action on this project as required by the 1973 Endangered Species Act, as amended. Should additional information on listed or proposed species or their critical habitat become available or if project plans change or if portions of the proposed project were not evaluated, it is recommended that you contact our office for further review.

Bald and Golden Eagle Protection Act

We note the potential for bald eagles to be within the proposed project area, based on known records. Guidance on avoiding disturbance of bald eagles is available at the Service's "Bald Eagle Management Guidelines & Conservation Measures" web site at http://www.fws.gov/midwest/eagle/guidelines/index.html. If there is an active bald eagle nest(s) within the project area we recommend contacting our office for further guidance.

Wetlands and Streams

We note that the project area includes wetlands. In refining and selecting project alternatives, efforts should be made to select an alternative that does not adversely impact wetlands. If no other alternative is feasible and it is clearly demonstrated that project construction resulting in wetland disturbance or loss cannot be avoided, a wetland mitigation plan should be developed

that identifies measures proposed to minimize adverse impacts and replace lost wetland habitat values and other wetland functions and values. Any project that impacts wetlands or waterways, including seasonally ephemeral and intermittent streams, should include design features such as culverts to retain hydrological connection between areas fragmented by the project.

We appreciate the opportunity to respond. Questions pertaining to these comments can be directed to Mr. Peter Fasbender 920-866-1725.

Sincerely,

Betsy M. Galbraith

For Peter J. Fasbender
Field Supervisor

State of Wisconsin
Governor Scott Walker

Department of Agriculture, Trade and Consumer Protection
Ben Brancel, Secretary

April 30, 2014

Steve Hoff, P.E.
Wisconsin Department of Transportation
141 NW Barstow Street
Waukesha, WI 53187-0798

Re: I-43: North-South Freeway Corridor Study
WisDOT #1229-04-01
Draft Environmental Impact Statement

Dear Mr. Hoff:

Thank you for the opportunity to comment on the Draft Environmental Impact Statement for the I-43 project in Milwaukee and Ozaukee Counties. The description of the potential impacts that this project could have on agriculture is accurate.

There is one area that was not discussed in the DEIS and that is the potential impacts on drainage districts. The proposed project crosses two drainage districts in Ozaukee County. The Mequon 7 Drainage District is located in the vicinity of the intersection of I-43 and State Highway 57. The Mequon 3 Drainage District lies adjacent to and just south of the Mequon 7 Drainage District. I have enclosed a map showing the location of these districts for your reference. The project doesn't affect any drainage districts in Milwaukee County. For additional information, please feel free to contact any of the Ozaukee County Drainage Board members listed below. You may also contact the state drainage engineer, Todd Boehne, at (608)224-4630.

Francis Kleckner, Chairperson, 5606 Farm Rd., Belgium, WI 53004, (414) 258-3818
Donald Schommer, Member, 820 North St., Belgium, WI 53004, (262) 285-3203
Gerald Gantner, Member, 5746 County Road LL, Belgium, WI 53004, (262) 285-3531

Thank you again for the opportunity to review and comment on the DEIS. If you have any questions, please contact me at (608)224-4646 or alice.halpin@wisconsin.gov .

Sincerely,

Alice Halpin

Alice Halpin
Agricultural Impact Analyst

Enc.

cc: Todd Boehne, State Drainage Engineer, DATCP

Agriculture generates $59 billion for Wisconsin

2811 Agriculture Drive • PO Box 8911 • Madison, WI 53708-8911 • 608-224-5012 • Wisconsin.gov

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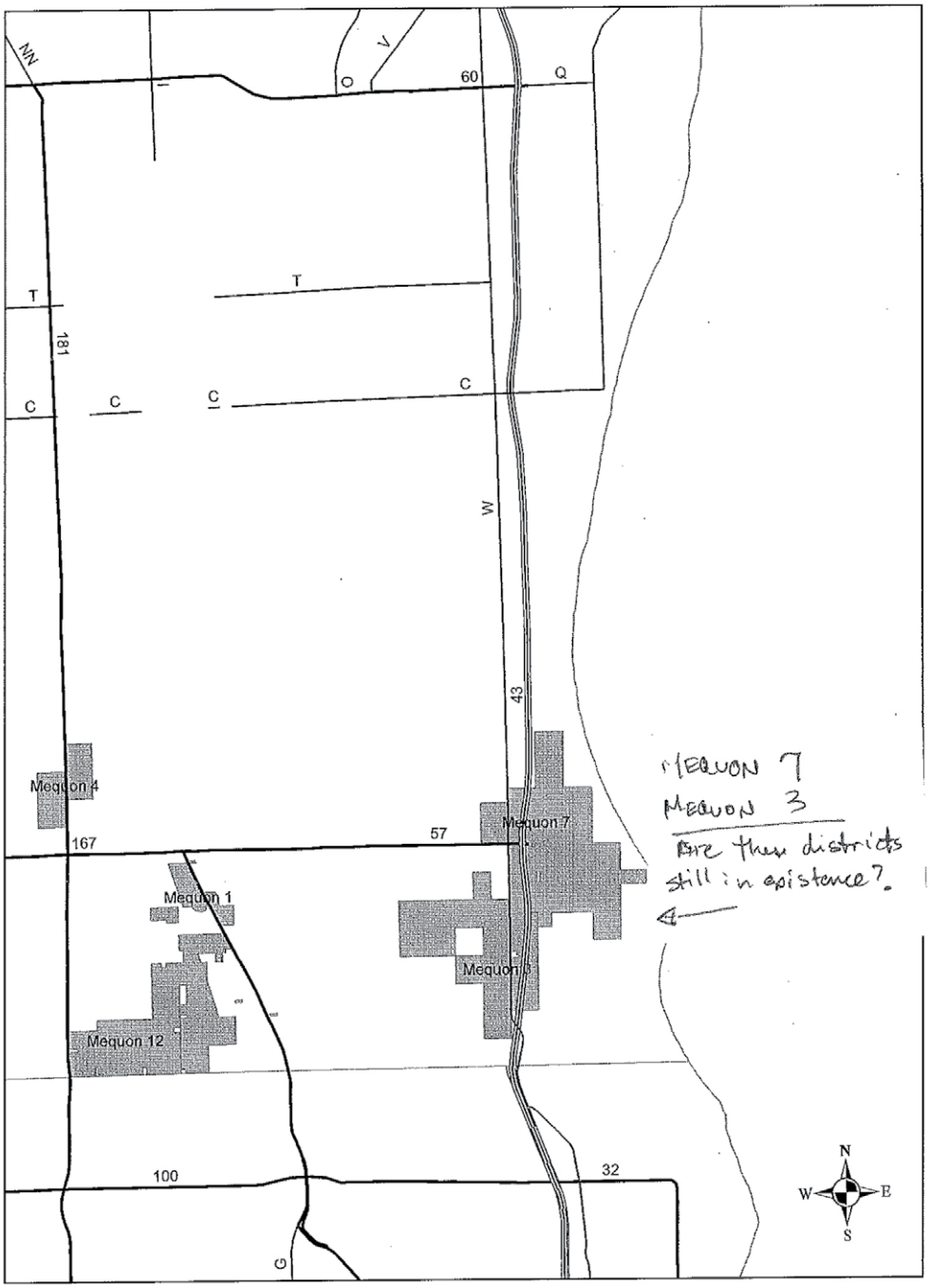
Drainage Districts in the I-43 Corridor



MEQUON 7
MEQUON 3
Are these districts still in existence?

River Hills 140182
DTSD

Village of River Hills
7650 N. Pheasant Lane
River Hills, Wisconsin 53217

Administration: (414) 352-8213
Police: (414) 247-2302
Public Works: (414) 352-0080
Administration Fax: (414) 247-2308
Police Fax: (414) 352-8355

www.riverhillswi.com

RECEIVED
APR 23 2014
OFFICE OF THE SECRETARY
WISCONSIN DOT

April 18, 2014

Mark Gottlieb, Secretary
Wisconsin Department of Transportation
P.O. Box 7910
Madison, WI 53707-7910

Dear Secretary Gottlieb,

Please find enclosed Village of River Hills Resolution No. 2014-10 passed unanimously by our Village Board on April 16, 2014. The document expresses our rejection of the preferred alternatives established in the I-43 Freeway Corridor Study. I-43 passes through River Hills and it impacts the quality of life here for many of our residents.

The study is being conducted by Federal and State officials, in preparation for the reconstruction of I-43 in the year 2020. The study calls for widening I-43 with two additional lanes, rebuilding several interchanges and the installation of sound barriers to address current and projected increased noise that negatively impacts all those who live within 1,500 feet of the freeway.

River Hills is by nature a rural community, established in 1930 with zoning that calls for five acre lots as a minimum. This history makes for a pastoral, open countryside that is very attractive and desirable. The I-43 corridor has taken away some of the pastoral feel through the years, creating a din of background noise that impacts our quality of life and reduces property values for anyone who lives within 1,500 feet of the freeway. Two additional lanes will make the noise worse.

What to do? We would like to have sound barriers provided for in the I-43 reconstruction plans. The federal/state formula for sound barriers requires high density development to qualify for sound barriers. Our neighbors to the east qualify, but we don't. In effect, we are being punished because of our lot sizes. We are asking you today if exceptions have ever been made for communities like ours. We truly need your help. Thank you!

Sincerely,

Robert C. Brunner, Village President
Encl: Resolution 2014-10

STATE OF WISCONSIN VILLAGE OF RIVER HILLS MILWAUKEE COUNTY

RESOLUTION NO. 2014 -10

A Resolution Stating the Villages Position On Reconstruction of I-43

WHEREAS, the I-43 North-South Freeway is among the busiest routes in Wisconsin and is a critical interstate link between Southeast Wisconsin and the entire state; and

WHEREAS, the Wisconsin Department of Transportation (WisDOT) is in the process of studying proposed improvements to the I-43 corridor between Silver Spring Drive and WIS 60 in Milwaukee and Ozaukee counties, having completed the Draft Environmental Impact Statement, I-43 North-South Freeway Corridor Study; and

WHEREAS, the study will impact the final project design by addressing emerging pavement and structural needs, safety issues and identify methods to accommodate existing and projected traffic volumes and their effects on neighboring communities; and

WHEREAS, the Village of River Hills and its residents have experienced negative impacts from increased noise and storm water in the past; a resulting decrease in our tax base and a general reduction in property values, from the I-43 Freeway in our Village.

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of the Village of River Hills that on behalf of our residents we stand opposed to the "Preferred Alternatives" described in the study regarding **noise** because the study provides no plan to protect River Hill's residents from additional noise resulting from increased traffic volume predicted in the study.

BE IT FURTHER RESOLVED, by the Village Board of the Village of River Hills we stand opposed to the study in regards to **floodplain** considerations; the study predicts increased storm water runoff into our Village streams and rivers, but shows no plan to provide protection from negative impacts on the environment and the property of our residents.

PASSED AND ADOPTED by the Village Board of the Village of River Hills this 16th day of April, 2014.

VILLAGE OF RIVER HILLS

Robert C. Brunner, Village President

Countersigned:

Christopher B. Lear, Village Manager/Clerk/Treasurer

City of Mequon

OFFICE OF THE CITY ADMINISTRATOR

11333 N. Cedarburg Road 60W
Mequon, Wisconsin 53092
Phone (262) 236-2941
Fax (262) 242-9819
lszymborski@ci.mequon.wi.us

Lee Szymborski

May 12, 2014

Steve Hoff
Wisconsin Department of Transportation
141 NW Barstow Street
P.O. Box 798
Waukesha, WI 53187

Sent Via Email: DOTI43NS@dot.wi.gov

Dear Mr. Hoff:

Thank you for the opportunity to provide additional testimony on matters pertaining to WisDOT's I-43 Corridor Study. On behalf of Mayor Abendroth and the entire Mequon Common Council, I am writing to reiterate the city's position as it concerns the interchange at I-43 and Port Washington Road/County Line Road. Please enter this letter into the official public hearing record.

As you know, in December 2013 the city passed Resolution 3193 supporting a partial interchange at this intersection with I-43. In that resolution, the city acknowledged that the US Department of Transportation and Federal Highway Administration considers modifications to the Port Washington Road/County Line Road interchange to warrant a change to the entire configuration, and thus requiring a full interchange in conformity with FHWA policy. Yet, and since then, the city has undertaken a considerable effort to make the case for the retention of a partial interchange. Not the least of that effort has been the city's appeal to your agency seeking a waiver to FHWA policy.

We understand that FHWA has declined the waiver request, per the April 21, 2014 letter written by FHWA's Division Administrator. We further understand from Mr. Poirier's letter, however, that the FHWA has no objections to continue evaluating the option.

At its most recent meeting on this topic, the Common Council, meeting as a Committee of the Whole this past Tuesday May 6, 2014, again reiterated its preference for a partial interchange. In the last five months since the Council approved Resolution 3193, city officials continue to hear from residents in the surrounding area, and even others not in the general vicinity, about the wisdom of retaining a partial interchange. It makes the most financial and environmental sense.

We do understand that WisDOT has since developed two alternatives for the Port Washington Road/County Line Road interchange. Those options are split diamond hybrid alternatives, one without a grade separation and one with a grade separation. We further understand that in presenting these options that FHWA is open to the idea of designing one of these options but not

1

constructing the northbound entrance and southbound exit until, and only at a time when 2040 traffic projections are met. If that delayed construction timeline is a real possibility, the Common Council has authorized me to state, short of retaining a partial interchange as articulated in its December 2013 Resolution 3193, that it would find the split diamond hybrid alternative without a grade separation constructed in phases – that is, northbound exit and southbound entrance done in a first phase, and the other two ramps constructed at a later date accompanied by justifiable traffic warrants – acceptable.

The city greatly appreciates the efforts undertaken by WisDOT throughout the EIS process to take the city's concerns and input into consideration. If you have any questions, please contact me.

Sincerely,

Lee Szymborski
City Administrator

Cc: Mayor and Common Council
Kristen Lundeen, Director of Public Works

2

U.S. Department of Transportation
Federal Highway Administration

Wisconsin Division Office

525 Junction Road, Suite 8000
Madison, WI 53717
(608) 829-7500
(608) 662-2121
www.fhwa.dot.gov/widiv/

July 18, 2014

In Reply Refer To:
HDA-WI

Mr. Brett Wallace, Director
Wisconsin Department of Transportation
141 NW Barstow Street
P.O. Box 798
Waukesha, WI 53187-0798

Dear Mr. Wallace:

We are writing in response to your June 23, 2014 Technical Memorandum that requested Federal Highway Administration (FHWA) approval of an option for phased construction of a full interchange at I-43 and County Line Road as part of the I-43 North-South project. With this approach, a partial interchange with access to and from the south, would be constructed as part of the I-43 reconstruction project and ramps to and from the north would be added in 2040, or as otherwise needed, as outlined in the Technical Memorandum.

We have thoroughly reviewed the proposal and justification provided in the Technical Memorandum and cannot provide approval to move forward with the option for the phased construction of a full interchange at County Line Road. Per our April 21, 2014 letter, we have approved the full interchange and no access alternatives for engineering and operational acceptability.

The phased construction option, which would allow for a partial interchange to be in place until 2040, or as otherwise needed, is not consistent with FHWA policy and guidance, current design standards, or the purpose and operations of the Interstate system. While FHWA policy and guidance allows consideration of phased construction, there has to be a strong basis that warrants the need for a phased approach, along with a firm commitment and defined timeframe for the second phase of the construction.

We fully understand and appreciate the concerns of the locals and the position taken by the City of Mequon. The Wisconsin Department of Transportation (WisDOT) and FHWA have responded to many of the concerns through the development and preliminary acceptance of a revised design in order to address specific concerns brought forward by the City and the residents in the nearby neighborhoods.

2

To aid in follow up discussions with the City and local residents who oppose a full interchange, we have enclosed a summary of the basis of FHWA's position. If you have any questions about the actions we have taken concerning the I- 43/County Line Road interchange please contact Mr. Wesley Shemwell.

Sincerely,

George R. Poirier, P.E.
Division Administrator

Enclosure

ecc:
Sheri Schmit, Brian Bliesner, Manojoy Nag, Steve Hoff – WisDOT SE Region
Don Greuel, Will Anderson – WisDOT BPD
Dan Grasser, Don Miller, Rory Rhinesmith – WisDOT DTSD

The FHWA Wisconsin Division Office, who has responsibility for Interstate access modification approval, has taken the position that the phased construction of a full interchange at County Line Road or retaining a partial interchange alternative are not an acceptable alternatives for this interchange. This position is based on the following:

- 23 Code of Federal Regulations (CFR) §625.4 specifically lists "A Policy on Design Standards Interstate System, AASHTO, January 2005" as an applicable standard.

- These Interstate Design Standards specifically state (on Page 1) that "All interstate highways **shall** meet the following minimum standards for segments constructed on new right-of-way and segments undergoing complete reconstruction along existing right-of-way". Specifically in regard to interchanges, the standards state (on Page 4) that "Each interchange **shall** provide for all traffic movements".

- The regulation and standards requires that since this interchange is being fully reconstructed and relocated, full standards must be met and the interchange must provide for all traffic movements.

- FHWA does offer some flexibility to justify not meeting standards if there are no prudent alternatives to meeting the standards. Extensive environmental impacts and/or extreme costs are often factors that are taken into consideration when looking at prudent alternatives. For this particular interchange, a design has been developed for a reconstructed full interchange that has very minimal environmental impacts (the same impacts as the partial interchange) and only moderately higher construction costs than a partial interchange.

- FHWA's "Interstate System Access Information Guide" specifies that all interchanges need to provide for each of the eight basic movements, except in the most extreme circumstances. Partial interchanges usually have undesirable operational characteristics. If circumstances exist where a partial interchange is considered appropriate as an interim improvement, then commitments need to be included in the request to accommodate the ultimate design. These commitments may include purchasing the right-of-way required during the interim improvements. While the commitment for accommodating the full interchange would be provided, there are not extreme circumstances. In addition, it is the extreme circumstances that generally provide for a logical, well-defined point at which the second phase would occur, as issues surrounding the extreme circumstances are resolved. This does not exist with the County Line Road Interchange.

- Understanding the stakeholder interests and concern is an important aspect of developing an informed decision about the merits of a change in access. The primary opposition to the full interchange comes from the City of Mequon where the interchange is located. The opposition is based on local concerns that a full interchange will increase traffic in this primarily residential area. While FHWA does give appropriate consideration to local concerns, it is imperative that primary consideration is placed on the function of the overall Interstate facility and the importance in serving broader regional and interstate traffic needs. Interstate drivers expect that interchanges provide for all movements and

that if they exit at an interchange that they will be able to return to the Interstate in the same direction from the same interchange. There should be compelling reasons to justify a partial interchange based on local needs or concerns. Those compelling reasons do not appear to exist with this particular interchange. While there is certainly vocal opposition to the full interchange, the opposition does not appear to be extreme in terms of the number of persons opposing the full interchange and there is also a fair amount of support for the full interchange. In addition, there has not been anything to show that there would be any significant changes in travel patterns through the nearby neighborhoods or otherwise negative impacts.

- FHWA's "Interstate System Access Information Guide" specifies that when partial interchanges (either system or service interchanges that do not provide for all possible interchanging movements between intersecting routes) are being considered as an alternative for a change in access, it is essential that coordination and development of alternatives begin during the early phases of the planning process. Not providing for all movements violates driver expectation and may lead to "wrong-way" movements on ramps. Therefore, alternatives for the construction of partial interchanges should generally be avoided. If partial interchanges are being considered, clear and detailed analysis must be conducted and documented as justification for their construction or retention. In the extreme and extraordinary circumstances where a partial interchange is being considered, a full interchange must be included as an alternative for comparison in the decision-making process. This allows for full consideration of impacts associated with a full interchange. As indicated above, because there are very few impacts associated with a full interchange, the basis for the need for a partial or phased full interchange has not been justified.

- Drivers have the expectation that when they exit the Interstate, they will be able to enter again, either to continue their journey in the same direction or make the return trip. Partial system interchanges affect regional travel by forcing drivers who remain on the Interstate System to follow other corridors on the return journey and may take them many miles off course. Partial system interchanges also eliminate the opportunity to use alternate freeway corridors to maintain traffic operations during construction, traffic incidents, special events, or emergencies.

- This interchange is within the Southeast Wisconsin Regional Planning Commission (SEWRPC) Metropolitan Planning Organization (MPO) area. The 2035 Regional Transportation Plan for this area shows growth and development to the north of the existing interchange. As growth and development to the north occurs, access to and from the north is likely to become much more strongly needed and desired.

MMSD
PARTNERS FOR A CLEANER ENVIRONMENT

Kevin L. Shafer, P.E.
Executive Director

April 22, 2014

Mr. Steve Hoff, P.E.
Department of Transportation
141 N.W. Barstow Street
Waukesha, Wisconsin 53187

Subject: I-43 North-South Freeway Corridor (Silver Spring Drive to WIS 60)
WisDOT Project 1228-04-01

Dear Mr. Hoff:

I am contacting you to request a commitment to protect our water resources from increased runoff from the I-43 North-South Corridor (Silver Spring Drive to WIS 60) Project. As the Wisconsin Department of Transportation (WisDOT) develops alternatives and completes the draft environmental impact statement, WisDOT should:

(1) establish runoff management goals that minimize the additional volume discharged to receiving streams and the rate of discharge;
(2) identify the amount of new impervious surface each alternative will create;
(3) identify how runoff from the impervious surface will be managed; and
(4) ensure that the project footprint includes sufficient space to properly manage runoff.

The Milwaukee Metropolitan Sewerage District and the municipalities it serves have worked diligently over the years to reduce flooding. This work has included the development and implementation of standards to control runoff from both development and redevelopment. Furthermore, the District has invested millions of dollars to reduce the risk of flooding within the Milwaukee River Watershed, including the affected subwatersheds. I hope I can count on WisDOT to support these efforts.

Even without additional runoff, the water resources affected by this project face many challenges. Current problems include flooded structures, severe erosion, bank failure, and incised channels. In addition, high levels of pollutants have caused the Department of Natural Resources to classify Fish Creek, Indian Creek, Ulio Creek, and the Milwaukee River Mainstem (in both Milwaukee and Ozaukee counties) as impaired. The redesigned highway may add large areas of impervious surface, increasing the I-43 impervious surface by more than 50 percent. This new impervious surface will increase runoff volume and peak flow rates. Also, more impervious surface means more pollutants. Increasing volumes, increasing peak rates, and increasing pollutants may increase the flooding risk and will make the already degraded receiving waters even worse, unless the WisDOT acts now to fully protect these water resources.

Milwaukee Metropolitan Sewerage District
260 W. Seeboth Street, Milwaukee, WI 53204-1446
414-272-5100 www.mmsd.com

UNITED STATES WATER PRIZE

Mr. Steve Hoff
April 22, 2014
Page 2 of 2

The District appreciates the efforts WisDOT will take to comply with Wis. Adm. Code ch. TRANS 401 and the WisDOT/Department of Natural Resources Memorandum of Understanding on Erosion Control and Storm Water Management. However, the high density, fully developed, urban environment of the I-43 North-South Corridor Project requires additional efforts. For example, runoff management needs to go beyond ensuring that the regional flood does not increase by more than 0.01 ft. Preventing harm from this relatively rare event is important. However, this standard, alone, neglects the significant harm caused by the less severe storms that are much more frequent.

The fundamental purpose of the environmental review process is to identify alternatives and describe the costs and benefits of each alternative. Therefore, now is the time to identify different levels of runoff management and how the costs and benefits compare to each other and to total project costs. Also, the environmental impact statement should discuss what is needed to comply with local standards, the adverse effects of failing to comply, and the marginal costs of compliance. District staff is available to work with you to develop appropriate runoff management alternatives.

This project is a rare opportunity to bring both improved highways and improved water resources to our community. Thanks for your cooperation.

Sincerely,

Kevin L. Shafer, P.E.
Executive Director
Milwaukee Metropolitan Sewerage District

c: Eric Nitschke, WisDNR
T. Bate, MMSD
T. Chapman, MMSD
D. Jensen, MMSD
T. Nowicki, MMSD

C-10 PUBLIC COMMENTS: SUMMARY OF PUBLIC COMMENTS FROM DRAFT ENVIRONMENTAL IMPACT STATEMENT COMMENT PERIOD AND PUBLIC HEARINGS

Comment	Number of Comments	Response
Support Build Alternatives		
Supports the Build alternatives to improve safety and congestion; project serves all of SE Wisconsin	27	Comment noted
Oppose Capacity Expansion		
Several people oppose capacity expansion into Ozaukee County but support 6 lanes in Milwaukee County. Comments received said that 6 lanes in Ozaukee County would contribute to: • Sprawl; • Increased energy expenses • Increased impacts on farms and rural communities, • Adverse effects on quality of life including noise and light pollution, increased traffic and speeds, decreased property values, decreased populations and decreased tax base as existing communities in Milwaukee County subsidize flight to adjacent counties; • Abandonment of current urban infrastructure with a corresponding glut of suburban homes once baby boomers leave homes • Invest in mass transit alternatives to encourage transit use in Ozaukee County; do more to encourage bike and pedestrian use; add lanes only for transit or high occupancy vehicles	5	The purpose and need factors for the I-43 North-South Corridor, including travel demand projections, indicate the need for capacity expansion in Ozaukee County. This need is also reflected in SEWRPC's long range land use and transportation plans, which identify that even with a doubling in transit investment, freeway capacity expansion is needed to serve existing and planned land uses and travel demand in southeastern Wisconsin. The indirect and cumulative effects analysis further notes that capacity expansion will not likely induce unplanned land uses, but may accelerate planned development. Ultimately, local communities control land use decisions. The I-43 North-South selected alternative would serve existing transit and would not preclude future transit investments in Ozaukee County. Besides adhering to TRANS 75 to accommodate bicyclists and pedestrians on reconstruction projects, WisDOT maintains bicycle and pedestrian programs and policies to encourage investment and promote bike/pedestrian use across the state. SEWRPC's long-range transportation plan does not recommend implementing transit or high-occupancy vehicle lanes for southeast Wisconsin. Implementing transit only lanes would not be effective for the relatively short length of the I-43 North-South Corridor.
There were several comments opposing any capacity expansion within the corridor, instead supporting spot improvements to fix safety issues and repaving to fix pavement deterioration. Reasons against capacity expansion included: • Regional gross domestic product and traffic congestion are tied to a common moderating variable – the presence of a vibrant, economically-productive city. When streets become congested and driving inconvenient, people move to more accessible areas, rebuild at higher densities, travel shorter distances and shift travel modes. Dense land use is the real measure of efficiency, not traffic flow. • Vehicle miles traveled (VMT) peaked in 2004; Milwaukee area VMT had one of the sharpest drops in the country. • Adding capacity creates more demand, doesn't solve the problem • Consider future trends of less driving, high gas costs, people moving into cities • The project does nothing for mass transit. Address the needs of the current generation of travelers who prefer alternative methods of transportation. • Address alternative forms of transportation now, not in the future to minimize impacts to communities.	6	The Southeast Wisconsin Regional Planning Commission guides land use and transportation policy in the I-43 project area. These policies and programs are developed in collaboration with local communities that develop their own land use plans. Local communities are ultimately responsible for land use decisions. SEWRPC coordinates and cooperates with WisDOT as the Department develops its highway program. WisDOT conducted an indirect and cumulative effects analysis, which concluded that land use patterns are not likely to deviate from planned uses as noted in the response above, but may accelerate them. Regarding VMT, trends may not be relevant to volume forecasts for individual projects. Municipal trends may not represent what is occurring on a particular major roadway. This is to say that while statewide (or county-wide, etc.) VMT may decrease over the span of several years; traffic may have increased on any particular corridor during that span and vice-versa. WisDOT traffic forecasts look at local trends and historic traffic counts on each roadway to best reflect the most relevant information. For these reasons, WisDOT does not rely on VMT trends when completing traffic forecasts; it is the corridor or location-specific data that are most relevant. These trends are important to consider, and WisDOT will continue to study them to see how driving habits may be changing throughout Wisconsin. VMT has fluctuated over the past several years, and depending on the years, scale, and location chosen, can be shown to have either increased or decreased. While a decreasing trend can be found in the last ten years or so, an increasing trend is found over both the last 20 years and the most recent year from 2011 to 2012. SEWRPC's long range transportation plan concluded that even with transit investment, freeway capacity expansion is needed to serve existing and planned land uses and travel in Milwaukee and Ozaukee counties. The preferred alternative for the I-43 North-South Corridor would not preclude future investment in transit. Individual and generational sentiment about driving is difficult to quantify and is not readily applied to traffic forecasting; more information is necessary to determine how these demographic changes might affect VMT. WisDOT is aware of the trends, and the ongoing research behind them, and will continue to monitor them.

Comment	Number of Comments	Response
Port Washington Road Improvements		
Support 4-lane improvements; consider removing median to minimize right of way impacts	2	Port Washington Road is a local road, and the city of Glendale will analyze traffic and drainage needs in the area to determine appropriate design for the road, including the median.
Widen Port Washington in Ozaukee County to 4 lanes	1	SEWRPC's long range transportation plan recommends widening Port Washington Road in the future. This portion of Port Washington Road is a county highway; therefore, Ozaukee County would be responsible.
Supports cul de sac of Brentwood Lane; improves neighborhood safety	4	Comment noted
Opposes cul de sacs on Brentwood Lane and Appletree Road	1	The city of Glendale will make the final decision on intersection treatments for local roads.
Opposes 4-Lane Port Washington Road near Mount Royal neighborhood; will be difficult to for right turns out of ACE Hardware	2	The city of Glendale and SEWRPC's long range transportation plan have noted the need for the planned expansion of Port Washington Road. The added capacity will improve traffic operations, including turning movements from local businesses by allowing for more gaps in the traffic.
Reconstructing Port Washington Road in Glendale will increase property impacts to homes now exposed to traffic with removal of front row of homes; concerns about noise as well	1	WisDOT will implement a CSS process to identify opportunities to incorporate aesthetic improvements to minimize neighborhood impacts. As noted under responses to noise concerns below, WisDOT identified four locations where noise barriers are feasible and reasonable. Barriers at this location would not meet these criteria.
Green Tree Road		
Increased elevation will increase stormwater runoff and traffic speeds, increased slope will reduce safety	2	It is WisDOT's policy in the Southeast Region that post-construction peak discharge rates from a highway improvement project are restricted to preconstruction levels to the maximum extent practicable. Additional stormwater analysis will be conducted to ensure compliance. The road profile must meet design standards for the posted speed and maintain appropriate structure clearance over the I-43 mainline. The slope of Green Tree Road west of I-43 is not increased and speeds are not expected to increase. Speed, which is locally enforced, is also controlled by a three-way stop at the Green Tree Road/Jean Nicolet Road intersection.
Nicolet High School Pedestrian Access		
Existing pedestrian tunnel is unsafe, replace with overpass	3	WisDOT is coordinating with Nicolet High School regarding their decision for access across I-43. The existing tunnel could be replaced with another tunnel with safety improvements and will comply with current ADA standards.
Keep the tunnel	1	Comment noted.
Good Hope Road Interchange		
Opposes a diverging diamond at the Good Hope Road interchange	1	A tight diamond interchange is the preferred alternative for the Good Hope Road Interchange
Supports a tight diamond interchange	1	Comment noted

Comment	Number of Comments	Response
Brown Deer Road Interchange		
Favors the diverging diamond at Brown Deer Road, assuming it is safer than a standard diamond interchange	5	Comment noted.
Opposed to diverging diamond interchange; not safe and causes confusion; it is not needed.	2	The diverging diamond has been successfully implemented in other states. It is the preferred alternative for the Brown Deer interchange because it has longer term capacity to accommodate traffic volumes compared to a traditional diamond interchange
Improvement to Brown Deer interchange is needed, it is not safe; nor is the access from southbound I-43 to the park and ride lot.	1	WisDOT will review access to the park and ride lot during preliminary engineering.
Do not remove business driveway access on Brown Deer Road	2	The driveways are too close to the interchange ramp terminals for safe traffic operations. WisDOT will continue to work with property owners in close proximity to interchange ramps to minimize impacts.
There is not full disclosure about impacts at Brown Deer Road where businesses could be acquired due to removed access		Subsection 3.4.2 identifies access impacts at Brown Deer Road. Final determinations of acquisitions would be determined with additional preliminary engineering and further coordination with property owners.
County Line Road Interchange		
County Line Road Interchange: Supports Partial Interchange		
Maintain partial diamond interchange or close the interchange. Brown Deer and Mequon Road interchanges serve the area well.	5	Comment noted
Maintain partial diamond interchange: • It serves surrounding area well. • Brown Deer and Mequon Road interchange improvements will serve the area well. • Full interchange alternatives present a safety risk. • There is not enough room for a full interchange. • Full interchange could impact use of Carpenter Park. • Signage to adjacent interchange would be used to direct drivers to I-43 to and from the north. • Options for full access are too strange or too much for small area. • Waste of money. • Full access interchange creates negative impacts in surrounding neighborhood; too close to Brown Deer and Mequon Road	27	All interchanges are designed to current standards for safety. Subsection 4.3.8 indicates there will be no impacts to the park. Subsection 3.15.3 discusses that there will be no noise impacts at the park. Also, no relocations would be required with a full interchange, and other environmental impacts would be nearly identical to those of the No Access and Partial Diamond interchange alternatives.
If FHWA will not allow a partial interchange, phase in full interchange construction when it's needed.	2	Comment noted
Does not make sense that Mequon has to fund Highland Road interchange, but not County Line Road interchange. The current interchange is fine as is	1	WisDOT's policy requires local funding share for new interchanges only. Combined federal and state funds pay for reconstructing existing interchanges to FHWA Interstate standards.

Comment	Number of Comments	Response
County Line Road Interchange: Supports Full Access Interchange		
Supports Split Diamond Hybrid interchange at County Line Road, assuming that any impact to the immediate local residents is none to minimal. Prefer option without Katherine Drive grade separation.	12	Comment noted
County Line Road Interchange: Supports No Access Alternative		
Makes most sense; other interchanges serve the area well; reduces costs, noise and light pollution	10	Comment noted
County Line Road Interchange: Opposes No Access alternative		
Local roads cannot handle traffic to Brown Deer Road	2	WisDOT modeled future traffic that would divert to other interchanges if the County Line Road interchange is closed. Modeling indicates Port Washington has sufficient capacity for traffic diverting to Brown Deer Road interchange. The Port Washington Road/Brown Deer Road intersection would require some exclusive turn lanes to handle traffic volumes.
County Line Interchange: General Comments		
Questions logic of traffic signal at County Line Road/Port Washington Road	1	Future traffic operations indicate the need for a traffic signal. A traffic warrant study will be completed to determine when it is appropriate.
Who is supposed to benefit from a full access interchange when Brown Deer road is so close?	1	FHWA Interstate policy requires full access at all interchanges to benefit the traveling public, by providing logical access to and from the Interstate system.
Concerns about impacts to neighborhood west of I-43 in Fiesta Lane area; reduced pedestrian access, travel indirection, snow plowing on a “private lane,” greater noise impacts with ramp terminals in the neighborhood and reduced property values	1	WisDOT will comply with TRANS 75, which requires including pedestrian and bike access on local roads during reconstruction. Access at the Port Washington Road/Port Washington Lane intersection would not be exactly as it is today. Access remains, but the northbound Port Washington Road left turn onto Port Washington Lane is not maintained with the selected alternative; reconstructed roads would accommodate snow plowing; noise impacts are provided in detail in Appendix E; noise levels in this area are predicted to increase compared to existing conditions but will remain below the Noise Level Criteria conditions. Reduced property values is a concern that is frequently cited in regard to highway reconstruction projects. Home resale values are affected by numerous variables, including location, home condition, mortgage rates, and the economy. There is no evidence to suggest that property values will either increase or decrease as a result of the selected alternative. Additionally, WisDOT will fairly compensate property owners whose property is acquired as part of the project.
Mequon Road		
Extend northbound exit ramp for traffic heading east on Mequon Road.	1	All interchange ramps will meet current Interstate standards to accommodate existing and future traffic volumes
Supports improved Mequon Road interchange	2	Comment noted

Comment	Number of Comments	Response
Highland Road Interchange		
Supports Tight Diamond at Highland Road: • Reduces traffic and improves safety; • Improves quality of life on N. Lake Drive; • Reduces congestion at Port Washington/Mequon intersection; • Provides service to many destinations	25	Comment noted
Opposes interchange: • Too much traffic impact in residential area; • Expand Port Washington Road instead • Adding an interchange will create unwanted development and will be an alternative route for truckers	6	SEWRPC identifies the need for expansion of Port Washington Road from 2 to 4 lanes even with a Highland Road interchange. Without a Highland Road interchange, the Port Washington Road/Mequon Road intersection would require expansion that impacts access and traffic operations beyond acceptable levels of service. Mequon controls land use decisions.
Supports a partial interchange only. Most traffic is to and from the south, County C interchange can handle traffic to/from north; full interchange would change the rural nature of the area, impact wetlands, and encourage development	1	FHWA's Interstate standards for interchanges require full access interchanges. Subsection 3.22 of the FEIS provides a detailed discussion of anticipated indirect land use effects. The analysis indicates that a new interchange may accelerate, but not change planned land uses in the study area.
Maintain vegetative barrier between southbound exit ramp and golf course to block errant golf balls	1	A vegetative barrier would need to be outside WisDOT right of way and would be the responsibility of the property owner.
County C Interchange		
The proposed alternative does not solve problems at the southbound exit ramp where the bridge blocks sight lines for southbound to eastbound traffic turns. Readjust ramp spacing or add traffic signals.	1	The northbound ramp terminal will be signalized, which should allow gaps in traffic for southbound traffic turning east onto County C. Reconstruction will bring the ramps closer to the crest of the bridge curve allowing a better line of sight over the crest of the bridge. The ramp profiles on the I-43 exit ramps will be raised to allow for a better line of sight on the bridge as drivers approach the ramp terminal. Additional design will occur during preliminary engineering.
Supports diamond interchange	1	Comment noted.
Port Washington Road/County C Intersection		
Improve safety by providing designated turn lanes at Port Washington Road/County C intersection	2	The intersection will be reconstructed to handle future traffic volumes, which includes exclusive left turn lanes for northbound and southbound traffic on Port Washington Road.

Comment	Number of Comments	Response
Noise, Vibration and Air Quality		
Need for More Noise Barriers		
Several comments related to locations that were evaluated for noise impacts, but do not quality for noise barriers: • Provide noise barriers in residential areas, including Silver Spring area, Mount Royal neighborhood, River Hills, North of County Line Road, Mequon Road overpass and Mequon area on west side of I-43 • Not providing barriers impacts quality of life and property values • Use the money saved from not building full interchange at County Line Road to provide abatement for all neighborhoods • Concerns about impacts to residences more than 600 feet away from road. • Provide barriers over Milwaukee River at Hampton Road	18	Subsection 3.15.2, Subsection 3.15.3 and Appendix E provide detailed information on noise analyses. WisDOT's noise policy requires a noise impact before considering mitigation measures. In many of the locations where comments were made that noise mitigation was not being provided, the noise analysis indicated no noise impact. When an impact is identified, WisDOT's noise policy requires that barriers must be both feasible and reasonable to build. Noise analyses identified four feasible and reasonable barriers along the study corridor. Residential areas far removed from the freeway would not benefit from noise barriers; noise barrier effectiveness diminishes as distance increases between a receptor and the barrier. The effectiveness of noise barriers diminishes within 300 of the noise barrier, such that typically there is little to no benefit past 300 feet. This area is outside the scope of the current study area. This section of I-43 would be addressed in future studies.
Noise Barrier Types		
In locations where barriers are cost-effective, several comments were made on barrier types and treatments: • Supports noise barriers; please consult with property owners about design details • Consider transparent barriers to minimize shading impacts • Noise barriers should be sound absorbing, pavement should be durable and quiet as possible • Plant vines on noise barriers, they are easy to maintain; reduces risk of graffiti	10	WisDOT will continue to refine noise barrier analysis and design through preliminary and final engineering design phases. During that time WisDOT will coordinate with property owners as part of its public involvement process for noise barriers. In urban areas where residences are on both sides of the highway, WisDOT uses absorptive noise barriers. Transparent noise barriers are not absorptive. The project Community Sensitive Solutions (CSS) process will provide an opportunity for the public to provide input on cost effective barrier materials. Barriers that are feasible and reasonable will be made using sound absorptive materials. Pavement type will be determined during preliminary engineering. Landscaping, which may include treatments at noise barriers, will be considered during the CSS process.
Alternative Solutions for Noise		
Alternative solutions to reduce noise impacts: • Plant trees between Port Washington Road and homes along east side of Port Washington Road in the Mount Royal neighborhood in Glendale • Do not use concrete pavement, use asphalt to reduce noise impacts • Lower the freeway through River Hills to minimize the noise impact	6	Vegetative screening would not effectively reduce noise. Studies indicate vegetative screens need to be at least 100 feet thick that you cannot see through to provide any noticeable noise reduction. Additional CSS activities during design may identify opportunities for aesthetic screening however. The noise levels presented in Appendix E were modeled with an average pavement. New concrete pavement would create noise levels slightly quieter than those presented for the 2040 design year. By 2040, whether the pavement is concrete or asphalt, normal deterioration of the pavement will result in levels based on the average pavement used in the modeling. Pavement design will be determined during preliminary engineering. Lowering the profile is not feasible due to drainage issues and close proximity of Pheasant Lane.

[1] *Highway Traffic Noise: Analysis and Abatement Guidance, U.S. Department of Transportation, Federal Highway Administration, FHWA-HEP-10-025, December 2011*

Comment	Number of Comments	Response
Construction-Related Comments		
Comments about noise and vibration impacts during and after construction included: • Minimize noise impact during and after construction to maintain quality of life and property values. • Address vibration impacts during and after construction due to impacts to home infrastructure, quality of life and property values. • What happens after I-43 construction and noise levels are above acceptable levels; are new noise measurements taken?	6	Subsection 3.15 and Appendix E of the FEIS provide detailed information on noise analyses and mitigation measures for the build alternatives. The FEIS identifies four noise barriers that are both feasible and reasonable to construct. WisDOT will continue to analyze noise barrier design in preliminary and final engineering, which will include more public outreach with affected property owners. Subsection 3.21.4 discusses construction noise minimization and mitigation measures. These measures will include maintaining construction equipment to comply with noise-related regulations. Subsection 3.21.4 discusses measures to minimize vibration during construction. Generally, buildings that are in good structural condition would not likely be affected by construction related vibration. WisDOT would meet with concerned property owners before construction for further discussion if there are buildings in the area in poor structural condition. Other measures include compliance with local vibration ordinances or the Wisconsin Department of Workforce Development vibration regulations. According to FHWA, "There are no Federal requirements directed specifically to highway traffic induced vibration. All studies the highway agencies have done to assess the impact of operational traffic induced vibrations have shown that both measured and predicted vibration levels are less than any known criteria for structural damage to buildings. In fact, normal living activities (e.g., closing doors, walking across floors, operating appliances) within a building have been shown to create greater levels of vibration than highway traffic."[1] The current noise analysis in the FEIS predicts future noise levels in the year 2040. The TNM noise prediction model is the FHWA required methodology to predict future noise levels and it is unlikely that the levels will be substantially different from what is predicted in the EIS. The exception would be if traffic volumes change substantially from what is predicted. During the design phase of the project the location of feasible and reasonable noise mitigation will be reassessed. If final design results in substantial changes in roadway design from the conditions modeled for the DEIS or FEIS, noise abatement measures will be reviewed.
Noise Reflection off of Barriers		
Noise will reflect from barriers on the east side of I-43 and increase noise at homes on the west side	3	The noise barriers would be made from sound absorptive materials, absorbing between 70 to 80% of acoustical energy that hits the noise barrier. Therefore, noise reflected to west side would increase about one decibel. A change in the Leq noise level of 3dBA is barely perceptible in the urban environment to the human ear.
Other Noise-Related Comments		
Perception that noise levels have gotten worse in the past 5 to 10 years	2	WisDOT was not collecting sound data during that time, so it cannot confirm this perception. However, research indicates that worsening pavement conditions, such as cracks and separating joints, may lead to additional traffic noise. It is likely that, since pavement conditions have gotten noticeably worse over the past 5 to 10 years, these conditions are responsible for much of the perceived increases in noise levels over that time.
Give serious consideration to high quality solutions to noise, vibration and pollution impacts now, not later.	1	During preliminary engineering, WisDOT will begin its CSS process, which engages local communities to identify cost-effective aesthetic treatments for project elements such as landscaping, noise barriers, sign bridges and bridge structures.
The noise barriers at Highland Road/Port Washington Road intersection do not seem to address high noise levels, which have a negative impact on residences	1	The noise analysis addresses impacts from the proposed construction of the I-43 mainline and associated interchange and overpass construction. Noise related to local traffic near the Port Washington Road/ Highland Road intersection would be outside the scope of this study.

Comment	Number of Comments	Response
Air Quality Comments		
General concerns about air quality impacts due to increased traffic and what can be done about it.	1	WisDOT coordinated with FHWA, EPA and DNR, and has determined that the project is not a project of air quality concern. The project is in SEWPRC's long range plan, which is in conformity with the Clean Air Act Amendments.
Property Impacts		
Improvements at Brown Deer Road impact access; concerns about business impacts, which may require closing the businesses.	1	WisDOT does not anticipate business relocations at the Brown Deer interchange. WisDOT has and will continue to meet with residents and businesses to consider solutions to avoid and minimize impacts from the project.
Supports low retaining wall on Jean Nicolet Road between Bender Road and Green Tree Road	1	Comment noted.
Concern that right of way impacts will make remainder of lot unbuildable in the future; question the need for all the reconstruction proposed	1	All freeway elements must meet FHWA and state Interstate standards to maintain safety and traffic operations. WisDOT will continue to refine and minimize right of way impacts through the design phase of the project. When WisDOT develops the right of way to identify the needed interests from a specific property, WisDOT will have the property appraised. WisDOT compensates for the value loss to the property, including consideration for impacts resulting in a legal non-conforming parcel. Frequently the municipal Board of Zoning Appeals will grant a variance from the local zoning ordinance, allowing the non-conformance. The cost of obtaining the variance would be considered in the appraisal report.
Concern about proximity impacts: • To nearby building, including underground parking access. • Proposed noise barrier may not mitigate impacts and be unsightly. • Would WisDOT purchase a building due to proximity impacts? • Impacts to safety. • Impacts from debris from highway.	3	WisDOT is obligated to mitigate for direct right of way impacts, to identify noise impacts to properties and commit to noise mitigation if it is feasible and reasonable. WisDOT will consider potential value impacts when new right of way is required from properties. WisDOT will continue to evaluate property impacts through design and coordinate with property owners to refine impacts and avoidance measures.
Concerns about total amount of right of way needed and compensation	1	WisDOT will continue to refine right of way needs through preliminary engineering. WisDOT has an established right of way acquisition process that is described in Subsection 3.3.3 of the FEIS.
Plant trees if berms are not installed	1	The Department's CSS process, which will be implemented during preliminary engineering, may identify cost effective opportunities for landscape treatments at appropriate locations on public right of way.
Community and Business Impacts		
Concerns about impacts to health, safety, drainage and noise.	3	The preferred alternative takes into account the concerns raised by local residents through the public involvement process. The project footprint is minimized to the greatest extent practicable. Noise barriers throughout the corridor also help to minimize project impacts. During preliminary and final engineering, WisDOT will continue to work with local communities through its CSS process to identify aesthetic treatments and further identify design solutions that could minimize or mitigate impacts.
Concern about traffic impacts in neighborhoods at County Line Road with full access alternative.	1	It is expected that traffic would use access ramps to and from I-43 compared to the existing partial interchange, where traffic would use local streets to access northbound I-43 and exit from southbound I-43.

Comment	Number of Comments	Response
Natural Resources Impacts		
Preserve wetlands and maintain migratory wildlife corridors.	1	The preferred alternative minimizes impacts to the greatest practicable extent. I-43 would be widened to the inside median in Ozaukee County to minimize wetland and natural area impacts. Additional avoidance and minimization measures will continue through design and in consultation with the WDNR. As mentioned in Subsection 3.13, WisDOT follows all applicable laws on migratory birds, in coordination with WDNR and US Fish and Wildlife.
Consider wetland mitigation at the Mequon Nature Preserve.	1	WisDOT contacted the Ozaukee Washington Land Trust, who is a partner in the Mequon Nature Preserve. The land is already encumbered for conservation purposes and therefore not eligible as a wetland mitigation site.
Creeks are impaired due to runoff from the highway.	1	Runoff from both point and non-point sources contribute to the impaired status of streams in the project area. Impervious urban areas are non-point sources of water pollution. Subsections 3.10.2 and 3.22.2 discuss both direct and cumulative water quality impacts. The preferred alternative would include stormwater treatment measures to avoid and minimize water quality impacts in compliance with Trans 401.
Stormwater and Flood Impacts		
General concerns about stormwater: • Every project makes flooding worse; seeing more frequent flood events. • Concerns about increased risk of flooding to homes and other community resources. • What is being done to control increased stormwater? • The project will increase streambank erosion. • Plant right of way with native species to allow infiltration.	11	Subsection 3.10 discusses water quality and quantity impacts. It is WisDOT's policy in the Southeast Region that post-construction peak discharge rates from a highway improvement project are restricted to preconstruction levels to the maximum extent practicable and reasonable regardless of the percent increase. WisDOT must also adhere to NR116 requirements which limit increases in flood elevations. WisDOT will implement a number of stormwater control measures including detention ponds, ditch storage and inline pipe storage to manage stormwater. Other measures will be reviewed during the design phase. Planting for rights of way and detention ponds will consider use of native seed mixes.
Transportation		
Reduce truck traffic on I-43 by re-establishing freight rail service to Green Bay.	1	There are many factors influencing freight transportation modes. WisDOT provides assistance to the freight rail industry to support continued operations through loans and grants. The decision to determine freight transportation mode is ultimately made by private operators.
Restore commuter service on the C&NW-UP railroad; Expand commuter rail throughout the state.	1	Commuter rail expansion is outside the scope of this project and is addressed through statewide and regional long range transportation plans.
Build a Northern Freeway Bypass to direct traffic around Milwaukee, not through it.	1	A new bypass is not part of SEWRPC's long range transportation plan and outside the scope of this study.
Consider alternatives to auto travel such as bike and sidewalks.	1	During design, WisDOT will continue to coordinate with local communities to determine appropriate reconstruction on local roads to include bike lanes and sidewalks, consistent with TRANS 75 requirements.
Bikes and Pedestrians		
Add bike lanes to Port Washington Road between Bender and Green Tree Road.	1	Bike lanes and a sidewalk will be included in the Port Washington Road reconstruction.
Make sure that every intersection and interchange has access for bicyclists and pedestrians.	1	WisDOT will comply with Trans 75, which requires WisDOT to incorporate accommodations for bicyclists and pedestrians, where appropriate, on reconstruction projects. The alternatives considered in the DEIS, including the selected alternative, provide conceptual design work for bike and pedestrian facilities.

Comment	Number of Comments	Response
Construction impacts		
Maintain four lanes during construction.	1	During construction, WisDOT will maintain two lanes of traffic in each direction during peak hours. During non-peak hours, WisDOT may close lanes.
Provide information during construction regarding road closures and transportation alternatives to avoid construction.	1	WisDOT will develop a public involvement plan prior to construction. The plan will include public information strategies such as online information and other measures to keep the public informed of ongoing construction activities.
Public Hearing Process		
Starting the hearing at 4 or 5 p.m. is not convenient for people who have to work.	1	The hearing end times were at 8 p.m. at Nicolet High School on April 30, 2014, and 7 p.m. at Christ Church on May 1. The hearing schedule allows opportunity for the public to attend the hearing after normal work hours. Also, the public comment period was open until May 12th 2014 to accept additional comments.
Miscellaneous Comments		
Extend project limits to WIS 33.	1	WisDOT and FHWA considered a number of factors to determine the project limits including projected future traffic volumes, design deficiencies, crash rates and other freeway features. The freeway becomes less urbanized and traffic volumes drop north of WIS 60, making this a logical terminus for the study. This study does not restrict future consideration of improvements on I-43 north of WIS 60.
Do not transition back to 4 lanes under the WIS 60 overpass; It is too dangerous, transition north of the north interchange ramps.	1	WisDOT will determine the transition from six to four lanes at WIS 60 as during detailed engineering. The design will meet current safety standards.
Consider stop/go light at Bender Road/Jean Nicolet Road to improve access during congested times of the day	1	Both Bender Road and Jean Nicolet Road are locally controlled streets; the city of Glendale may choose to consider additional traffic control needs at the intersection.
Move County C park and ride lot to south side of highway to improve utilization of parcel in southeast quadrant of County C interchange.	1	The County C park and ride lot is outside the scope of this study. Relocating the lot is not currently under study.
Consider using excess fill from project to use for berms on properties; would offer land to have berms installed on property.	2	During design, WisDOT will determine if the project will have excess fill and will coordinate with local communities, as appropriate, to determine how fill might be used along the project corridor.
Need an emergency lane on all roundabouts so vehicles can safely stop.	1	Roundabouts are not proposed on this project.
Resurface I-43 north of WIS 60 as soon as possible.	1	Future rehabilitation projects on this section of I-43 are currently under consideration.
Pavement issues: • Install truck scales and use them to manage pavement life. • Build durable long-life pavements with deeper road bed and galvanized mesh reinforcement. • Build with concrete pavement; it lasts longer and less costly to trucking industry.	2	Truck scales are installed and used. WisDOT uses cost effective pavement types that correspond to types and volumes of traffic using the facility. Interstate pavements are constructed using currently accepted and tested materials. WisDOT will determine pavement type during preliminary engineering
Start construction sooner; stage construction in phases so that improvements can be made sooner than 2022.	2	The I-43 North-South Freeway must first be enumerated for funding, after which the project must be designed and right of way purchased. The Transportation Projects Commission will determine the construction years.

Comment	Number of Comments	Response
Plan now for development that will occur along Port Washington Road in Ozaukee County; add sewer and water now and widen County C.		Comment noted. Local development, including expanding sewer and water services and local roads are under local jurisdiction.
All local road bridges over I-43 should be reconstructed to accommodate 4-lanes.	1	Bridges are designed to handle the projected traffic volumes in the year 2040, which would dictate the number of traffic lanes required.
Property owner requests follow up regarding flooding on property.	1	WisDOT will contact the property owner to determine the cause of this specific drainage problem.