

RECORD OF DECISION

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The Record of Decision is a new section in this document. Because it is new, it includes no yellow highlights to signify any updates since the May 2018 Limited Scope Supplemental Draft Environmental Impact Statement (LS SDEIS).

ROD.1 DECISION

The Wisconsin Department of Transportation (WisDOT) and Federal Highway Administration (FHWA) have identified the Selected Alternative for addressing the Purpose and Need of the WIS 23 project, a 19.1-mile corridor between US 151 and County P in Fond du Lac and Sheboygan counties. The WIS 23 study limits are shown in Figure ROD.1-1. Project needs include system linkage and route importance, transportation demand and regional economic development, legislative and planning history, existing and future traffic volumes and operations, existing highway geometric characteristics, access, safety, and nonmotorized travel accommodations.

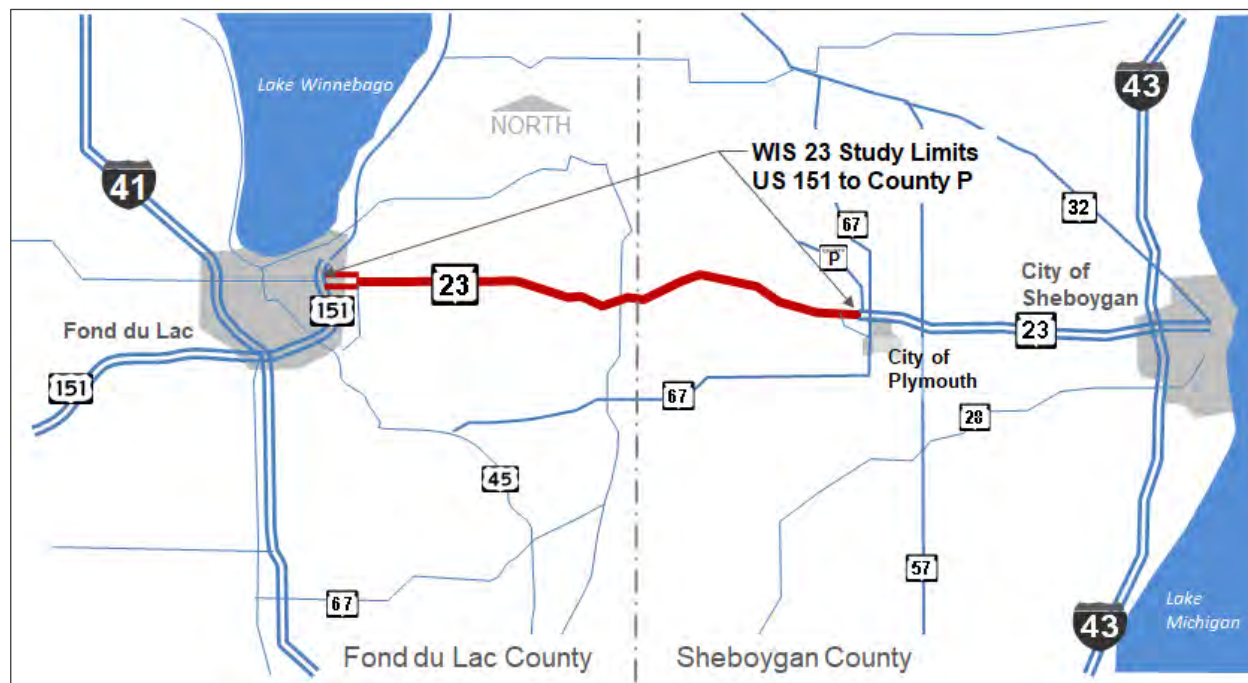


Figure ROD.1-1 WIS 23 Study Limits

Proposed improvements included in the Selected Alternative provide a 4-lane divided highway on the existing alignment for the full length of the project and extension of the Old Plank Road Trail from US 151 to the existing Old Plank Road Trail just west of Plymouth. The proposed improvements strive to avoid and minimize impacts to the natural, cultural and built environment to the extent feasible and practicable.

Corridor preservation is included in the Selected Alternative so as to minimize future impacts if the preserved right of way is needed for future access modifications at ten locations. Wis. Stat. § 84.295(10) provides WisDOT authority to designate a state trunk highway as a future Freeway/Expressway. Corridor preservation seeks to preserve right of way for transportation improvements that are likely to be needed in the future. This is done through the process of Official Mapping. In Wis. Stat. § 84.295(10), WisDOT is given the authority to establish locations and right-of-way widths for future freeways or expressways and to purchase Officially-Mapped lands as right of way. In the future, if WisDOT determines that transportation improvements are needed within these preserved areas, subsequent environmental documentation would be prepared to evaluate a range of alternatives and associated impacts and costs.

The Selected Alternative identified in this ROD is the same as the Preferred Alternative identified in the 2018 Limited Scope Supplemental Draft and Final Environmental Impact Statements (LS SDEIS and LS SFEIS), and is also the same as the Selected Alternative identified in the 2014 Limited Scope

Supplemental Final Environmental Impact Statement/Record of Decision (LS SFEIS/ROD). While the 2018 decision is the same as in previous documents, the 2018 decision includes consideration of additional alternatives that were not previously fully analyzed, and it reflects overwhelming support for the Preferred Alternative at the public hearing.

This ROD is prepared in accordance with 23 CFR 771.127 and 40 CFR 1505.2. A signature on this LS SFEIS/ROD represents approval of the Selected Alternative action, a wetland finding, a floodplain finding, and approval of the Section 4(f) actions.

The Selected Alternative is summarized in Section ROD.2.B below. See Section 2 of this LS SFEIS/ROD for detailed information.

The selection was based on study and public, agency, local government and tribal comments received as part of the process outlined in the National Environmental Policy Act (NEPA) and the Wisconsin Environmental Policy Act (WEPA). The Selected Alternative was identified by the United States Army Corps of Engineers (USACE) and United States Environmental Protection Agency (USEPA) as the least environmentally damaging practicable alternative (LEDPA) that satisfied the project Purpose and Need. The planning, agency coordination, public involvement, and impact evaluation for the project have been conducted in accordance with NEPA as well as the Clean Water Act, Executive Orders (EO) regarding wetland and floodplain protection, the Fish and Wildlife Coordination Act, the Migratory Bird Treaty Act, the EO on Environmental Justice 12898, the National Historic Preservation Act of 1966, and other state and federal laws, regulations, policies, and procedures for environmental impact analyses and preparation of environmental documents.

The study considered beneficial and adverse impacts of the project including indirect and cumulative effects. Direct impacts considered include the following: trails, natural resource areas, rivers, floodplains, wetland, wildlife, threatened and endangered species, agriculture, noise, air, hazardous materials, visual aesthetics, archaeological resources, historical places, residential properties/relocations, neighborhoods/community groupings, environmental justice, community facilities, utilities, emergency services, economic, environmental, land use, traffic, and project cost.

ROD.2 ALTERNATIVES CONSIDERED

A. Alternative Development

The 2018 Limited Scope Supplemental Environmental Impact Statement (LS SEIS) incorporates analyses and decisions made in the 2014 LS SFEIS and 2010 Final Environmental Impact Statement (FEIS) by reference. Specifically, the 2018 LS SEIS adopts the following decisions of the 2014 LS SFEIS:

- Eliminating the off-alignment highway alternatives from further consideration (Alternatives 2 through 6).
- Eliminating the Transportation System Management Alternative from further consideration.
- Eliminating the Transit Alternative from further consideration.
- Eliminating reconstruction of the existing 2-lane highway from further consideration.
- Selecting the No Corridor Preservation Alternative for the US 151/WIS 23 connection.

The 2018 LS SEIS re-evaluated the range of reasonable alternatives in light of current socio-economic data, crash data, and updated traffic forecasts. Because of this updated information, two alternatives that were previously dismissed in the 2014 LS SFEIS (Passing Lane and Hybrid Alternatives) satisfy more of the eight Purpose and Need factors, particularly the factor related to traffic operations. These two alternatives do not satisfy all Purpose and Need factors, yet they are brought forward for detailed evaluation in the 2018 LS SEIS to provide lower impact alternatives for comparison to the 4-lane On-alignment Alternative.

The 2014 LS SFEIS included a corridor preservation alternative with the 4-lane On-alignment Alternative that would preserve right of way for future transportation improvements. With this LS SEIS, the Passing Lane Alternative and the Hybrid Alternative also have an option to include corridor preservation with them. Adopting the decisions from the 2014 LS SFEIS and the 2010 FEIS and adding the Passing Lane and Hybrid Alternatives produces the Range of Alternatives Carried Forward for Detailed Study that are evaluated in the 2018 LS SEIS.

During the process of identification of a preferred alternative prior to the release of the 2018 LS SDEIS, fifteen different evaluation criteria pertinent to the WIS 23 corridor were considered. The evaluation criteria were developed to:

- Determine how well each alternative met the eight purpose and need factors, which are detailed in Section 1.3.
- Provide the specific detail on how each of the purpose and need factors would be evaluated.

The evaluation criteria were based on WisDOT and FHWA policy, standards, procedures, and/or state-of-the-practice considerations related to each factor. The discussion about the evaluation criteria considered and the reasons for identification are discussed in detail in Appendix F. The discussion about the evaluation criteria is discussed in detail in Appendix F and the reasons for identification discussed in detail in Section 2.E and Appendix F. In addition to evaluating how well each alternative addresses the project Purpose and Need, the magnitude and significance of impacts, and public, agency, local government, tribal and stakeholder support were considered. Following the public hearing, WisDOT considered the public and agency comments received during the comment availability period for the 2018 LS SDEIS. The following paragraphs discuss the Range of Alternatives Carried Forward for Detailed Study evaluated in the 2018 LS SEIS.

No-Build Alternative (provides a baseline for comparison in accordance with 40 Code of Federal Regulations (CFR) 1502.14(d))

The No-Build Alternative involves the continued use of WIS 23 without reconstruction or enhancements of the existing roadway. It includes routine maintenance activities necessary to keep the highway infrastructure in satisfactory condition. Figure ROD.2-1 schematically illustrates the No-Build Alternative. The No-Build Alternative moderately satisfied one of the 15 evaluation criteria. See Appendix F.

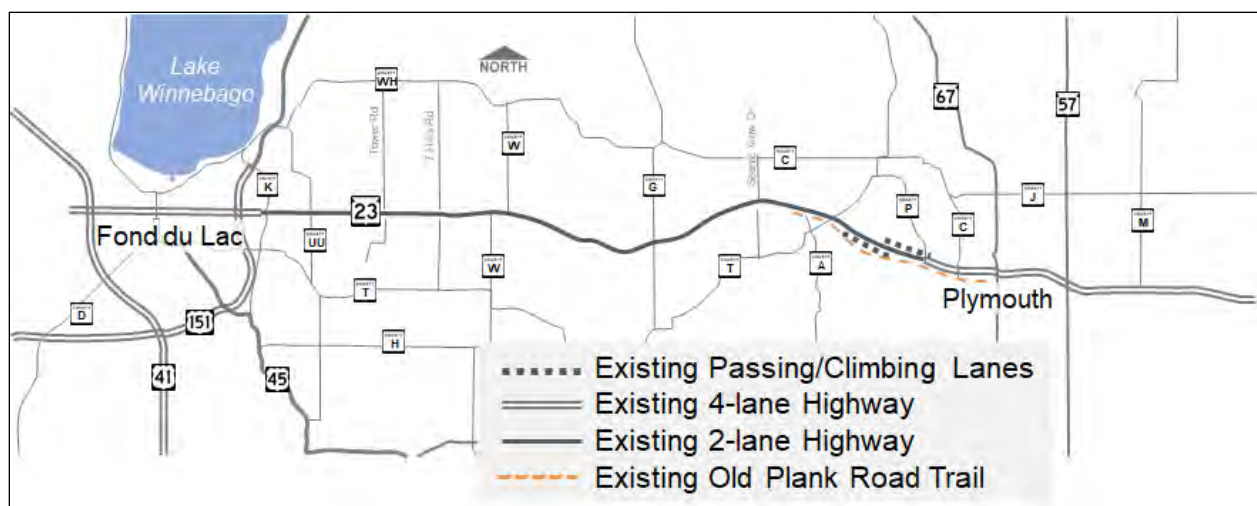


Figure ROD.2-1 No-Build Alternative

Passing Lane Alternative (with or without left-turn lanes)

Passing Lane Alternative installs two passing lanes in the eastbound direction and two passing lanes in the westbound direction to complement the existing eastbound and westbound climbing lanes that exist between County A and County P in Sheboygan County. Figure ROD.2-2 schematically illustrates the Passing Lane Alternative.



Figure ROD.2-2 Passing Lane Alternative

There are two sub-options with the Passing Lane Alternative: one that installs left-turn lanes at higher volume intersections and one that does not. The sub-option with left-turn lanes adds left-turn lanes on WIS 23 at ten higher volume intersections. The sub-option that does not install left-turn lanes is considered because left-turn lanes would decrease the amount of roadway available for passing. The Passing Lane Alternative would install a roundabout intersection at the Wisconsin American Drive intersection with WIS 23 and a new jughandle intersection at County K.

The Passing Lane Alternative would extend the Old Plank Road Trail, a multiuse path, from where it currently ends, near the Northern Unit of the Kettle Moraine State Forest (KMSF-NU), west to the Prairie Trail in Fond du Lac. The Passing Lane Alternative would include a grade-separated crossing (underpass) for the Ice Age Trail (IAT). The IAT and the State Equestrian Trail are joined as they cross WIS 23 at the KMSF-NU.

a. Corridor Preservation Associated with Passing Lane Alternative

Corridor preservation associated with the Passing Lane Alternative consists of preserving the right of way needed for possible future expansion of WIS 23 to a 4-lane roadway. Corridor preservation would also preserve right of way for possible future access modifications (including interchanges, grade separations and cul-de-sacs) at 12 locations to convert WIS 23 to an expressway, and it designates WIS 23 as a future Freeway/Expressway under Wis. Stat. § 84.295(10). Any future improvements within preserved/mapped areas require environmental analysis and documentation which evaluates a range of alternatives and associated impacts and costs, in accordance with applicable laws and regulations.

The Passing Lane Alternative fully or substantially satisfies 4 to 5 of the 15 evaluation criteria and moderately satisfies one criterion. See Appendix F.

Hybrid Alternative

The Hybrid Alternative provides a 4-lane divided highway for approximately 12 miles from US 151 to County G, and a 2-lane roadway with passing lanes and left-turn lanes for approximately 7 miles from County G to County P. Figure ROD.2-3 schematically illustrates the Hybrid Alternative.

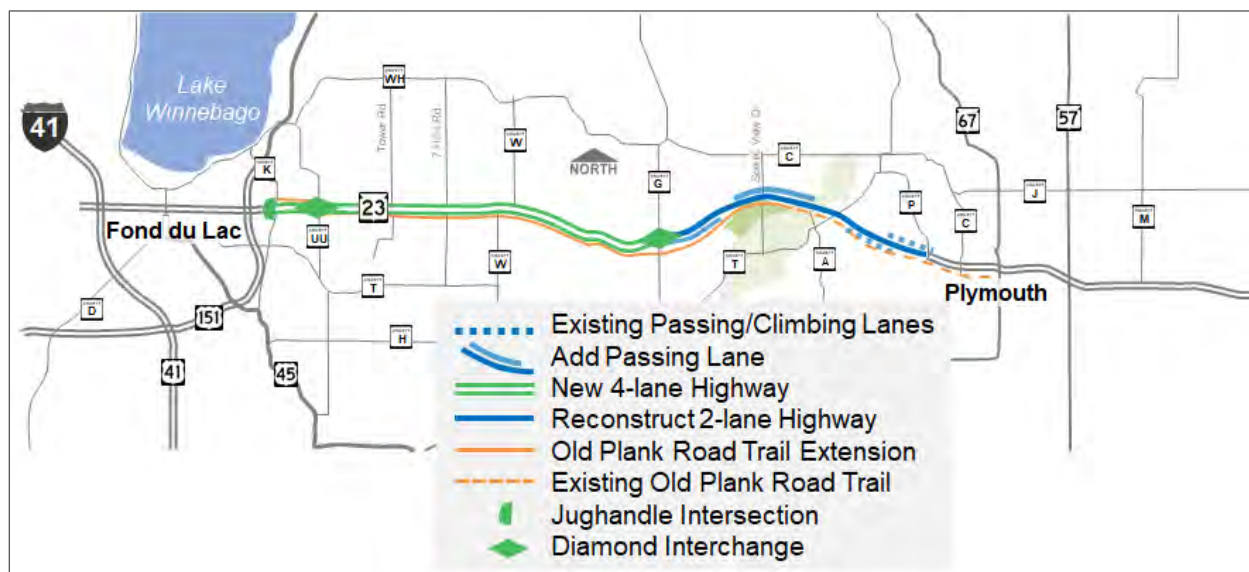


Figure ROD.2-3 Hybrid Alternative—4 Lanes from US 151 to County G, 2 Lanes from County G to County P

The Hybrid Alternative has the same roundabout intersection at Wisconsin American Drive and jughandle intersection at County K as the Passing Lane Alternative. The Hybrid Alternative also installs a diamond interchange at County UU and at County G with the county highways passing over WIS 23.

The Hybrid Alternative makes access modifications in the 4-lane portion of the alternative, including the installation of Restricted Crossing U-turns (RCUT) intersections at four intersections and eliminating or relocating private access along WIS 23 to remove many mainline crossing conflicts. As described under the Passing Lane Alternative, the Hybrid Alternative would also extend the Old Plank Road Trail from US 151 to the existing Old Plank Road Trail west of the city of Plymouth and install the same grade-separated underpass for the IAT.

a. Corridor Preservation Associated with Hybrid Alternative

Corridor preservation associated with the Hybrid Alternative consists of preserving the right of way needed for possible future expansion of WIS 23 to a 4-lane roadway from County G to County P to a 4-lane roadway. It would preserve right of way for possible future access modifications (including interchanges, grade separations and cul-de-sacs) at 10 locations to convert WIS 23 to an expressway, and it designates WIS 23 as a future Freeway/Expressway under Wis. Stat. § 84.295(10). Any future improvements within preserved/mapped areas require environmental analysis and documentation which evaluates a range of alternatives and associated impacts and costs, in accordance with applicable laws and regulations.

The Hybrid Alternative fully or substantially satisfies 3 of the 15 evaluation criteria and moderately satisfies 10 criteria. See Appendix F.

4-lane On-alignment Alternative

The 4-lane On-alignment Alternative would provide a 4-lane divided highway on the existing alignment for the full length of the project. Like the Hybrid Alternative, this alternative includes the roundabout at

Wisconsin American Drive, the County K jughandle intersection, and diamond interchanges at County UU and County G. RCUTs are proposed at nine intersections. See Figure ROD.2-4.

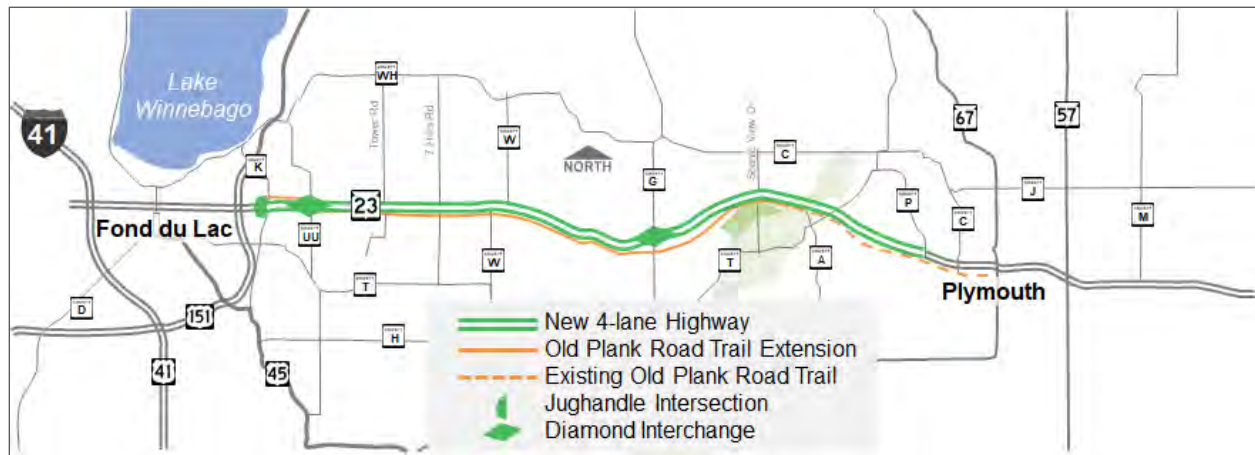


Figure ROD.2-4 4-lane On-alignment Alternative

This alternative would eliminate or relocate some movements at many private access points along WIS 23 throughout the corridor, removing many mainline crossing conflicts. As described under the Passing Lane and Hybrid Alternatives, the 4-lane On-alignment Alternative would also extend the Old Plank Road Trail from US 151 to the existing Old Plank Road Trail west of the city of Plymouth and install the same grade-separated underpass for the IAT.

a. Corridor Preservation Associated with 4-lane On-alignment Alternative

Corridor preservation associated with the 4-lane On-alignment Alternative includes designating WIS 23 as a Freeway/Expressway under Wis. Stat. § 84.295(10) and preserving right of way for possible future access modifications (including interchanges, grade separations and cul-de-sacs) at 10 locations.

The 4-lane On-alignment Alternative fully or substantially satisfies 14 of the 15 evaluation criteria and moderately satisfies one criterion. See Appendix F.

B. Selected Alternative Description

The Selected Alternative, summarized in the following paragraphs, is the “environmentally preferable alternative” providing a balance of sound engineering design, addressing long-term mobility needs and safety concerns, and minimizing impacts to the existing built environment and natural resources to the maximum extent practicable. The Selected Alternative has also been determined to be the Least Environmentally Damaging Practicable Alternative by USACE and USEPA (see Appendix C for agency correspondence). A detailed description of the Selected Alternative is described in Section 2.5 of this LS SFEIS/ROD.

Figure ROD.2-5 illustrates the alignment of the Selected Alternative. Construction of the WIS 23 4-lane improvements, including the extension of the Old Plank Road Trail, construction of local road and access improvements including the jughandle intersection at County K and interchanges at County UU and County G, are planned to begin in 2019 and anticipated for completion in 2022. The corridor preservation measures are planned to be enacted by WisDOT under the authority of Wis. Stat. § 84.295(10) after the ROD is approved.

The total project cost is estimated at \$150.5 million (Fiscal Year (FY) 2019 dollars). This estimate includes right of way acquisition, relocation assistance, design, utility relocation, and construction costs. Of this cost, \$29.9 million was expended prior to vacating the 2014 ROD, \$6.2 million was expended after

vacating the ROD and through August 2018, and \$114.4 million in costs remain. The total project cost in the Year of Expenditure (YOE) (defined for this project as 2019-2023) is \$153.1 million.

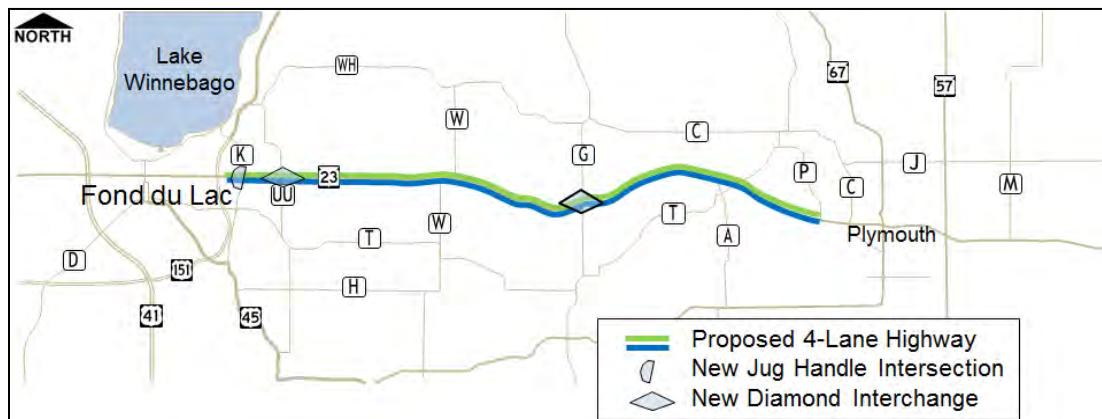


Figure ROD.2-5 Alignment of Selected Alternative

The Selected Alternative will have the following characteristics.

1. WIS 23 Build Alternative - Mainline

a. Cross Section

The Selected Build Alternative constructs a full 4-lane divided highway on the existing alignment for the full length of the project. From Wisconsin American Drive to County UU, WIS 23 will essentially have a suburban cross section. This includes four 12-foot lanes, 6-foot inside shoulders, 10-foot outside shoulders, and an 18-foot median with mountable curb.

From County UU east to County P in Sheboygan County, WIS 23 will have a typical expressway cross section. This includes four 12-foot lanes, 6-foot inside shoulders, 10-foot outside shoulders, and a 60-foot median.

b. Geometrics

The 4-lane On-alignment Alternative would generally, but not fully, meet design standards. The proposed interchange at County G would address the substandard horizontal sight distance along northbound County G for trucks turning left onto WIS 23. Design Exceptions to Standards have been approved for two locations of substandard grades along the corridor, as noted in Table 1.3-3 in this LS SFEIS/ROD, because the proposed design grades are the same as the existing grades. Locations where the roadway grade is flat and will not meet the recommended minimum grade, while not requiring Design Exception to Standards, are also identified in the Design Exception to Standards reports. The Design Exceptions to Standards were approved because they are not anticipated to substantially impact the safety or operations of the roadway under this 4-lane alternative and meeting the design standards for grade would result in substantial impacts to the natural environment and increased project costs. Justification of design exceptions is typical when building to full standards would result in only minor incremental benefits and the associated environmental impacts and costs would be substantial. The substandard intersection angle for Pit Road will be documented in the Design Study Report during final design.

c. Grade-Separated Ice Age Trail (IAT) and State Equestrian Trail Crossing of WIS 23

As agreed to by state and federal agencies as part of the Section 6(f) conversion request in the 2014 LS SEIS, with the negotiated commitment remaining in effect, the IAT and State Equestrian Trail will travel under WIS 23. WIS 23 crosses the Northern Unit of the Kettle Moraine State Forest (KMSF-NU), the IAT, and the State Equestrian Trail in Sheboygan County. WIS 23 improvements will include a grade-separated crossing for the trails located near Julie Lane at the

KMSF-NU. The crossing will be an underpass beneath WIS 23 with a clear width of 20 feet and a vertical clearance of 12 feet for the combined trails, improving functionality and safety of both trails. The underpass is compensation for impacts to the trails. Lands taken from the KMSF-NU (Section 6(f) and Section 4(f) lands) were replaced in accordance with the NPS's Land and Water Conservation Fund (LWCF) Program conversion process.

2. Old Plank Road Trail Extension

The Selected Alternative will extend the Old Plank Trail from Greenbush west to the city of Fond du Lac. The trail will generally be located within the proposed roadway right of way on the south side of the four-lane expansion. Starting at the west end of the project, the trail will be located along the north side of WIS 23 from US 151 to County UU, where it will cross to the south side of WIS 23. The trail will have a 10-foot-wide asphaltic surface, except for the section from Wisconsin American Drive to County UU where it has a 14-foot-wide asphaltic surface.

3. Interchanges, Access Controls, and Local Roads

The Selected Alternative will construct a roundabout at Wisconsin American Drive, a jughandle intersection at County K, and diamond interchanges at County UU and County G. Several side roads will have their direct access to WIS 23 removed but are provided alternate access via frontage roads and other local connections.

The Selected Alternative will modify access on public streets between Taft Road and County P. The modifications include Restricted Crossing U-turns (RCUT) at nine intersections: Tower Road, 7 Hills Road, County W South, County W North, County U, County T, Sugarbush Road, County A, and County S. Numerous intersections will be converted to allow right-in, right-out movements only. Table ROD.2-1 summarizes the access controls associated with the Selected Alternative.

Intersection	4-lane On-alignment Alternative	Possible Future Improvements with the Corridor Preservation Associated with 4-lane On-alignment Alternative
Wisconsin American Drive	Multi-Lane Roundabout	No change
County K	Jughandle intersection	No change
Mary Hill Park Drive	Access removed	No change
Whispering Springs Drive	RI/RO	No change
Hilltop Drive	Cul-de-sac	No change
Northway Drive	Access removed	No change
County UU	Diamond Interchange	No change
Taft Road	Right-In/Right-Out (RI/RO)	No change
Tower Road North	RCUT	Overpass
Tower Road South	RI/RO	Overpass
Poplar Road North	RI/RO	Cul-de-sac
Poplar Road South	RI/RO	Cul-de-sac
7 Hills Road North	RCUT	Overpass
7 Hills Road South	RCUT	Overpass
Hinn Road	RI/RO	Cul-de-sac
County W South	RCUT	Rerouting of County W
County W North	RCUT	Diamond Interchange
Loehr Road	RCUT (via County W)	Diamond Interchange (via County W)
Log Tavern Road North	At-grade	No change
Log Tavern Road South	Cul-de-sac	No change
Triple T	Rerouted to Pit Road South	No change
Pit Road North	At-grade	No change
Pit Road South	At-grade	No change
Banner Road	Cul-de-sac	No change
Triple T Road North	At-grade	No change
Hillview Road North	RI/RO/LI	RCUT
Hillview Road South	RI/RO	No change

Table ROD.2-1 Access Treatments		
Intersection	4-lane On-alignment Alternative	Possible Future Improvements with the Corridor Preservation Associated with 4-lane On-alignment Alternative
Hickory Road	Cul-de-sac	No change
County G	Diamond Interchange	No change
Division Road North	Cul-de-sac	No change
Division Road South	Access Road to County G	No change
Chickadee Drive	RI/RO	No change
County U	RCUT	No change
Sunrise Road	At-grade	No change
Spring Valley Drive	At-grade	No change
Scenic View Drive North	At-grade	Overpass
Scenic View Drive South	At-grade	Overpass
County T	RCUT	No change
Plank Road West	RI/RO	Cul-de-sac
Sugarbush Road North	RCUT	Overpass
Sugarbush Road South	RI/RO with Dedicated Left lane-RCUT	Overpass
County A North	RCUT	Interchange
County A South	RCUT	Interchange
Plank Road East	RI/RO	No change
Castle Rock Court	At-grade	No change
Julie Lane West	At-grade	No change
Julie Lane East	Cul-de-sac	No change
Ridge Road North	Cul-de-sac	No change
Ridge Road South	At-grade	No change
County S North	RCUT	No change
County S South	RCUT	No change
Coary Lane	Removed from WIS 23- Sandstone Lane extended and cul-de-sac	No change
Twinkle Lane	Removed from WIS 23- Valley Lane extended and cul-de-sac	No change
County P North and South	At-grade	No change
Inez Court	At-grade	No change
Branch Road	Removed from WIS 23- Extended to Inez Court	No change

The Selected Alternative includes local road connections and extensions near County P in Sheboygan County to enable the closure of direct access points onto WIS 23. For example, Valley Lane will be extended to connect with Twinkle Lane which will have access removed from WIS 23.

4. Corridor Preservation Associated with 4-lane On-alignment Alternative (For Future Interchanges, Grade Separations and Cul-de-Sacs)

Corridor preservation associated with the 4-lane On-alignment Alternative includes designating WIS 23 as a Freeway/Expressway under Wis. Stat. § 84.295(10), as described in Section 2.3 of this LS SFEIS/ROD, and preserving right of way that may be required for the following possible future access modifications:

- Grade separation (overpass) at Tower Road
- Cul-de-sacs at Poplar Road
- Grade separation (overpass) at 7 Hills Road
- Cul-de-sac at County W south and Hinn Road
- Rerouting of County W south to County W north roughly along Poplar Road and Loehr Road
- Diamond interchange at County W north intersection.

- Grade separation (overpass) at Scenic View Drive
- Cul-de-sac at Plank Road
- Grade separation at Sugarbush Road
- Diamond interchange at County A

In the future, if WisDOT determines that transportation improvements are needed within these preserved areas, subsequent environmental documentation would be prepared to evaluate a range of alternatives and associated impacts and costs.

Figures 2.9-31 to 2.9-44 in this LS SFEIS/ROD show the Selected Alternative.

5. Impacts

Tables ROD.2-2a, 2-2b, and 2-3 summarize the impacts associated with the Selected Alternative elements.

Table ROD.2-2a summarizes project costs by category to show the design, real estate acquisition, utility relocation, and construction costs expended for the previously selected 4-lane On-alignment Alternative both before and after the 2014 ROD was vacated. After the 2014 ROD was vacated, WisDOT resurfaced WIS 23 in Fond du Lac County from 7 Hills Road to Division Road; the costs expended after vacating the 2014 ROD and through August 2018 include the resurfacing project cost. The table also designates remaining costs to complete the Selected Alternative in FY 2019 and YOE dollars. Table ROD.2-2b summarizes the land, relocations, and other impacts. Table ROD.2-3 summarizes the resources, land types, residences, and businesses within the corridor preservation areas.

Table ROD.2-2a Selected Alternative Matrix - Costs			
		UNIT	4-lane On-alignment Alternative
Road Length		Miles	19.1
COST			
Costs expended prior to vacating 2014 ROD	Design	Millions \$	9.1
	Real Estate	Millions \$	19.1
	Utility	Millions \$	0.0
	Construction	Millions \$	1.7
	Total	Millions \$	29.9
Costs expended after vacating 2014 ROD and through August 2018	Design	Millions \$	2.5
	Real Estate	Millions \$	0.8
	Utility	Millions \$	0.4
	Construction	Millions \$	2.5
	Total	Millions \$	6.2
Total costs expended through August 2018	Design	Millions \$	11.6
	Real Estate	Millions \$	19.9
	Utility	Millions \$	0.4
	Construction	Millions \$	4.2
	Total	Millions \$	36.1
Costs remaining (FY 2019 dollars)	Design	Millions \$	2.8
	Real Estate	Millions \$	5.6
	Utility	Millions \$	4.6
	Construction	Millions \$	101.4
	Total	Millions \$	114.4
Total Project Costs (FY 2019 dollars)		Millions \$	150.5
Total Project Costs (Year of Expenditure)¹		Millions \$	153.1

¹ "Year of Expenditure" is 2019-2023.

Table ROD.2-2b Selected Alternative Matrix - Land, Relocations, and Other Impacts		
	UNIT	4-lane On-alignment Alternative
Area Converted to Highway R/W for Alternative		
Cropland and Pasture needed for R/W	Acres	218
- Purchased prior to vacating 2014 ROD and needed for R/W	Acres	119
- Remaining to be purchased for needed R/W	Acres	99
- Purchased prior to vacating 2014 ROD but not needed for R/W (comprised of either excess R/W ² or wetland mitigation acres)	Acres	199
Wetland Area needed for R/W	Acres	26
- Purchased prior to vacating 2014 ROD and needed for R/W	Acres	15
- Remaining to be purchased for needed R/W	Acres	11
- Purchased prior to vacating 2014 ROD but not needed for R/W (comprised of either excess R/W ² or wetland mitigation acres)	Acres	15
Woodland/Upland Area to R/W	Acres	38
- Purchased prior to vacating 2014 ROD and needed for R/W	Acres	34
- Remaining to be purchased for needed R/W	Acres	4
- Purchased prior to vacating 2014 ROD but not needed for R/W (comprised of either excess R/W ² or wetland mitigation acres)	Acres	10
Other Area needed for R/W ³	Acres	128
- Purchased prior to vacating 2014 ROD and needed for R/W	Acres	49
- Remaining to be purchased for needed R/W	Acres	79
- Purchased prior to vacating 2014 ROD but not needed for R/W (comprised of either excess R/W ² or wetland mitigation acres)	Acres	87
Total Area needed for Highway R/W	Acres	410
Total Area Already Purchased for Highway R/W ⁴	Acres	528
Total Area Still Needed for Highway R/W	Acres	193
Excess R/W² and Wetland Mitigation		
Excess R/W purchased prior to vacating 2014 ROD and not required for Alternative	Acres	152
Wetland Mitigation	Acres	159
Relocations		
Total Residential Relocations needed	Number	30
- Residences relocated prior to vacating 2014 ROD	Number	30
- Residential Relocations where buildings were razed	Number	27
- Residential Relocations Still Needed	Number	0
Total Business Relocations Required (Not Including Farms)	Number	4
- Business relocated prior to vacating 2014 ROD	Number	3
- Business Relocations where buildings were razed	Number	3
- Business Relocations Still Needed	Number	1
Total Farm Relocations Required (One or more farm buildings)	Number	18
- Farms relocated prior to vacating 2014 ROD	Number	17
- Farm Relocations where buildings were razed	Number	16
- Farm Relocations Still Needed	Number	1
Farms Severed	Number	5
Other Impacts		
Eligible Historic Structures/Archeological Sites identified	Yes/No	Yes
Section 106 MOA Required	Yes/No	Yes
Section 4(f) Evaluation Required	Yes/No	Yes
Section 6(f) Land Conversion Required	Yes/No	Yes
Floodplain Encroachment	Yes/No	Yes
Total Wetlands to be Filled (includes wetlands in existing and new R/W)	Acres	51.8
Stream Crossings	Number	3
Threatened/Endangered Species	Yes/No	Yes
Noise Analysis Required	Yes/No	Yes
Receptors Impacted in the design year	Number	47
Contaminated Sites	Number	6

² Excess right of way is a result of parcels purchased because they have uneconomic remnants or are land-locked parcels. The purchase of right of way and excess right of way is consistent with normal procedures and is typical for this type of project.

³ Other Area includes: Single- and Multi-Family Residential, Commercial, Industrial, Community, Institutional, Manufacturing, Mining, Retail Trade, Parks/Recreation, Undeveloped, and Transportation.

⁴ Actual surveyed amount is 530 acres between excess right of way and wetland mitigation. Value shown represents the approximate amount calculated using GIS parcel line files, not surveyed right of way lines.

Table ROD.2-3 Corridor Preservation Associated With Selected Alternative		
	UNIT	Corridor Preservation associated with 4-lane On-alignment Alternative ¹
Land Types within Corridor Preservation Limits		
Cropland and Pasture	Acres	50
Wetland Area	Acres	1
Woodland/Upland Area	Acres	7
Other Area ²	Acres	18
Total Land Required for Mapping/Corridor Preservation	Acres	76
Purchased prior to vacating 2014 ROD and needed for 84.295(10) Mapping	Acres	1
Area Still Needed for 84.295(10) Mapping	Acres	75
Excess R/W³ and Wetland Mitigation		
Excess R/W purchased prior to vacating 2014 ROD and not required for Alternative	Acres	152
Wetland Mitigation	Acres	159
Potential Restriction of Property Improvement (Relocations)⁴		
Residences within Corridor Preservation Area	Number	3
Residences within Corridor Preservation Area relocated prior to vacating 2014 ROD	Number	0
Residential relocations where buildings were razed	Number	0
Businesses within Corridor Preservation Area	Number	2
Businesses within Corridor Preservation Area relocated prior to vacating 2014 ROD	Number	0
Business relocations where buildings were razed	Number	0
Farms within Corridor Preservation Area (One or more farm buildings)	Number	4
Farm Relocations completed prior to vacating 2014 ROD	Number	0
Farm Relocations where buildings were razed	Number	0
Other Impacts (if the possible future project are implemented)		
Wetlands within Corridor Preservation Area (includes wetlands in existing and new R/W)	Acres	2.2
¹ Corridor Preservation consists of preserving right of way needed for future access modifications and improvements for possible future overpasses and interchanges.		
² Other Area includes: Single- and Multi-Family Residential, Commercial, Industrial, Community, Institutional, Manufacturing, Mining, Retail Trade, Parks/Recreation, Undeveloped, and Transportation.		
³ Excess right of way is a result of parcels purchased because they have uneconomic remnants or are land-locked parcels. The purchase of right of way and excess right of way is consistent with normal procedures and is typical for this type of project.		
⁴ Right of way impacts have occurred on the project. These impacts were not to facilitate mapping, but for the construction of the previously identified selected alternative under the 2014 LS SFEIS and ROD.		

C. Basis for Project Decision

During the process of identification of a preferred alternative prior to the release of the 2018 LS SDEIS, fifteen different evaluation criteria pertinent to the WIS 23 corridor were considered. The evaluation criteria were developed to:

- Determine how well each alternative met the eight purpose and need factors, which are detailed in Section 1.3.
- Provide the specific detail on how each of the purpose and need factors would be evaluated.

The evaluation criteria were based on WisDOT and FHWA policy, standards, procedures, and/or state-of-the-practice considerations related to each factor. The discussion about the evaluation criteria considered and the reasons for identification are discussed in detail in Appendix F.

Throughout the study process, considerable input was received regarding environmental resources as well as community, transportation, and safety factors. All input was considered when selecting an alternative that met the Purpose and Need.

1. Selected Alternative

The 4-lane On-alignment Alternative with Corridor Preservation is the Selected Alternative in this 2018 LS SFEIS/ROD. It is the same Selected Alternative in the 2014 LS SFEIS/ROD. Reasons for this selection include:

- Of the alternatives evaluated, the 4-lane On-alignment Alternative best fulfills WisDOT's statutory mission and responsibilities:
 - It provides better traffic operations.
 - It provides the most substantial benefit to safety.
- The 4-lane On-alignment Alternative most optimally addresses the Purpose and Need factors compared to the other alternatives.
- The majority of local governmental entities, along with commenting stakeholders, support the 4-lane On-alignment Alternative.

2. Corridor Preservation Associated with Selected Alternative

The Selected Alternative includes corridor preservation that designates WIS 23 as a Freeway/Expressway under Wis. Stat. § 84.295(10), and preserves right of way for possible future access modifications (including interchanges, grade separations and cul-de-sacs) at 10 locations.

Reasons for including corridor preservation with the 4-lane On-alignment Alternative as an element of the Selected Alternative include:

- WIS 23 corridor preservation will protect right of way for transportation improvements that are likely to be needed in the future. In preserving these areas for future transportation improvements, development within those areas can be minimized or avoided, reducing costs for WisDOT.
- WIS 23 corridor preservation, while having some current effect on property owners, will reduce impacts to the property owners in the long term. Without corridor preservation, these property owners may invest in improvements that may later need to be removed or relocated for transportation improvements.
- Implementation of the improvements associated with the WIS 23 corridor preservation measures is likely to occur within the planning horizon (30 years from Wis. Stat. § 84.295(10) official mapping).
- WIS 23 corridor preservation provides information useful to local property owners and governments as they make property acquisition and development approval decisions.
- WIS 23 corridor preservation measures will facilitate future access reductions. Without preserving right of way needed for future access roads, development could make access removal prohibitively expensive. This in turn would diminish the future safety and mobility of the corridor.
- Designating WIS 23 as an expressway will provide cost savings in the future as right of way can be purchased before development can occur, will allow for fully conceptualized design concepts to be developed and approved, and will help local units of government in planning their development along the corridor.

In the future, if WisDOT determines that transportation improvements are needed within these preserved areas, subsequent environmental documentation would be prepared to evaluate a range of alternatives and associated impacts and costs.

ROD.3 SECTION 4(F)

The Selected Alternative uses two Section 4(f) properties in which a Section 4(f) *de minimis* impact finding is being made according to 23 CFR 774.3(b). Table ROD.3-1 lists the 4(f) property and the proposed mitigation measures.

Table ROD.3-1 Section 4(f) Properties	
Section 4(f) Property	Measures to Minimize Harm and/or Mitigation Measures
Northern Unit of the Kettle Moraine State Forest, Ice Age Trail/State Equestrian Trail Section 4(f) <i>de minimis</i> impact finding	<ul style="list-style-type: none"> • Purchase of 4.275 acres with ownership transferred to WDNR. Land transfer is complete. • A grade-separated underpass for the Ice Age Trail/State Equestrian Trail
Wade House Historic Site (formerly Old Wade House State Park) Section 4(f) <i>de minimis</i> impact finding	<ul style="list-style-type: none"> • Restoration and landscaping of disturbed areas. • Provide access to the park from the Old Plank Road Trail extension. • Provide improvements to the park equal to the fair market value of the land.

Mr. Jerry Leiterman of the Wisconsin Department of Natural Resources (WDNR) was the Superintendent of the Kettle Moraine State Forest. On December 17, 2007 he wrote that the project does not adversely affect the activities, features, and attributes of the trails in Kettle Moraine State Forest and that he agrees with the Section 4(f) *de minimis* impact finding. Mr. Thomas L. Gilbert was the NPS representative managing the Ice Age Trail through 2011. On November 21, 2007, Mr. Gilbert wrote that the Park Service agrees with the Section 4(f) *de minimis* impact finding. The Wisconsin Historical Society (WHS) is the manager of the Wade House Historic Site. On October 17, 2006 the WHS agreed with the Section 4(f) *de minimis* impact finding and stated that the trail associated with the Section 4(f) impact would be mutually beneficial.

Agency coordination related to Section 4(f)/6(f) properties has occurred during the development of this document. On April 20, 2018, the State Historic Preservation Office (SHPO) of the WHS signed the Section 106 form. On April 24, 2018, SHPO signed Amendment 2 to the Memorandum of Agreement (MOA) (executed on May 31, 2018) that mentions the Wade House Historic Site as a potential location for public interpretive displays. On July 19, 2018, WDNR documented that LWCF interests are cleared for the purposes of the WIS 23 reconstruction project at the Wade House Historic Site. On July 26, 2018, USDOT correspondence indicated the LS SDEIS and Section 4(f) and 6(f) Evaluations were reviewed and they had no comments.

The Section 4(f) Findings are contained in Section 5 of this LS SFEIS/ROD. Letters from the officials with jurisdiction over these resources are included in Section 5 of this LS SFEIS/ROD. Agency correspondence related to Section 4(f)/6(f) since the 2014 ROD was vacated is in Appendix C. A signature on this LS SFEIS/ROD represents FHWA approval for the Section 4(f) *de minimis* impact findings for the Kettle Moraine State Forest and the Wade House Historic Site. Other unique areas are located within the corridor but are not considered Section 4(f) properties. See Section 5 for more information on these sites and why they do not qualify for Section 4(f).

ROD.4 WETLAND AND FLOODPLAIN FINDINGS

Consistent with FHWA regulations implementing EO 11990, Protection of Wetlands, it is determined that there is no practicable alternative that fully addresses the project's purpose and need and fulfills WisDOT's statutory mission and responsibilities, while avoiding wetland impacts. Slope adjustments,

stream relocation minimization, natural resource area avoidance, and best management practices will minimize harm for the Selected Alternative during final design.

Consistent with FHWA regulations implementing EO 11988, it is determined that there is no practicable alternative to the proposed construction in floodplains and that the proposed action includes all practicable measures to minimize harm to floodplains that may result from such use.

ROD.5 MEASURES TO MINIMIZE HARM AND MITIGATION COMMITMENTS

Specific measures to avoid and minimize harm and mitigate environmental impacts are discussed in detail in Section 6 of this LS SFEIS/ROD. Key environmental factors and mitigation measures are listed below. All practicable measures to avoid and minimize environmental harm have been incorporated into the Selected Alternative in accordance with 40 CFR 1505.2(c). They include:

1. Access During Construction

At least two lanes of traffic will be open on WIS 23 at all times during construction. Short-term closures may be needed for beam placement at overpasses and interchanges. Side-road access to WIS 23 will be intermittently closed to accommodate construction activities. A Transportation Management Plan will be developed by WisDOT and will be implemented during construction.

2. Aesthetics

Efforts will be made to minimize potential aesthetic impacts of the WIS 23 expansion in the area of the Niagara Escarpment. This will include minimizing cuts and following the existing topography to the extent possible.

3. Noise and Air Quality

A notice was sent to adjacent municipalities in July of 2013 notifying them that noise levels adjacent to the roadway will impact properties and that they should consider these impacts in their land use plans. They were also provided with the results of the noise analysis as well as a statement as to why noise mitigation is not reasonable.

For air quality, several examples of voluntary control measures contractors could implement to reduce the emissions of diesel vehicle pollutants will be cited in the Construction Contract Special Provisions for the project.

Dust control will be accomplished in accordance with the WisDOT Standard Specifications, which require application of water or other approved dust control methods during grading operations on haul roads and, in the case of WIS 23, the mainline. The location and operation of asphaltic batch plants will follow the Standard Specifications and any special provisions developed during coordination with WDNR regarding air quality standards and emissions. Any portable material plants will be operated in accordance with WDNR air quality requirements and guidelines. Demolition and disposal of structures are regulated under the WDNR's asbestos renovation and demolition requirements (Wisconsin Administrative Code, Chapter NR 447).

4. Property Acquisition

Property will be acquired according to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended, which provides for payment of just compensation for property acquired for a federal aid project.¹ In addition to acquisition price, costs for the replacement dwelling or business location, moving expenses, increased rental or mortgage payments, closing costs, and other valid relocation costs are covered. No person or business will be displaced unless a comparable replacement dwelling or business location, or other compensation where a suitable replacement business location is not practicable, is provided. The above compensation is available to all displaced persons without discrimination.

¹ Property that was acquired prior to the 2014 ROD being vacated was acquired in accordance with these requirements.

5. Material Source/Disposal Sites

Federal Rule 23 CFR 635.407 requires that the contractor be allowed to select borrow sites. It is therefore the contractor's responsibility to choose a borrow site and obtain necessary environmental clearance (including permits) for the selected site. Those responsibilities are detailed in Section 208.2.2 (Borrow, Source) and Section 107.3 (Permits and Licensing) of the State of Wisconsin *Standard Specifications for Highway and Structure Construction* manual. For details, see Section 6.5 in the 2018 LS SEIS and the WDNR letter dated 11/27/17 in Appendix C.

6. Water Quality, Hydrology, and Hydraulics

This project will require an Erosion Control Plan (ECP) that is developed during design and an Erosion Control Implementation Plan (ECIP) that describes how best management practices will be implemented before, during, and after construction to minimize pollution from stormwater discharges. Additionally, the ECIP will address how post-construction stormwater performance standards will be met for the specific site. The project design and ECIP must comply with the Transportation Construction General Permit (TCGP) in order to receive "permit-coverage" from the WDNR. The permit coverage will be issued by the WDNR after design is complete and documentation shows that the project will meet construction and post-construction performance standards.

Creek, slough, and wetland involvement associated with the proposed project is subject to individual permits under Section 404 of the Clean Water Act (33 USC 1344). A Section 404 permit was previously obtained for the Selected Alternative (4-lane On-alignment Alternative). Once impacts are recalculated based on any design modifications and updated wetland determination, coordination with the USACE will continue to determine if the existing permit can be amended or if a new permit is needed.

Structure sizing will be performed in accordance with local, state, and federal guidelines regarding floodplain encroachment and hydraulic capacity. All new and modified structures over navigable waters will be consistent with the provisions of the Wisconsin Administrative Code Chapter NR 116 as administered under the Cooperative Agreement Between WDNR and WisDOT. WisDOT will mitigate project impacts to waterways. When regional 100-year flood levels rise above 0.01 feet, affected property owners and the local floodplain zoning authority will be notified of the rise in the floodplain. This will occur with the Sheboygan River crossing, yet flood level increases will be contained within WisDOT right of way. As indicated in the WisDOT/DNR Cooperative Agreement and its 1988 attachment related to Waterway Crossings and other Floodplain Encroachments, WisDOT will evaluate impacts from all proposed construction affecting mapped floodplains and will carry out appropriate coordination with the local floodplain zoning authority.

7. Fish, Wildlife, and Threatened and Endangered Species

There are nine mitigation arrangements regarding fish, wildlife, and state-listed, threatened, or special concern species developed in coordination with the WDNR during winter 2013, fall 2017, and summer 2018 and U.S. Fish & Wildlife Service (USFWS) during summer 2018. The mitigation arrangements are provided in Section 6.7 of this LS SFEIS/ROD.

The construction contractor's plan of operations will identify the location of all haul roads, material storage sites, and any other lands that may be disturbed outside the construction zone. WDNR and WisDOT will review the plan to ensure the construction impacts to fish and wildlife habitat are minimized.

8. Wetlands

Wetland impacts will be avoided or minimized to the greatest extent possible during design. Compensation for unavoidable wetland loss will be carried out in accordance with Federal requirements and the interagency *Wetland Mitigation Banking Technical Guideline* developed as part of the WisDOT/WDNR *Cooperating Agreement on Compensatory Wetland Mitigation* and the 2008 Joint Rule

regulations clarifying requirements regarding compensatory mitigation.

WisDOT is planning on-site mitigation at two locations in Fond du Lac County to compensate for all the wetland impacts. One of the two on-site mitigation locations would be on property owned by WisDOT and has approximately 50 acres that could be used for mitigation. The second on-site mitigation location is in the town of Empire. If changes occur that prevent the implementation of these plans, mitigation will be debited to Hope Marsh wetland mitigation site in Marquette County.

During construction, impacts to wetlands from erosion and sediment transport will be avoided or minimized by implementing erosion control best management practices as specified in the construction contract and by ensuring that the practices implemented conform to the contract's special provisions and the WisDOT's Standard Specifications for Road and Bridge Construction.

9. Uplands

Mitigation for upland habitat disruption includes the replacement of disturbed vegetation within the right of way under the Wisconsin Standard Specifications for Road and Bridge Construction. During construction, cleared and graded areas will be restored. The restoration will be staged to follow the grading operations to the maximum extent possible. Revegetation measures will minimize upland wildlife habitat loss.

10. Contaminated Sites

In design, WisDOT is seeking to avoid the limits of contamination on contaminated parcels. Investigation of contaminated sites and the management of any excavated contaminated material will be completed in accordance with WisDOT's Facilities Development Manual and the Natural Resources (NR) 700 Series of Wisconsin Administrative Codes. The management of excavated contaminated materials on transportation projects typically involves reuse of the materials on the project, disposal of the materials in a landfill, or treatment of the materials at a biopile site. If the contaminated material is classified as a solid waste, activities related to the management of excavated contaminated material will also follow the NR 500 Series of Wisconsin Administrative Codes. If the contaminated material is classified as a hazardous waste, activities related to the management of excavated contaminated material will follow the NR 600 Series of Wisconsin Administrative Codes rather than the NR 500 Series. More information is contained in Section 4.7 D-4.

11. Utilities

WisDOT and FHWA will continue coordination efforts with utilities, municipalities, and counties to avoid or minimize impacts to and of the utilities along WIS 23. Both compensable and noncompensable² utility lines located along the WIS 23 project corridor will need to be relocated. The utility relocations have already occurred for the Sheboygan County part of the project, the relocations took place before the 2014 ROD was vacated in 2015. There are sensitive resources along the project corridor, but it is anticipated that the majority of these relocations will occur within or directly adjacent to the proposed right of way.

Utility relocations and coordination with utility owners are done in accordance with Wisconsin Administrative Code TRANS 220, *Utility Facilities Relocation*, WisDOT's *Guide to Utility Coordination*, and WisDOT's FDM Chapter 18, *Utility Coordination*. Under these regulations and guidelines, WisDOT is responsible for notifying utility owners about the project, obtaining information on existing utilities in the project corridor, providing final plans showing potential utility conflicts, providing a list of approvals required by governmental agencies, and ultimately reviewing/approving the utility relocation plans.

² A compensable utility is one that is located on private land by easement and WisDOT must pay the utility to relocate its facility. A noncompensable utility is one that is located on WisDOT right of way and the utility must pay its own cost to relocate its facility.

For impacts that are unavoidable, WisDOT will coordinate with these parties to avoid or minimize interruptions in service during construction. WisDOT will alert utility companies performing relocations in response to this project of environmental resources that should be considered in their relocation plans.

12. Historic and Archaeological Resources

Section 106 requirements have been completed according to the agreement between FHWA, the SHPO, and WisDOT. A revised MOA between the FHWA, SHPO, WisDOT, and St. Mary's Springs was signed by SHPO on April 24, 2018 fulfilling the project's Section 106 requirements. This revised MOA can be seen in Factor Sheet 4.7 B-6. There are 29 detailed stipulations listed in the revised MOA that pertain to known archaeological sites and historical sites and these are provided in Section 6.12 of this document.

WisDOT has committed to moving the Guardian Angel Statue to another location on the St. Mary's Springs Academy property.

In addition to the above stipulations, the Stockbridge Munsee Tribe and Forest County Potawatomi Community of Wisconsin will be notified if a Native American cultural site is uncovered.

13. Public Use Lands

WIS 23 crosses the Northern Unit of the Kettle Moraine State Forest (KMSF-NU), the Ice Age Trail, and the State Equestrian Trail in Sheboygan County. WIS 23 improvements will include a grade-separated crossing for the trails located near Julie Lane at the KMSF-NU. The crossing will be an underpass beneath WIS 23 with a clear width of 20 feet and a vertical clearance of 12 feet for the combined trails, improving functionality and safety of both trails. The underpass is compensation for impacts to the trails. Lands taken from the KMSF-NU (Section 6(f) and Section 4(f) lands) were replaced in accordance with the National Park Service's Land and Water Conservation Fund (LWCF) Program conversion process. A Section 4(f) *de minimis* impact finding is included in Section 5.3. The *de minimis* effect finding combines the KMSF-NU with the Ice Age Trail/State Equestrian Trail because the resources are coincident.

WIS 23 travels along the north side of the Wade House Historic Site, which has been delisted as a state park. The proposed WIS 23 expansion would take place on the north side of the existing highway near this site and includes the extension of the Old Plank Road Trail along the south side of WIS 23 in the area of the Wade House Historic Site. The trail extension will be constructed adjacent to WIS 23 to minimize right-of-way impacts to the Wade House Historic Site and avoid impacts to the Wade House Wetland Enhancement and Mitigation Site. The Wade House Historic Site is a Section 4(f) and Section 6(f) property. A Section 4(f) *de minimis* impact finding is included in Section 5.4. For Section 6(f), WDNR reviewed property title information and WIS 23 right of way is considered a pre-existing condition. As a result, WDNR cleared LWCF interests for the purpose of WIS 23 reconstruction and Section 6(f) replacement lands are not required. See Section 5.2, Table 5.2-1, and Section 5.4. Specific commitments related to Section 4(f) and Section 6(f) resources are discussed in Section 5 of this LS SFEIS/ROD.

14. Agricultural Lands

During construction, reasonable access will be provided to agricultural land. Existing drainage systems (ditches and tiles) will be kept operational during construction. WisDOT will work with farm owners to minimize project impacts.

Consideration will be given to the 14 recommendations provided in DATCP's Final Agricultural Impact Statement and update. Of the 14, seven apply specifically to WisDOT as they consider the maintenance of farm activities. These seven are included in Section 6 of this LS SFEIS/ROD.

ROD.6 MONITORING AND ENFORCEMENT

Project development will be monitored by FHWA and WisDOT to ensure conformance with the mitigation commitments made in this LS SFEIS/ROD prior to the authorization of federal-aid highway funds for construction. The project team will refer to Section 6, Measures to Minimize Adverse Effects, of this LS SFEIS/ROD during the project development process to ensure commitments are adequately reflected in the project plans and specifications and that the commitments are provided to project managers, leaders and inspectors to aid in monitoring during construction. Other specific required actions include the following:

1. Relocation Assistance Plans for displaced residents and businesses require approval by the Wisconsin Department of Commerce under Wisconsin Statutes. 32.25. Acquisition will be conducted in accordance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.³
2. Stream and wetland impacts associated with the Selected Alternative are subject to individual Section 404 permits required by USACE.
3. A water quality certification, Section 401 permit, is required by the WDNR.
4. The proposed highway improvement project will be in accordance with the standards of erosion control and stormwater management established in Trans 401.
5. Monitoring and Evaluation of Indirect Effects
WisDOT and FHWA will work within their jurisdictional limitations to minimize adverse indirect effects. These efforts will be primarily associated with the roadway project corridor and are primarily limited to the duration of the construction project. Local communities and state agencies with jurisdiction in the study area will have the ability to monitor and evaluate impacts on land and resources on a long-term basis. Communities have the ability to approve or not approve development proposals and can influence the pace of development for years after WIS 23 improvements are completed. Other agencies with federal authority, such as the USEPA and USACE, also have the authority to monitor impacts to natural resources such as floodplains, wetlands, and water quality.

ROD.7 COMMENTS

The project had numerous opportunities for public, agency, local government and tribal comment since its initiation. The summary below provides the number of comments (related to alternatives) received following the public hearing on the 2018 LS SDEIS and comment period ending July 31, 2018. All comments have been addressed and do not reflect a need for further analysis or consideration of the Selected Alternative.

- 342 Support 4-lane On-alignment Alternative.
13 of 342 - Number of people who support the 4-lane On-alignment Alternative and also mentioned support for corridor preservation.
- 24 Oppose the 4-lane Alternative.
- 24 Support Passing Lane Alternative.
- 7 Oppose Passing Lane Alternative.
- 1 Support Hybrid Alternative.
- 1 Oppose Hybrid Alternative.
- 1 Oppose No-Build Alternative.
- 8 Support project without specifying a specific alternative.
- 4 Oppose project without specifying support for No-Build Alternative.

³ Property that was acquired prior to the 2014 ROD being vacated was acquired in accordance with these requirements.

A more complete description of the public, agency, local government and tribal comments received, as well as WisDOT and FHWA responses, is incorporated in Section 7 of this LS SFEIS/ROD.

ROD.8 RECORD OF DECISION APPROVAL

Based on the analysis and evaluation documented in this LS SFEIS/ROD, and after careful consideration of all social, economic, and environmental factors (including comments received during the environmental impact study process), a signature on the cover of this LS SFEIS/ROD indicates the FHWA approves this ROD and adopts the Selected Alternative, the 4-lane On-alignment with Corridor Preservation Alternative, as the proposed action. FHWA's approval includes a floodplain finding, a wetland finding, two Section 4(f) *de minimis* determinations, and incorporation of analysis and decisions from the 2014 LS SFEIS and 2010 FEIS.