

ENVIRONMENTAL EVALUATION OF FACILITIES DEVELOPMENT ACTIONS

Wisconsin Department of Transportation
DT2094 12/2013

BASIC SHEET 1 - PROJECT SUMMARY

Project ID 1003-10-02	Project Termini IL 75 to County S Cranston Road to WIS 140	Funding Sources (check all that apply) <input checked="" type="checkbox"/> Federal <input checked="" type="checkbox"/> State <input checked="" type="checkbox"/> Local								
Construction ID 1003-10-79/80		Estimated Project Cost and Funding Source (state and/or federal). Year of Expenditure (YOE) dollars include delivery cost. \$104,000,000 (2017 - 2018)								
Route Designation (if applicable) I-39/90	Nearest Community City of Beloit and Town of Turtle	Real Estate Acquisition Portion of Estimated Cost (YOE) \$6,000,000 (2016 - 2017)								
National Highway System (NHS) Route <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Utility Relocation Portion of Estimated Cost (YOE) \$2,000,000 (2017)								
Project Title I-39/90 and I-43/WIS 81 Interchange	Section / Township / Range Sections 16,17, 20, 21, 28, 29, 32/T1N/R13E									
County Rock County		<table border="1"> <thead> <tr> <th>Right of Way Acquisition</th> <th>Acres</th> </tr> </thead> <tbody> <tr> <td>Fee</td> <td>82</td> </tr> <tr> <td>TLE</td> <td>2</td> </tr> <tr> <td>PLE</td> <td>0</td> </tr> </tbody> </table>	Right of Way Acquisition	Acres	Fee	82	TLE	2	PLE	0
Right of Way Acquisition	Acres									
Fee	82									
TLE	2									
PLE	0									
Bridge Number(s) (if applicable) Old - B-53-46/47/48 & 51 New - B-53-300/301/302/ 303/304/305/306/307/308	Scheduled start date - m/d/yyyy (Operational Planning Meeting (OPM) or Scoping Meeting) 05/02/2012									

Functional Classification of Existing Route (FDM 3-5-2)	Urban	Rural	WisDOT Project Classification (FDM 3-5-2)	
Freeway/Expressway	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Resurfacing	<input type="checkbox"/>
Principal Arterial	<input type="checkbox"/>	<input type="checkbox"/>	Pavement Replacement	<input type="checkbox"/>
Minor Arterial	<input type="checkbox"/>	<input type="checkbox"/>	Reconditioning	<input type="checkbox"/>
Major Collector	<input type="checkbox"/>	<input type="checkbox"/>	Expansion	<input checked="" type="checkbox"/>
Minor Collector	<input type="checkbox"/>	<input type="checkbox"/>	Bridge Rehabilitation	<input type="checkbox"/>
Collector	<input type="checkbox"/>	<input type="checkbox"/>	Bridge Replacement	<input type="checkbox"/>
Local	<input type="checkbox"/>	<input type="checkbox"/>	"Majors" Project (there are both state and federal majors)	<input checked="" type="checkbox"/>
No Functional Class	<input type="checkbox"/>	<input type="checkbox"/>	SHRM	<input type="checkbox"/>
			Reconstruction	<input type="checkbox"/>
			Preventive Maintenance	<input type="checkbox"/>
			Safety	<input type="checkbox"/>
			Other - Describe: Interchange Reconstruction	<input checked="" type="checkbox"/>

FHWA Draft Categorical Exclusion (CE), Draft Type 2c/WisDOT Draft Environmental Report (ER).
No significant impacts indicated by initial assessment.

FHWA Final Categorical Exclusion (CE), Type 2c/WisDOT Final Environmental Report (ER). No significant impacts will occur.

FHWA Environmental Assessment (EA), Type 3/WisDOT Environmental Assessment (EA). No significant impacts indicated by initial assessment.

Michael P. Pubeke 6/17/2015 AECOM PM (Signature - Company/Organization) (Date - m/d/yy) (Title)

Robert B. Reed 1/9/2015 (Signature - Director, Bureau of Technical Services) (Date - m/d/yy)

P. Miller 1-7-2015 WisDOT Project Manager (Signature - Company/Organization) (Date - m/d/yy) (Title)

George Dwyer 1-28-2015 (Signature) (Date - m/d/yy) (Title)

Region Aeronautics Rails & Harbors

FHWA FAA FTA FRA

After reviewing and addressing substantive public comments, updating the Environmental Assessment (EA) and coordinating with other agencies, it is determined this action:

Will NOT significantly affect the quality of the human environment. This document is a Final Categorical Exclusion / Final Environmental Report.

Will NOT significantly affect the quality of the human environment. This document is a Finding of No Significant Impact (FONSI).

Has potential to significantly affect the quality of the human environment. Draft Environmental Impact Statement (EIS) required.

PREPARER

Michael P. Pubeke AECOM 08/18/2015 PM (Signature - Company/Organization) (Date - m/d/yy) (Title)

Patricia M. Townsend 8/28/2015 (Signature - Director, Bureau of Technical Services) (Date - m/d/yy)

Frederick L. Jensen 8/18/2015 WisDOT Supervisor (Signature - Company/Organization) (Date - m/d/yy) (Title)

W. K. Miller 08/28/15 ADA (Signature) (Date - m/d/yy) (Title)

Region Aeronautics Rails & Harbors

FHWA FAA FTA FRA

Addendum A

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ENVIRONMENTAL ADDENDUM A

Alternative Preferred Alternative – 2A Modified	Total Length of Center Line of Existing Roadway – 4.6 miles Length of This Alternative – 4.6 miles
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1. **Date(s) of Public Notice:** January 12, 2015
January 19, 2015
January 28, 2015
February 4, 2015
Notice of Availability January 27/28, 2015 and February 4, 2015

2. **In: (Name of Newspaper):** Wisconsin State Journal
Janesville Gazette
Beloit Daily News

	Notice of Public Hearing	Notice of Availability	Combined Notice of Public Hearing & Availability
Beloit Daily News	1/12/2015 & 1/19/2015		1/28/2015 & 2/4/2015
Janesville Gazette	1/12/2015 & 1/19/2015		1/28/2015 & 2/4/2015
Wisconsin State Journal	1/12/2015 & 1/19/2015	1/27/2015	1/28/2015 & 2/4/2015

3. **Dates Environmental Assessment made available to public:**

From – January 27, 2015

To – February 26, 2015

4. **Public Hearing:**

- Was not required, explain: _____
- Opportunity was given but no hearing was held.
- No requests for a public hearing were received.
- Requests for a public hearing were not substantial.
- Was held on February 11, 2015

5. **Summarize comments from the Public Hearing and Public Notice of Availability. Characterize public support or opposition to the project. Include a summary of the changes to the environmental document and the project resulting from comments:** (Note: Alternatives proposed by the public and subsequently rejected should be identified and the reasons for rejecting them included.)

A. General Overview

A public hearing was held on Wednesday, February 11, 2015 at the Beloit Public Library, 605 Eclipse Boulevard, Beloit, WI 52511. The traditional-style portion of the public hearing took place from 5:30 to 7:30 p.m. and was opened with the reading of the project statement. One court reporter was available to record private testimony from 5:00 to 8:00 p.m. and a second court reporter was used to record the public hearing's general public verbal testimony and project statement. Eighty (80) people attended the hearing and there were a total of 11 entities that provided comments on the draft environmental document during the availability period between January 27, 2015 and February 26, 2015.

One (1) Beloit city council member and two (2) individuals publically gave oral testimony and two (2) gave private oral testimony. Three (3) individuals and three (3) agencies submitted written comments within the public comment period. Copies of the official hearing transcripts are on file at the Wisconsin Department of Transportation (WisDOT) Southwest Region Project Office at 111 Interstate Boulevard, Edgerton, WI, 53534; WisDOT's Central Office at 8502 Sheboygan Avenue, Room 451, Madison, WI 53702; and at the Federal Highway Administration (FHWA), 525 Junction Road, Suite 8000, Madison, WI 53717.

Included in this addendum are two appendices. Appendix 22 contains both the oral and written comments on the project's draft environmental document as received by the local officials, regulatory agencies, and the

Included in this addendum are two appendices. Appendix 22 contains both the oral and written comments on the project's draft environmental document as received by the local officials, regulatory agencies, and the general public. The relevant comments have been numbered sequentially along the right margin for reference purposes.

Appendix 23 contains the pertinent changes to the environmental document in response to the comments received during the availability period. Substantive new material and changes to tables are presented in gray overstrike. Minor corrections in grammar, syntax, etc., have been made without such highlighting.

B. Summary of Testimony, Comments, and Responses for the Draft EA

Local Officials

One (1) local unit of government publically read their written testimony at the public hearing.

Commentor: *Beloit City Council*:

1. The City is in favor of the preferred alternative. It fits well into the comprehensive plans for the city (Addendum A-8).

Regulatory Agencies

Three (3) agencies provided written responses.

Commentor: *U.S Environmental Protection Agency (US EPA)*:

2. The USEPA has no comments on the proposed alternative but they recommend FHWA and WisDOT commit to installing permeable pavement wherever appropriate, such as at the new park-and-ride location (Addendum A-9).

Response

2. The use of permeable pavement will be evaluated during the design process. The park and ride lot is proposed to be constructed as a final stage of the interchange reconstruction work.

Commentor: *Wisconsin Department of Natural Resources (WDNR)*

3. Wetland Impacts – Currently the World Dairy Center Wetland Mitigation Bank Site in Dane County bank credits are not available. If unavailable prior to construction, alternative bank arrangements will need to be made. If construction of the project extends beyond August 2018, WisDOT will need to coordinate with WDNR regarding the wetland boundary (Addendum A-10).
- 4A. Floodplain & Flood Storage – WDNR provided two options of incorporating compensatory storage areas into the proposed highway design. Plans need to be submitted to WDNR after the storage areas have been determined. Also, WisDOT needs to coordinate with the city of Beloit (Addendum A-11).
- 4B. Since the February 26, 2015 environmental document review and comment period, the WDNR updated their flood storage and floodplain maps based upon an updated hydrology analysis. As a result of this update, the flood storage areas have been removed in this area because the benefit of including them was determined insignificant. Therefore, the enforcement of the flood storage district maps is no longer required. (Addendum A-12,13,15)
5. Endangered Species – If Spring Brook is impacted, coordination with the WDNR needs to be completed in order to schedule appropriate mussel surveys in the impacted areas prior to construction (Addendum A-11).
6. Storm Water/ TMDL – Compliance with TRANS 401 and the Rock River TMDL requirements will be required for this project (Addendum A-11).
7. Endangered Species – Since the draft environmental document's review period, it has been determined that Spring Brook will be impacted. A survey to determine if the Elktoe Mussel is present in the brook will be required prior to construction. The area to be studied is where the

7. Endangered Species – Since the draft environmental document’s review period, it has been determined that Spring Brook will be impacted. A survey to determine if the Elktoe Mussel is present in the brook will be required prior to construction. The area to be studied is where the brook will be impacted. If the Elktoe Mussel is found, they should be relocated to a different location within Spring Brook (Addendum A-18).

Responses

3. WisDOT will continue to coordinate with the WNDR through the design process in order to determine if the World Dairy Center Wetland Bank Site credits are available or not. If not, then an alternate bank site will be identified.
- 4A. Due to the updated WNDR information on the flood storage enforcement requirements, comment 4A has been superseded by comment 4B.
- 4B. The Environmental Assessment report (pages 26, 32, 54, and 55 and Appendix 7, Page 7-1 Preferred Alternative map) has been updated in Appendix 23 to reflect this updated information. In summary, the flood storage areas and the floodplain boundaries have been adjusted, along with the respective impacts to these two environmental features.
5. It has been determined that Spring Brook will be impacted during construction. Please see response number 7.
6. The proposed improvements will meet both TRANS 401 and the Rock River TMDL requirements.
7. WisDOT will coordinate with the WNDR prior to construction in regards to completing the Elktoe Mussel survey in Spring Brook.

Commentor: US Army Corps of Engineers (USACE)

8. The USACE wants to be notified of the pre-construction meeting in reference to wetland impact for this project and the jurisdictional determination of wetlands and streams if impacted. (Addendum A-26).

Responses

8. The wetland factor sheet will be updated to reflect the pre-construction notification (PCN) required for this project. The PCN will be sent out 6 months prior to the plans, specs, and estimates (PS&E).

General Public

Seven (7) individuals gave oral and/or written testimony. The public comments received are summarized below.

9. Concerned about the noise levels and property values in the Field Crest Court neighborhood (north side of I-43) (Addendum A-42).
10. Prefer camera detection instead of traffic loops at the Freeman Parkway & WIS 81 (Addendum A-43).
11. Decorative stone in the middle of the road will create safety hazards at the Hart Road roundabouts (Addendum A-43/44).
12. Concerned about the traffic control at the Kerry entrance (Addendum A-44).
13. Concerned about residential driveway access at the southern Hart Road & County X roundabout (Addendum A-49).
14. Comment against the proposed alternative design, trucks driving through roundabouts, traffic congestion, and roundabout design (Addendum A-50/51).
15. Provide a nicer and safer way into Beloit on the proposed WIS 81 (Addendum A-57).
16. Local businesses will not be put in jeopardy during the construction of the proposed interchange (Addendum A-57).
17. Flooding issues at Cornellier Superstore (improving slope from property line) (Addendum A-57).

18. Glad that bicycle lanes and pedestrian paths will be added on WIS 81. Concerned new governor's current proposed budget might eliminate these proposed bicycle lanes and pedestrian paths (Addendum A-58).
19. Agrees with preferred alternative because it balances access and convenience with the constraints of safety, construction/maintenance costs and land use priorities. The design greatly improves connection to eastern part of Beloit. Bicycle/pedestrian is a beneficial improvement. Believes there is no reason sounds level from proposed interchange will increase over existing layout (Addendum A-59).

Responses

9. A noise analysis was completed to determine the impacts of the new interchange in the design year 2040. As per WisDOT's criteria, mitigation for noise impacts is not warranted. The proposed interchange falls into the land use plans for the city and the future property values are unknown.
10. The determination of the type of traffic detection at the Freeman Parkway & WIS 81 intersection will be determined in the design process.
11. The decorative stone in the middle of the road will be evaluated in the design process at the County X interchange roundabouts.
12. Intersection traffic control along WIS 81 has been determined based on an intersection control evaluation for the design year traffic.
13. The driveway access at the roundabout will be analyzed in the design process.
14. The preferred alternative has been chosen based on the purpose and need of the project, the minimization of environmental impacts, and construction costs. The roundabouts at the County X interchange will be improved to accommodate truck turning movements. The traffic analysis has been completed for the project and has determined the proposed intersection control for each intersection along WIS 81 (Ford/Freeman, I-39/90 ramps, and Gateway Boulevard).
15. The proposed alternative will provide a more aesthetic and safer roadway into the city of Beloit along the extension of WIS 81.
16. The interchange will remain open to traffic throughout the duration of construction; with the exception of temporary lane closures during transition between various construction stages.
17. Floodplain and stormwater design are essential elements of this project. WisDOT will analyze the flooding issues at the Cornellier Superstore in the design process.
18. The change in statute will not affect the inclusion of bike and pedestrian accommodations in the project and WisDOT will work with the city of Beloit during final design to make sure that they are included.
19. Comment noted.

C. Environmental Assessment Report Updates

The EA has been updated to reflect the previously identified substantive comments received during the EA's review period. See Appendix 23 and Appendix 24 for updates to the Environmental Assessment (EA).

Public Involvement, page 17 of 67 of the basic sheets.

The public hearing was added to the public meetings table. Addendum (A-61)

Intersection traffic control, pages 19 and 20 of the basic sheets.

The intersection traffic control has been determined and was presented at the Public Hearing on February 11, 2015. Intersection control along WIS 81 will include traffic signals at Freeman/Ford intersection, traffic signals at the I-39/90 ramp intersections utilizing a diverging diamond interchange alignment, and stop sign for Gateway Boulevard traffic at WIS 81 (Addendum A-62/63).

Threatened and Endangered Species, page 22, 23, 26, 32 of 67 of basic sheets. Added new commitments and factor sheet (Appendix 24). After coordination with the WDNR this page has been updated to reflect the threatened and endangered species in the project area. The factor sheet for threatened and endangered species and Northern Long-Eared Bat (NLEB) commitment pages has been added (Addendum A-64-67/73-75/77-84).

Environmental commitments, page 32 of the basic sheets and added new commitments in Appendix 24. Coordinate with WDNR for mussel surveys in Spring Brook prior to construction and also avoidance and mitigation measures for the NLEB (Addendum A-67/73-75).

Wetland Mitigation Jurisdiction, question 9, page 49 on the wetland factor sheet. This page has been updated to reflect the pre-construction notification required for this project (Addendum A-68).

Floodplain and Flood Storage District, pages 19, 26, 32, 54 and 55 of the basic sheets and Appendix 7 Page 7-1. These pages have been updated based on the WDNR comment to remove information relating to the flood storage. Appendix 7 page 7-1 the preferred alternative map has also been updated based on the WDNR comment (Addendum A-62/66/67/69/70/71/76).

6. **Describe selected alternative:**

- Selected alternative is the same as that described on form DT2094, Environmental Evaluation of Facilities Development Actions.
- Selected alternative is different from that described on form DT2094, Environmental Evaluation of Facilities Development Actions. Explain changes and why another alternative was selected.

The proposed action is the same as that described on form DT2094, page 16 of 67, and is repeated below.

The proposed project consists of reconstructing the I-39/90 and I-43/WIS 81 interchange. The project length totals 4.6 miles in the project area. The north-south leg of I-39/90 has a length of approximately 2.7 miles. The east-west leg of WIS 81/Milwaukee Road and I-43 has a length of approximately 1.9 miles. The project study limits for this project extend along I-39/90 from the WisDOT Welcome Center south of I-43 to E. Hart Road and along I-43/WIS 81 from Freeman Parkway in the city of Beloit to the County X/Hart Road Interchange.

The new I-39/90 and I-43/WIS 81 interchange will include 70 mph (design speed) free flow movements from southbound I-43 to southbound I-39/90 and from northbound I-39/90 to northbound I-43. It will also include 60 mph (design speed) free flow movements from southbound I-39/90 to northbound I-43 and from southbound I-43 to northbound I-39/90. These movements will play an important role in improving the system linkage between the two WisDOT backbone routes.

The preferred alternative will enhance the community's local mobility by extending WIS 81/Milwaukee Road from Beloit to the I-43/County X/Hart Road interchange. This extension will provide improved vehicle access from the city of Beloit to the Gateway Business Park and will accommodate both bicycle and pedestrian traffic.

The new interchange will be constructed with current design standards thus improving the overall safety from the existing geometric deficiencies. The interchange will remain open to traffic throughout the duration of construction; with the exception of temporary lane closures during transition between the various construction stages. Local access will be provided during construction as there will be no designated detour route for this project. However, for the I-39 reconstruction project from the Illinois State Line to Madison, there is a designated alternate route for motorists to choose to utilize during construction.

Appendix 22 –

**Oral and Written Comments on Draft
Environmental Assessment**

WEDNESDAY, FEBRUARY 11, 2015

**TESTIMONY FOR
PUBLIC HEARING ON THE
LOCATION, DESIGN, ENVIRONMENTAL, STATE TRUNK HIGHWAY SYSTEM
CHANGE AND INTERSTATE BRIDGE ASPECTS
FOR THE PROPOSED IMPROVEMENT OF
INTERSTATE HIGHWAY 39/90 AND INTERSTATE 43/WISCONSIN STATE TRUNK
HIGHWAY 81 BETWEEN ILLINOIS 75 TO COUNTY HIGHWAYS S AND CRANSTON
ROAD TO WISCONSIN STATE TRUNK HIGHWAY 140
ROCK COUNTY**

Good evening, my name is Mark Spreitzer and I currently serve as President of the Beloit City Council and have the following comments related to the I-39/90 widening and the I-43 Interchange reconstruction, which will directly impact the City of Beloit.

First, I would like to compliment the Department of Transportation on the planning process for these improvements, which actually began almost 15 years ago with a corridor planning committee. Over the last several years, since consultants were hired to begin work on an actual roadway design, the City has been included along with numerous DOT officials, Federal Highway Administration representatives and, of course, a large contingent from the selected design firm. The City very much appreciates its inclusion in planning for this project that will so significantly impact our community.

Over the course of that planning period, numerous layouts and designs have been reviewed to determine the best configuration for how the Interstate 43 interchange would be reconstructed to meet contemporary Federal Highway Administration design guidelines. The City has been particularly appreciative of efforts by both the Federal and State agencies to consider the importance of extending Wisconsin Highway 81, Milwaukee Road, from its current termination point where it turns into Interstate 43, east to the current Hart Road interchange. This new East-West arterial route will use a portion of the existing Gateway Boulevard and will provide local access to both the East and the West sides of Interstate 39/90.

Businesses located in the Gateway area will have improved access to the hotels, restaurants, and other service facilities located on the West side of the Interstate and traffic flow will be improved to the benefit of visitors and employees who will have more direct access to their business locations. As the community continues to grow toward the East with more and more companies and jobs being created in the Gateway Business area, the importance of this arterial link will become even more significant to the City's transportation network.

The City is also supportive of other elements of the final design option, which is currently under review. The location of the interchange and the high speed ramps, which will provide for direct Interstate to Interstate transition, were laid out in a way that not only facilitates constructability and improves the interchanges operational and safety characteristics, but also minimizes impact on the City of Beloit. Minimal right-of-way will be required on the West side of the Interstate on the City's highway commercial corridor and most of that acquisition involves vacant land that is not currently in use. The City will also benefit by realignment and improvements to the Freeman/Ford intersection, which lies directly west of the Interstate highway.

1.

In recognition of the City's support of the Interstate design as currently contemplated, the City Council unanimously adopted a resolution on January 21, 2014 supporting the design option currently under review. A copy of the resolution has already been provided to the Department of Transportation and an additional copy is attached to this testimony for your information.

At this time, our main concern is to move through the final review process and get the construction plans and specifications completed and the right-of-way acquired, so that bidding for construction can occur in 2017 as currently planned.

Thank you for coming to Beloit this evening to hear comments from interested parties and again our thanks and appreciation for your allowing the City to be a part of the planning process for this significant improvement project.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

FEB 23 2015

REPLY TO THE ATTENTION OF:

E-19J

Johnny Gerbitz
Federal Highway Administration – Wisconsin Division
525 Junction Road
Madison, Wisconsin 53717-2157

Re: Draft Environmental Assessment for the Improvement of the Interstate 39/90 and Interstate 43/Wisconsin State Trunk Highway 81 Interchange, Rock County, Wisconsin

Dear Mr. Gerbitz:

The U.S. Environmental Protection Agency has reviewed the referenced draft Environmental Assessment (EA) prepared the Federal Highway Administration (FHWA) and the Wisconsin Department of Transportation (WisDOT) pursuant to our authorities under the National Environmental Policy Act (NEPA), Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

The document was given a cursory review, and we determined that there were no significant concerns meriting comment. We do, however, recommend FHWA and WisDOT commit to installing permeable pavement where appropriate, such as at the new park-and-ride location.

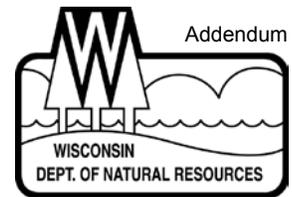
2.

We are available to discuss the above comment to the draft EA at your convenience. Please feel free to contact Mike Sedlacek of my staff at 312-886-1765, or by email at sedlacek.michael@epa.gov.

Sincerely,

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

cc: Steve Marshall, Wisconsin Department of Transportation
Jenny Grimes, Wisconsin Department of Transportation



February 24, 2015

Steve Marshall
Project Manager
WisDOT SW Region
111 Interstate Blvd
Edgerton, WI 53534

Subject: DNR Review and Comments:
Draft Environmental Assessment
Project I.D. 1003-10-02
IH 39/90 and IH 43/Wisconsin STH 81 interchange
Between Illinois 75 to CTH S and Cranston Rd to Wisconsin State Trunk Hwy 140
Rock County

Dear Steve,

We have received and reviewed the Draft Environmental Assessment (EA) for the IH 39/90 and IH 43/WIS 81 Interchange Improvement Project. The purpose of the project is to upgrade the interchange to improve safety, meet current design standards, accommodate future traffic with an acceptable level of service (LOS), replace aging pavements and structures, and enhance local mobility to the city of Beloit. Five alternatives were considered in addition to a no-build alternative. Alternative 2A Modified was selected due to lesser right of way impacts, better construction staging, and potentially enhanced mobility into the Beloit Gateway area. The preferred alternative will have right of way impacts, including 0.6 acres of wetland impacts. New roadway improvement at the 139/90 crossing of Spring Brook will impact 1.9 acres of the 100 year floodplain. Changes to the floodplain boundary are not expected. We have reviewed the document and have the following comments regarding the Draft EA.

Wetland Impacts

A wetland investigation and delineation of the project area was conducted in August 2013 and the Department provided concurrence with wetland boundaries on June 18, 2014. Two wetlands were identified within the project area, Wetland R-30 and Wetland R-31. Preferred Alternative 2A Modified will not impact wetland R-30. However, realignment of WIS 81/Milwaukee Road will cause impact to wetland R-31, which is classified as a wet meadow. It is likely that the entire wetland will be filled, with a total of 0.59 acres of wetland fill expected. The 0.59 acres of unavoidable wetland impacts will be mitigated at a 1:1 ratio at the World Dairy Center Wetland Mitigation Bank Site in Dane County. The Department is aware the bank credits are currently not available at the World Dairy Center site, and the timeline for release of credits is not specifically known. If credits are not available at the time of construction, alternative bank arrangements will need to be made. Additionally, it should be noted that if the project extends beyond August 2018, WisDOT should coordinate with the Department to

3.

confirm that the wetland boundaries have not changed for wetland R-31. This is necessary consideration, as wetland delineations are regarded as valid for a period of five years.

Floodplain & Flood Storage

The project will result in 9.6 acre-feet of flood storage impacts along the proposed WIS 81/Milwaukee Road extension between the 143 and County X/ Hart Road interchanges. Through highway design, compensatory flood storage will be incorporated into the proposed interchange. This could occur by 1) hydraulically accessing the compensatory storage areas using equalizer pipes beneath the highway fill, or 2) use of interchange infields for storage mitigation and use sandy soils to release the water. Plans should be submitted showing the location and acreage of flood storage areas that will be filled as well as the location and acreage of compensatory storage areas. WisDOT should also coordinate with the City of Beloit to ensure that information is available to properly update flood storage maps.

4A.

Endangered Resources

Alternative 2A Modified will likely impact Spring Brook, which has historically been known to support populations of endangered mussel species. As detailed construction plans are developed, WisDOT should continue coordination with the Department to schedule appropriate surveys to determine the presence or absence of mussels at the area of impact and to make any necessary arrangements for relocation of mussels.

5.

Storm Water / TMDL

Storm Water impacts will be addressed by using available land within the proposed right of way to provide stormwater treatment and conveyance, both for compliance with TRANS 401 and the Rock River TMDL requirements. Proposed strategies include grass swales parallel to the highway, grass filter strips along highway embankments, and infiltration fields. A TSS (total suspended solids) reduction of 40% must be met throughout the project area. Additionally, post-construction storm water practices must meet the TSS and TP (total phosphorus) reductions required for the Rock River TMDL. This project is located in TMDL Reach 81, which requires a TSS reduction (from no control baseline) of 44%, and a TP reduction of 42% (from no control baseline).

6.

Thank you for the opportunity to provide comments on the Draft Environmental Assessment document and to participate in the planning stages of this project. If any of the concerns or information provided in this letter requires further clarification, please contact me at 608.275.3485 or laura.bub@wisconsin.gov.

Sincerely,



Laura Bub
Environmental Analysis & Review Specialist
South Central Region

CC: Russ Anderson – DNR/Fitchburg
Lisie Kitchel –DNR/Central Office
Jenny Grimes, WisDOT Environmental Coordinator

From: [Olds, Christopher J - DNR](#)
To: [Jacobson, Theran](#)
Cc: [Davis, Robert R - DNR](#); [Leisgang, Ashley](#); [Preboske, Michael](#); [Statz, Gordon F - DNR](#)
Subject: RE: Rock Co. Spring Brook Creek FEMA models and shapefiles
Date: Monday, April 20, 2015 9:01:59 AM
Attachments: [SpringBrook_Beloit.zip](#)

Theran, it appears based on your previous map "flood_storage.pdf" that you have the most up to date floodplain linework. There was only one version of the maps that showed the area after the channel relocation at the Kerry building.

The final FIRM maps set to go effective on 9/16/15 are too big to e-mail, but you can download them from FEMA's website.

<https://msc.fema.gov/portal/advanceSearch>

Then choose the 3 dropdowns from the jurisdiction as shown in the attachment "msc.jpg" and click search.

Then from the "pending product" folder in the search results, look at the "FIRM Panels" and the area of interest is on panels 55105C0338E and 55105C0339E.

I think you may have the final version of the HEC-RAS model, but in case you don't I zipped that up and attached it too. The reasoning behind removing the storage in the hydrology was that the benefit provided by including storage was not significant enough to make much change to the BFE, so it was removed so enforcement of flood storage district maps was not required.

4B.

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CHRIS OLDS, PE

Floodplain Engineer – Bureau of Watershed Management/Dam Safety and Floodplain Section

Wisconsin Department of Natural Resources

Phone: (608) 266-5606

Christopher.Olds@wi.gov



dnr.wi.gov



From: Jacobson, Theran [mailto:Theran.Jacobson@aecom.com]
Sent: Friday, April 17, 2015 4:09 PM
To: Olds, Christopher J - DNR
Cc: Davis, Robert R - DNR; Leisgang, Ashley; Preboske, Michael
Subject: Rock Co. Spring Brook Creek FEMA models and shapefiles

Chris,

Per the discussion below can you please send us a copy of the HEC-RAS flow file and shapefiles that will define the floodway, flood fringe, and 0.2% floodplain area for the Spring Brook Creek on the FEMA FIRM panels.

I want to make sure we are using the correct files for our analysis of the IH 39/90 Spring Brook Creek Crossing.

We have done an preliminary analysis for the impacts to the waterway crossing and want to verify everything since these changes have occurred.

Do you have preliminary FIRM panels you can provide us? The extents of the project are shown on the attached figure.

Thanks

Theran

Theran P. Jacobson, P.E.

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From: Olds, Christopher J - DNR [<mailto:Christopher.Olds@wisconsin.gov>]
Sent: Friday, April 17, 2015 3:39 PM
To: Jacobson, Theran
Cc: Davis, Robert R - DNR
Subject: RE: Rock Co FSD

Theran, I know we had extensive discussions concerning this a while back and I'm sorry I forgot to circle back on this with you. The final hydrology used for the FEMA maps that will go final 9/16/15 uses no storage on Spring Brook – Beloit. The final storage maps with the same date will show no

storage on that stream.

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CHRIS OLDS, PE

Floodplain Engineer – Bureau of Watershed Management/Dam Safety and Floodplain Section

Wisconsin Department of Natural Resources

Phone: (608) 266-5606

Christopher.Olds@wi.gov



dnr.wi.gov



From: Jacobson, Theran [<mailto:Theran.Jacobson@aecom.com>]

Sent: Friday, April 17, 2015 3:15 PM

To: Olds, Christopher J - DNR

Subject: Rock Co FSD

Hi Chris,

Can I please get a copy of the FSD shapefile used on the preliminary map attached. We are making some additional maps along IH43 and it looks as if we have the old mapping.

Thanks

Theran

Theran P. Jacobson, P.E.

Project Engineer, Water

AECOM Water

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C 608-438-7335

theran.jacobson@aecom.com

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From: [Grimes, Jennifer - DOT](#)
To: [DOT I39 Project](#)
Subject: FW: 1003-10-02 (ENV) I-39 & I-43 Interchange: Rock Co Flood Storage Districts - no longer applied to Spring Brook
Date: Thursday, April 30, 2015 6:29:14 PM

From: Bub, Laura A - DNR
Sent: Thursday, April 30, 2015 2:38 PM
To: Grimes, Jennifer - DOT
Subject: RE: 1003-10-02 (ENV) I-39 & I-43 Interchange: Rock Co Flood Storage Districts - no longer applied to Spring Brook

Hi Jenny,

I double checked with Rob Davis, and Chris' email from 4/17 should be sufficient (*The final hydrology used for the FEMA maps that will go final 9/16/15 uses no storage on Spring Brook – Beloit. The final storage maps with the same date will show no storage on that stream.*)

Rob confirmed that storage was not taken into account in these areas and therefore DOT no longer needs compensatory storage for any fill in the Spring Brook flood fringe at the I43 interchange site.

4B.

Let me know if you need anything else!

Laura

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Laura Bub

Phone: (608) 275-3485

Laura.Bub@Wisconsin.gov

From: Grimes, Jennifer - DOT
Sent: Wednesday, April 29, 2015 9:17 AM
To: Bub, Laura A - DNR
Cc: Voorhees, John; Kirsch, Ann-Marie E - DOT (DTSD); Marshall, Steve - DOT; DOT I39 Project
Subject: RE: 1003-10-02 (ENV) I-39 & I-43 Interchange: Rock Co Flood Storage Districts - no longer applied to Spring Brook

Laura,

Some additional information regarding the changes to the Flood Storage District designation at the I-39 & I-43 interchange...

The attached email from Chris Olds describes why the flood storage districts were removed from this area. Also attached are the updated FSD and FIRM maps for this area which do not show any FSD in the I-43 interchange area.

For the I-43 area, the previous FSD areas will now be classified as floodplain in the new FIRM panels to be approved in September 2015. However, the floodplain impacts for the preferred alternative

in the previous FSD areas will not require mitigation since we are not changing the BFE. We plan to update the preferred alternative map in the EA to show these designation changes with the new floodplain boundary in addition to the FSD text changes.

I am thinking that a brief response stating the change from you/DNR would be appropriate for the Final EA for the project stating the final opinion for Spring Brook with a recommendation on how to proceed. Do you think Chris's email is sufficient? If not, can you send me something in writing to attach to the Final EA? I have attached your email on the Draft EA for reference.

Jenny

Jennifer Grimes

Environmental Analyst & Review Specialist

Mega Team Projects & Planning Majors Studies

WisDOT Southwest Region – Edgerton

111 Interstate Blvd, Edgerton, WI 53534

Phone 608.884.1147 | Cell 608.516.9760

jennifer.grimes@dot.wi.gov

From: Olds, Christopher J - DNR [<mailto:Christopher.Olds@wisconsin.gov>]

Sent: Friday, April 17, 2015 3:39 PM

To: Jacobson, Theran

Cc: Davis, Robert R - DNR

Subject: RE: Rock Co FSD

Theran, I know we had extensive discussions concerning this a while back and I'm sorry I forgot to circle back on this with you. The final hydrology used for the FEMA maps that will go final 9/16/15 uses no storage on Spring Brook – Beloit. The final storage maps with the same date will show no storage on that stream.

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CHRIS OLDS, PE

Floodplain Engineer – Bureau of Watershed Management/Dam Safety and Floodplain Section

Wisconsin Department of Natural Resources

Phone: (608) 266-5606

Christopher.Olds@wi.gov



dnr.wi.gov



From: Jacobson, Theran [<mailto:Theran.Jacobson@aecom.com>]

Sent: Friday, April 17, 2015 3:15 PM

To: Olds, Christopher J - DNR

Subject: Rock Co FSD

Hi Chris,

Can I please get a copy of the FSD shapefile used on the preliminary map attached. We are making some additional maps along IH43 and it looks as if we have the old mapping.

Thanks

Theran

Theran P. Jacobson, P.E.

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Tkachuk, Tyler

From: Kitchel, Lisie E - DNR <Lisie.Kitchel@wisconsin.gov>
Sent: Monday, March 30, 2015 10:38 AM
To: Grimes, Jennifer - DOT; Jacobson, Theran; Bub, Laura A - DNR
Cc: Marshall, Steve - DOT; DOT I39 Project; Preboske, Michael; Romenesko, Tom
Subject: RE: 1003-10-02 I-39 & I-43 Interchange: T&E species concerns - survey needs for Final EA? (3/27/15)

The survey work would encompass any areas of instream impacts, with a buffer (usually 50 feet depending on the site) – this would be done the spring, summer or fall immediately before construction. A winter or early spring let would have the work done the season before, all depends on when they plan to start instream work.

7.

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Lisie Kitchel

Phone: (608) 266-5248
 Cell: (608) 220-5180
 Lisie.Kitchel@wi.gov

From: Grimes, Jennifer - DOT
Sent: Friday, March 27, 2015 7:58 AM
To: 'Jacobson, Theran'; Kitchel, Lisie E - DNR; Bub, Laura A - DNR
Cc: Marshall, Steve - DOT; DOT I39 Project; Preboske, Michael; Romenesko, Tom
Subject: RE: 1003-10-02 I-39 & I-43 Interchange: T&E species concerns - survey needs for Final EA? (3/27/15)

Lisie,
 For the Final EA, I would like to include your opinion on the use of temporary shoring during construction and recommendation on the need for any stream survey work prior to construction. Can you let me know what type of survey work would be required and the timing?

Jenny

From: Jacobson, Theran [<mailto:Theran.Jacobson@aecom.com>]
Sent: Friday, February 27, 2015 10:23 AM
To: Kitchel, Lisie E - DNR; Grimes, Jennifer - DOT; Bub, Laura A - DNR
Cc: Marshall, Steve - DOT; DOT I39 Project; Preboske, Michael; Romenesko, Tom
Subject: RE: 1003-10-02 I-39 & I-43 Interchange: T&E species concerns - design update (2/24/15)

Hi Lisie,

I spoke to our structural group leader, Tom Romenesko. Construction of the piers between the stream and railroad will most likely require temporary shoring. The actual location, type will be determined by the contractors means and methods. With the close proximity we should assume that there will be temporary impacts in the creek for the construction of the structures. That way we are planning for impacts but hopefully can minimize any.

Thanks

Theran

Theran P. Jacobson, P.E.

Project Engineer, Water
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From: Kitchel, Lisie E - DNR [<mailto:Lisie.Kitchel@wisconsin.gov>]
Sent: Wednesday, February 25, 2015 8:53 AM
To: Grimes, Jennifer - DOT; Bub, Laura A - DNR
Cc: Marshall, Steve - DOT; Jacobson, Theran; DOT I39 Project
Subject: RE: 1003-10-02 I-39 & I-43 Interchange: T&E species concerns - design update (2/24/15)

If there would be no instream impacts (other than measures that strict sediment and erosion control would address) then impacts would be avoided – however if there would be temporary structures like a cofferdam, sheetpiling, or access into the river then we would need to check those areas. Otherwise, if no instream impacts then A mussel survey would not be warranted – or if the construct and plans change.

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Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Lisie Kitchel

Phone: (608) 266-5248
 Cell: (608) 220-5180
Lisie.Kitchel@wi.gov

From: Grimes, Jennifer - DOT
Sent: Tuesday, February 24, 2015 10:09 AM
To: Bub, Laura A - DNR
Cc: Kitchel, Lisie E - DNR; Marshall, Steve - DOT; Jacobson, Theran; DOT I39 Project
Subject: FW: 1003-10-02 I-39 & I-43 Interchange: T&E species concerns - design update (2/24/15)

Laura (and Lisie),

See Theran's note below. The design team was able to avoid any permanent disturbance to the existing channel. As previously discussed in the emails below, if there is no impact to the stream, additional surveys would not be needed (specifically for the Elktoe mussel). Once the 30% plans are available for review, I will send a plan sheet showing the cross-section of the stream.

Jenny

Jennifer Grimes

Environmental Analyst & Review Specialist
Mega Team Projects & Planning Majors Studies
WisDOT Southwest Region – Edgerton
111 Interstate Blvd, Edgerton, WI 53534
Phone 608.884.1147 | Cell 608.516.9760
jennifer.grimes@dot.wi.gov

From: Jacobson, Theran [<mailto:Theran.Jacobson@aecom.com>]
Sent: Friday, February 20, 2015 9:14 AM
To: Grimes, Jennifer - DOT
Cc: Marshall, Steve - DOT; Preboske, Michael; Jacobson, Theran; Leisgang, Ashley
Subject: RE: 1003-10-02 I-39 & I-43 Interchange: T&E species concerns - design update? (1/27/15)

Hi Jenny,

We can avoid any permanent disturbance to the existing channel cross section within the top of bank limits. We are defining the top of bank from the existing design survey information.

The existing top of bank varies from elevation 804 to 805. The top of bank is approximately the edge of the existing slope paving under the bridge on the north side.

The cross section attached I provided back in January was used as the baseline for the analysis. This is a preliminary view of what the modification will look like under the bridge. A formal cross section view will be provided with the 30% submittal later this spring.

With the cross section analyzed (attached) we have a post-project base flood elevations less than the pre-project base flood elevation.

Please let me know if there are any questions or concerns.

Thanks

Theran

Theran P. Jacobson, P.E.

Project Engineer, Water
AECOM Water
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C 608-438-7335
theran.jacobson@aecom.com

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From: Grimes, Jennifer - DOT [<mailto:Jennifer.Grimes@dot.wi.gov>]
Sent: Tuesday, January 27, 2015 6:50 PM
To: Jacobson, Theran; Preboske, Michael
Cc: Marshall, Steve - DOT
Subject: FW: 1003-10-02 I-39 & I-43 Interchange: T&E species concerns - design update? (1/27/15)

Theran/Mike,

Can you provide me with an update for DNR regarding the in stream work?

Jenny

From: Kitchel, Lisie E - DNR
Sent: Tuesday, January 06, 2015 2:05 PM
To: Grimes, Jennifer - DOT
Subject: RE: 1003-10-02 I-39 & I-43 Interchange: T&E species concerns - any surveys needed? (12/12/14)

Thanks!

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Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Lisie Kitchel

Phone: (608) 266-5248

Cell: (608) 220-5180

Lisie.Kitchel@wi.gov

From: Grimes, Jennifer - DOT
Sent: Tuesday, January 06, 2015 2:02 PM
To: Kitchel, Lisie E - DNR; Bub, Laura A - DNR
Cc: Marshall, Steve - DOT; DOT I39 Project; Sorge, Michael J - DNR; Welke, Kurt I - DNR; Jacobson, Theran
Subject: RE: 1003-10-02 I-39 & I-43 Interchange: T&E species concerns - any surveys needed? (12/12/14)

Lisie,

We are discussing what options are available at the location of the proposed creek widening...I will keep you and Laura up to date.

Jenny

From: Kitchel, Lisie E - DNR
Sent: Monday, January 05, 2015 4:35 PM
To: Grimes, Jennifer - DOT; Bub, Laura A - DNR
Cc: Marshall, Steve - DOT; DOT I39 Project
Subject: RE: 1003-10-02 I-39 & I-43 Interchange: T&E species concerns - any surveys needed? (12/12/14)

Wow – that sounds like major instream work, is widening the channel absolutely necessary or can we discuss other options to meet your needs, my preference would be to keep the existing stream channel intact if possible. Either way we will definitely need a mussel surveys and relocation if we can't avoid instream impacts. The fish will likely swim

away, but might have a restriction if the area impacted is spawning area and may or may not have to do some mitigation if spawning habitat is lost.

Keep me posted on other options to avoid widening the channel.

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Lisie Kitchel

Phone: (608) 266-5248

Cell: (608) 220-5180

Lisie.Kitchel@wi.gov

From: Kitchel, Lisie E - DNR

Sent: Tuesday, January 06, 2015 1:59 PM

To: Bub, Laura A - DNR; Grimes, Jennifer - DOT

Cc: Marshall, Steve - DOT; DOT I39 Project; Sorge, Michael J - DNR; Welke, Kurt I - DNR

Subject: RE: 1003-10-02 I-39 & I-43 Interchange: T&E species concerns - any surveys needed? (12/12/14)

I will gladly work with Mike on a mussel survey and relocation for any instream areas that would be impacted. Did the fish guys have any concerns for widening the creek?

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Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Lisie Kitchel

Phone: (608) 266-5248

Cell: (608) 220-5180

Lisie.Kitchel@wi.gov

From: Bub, Laura A - DNR

Sent: Tuesday, January 06, 2015 1:38 PM

To: Grimes, Jennifer - DOT; Kitchel, Lisie E - DNR

Cc: Marshall, Steve - DOT; DOT I39 Project; Sorge, Michael J - DNR; Welke, Kurt I - DNR

Subject: RE: 1003-10-02 I-39 & I-43 Interchange: T&E species concerns - any surveys needed? (12/12/14)

Hi Jenny,

I spoke with Mike Sorge and Kurt Welke, and they do not feel that a survey for the gravel chub or ozark minnow is necessary in this particular reach of Spring Brook.

It sounds like Lisie would like to see a survey completed for the Elktoe mussel, and Mike Sorge mentioned that he would be willing to schedule that into his field work for next summer.

Please let me know if you need any additional information.

Laura

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Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Laura Bub

Phone: (608) 275-3485

Laura.Bub@Wisconsin.gov

From: Grimes, Jennifer - DOT
Sent: Monday, January 05, 2015 9:26 AM
To: Kitchel, Lisie E - DNR; Bub, Laura A - DNR
Cc: Marshall, Steve - DOT; DOT I39 Project
Subject: RE: 1003-10-02 I-39 & I-43 Interchange: T&E species concerns - any surveys needed? (12/12/14)

Laura and Lisie,

Please see the email below with additional details on the work planned:

From: Preboske, Michael [<mailto:Michael.Preboske@aecom.com>]
Sent: Tuesday, December 30, 2014 9:33 AM
To: Grimes, Jennifer - DOT
Cc: Marshall, Steve - DOT; Fuchs, Randy
Subject: RE: 1003-10-02 I-39 & I-43 Interchange: T&E species concerns - any surveys needed? (12/12/14)

Jennifer:

We will have stream impacts to Spring Brook at the new I-39 structures over the Railroad/Spring Brook. We will be widening out the bottom of the channel to accommodate the embankment slope from the north abutment so there are no impacts to the base flood elevations approved flood insurance study.

Mike

Please let me know if you need any other information for your review.

Jenny

Jennifer Grimes
Environmental Analyst & Review Specialist
Mega Team Projects & Planning Majors Studies
WisDOT Southwest Region – Edgerton
111 Interstate Blvd, Edgerton, WI 53534
Phone 608.884.1147 | Cell 608.516.9760
jennifer.grimes@dot.wi.gov

From: Kitchel, Lisie E - DNR
Sent: Sunday, January 04, 2015 4:38 PM
To: Bub, Laura A - DNR; Grimes, Jennifer - DOT
Cc: Marshall, Steve - DOT; DOT I39 Project
Subject: RE: 1003-10-02 I-39 & I-43 Interchange: T&E species concerns - any surveys needed? (12/12/14)

Keep me posted – we mostly need to know what DOT plans to do and where to determine whether additional surveys are warranted.

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Lisie Kitchel
Phone: (608) 266-5248
Cell: (608) 220-5180
Lisie.Kitchel@wi.gov

From: Bub, Laura A - DNR
Sent: Monday, December 22, 2014 4:49 PM
To: Grimes, Jennifer - DOT
Cc: Kitchel, Lisie E - DNR; Marshall, Steve - DOT; DOT I39 Project
Subject: RE: 1003-10-02 I-39 & I-43 Interchange: T&E species concerns - any surveys needed? (12/12/14)

Hi Jenny,

I hadn't previously asked BNHC /Fisheries about this, because I thought it more appropriate to wait until an alternative had been selected. Maybe I erred in the process on that decision.

I have since inquired with our regional biologists, but have not received feedback about the likelihood of T&E species (there's actually a mussel hit, in addition to the fish) actually being in that portion of the stream. Lisie did reply back to say that it all boils down to what DOT proposes to do in/near the stream. If there won't be direct instream impacts, additional surveys would obviously not be needed. If there will be instream impacts, then we would need to know where those impacts would be. I'll keep working on the biologists to see what I can find out. I may not be able to get you a definitive answer until after the holidays, though.

Sorry about the confusion and delay on my end.

Laura

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Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Laura Bub

Phone: (608) 275-3485

Laura.Bub@Wisconsin.gov

From: Grimes, Jennifer - DOT
Sent: Friday, December 12, 2014 5:51 PM
To: Bub, Laura A - DNR
Cc: Kitchel, Lisie E - DNR; Marshall, Steve - DOT; DOT I39 Project
Subject: 1003-10-02 I-39 & I-43 Interchange: T&E species concerns - any surveys needed? (12/12/14)

Laura,

I am reviewing the final version of the Draft EA for the I-43 interchange and had a question about threatened and endangered species surveys needed for the project. I have attached your 5/19/14 comment letter for the project which mentions BNHC will determine if additional surveys are warranted for a state threatened fish.

Can you let me know if this has been discussed and what the determination was?

Thank you!
Jenny

Jennifer Grimes
Environmental Analyst & Review Specialist
Mega Team Projects & Planning Majors Studies
WisDOT Southwest Region – Edgerton
111 Interstate Blvd, Edgerton, WI 53534
Phone 608.884.1147 | Cell 608.516.9760
jennifer.grimes@dot.wi.gov

Tkachuk, Tyler

From: Grimes, Jennifer - DOT <Jennifer.Grimes@dot.wi.gov>
Sent: Monday, March 09, 2015 6:01 PM
To: Fuchs, Randy; Tkachuk, Tyler
Cc: Marshall, Steve - DOT; Preboske, Michael; DOT I39 Project
Subject: FW: I39/90 I43 interchange EA - wetland R-30 jurisdiction question

FYI - additional COE discussion. Not sure if/how we want to incorporate this into the Final EA.

-----Original Message-----

From: Graser, Rebecca M MVP [<mailto:Rebecca.M.Graser@usace.army.mil>]
 Sent: Friday, February 27, 2015 10:13 AM
 To: Grimes, Jennifer - DOT
 Cc: Kolb, Simone E MVP; Gerbitz, Johnny
 Subject: RE: I39/90 I43 interchange EA - wetland R-30 jurisdiction question

Ok - if R-30 isn't being touched, I don't think you need any JD?!

Rebecca Graser
 WI Program Manager - Regulatory
 USACE-MVP-OP-R

(262) 717-9531, extension 5728
 (651) 290-5728 (direct office line)
 (262) 422-3051 (cell)

-----Original Message-----

From: Grimes, Jennifer - DOT [<mailto:Jennifer.Grimes@dot.wi.gov>]
 Sent: Friday, February 27, 2015 10:06 AM
 To: Graser, Rebecca M MVP
 Cc: Kolb, Simone E MVP; Gerbitz, Johnny
 Subject: [EXTERNAL] RE: I39/90 I43 interchange EA - wetland R-30 jurisdiction question

Thanks for the response. You are correct, R-30 will not be impacted with the design as proposed. We will submit a JD for all as part of the permitting process with Simone.

We will also check the PCN box in the Final EA. I have not always understood when one was required and thought it was for LOP or IP impacts, but will include this as a part of the GP - 003 projects as well, and share this info with the other REC's. Is there a case where we wouldn't need a PCN for wetland impacts?

Jenny

-----Original Message-----

From: Graser, Rebecca M MVP [<mailto:Rebecca.M.Graser@usace.army.mil>]
 Sent: Friday, February 27, 2015 10:01 AM
 To: Grimes, Jennifer - DOT
 Cc: Kolb, Simone E MVP; Gerbitz, Johnny
 Subject: RE: I39/90 I43 interchange EA - wetland R-30 jurisdiction question

Jenny:

Thanks for the question. I did see that it (R-30) was described as a detention basin in the EA - but I also thought that it was not proposed to be impacted with the preferred alternative?

My reading of the EA did show that wetland 31 would be impacted and require a GP from our agency - so it would be best maybe to submit for both (stream crossing too?). That way, we can evaluate JD as part of permitting and sew up both issues at the same time. Officially we can't say something isn't jurisdictional without completing a JD - so alternately, you could request a JD for w30 now. That's my two cents, but as this moves away from NEPA, Simone is the lead for permitting.

As an aside, I did see in the EA that the box was not checked to say a pre-construction notification (PCN) was required. I don't think that was correct from what I saw, but I didn't think it worth calling out yesterday (but since we are emailing now...). A PCN is required for all GP-003-WI categories, it can simply be the notification you provide us for non-reporting (unverified) activities, or it is the application itself if the project requires we confirm coverage under a GP or provide a permit at an LOP or IP level.

Rebecca Graser
WI Program Manager - Regulatory
USACE-MVP-OP-R

(262) 717-9531, extension 5728
(651) 290-5728 (direct office line)
(262) 422-3051 (cell)

-----Original Message-----

From: Grimes, Jennifer - DOT [<mailto:Jennifer.Grimes@dot.wi.gov>]
Sent: Friday, February 27, 2015 9:14 AM
To: Graser, Rebecca M MVP
Cc: Kolb, Simone E MVP; Gerbitz, Johnny
Subject: [EXTERNAL] RE: I39/90 I43 interchange EA - wetland R-30 jurisdiction question

Thank you Rebecca.

There is an outstanding issue related to jurisdiction of wetland R-30. Should we continue to proceed as if this wetland will not be under COE jurisdiction when we get to permitting time?

Jenny

Jennifer Grimes
Environmental Analyst & Review Specialist

Mega Team Projects & Planning Majors Studies

WisDOT Southwest Region - Edgerton

111 Interstate Blvd, Edgerton, WI 53534
Phone 608.884.1147 | Cell 608.516.9760

8.

jennifer.grimes@dot.wi.gov <<mailto:jennifer.grimes@dot.wi.gov>>

From: Graser, Rebecca M MVP [<mailto:Rebecca.M.Graser@usace.army.mil>]
Sent: Thursday, February 26, 2015 5:13 PM
To: Gerbitz, Johnny; Grimes, Jennifer - DOT
Cc: Kolb, Simone E MVP
Subject: Fw: I39/90 I43 interchange EA

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

I took a quick look at the EA, and we have no comments.

Thanks.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

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* * * * *

PUBLIC HEARING
PRESENTATION AND PUBLIC TESTIMONY

* * * * *

I -39/90 and I -43/WIS 81 Interchange
IL 75 to County S and Cranston Road
to WIS 140
Beloit Public Library
February 11, 2015

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TRANSCRIPT OF PROCEEDINGS

MR. MARSHALL: I appreciate everybody
coming tonight. I'm Steve Marshall with the
Wisconsin Department of Transportation. I'll be
serving as the hearing chairperson for this
evening.

Also presenting tonight is Mike Preboske
from our lead design team, AECOM.

And a little different situation here as
compared to some of the past meetings, this is a
hearing, so over on this side here is a court
reporter, Karen, will be kind of taking notes and
creating an official manuscript for this hearing.
If you're interested in receiving a copy of the

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15 manuscript, please get a hold of her after the
16 hearing and she'll get names and addresses,
17 whatever, and she'll get that sent out to you.

18 As I said, this is a public hearing
19 today, so the main goal is to get your public
20 testimony, get your input, get it officially
21 recorded into the record of this meeting.

22 We kind of have a back room/front room
23 situation here. The back room has a lot of our
24 design displays. We have some of the design team
25 members back there answering questions if you have

3

1 any, great location to get those answers and
2 things like that.

3 We will be going through a little bit of
4 a presentation to kind of describe a few of these
5 displays that you've been looking at so far this
6 evening. Mike will be going into that in a little
7 bit, shortly.

8 As I said, this is a public hearing, so
9 we're interested in your testimony. Three ways to
10 give testimony: We have a private testimony area,
11 if you're shy like me and don't like to speak in
12 front of people, it's kind of in the library. If
13 you walk towards the reference desk -- and we do
14 have a sign -- walk towards the reference desk, to
15 the right, there's a sign. There is another court
16 reporter there that will take your private
17 testimony. We have a couple of chairs out in
18 front of the room in case somebody is in there,
19 and you can just sit there until that person that

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20 is in the room is done.

21 We also have public verbal testimony.

22 That will be taking place in here after our

23 presentation here a little bit and our opening

24 statements and various items that we have to get

25 into the record. We will have the opportunity for

4

1 folks to come up here, either use the microphone

2 or not use the microphone, and give verbal public

3 testimony. Whether you're giving a public or

4 private testimony, kind of on the back of the

5 handout packet that you received when you checked

6 in, there is a form that basically has your name

7 -- asks your name and address. If you're going to

8 be giving public testimony, give it to one of us.

9 Tyler is in the back room trying to -- oh, he is

10 actually up here now, never mind -- trying to

11 collect those, and then we'll just kind of, as we

12 get them in order, that's how we will kind of

13 speak in order.

14 If you're also just giving the private

15 testimony in the other room, have that also

16 present and give that to the court reporter at

17 that time.

18 A third way of giving testimony tonight

19 is the written testimony. The second-to-the-last

20 sheet within your packet has the availability to

21 write some of your written comments there. They

22 can either be dropped off in the drop box here --

23 if you fold it up, there is an address on the back

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24 of it, kind of fold it up in thirds, put it in the
25 mail, and that will ultimately get to us at the

♀

5

1 private field office, too.

2 So those three ways are kind of the key
3 ways, and that's what we're here for tonight, to
4 get your testimony on this project that we're
5 doing.

6 Environmental assessment. Basically,
7 it's what's driving a public hearing on this.
8 Almost all DOT road projects have a purpose and
9 need kind of in the background of it. Larger
10 projects like this are kind of, you know, try to
11 bring it to the forefront. You'll see a lot of
12 similar reasons for a lot of our roadway projects.
13 Certainly, one of the key ones is overall safety,
14 bringing old designs up to current design
15 standards. This interchange was built in the late
16 '50s, early '60s, so we certainly have changed
17 some standards since then.

18 Some of the needs described here a
19 little bit, route importance, system linkage.
20 Obviously, everyone in the room understands, the
21 interstate system certainly is one of our key ways
22 of moving people and goods across, you know,
23 through the states, across the United States.
24 This interchange brings a little bit of a unique
25 factor as it's kind of the start or the end of a

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1 second interstate, I-43. So two interstates
Page 4

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2 within this interchange area certainly adds a
3 little bit to the complexity of the project
4 itself.

5 I guess this is actually our first
6 public hearing. It actually -- we have certainly
7 had other public meetings, public involvement
8 meetings, public interaction meetings, PIM, we
9 like to use that acronym. I guess just looking at
10 this, this is kind of our fourth time getting
11 together. Typically, we kind of start out broad,
12 start with just generalizations, multiple ideas,
13 try to keep narrowing it down as we kind of move
14 along in the process.

15 Today, we're trying to give a little bit
16 of a description of what we're showing of what we
17 kind of determined as our preferred alternative of
18 this interchange.

19 With that, I'll kind of hand it over to
20 Mike a little bit here. And with kind of one of
21 our main displays here, we'll kind of go over it a
22 little bit and kind of lead you through what's
23 going on.

24 MR. PREBOSKE: Thank you, Steve.

25 I'm going to drop the lights a little

7

1 bit here, just get a better -- I'll just walk
2 through a couple features of the draft that's on
3 display here this evening.

4 Just to orientate yourself a little bit,
5 to your right, I-93/90 runs across the top; I-43

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 6 towards the lower right-hand corner; and that's
 7 the City of Beloit on the top of the map.

8 First of all, our
 9 interstate-to-interstate connections are to be
 10 going to, what we call, free-flow connections.
 11 That basically means they'll be at highway speeds.
 12 So movements to and from the south between I-39
 13 and I-43 will be provided by two-lane roadways at
 14 65 mile an hour posted speeds. The movements to
 15 and from the north between I-39 and I-43 will be
 16 done by single-lane roadways posted at 55 miles
 17 per hour. So the interstate-to-interstate
 18 movements are at highway speeds.

19 One thing we do want to point out is,
 20 there is a Wisconsin 81 limit and designation
 21 change as part of this project. So today, 81 here
 22 starts in the City of Beloit, and with this
 23 project, it will extend over I-39; go parallel to
 24 I-43, just south of 43; continue all of the way to
 25 the County X/Hart Road interchange at the

8

1 intersection with I-43. So that entire route will
 2 be designated as Wisconsin 81 and signed
 3 appropriately for those exits.

4 So now I just want to touch on the local
 5 access to 81 and coming into the City of Beloit.
 6 From I-39, it will still occur pretty much the
 7 same location where it does today, where the
 8 interchange sits today. There will be ramps that
 9 will come down to 81 and connect to 81 either into
 10 Beloit or take the new extension across the other

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11 side to the Gateway business park.

12 I-43 access to and from the City of
13 Beloit changes with this project, so that is done
14 via the new 81 connection and the County X/Hart
15 Road interchange. For example, if you're on I-43
16 and you want to come into the City of Beloit, you
17 now get off at the County X/Hart Road interchange,
18 it will be designated as Wisconsin 81, and take
19 the Wisconsin 81 route into Beloit.

20 Now I just want to touch briefly on the
21 Wisconsin 81 intersection and the preferred
22 control at those locations. At the last meeting,
23 we gave a bunch of alternatives to these three
24 intersection locations, and we did, what we call,
25 the intersection control evaluation. So we looked

9

1 at the various alternatives with signals,
2 roundabouts, stop signs. And then, right now,
3 these are the preferred controls at each location.
4 Starting in the City of Beloit, and we'll work our
5 way east, Wisconsin 81 and Freeman intersection
6 and Ford intersection are to remain a signal. So
7 what's up there today, the signal intersection,
8 will be the same control with this project as
9 proposed.

10 Then moving east to the I-39 ramp
11 location, those will be controlled with traffic
12 signals, but it's going to be connected to, what
13 we call, the diverging diamond interchange. So
14 the alignment of the roadway approaches to these

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 15 signals is going to be a little unique and
 16 different from what you're used to. I'm not going
 17 to go into details on that now, but we have
 18 brochures on the table. There is great
 19 information online, drivethrough videos, that
 20 process how that interchange works and an easier
 21 -- good resource to go to those locations.

22 And then finally, our third intersection
 23 is Wisconsin 81 and Gateway Boulevard. This is
 24 the 81 extension here going towards the Hart
 25 Road/County X interchange. And then the current

10

1 Gateway Boulevard will key into the new Wisconsin
 2 81 pretty close to where the Millington Road and
 3 Gateway intersection is today. And that's
 4 proposed to be a stop-controlled intersection,
 5 Gateway traffic stopping; 81 traffic would not
 6 stop. And then a future signal, once warrants are
 7 met, as traffic flow increases.

8 The Preferred Alternative Impact Table,
 9 which you see in our display here tonight, just
 10 kind of goes through some of the features,
 11 environment features, of the preferred
 12 alternative. And it does reference the 82 acres
 13 of right-of-way for the entire interchange project
 14 to be acquired as part of the interchange
 15 improvement.

16 So what's our next step? Tonight,
 17 obviously, we're here to get your comments, like
 18 Steve indicated. And that will continue until
 19 February 26th. So if you don't want to do a

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20 comment tonight, that's fine, just make sure we
 21 try to receive that prior to February 26th, and
 22 that will become part of the public record and
 23 part of the documents. The target completion date
 24 for that final document will be in March of this
 25 year. We will likely look at the future public

11

1 information meetings involving these, bring some
 2 more details back and see the design progression,
 3 maybe esthetic features, looking at more design
 4 details, and perhaps the construction staging and
 5 time frame for when the staging will be going out
 6 to the construction of the interchange.

7 Final document design will proceed, and
 8 then we will get to real estate acquisitions in
 9 2016 and 2017, for the acquisition of the required
 10 property. So the construction is currently
 11 targeted for late 2017, 2018, and 2019.
 12 That's the current schedule, that could change,
 13 and we will keep you up to date if it does.

14 MR. MARSHALL: I will now precede with
 15 the reading of the opening statement for the
 16 hearing tonight.

17 This public hearing is being conducted
 18 on behalf of the Department of Transportation as
 19 part of the comprehensive consideration of the
 20 location, design, environmental, and state trunk
 21 highway change aspects of the proposed improvement
 22 of the Interstate 39/90 and Interstate
 23 43/Wisconsin 81. The proposed project consists of

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24 reconstructing the I-39/90 and I-43/WIS 81
25 interchange. The project length totals 4.6 miles

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1 in the project area. The north-south leg of the
2 I-39/90 has a length of approximately 2.7 miles;
3 the east-west leg of WIS 81/Milwaukee Road and
4 I-43 has a length of approximately 1.9 miles. The
5 project study limits for this project extend along
6 I-39/90 from the Wisconsin DOT Welcome Center
7 south of I-43 to East Hart Road along
8 I-43/Wisconsin 81 from the Freeman Parkway in the
9 City of Beloit to the County X/Hart Road
10 Interchange.

11 The objective of this public hearing is
12 to give you full opportunity to express your
13 opinions about the location, design, environmental
14 and state trunk highway change aspects of this
15 proposal. You may also present questions as part
16 of your testimony for the Department's
17 consideration as the total concept of this
18 proposal is reviewed prior to arriving at a
19 decision.

20 If you wish answers to specific
21 questions or clarification of any aspect of this
22 proposal, you may remain after this portion of the
23 hearing is closed to meet with the project team
24 staff, or you may contact the project team at
25 Wisconsin DOT Southwest Region Project Office, 111

13

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2 The contact information is contained in your
3 Hearing Handout Packet.

4 I emphasize that this public hearing has
5 the basic purpose of getting the most complete
6 expression of public opinion and your individual
7 viewpoints on the record so that they can be
8 considered along with all other judgments and
9 opinions to be reviewed by the Department before
10 further decisions are made.

11 We will now proceed by having the
12 official notice of public hearing and other
13 articles entered into the record, after which, I
14 will call upon Mike Preboske to identify and
15 describe the exhibits before you and to present
16 the project.

17 Following this, I will call anyone who
18 may have an interest in this project and wishes to
19 present individual evidence or views. I would
20 like to call your attention to the Hearing Handout
21 Packet provided when you signed in. The last
22 sheet of the packet is a registration slip for
23 verbal testimony. Anyone wishing to testify
24 should fill it out and present it to a project
25 team member who will bring it up here. If you

14

1 would rather not make a verbal statement, you may
2 submit a written statement, which will also be
3 entered into the public hearing record.

4 Written statements or other exhibits, in
5 addition to the testimony presented at this public

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 6 hearing will be included in the official public
 7 hearing record if postmarked or received no later
 8 than February 26, 2015. Mail this additional
 9 testimony by using the prepaid mailer available
 10 towards the back of the Hearing Handout Packet or
 11 e-mail the Department of Transportation project
 12 manager as listed in the Hearing Handout Packet.

13 I now ask Mike Preboske to present the
 14 information for the record.

15 MR. PREBOSKE: Thank you, Mr. Chairman.

16 I would like to enter several articles
 17 into the record.

18 In addition to the testimony provided at
 19 this public hearing, all exhibits, handouts,
 20 audio/visual presentations, and displays for
 21 viewing at this public hearing will be included in
 22 the official public hearing record. Page 9 of the
 23 Hearing Handout Packet contains a complete list of
 24 these materials. Other materials, along with
 25 written testimony received after the public

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15

1 hearing, will be added to the official public
 2 hearing record provided they are received prior to
 3 the end of the environmental document availability
 4 period, which is February 26, 2015.

5 The environmental document for this
 6 project proposal has been made available to the
 7 public and copies are here for your review.

8 Mr. Chairman, I request that the
 9 published public hearing notice, environmental
 10 document, brochures, and the Hearing Handout

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11 Packet which contains a description of all
 12 exhibits, handouts, audio/visual presentations,
 13 and displays for viewing at this public hearing be
 14 entered into the record as exhibits.

15 MR. MARSHALL: It is so ordered. Thank
 16 you, Mr. Preboske.

17 The Hearing Handout Packet and project
 18 presentation given earlier serves as the extended
 19 version of the Project Statement. A summary of
 20 the Project Statement has also been read and
 21 transcribed into the record shortly before the
 22 beginning of this portion of the hearing. Is
 23 there any objection to dispensing with the reading
 24 of the Project Statement, which is included in the
 25 Hearing Handout Packet, and move directly to the

16

1 invitation of testimony?

2 Hearing no objection, we will proceed
 3 directly to the invitation of testimony.

4 Tyler, do you have some of those forms?

5 MR. TKACHUK: Yes.

6 MR. MARSHALL: Okay. When you hear your
 7 name when it's called, please approach the
 8 microphone and state your name and address. You
 9 may also provide the name of any organization or
 10 business you are representing, if so desired. We
 11 ask that you please kind of limit your verbal
 12 testimony to three minutes so everyone has an
 13 opportunity to present their testimony. Once
 14 everyone has had an opportunity to present verbal

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15 testimony, you may present additional testimony as
16 time allows. You may also present additional
17 verbal testimony individually to the court
18 reporter at any time during the public hearing.

19 I guess up first is Charles Haynes.

20 MR. HAYNES: Charles Haynes, 209
21 Portland Avenue, Beloit, Wisconsin, and
22 representing the City of Beloit as the council
23 vice president. We have entered written testimony
24 into the public record, but I will paraphrase it
25 for the public.

17

1 Good evening. My name is Charles
2 Haynes, I'm the vice president of the City of
3 Beloit City Council. And we would like to commend
4 the Department of Transportation for a long and
5 drawn-out process of almost 15 years to arrive at
6 this point.

7 We are looking forward to the increased
8 safety and increased transportation opportunities
9 that the reconstruction of the I-43/90 interchange
10 entails.

11 Over this, we've, with great
12 trepidation, always considered this outmoded
13 interchange as a safety hazard. And watching the
14 high speed ramps developing and planning, you
15 know, does bring pleasure to us.

16 Over the course of planning, we were
17 very appreciative of the fact that we're planning
18 to bring the State Highway 81 out to the Hart Road
19 interchange, which allows us to connect our

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20 Gateway Business Park with our Madison Road
21 business community. We see this as a great
22 opportunity for the linking of those, the synergy,
23 of bringing workers in our industrial park to our
24 commercial businesses. We believe that this will
25 greatly enhance the value of both and the

18

1 communi ty overall .

2 And at this point, we are appreciative
3 of the continued difficulties that are going to be
4 obtained in finalizing the design and property
5 acquisitions, and we look forward to working with
6 the State Department of Transportation in all of
7 these matters and receiving public input. Thank
8 you.

9 MR. MARSHALL: We have Jane Freiman.

10 MS. FREIMAN: Freiman.

11 My name is Jane Freiman. Some of you
12 know me as Jane Newbauer-Freiman, whatever. I
13 have a lot of names, but I only have one home, and
14 it sits at 3473 Fieldcrest Court, which is in
15 Lathers Woods, which is a beautiful subdivision
16 that if this plan goes through, is going to be
17 decimated. Why? The noise level on 83 -- I mean,
18 what is that? 81.

19 MR. MARSHALL: 81 and 43.

20 MS. FRIEMAN: 81 and 43. That whole
21 area is going to affect us. It is not only going
22 to affect us personally, but our property values,
23 for many of us, they're going to plummet. There

9.

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24 is just no question that this is going to be the
25 case. You can't get around it. If you go out

19

1 there and look at Lathers Woods, particularly in
2 the part that is closest to the freeway, I know
3 everybody likes nice roads, but don't we like nice
4 homes? Don't we like nice neighborhoods in
5 Wisconsin? One of the nicest is Lathers Woods.
6 This particular program, this project, will ruin
7 that area. Please think twice.

8 MR. MARSHALL: Thank you.

9 And then Brad Trewyn, if I'm pronouncing
10 that correctly.

11 MR. TREWYN: Trewyn.

12 MR. MARSHALL: Okay, I'm 0 for 2.

13 MR. TREWYN: My name is Brad Trewyn, I
14 live at 5037 East County Road X, which is right by
15 the roundabouts.

16 And I actually -- I have three things:
17 One is the intersection of Freeman Parkway and
18 Ford Drive. You said it's going to be controlled
19 by stop lights. Do you know if it's going to be a
20 loop system or by camera? Just -- that's just a
21 simple -- just because, the loop system, sometimes
22 later at night doesn't work so well. That's just
23 a question.

24 Another one is the roundabouts. I've
25 mentioned it at a couple of different meetings

10.

20

1 that they had the decorative stone in there, but
Page 16

11.

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021115Presentati on. txt

2 the decorative stone seems to get scattered all
3 over by the trucks, and traffic tends to run over
4 the curbing. It kind of makes it a safety hazard
5 at certain times. So I guess I'd like them to
6 look at that.

11.

7 And then the other thing I was looking
8 at on the drawing is, I was asking about the
9 direct in and out for Kerry, and they told me that
10 would be controlled by a stop sign, and I thought
11 the amount of traffic coming out of there, I
12 didn't think the stop sign was sufficient. That's
13 all. Thank you.

12.

14 MR. MARSHALL: All right. That's the
15 last that we have for public testimony on our
16 list. I guess I'd like to just thank you for
17 taking time to participate in this public hearing.
18 You may provide individual verbal testimony to the
19 court reporter until the end of the hearing.

20 Also, as a reminder, that any written
21 testimony that you like to -- that you would like
22 to become a part of the public hearing record
23 should be postmarked or received no later than
24 February 26, 2015.

25 This portion of the hearing is now

21

1 formally adjourned. Thank you.

2 We'll be here until eight o'clock in the
3 other room if you have any questions regarding the
4 displays.

5 (Proceedings concluded at 5:55 p.m.)

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1 STATE OF WISCONSIN)
2 COUNTY OF WALWORTH) SS:

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I, KAREN RENEE, Court Reporter and
Notary Public in and for the State of Wisconsin, do
hereby certify that the above presentation was recorded
by me on February 11, 2015, and reduced to writing
under my personal direction.

10

I further certify that I am not a
Page 18

021115Presentati on. txt

11 relative or employee or attorney or counsel of any of
12 the parties, or a relative or employee of such attorney
13 or counsel, or financially interested directly or
14 indirectly in this action.

15 In witness whereof I have hereunder set
16 my hand and affixed my seal of office at Burlington,
17 Wisconsin, this 15th day of February, 2015.

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Karen Renee
Court Reporter and Notary Public
In and for the State of Wisconsin

My Commission Expires: March 06, 2016.

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PUBLIC HEARING

* * * * *

I-39/90 and I-43/WIS 81 Interchange
IL 75 to County S and Cranston Road
to WIS 140

Beloit Public Library

February 11, 2015

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Milwaukee Court Reporters
www.milwaukee reporters.com

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PRIVATE TESTIMONY

MR. DORR: My name is William F.
Dorr, III, 836 Church Street in Beloit,

021115Private testimony.txt
 4 Wisconsin 53511. My question is that Highway
 5 81 is going to be extended out to Hart Road
 6 and the first roundabout, if that's a state
 7 highway, and I was curious if this will be
 8 the first state highway roundabout with a
 9 person's private driveway on the roundabout.

10 The problem is when the recycling
 11 truck and the garbage truck picks his garbage
 12 and recycling up, it stops the whole
 13 roundabout. And I thought the reason of a
 14 roundabout is to keep the traffic moving, but
 15 with that driveway and if there were ever
 16 ambulances or fire trucks, I just can only
 17 imagine, but I don't believe I've seen a
 18 private driveway on a state highway
 19 roundabout, but maybe it is an acceptable
 20 use. That's all I want to say. It just
 21 doesn't make any sense to me to see that
 22 driveway in that.

13.

23 * * * * *
 24 MR. STROM: My name is John
 25 Strom. I live at 1347 Moore Street in

♀

1 Beloit. I'm speaking as a private person who
 2 does use the 43 corridor many times a year,
 3 probably once or twice a month, and I am
 4 opposed to the design that they -- looks like
 5 it's probably going to happen, but I'm still
 6 opposed to it because of the Hart Road
 7 situation. I think it really defies logic,
 8 common sense. What I see on the displays

9 021115Private testimony.txt
10 looks rather confusing.

11 I cannot believe that the -- well, I
12 believe that the majority of traffic that is
13 entering and exiting Beloit and going to
14 points to Clinton and east and beyond or
15 coming that direction has to be greater than
16 the number of cars and trucks that are going
17 to the Gateway area. Does the Gateway area
18 need a frontage road? Yeah, I think it
19 probably does.

20 And as I look at the map in there,
21 you know, I think that it could come in and
22 out over I-90 at the old Wickes Lumber area.
23 There's a railroad bed there that I'm not
24 sure is real active. I know that Frito-Lay
25 receives trainloads of things, but I'm
wondering why that maybe couldn't become an

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1 access road.

2 But anyway, getting back to the
3 design in general, I see traffic jams. I see
4 problems with big trucks trying to negotiate
5 roundabouts, which I understand they're going
6 to increase the roundabout space by making
7 the middle smaller, but that really doesn't
8 help a semi very much.

9 To me, this intersection should look
10 very, very similar to where 151 enters
11 Madison, goes under I-90 and becomes East
12 Washington Avenue. Someone is going to say,
13 well, 151 is not interstate. No, but it's

14.

14.

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 14 built to interstate specifications, and I
 15 think more importantly, if you are arriving
 16 from Milwaukee or, say, Johnson Creek on 94,
 17 it approaches I-90/39, goes underneath, I
 18 guess that's called a Badger Interchange, and
 19 becomes Highway 30 afterwards. And so either
 20 one of those two intersections I think is
 21 what this intersection 43, 81 and I-90/39
 22 should really look like. Not exactly, but
 23 pretty darn close. I guess that's it.

24 I guess for the city of Beloit, I
 25 wish that this would have been presented on a

♀

5

1 referendum in an advisory manner, not one
 2 that's binding but an advisory manner to try
 3 and get the input of the people, the citizens
 4 and go from there, but obviously that didn't
 5 happen. That's my position.

* * * * *

7 MR. STROM: My name is John
 8 Strom. I live at 1347 Moore in Beloit. I
 9 gave a previous comment and I'm back for
 10 another. I am still opposed to the Hart Road
 11 interchange situation. Again, I think
 12 there's going to be traffic jams for the
 13 Gateway area. It will be problematic for
 14 trucking and things like that. But I just
 15 learned in the conference there that
 16 apparently the federal government is
 17 dictating a lot of this. Okay, well, if
 18 that's the case, you know, you have to pretty

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19 much do what they say.

20 So what I would want to see then is
21 continue with Highway 81 going over
22 Interstate 90/39 and become part of the
23 Gateway Boulevard area, but then in and
24 around Hart Road, I would prefer to see the
25 roundabouts taken out and people that are

♀

6

1 coming to Beloit from 43 or getting onto 43
2 from Beloit would have a blended ramp, let's
3 say, instead of roundabouts and that sort of
4 thing.

5 Again, as I stated before, the
6 roundabouts are quite small and they're going
7 to try to improve them by taking some
8 material out of the middle part. Well, that
9 really doesn't do much to expand it in size
10 so I still think that's going to be
11 problematic.

12 And I guess I am still concerned for
13 the intersection where Gateway Boulevard
14 comes out. I think the people and the
15 businesses that will come and go to home and
16 work there are going to be experiencing some
17 pretty nasty traffic jams but, you know, that
18 can maybe be ironed out another way.

19 I also heard from a lady in there
20 that was upset, she lives in the Lathers
21 Woods area, about the sound of the highway
22 and what it's going to do to property values
23 and things like that. Well, I had mentioned

021115Private testimony.txt

24 to her and I'll say now that hopefully if
25 that's an issue that those sound-ending walls

♀

7

1 can be constructed. I guess in the Milwaukee
2 area they call them Chia walls, but they're
3 like sound-ending walls I guess. So I guess
4 to help that neighborhood out, that would be
5 my suggestion there. Done.

* * * * *

6
7 MR. STROM: John Strom, 1347
8 Moore Street. Back for round three
9 comments. The Hart Road exit, right now it
10 goes to the north. It will go over -- it
11 will intersect with Lathers Road and it will
12 go over I-90 and then it will come to a
13 T-intersection with Shopiere Road where
14 there's some very nice houses.

15 Now, I know that they're going to
16 build a new road for Inman Parkway, calling
17 it an extension in the parkway, which goes in
18 front of Turner High School, will cross
19 Prairie Avenue, become a new road, probably
20 go over Creek Road at some point and Turtle
21 Creek. I'm not exactly sure where it's going
22 to come out, but here's my suggestion: If
23 Hart Road, once it crosses Interstate 90,
24 could veer to the right or to the north and
25 arc around some of the properties there and

♀

8

1 actually line up with the Inman Parkway road
2 that comes out at Shopiere Road, to me, that

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3 would be a terrific idea. Just putting it
4 out there.

5 (Private testimony concluded.)

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1 COURT REPORTER'S CERTIFICATE

2 STATE OF WISCONSIN:

3 COUNTY OF RACINE:

4

5 I, SARA R. ROGAN, Reporter and
6 Notary Public, Racine County, Wisconsin,
CERTIFY:

- 7 1. The foregoing private testimony
Page 7

021115Private testimony.txt
was taken before me at the time and place
stated in the foregoing styled cause with the
appearances as noted;

8
9

2. Being a Court Reporter, I then
reported the private testimony in Stenotype
to the best of my skill and ability, and the
foregoing pages contain a full, true and
correct transcript of my said Stenotype notes
then and there taken;

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11
12

3. I am not in the employ of and am
not related to any of the parties or their
counsel, and I have no interest in the matter
involved.

13
14
15

WITNESS MY SIGNATURE, this, the
_____ day of _____, 2015.

16
17
18

SARA R. ROGAN
Court Reporter and
Notary Public ***

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My commission expires:
July 18, 2017

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COURT REPORTER'S CERTIFICATE

STATE OF WISCONSIN:

COUNTY OF RACINE:

I, SARA R. ROGAN, Reporter and
Notary Public, Racine County, Wisconsin,
CERTIFY:

1. The foregoing deposition was
taken before me at the time and place stated
in the foregoing styled cause with the
appearances as noted;

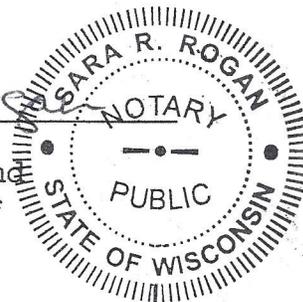
2. Being a Court Reporter, I then
reported the deposition in Stenotype to the
best of my skill and ability, and the
foregoing pages contain a full, true and
correct transcript of my said Stenotype notes
then and there taken;

3. I am not in the employ of and am
not related to any of the parties or their
counsel, and I have no interest in the matter
involved.

WITNESS MY SIGNATURE, this, the

16th day of February, 2015.

Sara R. Rogan
SARA R. ROGAN
Court Reporter and
Notary Public ***



My commission expires:
July 18, 2017

Written Testimony Form

I-39/90 and I-43/WIS 81 Interchange
IL 75 to County S and Cranston Road to WIS 140
Public Hearing
Beloit Public Library
February 11, 2015



Please place this form in the comment box at the sign in table tonight or send as indicated below*

Name (please print): Jerilyn L. Cornellier Date: 2-12-14

Address: 2909 Ford Street Beloit

Phone Number (optional): 608-751-6000 E-mail Address (optional): BlwWyatt@Aol.Com

Testimony (use additional pages if necessary): for Cornellier Superstore

I support, but would like to make a few comments:

1. we need to have the entry into Wisconsin (since we are just ^{Beloit} near & safe. We have to make sure during the 2-3 year construction local businesses are not put in jeopardy.
2. I hope everyone is aware of the drainage problem on the property here. We have flooded several times (water right up to front door of store)
3. It would be nice if they could give ^{us} a nice gradual slope from our property to the new road. We are kind of in a hole and that would make it easier to see ^{us} I think.

Thank you

15.

16.

17.

*WRITTEN TESTIMONY CAN BE SUBMITTED TONIGHT (FEBRUARY 11, 2015), IN THE MAIL OR EMAILED, BUT MUST BE POSTMARKED OR EMAILED NO LATER THAN FEBRUARY 26, 2015 TO BE INCLUDED IN THE OFFICIAL PUBLIC HEARING RECORD.

Written Testimony Form

I-39/90 and I-43/WIS 81 Interchange
IL 75 to County S and Cranston Road to WIS 140
Public Hearing
Beloit Public Library
February 11, 2015



Please place this form in the comment box at the sign in table tonight or send as indicated below*

Name (please print): JEFF JOHNSON Date: 2/12/15

Address: 804 Milwaukee Rd Beloit, WI 53511

Phone Number (optional): 608362-9384 E-mail Address (optional): _____

Testimony (use additional pages if necessary):

I'm glad you've included bike lanes and pedestrian paths for this intersection and highway 81. These will definitely be used and as such can reduce auto traffic and allow for bike commuting to work. Hopefully, the government current proposed budget won't eliminate these very important amenities/necessities

18.

***WRITTEN TESTIMONY CAN BE SUBMITTED TONIGHT (FEBRUARY 11, 2015), IN THE MAIL OR EMAILED, BUT MUST BE POSTMARKED OR EMAILED NO LATER THAN FEBRUARY 26, 2015 TO BE INCLUDED IN THE OFFICIAL PUBLIC HEARING RECORD.**

Marshall, Steve - DOT

From: Carl Lange [cplange@att.net]
Sent: Tuesday, February 24, 2015 11:17 AM
To: Marshall, Steve - DOT
Subject: Testimony on Feb. 11 hearing

This is my written testimony for the February 11, 2015 public hearing relating to the I-39/90 and I-43/WIS 81 Interchange.

I have attended nearly all of the previous public meeting related to the I-39/90 and I-43/WIS 81 Interchange and have submitted design suggestions during the earlier phases. I have listened to other attendees questions and concerns.

I feel that the design presented on February 11, 2015 does an excellent job of balancing access and convenience within the constraints of safety, construction/maintenance costs and land use priorities. The design greatly improves the connection to the eastern portion of Beloit. The changes for I-43/Beloit traffic are acceptable, balanced against the benefits of the design. The bicycle/pedestrian access is a huge improvement over the existing layout. I do not feel that the February 11th verbal testimony given by the Lathers Woods resident was based on logic or reason. There may be extra noise during the construction phase, but there is no reason to believe that eventual sound levels would increase over the current layout. The amount of distance that the new southbound I-43 to northbound/westbound I-39/90 ramp will be closer to Lathers Woods residents is insignificant.

19.

Carl Lange
2015 Sherwood Dr SW
Beloit, WI 53511-5659
cplange@att.net
608-368-1323

Appendix 23 –

**Text changes to Draft Environmental
Document**

7. Environmental Justice

The proposed action will have both beneficial and adverse effects to all populations. Beneficial effects include improved safety for motorists, enhanced local mobility, pedestrian and bike accommodations, and added aesthetics features. Adverse effects will be in the form of inconveniences during construction and the proposed acquisition of highway right of way from the adjacent property owners. No disproportionate adverse impacts to minority or low-income populations are expected to result from the proposed action. Beneficial and adverse effects will be similar for all populations as the project area consists of several different land types. There were several methods used including windshield survey, US Census data, public information meetings, and local official meetings. See Factor Sheet B-1 Community/Residential (Page 40) for more detailed information.

How was information obtained about the presence of populations covered by EO 12898? (check all that apply)	
<input checked="" type="checkbox"/> Windshield Survey	<input type="checkbox"/> Official Plan
<input checked="" type="checkbox"/> US Census Data	<input type="checkbox"/> Survey Questionnaire
<input type="checkbox"/> Real Estate Company	<input type="checkbox"/> WisDOT Real Estate
<input checked="" type="checkbox"/> Public Information Meeting	<input checked="" type="checkbox"/> Local Government
<input type="checkbox"/> Human Resources Agency Identify agency: Identify plan, approval authority and date of approval:	
<input type="checkbox"/> Other – Identify:	

- a. No – Populations covered by EO 12898 are not present in project area.
- b. Yes – Populations covered by EO 12898 are present in project area. Factor Sheet B-4 must be completed.

8. Title VI of the 1964 Civil Rights Act, the Americans with Disabilities Act or the Age Discrimination Act

Indicate whether or not individuals covered by Title VI have been identified. Title VI prohibits discrimination on the basis of race, color, or country of origin.

- a. No – Individuals covered by the above laws were not identified.
- b. Yes – Individuals covered by the above laws were identified.
 - Civil Rights issues were not identified.
 - Civil Rights issues were identified. Explain:

9. Public Involvement

A. Public Meetings

Date (m/d/yyyy)	Meeting Sponsor (WisDOT, RPC, MPO, etc.)	Type of Meeting (PIM, Public Hearings, etc.)	Location	Approx. Number of Attendees
8/28/2012	WisDOT	Local Officials Meeting #1	Turtle Town Hall	29
8/28/2012	WisDOT	Public Involvement Meeting #1	Turtle Town Hall	88
12/10/2013	WisDOT	Local Officials Meeting #2	Rotary River Center, Beloit WI	31
12/10/2013	WisDOT	Public Involvement Meeting #2	Rotary River Center, Beloit WI	61
8/5/2014	WisDOT	Local Official Meeting #3	Beloit Public Library	23
8/5/2014	WisDOT	Public Involvement #3	Beloit Public Library	75
10/21/14	WisDOT	Local Requested Meeting by Beloit City Council	Rotary River Center, Beloit WI	11
2/11/2015	WisDOT	Public Hearing	Beloit Public Library	80

*For complete documentation please refer to the WisDOT project file for complete documentation for all involvement.

Agency coordination contacts (U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, Wisconsin Department of Natural Resources) and American Indian Tribes were invited to participate in the local officials meetings. Representatives from the following entities were also invited to participate and generally attended the meetings:

- Town of Turtle
- Town of LaPrarie
- Town of Rock
- City of Beloit
- City of Janesville
- Rock County
- Assembly Districts 11, 15, 31, 43, 44
- Beloit City Council
- Beloit Plan Commission
- Town of Beloit Police Department
- Beloit Landmarks Committee
- Janesville MPO
- School District of Beloit Turner
- CPG Midwest

- *Park and Ride:*
 1. One resident inquired about locating a park and ride at the interchange.
 - *Alternate Route Consideration:*
 1. Several residents inquired if alternate routes have been taken into consideration during the design of the interchange.
 2. The conversion of Gateway Boulevard into a state highway, and improvements to Hart Road and/or Lathers Road was also suggested.
 - *Other Concerns:*
 1. Improve the entrance ramp at the WisDOT Welcome Center to provide more space to merge onto the interstate.
 2. Add auxiliary lanes northbound between the WisDOT Welcome Center and the interchange and in both directions between the County X/Hart Road interchange and the I-43 interchange.
 3. Hart Road interchange cannot handle the increased traffic load and difficult for trucks to maneuver the roundabouts.
- B. Briefly describe how the issues identified above were addressed:
The above issues were taken into consideration throughout the design process and also in the selection of the preferred alternative.
- *Access:*
 1. The access issue of extending WIS 81 eastward was one of the main topics and was one of the reasons why the city of Beloit passed a resolution in favor of Alternative 2. The proposed action includes the extension of WIS 81/Milwaukee Road.
 2. The proposed action will cause an increase in time for some users but will also decrease the time for other users. The increase and decrease in time will be approximately 3-4 minutes.
 3. The proposed action includes a detailed sign plan that will provide the proper signage necessary to clearly mark the new interchange.
 4. The traffic control has been determined. Intersection control along WIS 81 will include traffic signals at Freeman/Ford intersection, traffic signals at the I-39/90 ramp intersections utilizing a diverging diamond interchange alignment, and stop sign for Gateway Boulevard traffic at WIS 81.
 - *Bicycle and Pedestrian Facilities:*
 1. The preferred alternative will provide bicycle and pedestrian facilities along the extension of WIS 81/Milwaukee Road that will provide access under the interstate.
 - *Noise:*
 1. A noise analysis was completed that analyzed the impacts of the new interchange in the design year 2040. It is anticipated that there will not be any noise impact.
 - *Cost:*
 1. Cost was an important issue throughout the design process. **Appendix 8** discusses in detail the cost of the alternatives. Rock County will be responsible and still continue to manage maintenance for this interchange.
 - *Environmental:*
 1. The existing floodplain will be impacted by the proposed improvements due to the placement of fill within the boundary. It is not anticipated that the adjacent property owners will be impacted.
 - *Park and Ride:*
 1. A park and ride lot is anticipated to be located in the southwest quadrant of the interchange and is currently being discussed with the city of Beloit.
 - *Alternate Route Consideration:*
 1. There is no alternate route designation for this project because the interchange will remain open with temporary lane closures. However, the I-39/90 mainline reconstruction from Illinois State Line to Madison has a designated alternate route for the motorists to use during construction. See **Appendix 9** for the Alternate Route Map.
 2. Gateway Boulevard is a local road and will remain one. Improvements to Hart and Lathers Road are beyond the scope of this project and will not be included in the final plan because it is not needed for the operation of the interchange. Hart Road from County S to I-43/County X interchange will be improved as an alternate route for I-39/90.
 - *Other Concerns:*
 1. The WisDOT Welcome Center ramps will be improved.
 2. Auxiliary lanes will be added northbound between the WisDOT Welcome Center and the interchange and southbound between the County X/Hart Road interchange and the I-43 interchange.
 3. I-43 & Hart Road/County X interchange has been analyzed to determine if any modifications will be needed to handle the increased traffic volumes and any improvements to truck turning movements. Hart Road improvements will occur based on the analysis and will be incorporated into the project.

11. Local/regional/tribal/federal government coordination

A. Identify units of government contacted and provide the date coordination was initiated.

Unit of Government (MPO, RPC, City, County, Village, Town, etc.)	Coordination Correspondence Attached	Coordination Initiation Date (m/d/yyyy)	Coordination Completion Date (m/d/yyyy)	Comments
Rock County	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	8/28/2012	Ongoing	
City of Beloit	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	8/28/2012	Ongoing	City of Beloit passed a resolution in favor of Alternative 2 (preferred alternative). See Appendix 12
City of Janesville	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	8/28/2012	Ongoing	
Town of Beloit	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	8/28/2012	Ongoing	
Town of LaPrairie	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	8/28/2012	Ongoing	
Town of Rock	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	8/28/2012	Ongoing	
Town of Turtle	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	8/28/2012	Ongoing	
Janesville MPO	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	8/28/2012	Ongoing	

B. Describe the issues, if any, identified by units of government during the public involvement process:

The local units of government identified the same issues that are found in the previous question as well as several other issues.

1. The amount of right of way that was required to construct the new interchange.
2. The number of access points for emergency situations.
3. Desire to have additional local access connection to the Gateway Business Park.
4. Provide plenty of signing for Beloit businesses along I-43 to inform drivers to exit at the Hart Road interchange.

C. Briefly describe how the issues identified above were addressed:

The four additional concerns by the units of government were incorporated into the Preferred Alternative.

1. The Preferred Alternative minimizes the amount of right of way by 6 acres compared to the Alternative 2A option.
2. The Preferred Alternative provides convenient access into the Gateway Business Park in case of an emergency situation with the extension of WIS 81/Milwaukee Road.
3. The Preferred Alternative provides access to and from the interchange with the extension of WIS 81/Milwaukee Road. On January 21, 2014, the city of Beloit passed a resolution endorsing Alternative 2. One of the main reasons they selected Alternative 2 because the extension of WIS 81/Milwaukee Road provides local access to the adjacent properties.
4. The signing plan on I-43 will follow current WisDOT and FHWA signing requirements. Specific service signs can be used on the interstate to inform drivers of businesses at a particular exit.

D. Indicate any unresolved issues or ongoing discussions:

1. The park and ride lot is proposed to be constructed as a final stage of the interchange reconstruction work.

12. Public Hearing Requirement

- This document is an Environmental Assessment.
 - A Notice of Opportunity to Request a Public Hearing will be published.
 - A Public Hearing will be held.
- This document is a Type 2c Categorical Exclusion / Environmental Report.
 - A Public Hearing is NOT Required.

Note: If any of the following five boxes are checked, a Notice of Opportunity to Request a Public Hearing must be published or a Public Hearing must be held.

- A substantial amount of right-of-way **will** be acquired.
- The proposed action **will** substantially change the layout or functions of connecting roadways or of the facility being improved.
- The proposed action **will** have a substantial adverse impact on abutting property.
- The proposed action **will** have other significant social, economic, environmental effects.

Agency	Coordination Required?	Correspondence Attached?	Comments
Natural Resources (DNR)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>December 4, 2013 – Initial letter was sent to DNR with information regarding the project</p> <p>January 7, 2014 – A letter was received from DNR that identified several concerns:</p> <ul style="list-style-type: none"> • Spring Brook is a warm water fishery and any in-stream work or work has the potential to adversely affect the water quality of the stream should be completed between June 15 and September 15. • The Ozark Minnow has been identified within the project area. DNR will coordinate with Bureau of Natural Heritage Conservation. • Stormwater (TMDL) is located within the project area and special requirements of the management practices applied will be determined during the design process and submitted to the DNR for review. • Upland habitat is located within the project area and design should consider impacts to the prairie restoration. • The Spring Brook floodplain is located in the southeast quadrant of the interchange. 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 within a mapped floodplain. Consult with Rock County Zoning Administrator for project-specific information. • Avoid the spread of oak wilt disease and the emerald ash borer. <p>March 25, 2014 – Agency Coordination meeting. See Appendix 20</p> <p>May 19, 2014 – A letter was received from DNR regarding the project’s purpose and need and alternatives development. They identified some concerns in addition to previous review:</p> <ul style="list-style-type: none"> • If wetland R-30 is impacted an equivalent post-construction storm water treatment system must be put in place. See Wetland Map (Page 52) • R-31 impacts and any mitigation should be discussed in draft EA document. See Wetland Map (Page 52) • Spring Brook is classified as an Area of Special Natural Resources interest due to presence of threatened fish. Implementation of best management practices should be considered. • A State Threatened Fish was found in the project area and DNR needs to determine if anything further needs to be done. <p>June 18, 2014 – An email was received from DNR concurring with the wetland boundaries in the wetland delineation report.</p> <p>August 26, 2014 – A meeting was held with DNR and WisDOT to discuss the flood storage districts. See Appendix 13</p> <p>December 12, 2014 – An email was sent to DNR asking if a fish survey was needed for the project. See Appendix 13</p> <p>August 14, 2015 – An email was sent to DNR asking for an updated Wisconsin Natural Heritage Inventory (NHI) report.</p>
State Historic Preservation Office (SHPO)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>No archaeological sites were found. One structure named the Gonstead Chiropractic Clinic was determined to be potentially eligible for the National Register of Historic Places.</p> <p>March 25, 2014 – Agency coordination meeting. See Appendix 20</p> <p>June 24, 2014 - SHPO approved the Section 106 determination and agreed with a project determination of no adverse effect (DNAE) on the clinic. See Appendix 14</p>

BASIC SHEET 3 – AGENCY AND TRIBAL COORDINATION

Agency	Coordination Required?	Correspondence Attached?	Comments
Agriculture (DATCP)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	An AIS Addendum was published on December 27, 2013 titled <i>IH 39/90: Illinois State Line to USH 12&18 Dane & Rock Counties</i> that includes the agricultural properties impacted for this project. No additional information is required for this project. See Appendix 15 March 25, 2014 – Agency coordination meeting. See Appendix 20
Other	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
FEDERAL AGENCY			
U.S. Army Corps of Engineers (USACE)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	December 4, 2013 – Initial letter was sent to USACE with information regarding the project. USACE provided no response. January 28, 2014 - Submitted the project’s wetland delineation report and requested jurisdictional determination of the wetlands. March 25, 2014 – Agency coordination meeting. See Appendix 20
U.S. Fish and Wildlife Service (USFWS)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	December 4, 2013 – Initial letter was sent to USFWS with information regarding the project. USFWS provided no response. August 14, 2015 – Project information was submitted to USFWS for a may affect, not likely to adversely affect (NLAA) determination for programmatic informal consultation to fulfill Endangered Species Act consultation requirements for the Northern Long-Eared Bat.
Natural Resources Conservation Service (NRCS)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Farmland Conversion Impact Rating Form AD-1006 was completed for impacts to farmland. The highest score was 37. July 31, 2014 – Initial letter was sent to NRCS with information regarding the project. August 4, 2014 – A letter was received from NRCS indicating that since the site assessment scores is below 60, the project is not subject to the Farmland Protection Policy Act (FPPA). See Appendix 19
U.S. National Park Service (NPS)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	Coordination not required; no lands administered by the NPS are in the project area.
U.S. Coast Guard (USCG)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	Coordination not required; no commercially navigable waterways are in the project area.
U.S. Environmental Protection Agency (EPA)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	December 4, 2013 – Initial letter was emailed to EPA with information regarding the project. EPA provided no response. March 25, 2014 – Agency coordination meeting. See Appendix 20
Advisory Council on Historic Preservation (ACHP)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A
Other (identify)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
SOVEREIGN NATIONS			

Factors	Adverse	Benefit	None Identified	Factor Sheet Attached	Effects
B-8 Section 4(f) and 6(f) or Other Unique Areas	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There is one historic property the Gonstead Chiropractic Clinic that will require no property acquisition.
B-9 Aesthetics	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposed action has the potential to incorporate Community Sensitive Design features into the bridge structures or along the extension of WIS 81/Milwaukee Road. The proposed action will include aesthetic features that include staining and relief features to bridges and grass and other landscaping elements. See B-9 Aesthetics factor sheet (Page 45).
C. NATURAL RESOURCE FACTORS					
C-1 Wetlands	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposed action will impact approximately 0.6 acres of wetland. The wetland impacts are the result in the realignment of WIS 81/Milwaukee Road to provide better construction staging and remove an extra curve along I-39/90. This wetland impact is located in the northwest quadrant of the interchange. See C-1 Wetland factor sheet (Page 47).
C-2 Rivers, Streams and Floodplains	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This project will replace the existing bridge on I-39/90 over Spring Brook. Spring Brook crosses the project in two locations. The land surrounding the creek includes prairie, forested upland habitat, and old field habitat. Tributary to Spring Brook crosses under I-39/90 through culverts just north of Cranston Road. The land surrounding the tributary includes old field, agricultural land, and commercial development. Floodplain encroachment will occur along Millington Road adjacent to the proposed WIS 81/Milwaukee Road to County X connection and by the Spring Brook overpass on I-39/90. See C-2 Rivers, Streams, and Floodplains factor sheet (Page 53).
C-3 Lakes or Other Open Water	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No lakes or other open waters are present in the project area.
C-4 Groundwater, Wells, and Springs	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This project will not impact groundwater, wells, or springs.
C-5 Upland Wildlife and Habitat	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Right of way acquisition will be required along the southeast quadrant of the interchange. In front of Kerry Ingredients lies upland prairie grass. WisDOT will minimize impacts to this area by restoring the prairie along the side slopes of the highway. It should be noted that there are no regulations governing prairie mitigation in Wisconsin.
C-6 Coastal Zones	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This project is not associated with a coastal zone.
C-7 Threatened and Endangered Species	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Consultations on threatened or endangered species have been resolved with DNR and USFWS. See commitment sheet page 32 and see C-7 Threatened and Endangered Species factor sheet (Appendix 24)
D. PHYSICAL FACTORS					
D-1 Air Quality	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No substantial impacts to air quality are expected. This project is exempt from permit requirements formerly contained in NR411 under the Wisconsin Administrative Code.
D-2 Construction Stage Sound Quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	WisDOT Standard Specifications 107.8(6) and 108.7.1 will apply. See Construction Stage Sound Quality Evaluation factor sheet (Page 59).
D-3 Traffic Noise	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	A noise analysis was completed for this project. No noise impacts are anticipated. See D-3 Traffic Noise Evaluation factor sheet (Page 61).
D-4 Hazardous Substances or Contamination	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There were 3 sites identified within the project area. These 3 sites were avoided by design and will not be impacted. Structures B-53-46/47/48 & 51 were inspected for asbestos containing material (ACM). No ACM was found.

C-2 Rivers, Streams and Floodplains	<p>Commitments Made – Standard erosion control practices will be implemented during construction to minimize short-term adverse effects to the floodplain. The WisDOT construction engineer will monitor and ensure fulfillment of this commitment.</p> <p>Commitments Made – Work that could affect water quality and habitat will be completed between June 15 and September 15. The contractor may work in other areas near the waterway beyond September 15th provided appropriate measures are taken to control erosion. The special provisions will include the date of restrictions for in-stream work. The WisDOT construction engineer will ensure and monitor the fulfillment of this commitment.</p>
C-3 Lakes or other Open Water	No commitments needed
C-4 Groundwater, Wells and Springs	No commitments needed
C-5 Upland Wildlife and Habitat	No commitments needed
C-6 Coastal Zones	No commitments needed
C-7 Threatened and Endangered Species	<p>Commitments Made – DNR coordination is required for mussel surveys in Spring Brook prior to construction. The WisDOT environmental coordinator will ensure fulfillment of this commitment.</p> <p>Commitments Made – Use avoidance and minimization measures for the Northern Long-Eared Bat (NLEB). The WisDOT construction engineer and environmental coordinator will ensure fulfillment of this commitment. See Appendix 24 on pages Addendum A-74 to 76.</p>
D-1 Air Quality	No commitments needed
D-2 Construction Stage Sound Quality	<p>Construction Restrictions – The contractor shall check for, and comply with, local ordinances governing the hours of operation of construction equipment. The special provisions will include restrictions for operating motorized construction equipment during certain times of the week. The WisDOT construction engineer will monitor and ensure fulfillment of this commitment.</p>
D-3 Traffic Noise	<p>Local Municipality Coordination – Coordination with local units of government shall be completed in areas currently undeveloped to notify them of predicted sound levels for land use planning purposes. The WisDOT environmental coordinator and design engineer will ensure fulfillment of this commitment.</p>
D-4 Hazardous Substances or Contamination	<p>Commitments Made – Asbestos: No asbestos-containing material has been found on structure(s) (B-53-48, B-53-51, B-53-46, and B-53-47). Standard special provision 107-125 shall be included in the plans. The contractor will be responsible for completion of the Notification of Demolition and/or Renovation (DNR form 4500-113) if required. A copy of the inspection report is available from the region office.</p> <p>Commitments Made – Special provisions will be included in the project to warn the contractor of the presence of hazardous materials contamination outside of the construction limits. The WisDOT design engineer will ensure fulfillment of this commitment.</p>
D-5 Storm Water	<p>Commitments Made – Stormwater management shall comply with Trans 401 and address the requirements in the Rock River total maximum daily load (TMDL) through the use of appropriate stormwater quality control practices such as grass swales, standard and enhanced filter strips, infiltration areas, and wet detention ponds and catch basins where they can be practically maintained. PS&E documents shall specify requirements to be met during construction. The WisDOT design engineer will ensure fulfillment of this commitment.</p>

- Applicable - Fill will be placed in wetlands under the jurisdiction of the USACE.

Indicate area of wetlands filled: 0.59 Acres

Type of 404 permit anticipated:

- Individual Section 404 Permit required.
 General Permit (GP) or Letter Of Permission (LOP) required to satisfy Section 404 Compliance.

Indicate which GP or LOP is required:

- Non-Reporting GP** [GP-002-WI (*expires 5/31/16*) or GP-004-WI (*expires 12/31/17*)]
 Reporting GP [GP-002-WI, GP-003-WI (*expires 12/31/17*), or GP-004-WI]
 Letter of Permission [LOP-06-WI (*in effect 4/17/06, no expiration date*)]
 Programmatic GP [Applies to projects not covered under the DOT/DNR Cooperative Agreement]

8. Wisconsin Department of Natural Resources Coordination - Section 401 Water Quality Certification

- DNR has provided concurrence on the project wetland delineation. Received on: June 18, 2014
 Other- Explain

9. Section 10 Waters (Rivers and Harbors Act). For navigable waters of the United States (Section 10) indicate which 404 permit is required:

- No Section 10 Waters
 Section 10 Waters
 Reporting GP [GP-003-WI (*expires 12/31/17*)]
 Reporting GP [GP-004-WI (*expires 12/31/17*)]

Indicate whether Pre-Construction Notification (PCN) to the USACE is:

- Not applicable.
 Required: Submitted on: Approximately 6 months prior to PS&E

Status of PCN

USACE has made the following determination on: (Date)

USACE is in the process of review, anticipated date of determination is: (Date)

10. Wetland Avoidance and Impact Minimization: [Note: Required before compensation is acceptable]

A. Wetland Avoidance:

1. Describe methods used to avoid the use of wetlands, such as using a lower level of improvement or placing the roadway on new location, etc.:

The roadway improvements for the interchange could avoid impacts to the wetlands if the no build or 2A alternative were selected as the preferred alternative. The no build alternative was eliminated from further consideration because it does not meet the purpose and need for this project. The 2A alternative was not selected because it has a greater overall right of way and agricultural impact compared to the 2A modified alternative.

Wetland R-30 was avoided by design.

2. Indicate the total area of wetlands avoided:
 Acres: 0.18 (wetland R-30)

In 2002 the University of Wisconsin-Stevens Point assessed water quality at the Spring Brook - Spring Brook at Guftafson Road station. This station is approximately 2.7 miles east of where Spring Brook is located within the project area (east of IH-39, west of Town Hall Road and south of IH-43). The study looked at insect taxa to assess pollution. The results indicated that very substantial pollution is likely in the Spring Brook River.

The water quality data can be obtained by opening the Wisconsin Department of Natural Resources Surface Water Data Viewer and turning on the Monitoring Station Points layer. Navigation to the station points referenced above will allow for detailed review of the monitoring data.

F. Is this river or stream on the WDNR's "Impaired Waters" list?

- No
 Yes - List: _____

6. If bridge or box culvert replacement, are migratory bird nests present?

- Not Applicable
 None identified
 Yes – Identify Bird Species present
 Estimated number of nests is:

7. Is a Fish & Wildlife Depredation Permit required to remove swallow nests?

- Not Applicable
 Yes
 No - Describe mitigation measures:

8. Describe land adjacent to stream:

The first location is along the south end of the project area underneath the railroad bridge crossing over I-39/90. This stream is labeled as S2 in **Appendix 7**. The land adjacent to this portion of the stream is old field, railroad corridor, and prairie. The second location is along the east end of the project area next to Millington Road. This stream is labeled as S3 in **Appendix 7**. The land adjacent to this portion of the stream includes forested upland habitat to the north and old field habitat to the south.

9. Identify upstream or downstream dischargers or receivers (if any) within 0.8 kilometers (1/2 mile) of the project site:

Waterway 2 (see **Appendix 7** label S2) within the project area limits is a perennial tributary to Spring Brook that crosses under I-39/90 through culverts north of Cranston Road.

10. Describe proposed work in, over, or adjacent to stream. Indicate whether the work is within the 100-year floodplain and whether it is a crossing or a longitudinal encroachment:

The total area of the Spring Brook Floodplain from the I-39/90 crossing to the east is 360 acres. The total portion of the floodplain being impacted is 9.2 acres (2.6% of entire floodplain area). The floodplain impacts are not significant. See map on page Addendum A-78 for the extent of the floodplain.

The proposed improvements at the Spring Brook crossing of I-39/90 will result in having crossing impacts of 1.9 acres of 100-year floodplain on the upstream (east) side of I-39/90. The floodplain impacts at the I-39/90 crossing are due to the widening of I-39/90 and the northbound off ramp to WIS 81 and I-43 located to the east of the interstate. There are minor impacts to the floodway boundary due to filling the area for the proposed bridge abutments. The proposed improvement analysis showed no significant encroachment (minor floodway width decreases) to the floodplain as the main channel remains undisturbed and a high flow bench is proposed in the channel to convey the 100-year flood flows without increasing elevations.

The proposed improvements along WIS 81/Milwaukee Road and the I-39/90 off ramps will have longitudinal impacts of 7.3 acres of 100-year floodplain in the southeast quadrant of the I-43 interchange. The floodplain impacts along WIS 81/Milwaukee Road are longitudinal and due to embankment fill slopes for the roadway re-alignments and vertical grade changes, the impacts are to the floodplain area outside of the floodway. There is no significant encroachment to the floodway.

11. Discuss the effects of any backwater which would be created by the proposed action. Indicate whether the proposed activities would be in compliance with NR 116 by creating 0.01 ft. backwater or less:

The proposed activities will be in compliance with NR 116 by creating 0.01 ft backwater or less. The backwater is anticipated not to impact the land adjacent to the stream. If the backwater is unable to be less than 0.01 ft proper mitigation will be used to decrease floodplain impacts. The mitigation of the floodplain will mimic existing conditions. Mitigation measures are anticipated not to change base flood elevations (BFEs). Floodplain modifications will occur at the Spring Brook Bridge over I-39/90; no impacts are expected to BFEs.

12. Describe and provide the results of coordination with any floodplain zoning authority:

Floodplain

Information was provided from the city of Beloit's city engineer in reference to the Kerry Letter of Map Revision (LOMR) and the flood mapping. The LOMR helped determine the floodplain boundary. The LOMR was approved April 1, 2014 and the mapping will be effective on September 16, 2015. Coordination is on-going with the WDNR and they are aware of floodplain encroachment in the southeast quadrant of the interchange.

Flood Storage

An agency coordination meeting discussing the flood storage districts was held on August 26, 2014. Attendees included both WDNR and WisDOT. See **Appendix 13** for WDNR coordination and meeting minutes from meeting on August 26, 2014. After the August 26, 2014 meeting the WDNR internally reviewed the flood storage districts and determined that no flood storage district will be created along the Spring Brook in the project limits. See Addendum A-12 to A-17 for WDNR Correspondence. No flood storage district will be created with in the project area.

13. Would the proposal or any changes in the design flood, or backwater cause any of the following impacts?

- No impacts would occur.
- Significant interruption or termination of emergency vehicle service or a community's only evacuation route.
- Significant flooding with a potential for property loss and a hazard to life.
- Significant impacts on natural floodplain values such as flood storage, fish or wildlife habitat, open space, aesthetics, etc.

14. Discuss existing or planned floodplain use and briefly summarize the project's effects on that use:

The proposed improvements at the Spring Brook crossing of I-39/90 will impact 1.9 acres of 100-year floodplain on the upstream (east) side of I-39/90.

The proposed improvements along WIS 81/Milwaukee Road and I-39/90 off ramps will impact 7.3 acres of 100-year floodplain in the southeast quadrant of the I-43 interchange.

15. Discuss probable direct impacts to water quality within the floodplain, both during and after construction. Include the probable effects on plants, animals, and fish inhabiting or dependent upon the stream:

Roadway construction has the potential to affect water quality due to erosion, sedimentation, and stormwater runoff. In addition, existing roadways have the potential to reduce water quality due to the runoff of salt and other particles from the roadway. Over the long term, the proposed action is not anticipated to cause continued direct impacts to

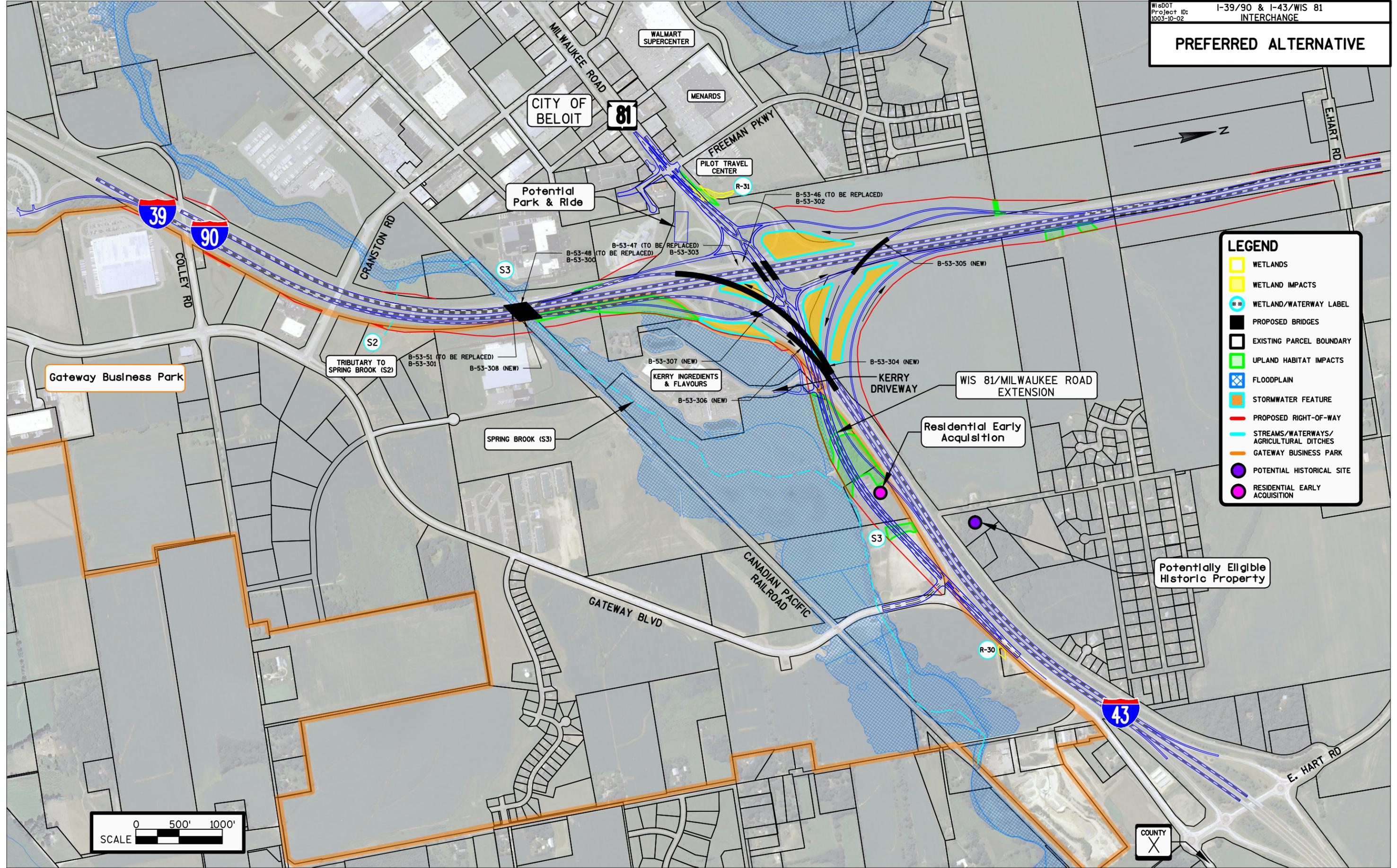
water quality. Standard erosion control measures will be implemented during construction to minimize short-term adverse effects to the waterway. Filter strips are planned to be used on the back slopes along the south side of WIS 81/Milwaukee Road. The remaining drainage is proposed to be treated with stormwater Best Management Practices (BMPs) (infiltration basins, grass swales, and/or filter strips). These measures will be determined in the design stage.

16. Are measures proposed to enhance beneficial effects?

- No
- Yes. Describe: _____

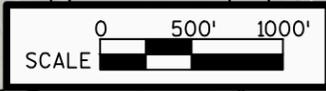
There will be no measures proposed to enhance or decrease beneficial effects. Compensatory storage will be used to maintain floodplain storage to preserve existing floodplain physical characteristics. Five ponds will be constructed as shown in orange on the Preferred Alternative map. See **Appendix 7**.

PREFERRED ALTERNATIVE



LEGEND

- WETLANDS
- WETLAND IMPACTS
- ## WETLAND/WATERWAY LABEL
- PROPOSED BRIDGES
- EXISTING PARCEL BOUNDARY
- UPLAND HABITAT IMPACTS
- FLOODPLAIN
- STORMWATER FEATURE
- PROPOSED RIGHT-OF-WAY
- STREAMS/WATERWAYS/ AGRICULTURAL DITCHES
- GATEWAY BUSINESS PARK
- POTENTIAL HISTORICAL SITE
- RESIDENTIAL EARLY ACQUISITION



Appendix 24 –

Post Public Hearing Correspondence

Added sheets to Draft

Environmental Document

I-39/90 and I-43/WIS 81 Interchange

Project ID: 1003-10-02

Threatened and Endangered Species Commitments

Avoidance and Minimization Measures (AMM) for Northern Long-eared Bat

More Details please refer to:

http://www.fws.gov/midwest/angered/section7/fhwa/pdf/UserGuideV11_060415.pdf

Tree AMMs

Unless surveys document that the species are not present, these AMMs will be applied, as appropriate. The word “trees” as used in the AMMs refers to trees that are suitable habitat¹ for each species with their range.

Tree Removal AMM 1. Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to avoid tree removal in excess of what is required to implement the project safely.

Tree Removal AMM 2. Apply time of year (TOY) restrictions for tree removal² when bats are not likely to be present.

Tree Removal AMM 3. Ensure tree removal is limited to that specified in project plans. Install bright orange flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits. Ensure that contractors understand clearing limits and how they are marked in the field.

Tree Removal AMM 4. Do not cut down documented Indiana bat or NLEB roosts (that are still suitable for roosting) or documented foraging habitat any time of year.

Bridge and Structure AMMs

Bridge AMM 2. If construction activity is planned during the active season, perform a final inspection of the bridge no more than 7 days prior to the start of construction activity to ensure bats have not started to use the area of the bridge proposed for work after the original inspection.

Lighting AMMs

Lighting AMM 1. Direct temporary lighting away from suitable habitat.

Lighting AMM 2. Use downward-facing, full cut-off³ lens lights, and direct lighting away from suitable habitat when installing new or replacing existing permanent lights.

Dust Control

AMM To minimize potential effects on air quality, construction contractors will use water trucks and other proactive measures to prevent discharges of dust into the atmosphere that may unreasonably interfere with the public and adjacent properties or may be harmful to plants and animals.

Water Quality AMMs

To minimize potential indirect effects on bats or aquatic insects which may provide forage, adverse effects to aquatic resources will be minimized through strict adherence to the SWPPP⁴.

Typical SWPPPs will provide a detailed description of the pollution prevention measures that will be used to control litter, construction chemicals, and construction debris from becoming a pollutant source in stormwater discharges. In addition, SWPPPs will describe specific actions to be taken during active and post-construction phases of the project that will minimize adverse impacts to water quality from erosion and sedimentation and will include a spill prevention response plan. Typical elements of a SWPPP include the following items:

Water Quality AMM 1. Erosion Control—The project will incorporate temporary erosion control structures to minimize erosion. Erosion control measures, such as silt fence, temporary seeding, rock checks, and erosion control blankets, will be incorporated as a first step in construction and maintained throughout active construction activities. In addition, U.S. DOT often requires permanent stormwater quality practices, such as stormwater ponds, wetlands, or detention basins for projects that require coverage under the SPDES General Permit.

Water Quality AMM 2. Sediment Control—In addition, the SWPPP will describe the temporary and permanent structural and vegetative measures to be used for soil stabilization, runoff control, and sediment control for each stage of the project from initial land clearing and grubbing to project close-out, including a description of structural practices to divert flows from exposed soils, store flows, or otherwise limit runoff and the discharge of pollutants from exposed areas of the site to the degree attainable.

Water Quality AMM 3. Roadside Drainage—Where feasible, vegetated swales will be used to assist with filtering sediment and other pollutants before it reaches streams and adjacent wetlands.

Water Quality AMM 4. Revegetation—All temporarily disturbed areas created from construction activities will be revegetated following State DOT/FRA specifications. Permanent revegetation will occur after sections are completed and consist of a variety of grasses and forbs, including legumes, wildflowers, and cereals. Seed mixes used for temporary sediment and erosion control shall consist of quick-growing species such as ryegrass, Italian ryegrass, or cereal grasses. The species used shall be suitable to the area and not compete with the permanently planted grasses. Mulch consisting of hay, straw, wood fiber, or other suitable materials will be placed evenly after the application of the seed mix to temporarily stabilize unprotected earth.

Water Quality AMM 5. Equipment Service/Maintenance—The SWPPP will require that any areas used for servicing and performing maintenance on construction equipment will be designated in locations away from streams, wetlands, and ponds. The contractor will submit a proposed plan designating staging areas, and this plan will be reviewed and approved by the engineer prior to construction. Materials that may leach pollutants will be stored under cover and out of the weather. Fuel tanks located on-site will have double containment systems and any fuels or other spills must be cleaned up immediately.

Concrete or other material wash outs will be located in designated areas away from aquatic resources. All construction equipment will be maintained in proper mechanical condition so fuel, oil, and other pollutants do not get into water bodies during construction activities.

Water Quality AMM 6. Spill Plan—The SWPPP will include a spill plan.

Wetland/Stream Protection AMMs

For those projects that may result in wetland/stream impacts, the following measures should be applied:

Wetland/Stream Protection AMM 1. Establish and/or maintain 100-ft vegetative buffers with a sufficient number of canopy species around all permanent water bodies and perennial streams where possible to minimize erosion and sedimentation of water bodies. Intermittent streams should be buffered by 50 feet.

Wetland/Stream Protection AMM 2. Locate, design, construct, and maintain stream crossings to provide maximum erosion protection.

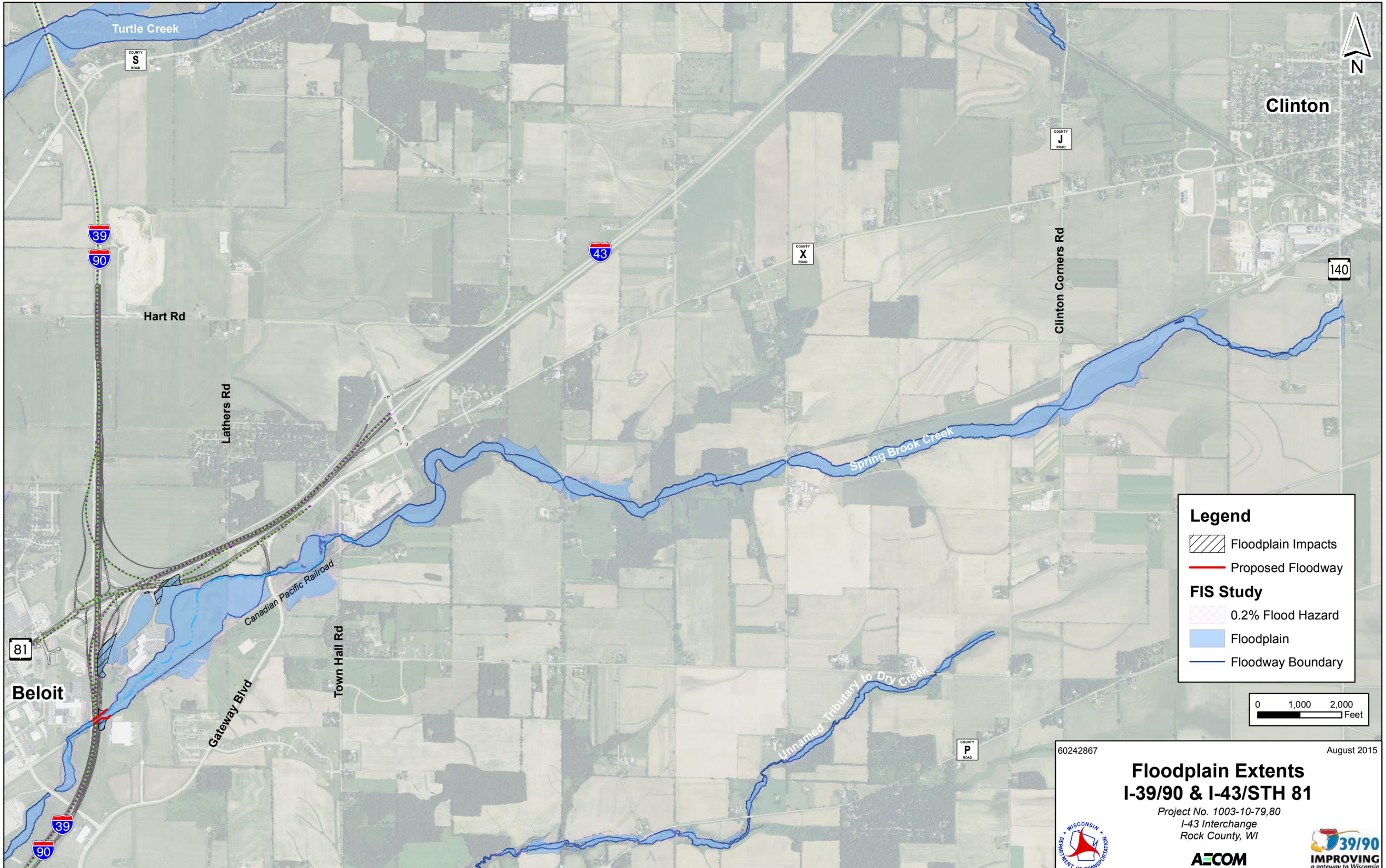
Wetland/Stream Protection AMM 3. Maintain existing road ditches, culverts, and turnouts to ensure proper drainage and minimize the potential for the development of ruts and mud holes and other erosion-related problems.

Wetland/Stream Protection AMM 4. Stabilize, seed, and mulch eroded roadsides and new road cuts with native grasses and legumes, where feasible, in a timely manner to minimize impacts to water bodies.

Wetland/Stream Protection AMM 5. Implement erosion and sediment controls where appropriate. Maintain protective vegetative covers over all compatible areas, especially on steep slopes. Where necessary, gravel, fabrics, mulch, riprap, or other materials that are environmentally safe and compatible with the location, may be used, as appropriate, for erosion control in problem areas. 5

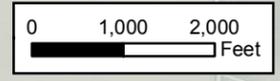
Wetland/Stream Protection AMM 6. Erosion and sediment control measures will be inspected within 24 hours of a rain event and will be monitored and maintained throughout construction to ensure proper function.

-
1. See the Service's current summer survey guidance for our latest definitions of suitable habitat.
 2. Coordinate with local Service field office for appropriate dates.
 3. http://www.lithonia.com/micro_webs/nighttimefriendly/cutoff.asp
 4. <http://water.epa.gov/polwaste/npdes/stormwater/Stormwater-Pollution-Prevention-Plans-for-ConstructionActivities.cfm>



Legend

- Floodplain Impacts
- Proposed Floodway
- FIS Study**
- 0.2% Flood Hazard
- Floodplain
- Floodway Boundary



60242867 August 2015

Floodplain Extents I-39/90 & I-43/STH 81

Project No. 1003-10-79,80
I-43 Interchange
Rock County, WI





THREATENED AND ENDANGERED SPECIES EVALUATION

Factor Sheet C-7

Alternative 2A Modified	Total Length of Center Line of Existing Roadway – 4.6 miles Length of This Alternative – 4.6 miles
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Preferred
 Yes No None identified

1. Are there any known threatened or endangered species in the vicinity of the project?

- None identified
 Yes - Identify the species and indicate its status on Federal or State lists:

Species Common Name	Species Scientific Name	Federal Status	State Status	Affected by Project? Y/N
Plants				
Dragon Wormwood	<i>Artemisia dracunculus</i>		Special Concern	N
Wooly Milkweed	<i>Asclepias lanuginosa</i>		Threatened	N
Purple Milkweed	<i>Asclepias purpurascens</i>		Endangered	N
Prairie Indian Plantain	<i>Cacalia tuberosa</i>		Threatened	N
Pale Purple Coneflower	<i>Echinacea pallida</i>		Threatened	N
Prairie False Dandelion	<i>Nothocalais cuspidata</i>		Special Concern	N
Yellow Water Lily	<i>Nuphar advena</i>		Special Concern	N
Pink Milkwort	<i>Polygala incarnate</i>		Endangered	N
Prairie Parsley	<i>Polytaenia nuttalli</i>		Threatened	N
Rough Rattlesnake-root	<i>Prenanthes aspera</i>		Endangered	N
Wafer Ash	<i>Ptelea trifoliata</i>		Special Concern	N
Hairy Wild Petunia	<i>Ruellia humulus</i>		Endangered	N
Snowy Campion	<i>Silene nivea</i>		Threatened	N
Animals/Fish				
Northern Long-Eared Bat	<i>Myotis septentrionalis</i>	Threatened	Threatened	Y
Whooping Crane	<i>Grus americanus</i>	Non-essential experimental population	Non-essential experimental population	N
Eastern Massasauga	<i>Sistrurus catenatus</i>	Candidate	Candidate	N
Eastern Prairie Fringed Orchid	<i>Platanthera leucophaea</i>	Threatened	Threatened	N
Prairie Bush-Clover	<i>Lespedeza leptostachya</i>	Threatened	Threatened	N
Ozark Minnow	<i>Notropis nubilus</i>		Threatened	N
Gravel Chub	<i>Erimystax x-punctatus</i>		Threatened	N
Elktoe Mussel	<i>Alasmidonta marginata</i>		Threatened	TBD*

*See Addendum A page 67 for commitment requiring a mussel survey for the Elktoe Mussel in Spring Brook prior to construction.

2. Explain How a Species Is or Is Not Affected by the Action: Species Not Affected:

A threatened and endangered species survey was completed on July 30, 2013 and September 9, 2013 for the I-43 interchange for all of the plants listed in the table in question 1. None of the identified species were found within the project area.

Based upon DNR staff review of the Wisconsin Natural Heritage Inventory (NHI Portal) and other records on January 7, 2014, one State Threatened fish, the Ozark Minnow, was identified within the project area. The Ozark Minnow prefers clear, small to medium, low-gradient streams over bottoms of cobble. Spawning occurs from May through early August. There were no suitable habitats identified for the Whooping Crane, Eastern Massasauga, Eastern Prairie Fringed Orchid, and Prairie Bush-Clover.

In January 2015, the DNR determined that a survey for both the Gravel Chub (newly identified for the project area) and Ozark Minnow was not necessary in this particular reach of Spring Brook. DNR also made a new recommendation that a survey be completed for the Elktoe Mussel at the I-39 crossing area to be impacted. The Elktoe Mussel will be surveyed prior to construction for its presence. If any Elktoe Mussels are found, they will need to be relocated to a different location within Spring Brook.

 Species Affected:

Under the informal programmatic consultation procedure with the U.S. Fish and Wildlife Service (USFWS) for the Northern Long-Eared Bat (NLEB), the project activities *may affect, but are not likely to adversely affect (NLAA)* the NLEB thru implementation of all applicable avoidance and minimization measures. There are a few scattered trees within the current clover-leaf interchange ramps that will be removed by the project. The four existing bridge structures for the interchange will be removed and replaced as a part of the project. No bat surveys have been conducted. No suitable habitat has been identified.

Avoidance and minimization measures will be applied. See Appendix 24 on pages Addendum A-73 to 75 for a list of all avoidance and minimization measure commitments for the project.

3. Describe Coordination:

U.S. Fish & Wildlife Service:

Has Section 7 coordination been completed?

No

Yes - Describe mitigation required to protect the federally listed endangered species:

An initial project scoping letter was sent to USFWS with information regarding the project in December 2013. USFWS provided no response at that time.

Project information was submitted to USFWS for NLAA determination for programmatic informal consultation to fulfill Endangered Species Act consultation requirements for the NLEB on August 14, 2015. USFWS correspondence was received and they agree with the determination of NLAA for the NLEB.

Has coordination with DNR been completed?

No

Yes - Describe mitigation required to protect the state-listed species:

Coordination with DNR started on December 4, 2013 and has been on-going throughout the project design. A DNR coordination timeline is included in the Agency Coordination matrix on page Addendum A-64.

A commitment has been made that DNR coordination is required for mussel surveys in Spring Brook prior to construction. (See Addendum A-67)

An additional letter was sent to DNR on August 14, 2015 regarding an updated NHI database review for any changes to listed species in the project area. See Appendix 13 and Appendix 24 for correspondence with DNR.

From: [Bub, Laura A - DNR](#)
To: [Grimes, Jennifer - DOT](#)
Cc: [Marshall, Steve - DOT](#); [DOT I39 Project](#)
Subject: RE: 1003-10-02 I-39 & I-43 Interchange: updated NHI Portal review request (8/14/15)
Date: Friday, August 21, 2015 4:29:07 PM
Attachments: [RE 1003-10-02 I-39 I-43 Interchange TE species concerns - survey needs for Final EA \(32715\).msg](#)

Hi Jenny,

Per your request, an updated Natural Heritage Inventory (NHI) review of rare and endangered species and sensitive communities was completed on 8/20/15 for the I-43 interchange project area project in Rock County. The review identified the potential presence of both terrestrial and aquatic species within the project area or a 2-mile buffer. Neither the terrestrial plant species nor suitable habitat for those species are likely to occur within the project area or associated buffer. Regarding the aquatic species, there were two fish -- Gravel Chub (*Erimystax x-punctatus*, endangered) & Ozark Minnow (*Notropis nubilus*, threatened), and one mussel species, Elktoe (*Alasmidonta marginata*, special concern/protected), identified within the project area and buffer. While suitable habitat exists for all three of these aquatic species, there was recent agreement amongst Department staff in Fisheries and Natural Heritage Inventory (see attached correspondence) that surveys **do not** need to be conducted for Gravel Chub or Ozark Minnow, but **do** need to be conducted for the Elktoe. Standard erosion and sediment control measures during construction should be sufficient to protect any Gravel Chub and Ozark Minnow that might be present in Spring Brook. Finally, the NHI database does not indicate the presence of any known Northern Long-eared Bat roost sites or hibernacula at this project site, within the buffer area, or in the entirety of Rock County.

I hope that this is the information that you were looking for. If you have questions or need more detail, please let me know.

Have a great weekend!

Laura

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Laura Bub

Phone: (608) 275-3485

Tkachuk, Tyler

From: Horton, Andrew [mailto:andrew_horton@fws.gov]

Sent: Monday, August 31, 2015 4:26 PM

To: Grimes, Jennifer - DOT

Subject: Re: WisDOT 1003-10-02 IH 39 & IH 43 Interchange, Rock County, WI - NLEB Project Submittal Form (8/14/15)

Thank you for the updated consultation code. I do believe the determination was handled appropriately for this project.

- Andrew

Andrew Horton

Twin Cities Ecological Services Field Office

U.S. Fish and Wildlife Service

4101 American Blvd East

Bloomington, MN 55425-1665

(612) 725-3548 ext. 2208

From: Grimes, Jennifer - DOT [mailto:Jennifer.Grimes@dot.wi.gov]

Sent: Friday, August 28, 2015 7:28 AM

To: 'Horton, Andrew'

Subject: RE: WisDOT 1003-10-02 IH 39 & IH 43 Interchange, Rock County, WI - NLEB Project Submittal Form (8/14/15)

Andrew,

I met with Alyssa Barrette a couple days after submitting the info and explained to her that I didn't think I had received the correct Official Species List and she pointed me in the right direction. One 8/19/15 I received the OSL for the project and the OSL Consultation Code: 03E17000-2015-SLI-0176.

Can you let me know if you agree with the determination of Not Likely to Adversely Affect for the completion of our NEPA documentation?

Jenny

From: Horton, Andrew [mailto:andrew_horton@fws.gov]

Sent: Thursday, August 27, 2015 12:03 PM

To: Grimes, Jennifer - DOT

Subject: Re: WisDOT 1003-10-02 IH 39 & IH 43 Interchange, Rock County, WI - NLEB Project Submittal Form (8/14/15)

Thanks Jenny, was the 25 digit consultation code generated from IPAC? Otherwise, everything else seems okay for the moment.

Andrew Horton

Twin Cities Ecological Services Field Office

U.S. Fish and Wildlife Service

4101 American Blvd East

Bloomington, MN 55425-1665

(612) 725-3548 ext. 2208

From: Grimes, Jennifer - DOT [mailto:Jennifer.Grimes@dot.wi.gov]

Sent: Friday, August 14, 2015 3:09 PM

To: 'Andrew_Horton@fws.gov'

Cc: Barrette, Alyssa - DOT; Marshall, Steve - DOT; Meer, Rosanne - DOT; Gerbitz, Johnny (FHWA); DOT I39 Project

Subject: WisDOT 1003-10-02 IH 39 & IH 43 Interchange, Rock County, WI - NLEB Project Submittal Form (8/14/15)

Andrew,

Attached is the NLEB Project Submittal Form for the subject project in Rock County, WI.

<< File: 1003-10-02 USFWS Appendix A_ProjectSubmittalForm062315.pdf >>

Please let me know if you have any questions or need additional information about the project.

Jenny

Jennifer Grimes

Environmental Analyst & Review Specialist

Mega Team Projects & Planning Majors Studies

WisDOT Southwest Region – Edgerton

111 Interstate Blvd, Edgerton, WI 53534

Phone 608.884.1147 | Cell 608.516.9760

jennifer.grimes@dot.wi.gov

**Federal Highway Administration (FHWA) and Federal Railroad Administration (FRA)
Range-wide Programmatic Informal Consultation for
Indiana Bat and Northern Long-eared Bat**

Project Submittal Form for FHWA, FRA, and Transportation Agencies
Updated June 23, 2015

In order to use the programmatic informal consultation to fulfill Endangered Species Act consultation requirements, transportation agencies must use this form to submit project-level information for all may affect, not likely to adversely affect (NLAA) determinations to the appropriate U.S. Fish and Wildlife Service (Service) field office prior to project commencement. For more information, see the Standard Operating Procedure for Site Specific Project(s) Submission in the User's Guide.

In submitting this form, the transportation agency ensures that the proposed project(s) adhere to the criteria of the range-wide programmatic informal BA. Upon submittal of this form, the appropriate Service field office may review the site-specific information provided and request additional information. If the applying transportation agency is not notified within 14 calendar days of emailing the Project Submittal Form to the Service field office, it may proceed under the range-wide programmatic informal consultation.

Further instructions on completing the form can be found by hovering your cursor over each text box.

1. Date:

2. Lead Agency:

This refers to the Federal governmental lead action agency initiating consultation; select FHWA or FRA as appropriate

3. Requesting Agency:

a. Name:

b. Title:

c. Phone:

d. Email:

4. Consultation Code¹:

5. Project Name(s):

¹ Available through IPaC System Official Species List: <https://ecos.fws.gov/ipac/>

6. Project Description:

Please attach additional documentation or explanatory text if necessary

7. Other species from Official Species List:

No effect – project(s) are inside the range, but no suitable habitat – see additional information attached

May Affect – see additional information provided for those species (either attached or forthcoming)

8. For Ibat/NLEB, if Applicable, Explain Your No Effect Determination

No effect – project(s) are outside the species' range (*form complete*)

No effect – project(s) are inside the range, but no suitable summer habitat (*form complete*)

No effect from maintenance, alteration, or demolition of bridge(s)/structure(s) – results of inspection surveys indicate no signs of bats. (*form complete*)

No effect – other (*see Section 2.2 of the User's Guide – form complete*)

Otherwise, please continue below.

9. Affected Resource/Habitat Type

Trees

Bridge

Other Non-Tree Roosting Structure (e.g., building)

Other (please explain):

10. For Tree Removal Projects:

- a. Please verify that no documented roosts or foraging habitat will be impacted and that project is within 100 feet of existing road surface:
- b. Please verify that all tree removal will occur during the inactive season²:
- c. Timing of clearing:
- d. Amount of clearing:

11. For Bridge/Structure Work Projects:

- a. Proposed work:
- b. Timing of work:
- c. Evidence of bat activity on bridge/structure:
- d. If applicable, verify that superstructure work will not bother roosting bats in any way:
- e. If applicable, verify that bridge/structure work will occur only in the winter months:

² Coordinate with local Service field office for appropriate dates.

12. Please confirm the following:

Proposed project(s) adhere to the criteria of the range-wide programmatic informal BA (see Section 2.0).

All applicable AMMs will be implemented, including³:

Tree Removal AMM 1:

Dust Control AMM 1:

Tree Removal AMM 2:

Water Control AMM 1:

Tree Removal AMM 3:

Water Control AMM 2:

Tree Removal AMM 4:

Water Control AMM 3:

Bridge AMM 1:

Water Control AMM 4:

Bridge AMM 2:

Water Control AMM 5:

Bridge AMM 3:

Water Control AMM 6:

Bridge AMM 4:

Wetland/Stream Protection AMM 1:

Structure AMM 1:

Wetland/Stream Protection AMM 2:

Structure AMM 2:

Wetland/Stream Protection AMM 3:

Structure AMM 3:

Wetland/Stream Protection AMM 4:

Structure AMM 4:

Wetland/Stream Protection AMM 5:

Lighting AMM 1:

Wetland/Stream Protection AMM 6:

Lighting AMM 2:

³ See AMMs Fact Sheet (Appendix B) for more information on the following AMMs.



United States Department of the Interior



FISH AND WILDLIFE SERVICE
 Green Bay Ecological Services Field Office
 2661 SCOTT TOWER DRIVE
 NEW FRANKEN, WI 54229
 PHONE: (920)866-1717 FAX: (920)866-1710

Consultation Code: 03E17000-2015-SLI-0176

August 19, 2015

Event Code: 03E17000-2015-E-00174

Project Name: I-43

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The attached species list identifies any federally threatened, endangered, proposed and candidate species that may occur within the boundary of your proposed project or may be affected by your proposed project. The list also includes designated critical habitat if present within your proposed project area or affected by your project. This list is provided to you as the initial step of the consultation process required under section 7(c) of the Endangered Species Act, also referred to as Section 7 Consultation.

Section 7 of the Endangered Species Act of 1973 requires that actions authorized, funded, or carried out by Federal agencies not jeopardize federally threatened or endangered species or adversely modify designated critical habitat. To fulfill this mandate, Federal agencies (or their designated non-federal representative) must consult with the Service if they determine their project "may affect" listed species or critical habitat.

Under 50 CFR 402.12(e) (the regulations that implement Section 7 of the Endangered Species Act) the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally. You may verify the list by visiting the ECOS-IPaC website <http://ecos.fws.gov/ipac/> at regular intervals during project planning and implementation and completing the same process you used to receive the attached list. As an alternative, you may contact this Ecological Services Field Office for updates.

Please use the species list provided and visit the U.S. Fish and Wildlife Service's Region 3 Section 7 Technical Assistance website at - <http://www.fws.gov/midwest/endangered/section7/s7process/index.html>. This website contains step-by-step instructions which will help you determine if your project will have an adverse effect on listed species and will help lead you through the Section 7 process.

For all **wind energy projects** and **projects that include installing towers that use guy wires or are over 200 feet in height (e.g., communication towers)**, please contact this field office directly for assistance, even if no federally listed plants, animals or critical habitat are present within your proposed project or may be affected by your proposed project.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

Although no longer protected under the Endangered Species Act, be aware that bald eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*) and Migratory Bird Treaty Act (16 U.S.C. 703 *et seq.*), as are golden eagles. Projects affecting these species may require measures to avoid harming eagles or may require a permit. If your project is near an eagle nest or winter roost area, see our Eagle Permits website at <http://www.fws.gov/midwest/midwestbird/EaglePermits/index.html> to help you determine if you can avoid impacting eagles or if a permit may be necessary.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior
Fish and Wildlife Service

Project name: I-43

Official Species List

Provided by:

Green Bay Ecological Services Field Office
2661 SCOTT TOWER DRIVE
NEW FRANKEN, WI 54229
(920) 866-1717

Consultation Code: 03E17000-2015-SLI-0176

Event Code: 03E17000-2015-E-00174

Project Type: TRANSPORTATION

Project Name: I-43

Project Description: The anticipated reconstruction limits for this interchange extends north along I-39/90 from the WisDOT Welcome Center south of I-43 to E. Hart Road and east along WIS 81/I-43 from Freeman Parkway in the city of Beloit to County X/Hart Road Interchange. Construction is anticipated to occur from 2017-2019.

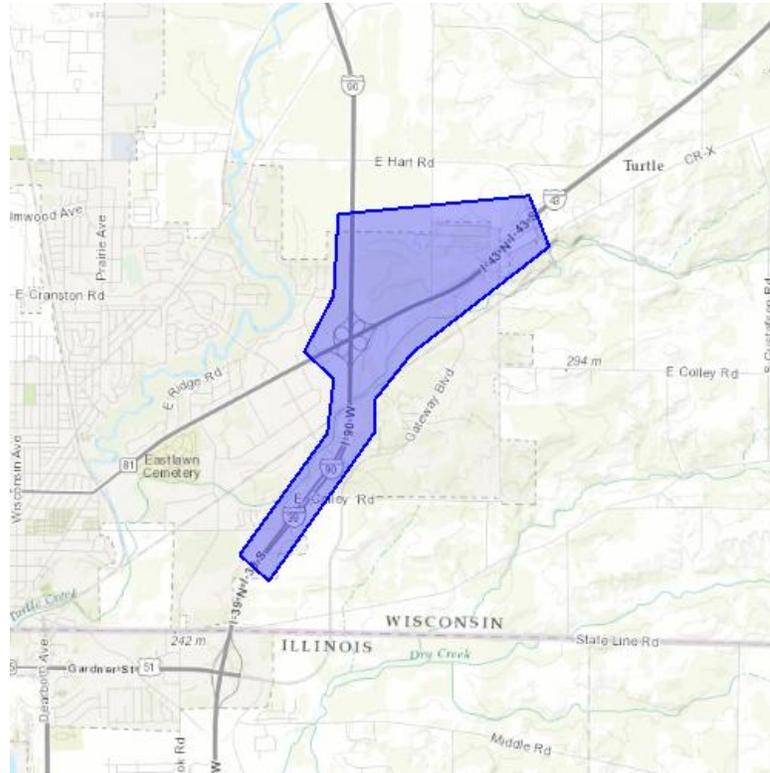
Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior
Fish and Wildlife Service

Project name: I-43

Project Location Map:



Project Coordinates: MULTIPOLYGON (((-88.99140357971191 42.50431302331001, -88.97852897644043 42.51740991900762, -88.97767066955556 42.52322988064187, -88.98204803466797 42.526171285442416, -88.97767066955556 42.53208530385116, -88.97715568542479 42.54090785188646, -88.94908905029297 42.54296310520116, -88.94617080688477 42.53739795519656, -88.9661693572998 42.52607640357825, -88.97174835205078 42.52101582869039, -88.97174835205078 42.51753644567698, -88.98719787597656 42.50146550893477, -88.99140357971191 42.50431302331001)))

Project Counties: Rock, WI



United States Department of Interior
Fish and Wildlife Service

Project name: I-43

Endangered Species Act Species List

There are a total of 5 threatened, endangered, or candidate species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Birds	Status	Has Critical Habitat	Condition(s)
Whooping crane (<i>Grus americana</i>) Population: U.S.A.(AL, AR, GA, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, OH, SC, TN, VA, WI, WV)	Experimental Population, Non-Essential		
Flowering Plants			
Eastern Prairie Fringed orchid (<i>Platanthera leucophaea</i>)	Threatened		
Prairie bush-clover (<i>Lespedeza leptostachya</i>)	Threatened		
Mammals			
Northern long-eared Bat (<i>Myotis septentrionalis</i>)	Threatened		
Reptiles			
eastern Massasauga (<i>Sistrurus catenatus</i>)	Candidate		



United States Department of Interior
Fish and Wildlife Service

Project name: I-43

Critical habitats that lie within your project area

There are no critical habitats within your project area.