

Appendix C
Agency Correspondence
during Draft EIS Preparation



February 13th, 2006

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
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Mr. Charles Webb
Wisconsin Dept. of Transportation/CH2M Hill
141 NW Barstow St.
Waukesha, WI 53187

Subject: North-South Freeway Environmental Impact Statement (EIS) Preparations
WisDOT Project ID 1032-14-00

Dear Mr. Webb:

The Department of Natural Resources has reviewed the above-mentioned project proposal for the North-South Freeway project from Howard Ave. and 35th St. in Milwaukee to the Illinois State Border on I-94. Please consider the following preliminary scoping comments and recommendations as you proceed with the EIS.

Administrative Coordination

Primary DNR Contact:

Anne Reis, Environmental Coordinator
2300 N. Martin Luther King Jr. Dr.
Milwaukee, WI 53212
414-263-8365
anne.reis@wisconsin.gov

Please provide .pdf files of project plans and other data for organizational and storage ease.

Water

River Basins

The project is located in the following river basins:

Milwaukee River: http://www.dnr.state.wi.us/org/gmu/milw/milwaukee_801.pdf
Root Pike: <http://www.dnr.state.wi.us/org/gmu/rootpike/rootpikefinal.pdf>
Southeast Fox: http://www.dnr.state.wi.us/org/gmu/foxil/southeastfox_final_202.pdf

A Basin report provides an overview of land and water resource quality.

Rivers and Lakes

There are many stream, river and creek crossings along the project corridor. The major channels are:

Oak Creek in Milwaukee Co.
Root River crossing at County Line Rd. between Milwaukee and Kenosha Counties
Hoods Creek between Hwy 20 & Hwy 11 in Racine Co.
Kilbourn Road Ditch parallel to I-94 south to 142 in Kenosha Co.
Root River/Des Plaines south of Highway 50 in Kenosha Co.

In addition, there are a great number of unnamed tributaries and creeks that cross the I-94 corridor. The Department recommends that all in-water construction activity be avoided from March 15 to May 15 to protect endemic fish populations during spawning activities. It is also necessary to maintain an unobstructed passageway through the construction area at these locations at all times to allow for continuous fish movements.

Culverts & Bridges

The Department recommends that all new structures clear span waterway crossings.

Any proposed culvert replacement for the creek should consider maintaining existing surface water profiles and drainage regimes.

All in-water work activities need to be accomplished under “dead water” conditions. The stream flow may need to be diverted around the construction site during culvert installation. A non-erodible method that maintains a passable condition to migrating fish and aquatic species is required.

The culvert invert should be installed below the existing streambed elevation to allow a natural streambed condition through the structure. A gravel bed substrate should be installed in the culvert to obtain this condition.

Please also consider providing daylighting in culverts or bridges that span the roadway.

5 foot minimum vertical clearance for navigation should be provided at major water crossings.

The environmental impacts of the project can be minimized if appropriate precautions are exercised during bridge removal and construction. All demolition and construction activities should be designed to limit deposition of material within the waterway. Removal of the bridge deck in sections is preferred to knocking it down into the waterway. If a structure must be knocked down, devices may be required to catch falling debris. All material that inadvertently enters the water should be removed. In addition, existing piers should be removed down to approximate streambed elevations.

If dredging is necessary for demolition or construction of structures, the Department will require sediment samples be taken and analyzed for suspected contaminants. NR 347 provides standards and criteria for sampling requirements. Testing of overbank areas (floodplain) may also be necessary to adequately characterize soil for reuse and/or disposal.

Constituent	EPA Test Method
Arsenic, Barium, Cadmium, Chromium, Copper, Iron, Lead, Nickel, Selenium, Zinc	6020
Mercury	7471A
PCBs (total)	8082
Dioxin/Furan (2,3,7,8-TCDD/TCDF	1613
Semi Volatile Organic Compounds (SVOCs)	8270C
Total phosphorus	365.1
NO _x , NO ₃ , NH ₃ -N, TKN	350.1/351.2/353.2
Oil and grease	9071B
Poly Aromatic Hydrocarbons (PAHs)	8250
Pesticides/Herbicides	8081/3550A
Physical Characterization	Standard
Sediment Size	ASTM D422
Total Organic Carbon	M9060

Flood plains

The Federal Emergency Management Agency (FEMA) is implementing a map modernization initiative to upgrade the Floodplain Map development process in which maps are created and distributed in a geographic information systems (GIS) format. The Department’s floodplain management program has scanned the existing paper maps and geo-registered them. They are displayed on our web interactive maps,

<http://www.dnr.state.wi.us/org/water/wm/dsfm/section/mapindex.htm>, and can be overlaid on top of Air Photos or Topographic Maps. See FEMA’s floodplain mapping website, <http://www.fema.gov/maps.shtml>, for more information on floodplain maps.

The hydraulic effects of the project need to be assessed. Any significant increase in the 100 year regional flood elevations need to be addressed in accordance with NR116, Wisconsin Administrative Code and the DOT-DNR Cooperative Agreement.

Wetlands

According to SEWRPC Land Use Files (from 2000), there are approximately 1,000 acres of wetlands within an immediate 1 mile buffer of the 34 mile corridor. Lateral encroachment and side-slope extension into the wetland areas should be avoided to the extent possible. Unavoidable wetland encroachments shall be identified in acres and type after minimizing impacts to the extent possible. Please notify me when wetland boundaries will be determined and provide the results of any wetland delineation.

Once you know the extent of unavoidable wetland loss and indirect adverse effects, you will need to search for suitable compensatory mitigation sites within the project area for consistency with the DNR-DOT Cooperative Agreement. A wetland compensation proposal will be needed in accordance with the DNR-DOT Cooperative Agreement for any unavoidable wetland losses. Please contact Ms. Karla Leithoff, DOT D2 Environmental Unit, at (262) 548-6709 if any wetlands will be impacted by this project.

Project plan sets should include wetland sheets. Wetlands should be clearly marked in the field during construction to prevent heavy equipment operation, stockpiling activity, or other impacts.

DNR Water Quality Certification is required for wetland impacts and in-water work.

Stormwater Management and Erosion Control

Impacts on wetlands and surface waters, directly or via engineered stormsewers must be assessed. The ultimate destination of drainage from the roadway should be identified. Stormwater facilities should be designed to meet NR 151/TRANS 401 standards. Please coordinate with Reem Shana on these issues at 262-548-6706 to ensure compliance with Trans 401 standards.

The Department recommends that, if present, stormsewer connections to the Milwaukee Metropolitan Sewerage District be disconnected or designed to minimize peak flow rates.

The Department recommends that the Wisconsin Department of Transportation coordinate with local governments to determine if there are specific stormwater management and/or flooding problems along the project corridor.

There may be opportunities in the project corridor, such as at concrete lined channels or hanging culverts, to improve stormwater management and habitat functions.

An erosion control plan needs to be developed for all pond, wetland, and creek crossing areas with emphasis on minimizing sedimentation during construction activities, in accordance with TRANS401, Wisconsin Administrative Code.

Construction Impacts

The project involves a significant amount of grading including cutting and filling. This type of project frequently causes an excessive amount of erosion and siltation. The Department recommends that WisDOT contract special provision specify staged construction and other techniques to manage the extent of disturbed areas, establishment of vegetative covers, and interim erosion control measures.

If site dewatering is required, sediment-laden water shall be pumped into an adequate sediment basin prior to discharge to a wetland or waterway.

Special dewatering controls may be needed if petroleum free product, contaminated groundwater, or contaminated sediment is present near the project area.

Excess fill material or spoils should be stockpiled on upland areas an adequate distance away from wetlands, stormsewer inlets, floodplains, and the waterways. Piles of stockpiled soil shall be protected against erosion and shall not create nuisance dust emissions.

If any borrow areas are necessary for this project, we will expect appropriate erosion control measures to be applied to these borrow areas during and following construction. Following completion of the project, the borrow areas should be restored, properly seeded, mulched, and protected against erosion.

Measures shall be taken to control fugitive dust emissions generated during construction. Special dust control measures may be required where there are sensitive receptors, during demolition work, or during freezing conditions.

Grinding slurry should be contained and should not be allowed to drain to any wetlands, waterways, or stormsewer inlets.

Wastewater

Portable concrete batch plants may need a **Ch. 283 Wisconsin Pollutant Discharge Elimination System (WPDES) – Concrete Products Operations General Permit** for wastewater discharges. Please contact Ted Bosch, Wisconsin Department of Natural Resources, Wastewater Engineer (414) 263-8623 to request additional information and permit application materials. Complete permit applications may take 180 days to process.

Portable Asphalt batch plants may need a **Ch. 283 Wisconsin Pollutant Discharge Elimination System (WPDES) – Asphalt Plants Operations General Permit** for wastewater discharges. Please contact Ted Bosch, Wisconsin Department of Natural Resources, Wastewater Engineer (414) 263-8623 to request additional information and permit application materials. Complete permit applications may take 180 days to process.

LAND

Endangered Resources

Our National Heritage Inventory (NHI) data files contain many rare species for the project corridor. Please see the attached accompanying Endangered Resources letter. This information is considered confidential and exact locations should not be released or reproduced in any publicly disseminated documents.

If swallow nests are present under old structures, do not remove or destroy them when the swallow are nesting or rearing young (May 15 to August 20). Eggs and nests of other international migratory birds; terns and gulls, are also protected.

DNR Managed Lands

The Wisconsin DNR manages these lands through ownership, easement or lease rights.

Managed Forest Lands

Below are the managed forest lands (MFL) that fall within in 1 Township-Range sections on either side of I-94.

Owner	TRS	Acres Open	Acres Closed
John B Fellner	T4N R22E S18 SW NW	0.00	12.00
Charles H Goessl	T4N R21E S1 NW NE	16.00	0.00
	T4N R21E S1 SW NE	7.10	0.00
Shirley Poisl	T2N R21E S1 NW NE	0.00	40.00
	T2N R21E S1 SW NE	0.00	39.33

In general, lands enrolled in Managed Forest Law (MFL) are open to public hunting, fishing, cross country skiing, hiking, and sightseeing. However, the land owner may elect to close up to 80 acres per municipality to the public.

Conservation Land

There are federal Land And Water Conservation Fund grants in Falk Park that may be affected by the development of new on and off ramps at Drexel Ave or if the ROW is expanded into the park. In addition there are also LWCF grant funds in the Root River Parkway in both Milwaukee and Racine Counties that may be effected by any expansion of the ROW in that area or any new on and off ramps for 27th Street. Both Racine and Kenosha County have multiple snowmobile trail crossings either over or under the freeway on bridges associated with county or town roads. Most of these crossings need to be designed better to accommodate safe snowmobile use.

55-00899 Falk Park, Milwaukee County has acquired several properties within the park with LWCF funding. A new ramp at Drexel Avenue may impact this park as well as any westerly expansion of the R-O-W into the park.

55-01053 Root River Parkway, Racine County has recently purchased some LWCF replacement lands just to the east of I-94. The parcels were the former Stank property 04-003-000 and the former Farina property 03-011-000 along Nicholson Road. These were replacement properties for lands the county sold off at the Ives Grove Golf Course at STH 20. The golf course still has LWCF funding on a portion of it so any additional expansion at that location may have an impact on the same project.

State Stewardship projects in the corridors include:

S-ADLP-317 Drexel Ave. Bike Path
S-ADLP-448 Root River Bikeway
S-ADLP-614 Oak Creek Recreation Trail

State funded snowmobile trail crossings:

Racine County

County Highway "G" bridge over I-94
Between Golf Road and Two Mile Road Under I-94
STH 11 under I-94
STH 38 near Husher and again near 5 Mile Road

Kenosha County

County Highway "A" under I-94
County Highway "K" under I-94

SEWRPC Data

Critical species habitat exists in Milwaukee County in S19 of T5N R22E and S36 of T5N R21E, in Racine County in S13 of T3N R21E, and in Kenosha County in S1 of T2N R21 E. These areas are classified as "Critical Species Habitat to Preserve", which means that these areas are not under protective ownership, but they should be preserved to the extent practical.

Primary and Secondary Environmental Corridors and Areas of Isolated Resources exist along the project area. The majority of the primary corridor is south of STH 50. These areas are not under State protection, but threatened and endangered species habitat may exist in these corridors. Please avoid these areas to the extent practical. See the SEWRPC website for more information on environmental corridors at <http://www.sewrpc.org/regionallandinfo/regionalmapping/default.shtm>.

Selected Sites

DNR typically reviews contractor's proposed selected sites during the Erosion Control Implementation Plan (ECIP) review process and provides comments to WisDOT. "Selected sites" means any borrow site or material disposal site used exclusively for projects administered by WisDOT. Selected sites that do not involve processing of materials and are used exclusively in DOT projects shall be addressed in the ECIP. The ECIP for selected sites shall include, **at a minimum**, a narrative and pictorial description of each of the selected sites (plan and cross section views as appropriate), the erosion control measures used at each site, and a schedule for implementing them. Selected sites that involve material processing must be in compliance with NR 216 and other laws for use in a DOT project, but do not require the submittal of a full ECIP. For these sites, the ECIP should document the compliance of the processing sites with NR 216 and other applicable laws.

DNR considers criteria such as proximity to wetlands, navigable waterways, floodplains, public parks, and water supply wells; endangered resources, stormwater management, hazardous substance releases, waste disposal sites, material management plans, groundwater flow, environmental corridors, local zoning, and other criteria when reviewing a selected site proposal.

Air and Waste

Hazardous Substance Releases

Cursory review found hazardous substance releases in the project area (see Appendix A). The Department provides an on-line database of contaminated sites, called the Bureau for Remediation and Redevelopment Tracking System, or "BRRTS on the Web." It includes spills, leaks, Superfund cleanups and other contaminated sites that have been discovered and reported. You may check the site to see if a hazardous substance release has been reported in your project area. The web address is <http://dnr.wi.gov/org/aw/rr/brrts/index.htm>. If you discover a hazardous substance release during development activities notify the Department by calling 800-943-0003.

All drums and containers used during construction should be stored in secure locations to prevent vandalism and unwanted dumping. If you discover an abandoned container at your project site notify the Department by calling 800-943-0003.

Please coordinate an excavated material management plan with DNR. Project plan sets should include sheets showing locations of contaminated material and potentially contaminated materials.

Please coordinate hazardous substance release issues with Brenda Boyce, WDNR R&R Program 414-574-2140. If you wish to review the DNR files for hazardous substance release sites in the project area, call (414) 263-8500 to coordinate review of sites in Milwaukee County and (262) 884-2300 to coordinate review of sites in Racine and Kenosha Counties. Please be prepared with Facility Identification (FID) and/or Bureau of Remediation and Redevelopment Tracking System (BRRTS) numbers when you call to coordinate the review.

Waste Management

The project should be assessed for asbestos and lead paint. If asbestos is present, it must be properly managed. No asbestos should co-mingled with concrete or other material that will be crushed. Lead paint chips and dust that are generated during surface preparation should be contained and properly managed.

Asbestos containing material should be stored securely.

WisDOT may consider security measures at project concrete crushing and recycling operations.

Steel sizing, separation of re-bar from concrete, and stockpiling activities should all take place in upland areas, preferably on paved or impervious surfaces.

Cutting and welding slag may be drummed and may be included with materials to be recycled. Slag should not be dropped into waterways.

Steel, concrete, and other demolition materials should be recycled to the extent possible. Sediment and wastes must be characterized and managed properly.

Trucks hauling contaminated material, special excavation material, and asbestos containing material should be covered during transport.

A Notification of Demolition and/or Renovation and Application for Permit Exemption (NR 406, 410, and 447 Wis. Adm. Code) may be required. Please contact Saji Villoth, Asbestos Specialist (414) 263-8490 to request additional information and permit application materials. The notification submittal should be postmarked at least 10 working days prior to the start of demolition or regulated asbestos removal work.

Project plan sets should include drawings or sheets showing existing structures and identification numbers. These sheets can be used to identify locations of demolition work.

Air Quality and Permits

Because fine particulate matter levels for Milwaukee County are typically close to PM2.5 limits and the project is in a non-attainment area for the federal 1-hour ozone standard, contributions from construction activities can have a major impact well beyond the project limits. Take practical measures to mitigate the impact of operating construction equipment on the air quality in and around the project site. The counties of Kenosha, Racine, and Milwaukee are all non-attainment of the federal 8-hour standard. This is the new standard, replacing the 1-hour. EPA is currently in the process of revising PM2.5 standard (by September deadline) that could likely put Milwaukee County in violation of the standard.

Do not burn diesel fuel with a sulfur content exceeding 500 ppm (0.05% by weight) within the project limits. Red dyed diesel fuels marketed for off-road use frequently will not meet this requirement. If burning dyed fuel, ensure that the sulfur content meets this requirement. Beginning in 2006, with compliance by October, on-road diesel will go down to 15ppm, followed by off-road fuel going down to 500 ppm and eventually down to 15 ppm in 2010. Please include some kind of after-treatment device for equipment older than 2006.

The department encourages the contractor to voluntarily establish staging zones for trucks waiting to load and unload. Locate staging zones where idling of diesel powered equipment will have minimal impact on abutting properties and the general public. The department will make signs available to the contractor to help identify these zones. Have truckers queue up in these zones whenever it is practical. The department further encourages drivers to shut down diesel trucks as soon as it appears likely that they will be queued up for more than 15 minutes. The contractor shall notify employees and sub-contractors about fueling and engine idling. Our preference for idling is no more than 5 minutes.

The department also encourages the contractor to locate stationary diesel powered equipment to minimize the impact of diesel emissions on abutting properties and the general public. The department further encourages the contractor to shut down stationary diesel powered equipment when not in use for extended periods.

Wisconsin requires an indirect source permit for certain projects which attract motor vehicles.

“Indirect source means any stationary source which attracts or may attract mobile source activity or on which mobile source activity is conducted., thus resulting in the indirect emissions of any air contaminant, at or on the mobile source activity. Such indirect sources include, but are not limited to highways and roads; parking facilities; recreation, amusement, sports and entertainment facilities; airports, bus terminals, and train stations; office and government buildings; and educational facilities.”

The requirements for an indirect source permit are contained in ch. NR 411, Wis. Adm. Code. Unlike other permits, indirect source permits are completed by the air quality modeling staff in the Central Office in Madison with assistance from regional compliance staff. The project may be exempt if it is determined that the project would not attract additional increases, or if they would occur with or without the project. Please contact, Mike Friedlander, Program and Planning Analyst, Michael.Friedlander@dnr.state.wi.us, 608-267-0806, to determine if an indirect source permit is needed.

Portable concrete crusher plants may need a **NR 440 Concrete Crusher Plant Air Permit** for air emissions. Please contact Mike Griffin, Wisconsin Department of Natural Resources, Air Compliance Engineer (414) 263-8554 to request additional information and permit application materials. Complete permit applications may take 3 months to process.

The above concerns and recommendations need to be addressed, resolved, and incorporated into the EIS prior to obtaining any preliminary project concurrence from this office. Should the project change in scope or detail from that which is identified in your plans/correspondence, or should other environmental issues arise, please contact this office for additional review and concurrence. I look forward to our ongoing discussions and next meeting to discuss preliminary project alternatives.

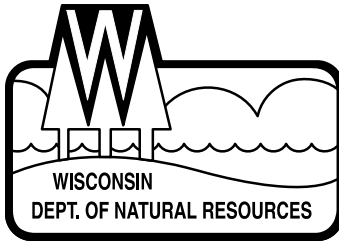
Thank you for the opportunity to comment on this project. We look forward to working with you on this project in the future.

Sincerely,

Anne Reis
Environmental Coordinator

Enclosure

CC: Kate Angel, DOA
Michael Thompson, DNR
Bob Schmidt, WisDOT
Brenda Boyce, DNR
Jim Ritchie, DNR
Pete Wood, DNR
Reem Shana, WisDOT
Karla Leithoff, WisDOT
Craig Helker, DNR
Saji Villoth, DNR
Frank Schultz, DNR
Lisie Kitchel, DNR
Tom Blotz, DNR



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February 13, 2006

Mr. Charlie Webb
 CH2M Hill/WisDOT
 141 NW Barstow St.
 Waukesha, WI 53187

Subject: WisDOT Project I.D. 1032-14-00
 I-94 from Layton Ave. (Milw Co.) to Illinois State border
 Natural Heritage Inventory (NHI) Lookup

Dear Mr. Webb:

The Wisconsin DNR Environmental Analysis and Review/DOT Liaison Team and the Bureau of Endangered Resources have reviewed the project area for the North South Freeway (I-94) from Howard Ave. & 35th St. in Milwaukee Co. to the Illinois State Border. Endangered resource information is provided for an area within two miles of the project's location. This information is provided so impacts to nearby endangered resources can be assessed and to assist in determining if rare species may occur in the project's impact area when appropriate habitat exists. If a described habitat type occurs in the project's impact area, then species that occur nearby may be present in the project area and field surveys may be necessary to determine if this is the case.

There are a number of high quality natural communities that occur along the I-94 corridor.

Wetland/Aquatic

County	Town-Range	Community Name
Kenosha	T1N R22E	Emergent marsh
		Wet-mesic prairie
Milwaukee	T5N R21E	Floodplain forest
	T5N R22E	Floodplain forest
		Stream--slow, hard, warm
Racine	T4N R21E	Floodplain forest
		Lake--oxbow
	T4N R22E	Emergent marsh

Upland

County	Town-Range	Community
Kenosha	T1N R21E	Mesic prairie
	T1N R22E	Southern dry-mesic forest
Milwaukee	T5N R21E	Southern dry-mesic forest
		Southern mesic forest
	T5N R22E	Southern dry-mesic forest
		Southern mesic forest
Racine	T3N R21E	Mesic prairie
		Southern dry-mesic forest
	T3N R22E	Mesic prairie
	T4N R21E	Southern mesic forest
	T4N R22E	Mesic prairie
		Southern dry-mesic forest
		Southern mesic forest

In addition, the following State Natural Area is located within a 2-mile buffer of the project:

State Natural Area	County	Location	TRS
Cudahy Woods	Milwaukee	College Ave. East of I-94	T5N, R22E, S4

Cudahy Woods features an outstanding example of the hardwood forests that once covered most of Milwaukee County prior to European settlement and includes dry-mesic, lowland, and mesic forest communities. Occupying the northern portion is dry-mesic forest dominated by red oak, white oak, black cherry, and shagbark hickory. To the south, the woods is moister and supports an old-growth stand of mesic forest containing sugar maple, American beech, red oak, white ash, and ironwood.

Though the natural communities themselves are not protected by law, many of them contain endangered or threatened species. Our Natural Heritage Inventory data files contain information on the following rare species and associated natural communities for the 34 miles of project area located along the existing I-94 corridor. The lists below regard only current element occurrences, from 1960 to the present. (Appendix A details historical species occurrences. It is questionable whether or not historical species exist in the immediate project area. Field verification is needed in most cases due to the length of time from the last occurrence date.)

Endangered

County	Group	Scientific Name	Common Name
Kenosha	PLANT	<i>Asclepias purpurascens</i> <i>Platanthera leucophaea</i>	Purple Milkweed Prairie White-fringed Orchid
	SNAKE	<i>Sistrurus catenatus catenatus</i>	Eastern Massasauga Rattlesnake
Milwaukee	PLANT	<i>Carex crus-corvi</i> <i>Carex lupuliformis</i> <i>Plantago cordata</i> <i>Solidago caesia</i>	Ravenfoot Sedge False Hop Sedge Heart-leaved Plantain Bluestem Goldenrod
Racine	PLANT	<i>Asclepias purpurascens</i> <i>Astragalus neglectus</i>	Purple Milkweed Cooper's Milkvetch

Threatened

County	Group	Species Name	Common Name
Kenosha	PLANT	<i>Parthenium integrifolium</i>	American Fever-few
	TURTLE	<i>Emydoidea blandingii</i>	Blanding's Turtle
Milwaukee	PLANT	<i>Carex formosa</i>	Handsome Sedge
	SNAKE	<i>Thamnophis butleri</i>	Butler's Gartersnake
Racine	PLANT	<i>Asclepias sullivantii</i> <i>Cacalia tuberosa</i> <i>Echinacea pallida</i> <i>Gentiana alba</i> <i>Parthenium integrifolium</i>	Prairie Milkweed Prairie Indian Plantain Pale-purple Coneflower Yellow Gentian American Fever-few

In addition to individual snake occurrences, there are three Butler's Garter Snake Tier 3 Sites within the project corridor in Milwaukee County in Sections 6, 7, and 19 of T5N R22E. Tier 3 sites potentially support large Butler's garter snakes populations and are critical to the long-term conservation of this animal. The loss of a population at a Tier 3 site would jeopardize the status of the species based on the current data available.

The Conservation Strategy calls for take to be avoided at these sites, except in the case of habitat management. If take is proposed in excess of that necessary for habitat management, project-specific incidental take authorization is required. For Tier 3 sites, all suitable habitat must either be maintained or the equivalent of any lost suitable habitat must be restored to suitable habitat elsewhere within the habitat patch so that there is no net loss of snake habitat. The department will evaluate all within-patch mitigation plans as appropriate.

If incidental take cannot be avoided, then incidental take authorization is required on a project by project basis. The authorization process requires a jeopardy assessment be conducted for each site and there may not be options for no net loss at a site, therefore **avoiding Tier 3 sites is the best way to avoid potential problems.**

Site Name	Section	Surveyed	Presence Confirmed	Acres	Owner
Falk Park	7	Y	Y	58	Public
Franklin East	19	N	N	33	Private
Menards Site	6	N	N	41	Private

Coordination with Bob Hay, WDNR Cold Blooded Species Biologist, will be needed for the Butler's garter snake occurrences and Tier 3 habitat. Please contact him at 608-267-0849. He will also determine the need for surveys for the Blanding's Turtle and Eastern Massasauga Rattlesnake. Suitable habitat may or may not exist in the area for the turtle and rattlesnake.

Special Concern

The following special concern species have been found in the area and within a 1-mile buffer:

County	Group	Scientific Name	Common Name
Kenosha	BIRD	<i>Ammodramus savannarum</i>	Grasshopper Sparrow
		<i>Bartramia longicauda</i>	Upland Sandpiper
		<i>Melanerpes erythrocephalus</i>	Red-headed Woodpecker
		<i>Spiza americana</i>	Dickcissel
		<i>Sturnella neglecta</i>	Western Meadowlark
	CRUSTACEAN	<i>Procambarus gracilis</i>	Prairie Crayfish
	DRAGONFLY	<i>Enallagma basidens</i>	Double-striped Bluet
FISH	<i>Aphredoderus sayanus</i>	Pirate Perch	
	<i>Erimyzon sucetta</i>	Lake Chubsucker	
	LEAFHOPPER	<i>Destria crocea</i>	A Leafhopper
	PLANT	<i>Liatris spicata</i>	Marsh Blazing Star
		<i>Thalictrum revolutum</i>	Waxleaf Meadowrue
Milwaukee	DRAGONFLY	<i>Somatochlora ensigera</i>	Lemon-faced Emerald
	OTHER		Bird Rookery
	PLANT	<i>Lithospermum latifolium</i>	American Gromwell
<i>Scutellaria ovata</i>		Heart-leaved Skullcap	
<i>Trillium recurvatum</i>		Reflexed Trillium	
<i>Viburnum prunifolium</i>		Smooth Black-haw	
<i>Epilobium strictum</i>		Downy Willow-herb	
Racine	BIRD	<i>Bartramia longicauda</i>	Upland Sandpiper
		<i>Icterus spurius</i>	Orchard Oriole

		<i>Melanerpes erythrocephalus</i> <i>Spiza americana</i> <i>Sturnella neglecta</i>	Red-headed Woodpecker Dickcissel Western Meadowlark
	CRUSTACEAN	<i>Crangonyx gracilis</i>	A Side-swimmer
	PLANT	<i>Cacalia muehlenbergii</i> <i>Trillium recurvatum</i> <i>Viburnum prunifolium</i>	Great Indian-plantain Reflexed Trillium Smooth Black-haw

Special concern species are species about which some problem of abundance or distribution is suspected but not yet proved. The main purpose of this category is to focus attention on certain species before they become endangered or threatened. Though not officially state protected, the DNR urges the protection and avoidance of these special concern species within the project area and recommends surveys for these species, as well.

As indicated above, Emergent Marsh, Lake-Oxbow, high quality streams, Floodplain Forests, Southern Dry Mesic and Mesic Forests, and Prairie remnants (wet-mesic and mesic) may occur along the existing North South Freeway Corridor and along or near the various I-94 interchanges. If this habitat is found to occur in the project impact area, a habitat survey should be conducted to determine the extent and quality of the community and whether there is potential for threatened and endangered species to occur at those locations. Historic species should be included in any surveys of suitable habitat, as well (See Appendix A for these species). These habitats should be avoided if possible, especially if they contain threatened and endangered species. If threatened or endangered species are located in the project's impact area, then construction activities or location may need to be altered to avoid impacting them.

Comprehensive endangered resource surveys have not been completed for the project area. As a result, our data files may be incomplete. The lack of additional known occurrences does not preclude the possibility that other endangered resources may be present in the project area.

The specific location of endangered resources is sensitive information that has been provided to you for the analysis and review of the project. Exact location should not be released or reproduced in any publicly disseminated documents.

This letter is for information purposes and only addresses endangered resource issues. This letter does not constitute Department of Natural Resources authorization of the project and does not exempt the project from securing necessary permits and approvals from the Department.

Please feel free to contact me at 414-263-8365 should you have any questions or concerns.

Sincerely,

Anne Reis
Environmental Coordinator
Environmental Analysis and Review Team

Helen Elise Kitchel
Environmental Review Specialist
Bureau of Endangered Resources

CC: Bob Hay, WDNR
Andy Galvin, WDNR
Owen Boyle, WDNR
Larry Leitner, SEWRPC
Don Reed, SEWRPC

Appendix A

Historic Endangered Resources Occurrences

State Status	County	Town-Range	Group	Scientific Name	Common Name
Endangered	Kenosha	T2N R22E	PLANT	<i>Erigenia bulbosa</i>	Harbinger-of-spring
			PLANT~	<i>Carex lupuliformis</i>	False Hop Sedge
				<i>Plantago cordata</i>	Heart-leaved Plantain
	Milwaukee	T5N R21E	PLANT	<i>Asclepias purpurascens</i>	Purple Milkweed
		T6N 22E	PLANT~	<i>Carex lupuliformis</i>	False Hop Sedge
	Racine	T3N R21E	PLANT~	<i>Platanthera leucophaea</i>	Prairie White-fringed Orchid
		T3N R22E	PLANT~	<i>Platanthera leucophaea</i>	Prairie White-fringed Orchid
Special Concern	Kenosha	T2N R22E	PLANT~	<i>Cypripedium reginae</i>	Showy Lady's-slipper
				<i>Liatris spicata</i>	Marsh Blazing Star
		Unknown	PLANT	<i>Cacalia muehlenbergii</i>	Great Indian-plantain
	Milwaukee	T5N R22E	PLANT	<i>Medeola virginiana</i>	Indian Cucumber-root
			PLANT~	<i>Cypripedium parviflorum var. makasin</i>	Northern Yellow Lady's-slipper
		T6N R21E	PLANT	<i>Platanthera hookeri</i>	Hooker Orchis
		T6N R22E	PLANT~	<i>Glycyrrhiza lepidota</i>	Wild Licorice
		Blank	PLANT	<i>Lithospermum latifolium</i>	American Gromwell
	Racine	T3N R21E	PLANT~	<i>Liatris spicata</i>	Marsh Blazing Star
		T3N R22E	PLANT	<i>Carex richardsonii</i>	Richardson Sedge
				<i>Panicum wilcoxianum</i>	Wilcox Panic Grass
			PLANT~	<i>Cypripedium parviflorum var. makasin</i>	Northern Yellow Lady's-slipper
				<i>Gentianopsis procera</i>	Lesser Fringed Gentian
				<i>Liatris spicata</i>	Marsh Blazing Star
		T4N R22E	PLANT	<i>Trillium recurvatum</i>	Reflexed Trillium
		Blank	PLANT	<i>Tomanthera auriculata</i>	Earleaf Foxglove
Special Concern/Migratory Bird Protected	Kenosha	T1N R21E	BIRD~	<i>Nycticorax nycticorax</i>	Black-crowned Night-heron
		T2N R21E	BIRD~	<i>Nycticorax nycticorax</i>	Black-crowned Night-heron
Special Concern No protection	Kenosha	T2N R22E	FISH~	<i>Etheostoma microperca</i>	Least Darter
	Milwaukee	T5N R22E	FISH~	<i>Etheostoma microperca</i>	Least Darter
Threatened	Kenosha	T2N R22E	PLANT	<i>Gentiana alba</i>	Yellow Gentian
			PLANT~	<i>Ranunculus cymbalaria</i>	Seaside Crowfoot
	Milwaukee	T6N R22E	SNAKE~	<i>Thamnophis butleri</i>	Butler's Gartersnake
	Racine	T3N R21E	PLANT	<i>Asclepias sullivantii</i>	Prairie Milkweed
				<i>Cacalia tuberosa</i>	Prairie Indian Plantain
				<i>Gentiana alba</i>	Yellow Gentian
			PLANT~	<i>Ranunculus cymbalaria</i>	Seaside Crowfoot
		T3N R22E	PLANT	<i>Parthenium integrifolium</i>	American Fever-few
			PLANT~	<i>Cypripedium candidum</i>	Small White Lady's-slipper
				<i>Tofieldia glutinosa</i>	Sticky False-asphodel
		Blank	PLANT	<i>Asclepias sullivantii</i>	Prairie Milkweed



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
Gloria L. McCutcheon, Regional Director

Southeast Region Headquarters
2300 N. Dr. Martin Luther King, Jr. Drive
PO Box 12436
Milwaukee, Wisconsin 53212-0436
FAX 414-263-8606
Telephone 414-263-8500
TTY Access via relay - 711

February 16, 2006

Mr. Charlie Webb
WisDOT/CH2M Hill
141 NW Barstow St.
Waukesha, WI 53187

Subject: WisDOT Project ID 1030-20-00
North-South Freeway
Natural Heritage Inventory (NHI) Data

Dear Mr. Webb:

Thank you for your voice mail message and email on Tuesday, February 14th regarding the NHI data you requested for the North-South Freeway project. The list of endangered, threatened and special concern species provided in the February 13th NHI letter is from a 1-mile buffer of the N-S Freeway corridor. Therefore, the species listed under Milwaukee, Racine and Kenosha counties were found within this 1 mile buffer of the corridor. However, one must understand that, due to the nature of the NHI data, the precision to which an element occurrence was mapped may vary from a 200 ft. radius to a 5 mile radius. For more details on mapping precision, please see the enclosed glossary for the NHI Database.

As per your request, I have attached a list, in Excel, of the endangered, threatened and special concern species for the project corridor, within a 1-mile buffer, listed first by county, then Township-Range, Section, State Status, Group, Survey Site (if applicable), Scientific Name, Common Name, Date Last Observed and Mapping Precision. Historical records are listed on a separate worksheet. Data caveats: When a Section field = 0, this means that it is not a mapped record. Additionally, blanks in the TRS mean they are historic records where the information provided was only to county or township level.

All records prior to 1969 are considered historical records (with some exceptions) and we are uncertain whether they still occur in the project area. Depending on the extent of the highway expansion and interchange improvements and current habitat, historical element occurrences should be field verified. Exception: some of the most recent fish data the DNR has is from the 1950s and 1960s, so it would be essential to include these records on any fish surveys.

Please view the attached list as a "working list". Depending on WisDOT species surveys and future conditions along the I-94 corridor, the list for the project corridor may change. Be advised that future species surveys may be needed once individual projects have been designed and are ready for construction.

Again, it is important to look for the habitat that may support these endangered, threatened and special concern species. We listed the habitat locations with Township, Range and Section, which will provide you search areas in which to conduct species surveys. I apologize if the previous letter was not clear and for any delay.

Remember, the specific location of endangered resources is sensitive information that has been provided to you for the analysis and review of the project. Exact location should not be released or reproduced in any publicly disseminated documents.

This letter is for information purposes and only addresses endangered resource issues. This letter does not constitute Department of Natural Resources authorization of the project and does not exempt the project from securing necessary permits and approvals from the Department.

Please indicate if the data format is acceptable. You can contact me at 414-263-8365 should you have any questions or concerns.

Thank you,

Anne Reis
Environmental Coordinator

CC: Carrie Cooper, WisDOT
Bob Hay, WDNR
Lisie Kitchel, WDNR
Owen Boyle, WDNR
Robert Schmidt, WisDOT

Cooper, Carrie

From: Thompson, Michael C - DNR [MichaelC.Thompson@Wisconsin.gov]
Sent: Thursday, August 31, 2006 11:32 AM
To: Cooper, Carrie - DOT; Webb, Charlie/MKE
Cc: McMullen, Peter T - DNR
Subject: DNR comments for DOT Southeast Freeways North South Corridor EIS Draft Purpose and Need

Hi Carrie and Charlie,

Thanks for talking with me on Tuesday, August 29, 2006 about the DOT Southeast Freeways North South Corridor EIS *Draft Purpose and Need*. DNR concurs with the main point of the *Purpose of Need*; that the freeway corridor will need reconstruction. DNR would like to meet with you to discuss alternatives and capacity expansion that will be discussed in more detail in later EIS chapters

Mike

Michael C. Thompson

Team Supervisor

Environmental Analysis & Review Program


Bureau of Integrated Science Services

Wisconsin Department of Natural Resources

(☎) phone: (414) 263-8648

(☎) fax: (414) 263-8483

(✉) e-mail: michael.thompson@dnr.state.wi.us

 You forwarded this message on 5/2/2007 4:40 PM.

Webb, Charlie/MKE

From: Thompson, Michael C - DNR
[MichaelC.Thompson@Wisconsin.gov] **Sent:** Wed 5/2/2007 3:58 PM
To: Cooper, Carrie - DOT; Webb, Charlie/MKE
Cc: McMullen, Peter T - DNR
Subject: DNR Concurrence for Draft I-94 N-S EIS Chapter 2 Alternatives document
Attachments:

Carrie and Charlie,

The Department has reviewed the February 14, 2007 Draft I-94 N-S EIS Chapter 2 Alternatives document. This email, and the following three recommendations, are Department concurrence for the document

1. The EIS should analyze a hybrid alternative of Safety & Design Improvements in Metro Milwaukee with Safety & Design Improvements and Capacity Expansion outside of Metro Milwaukee
2. The EIS should analyze a hybrid alternative of Safety and Design Improvements throughout the project area and Capacity Expansion in forecasted areas of Severe/Extreme congestion Alternative

Hybrid alternatives may have been analyzed during the Freeway Reconstruction Study and Regional Transportation Plan Update 2035

3. The Department recommends that a potential transit system from College Avenue into downtown Milwaukee, which is identified in the Regional Transportation Plan 2035, be included in section 2.2.2 Transportation Demand Management Alternative

Michael C. Thompson

Team Supervisor
Environmental Analysis & Review Program
Bureau of Integrated Science Services
Wisconsin Department of Natural Resources
(☎) phone: (414) 263-8648
(☎) fax: (414) 263-8483
(✉) e-mail: MichaelC.Thompson@Wisconsin.gov

DATE: ~~February 21, 2007~~ August 8, 2007

FILE REF: 1600

TO: Carrie Cooper, DOT

FROM: Mike Thompson, DNR SER EA

SUBJECT: DNR Bureau of Endangered Resources (BER) Coordination for the DOT North-South Corridor Project (Project).

31JAN07 Karla Leithoff, DOT; Carrie Cooper, DOT; Charlie Webb, MTP; Lisie Kitchel, DNR (telephone); Bob Hay, DNR (telephone); Owen Boyle, DNR; and Mike Thompson, DNR met to review DNR BER Plant, Reptile, Bird, Fish, and Invertebrate issues to be considered in the Project's environmental document for the I94 mainline and separate interchange projects. DNR recommendations and action items are highlighted in yellow.

Plants

- 1) A Threatened and Endangered Plant Survey report has been prepared by GAS
- 2) Charlie Webb provided the Plant Survey report to Lisie Kitchel on 09FEB07
- 3) Four sensitive plant species identified in the project area
 - a. State endangered Seaside Crowfoot *Ranunculus cymbalaria* @ [REDACTED] and north of [REDACTED]
 - i. DNR recommends DOT relocate *Ranunculus cymbalaria* during fall 2008 prior to 2009 construction work.
 - ii. DNR recommends DOT monitor and maintain *Ranunculus cymbalaria* transplants during 2009.
 - iii. DNR recommends the DOT contract provisions require high visibility (orange) barrier fencing around sensitive plants to prevent accidental construction impacts.
 - b. State endangered Bluestem Goldenrod *Solidago caesia* @ [REDACTED]
 - i. DNR recommends that DOT design avoid disturbing the *Solidago caesia* near [REDACTED]
 - ii. If *Solidago caesia* can not be avoided, then DNR recommends that DOT begin collecting seeds and initiate plant relocation efforts now.
 - iii. DNR recommends the DOT contract provisions require high visibility (orange) barrier fencing around sensitive plants to prevent accidental construction impacts.
 - c. State special concern Smooth Black-haw *Viburnum prunifolium* @ [REDACTED]
 - i. DNR requests that DOT relocate *Viburnum prunifolium* during the year proceeding construction work.
 - ii. DNR requests DOT monitor and maintain *Viburnum prunifolium* transplants for two years after relocation.
 - iii. DNR requests the DOT contract provisions require high visibility (orange) barrier fencing around sensitive plants to prevent accidental construction impacts.
 - d. State special concern Reflexed Trillium *Trillium recurvatum* @ [REDACTED], [REDACTED], [REDACTED], and North of [REDACTED]
 - i. DNR requests that DOT relocate *Trillium recurvatum* during the year

- proceeding construction work.
- ii. DNR requests DOT monitor and maintain *Trillium recurvatum* transplants for two years after relocation.
- iii. DNR requests that DOT contract provisions require high visibility (orange) barrier fencing around sensitive plants to prevent accidental construction impacts.

iv.

- 4) Karla Leithoff will coordinate plant relocations and, if necessary, seed collection with GAS

Reptiles

- 1) A Blandings Turtle and Massasauga Rattlesnake Survey report has been prepared by Gary Casper
- 2) Bob Hay, DNR has reviewed the report and reported that Casper did not know the exact DOT project impacts and so the report has some uncertainty.
- 3) Hay recommended the following action items:
 - a. DOT should develop an ***Incidental Take Avoidance and Minimization Plan (Plan)*** for Blandings turtles similar to the plan DOT developed for the Burlington Bypass.
 - b. The Plan should include a fencing component
 - i. Blandings Turtle exclusion fencing should be used where the project will fill wetlands in Blandings Turtle habitat areas; See Plan Sections: 4.2 Habitat Area D, Milwaukee and Racine Counties; 4.4 Habitat Area I, Kenosha Co.; 4.5 Habitat Areas J, L, M, N, Kenosha Co.; and 4.6 Habitat Area K, Kenosha Co.
 - 1. The exclusion fencing details should include:
 - a. The fencing should be installed to isolate the wetland that will be filled prior to 15MAR each year.
 - b. Blandings Turtles should be hand collected from inside the fenced area and placed outside of the fence.
 - c. The fencing will need to be maintained from 15MAR to 15NOV.
 - d. If the fenced area is inundated with water, Blandings Turtles may repopulate the area. When the fenced area drains, Blandings Turtles should be hand collected from inside the fenced area and placed outside of the fence.
 - e. Bob Hay will review final DOT project design and Incidental Take Avoidance and Minimization Plan.
 - ii. Massasauga Rattlesnake exclusion fencing should be used where the project will fill wetlands in Rattlesnake habitat areas; See the Plan for habitat areas 4.2, 4.4, 4.5, and 4.6.
 - 1. The exclusion fencing details should include:
 - a. The fencing should be installed prior to 01APR each year.
 - b. The fencing should be at least 3 ft. high
 - c. The fencing will need to be maintained from 01APR to 15NOV.
 - d. Rattlesnakes should be hand collected from inside the fenced area and placed outside the fenced area.
 - c. Hay will refer to DOT design and plans to process the required **Incidental Take Authorization**
 - i. The Authorization will include a 30 day public notice

ii. The Authorization may be issued one year prior to construction

- 4) Bob Hay said that the DNR expects that the **study of Butler's Gartersnake genetic range limits** will be completed by fall 2007.
- If the Butler's Gartersnake range extends south along the I94 corridor near Drexel and Rawson, then DOT may need to consider special conservation measures during project design.
 - ██████ is part of Butler's Gartersnake Tier III (highest quality) habitat area.
 - Rawson Interchange reconstruction should be designed and constructed to protect the wetland present in the southwest quadrant.
 - DNR recommends that DNR-DOT revisit Butler's Gartersnake discussion in late 2007

Birds

- 1) Biological Survey Results for State and Federal Listed Bird Species; Interstate 94 N-S Corridor Project; Milwaukee, Racine, and Kenosha Counties, Wisconsin, 06OCT06 (Report) was prepared by Natural Resources Consulting.
- 2) Mr. Sumner Madsen, DNR has reviewed the report
 - The rookery is not in use
 - There is no suitable nesting habitat in the project corridor.
 - DNR recommends that the DOT design minimize grassland impacts.

Fish

- 1) Craig Helker, DNR Water Resources Specialist is DNR SER technical lead for fisheries issues
 - Helker is providing comments on culvert and stream reconstruction designs.
- 2) State special concern Pirate Perch *Aphredoderus sayanus* occurs in the project area.
 - DNR recommends proper erosion controls to prevent construction impacts.

Invertebrates

- 1) DNR assessed dragonflies
 - No dragonflies or listed species found.
 - Habitat is unsuitable.
 - DNR will provide report to DOT.
- 2) Mussels
 - Lisic Kitchel, DNR will survey Des Plaines and Root River for mussels on August 8-9, 2007.
- 3) Prairie Crayfish *Procambarus gracilis* is present in the project area
 - NR 103 and 299 process will protect wetland habitat and crayfish.



State of Wisconsin
Jim Doyle, Governor

Department of Agriculture, Trade and Consumer Protection
Rod Nilsestuen, Secretary

August 8, 2007

Mr. William Mohr, P. E.
Wisconsin Dept. of Transportation
Division of Transportation
System Development
141 N. W. Barstow St.
P. O. Box 798
Waukesha, WI 53187-0798

Dear Mr. Mohr:

Re: Your Letter Dated 7-2-07
Project ID: 1030-20-00
I-94 North-South Corridor
Kenosha, Racine and Milwaukee Counties

The Department has received the notification you submitted concerning the potential need for an agricultural impact statement (AIS) for the above project. Based upon the information received, it appears that an AIS is required for this project.

The Department is reviewing the project to determine what, if any, additional information is needed to prepare the AIS. If no additional information is necessary, you will receive written notification that the AIS is being prepared. The AIS will be completed within **60 days of the date of that notification**.

Upon completion of the AIS, the Department will charge a fee to cover preparation costs as stipulated in §32.035, *Wisconsin Statutes*. The potential condemnor may not negotiate with or make a jurisdictional offer to any landowner until 30 days after the AIS has been published. Please contact me if you have questions concerning the AIS.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Nauth".

Peter Nauth
Agricultural Impact Program
608/224-4850

cc: James Becker

PN/dlk

Wisconsin Food and Agricultural Products - \$40 Billion for Wisconsin's Economy

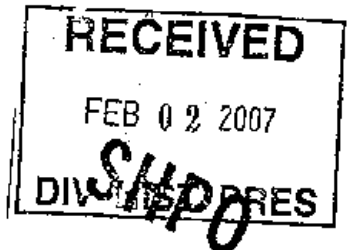
2811 Agriculture Drive • PO Box 8911 • Madison, WI 53708-8911 • 608-224-5012 • Wisconsin.gov

C-6A

SECTION 106 REVIEW ARCHAEOLOGICAL/HISTORICAL INFORMATION

Wisconsin Department of Transportation
DT1635 11/2006

For instructions, see FDM Chapter 26



I. PROJECT INFORMATION

Project ID Project I.D. 1030-20-00	Highway - Street I-94 North-South Corridor	County Kenosha, Racine, Milwaukee, Lake County, IL
Project Termini I-94 and Howard Avenue on the north I-894 and 35th street on the west I-94/USH 41 interchange in Lake County, IL on the south The Mitchell Airport Spur/STH 119 from I-94 to STH 38 (Howell Avenue) on the east		Region - Office SE Region (Waukesha)
For a map of the project termini, see Exhibit 1-1 (attached). Regional Project Engineer - Project Manager Robert Gutierrez Wisconsin Department of Transportation Carrie Cooper Wisconsin Department of Transportation		Area Code - Telephone Number 262/548-5622 262/548-6735
Consultant Project Engineer - Project Manager Charlie Webb/Milwaukee Transportation Partners		Area Code - Telephone Number 262/548-8741
Archaeological Consultant George Christiansen, GLARC		Area Code - Telephone Number 608/438-4677
Architecture/History Consultant Mike McQuillen, Heritage Research		Area Code - Telephone Number 262/251-7792
Date of Need February 2007		SHSW # 06-0047/KW/MI/RA
Return a signed copy of this form to:		

II. PROJECT DESCRIPTION

Project Length 35 miles	Land to be Acquired: Fee Simple 0 - 200 acres	Land to be Acquired: Easement To be Determined acres
----------------------------	--	---

Distance as measured from existing centerline	Existing	Proposed	Other Factors	Existing	Proposed
Right-of-Way Width	approx. 160'-170'	approx. 170'-210'	Terrace Width	N/A	N/A
Shoulder	Varies	10' - 12'	Sidewalk Width	N/A	N/A
Slope Intercept	TBD	TBD	Number of Lanes	6	6-8
Edge of Pavement	Varies	Varies	Grade Separated Crossing	37	38 (Possible new south 27 th Street interchange)
Back of Curb Line	N/A	N/A	Vision Triangle acres	N/A	N/A
Realignment	TBD	TBD	Temporary Bypass acres	N/A	N/A
Other - List:			Stream Channel Change	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Attach Map(s) that depict "maximum" impacts.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Tree topping and/or grubbing	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

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

This planned reconstruction of approximately 35 miles of I-94 from Howard Avenue to the I-94/US41 interchange in Lake County IL and the Airport Spur includes ground disturbing activities such as clearing and grubbing, grading, shoulders and ditches, stormsewer construction at some locations, utility relocation, culvert removal and construction, bridge removal and construction, disabling drain tiles and excavation of soils unsuitable for roadway construction. The existing six-lane freeway may be widened to eight lanes, depending on the alternative selected. A potential full south 27th/I-94 interchange relocated north of the existing half-interchange and a new interchange at Drexel Avenue in Milwaukee county are also under consideration as part of this study. These two interchanges would include the aforementioned ground disturbing activities if selected.

The Archaeological report includes a plan view map showing the maximum area of new right-of-way.

Separate documentation regarding reconstruction of the interchanges with I-94 in Racine and Kenosha counties has been submitted to SHPO by WisDOT as separate projects (ID's from south to north):

1031-07-00, CTH C
1032-14-00, STH 158
1030-22-00, STH 142
1030-23-00, CTH E
1035-03-00, CTH KR
1030-24-00, STH 11
1033-02-00, STH 20
1030-11-00, CTH K
1030-25-00, CTH G

☐ Add continuation sheet, if needed.

CONSULTATION

How has notification of the project been provided to:

- ☒ Property Owners
- ☒ Public Information Meeting Notice
- ☒ Letter - Required for Archaeology
- ☒ Telephone Call
- ☒ Other: Neighborhood meetings

- ☒ Historical Societies/Organizations
- ☒ Public Information Meeting Notice
- ☒ Letter
- ☒ Telephone Call
- ☐ Other:

- ☒ Native American Tribes
- ☒ Public Info. Mtg. Notice
- ☒ Letter
- ☐ Telephone Call
- ☐ Other:

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

IV. AREA OF POTENTIAL EFFECTS - APE

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

HISTORY: Describe the area of potential effects for buildings/structures.

The APE includes the following buildings and structures adjacent to I-94 or its frontage roads (in Racine and Kenosha counties) and a half-mile radius around I-94 interchanges in Milwaukee County:

27th/894 interchange

Layton Avenue

College Avenue

Rawson Avenue

Drexel Avenue (potential new interchange)

Ryan Road

27th/I-94 (potential full interchange)

Exhibit 1-1 illustrates which I-94 interchanges are included in this study.

V. PHASE I ARCHEOLOGICAL OR RECONNAISSANCE HISTORY SURVEY NEEDED

ARCHAEOLOGY

☒ Archaeological survey is needed

☐ Archaeological survey is not needed - Provide justification
☐ Screening list (date).

HISTORY

☒ Architecture/History survey is needed

☐ Architecture/History survey is not needed
☐ No structures or buildings of any kind within APE
☐ Screening list (date).

VI. SURVEY COMPLETED

ARCHAEOLOGY

- ☐ NO archaeological sites(s) identified - ASFR attached
- ☒ NO potentially eligible site(s) in project area - Phase I Report attached
- ☐ Potentially eligible site(s) identified-Phase I Report attached
 - ☐ Avoided through redesign
 - ☐ Phase II conducted - go to VII (Evaluation).
- ☐ Phase I Report attached - Cemetery/cataloged burial documentation

HISTORY

- ☒ NO buildings/structures identified - A/HSF attached
- ☐ Potentially eligible buildings/structures identified in the APE - A/HSF attached
- ☐ Potentially eligible buildings/structures avoided - documentation attached

VII. DETERMINATION OF ELIGIBILITY (EVALUATION) COMPLETED

- ☐ No arch site(s) eligible for NRHP - Phase II Report attached
- ☐ Arch site(s) eligible for NRHP - Phase II Report attached
- ☐ Site(s) eligible for NRHP - DOE attached

- ☐ No buildings/structure(s) eligible for NRHP - DOE attached
- ☐ Building/structure(s) eligible for NRHP - DOE attached

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

TO PREVENT ACCIDENTAL DISTURBANCE, PROTECTIVE FENCING - (HIGH VISIBILITY) WILL BE PLACED AROUND THE SYLVANIA CEMETERY (47 BRA14). IF FINAL DESIGN COMES WITHIN 200' (two hundred feet) OF THE TERRACE SITE (47MI520) PROTECTIVE FENCING WILL BE INSTALLED TO PREVENT ACCIDENTAL DISTURBANCE

IX. PROJECT DECISION

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

William F. Mohr
(Regional Project Manager)

John Johnson
(WIDOT Historic Preservation Officer)

Steven Baker
(State Historic Preservation Officer)

DATE: 2-7-07

10302000-00076R

Cooper, Carrie

From: Charlie Webb@ch2m.com
Sent: Monday, March 06, 2006 4:33 PM
To: carrie.cooper@dot.state.wi.us; karla.leithoff@dot.state.wi.us; eric.parker@gasai.com
Subject: FW: Illinois T&E request

Please see info below Illinois Natural Heritage database has no recorded T&E species in the Illinois portion of our corridor (item 1 below) but Illinois Natural History Survey has recently surveyed the area and a salt tolerant endangered plant species is present in our portion of the corridor (item 2 below)

I should get a map on CD later this week

Thanks,
 Charlie

From: Olson, Jeff/MSP
Sent: Mon 3/6/2006 3:32 PM
To: Webb, Charlie/MKE
Subject: RE: Illinois T&E request

Charlie,

I just received the CD from the Illinois Natural History Survey showing T/E locations. I have posted the pdf on the ftp server (<http://maryjaneftp/pub/i-94> Illinois INHS Data).

Below is a summary of coordination with Natural Heritage and the Illinois Natural History Survey (INHS) data:

1) I contacted Tara Keininger with Natural Heritage. She conducted a database search for our project area (Section 4 and 9). She found that there have been no documented listed species within the project area. Her letter (e-mail) summarizing her database search are as follows:

March 2, 2006

Dear Mr. Olson,

I have reviewed the information you provided in your e-mail dated March 1, 2006 requesting a search of the Natural Heritage Database for the presence of significant resources in a specific area along I-94 on the Illinois-Wisconsin border. According to the Illinois Natural Heritage Database, there are no endangered or threatened species, Illinois Natural Areas Inventory (INAI) sites, or dedicated Nature Preserves in either of the two designated areas, specifically Township 46 North, Range 11 East, Sections 4 & 9 of the 3rd Principal Meridian. However, the following endangered and threatened species exist within 1 mile of the sections:

Scientific Name (Common Name) - Status
Etheostoma exile (Iowa darter) - Threatened
Grus canadensis (Sandhill crane) - Threatened
Lathyrus ochroleucus (Pale vetchling) - Threatened

Please be aware that the Natural Heritage Database cannot provide a conclusive statement on the

ENV

3/6/2006

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presence, absence, or condition of significant natural features in Illinois. The Department of Natural Resources can only summarize the existing information known to us at the time of the request. This report should not be regarded as a final statement on the area being considered, nor should it substitute for field surveys required for environmental assessments.

This letter is separate from the Illinois Department of Natural Resources consultation requirement under the Illinois Endangered Species Act (530 ILCS 10/11) and the Illinois Natural Areas Preservation Act (525 ILCS 30/17). For more information on this process, please contact the Illinois Department of Natural Resources, Division of Resource Review and Coordination, at One Natural Resources Way, Springfield, Illinois 62702-1271 or by telephone at (217)785-5500.

Sincerely,

Tara Kieninger
Illinois Natural Heritage Database
Illinois Dept of Natural Resources - ORC
One Natural Resources Way
Springfield, IL 62702
(217)782-2685
tkieninger@dnrmail.state.il.us

Tara Gibbs Kieninger, Database Administrator
ORC - Illinois Natural Heritage Database
Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702-1271
tkieninger@dnrmail.state.il.us
217 782 2685
217 785-2438 (fax)

Note: I have recently learned that some email messages are not making it through to me. If you fail to get a timely response or otherwise suspect that I did not receive your email, please contact me by phone instead.

2) The INHS has recently completed field surveys along the I-94 corridor for IDOT (including our 1.5 mile stretch). The INHS has found 6 populations of the State Endangered - alkali bulrush (*Scirpus paludosus*) immediately adjacent to the east and west sides of I-94 within sections 4 and 9. The numbers of individuals within these populations is quite large. The habitats in which this species was found are severely disturbed roadside ditches, e.g. growing in gaps within concrete revetment mattresses used for ditch erosion control. The alkali bulrush is typically a species that is known to be salt tolerant (a halophyte) and typically occurs in wet areas rich in naturally occurring salts. Two other state-listed halophytes have been found as well by INHS along I-94 (the seaside crowfoot - *Ranunculus cymbalaria* and the bog arrow grass - *Triglochin maritima*), though further south than the southern limit of our project. The map posted on the ftp site shows locations of the populations of the alkali bulrush in the project area.

It is as yet unknown why these three halophytes are so abundant in roadside ditches adjacent to I-94. There likely was some historical saline habitat nearby (upwelling of salt-laden groundwater). Water flowing in the ditches along I-94 may serve to transport seeds of these species from some source. De-icing salts applied to I-94 may contribute to favorable conditions for the growth of these species.

It should be noted that the state threatened fish species - Iowa darter (*Etheostoma exilis*) is known from Sterling Lake which impinges on the extreme southeast corner of Section 9.

ENV

3/6/2006

10302000-00076R

Let me know if you are unsuccessful in retrieving the map from the ftp site.

Best Regards,

Jeffrey W. Olson, PWS

Professional Wetland Scientist/ Botanist/ Plant Ecologist
PWS Registration #1379

CH2M HILL
1380 Corporate Center Curve
Suite 200
Eagan, MN 55121-1200
phone: 651 688 8100 Ext #16
FAX: 414 454 8828

ENV

3/6/2006

EcoCAT Results Report

IDNR Project Number: 0705830

Date: 10/30/2006

Applicant Name: Wisconsin Department of Transportation

Contact Name: Charlie Webb

Applicant Address: SE Freeway Team
Waukesha, WI 53187

Project Information

Project Name: I-94 North-South Corridor Study

Jurisdiction: Information Request

IDNR Project Number: 0705830

County: Lake

Township, Range, Section: 46N, 11E, 4

46N, 11E, 9



Location Accuracy

The project location is assumed to be accurate for the purpose of this environmental review based on what is submitted by the applicant. The applicant who submits the information is solely responsible for the location submitted and thus the accuracy of this report content.

Review Results

The Illinois Natural Heritage Database indicates the presence of protected resources in the vicinity of the project location submitted.

Protected Resources in Project Vicinity:

Iowa Darter (*Etheostoma exile*)

Disclaimer

The Illinois Natural Heritage Database at the Illinois Department of Natural Resources (IDNR) cannot provide a conclusive statement on the presence, absence, or condition of significant natural features in any part of Illinois. This report summarizes only the information existing in the Illinois Natural Heritage Database regarding natural features or locations in question known to IDNR at the time of this inquiry. This report should not be regarded as a final statement on the site being considered, nor should it be a substitute for field surveys required for environmental assessments. This response cannot replace detailed site surveys. Furthermore, should a protected resource be encountered during the project's implementation, compliance with applicable statutes and regulation is required regardless of the results of this review.

EcoCAT Results Report

IDNR Project Number: 0705830

Date Submitted: 10/30/2006

Terms of Use

By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms, it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to use the website.

1. The IDNR EcoCAT website was developed and intended for the purpose of screening projects for potential adverse impacts to protected resources under the Endangered Species Consultation Process (*Illinois Administrative Code* Title 17 Part 1075) and for responding to general requests for information. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.
2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act.
3. IDNR reserves the right at any time without notice to enhance, modify, alter, or suspend the website and to terminate or restrict your access to the website.
4. This review is based only on the project polygon that was submitted. The review must be repeated if the project boundary changes. If additional information on protected resources becomes available, this review may be reconsidered by IDNR.

Security

The IDNR EcoCAT application operates on a state of Illinois computer system. We may use software to monitor traffic and to identify unauthorized attempts to upload, download, or change information, to cause harm or otherwise to damage this site. Unauthorized attempts to upload, download, or change information on this server is strictly prohibited by law. Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

Privacy

The EcoCAT website maintains a record of each search result and all information submitted for each search. This information is recorded for internal tracking purposes. The information collected in this application will not be shared outside of the EcoCAT system and the Illinois Department of Natural Resources; however, this information does become public record and is therefore subject to the Freedom of Information Act (FOIA).

Contact Information

If you have questions regarding this project review, please contact:

Heather Ryan
217-785-5500
Illinois Department of Natural Resources
Division of Ecosystems and Environment

cc: Information Request



Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

May 11, 2007

Lake County

I-94

Wisconsin State Line to US 41

WisDOT I.D. 1030-20-00

FEDERAL 106 PROJECT

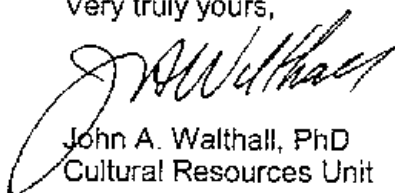
Ms. Anne Haaker
Deputy State Historic Preservation Officer
Illinois Historic Preservation Agency
Springfield, Illinois 62701

Dear Ms. Haaker:

Attached is a report from the Great Lakes Archaeological Research Center in Milwaukee concerning the results of survey of the ½ mile project area within Illinois referenced above. The proposed project extends from Milwaukee to the I-94/US 41 interchange in Lake County. The entire proposed project area in Illinois is confined to the previously disturbed I-94 right-of-way. No archaeological, architectural, or historic sites were identified within the proposed project rights-of way.

In accordance with the established procedure for coordination of proposed Illinois Department of Transportation projects, we request the concurrence of the State Historic Preservation Officer in our determination that no historic properties, subject to protection under Section 106 of the National Historic Preservation Act of 1966 as amended, will be affected by the proposed construction activities.

Very truly yours,


John A. Walthall, PhD
Cultural Resources Unit

CONCUR

By: 
Deputy State Historic Preservation Officer

Date: SSR 5/16/07



DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
190 FIFTH STREET EAST
ST. PAUL, MN 55101-1638

JUL 13 2006

REPLY TO

Operations
Regulatory (2006-353-DJP)

Ms. Carrie Cooper
Wisconsin Department of Transportation
Division of Transportation
System Development
P.O. Box 798
Waukesha, Wisconsin 53187-0798

Dear Ms. Cooper:

We have completed our review of the Draft "Purpose and Need" statement and the "conceptual alternatives" that were prepared for the I-94 North-South Corridor Study (Project ID 1030-20-00). The project is located in Kenosha, Milwaukee, and Racine Counties, Wisconsin.

We have determined that the "Purpose and Need" for the project has been adequately addressed. Based upon the information you provided, we concur with the Draft "Purpose and Need" statement as presented. If substantial new information regarding "Purpose and Need" is brought forward during project development, the adequacy of the "Purpose and Need" statement may be reconsidered.

The decision regarding this action is based on information found in the administrative record, which documents the District's decision-making process, the basis for the decision, and the final decision.

If you have any questions, contact Dale Pfeiffle in our Waukesha office at (262) 547-0868. In any correspondence or inquiries, please refer to the Regulatory number shown above.

Sincerely,

Robert J. Whiting
for Chief, Regulatory Branch



DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
190 FIFTH STREET EAST
ST. PAUL, MN 55101-1638

FEB 28 2007

Operations
Regulatory (2006-353-DJP)

Ms. Carrie Cooper
Wisconsin Department of Transportation
Transportation District 2
P.O. Box 798
Waukesha, Wisconsin 53186

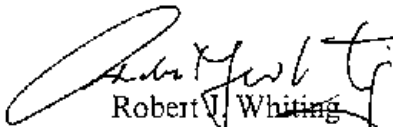
Dear Ms. Cooper:

We have completed our review of February 14, 2007, Draft Section 2, of the Environmental Impact Statement (EIS) being prepared for the I-94 North-South Corridor Study (Project ID 1030-20-00). The Draft Section 2 of the EIS discusses the alternatives considered and identifies the alternatives that would be dropped from further consideration. The I-94 North-South Corridor project is located in Kenosha, Racine, and Milwaukee Counties, Wisconsin.

We concur that when considering the project's previously identified "purpose and need," the project alternatives identified in Section 2.3.1 and Section 2.3.2 of the Draft EIS should be carried forward for detailed analysis. Although the remaining build alternatives discussed in Sections 2.2.1 through 2.2.5.6 will not be evaluated in detail in the Draft EIS, we suggest the summaries provided in each Section be retained to demonstrate why each alternative dropped from consideration does not meet the project's stated "purpose and need".

We look forward to reviewing and commenting on the Draft EIS. If you have any questions, contact Dale Pfeiffle in our Waukesha office at (262) 547-0868. In any correspondence or inquiries, please refer to the Regulatory number shown above.

Sincerely,


Robert J. Whiting
Chief, Regulatory Branch



DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
190 FIFTH STREET EAST, SUITE 401
ST. PAUL, MINNESOTA 55101-1638

REPLY TO
ATTENTION OF

MAY 17 2007

Operations
Regulatory (2006-353-DJP)

Mr. David J. Scott
U.S. Department of Transportation
Federal Highway Administration
567 D'Onofrio Drive, Suite 100
Madison, Wisconsin 53719

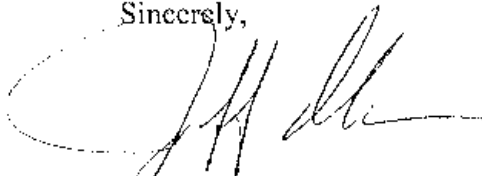
Dear Mr. Scott:

This letter is in response to your April 30, 2007, request that the Corps of Engineers, St. Paul District act as a Cooperating Agency and Participating Agency in the Environmental Impact Statement (EIS) for the Interstate 94 North-South Corridor study. The project corridor is located in Kenosha, Milwaukee, and Racine Counties.

We agree to serve as a Cooperating Agency and Participating Agency, and in this capacity we provided our concurrence on July 13, 2006 with the draft project purpose and need statement, dated February 14, 2006, and on February 28, 2007, we concurred with the alternatives carried forward in the EIS and requested summaries of the alternatives dismissed from further review. We look forward to our continuing participation in the development of the EIS.

The Corps point of contact for this project is Dale Pfeiffle in our Waukesha office. If you have any questions, please call Mr. Pfeiffle at (262) 547-0868. In any correspondence or inquiries, please refer to the Regulatory number shown above.

Sincerely,


for Robert J. Whiting
Chief, Regulatory Branch



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

REPLY TO THE ATTENTION OF:

FEB 06 2006

B-19J

Mr. Dave Scott
Federal Highway Administration
567 D'Onofrio Drive
Madison, Wisconsin 53719-2844

Ms. Carrie Cooper
Wisconsin Department of Transportation
141 N.W. Barstow
Waukesha, Wisconsin 53187

Re: Participating Agency Request Regarding the I-94 North/South Corridor Study, Kenosha, Racine and Milwaukee Counties

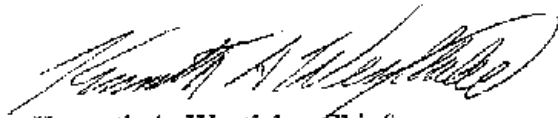
Dear Mr. Scott and Ms. Cooper:

The U.S. Environmental Protection Agency (U.S. EPA) has received the letter in which the Wisconsin Department of Transportation (WisDOT), in cooperation with the Federal Highway Administration (FHWA), offered U.S. EPA an opportunity to serve as a participating agency on this project. As discussed in the January 23, 2006 meeting at WisDOT offices in Waukesha, your Agencies anticipate developing an Environmental Impact Statement (EIS) for this project under the National Environmental Policy Act (NEPA).

As a participating agency, U.S. EPA agrees to provide project-related input on our areas of expertise during the EIS development process. The specific requirements for a participating agency under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) are not yet clear. However, we agree to provide early input, participate in coordination meetings, and review preliminary copies of documents. U.S. EPA retains its independent review and comment function under Section 309 of the Clean Air Act. We intend to submit comments on the EISs developed for this project, as we do for all federal EISs. We agree to be a participating agency with the hope that U.S. EPA's concerns will be addressed through the project development process to the maximum extent possible.

We are committed to working together with FHWA and WisDOI on this important project. Thank you for providing us this opportunity. If you have any questions, please call Sherry Kamke of my staff at 312-353-5794.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kenneth A. Westlake", written in a cursive style.

Kenneth A. Westlake, Chief
NEPA Implementation Section
Office of Science, Ecosystems, and Communities



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JUL 17 2006

REPLY TO THE ATTENTION OF:

B-19J

Mr. David Scott
Federal Highway Administration - WI Division
Highpoint Office Park
567 D'Onofrio Drive
Madison, Wisconsin 53719-2814

Ms. Carrie Cooper
Wisconsin Dept. of Transportation
Southeast Regional Office
141 N.W. Barstow Street
P.O. Box 798
Waukesha, Wisconsin 53187-0798

Re: Concurrence on Purpose & Need for the I-94 North-South Corridor Study in Kenosha, Racine, and Milwaukee Counties, Wisconsin

Dear Mr. Scott & Ms. Cooper:

The U.S. Environmental Protection Agency (U.S. EPA) has reviewed the June 30, 2006 letter and supporting information from Wisconsin Department of Transportation (WisDOT) regarding the Purpose & Need for the Interstate 94 (I-94) project. We also participated in the January interagency meeting discussing this project. We understand that you seek U.S. EPA's review and written concurrence on Purpose & Need as part of the merged National Environmental Policy Act (NEPA)/Clean Water Act Section 404 Wetlands Permit process.

The existing I-94 in the project area consists of six travel lanes with a narrow, barrier-separated median. Annual average traffic volumes in the study area range from 76,000 vehicles per day in Kenosha County to nearly 161,000 vehicles per day in Milwaukee County. The importance of I-94 in the national, regional, and statewide highway system is well supported by the information presented in the supporting documentation. The project will look to improve problems with existing highway and problems that may develop over the project's 30-year planning period. The key problems with the existing highway in the study area are the deteriorated condition of the pavement, obsolete design of the roadway and bridges, high crash rate, and its ability to accommodate existing and future highway operations. According to WisDOT's purpose of the proposed action statement, the proposed improvements would address safety and traffic operations, future traffic volumes at an appropriate level of service, the highway's importance in the state and regional transportation network, and the deteriorating condition of the pavement.

The information regarding existing freeway conditions and deficiencies is substantial and easy to understand. We believe the purpose and need is reasonably defined and that adequate information exists to frame the alternatives analysis.

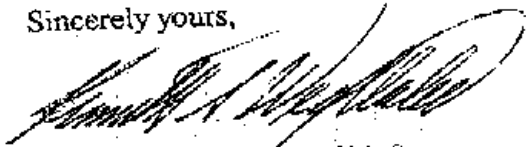
We understand from the June 30, 2006 letter that you propose to study four build alternatives in detail:

- Alternative 1 - Replace the existing I-94 in-kind
- Alternative 2 - Make spot improvements
- Alternative 3 - Make safety and design improvements
- Alternative 4 - Make safety and design improvements while adding capacity (one lane in each direction)

New interchanges will be evaluated within the project area. We will be concerned about direct impacts to wetlands, streams, and other natural resources in these locations as well as any land use implications. We'll be looking to see how WisDOT's alternatives minimize impacting these resources.

We look forward to reviewing the alternatives analysis, as well as reviewing the Draft Environmental Impact Statement for this project. If you have any questions, please contact Sherry Kamke at (312) 353-5794 or via email at kamke.sherry@epa.gov.

Sincerely yours,



Kenneth A. Westlake, Chief
NEPA Implementation Section
Office of Science, Ecosystems, and Communities



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

MAR 21 2007

REPLY TO THE ATTENTION OF

B-19J

Mr. David Scott
Federal Highway Administration – WI Division
Highpoint Office Park
567 D'Onofrio Drive
Madison, Wisconsin 53719-2814

Ms. Carrie Cooper
Wisconsin Dept. of Transportation
Southeast Regional Office
141 N.W. Barstow Street
P.O. Box 798
Waukesha, Wisconsin 53187-0798

Re: Concurrence on Range of Alternatives Considered for the I-94 North-South Corridor Study in Kenosha, Racine, and Milwaukee Counties, Wisconsin

Dear Mr. Scott & Ms. Cooper:

The U.S. Environmental Protection Agency (U.S. EPA) has reviewed the February 16, 2007 letter and supporting information from Wisconsin Department of Transportation (WisDOT) regarding the alternatives considered for the Interstate 94 (I-94) corridor study. We also participated in the January 30, 2007 interagency meeting discussing the alternatives for this project. We understand that you seek U.S. EPA's review and written concurrence on the Range of Alternatives Considered as part of the merged National Environmental Policy Act (NEPA)/Clean Water Act Section 404 Wetlands Permit process.

As stated in our July 17, 2006 letter, we concurred with the purpose and need for the project. The key problems associated with the existing highway in the study area are the deteriorated condition of the pavement, obsolete design of the roadway and bridges, high crash rate, and its ability to accommodate existing and future highway operations. WisDOT has proposed alternatives for detailed study that address the project area's needs. We agree with WisDOT's process for identifying an initial range of alternatives and the process used for screening these alternatives to arrive at alternatives retained for detailed study. Using the process, WisDOT is retaining the following alternatives for detailed study:

Mainline Alternatives

- 1) Safety and Design Improvements (6-lane freeway)
- 2) Safety and Design Improvements with Added Capacity (8-lane freeway)

Interchange Alternatives

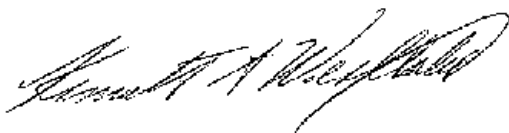
- 1) Diamond Interchanges at
 - a. 27th Street/I-894-43
 - b. Layton Avenue
 - c. College Avenue
 - d. Rawson Avenue
 - e. Drexel Avenue
 - f. Ryan Road
- 2) Single Point Urban Interchange at 27th Street /I-894-43
- 3) No Build and Falk Park Avoidance Alternative for the Drexel Avenue Interchange
- 4) On and Off Alignment Elm Road Interchange Alternatives for the 27th Street/I-94 Interchange

As the alternatives are further refined, we encourage WisDOT to fully explore modifications that minimize right-of-way impacts on both the main line and interchanges while meeting the purpose and need for the project. We are particularly concerned with these efforts in the areas that may affect wetlands and areas identified by Southeastern Wisconsin Regional Planning Commission's environmental corridors, including the wetlands along the Des Plaines River in Kenosha County.

We appreciate this opportunity to review and comment on alternatives for this project. We look forward to additional discussions with WisDOT concerning analysis methodologies and future discussions about alternatives as WisDOT moves closer to releasing the Draft Environmental Impact Statement.

If you have any questions, please contact Sherry Kamke at (312) 353-5794 or via email at kamke.sherry@epa.gov

Sincerely yours,



Kenneth A. Westlake, Chief
NEPA Implementation Section
Office of Science, Ecosystems, and Communities



United States Department of the Interior

FISH AND WILDLIFE SERVICE

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

March 13, 2006

Ms. Carrie Cooper
Wisconsin Department of Transportation-Southeast Region
141 Northwest Barstow Street
Post Office Box 798
Waukesha, Wisconsin 53187-0798

re: Highway Planning
I-94 North South Corridor
Kenosha, Racine, and Milwaukee Counties,
Wisconsin

Dear Ms. Cooper:

The U.S. Fish and Wildlife Service (Service) has received your letter dated February 13, 2006, requesting comments on the subject project. The project entails corridor planning for the Interstate 94 corridor through Milwaukee, Racine, and Kenosha Counties, Wisconsin. Due to staff time constraints and priority work activities, we are able to review your project primarily for potential impacts to federally-listed threatened and endangered species and candidate species. Be advised that other environmental concerns may be associated with this project such as wetland and stream impacts, erosion control needs, and effects on state-listed threatened or endangered species. If stream or wetland impacts will occur, state or federal permits may be needed. If resource impacts are expected to occur, we recommend that you forward this project to the appropriate Wisconsin Department of Natural Resources Office for their review.

Please provide us copies of any future documents that may be associated with this project or of future projects you may be planning that would require Service review. This will allow us to keep our files current. We will provide comments as time and work priorities allow.

Federally-Listed Species, Candidate Species, and Critical Habitat

The following species has been recorded within Kenosha County in habitats similar to those that are in or adjacent to areas that could be affected by the proposed project:

<u>Classification</u>	<u>Common Name</u>	<u>Scientific Name</u>	<u>Habitat</u>
threatened	eastern prairie fringed orchid	<u>Platanthera</u> <u>leucophaca</u>	wet grasslands

As project planning proceeds, corridors identified as potential alternatives should be specifically reviewed for the presence of listed species and other rare or sensitive species or communities. Please be aware that over time, habitats near the project site may be utilized by listed or proposed species not present at this time. It is also possible that critical habitat could be proposed or designated for a species. Therefore, if there is a time lag of more than 6 months between plan completion and execution, it is important to reassess the impact of the project on federally-listed or proposed species or designated critical habitat prior to start of construction activities. In such instances, this office should be contacted for updated species and critical habitat information.

As this project involves a Federal action (i.e., authorization or funding), the Federal Highway Administration (FHWA), or its designated agent, is responsible for contacting the Service regarding that agency's determination as to whether the selected project alternative may affect federally-listed threatened or endangered species or designated critical habitat. Section 7 of the Endangered Species Act of 1973, as amended (ESA), directs Federal agencies to consult with the Service on such matters. If the proposed project may affect, but is unlikely to adversely affect federally-listed threatened or endangered species or designated critical habitat, FHWA must obtain written concurrence from our office. If the project may affect, and is likely to adversely affect federally-listed species or adversely modify designated critical habitat, FHWA must initiate formal consultation with the Service in accordance with section 7 of the ESA. Further information on the section 7 consultation process can be obtained by contacting the staff person identified at the end of this letter.

Wetland Mitigation

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

As this is a large scale planning effort that crosses many existing and previously fragmented environmental and wetland corridors, we recommend that you take this opportunity to include measures to improve or restore the health and connectivity of wetlands and other habitat corridors in the project area.

General Comments

The Service plans to be involved in the concurrent NEPA/404 planning process for this project. However, we are mindful of our responsibilities under the Fish and Wildlife Coordination Act, the Endangered Species Act, and the National Environmental Policy Review Act. Because the early concurrence points are designed without complete information regarding potential natural resource impacts of project alternatives, our concurrence with these early points should not be taken as an indication that any alternatives presented would be acceptable from an environmental standpoint. We intend to participate as much as possible to minimize the need for revisiting

established concurrence points, but we hope that the process will be flexible enough to expand or modify the range of alternatives under consideration if necessary

We appreciate the opportunity to respond. Questions pertaining to these comments can be directed to Ms. Leakhena Au at 920-866-1734

Sincerely,

A handwritten signature in black ink, reading "Louise Clemency". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Louise Clemency
Field Supervisor

cc: USEPA, Region 5, Chicago, IL Attn: Newton Ellens
USEPA, Region 5, Chicago, IL Attn: Cathy Garna

Cooper, Carrie

From: Leakhena_Au@fws.gov
Sent: Thursday, July 27, 2006 2:28 PM
To: carrie.cooper@dot.state.wi.us
Cc: Louise_Clemency@fws.gov
Subject: I-94 Purpose and Need

Hi Carrie.

I have reviewed the information you sent, dated June 30, 2006, on the Purpose and Need for the I-94 North/South Corridor Study and some of the preliminary improvement concepts. Under the merged NEPA/404 review process, the Service concurs with the Purpose and Need for the Proposed Action.

We will await more detail about the proposed alternatives before providing comments and/or concurrence. I wanted to note that on Page 23, you reference Exhibits 1-6 and 1-7 as LOS for a portion of the project area during the a.m. and p.m. peak hours. The titles of the exhibits themselves are identical, so we could not determine which was the am LOS and which the pm. That should be corrected as the EA/EIS development proceeds.

If you have any questions, please feel free to contact me.

Leakhena

Leakhena Au
U.S. Fish and Wildlife Service
Green Bay Field Office
leakhena_au@fws.gov
920-866-1734 (ph)
920-866-1710 (fax)

Cooper, Carrie

From: Leakhena_Au@fws.gov
Sent: Tuesday, October 17, 2006 11:15 AM
To: carrie.cooper@dot.state.wi.us
Cc: Cathy_Pollack@fws.gov
Subject: I-94 corridor in Lake County, IL

Hi Carrie.

I spoke with Cathy Pollack at our Chicago Field Office and she has the following comments/recommendations:

The eastern prairie fringed orchid is found in wetlands in Lake County. If the any of the proposed alternatives has the potential to impact (directly or indirectly) wet prairie, wet meadow, or other types of open wetlands, those wetlands should be reviewed for their potential to support the orchid.

If you have any questions, please feel free to call me again. I will remain the lead for I-94 review throughout the project corridor.

Leakhena

Leakhena Au
U.S. Fish and Wildlife Service
Green Bay Field Office
leakhena_au@fws.gov
920-866-1734 (ph)
920-866-1710 (fax)



United States Department of the Interior

FISH AND WILDLIFE SERVICE

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

March 15, 2007

Ms. Carrie Cooper
Wisconsin Department of Transportation
Southeast Regional Office
141 Northwest Barstow Street
Post Office Box 798
Waukesha, Wisconsin 54229

re: I-94 North-South Corridor Study
Project ID 1030-20-00
Kenosha, Racine, Milwaukee Counties

Dear Ms. Cooper:


The U.S. Fish and Wildlife Service (Service) has received the *Alternatives* portion of the Environmental Impact Statement (EIS) for the I-94 North-South Corridor Study with a request for review and concurrence.


These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.) and are consistent with the intent of the National Environmental Policy Act of 1969, the U.S. Fish and Wildlife Service Mitigation Policy and Presidential Executive Orders 11988, 11990, and 13186.

The Service concurs with the range of alternatives considered and the range of alternatives proposed to be carried forward. As the EIS is developed, we would like to see more discussion about how the proposed rail line would influence, if at all, the functionality of the capacity expansion alternatives.

We appreciate the opportunity to respond. Questions pertaining to these comments can be directed to Ms. Leakhena Au at 920-866-1734.

Sincerely,


for Louise Clemency
Field Supervisor



Cooper, Carrie

From: Cooper, Carrie
Sent: Monday, January 09, 2006 12:39 PM
To: 'Angie_Tornes@nps.gov'
Subject: RE: I 94 N/S Corridor Study

Hi Angie-

Thanks for your email. Yes, this email will serve as an "in writing" response stating that NPS has declined to be a participating agency for the I-94 Corridor Study.
Thanks,

Carrie

Carrie Cooper
Environmental Planner
South East Freeways Team
Wisconsin Department of Transportation - SE Region
141 NW Barstow Street
P.O. Box 798
Waukesha, WI 53187-0798
PHONE : (262) 548-6735
EMAIL : carrie.cooper@dot.state.wi.us

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

From: Angie_Tornes@nps.gov [mailto:Angie_Tornes@nps.gov]
Sent: Monday, January 09, 2006 12:23 PM
To: carrie.cooper@dot.state.wi.us
Subject: I 94 N/S Corridor Study

Hi Carrie --

Thank you for your letter regarding the I 94 North/South Corridor Study. We have assessed our capabilities to be a participating agency in the environmental review process for this project and find that we can do not have the resources to be designated such a party

Please let me know if this email does not constitute a response "in writing" per your request.

Thank you. - Angie Tornes

Angie Tornes Rivers & Trails, National Park Service
626 E. Wisconsin Ave., Suite 100 Milwaukee, WI 53202
414.297.3605/ FAX: - 414.944 3660 angie_tornes@nps.gov
www.nps.gov/rlta/www.nps.gov/hydro



Prairie Band Potawatomi Nation
Government Center

February 6, 2006

**Carrie Cooper
WisDOT
141 N.W. Barstow
Waukesha, Wisconsin 53187**

Dear **Ms. Cooper:**

I am writing to inform you that I am in receipt of your recent National Historic Preservation Act (NHPA), Section 106 and Section 110 correspondence.

After reviewing the contents of your recent mailing we would like to inform that we have no objections to the following project(s):

Project(s): I-94 North/South Corridor Study I.D. 1030-20-00

At this time we are unaware of any historical cultural resources in the proposed development area. However, we do request to be immediately contacted if any inadvertent discoveries are uncovered at anytime throughout the various phases of the project.

Please feel free to call me at (785) 966-4007 or additional information can be faxed to (785) 966-4009. We look forward to working with you.

Respectfully,

Tracy Stanhoff
Tribal Chair
NAGPRA Representative
Prairie Band Potawatomi Nation

TS/mls



Sac and Fox Nation of Missouri in Kansas and Nebraska

305 North Main St , Reserve, KS 66434
Phone: (785) 742-7471 Fax: (785) 742-3785

February 9, 2006

Carrie Cooper
WisDOT
141 N.W. Barstow
Waukesha WI 53187

Dear Ms. Cooper:

Thank you for your letter, which is in compliance with Section 106 of the National Historic Preservation Act, and Section 110.

Project: 1030-20-00

The Sac and Fox Nation of Missouri in Kansas and Nebraska NAGPRA department have determined the above project as:

No objections. However, if human skeletal remains and/or any objects falling under NAGPRA are uncovered during construction, please stop immediately and notify NAGPRA representative, Deanne Bahr, at the address above.

There are two other bands of Sac and Fox that also need to be contacted, the Sac and Fox Nation of Oklahoma and the Sac and Fox of the Mississippi in Iowa.

Johnathan Buffalo, NAGPRA Representative
Sac and Fox of the Mississippi in Iowa
349 Meskwaki Rd.
Tama, IA 52339-9629

Sandra Massey, NAGPRA Representative
Sac and Fox Nation of Oklahoma
Rt 2, Box 246
Stroud, OK 74079

If you have any questions, please contact me at the number or address above.

Sincerely,

Deanne Bahr
Sac and Fox Nation of Missouri in Kansas and Nebraska
NAGPRA Contact Representative



"MESKWAKI NATION"

Sac & Fox Tribe of the Mississippi in Iowa

349 Meskwaki Road, Tama, IA 52339-9634 • (641) 484-4678 FAX (641) 484-5424

February 10, 2006

Division of Transportation
Mr. Carrie Cooper
System Development
Southwest Regional Office
141 N.W. Bairstow Street
P.O. Box 798
Waukesha, WI 53187-0798

Dear Ms. Cooper

Thank you for your letter concerning the project:

Project I.D. 1030-20-00

At this time, the Historical Preservation Department of the Sac and Fox of the Mississippi in Iowa has determined the above listed has:

- ☐ No interest in the area geographically
- ☐ No comment on the proposed undertaking
- ☒ No objections. However, if human skeletal remains and/or any objects falling under NAGPRA are uncovered during construction, please stop immediately and notify the NAGPRA Representative, Johnathan L. Buffalo.
- ☐ Have an objection or require additional project information. Please send the following:

Sincerely,

Johnathan L. Buffalo
Historical Preservation Coordinator
Sac and Fox of the Mississippi in Iowa

Cc: File

MILWAUKEE
COUNTY
HISTORICAL
SOCIETY



910 N. Old World 3rd St

Milwaukee, Wisconsin

53203-1591

(414) 273-8288

FAX (414) 273-3268

Email mchs@prodigy.net

www.milwaukee-county-historical.org

March 3, 2006

Ms. Carrie Cooper, Environmental Planner
Southeast Freeway Team
WisDOT
Southeast Regional Office
141 NW Barstow
P.O. Box 798
Waukesha, WI 53187-0798

Officers

President

RANDY BRYANT

Vice-President

ERIC VOGLI

Secretary

ROBERT I. TESKE, PhD

Treasurer

CHARLES VOGLI

Executive Director

ROBERT I. TESKE, PhD

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JEFFREY L. KRUHMALER

JAMES MARTIN

MARY REAR

ARNOLDO W. STELLA

DEBRA USINGER

CHARLES VOGLI

ERIC VOGLI

MARILEE WESTBROOK

BARBARA WILEY

County Board Representatives

JAMES LUKAS SCHMIDT

County Executive Representatives

ILLUSTON, R. G. (signature)

Assembly District 8

Ex-Officio

CANDIE FRICKSON

PRESIDENT THE FRIENDS

Dear Ms. Cooper:

Thank you for your letter of February 21, 2006 regarding the study being conducted by the Department of Transportation of the I-94 North-South Corridor from Milwaukee County to the state line.

I have reviewed the list of Milwaukee County Landmarks administered by the Milwaukee County Historical Society, and I have found that there are no sites in the immediate vicinity that would be adversely impacted by the construction of such a facility.

However, I would also recommend that you contact the City of Milwaukee Historic Preservation Commission with regard to any designated properties they might administer in the immediate vicinity of the proposed site.

Thank you for the opportunity to comment upon this proposal, and best of luck with the further development of the project.

Sincerely,

Robert I. Teske
Executive Director



Department of Public Works
Infrastructure Services Division

Jeffrey J. Mantes
Commissioner of Public Works

James P. Purko
Director of Operations

Jeffrey S. Polenske
City Engineer

June 8, 2006

Mr. Frank Busalacchi
Secretary of Transportation
Wisconsin Department of Transportation
4802 Sheboygan Avenue
Madison, WI 53707

Subject: I-94 North-South Corridor Freeway
Reconstruction Project

Dear Mr. Busalacchi:

As you are aware, the Wisconsin Department of Transportation (WISDOT) is in the preliminary design stage for the I-94 North-South Corridor freeway reconstruction project. We would like to take this opportunity to provide our general position on the design, as communicated by Mayor Tom Barrett in an earlier meeting with the project design team. We hope that this will help guide the project development process in a manner that best serves the City of Milwaukee while adequately providing for future freeway travel needs on this important link in the regional, state, and national transportation network.

It is essential that the freeway design be performed in the context of a regional multi-modal approach to providing future mobility in the major travel corridors. Under this approach, modern rapid transit should be considered as a viable alternative to highway expansion. In the I-94 North-South Corridor, the existing Amtrak Hiawatha service and the Kenosha-Racine-Milwaukee commuter rail project are essential components of this approach.

As such, we do not support general purpose capacity expansion of the north-south freeway in the City of Milwaukee and will vigorously oppose any freeway capacity expansion alternatives that are proposed. Such action would be expected to have significant and lasting adverse impacts on abutting properties and the City of Milwaukee in general.


We support reconstruction within the current right-of-way where possible with selected design improvements to correct critical design deficiencies to improve the safety of the traveling public and reduce accidents.

Mr. Frank Busalacchi
June 8, 2006
Page 2


Based on our cursory review of the conceptual designs, it is evident that WISDOT and their design consultants have made efforts to minimize right-of-way impacts in the development of freeway design alternatives. I would challenge them to continue these efforts to further reduce right-of-way acquisitions where possible. Furthermore, it is essential that a design be developed to minimize noise and visual impacts on affected properties through use of depressed sections, noise barriers, screening and other creative treatments.

We look forward to continued discussions with WISDOT as the design process for the I-94 North-South Corridor Freeway reconstruction project continues.

Very truly yours,



Jeffrey S. Polenske, P.E.
City Engineer



Jeffrey J. Mantes
Commissioner of Public Works

DAW:sdp

cc: Mayor Tom Barrett



City of Milwaukee Common Council

display
original
version

Legislative File ID **061442**

print

email

Type: **Resolution** Status: **Passed**
Title: **Substitute resolution opposing the proposed closing of the Interstate 94 Layton Avenue on-off ramps.**

Controlling Body: **PUBLIC WORKS COMMITTEE**

Introduced: **02/27/2007**

Version: **1**

Final Action: **03/22/2007**

Contact:

Effective Date:

Requester:

Sponsors: **ALD. WITKOWSKI, ALD. WADE**

Attachments: Legislative File Text
Fiscal note
3-7-07 Handout
Dept. of Transportation Letter.PDF

Next Meeting:

Legislative History

Date	Acting Body	Action Taken	Motion
2/27/2007	COMMON COUNCIL	This Resolution was ASSIGNED TO to the PUBLIC WORKS COMMITTEE	
2/28/2007	PUBLIC WORKS COMMITTEE	This Resolution was REFERRED TO to the LEGISLATIVE REFERENCE BUREAU due back on 3/28/2007	
3/1/2007	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT due on 03/07/2007.	
3/7/2007	PUBLIC WORKS COMMITTEE	A motion was made by ALD. WITKOWSKI that this Resolution be RECOMMENDED FOR ADOPTION. The motion PREVAILED by the following vote:	Pass (5:0)
Notes: Appearances by: Jaime Maliszewski, Airport Gateway Business Association Daniel Wilant, Executive Director, 13th District Neighborhood Association Johnny Gardetto, Project Manager, General Mills Add Ald. Wade as co-sponsor.			
3/7/2007	CITY CLERK	This Resolution was Sponsor added	
3/22/2007	COMMON COUNCIL	A motion was made by ALD. BAUMAN that this Resolution be ADOPTED. The motion PREVAILED by the following vote:	Pass (13:0)
3/28/2007	MAYOR	This Resolution was SIGNED	

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City of Milwaukee Common Council

Legislative File Number 061442 (version 1)

Title

Substitute resolution opposing the proposed closing of the Interstate 94 Layton Avenue on-off ramps.

Body

Whereas, Among the options for The State of Wisconsin in the reconstruction of Interstate 94 from the Mitchell Interchange to the Illinois state line is the closure of both the north and south on/off ramps of Interstate 94 at Layton Avenue; and

Whereas, If the on-off ramps are closed there will be a significant increase in the number of vehicles on city streets, including trucks traveling through residential areas and school zones; and

Whereas, The increased number of vehicles will be on streets such as Howell Avenue, Howard Avenue, College Avenue, South 27th Street, South 6th Street and Grange Avenue which are already congested and rank high on the list of intersections with 15 or more crashes; and

Whereas, The negative impacts of such a closure would include a loss of business for restaurants, hotels, bars and other businesses on or near Layton Avenue; loss of time and money for companies with trucks using the ramp that would be required to shift to city streets and an impediment to economic development efforts in the airport district; and

Whereas, Neighborhood opposition to the closings include the 13th District Neighborhood Association and the Airport Gateway Business Association as well as individual residents and businesses in the area; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Common Council opposes the closing of the Interstate 94 Layton Avenue on-off ramps; and, be it

Further Resolved, That the City Clerk forward certified copies of this resolution to Governor Jim Doyle, State Department of Transportation Secretary Frank Busalacchi and all members representing the City of Milwaukee in the State Assembly and Senate.

Drafter

MET
LRB07076-2
2/21/07

Analysis

This resolution opposes the option in the reconstruction of Interstate 94 that proposes

the closing of the Interstate 94 Layton Avenue on-off ramps due to negative impacts on surrounding city streets and economic development efforts, as well as opposition of individuals, business owners and community groups.

CE



Department of Public Works
Infrastructure Services Division

Jeffrey J. Martes
Commissioner of Public Works

James P. Furko
Director of Operations

Jeffrey S. Polenske
City Engineer

August 21, 2007

Mr. Frank Busalacchi
Secretary of Transportation
Wisconsin Department of Transportation
4802 Sheboygan Avenue
P.O. Box 7910
Madison, WI 53707-7910

Subject: I-94 North-South Freeway Reconstruction

Dear Mr. Busalacchi:

The City of Milwaukee Department of Public Works (DPW) has reviewed preliminary alternatives for the I-94 north-south corridor developed during the EIS preparation process. We would like to provide a follow-up to our letter of June 8, 2006 providing the City's input on this important project.

City of Milwaukee Common Council Resolution 011729, adopted on May 1, 2002, expresses opposition to construction of additional general purpose lanes in the north-south corridor north of the Mitchell Interchange. In general, the City of Milwaukee DPW continues to advocate for a multi-modal approach to providing regional mobility in the north-south corridor that provides for safe and efficient freeway travel as well as effective rapid transit options. Implementation of the Kenosha-Racine-Milwaukee Commuter Rail project and continued Amtrak service are integral components of this approach. Wisconsin Department of Transportation's (WISDOT) continued support for these initiatives is essential.

While the City of Milwaukee DPW supports selected design improvements to increase motorist safety, we will continue to evaluate impacts associated with freeway expansion alternatives south of Mitchell Interchange during preliminary engineering.

DPW has reviewed preliminary design alternatives for the I-94 north-south interchanges in the City of Milwaukee. With respect to the Layton Avenue Interchange options, Common Council Resolution 061442, adopted March 28, 2007, opposes elimination of I-94 freeway access from West Layton Avenue. As such, DPW supports the "Full Access at Layton Avenue" alternative. It appears that this alternative can provide for safe and efficient traffic operations with minimal right-of-way acquisition. However, it is noted that the full access alternative eliminates the existing access between South 27th Street and I-94 south of the Mitchell Interchange. Based on information provided by

Mr. Frank Busalacchi
April 21, 2007
Page 2

WISDOT at public informational meetings, these ramps cannot be provided without significant right-of-way impacts. However, this configuration would be expected to force South 27th Street traffic through the South 27th Street/West Layton Avenue intersection to access I-94 southbound which, in turn, necessitates geometric modifications to the South 27th Street/West Layton Avenue intersection. Said modifications may result in access impacts to businesses located in the northeast quadrant of the South 27th Street/West Layton Avenue intersection. DPW is aware that WISDOT staff and designers are working with business owners and the local alderman in this area to address these concerns. DPW will continue to evaluate alternatives for the South 27th Street/I-894/I-43 Interchange and the Layton Interchange with respect to traffic operations, right-of-way impacts, and access impacts to businesses during preliminary engineering.

With respect to the South 27th Street/I-894/I-43 Interchange, the "Diamond Interchange with U-Ramps" alternative appears to provide traffic operational improvements compared to the existing configuration by eliminating left turn movements from southbound South 27th Street to eastbound I-43/894. However, while no residential or commercial properties appear to be acquired under this alternative, it would have limited right-of-way impacts. Furthermore, while concept plans include sound barriers, the elevated ramps in the northwest quadrant would still be expected to contribute to visual impacts to the existing residential area located south of West Bottsford Avenue. The "Single Point Interchange" could be implemented without right-of-way impacts. However, given anticipated traffic volumes, this configuration may be expected to require three traffic signals in close proximity, thus defeating the purpose of a single point interchange and resulting in degraded traffic operations along South 27th Street. The "Diamond Interchange with Loop Ramp" alternative, which is essentially the existing configuration with design improvements, could also be implemented without right-of-way impacts. However, it is recognized that this configuration would not offer the traffic operational improvements provided by the "Diamond Interchange with U-Ramps" alternative. The City of Milwaukee DPW will continue to evaluate alternatives for the South 27th Street/I-894/I-43 Interchange during preliminary engineering.

With respect to the Airport Spur Interchange alternatives, the "Trumpet Interchange" alternative appears to provide for safe and efficient traffic operations while minimizing right-of-way impacts. Please be aware that the City of Milwaukee has experienced stormwater drainage issues along the Oak Creek Drainage Channel upstream of the Airport Spur Interchange. As the Oak Creek Drainage Channel passes under the Airport Spur Interchange, DPW will review the hydraulic analysis for these structures during preliminary engineering and work with WISDOT to ameliorate this condition as possible with reconstruction of the Airport Spur Interchange.

Mr. Frank Busalacchi
August 21, 2007
Page 3

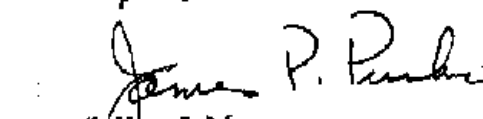
With respect to the College Avenue Interchange, the "Single Point Interchange" and "Diamond Interchange" alternatives appear to have the most merit. The "Single Point Interchange" may be preferable if adequate traffic operations can be maintained utilizing a single traffic signal. DPW will review traffic analysis during preliminary engineering and continue to evaluate alternatives for the College Avenue Interchange. On a related issue, please be aware that the City of Milwaukee, Milwaukee County, and the City of Oak Creek are working in a cooperative effort to address a stormwater drainage issue along South 13th Street just east of the College Avenue Interchange. A potential solution may include construction of a stormwater retention pond located in the southeast quadrant of the College Avenue Interchange. DPW looks forward to discussions on this issue with WISDOT during preliminary engineering.

The City of Milwaukee DPW continues to be appreciative of WISDOT's efforts to provide for safe and efficient freeway travel in the north-south corridor while minimizing impacts on adjacent properties. We look forward to additional public input and further analysis of alternatives during preliminary engineering as it relates to right-of-way impacts, access impacts, local street traffic operations, and visual/noise impacts.

Very truly yours,



Jeffrey J. Mantes, P.E.
City Engineer



Jeffrey J. Mantes
Commissioner of Public Works

MDL:dld



OFFICE OF THE COUNTY EXECUTIVE
Milwaukee County

SCOTT WALKER • COUNTY EXECUTIVE

May 22, 2007

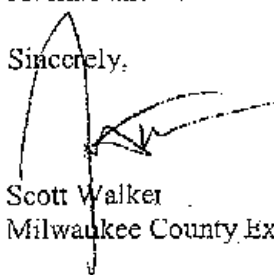
Mr. Dewayne Johnson
Director, SE Region
Wisconsin DOT
141 NW Barstow Street
P O Box 798
Waukesha, WI 53187

Dear Mr. Johnson:

I am writing to you today to express my support for an interchange to be built on I-94 and Drexel Avenue. An interchange is needed to keep with the ever-growing changes being proposed in the Franklin and Oak Creek area. The 27th Street area in Oak Creek and Franklin is quickly producing retail, residential and commercial development that is needed in the county.

This type of development is being welcomed in the communities and I would like to recommend that WI DOT take a look at finding a way to place an interchange on Drexel Avenue and I-94.

Sincerely,



Scott Walker
Milwaukee County Executive

Cc: Mayor Tom Taylor, City of Franklin
Mayor Richard Bolander, City of Oak Creek

6

May 22, 2007

RESOLUTION NO. 2007-24

**RESOLUTION BY THE PUBLIC WORKS, PARKS AND FACILITIES COMMITTEE
ENDORING THE REGIONAL TRANSPORTATION SYSTEM PLAN FOR
SOUTHEASTERN WISCONSIN - 2035**

To the Honorable Members of the Racine County Board of Supervisors:

BE IT RESOLVED by the Racine County Board of Supervisors that pursuant to Sec. 66.945(12) of the Wisconsin Statutes, the Racine County Board of Supervisors hereby endorses the Regional Transportation System Plan – 2035 as previously adopted by the Southeastern Wisconsin Regional Planning Commission (SEWRPC) and set forth in SEWRPC Planning Report No. 49 entitled Regional Transportation System Plan for Southeastern Wisconsin – 2035 as a guide for regional and community development.

BE IT FURTHER RESOLVED by the Racine County Board of Supervisors that the jurisdictional highway system plan for Racine County, being an amendment to the highway system component of the adopted regional transportation system plan, is hereby amended to conform with the Regional Transportation System Plan – 2035, the same is hereby ratified, approved and officially adopted

BE IT FURTHER RESOLVED by the Racine County Board of Supervisors that the action taken under Resolution No. 2002-65, endorsing the preliminary plan for the reconstruction of the Southeastern Wisconsin Freeway System, and specifically the I-94 South Corridor engineering work underway to expand freeway capacity from six lanes to eight lanes in Racine County under the project set to begin in 2009, is hereby reaffirmed.

BE IT FURTHER RESOLVED by the Racine County Board of Supervisors that the County Clerk shall transmit a certified copy of this resolution to the Southeastern Wisconsin Regional Planning Commission, the State of Wisconsin Department of Transportation Southeastern Region and to the governing bodies of the local units of government in Racine County.

Respectfully submitted,

1st Reading 5/22/07

2nd Reading 6/12/07

BOARD ACTION

Adopted 16
For 3
Against 4
Absent

VOTE REQUIRED: Majority

**PUBLIC WORKS, PARKS AND FACILITIES
COMMITTEE**

Gilbert Bakke, Chairman

Daniel F. Sharkey
Daniel F. Sharkey, Vice-Chairman

Mike Dawson
Mike Dawson, Secretary

PAUL RYAN
1st District, Wisconsin

WASHINGTON OFFICE
1115 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-4901
(202) 225-3031
FAX: (202) 225-3393

TOLL-FREE: 1-888-908-RYAN
INTERNET: WWW.HOUSE.GOV/RYAN

COMMITTEE ON
WAYS AND MEANS
SUBCOMMITTEE ON SOCIAL SECURITY

COMMITTEE ON THE BUDGET

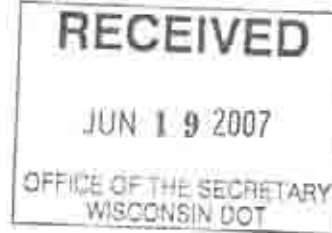
JOINT ECONOMIC COMMITTEE

Congress of the United States
House of Representatives
Washington, DC 20515-4901

June 12, 2007

Mr. Frank Busalacchi
Wisconsin Department of Transportation
Office of the Secretary
PO Box 7910
Madison, WI 53707-7910

Dear Secretary Busalacchi,



Ryan 70293
DTSD

I am writing to express my strong support for approval of the proposed Freeway Interchange project for Interstate Highway I-94 at West Drexel Avenue, in the City of Oak Creek, Wisconsin.

As a result of sustained growth in the cities of Oak Creek and Franklin, constituents that I represent have expressed to me their concern with growing congestion and traffic safety for employees, customers, and fellow citizens at both the West Ryan Road and West Rawson Avenue freeway interchanges for Interstate Highway I-94. These residents and business leaders, as represented by the South Suburban Chamber of Commerce, have already expressed their strong support for the West Drexel Avenue Freeway Interchange project as a way to alleviate this congestion and promote traffic safety, while at the same time better serving the expansion associated with the 138 new business, commercial and residential developments taking shape in these cities and the surrounding area.

In addition, both the Wisconsin Department of Administration and the United States Census Bureau have verified that Oak Creek and Franklin are the two largest cities in Wisconsin to attain more than 10% population growth since the 2000 Census. Because the Wisconsin Department of Transportation has determined that the freeway interchange proposal would not negatively impact the operations or safety of the Interstate freeway system, I believe this project offers the best opportunity for the cities of Oak Creek and Franklin to prepare for the continued growth projected by the 2000 Census.

Finally, the West Drexel Avenue Freeway Interchange project is crucial to future development in the surrounding area. The so-called South 27th Street Corridor, for which the cities of Franklin and Oak Creek have already coordinated planning, zoning and design standards, depends on the updated freeway interchange at West Drexel Avenue in the Joint Streetscape Plan. It is anticipated that these developments will create thousands of jobs for residents of the surrounding area and provide hundreds of millions of dollars in new commerce, and it is important to plan for safe and efficient transportation in and around the area as this large development takes shape.

Because the Freeway Interchange project is crucial to the safety of individuals living and working in the cities of Oak Creek and Franklin, along with the need to accommodate the anticipated commercial and residential growth in the surrounding area, I fully support the Freeway Interchange proposal for Interstate Highway I-94 at West Drexel Avenue. I thank you for your full consideration of this proposal.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul Ryan".

Paul Ryan
Serving Wisconsin's 1st District

JAMESVILLE
CONSTITUENT SERVICES CENTER
20 SOUTH MAIN STREET, SUITE 10
JAMESVILLE, WI 53546
(800) 762-4060 : FAX: (800) 762-4711

KENOSHA
CONSTITUENT SERVICES CENTER
5712 7TH AVENUE
KENOSHA, WI 53148
(262) 654-1001 : FAX: (262) 654-2156

RACINE
CONSTITUENT SERVICES CENTER
304 8TH STREET
RACINE, WI 53403
(262) 637-0610 : FAX: (262) 637-6688

PRINTED ON RECYCLED PAPER

C-31

RESOLUTION NO. 10784-080607

BY: Alfred Michalske

EXPRESSING STRONG SUPPORT AND REQUESTING ACTIVE ASSISTANCE TO
ACHIEVE CONSTRUCTION OF THE PROPOSED FREEWAY INTERCHANGE FOR
INTERSTATE HIGHWAY I-94 AT WEST DREXEL AVENUE

(1st and 2nd Districts)

WHEREAS, on February 1, 2005 the City of Oak Creek Common Council adopted Resolution No. 10458, adopting the 27th Street Corridor Plan; and

WHEREAS, one of the objectives of the adopted 27th Street Corridor Plan was to create a new interchange at I-94 and Drexel Avenue; and

WHEREAS, it is part of the mission of the City of Oak Creek Common Council to promote the retention, expansion and new commercial and industrial development throughout the City; and

WHEREAS, local residents and business leaders have expressed concerns about the impact of growing congestion and its impact on traffic safety for employees, customers, and fellow residents at both the West Ryan Road and West Rawson Avenue freeway interchanges for Interstate Highway I-94; and

WHEREAS, according to both the Wisconsin Department of Administration and the United States Census Bureau, Oak Creek and Franklin are the two largest cities in Wisconsin to attain more than 10% population growth since the 2000 Census; and

WHEREAS, the cities of Oak Creek and Franklin have coordinated planning, zoning, and design standards for the South 27th Street Corridor, and the two cities are nearing completion of a joint Streetscape Plan to accommodate quality development within the South 27th Street Corridor that is anticipated to provide hundreds of millions of dollars in new property tax base and create thousands of jobs for residents of Milwaukee, Racine, and Waukesha Counties;

WHEREAS, analysis by the Wisconsin Department of Transportation has determined that the proposed freeway interchange at Interstate Highway I-94 and West Drexel Avenue would not have a negative impact on the operations or safety of the Interstate freeway system;

NOW, THEREFORE, BE IT RESOLVED, that the City of Oak Creek Common Council expresses its strong support for the construction of the proposed freeway interchange at Interstate Highway I-94 and West Drexel Avenue in Milwaukee County, Wisconsin.

BE IT FURTHER RESOLVED, that the City of Oak Creek Common Council hereby requests the active support of Governor Jim Doyle, Secretary Frank Busalacchi, and Director Dewayne Johnson, as well as Senator Jeff Plale, and Representative Mark Honadel, for the proposed freeway interchange at Interstate Highway I-94 and West Drexel Avenue.


BE IT FURTHER RESOLVED, that City of Oak Creek Common Council requests that the aforementioned Wisconsin State Officials respond to the City of Oak Creek Department of City Development in writing at their earliest convenience, to confirm receipt of this resolution.

Introduced at a regular meeting of the Community Development Authority of the City of Oak Creek held this 6th day of August, 2007.

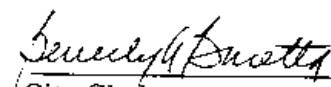
Passed and adopted this 6th day of August, 2007.


President, Common Council

Approved this 6th day of August, 2007.


Mayor

ATTEST:


City Clerk

VOTE: Ayes 6 Noes 0



Resolution by the City of Franklin Economic Development Commission

June 25, 2007

Expressing Strong Support and Requesting Active Assistance to achieve construction of the Proposed Freeway Interchange for Interstate Highway I-94 at West Drexel Avenue, in Milwaukee County, Wisconsin

Whereas, the mission of the City of Franklin Economic Development Commission is to actively pursue commercial and industrial business development to achieve a balanced property tax base; to assist in the retention and expansion of businesses located within the City; and to promote the City as an excellent place to live and operate a business.

Whereas, local residents and business leaders have expressed concerns about growing congestion and traffic safety for employees, customers, and fellow residents at both the West Ryan Road and West Rawson Avenue freeway interchanges for Interstate Highway I-94;

Whereas, according to both the Wisconsin Department of Administration and the United States Census Bureau, Franklin and Oak Creek are the two largest cities in Wisconsin to attain more than 10% population growth since the 2000 Census;

Whereas, there are 75 new residential and business developments currently underway in the City of Franklin, plus 63 new residential and business developments in the City of Oak Creek, for a total of 138 new developments in these neighboring communities that are directly served by the Interstate freeway system in southern Milwaukee County;

Whereas, the Northwestern Mutual Life Insurance Company currently employs approximately 1,000 people in the Phase I office complex at the Company's Franklin Campus at South 27th Street and West Drexel Avenue, and 1,100 additional employees are expected at the Company's Phase II development currently under construction, including a national training center and a new parking structure to accommodate more than 1,600 additional vehicles;

Whereas, the new six-story Wheaton Franciscan Healthcare medical center is currently under construction at South 27th Street and West Oakwood Road, and will generate a further substantial increase in traffic at the West Ryan Road interchange for Interstate I-94;

Whereas, the City of Franklin has two active tax-incremental finance districts adjacent to South 27th Street, including both sides of West Drexel Avenue, and the City of Oak Creek has approved

a large tax-incremental finance district along the east side of the South 27th Street Corridor, extending south from West Drexel Avenue;

Whereas, the Cities of Franklin and Oak Creek have coordinated planning, zoning, and design standards for the South 27th Street Corridor, and the two Cities are nearing completion of a joint Streetscape Plan to accommodate quality development within the South 27th Street Corridor that is anticipated to provide hundreds of millions of dollars in new property tax base and create thousands of jobs for residents of Milwaukee, Racine, and Waukesha Counties;

Whereas, analysis by the Wisconsin Department of Transportation has determined that the proposed freeway interchange at Interstate Highway I-94 and West Drexel Avenue would not have a negative impact on the operations or safety of the Interstate freeway system;

NOW, THEREFORE, BE IT RESOLVED, that the City of Franklin Economic Development Commission unanimously approves this resolution expressing strong support for the construction of the proposed freeway interchange at Interstate Highway I-94 and West Drexel Avenue in Milwaukee County, Wisconsin.


BE IT FURTHER RESOLVED, that the City of Franklin Economic Development Commission hereby requests the active support of Governor Jim Doyle, Secretary Frank Busalacchi, and Director Dewayne Johnson, as well as Senator Jeff Plale, Senator Mary Lazich, Representative Jeff Stone, and Representative Mark Honadel, for the proposed freeway interchange at Interstate Highway I-94 and West Drexel Avenue.

BE IT FURTHER RESOLVED, that City of Franklin Economic Development Commission requests that the aforementioned Wisconsin State Officials respond to the City of Franklin Department of City Development in writing at their earliest convenience, to confirm receipt of this resolution.

Approved this 25th day of June, 2007.



Chairman, City of Franklin Economic Development Commission



Vice Chairman, City of Franklin Economic Development Commission