



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

NOV 04 2011

REPLY TO THE ATTENTION OF: E-19J

William Mohr, P.E., Major Projects Manager
Wisconsin Department of Transportation, Southeast Region
141 N.W. Barstow Street
Waukesha, Wisconsin 53187

Re: Final Environmental Impact Statement for the Zoo Interchange Corridor
Study, Milwaukee County, Wisconsin - EIS No. 20110343

Dear Mr. Mohr:

The U.S. Environmental Protection Agency has reviewed the Final Environmental Impact Statement (EIS) for the above-mentioned project prepared by the Federal Highway Administration (FHWA) and the Wisconsin Department of Transportation (WisDOT). Our review is pursuant to the National Environmental Policy Act, the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

After re-evaluating environmental and engineering information and reviewing public, local units of government, and agency comments on the Draft and Supplement Draft EIS documents, WisDOT has selected the Reduced Impacts Alternative and Adjacent Arterials Component as its preferred alternative.

In our April 4, 2011 Supplemental Draft EIS comment letter, our rating of "Environmental Concerns, Insufficient Information – EC2" was based on three issues: 1) the need to clarify whether the latest Advance Identification (ADID) wetlands information was used to determine wetlands impacts, 2) the need for additional information concerning mitigation for non-ADID wetland impacts, and 3) our request that the transportation agencies commit to including all Mobile Source Air Toxics (MSATs) mitigation measures in the Record of Decision (ROD). In addition to the three items mentioned above, we also recommended the Final EIS address issues pertaining to wildlife habitat.

Air Quality

We understand from the response to comments that WisDOT will review all mitigation measures for possible implementation during construction and that some mitigation measures are implemented by contractors on their own accord. We appreciate WisDOT's attention to

decreasing air quality impacts through mitigation and request that all planned mitigation measures be stated in the ROD.

An Interagency Consultation Team (ITC) was created to address the issue of MSATs. Based on the results of a qualitative hot-spot analysis, the ITC determined the proposed project meets all project level conformity requirements and will not cause or contribute to a new violation of the Particulate Matter_{2.5} (PM_{2.5}) National Ambient Air Quality Standards and will not delay timely attainment. The proposed project was determined to meet the conformity hot-spot requirements in 40 CFR §93.116 and §93.125 for PM_{2.5}. This analysis and conclusion respond to our previous comment.

Wetlands

We understand that current primary environmental corridor (PEC) boundaries were used to determine wetland impacts. The Final EIS also indicates Advance Identification (ADID) wetlands will be avoided. We commend WisDOT's attention to using current information and avoiding impact to ADID wetlands.

We acknowledge the difficulty of finding mitigation options that contribute to the PEC given the nature of the project area. However, we continue to stress that adding to the PEC should be FHWA's and WisDOT's first choice to mitigate for unavoidable wetlands impacts.

Wildlife

We acknowledge and applaud WisDOT's efforts to minimize impacts to Monarch butterfly habitat on the County Grounds. The Final EIS indicates WisDOT continues to investigate opportunities to minimize impact to this habitat, and the ROD will document which measures will be implemented. We encourage WisDOT to preserve this habitat for butterflies and for community enjoyment.

In summary, the Final EIS satisfactorily addresses the issues stated in our Supplemental Draft EIS comment letter. Please send one copy of the ROD to my attention once it becomes available. Should you have any questions regarding the contents of this letter, please do not hesitate to contact me or Kathy Kowal of my staff at (312) 353-5206 or via email at kowal.kathleen@epa.gov.

Sincerely,



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